



## Indian Constituent Assembly - the Historical Backdrop

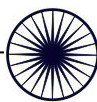
*Braja Paikaray*

The first session of Indian Constituent Assembly commenced on the 9th December 1946, Monday, in the Constitution hall of New Delhi. Though the Constituent Assembly consisted of 296 members, the first historical session was attended by only 210 members. Attending this session, Mr. K.M. Munshi, a prominent intellectual of the then India, remarked. "A great day for India has dawned. Indians are going to frame their own Constitution, but there is unhappiness everywhere." Observing the discouraging political scenario of the country Mr. K.M. Munshi had expressed such views as because the Muslim League had decided not to attend the aforesaid historical Session of the Constituent Assembly. The rulers of different princely states were also not co-operating with the Congress leaders and the British Govt, had no particular message regarding this session. The British Prime Minister Mr. Churchill added fuel to the fire by his self-styled views in connection with this historical session that "The Constituent Assembly represented only one major community of India." Mr. Viscount Simon had also expressed his negative remarks by saying that "The Constituent Assembly of India was a body of Hindus.

In fact, the aforesaid views were after all wrong, unjust and politically motivated. Because,

the first session of Constituent Assembly was attended by the representatives of all castes, communities and religions of India. Amongst the 210 members who attended the first historical session of the Constituent Assembly, there were 155 high caste Hindus, 30 Scheduled Caste representatives, 5 Tribals, 5 Sikhs, 5 Indian Christians, 3 Anglo-Indians, 3 Parsis and 4 Muslim members. Though the Constituent Assembly had 80 Muslim members out of total 296 members their attendance was very poor as the Muslim League had called upon the Muslim members to boycott the first historical session of Constituent Assembly.

The main duty and responsibility of the makers of Indian Constitution was to reflect and represent the hopes, aspirations and dreams of each caste, class and community of the country. Some people had opposed the method of nomination of members to the Constituent Assembly and apprehended that as the nominated members were not the elected representatives of the common people they would fail to reflect the hopes, aspirations and dreams of Indians while framing the Constitution. Reacting to the aforesaid apprehension of the opposing people, Dr. B.R. Ambedkar remarked "The Constituent Assembly in making a Constitution has no partisan motive. Beyond securing a good and workable



Constitution it has no axe to grind. In considering the articles of the Constitution it has no eye on getting through a particular measure.

Its members will be acting as partisans seeking to carry amendments to the Constitution to facilitate the passing of party measures which they have failed to get through Parliament by reason of some articles of the Constitution which has acted as an obstacle in their way. Parliament have an axe to grind when the Constituent Assembly has none.”

As per the opinion of Mahatma Gandhi, the Constituent Assembly should reflect and represent the national life of Indians. Gandhi’s vision was going to become a reality as the towering personalities like Sarbapalli Dr. Radhakrishnan, Dr. B.R. Ambedkar, Mr. K.M. Munshi, Alladi Krishna Swami Ayer, Prof. K.T. Shah, N. Gopalswamy Ayengar and Hrudayanath Kunjur were the members of Indian Constituent Assembly.

The agenda of the first historical session of Indian Constituent Assembly was :-

1. The selection of Interim Chairman.
2. The oath taking ceremony of members.

In the beginning of the Session, Acharya Krupalini proposed the name of Mr. Sachidananda Sinha, a prominent Congress leader of the country, to adorn the post of interim Chairman of the Constituent Assembly and after assuming the chairmanship Mr. Sinha in his inaugural speech stated briefly regarding the Constitution of different Countries of the world and advised the members to study and go deep through the American Constitution. Mr. Sinha further opined that while framing the Constitution, the makers of Constitution must study and observe the socio-economic and political situation of the

country in order to meet the needs of all classes of people.

Quoting the noteworthy sayings of famous American jurist Mr. Joseph Story, Mr. Sachidananda Sinha addressed the dignitaries present at the first historical session of Indian Constituent Assembly as follows.

“Republics are created by virtue of public spirit and intelligence of citizens. They fall, when the wise are banished from the public councils because they dare to be honest and the profligates are rewarded because they flatter the people, in order to betray them.” Reciting some verses of Poet Iqbal and predicting the bright future of India Mr. Sinha concluded his speech quoting the famous stanza from Bible “where there is no vision, the people perish.”

After the concluding speech of Mr. Sinha the oath taking ceremony of members was commenced. The Secretary of Constituent Assembly Mr. H.V.R. Ayengar called the names of each member to participate in oath taking ceremony. Each member was going to the secretary when called by name and was returning to his concerned seat after taking the oath and putting his signature on a register.

Before declaring the conclusion of the first session of Indian Constituent Assembly Mr. K.M. Munshi, one of the greatest intellectual of India, remarked : “For the moment, the spirit of triumph is in the air, but the smell of coming danger persists.” Thus began the first hour of our freedom.

(This article is published in the memory of late Braja Paikaray)

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