

## PREAMBLE

### Introduction

- **B. R Ambedkar:** “The Preamble is the most precious part of the Constitution.”
- **K.M. Munshi:** “The Preamble is the horoscope of our sovereign democratic republic.”

### Nature

#### 1. Sources of Authority

- “We, the people of India” — Sovereignty is rooted in the people.

#### 2. Legal Status

- **Judicial evolution**
  - **Berubari Union (1960)** → “Not part of Constitution”
  - **Keshavananda Bharti (1973)** → overruled; **Part of Constitution**
  - **LIC of India (1995)** → “Integral part”
- **Enforceability** → Non-justiciable, however, it aids in interpreting other Articles.

#### ★ **Dr. Balram Singh vs Union of India (2024)** OR **Subramaniam Swamy case (2014)**

- SC dismissed challenges to the words “**Socialist**” & “**Secular**”, reaffirming:
  - now well-accepted facets of Indian constitutional identity & **Basic Structure**

### Philosophy

#### 1. Sovereign

- Independent authority
- No external dictation
- **Art. 1** → Independent FP & Strategic Autonomy

#### 2. Socialist

- Goal of welfare state and ending inequality
- E.g. **Art. 38, 39, 43**

#### 3. Secular

- State is neutral
- Equal respect for all faiths
- E.g. **Art. 25–28** → Religious freedom

#### ★ **S.R. Bommai Case (1994)**

- Secularism → part of **Basic Structure of Doctrine (BSD)**

#### 4. Democratic

- Government **by the people, for the people & of the people**
- E.g. **Art. 324–329**

#### ★ **PUCL vs UOI (2003)**

- Right to vote → its **object & value**

#### 5. Republic

- Head of State = **elected**
- E.g. **Art. 54, 55** → President election

### Ideals

→ to ensure dignified life

#### 1. Justice

##### Social

- **Art. 15, 17, 38**

##### Political

- **Art. 325–326**

##### Economic

- **Art. 39(b), 39(c), 41**

##### Cases:

- ★ **Indra Sawhney Case (1992)**
  - Reservation: An instrument of social justice
- ★ **Janhit Abhiyan Case (2022)**
  - upheld **EWS reservation**

#### 2. Liberty

- Thought
- Expression
- Belief
- Faith
- Worship

E.g. **Art. 19, 21, 25**

#### ★ **Maneka Gandhi Case (1978)**

- Liberty under **Art. 21** includes “**due process**”

#### 3. Equality

- **Status**
- **Opportunity**

E.g. **Art. 14, 15, 16, 18**

→ Gender justice, laws

→ LGBTQ+ rights etc.

Note to Yourself

# SANRAKSHAN 3.0

72nd BPSC Mains Mentorship  
Guided by Suraj Jha

- GS-1 | GS-2 | ESSAY
- Lectures | Organic Notes
- Peer Answer Writing Group

- Current Affairs Module for Mains
- DI & Optional Strategy
- Weekly Session with Suraj Sir



### 4. Fraternity

- Social solidarity ensuring:
  - dignity of the individual
  - unity of the nation

E.g. **Art. 51A(e)**

**Case:**

- ★ **Navtej Johar (2018)**
  - Dignity & fraternity as constitutional values

### Significance

**Preamble is significant because it is:**

1. Guide for Governance & Policy
2. Benchmark for Constitutional Interpretation
3. "Ground" of Constitutional Morality
4. Philosophical Soul of Constitution
5. Limitation on Amending Power
6. Democratic Legitimacy → "We, the people..."
7. National Integration & Social Cohesion.

### Limitations

1. **Idealism vs Ground Realities**
2. **Non-justiciable**
3. **Ambiguity of certain terms**  
a.e.g. socialist / secular
4. **No mention of federalism**
5. **Over-judicial reliance**
6. **Post-Constitution additions** → critics: "diluted the original constitutional intent"

### Relevance in Governance

1. **Sovereignty** → Digital sovereignty, data
2. **Justice** → DPDP Act
3. **Liberty** → scope of privacy & free speech in age of AI
4. **Equality** → debate: subclassification & SC/ST

### Conclusion

"The Preamble acts as a '**Pragmatic tool**'."

As seen in **Art. 370 Judgment (2023)**, the Court looked at the spirit of "**Sovereignty**" mentioned in the Preamble to uphold integration of J&K.

Thus, it remains the "**Constitutional Conscience Keeper**" of the nation.

### PYQs:

1. **Explain how the Preamble of the Indian Constitution provides a blueprint about the goals of the Constitution. (69th BPSC)**
2. **Evaluate the nature and importance of the Preamble of the Indian Constitution. (45th BPSC)**
3. **Examine the justification and importance of the philosophy embodied in the Preamble of the Constitution of India. (42nd BPSC)**

