

UPSC Civil Services Examination

UPSC Notes [GS-I]

Topic: Constituent Assembly of India [NCERT Notes on Modern History of India]

NCERT notes on important topics for the UPSC civil services exam preparation. These notes will also be useful for other competitive exams like banking PO, SSC, state civil services exams and so on.

Background

- In 1934, M N Roy first proposed the idea of a constituent assembly.
- The demand was taken up by the Congress Party in 1935 as an official demand.
- The British accepted this in the August Offer of 1940.
- Under the Cabinet Mission plan of 1946, elections were held for the formation of the constituent assembly.
- The members of this assembly were elected indirectly, i.e., by the members of the provincial assemblies by the method of a single transferable vote of proportional representation.
- The constituent assembly was formed for the purpose of writing a constitution for independent India.

Composition of Constituent Assembly and other details

Facts

- Initially, the number of members was 389. After partition, some of the members went to Pakistan and the number came down to 299. Out of this, 229 were from the British provinces and 70 were nominated from the princely states.
- Dr. Sachchidananda Sinha was the first temporary chairman of the Constituent Assembly. Later, Dr. Rajendra Prasad was elected as the President and its Vice President was Harendra Coomar Mookerjee. B N Rau was the constitutional advisor.
- The assembly first met on 9 December 1946. The Muslim League had boycotted this meeting citing their demand for partition.
- On 13 December, Jawaharlal Nehru moved the 'Objective Resolution'. This resolution enshrined the aspirations and values of the constitution makers. Under this, the people of India were guaranteed social, economic and political justice, equality and fundamental freedoms. This resolution was unanimously adopted on 22 January 1947 and it became the Preamble to the Constitution.
- The National Flag of the Union was adopted on 2 July 1947.
- The time taken by the assembly to frame the constitution: 2 years, 11 months and 18 days. Money spent in framing the constitution: Rs.64 lakhs.
- On 24 January 1950, 'Jana Gana Mana' was adopted as the national anthem.
- The final document had 22 parts, 395 articles and 8 schedules.
- The assembly had met for 11 sessions.

- The draft was published in January 1948 and the country's people were asked for their feedback and inputs within 8 months.
- The last session was held during 14 – 26 November 1949. The constitution was passed and adopted by the assembly on 26 November 1949.
- The constitution came into force on 26 January 1950 (which is celebrated as Republic Day).

Committees & their chairmen

- Drafting Committee: Dr. B R Ambedkar
- Union Constitution Committee: Jawaharlal Nehru
- Union Powers Committee: Jawaharlal Nehru
- States Committee: Jawaharlal Nehru
- Steering Committee: Dr. Rajendra Prasad
- Rules of Procedure Committee: Dr. Rajendra Prasad
- Provincial Constitution Committee: Sardar Vallabhbhai Patel
- Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas:
 1. Fundamental Rights Sub-Committee: Acharya Kripalani
 2. Minorities Sub-Committee: H C Mookerjee
 3. Excluded and Partially Excluded Areas (Other than those in Assam) Sub-Committee: A V Thakkar
 4. North-East Frontier Tribal Areas and Assam Excluded & Partially Excluded Areas Sub-Committee: Gopinath Bardoloi

Criticism of the Constituent Assembly

- It was not a representative body since the members were not directly elected by adult franchise. However, the leaders did enjoy popular support from the people. Direct elections by universal adult franchise at that time when the country was on the brink of partition and amidst communal riots would have been impractical.
- It is said that the makers took a long time in framing the constitution. However, keeping in mind the complexity and the peculiarities of the diverse and large Indian nation, this can be understood.
- The constituent assembly was not a sovereign body since it was created by the British. However, it worked as a fully independent and sovereign body.
- The language of the constitution was criticised for being literary and complicated.
- The assembly was dominated by the Congress Party. But the party dominated the provincial assemblies and this was natural. Moreover, it was a heterogeneous party with members from almost all sections of Indian society.
- It was alleged that the assembly had Hindu dominance. This was again because of proportional representation from communities.