

**ADDRESS BY THE HON'BLE PRESIDENT OF INDIA
SHRI RAM NATH KOVIND
ON THE OCCASION OF INAUGURATION OF CONSTITUTION
DAY CELEBRATIONS**

New Delhi, November 26, 2018

1. I am glad to be here today to inaugurate the commemoration of Constitution Day, which is a landmark date on our national calendar. I extend warm greetings to all fellow citizens on this cherished day. I also welcome members of the judiciary from BIMSTEC countries for an occasion that is not only important for India, but is a celebration of universal values, and allows for mutual learning and sharing.
2. November 26 marks the day in 1949 when the Constitution of India was adopted by the Constituent Assembly. In 1979, on the 30th anniversary of this momentous event, the Supreme Court began to observe the day as National Law Day. In 2015, to coincide with the 125th birth anniversary of Babasaheb Dr Bhim Rao Ambedkar, the Union government decided to celebrate it as Constitution Day. This was an appropriate tribute to Dr Ambedkar, who was chair of the Drafting Committee of the Constituent Assembly and is remembered as the “Chief Architect of the Constitution”.
3. I would like to thank the Chief Justice of India, Shri Justice Ranjan Gogoi, for the invitation extended to me. I accepted immediately because Constitution Day has a special meaning for me, as I am sure it does for all of us.
4. November 26 is a sacred day in our constitutional history. Tragically, it also represents a date that saw an assault on the democratic values and freedoms that our Constitution grants us. I refer to the terror attacks in Mumbai on this day exactly 10 years ago. Those horrific images still remain in India's

collective memory. As a nation and a people we are honour-bound to get justice for the individuals and families that suffered. The Constitution and its underlying principles commit us to this resolve.

Ladies and Gentlemen

5. The Constitution is the modern scripture of independent India. To use a Latin expression, it is our *suprema lex*. However, it is more than just a collection of articles and clauses. For us Indians it is an inspirational and living document, an ideal of the society we are and the even better society we are striving to be. These are aspirations that apply to not just India but to many emerging nations, including the BIMSTEC member-states represented here.
6. Dr Ambedkar and his colleagues in the Constituent Assembly were remarkably large-hearted and generous in their approach. They allowed for flexibility in amending the Constitution and were accommodative of various streams of thought. Above all, they trusted the wisdom of future generations to expand the frontiers of freedom and liberty, justice and fraternity, fairness and equality. They trusted future generations to not just amend the Constitution's text, but to constructively re-imagine and re-interpret it for changing times.
7. If we continue to be true to this spirit, the Constitution can serve India for all times to come.

Ladies and Gentlemen

8. The Constitution formalised the separation of powers between the judiciary, the executive and the legislature. It gave all three pillars of the state legitimate roles and critical responsibilities to uphold the Constitution and realise its hopes and expectations. It also urged them to build a fraternal and parallel relationship. The duty of safeguarding and strengthening the Constitution is a shared enterprise among all three institutions, in partnership with the people of India.

9. The 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.
10. Perhaps the most moving word in the Constitution is "justice". "Justice" is a single word. "Justice" is a complex and liberating expression. And "justice" is both the means and the goal of our constitutional and nation-building process.
11. In the narrow sense of our legal system, justice is served when right and wrong are adjudicated upon in a courtroom. And more so when justice is accessible, affordable and quickly available to all citizens, irrespective of background. But justice must also be seen in a wider context – in terms of society's evolution and its changing beliefs, lifestyles and technologies.
12. The Preamble to the Constitution guarantees to all Indian citizens: "Justice – social, economic and political". The Preamble is an irreplaceable aid to appreciating and interpreting the Constitution. If I could use a term with which the younger generation may be familiar, the Preamble is the source code of the Constitution.
13. In the Preamble, justice is not seen as unidimensional. It is viewed as having implications across political, economic and social spheres. Political justice implies the equal participation of all adults in the political process and the just formulation and implementation of laws. Economic justice implies the ultimate eradication of poverty, equal opportunities to earn a livelihood, and fair wages. As such the expansion of

economic, entrepreneurship and job opportunities are among examples of economic justice.

Ladies and Gentlemen

14. Given the diverse history of our people, and given imbalances and hierarchies that have sometimes marked our past, social justice remains a touchstone of our nation building. At the simplest level, it implies the removal of societal imbalances and the harmonisation of rival claims and needs of different communities and groups. Social justice is about providing equal opportunities.
15. Such a conceptualisation of justice was valid in 1949 and broadly remains relevant today. Even so, the 21st century has brought new challenges. No doubt the concept of justice - political, economic and social – has a resilient core but it needs to be thought of in innovative ways. It requires to be applied afresh to emerging situations – situations that may not have existed or been foreseen when our Constitution framers were at work.
16. Let us take some everyday examples. Political justice in the electoral arena does not stop with free and fair elections and with universal franchise. Or with the right of every citizen who meets age and other criteria to offer himself or herself as a candidate. Improving transparency in campaign finance, as the government is trying to do, is also an example of promoting political justice. Disruptions in parliamentary proceedings are an unfortunate occurrence. Some have suggested that these too be seen as encroachment on the citizen's understanding of justice.
17. Similarly, when the judiciary tries to find solutions to frequent adjournments, simply to delay cases and inconvenience the less-well-off litigant, it enhances the quality of justice. One year ago, I made a suggestion on this very platform to facilitate certified translated copies of court judgements in regional languages. This would help litigants

who were not familiar with the English language. I am glad that the Supreme Court, led by the Chief Justice of India very shortly after he took office, has initiated the process for certified translated copies in Hindi. Some High Courts are also issuing certified translated copies in local languages. By Constitution Day 2019, I look forward to all High Courts, across the country, implementing this practice. It will serve to widen the boundaries of justice.

Ladies and Gentlemen

18. In India, the idea of social justice too has expanded to encompass modern civic parameters – such as clean air; less polluted cities and towns, rivers and water bodies; sanitary and hygienic living conditions; and green and eco-friendly growth and development. These are all implications of environmental and climate justice, within the framework of social justice. If a child suffers from asthma due to air pollution I would consider that a gap in providing social justice.
19. Perhaps the most tantalising influence on justice is that of technology. This is especially so because we live in an era of rapid and enormous technological change – of Big Data and automation, and of the Fourth Industrial Revolution. Technology is an enhancer of justice as well as a challenge. It calls for us to think of technology justice as a subset of economic justice. This is very true in the context of access to technology for our poorer and less-privileged fellow citizens.
20. Technology has made huge contributions to our quality of life. Innovations in agricultural technology that began with the Green Revolution have made India self-sufficient in food and have rolled back hunger. New vaccines and life-saving drugs have eradicated diseases and improved life expectancy. The telecom surge has reduced distances and allowed businesses to become more efficient. And the Internet has made knowledge democratic and accessible. Information is no longer a privilege, it is a commodity.

21. Innovation has also worked for the benefit of disadvantaged sections of society. A case in point is India's experience with technology-enabled, Aadhar-linked direct benefit transfers. These have plugged corruption, leakages and exclusion from India's welfare programmes.

22. Innovation and technology have brought gains. But they have also brought questions of access and privacy. For example, there is the dilemma of weighing data privacy against the use of data for the greater common good. Within these competing imperatives lie competing notions of justice. And such issues will probably stay with us through the 21st century.

Ladies and Gentlemen

23. The adoption of the Constitution was a milestone in India's democratic journey. Over the past seven decades, as democracy has deepened, so has the demand for justice. The expansion of the idea of justice is a consequence of an informed and demanding citizenry attempting to forge a new social contract with a responsive state.

24. When I say "state", I don't mean just "government". The priority to be responsive is there for all our institutions, public as well as private. We are in an age when public services and public goods are increasingly being delivered by the private sector. Education, health, housing, urban transport and telecom and Internet access are examples. The expansion of justice creates a greater role for non-state players as well. Any future safeguarding and strengthening of the Constitution – and upholding of justice in its various forms – will require the participation of both public and private stakeholders. Justice has as many stakeholders as India has citizens.

Ladies and Gentlemen

25. Before I conclude, I must point out that we are about to enter a very important year. November 26, 2019, exactly 12 months from now, would mark the 70th anniversary of the

adoption of the Constitution. Let us make the coming year worth this anniversary – not necessarily by organising events and commemorations, but by giving the constitutional ethic a greater salience in all our thinking and all our action.

26. In particular, we must strive to improve awareness about the Constitution and the rights and responsibilities that it gives us. It is a paradox that our citizens, in whose name the Constitution was adopted, are sometimes not sufficiently informed about what the Constitution means for us – for each of us. Let the 70th year of its adoption be dedicated to enhancing awareness about the Constitution. Let this become a national mission, with the media and social media playing a crucial role. I am confident that we would have achieved much on this count when we meet again a year from today.

27. With those words, I wish all of you the very best for the rest of the day's proceedings.

Thank you,
Jai Hind!