Dr. Durga Das Basu

Introduction to the Constitution of India

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Introduction to the Constitution of India

Containing systematic and logical exposition of the Constitution of India as it stands upto July, 2002 incorporating numerous amendments made by the Constitutional Amendments up to the **83rd Constitutional Amendment Act** also updating the tables given at the end of the book providing data up to March, 2002.

by

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by

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and

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all about the book

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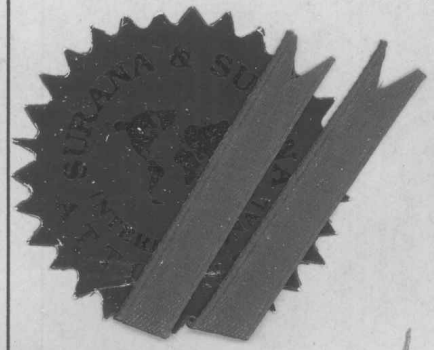
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यदा यदा हि धर्मस्य ग्लानिर्भवति भारत।
अभ्युत्थानमधर्मस्य तदात्मानं सृजाम्यहम्।।
परित्राणाय साधूनां विनाशाय च दुष्कृताम्।
धर्मसंस्थापनार्थाय सम्भवामि युगे युगे।।

—श्रीमद्भगवद्गीता (IV. 7/8)

Whenever there is
Decline of righteousness,
And rise of unrighteousness,
I incarnate myself
To protect the virtuous
And to destroy the wicked,
From Age to Age.

—Geeta (IV. 7/8)

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preface to the nineteenth edition

The fact that a new revised edition has been called for within a couple of years fulfils the hope, expressed in the preface to the previous edition, that the scope of demand for this book from general readers is almost infinite, in a population of more than 100 crores who are being more and more educated every year. The appreciation received from thousands of readers of this book and from the population at large accross the Country assures that the educated citizens of this biggest democracy in the world is realising that they cannot be indifferent to obtaining authentic infomation as to how the country is being governed, even though in their professional life they may not have anything to do with the constitutional system. Absence of authentic information about the basic elements of the Constitution generates incorrect impression about the functions and powers of the three organs of the State—Legislature, Executive and the Judiciary and their office bearers and renders the elite of the society gullible readers of the morning newspapers even though journalists themselves cannot claim omniscience of all subjects under the sky.

In the preparation and editing of the new revised edition, the editors have received valuable assistance from the Publishers' Editorial Board.

2nd April, 2001
Ram Navami

Editors
and the Publishers' Editorial Board

'Unique and Versatile'

Dr. Basu was a man of unique and manifold achievements, combined in one :

i) Born in February, 1910, he was actively carrying on research at the age of 87, producing creative literature, almost every quarter of the year, comprehending Jurisprudence, Political Science and Religion, simultaneously.

ii) He was a legend in the world of law and his status as an 'eminent jurist' had been acknowledged by the Government of India by appointing him a full-time member of the Union Law Commission, and a Judge of the Calcutta High Court, on the category of 'eminent jurists'; by conferring upon him the National award Padmabhusan and the National Research Professorship.

iii) No other member of the Indian Judiciary had been honoured with the aforesaid awards of the Government, together with doctorates from six Universities.

iv) In the field of Constitutional Law, he had introduced the *comparative* method of research, which had been held by Lord Denning, the doyen of world Jurists, as 'a unique contribution to the jurisprudence of the world.'

v) Dr. Basu was the *pioneer* commentator of the Constitution of India (published in September, 1950) when there was no light from any judicial decision in India. His Commentary on the Constitution of India had brought the Indian Constitution to the door of every man in the world *who is interested in constitutional government and law.* It has celebrated its Jubilee in 1975 and its Golden Jubilee is near at sight.

vi) No other Indian work on Constitutional Law is read from one end of the world to the other, including non-English-speaking countries, such as Japan, Poland, Hungary, West Germany, Italy. One of Basu's books has been translated and published in Russia, where the constitutional system has no semblance to that of India.

vii) No other jurist in India had been compared with 'Blackstone, Coke and kent', by a Law Journal abroad.

viii) As an author, he was versatile and *prolific*. His contribution to jurisprudence was not confined to Constitutional Law but comprised authoritative treatises in different branches of law, the total number of pages of the current Edition of which exceeds 16,000 in Royal Octavo.

xi) Dr. Basu's talents have not been confined to writing. That he was adored by numerous Universities in India and abroad will be evidenced by the fact that he held *honois causa* doctorate from six

contd.

Universities in India; that he had participated at an international seminar at the Chicago Law School; participated in a semi-Government Conference at Ottawa on the future Constitution of Canada; delivered lectures as Guest Lecturer at a score of foreign Universities in the U.K., U.S.A. and Canada.

In India, he had delivered the prestigious Tagore Law Lectures and the Ashutosh Memorial Lectures of the Calcutta University; and the Honorary Professorship Lectures of the Banaras Hindu University.

x) He held the rare Doctorate of Law (LL.D.) of the Calcutta University and D. Lit. from as many as 6 Universities.

xi) He combined in himself all the highest Awards of the Calcutta University–LL.D., D.Lit., Tagore Law Professorship and Asutosh Memorial Lectureship.

xii) To crown all, his published research works on Sanskrit scriptures have fetched for him a number of Sanskrit titles from various cultural institutions, e.g., *Sarasvati* (Hooghly Sanskrit Parishad); *Vidavaridhi* (Anangamohan Harisabha); *Prajnabharati* (Satyananda Devayatana); *Nyayaratnakara* (Howrah Sanskrit Samaj); *Neetibhaskar* (Nikhil Banga Sanskrit Seva Samity); *Nyaya Bharati* (Sitaramdas Omkarnath Sanskrit Siksha Samsad; *Vacaspati*),–Rashtriya Sanskrit Vidyapeetha (Tirupati).

His Bengali Book *Hindu Dharmer Saratatva*, which has run out three Editions, has been acknowledged by the Rabindra Bharati University as an original contribution to Comparative Religion, by conferring upon him *honris causa* D. Lit. An English version of this book and Hindi and Oriya translations have been published for the use of non-Indian readers.

xiii) Apart from thus propagating the message of Indian heritage, breaking through language barriers, Dr. Basu had donated the copyright with all sale proceeds in these spiritual productions to charitable institutions.

xiv) All these multifarious activities in the cause of the nation had endeared this octogenarian to non-government public bodies such as the Citizen's Club (New Delhi), conferring upon him the National Citizen's Award; the Asiatic Society (Calcutta) by awarding its Honorary Fellowship; the Legal Aid and Advice Society, West Bengal, conferring on him the title *Acharya*; and the Bharat Sevasram Sangha, conferring on him its prestigious award *Manava Ratna*.

Other awarding plaques, medallions or souvenirs include–the Indian Association; the I.A. Federation Hall Society; the Sankara Institute of Philosophy and Culture, Academy of Comparative Religion, Kal Pratima & St. Andrews Memorial Society; Legal Aid Services, West Bengal.

— Publishers

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