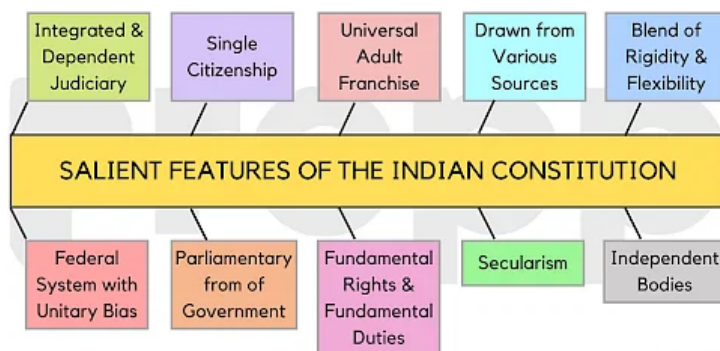
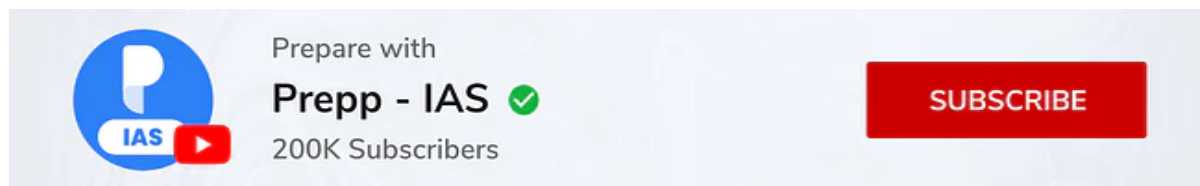




IAS Exam Exam

Information Brochure
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Though the Indian Constitution is borrowed from almost every constitution of the world, it is unique in its content and spirit. The salient features of the Indian Constitution are a **Blend of rigidity and flexibility**, a **Federal system with a Unitary bias**, a **Parliamentary form of Government**, an **Integrated and Independent Judiciary**, **Fundamental Rights**, **Directive Principles of State Policy**, **Fundamental Duties**, **Secularism** and **Universal Adult Franchise**. The topic “**Salient Features of the Indian Constitution**” is an important part of the UPSC/IAS Exam Indian Polity and Governance Syllabus which is discussed in this article in detail.



Salient Features of the Indian Constitution

The Salient Features Of The Indian Constitution

The salient features that make the Indian Constitution special in many aspects are discussed below.

Longest Written Constitution

The Indian Constitution is one of the longest detailed constitutions in the world. There are 12 schedules and 448 articles in our Constitution. The Indian Constitution has incorporated various articles by taking inspiration from the various constitutions around the world.

Why is it so lengthy?

- Considering India's diversity, it was necessary to draft a sufficiently lengthy Constitution in order to incorporate various provisions to accommodate various differences.
- The Constitution makers found it necessary to include various provisions providing special attention to states like Assam, Mizoram, and Nagaland.
- Many provisions were also incorporated to uplift the Scheduled Castes and Scheduled Tribes.

Drawn From Various Sources

- The majority of the clauses of the Indian Constitution were derived from other nations' constitutions as well as the **Government of India Act 5 of 1935**.
- **Dr. B.R. Ambedkar** proudly declared that the **Indian Constitution** was drafted after "ransacking all known Constitutions of the World."
- The structural element of the Constitution is heavily influenced by the **Government of India Act of 1935**.
- The philosophical sections of the Constitution (the **Fundamental Rights** and the **Directive Principles of State Policy**) are based on the American and Irish constitutions, respectively.
- The political aspects of the Constitution (the notion of Cabinet Government and the relationships between the Executive and the Legislature) were heavily influenced by the British Constitution.
- Other sections of the Constitution were adapted from the constitutions of **Canada, Australia, Germany, the former Soviet Union (now Russia), France, South Africa, Japan**, and others.
- The **Government of India Act, 1935**, had the most significant impact and material source of the Constitution.
- This Act is the source of the **Federal Scheme, Judiciary, Governors, Emergency Powers, Public Service Commissions**, and the majority of administrative details.
- More than half of the provisions in the Constitution are similar or closely related to the Act of 1935.

Blend Of Rigidity And Flexibility

The Indian Constitution is neither completely rigid nor completely flexible. But it is a mix of both. Article 368 provides for two types of amendments -

1. Amendment through a special majority, i.e. two-thirds majority of the members of each House present and voting, and a majority (50%) of the total membership of each House.
2. Some other provisions can be amended by a special majority of the Parliament and with the ratification by half the states.

Other Relevant Links	
Written and Unwritten Constitution	Universal Adult Franchise
Blend of Rigidity and Flexibility	Single Citizenship
Synthesis of Parliamentary Sovereignty and Judicial Supremacy	Emergency Provisions
A Secular State	Three-tier Government
Criticism of Indian constitution	A Borrowed Constitution

Federal System With A Unitary Bias

Indian Constitution is that it is a federation with a strong centralizing tendency. The constitution of India is neither federal nor unitary but is a mix of both.

Unitary Features	Federal Features
The division of powers is not equal. The center has more powers than the state which is evident from the fact that the Union list contains more matters than the State list. The federations like the U.S.A. have the right to frame their own constitution, which is not possible in India as the entire country follows a Single constitution.	It is a written Constitution which is an essential feature of every country following the federal system. The supremacy of the constitution is always protected.
There is a single system of Courts that enforces both the Central and State laws. There is no equal representation of States in the houses of Parliament which is not the same in federations like the U.S.A.	

Parliamentary Form Of Government

The Constitution makers preferred a parliamentary system of government. Our newly formed democracy could not afford any confrontations between the executive and the legislature.

This could happen only when they were separate and independent of each other.

- The President of India is the constitutional head of the Union Executive, but he exercises the executive power vested in him, in accordance with the advice of the Union Council of Ministers.
- The real executive power thus vests with the Council of Ministers with the Prime Minister as the head.

The Council of Ministers is collectively responsible to the Lok Sabha. The same is true of the relationship between the Governors and the Council of Ministers in the States.

Integrated And Independent Judiciary

- The Judiciary ensures the proper functioning of the constitution and the enforcement of various provisions of the Constitution.
- The Constitution makers ensured that the Judiciary had to be independent and hence unbiased.

There are various provisions in the Constitution that ensure the independence of the judiciary:

- The appointment of Judges is independent and there is no involvement of any executive authorities.
- The tenure of Judges is secured.
- The removal of judges from their tenures must be also based on the constitutional provisions.

Fundamental Rights

The Indian Constitution guarantees 6 Fundamental Rights:

- Right to Equality (Article 14-18)
- Right to Freedom (Article 19-22)
- Right against Exploitation (Article 23-24)
- Right to Freedom of Religion (Article 25-28)
- Cultural and Educational Rights (Article 29-30)
- Right to Constitutional Remedies (Article 32)

Directive Principles Of State Policy

- Part IV of the Indian Constitution deals with the Directive Principles of State Policy.
- It is the duty of every State to apply these principles while making any new legislation.
- The Directive Principles of State Policy is similar to the 'Instrument of Instructions' that is in the Government of India Act 1935.
- They are basically instructions to the legislature and executive that have to be followed while framing new legislation by the State.

Fundamental Duties

- The Swaran Singh Committee of 1976 added a list of 11 Fundamental Duties in the constitution by adding a new Part-IVA and Article 51A in constitution.
- Swaran Singh Committee was formed in 1976 after the internal emergency of 1975 which recommended adding a list of Fundamental Duties which every citizen of India should abide by.
- The 11 Fundamental Duties act as a moral obligation on every citizen of India and these Fundamental Duties are non-justiciable in nature i.e., one cannot move to court if someone is not obliging their duty as a citizen of India.
- The new Part IVA with Article 51A was added to the Constitution of India and it was inspired by the Constitution of the USSR.

Secularism

- The Constitution of India stands for a secular state, i.e. it gives equal importance to all religions.
- It also does not uphold any particular religion as the official state religion. The Western concept of secularism connotes a complete separation between religion and the State.
- This concept is inapplicable in the Indian situation where the society is multireligious.
- Hence, the Indian Constitution embodies the positive concept of secularism, i.e. giving equal respect to all religions and protecting all religions equally.

Universal Adult Franchise

- The concept of Universal Adult Franchise/Adult suffrage allows every citizen of India who is above eighteen years the right to vote in democratic elections.
- Any adult who is eligible to vote should not be discriminated against on the basis of gender, caste, and religion.
- This provision was added in the **61st amendment which is also known as the Constitution Act, of 1988, which changed the voting age from 21 to 18.**
- Article 326 of the Indian Constitution guarantees this right.

Single Citizenship

- Despite the fact that the Indian Constitution is federal and envisions a dual polity (Centre and states), it only provides for one citizenship, namely Indian citizenship.
- In India, all citizens, regardless of the state of birth or residence, enjoy the same political and civil rights of citizenship across the country, and no distinction is made between them.
- Despite the constitutional guarantee for single citizenship and equal rights for all citizens, India has seen sectarian riots, class battles, caste warfare, language confrontations, and ethnic problems.
- This indicates that the Constitution's long-held objective of creating a cohesive and integrated Indian country has not been completely released.

Independent Bodies

- The Indian Constitution establishes some autonomous entities in addition to the legislative, executive, and judicial parts of the government (both central and state).
- The Constitution envisions them as the foundation of India's democratic form of government.
- They are as follows:
 - Election Commission.
 - Comptroller and Auditor-General.
 - Union Public Service Commission.

- State Public Service Commission.

Conclusion

The Indian Constitution opens with a Preamble. The Preamble outlines the Constitution's aims, objectives, and fundamental principles. The key components of the Constitution have evolved both directly and indirectly from the Preamble's intentions. As per the demands of the country, our Constitution has taken the finest characteristics of most of the world's major constitutions. Despite borrowing from practically every constitution in the world, India's constitution contains numerous distinguishing aspects that set it apart from other countries. constitutions.

Other Relevant Links	
Indian Polity UPSC Notes	Historical Background of Indian Constitution
Constituent Assembly of India	Preamble of the Constitution
Constitution of India-Overview	Sources of the Constitution
Union Territories	Citizenship (Article 5-11)
Fundamental Rights (Article 12 to 35)	Directive Principles of State Policy
Fundamental Duties	Making of The Constitution

Question: What are the salient features of the Indian Constitution?



Question: Who is the father of the Indian Constitution?



Question: What is the importance of an independent Judiciary?



Question: Why is the Indian constitution called a blend of rigidity and flexibility?



Question: Briefly explain the secular state.



Question: What do you mean by Judicial Supremacy?



UPSC Mains Practice Question:

1. Explain the salient features of the Constitution(One Hundred and First Amendment) Act, 2016. Do you think it is efficacious enough 'to remove the cascading effect of taxes and provide for a common national market for goods and services? (UPSC 2017)

MCQs

Question. Match List-I with List-II and select the correct answer (UPSC 2003)

List-I (Item in the List-II (Country from Indian Constitution) which it was derived)	List-I (Item in the List-II (Country from Indian Constitution) which it was derived)
A. Directive Principles	1. Australia
B. Fundamental Rights	2. Canada
C. Concurrent List in Union-State Relations	3. Ireland
D. India as a Union of States with greater powers to the Union	4. United Kingdom

Choose from the following options given below:

- (a) A-5, B-4, C-1, D-2
- (b) A-3, B-5, C-2, D-1
- (c) A-5, B-4, C-2, D-1
- (d) A-3, B-5, C-1, D-2

Answer: (d) [See the explanation](#)

□

Question: In the Indian Constitution, the Right to Equality is granted by 5 articles. They are

- (a) Article 16-20
- (b) Article 15-19
- (c) Article 14-18
- (d) Article 13-17

Answer: (c) [See the explanation](#)

□

Question: The purpose for the inclusion of Directive Principles of State Policy in the Indian Constitution was

- (a) Political democracy
- (b) Social democracy
- (c) Gandhian democracy
- (d) Social and economic democracy

Answer: (d) [See the explanation](#)

□

Question: “To uphold and protect the Sovereignty, Unity, and Integrity of India” is a provision made in the (UPSC 2015)

- (a) Preamble of the Constitution
- (b) Directive Principles of State Policy
- (c) Fundamental Rights
- (d) Fundamental Duties

Answer: (d) [See the explanation](#)

□

Question: The mind of the makers of the Constitution of India is reflected in which of the following? (UPSC 2017)

- (a) The Preamble
- (b) The Fundamental Rights
- (c) The Directive Principles of State Policy
- (d) The Fundamental Duties

Answer: (a) [See the explanation](#)

□

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Not so likely

Highly likely