



SNS COLLEGE OF TECHNOLOGY

Coimbatore-35
An Autonomous Institution

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Approved by AICTE, New Delhi & Affiliated to Anna University, Chennai



DEPARTMENT OF INFORMATION TECHNOLOGY

19HST103- INDIAN CONSTITUTION

I B.Tech. IT/ II SEMESTER

UNIT 1 – INTRODUCTION

TOPIC 5 – PREAMBLE & CITIZENSHIP



PREAMBLE



- Introduction or preface to the Constitution
- Contains summary of Constitution
- Preamble as ‘identity card of the Constitution.’
- Based on ‘Objectives Resolution’
- Drafted and moved - Pandit Nehru, adopted by - Constituent Assembly
- Amended by - 42nd Constitutional Amendment Act (1976)



PREAMBLE



WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity,
and to promote among them all,

FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;

IN OUR CONSTITUENT ASSEMBLY this 26th day of November 1949, do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**



INGREDIENTS OF PREAMBLE



- Source of authority of the Constitution - Derives its authority from the people of India
- Nature of Indian State - Sovereign, Socialist, Secular democratic and Republican polity
- Objectives of the Constitution - Justice, Liberty, Equality and Fraternity
- Date of adoption of the Constitution - November 26, 1949



CITIZENSHIP



- Citizens are full members of the Indian State
- They enjoy all civil and political rights
- Aliens, on the other hand, are the citizens of some other state/Country
 - friendly aliens
 - enemy aliens
- Constitution confers rights and privileges on the citizens



PRIVILEGES



- Right against discrimination on grounds of religion, race, caste, sex or place of birth (Article 15)
- Right to equality of opportunity in the matter of public employment (Article 16)
- Right to freedom of speech and expression, assembly, association, movement, residence and profession (Article 19)
- Cultural and educational rights (Articles 29 and 30)
- Right to vote in elections to the Lok Sabha and state legislative assembly



PRIVILEGES



- Right to contest for the membership of the Parliament and the state legislature
- Eligibility to hold certain public offices, that is, President of India, Vice-President of India, judges of the Supreme Court and the high courts, governor of states, attorney general of India and advocate general



CONSTITUTIONAL PROVISIONS



- Citizenship Act, 1955

- Amended in
- 1957
- 1960
- 1985
- 1986
- 1992
- 2003
- 2005 and 2015



CONSTITUTIONAL PROVISIONS



- A person who had his domicile in India and also fulfilled any one of the three conditions
- viz.,
- if he was born in India;
- or if either of his parents was born in India;
- or if he has been ordinarily resident in India for five years immediately before the commencement of the Constitution, became a citizen of India (Article 5)



CONSTITUTIONAL PROVISIONS

- A person who migrated to India from Pakistan became an Indian citizen if he or either of his parents or any of his grandparents was born in undivided India.
- And also fulfilled any one of the **two** conditions
- viz.,
- in case he migrated to India before July 19, 1948, he had been ordinarily resident in India since the date of his migration;
- or in case he migrated to India on or after July 19, 1948, he had been registered as a citizen of India (Article 6)



CONSTITUTIONAL PROVISIONS

- A person who migrated to Pakistan from India after March 1, 1947, but later returned to India for resettlement could become an Indian citizen.
- For this, he had to be resident in India for six months preceding the date of his application for registration (Article 7)
- A person who, or any of whose parents or grandparents, was born in undivided India but who is ordinarily residing outside India shall become an Indian citizen if he has been registered as a citizen of India by the diplomatic or consular representative of India in the country of his residence, whether before or after the commencement of the Constitution.
- Thus, this provision covers the overseas Indians who may want to acquire Indian citizenship (Article 8)