

## **Constitution Day and Fundamental Duties**

**Constitution Day** also known as 'Samvidhan Divas', is celebrated in our country on 26<sup>th</sup> November every year to commemorate the adoption of the [Constitution of India](#). On 26<sup>th</sup> November 1949, the Constituent Assembly of India adopted the Constitution of India, which came into effect from 26<sup>th</sup> January 1950.

The Ministry of Social Justice and Empowerment on 19<sup>th</sup> November 2015 notified the decision of Government of India to celebrate the 26<sup>th</sup> day of November every year as 'Constitution Day' to promote Constitution values among citizens.

The Constitution of India was framed by a Constituent Assembly set up under the Cabinet Mission Plan of 1946. The Assembly held its first meeting on December 9, 1946, and elected Dr. Sachhidanand Sinha, the oldest member of the Assembly as the Provisional President. On December 11, 1946, the Assembly elected Dr Rajendra Prasad as its permanent Chairman.

The Constituent Assembly set up 13 committees for framing the constitution including a Drafting Committee under the Chairmanship of Dr. B.R. Ambedkar. On the basis of the reports of these committees, a draft of the Constitution was prepared by a seven-member Drafting Committee.

It is the longest written Constitution in the world containing 395 Articles, 22 Parts and 12 Schedules.

The Constitution of India was not typeset or printed but was handwritten and calligraphic in both English and Hindi. It was entirely handcrafted by the artists of Shantiniketan under the guidance of Acharya

Nandalal Bose, with the calligraphy texts done by Prem Behari Narain Raizada in Delhi.

The original copies of the Constitution of India are kept in special helium-filled cases in the Library of the Parliament of India. Each part of the Constitution begins with a depiction of a phase or scene from India's national history. At the beginning of each part of the Constitution, Nandalal Bose has depicted a phase or scene from India's national experience and history. The artwork and illustrations (22 in all), rendered largely in the miniature style, represent vignettes from the different periods of history of the Indian subcontinent, ranging from Mohenjodaro in the Indus Valley, the Vedic period, the Gupta and Maurya empires and the Mughal era to the national freedom movement. By doing so, Nandalal Bose has taken us through a veritable pictorial journey across 4000 years of rich history, tradition and culture of the Indian subcontinent.

People of India are the ultimate custodians of the Constitution. It is in them that sovereignty vests and it is in their name that the Constitution was adopted. The Constitution empowers the citizen, but the citizen too empowers the Constitution – by following it, by adhering to it, by protecting it, and by persevering to make it more meaningful with words and deeds. The Constitution is nobody's preserve – and it is everybody's preserve.

When the Constitution was adopted in the year 1949, there were no provisions regarding Fundamental Duties to the Citizens though there was a Part III for Fundamental Rights. The Fundamental Duties of citizens were added to the Constitution by the 42nd Amendment in 1976, upon the recommendations of the *Swaran Singh Committee* that was constituted by the Government. The Committee suggested that steps needed to be taken to ensure that the individual did not overlook his duties while in exercise of his Fundamental Rights.

By way of the 42nd Constitution (Amendment) Act, 1976, a new Chapter IV-A which consists of only one Article i.e 51-A was added which dealt with a Code of Ten Fundamental Duties for citizens. Fundamental duties are intended to serve as a constant reminder to every citizen that while the constitution specifically conferred on them certain Fundamental Rights, it also requires citizens to observe certain basic norms of democratic conduct and democratic behaviour because rights and duties are co-relative. The inclusion of Fundamental Duties brought our Constitution in line with article 29 (1) of the Universal Declaration of Human Rights and with provisions in several modern Constitutions of other countries. The concept of Fundamental duties was taken from the USSR.

The Fundamental duties are essentially taken from the Indian tradition, mythology, religions and practices. Essentially these were the duties that are the codification of tasks integral to the Indian way of life.

Originally ten fundamental duties were listed. Later on, by virtue of 86th Constitution the Amendment in year 2002, 11th duty was added.

## Text of Article 51-A

### PART IVA

#### FUNDAMENTAL DUTIES

51A. Fundamental duties.—It shall be the duty of every citizen of India—

(a) to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem;

(b) to cherish and follow the noble ideals which inspired our national struggle for freedom;

(c) to uphold and protect the sovereignty, unity and integrity of India;

(d) to defend the country and render national service when called upon to do so;

(e) to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;

(f) to value and preserve the rich heritage of our composite culture;

(g) to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures;

(h) to develop the scientific temper, humanism and the spirit of inquiry and reform;

(i) to safeguard public property and to abjure violence;

(j) to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement;

(k) who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.