

Borrowed Features of Indian Constitution PDF

Indian Constitution

On November 26, 1949, the Constitution went into effect. The Government of India Act of 1935 was taken into consideration by the Indian Constituent Assembly while drafting the country's constitution. Some elements of the Indian constitution were taken from a variety of sources.


The Constitution of India is the longest, written constitution in the world, with **464 articles** under **25 parts, 12 schedules, 5 appendices, and 122 amendments** today. But few know that our Constitution borrowed some of its most salient features from other countries around the world. There was no hesitancy to learn from other countries' experiences, therefore the Indian Constitution has a number of aspects that were taken from other countries.

Let us learn about the borrowed features of the Indian Constitution

Borrowed Features of the Indian Constitution

The characteristics of other countries' constitutions that matched Indian issues and ambitions were included in the Indian Constitution. The Constituent Assembly customised the best elements from many sources. The Indian Constitution, in the opinion of many commentators, includes nothing novel or unique. Some of its detractors have called it a "borrowed Constitution," a "bag of borrowings," a "hotch-potch Constitution," and a "patchwork" of several international constitutions.

For example, the following features have been taken from the Government of India Act 1935. These features are:

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- Federal Scheme
 - Office of the Governor
 - Judiciary
 - Public Service Commissions
 - Emergency provisions and administrative details

Sources	Borrowed Features of the Indian Constitution
Government of India Act, 1935	<ul style="list-style-type: none"> • Federal Scheme • Office of the Governor • Judiciary • Public Service Commissions • Emergency provisions and administrative details
British Constitution	<ul style="list-style-type: none"> • Nominal Head – President (like Queen)Post of Prime Minister • Parliamentary Type of Government • Bicameralism • Lower House is more powerful • Single Citizenship • Speaker in Lok Sabha • Cabinet System of Ministers • Legislative procedure



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	<ul style="list-style-type: none"> • Prerogative writs
USA Constitution	<ul style="list-style-type: none"> • Written Constitution • Vice President as the exoffice Chairman of Rajya Sabha • Fundamental Rights • Supreme Court • Provision of States • Independence of Judiciary and judicial review • Preamble • Removal of the Supreme court and High court Judges • Impeachment of the President
Irish Constitution	<ul style="list-style-type: none"> • Concept of Directive Principles of States Policy(Ireland borrowed it from SPAIN) • Method of election of President Nomination of members in the Rajya Sabha by the President • Nomination of Rajya Sabha members
Canadian Constitution	<ul style="list-style-type: none"> • Federation with a strong Centre • Vesting of residuary powers with the Centre • Appointment of state Governors by the Centre • Advisory jurisdiction of the Supreme Court
Australian Constitution	<ul style="list-style-type: none"> • Concurrent list • Freedom of trade • Joint sitting of the Upper and Lower House. • Language of the preamble • Provision regarding trade, commerce and intercourse
Weimar Constitution of Germany	<ul style="list-style-type: none"> • Suspension of Fundamental Rights during the emergency
Japan	<ul style="list-style-type: none"> • Law on which the Supreme Court function
USSR	<ul style="list-style-type: none"> • Fundamental duties • The ideal of justice (social, economic and political) • Five-year plan
Canada	<ul style="list-style-type: none"> • Scheme of federation with a strong centre • Distribution of powers between the centre and the states and placing. Residuary Powers with the centre



French Constitution	<ul style="list-style-type: none"> • Republic • The ideals of liberty, equality and fraternity
South African Constitution	<ul style="list-style-type: none"> • Procedure for the amendment of the Constitution • Election of the members of the Upper House (Rajya Sabha)

Is Indian Constitution a Bag of Borrowing?

In response to this critique, Dr B.R. Ambedkar stated in the Constituent Assembly, "One wonders whether there can be anything new or unique in the Indian Constitution established at this hour in the history of the world." In actuality, the creators of the constitution did not exactly imitate the aspects of other countries constitutions.

Instead, they made the necessary adjustments to features borrowed from other constitutions in order to adapt them to Indian conditions while avoiding their shortcomings. As a result, borrowing was never done at random. It was an original method of borrowing. It was a document that contained a number of accepted laws and ideologies.

Ancient Indian history and scriptures contain references to concepts like equality, fraternity and liberty, federalism, republicanism, and democracy, among others.

Never was a blind loan made. Innovative borrowing, indeed.

Something like a hybrid culture was created when western modernism mixed with regional cultural institutions, most likely as a consequence of creative adaptation. We thus made an effort to include both western and traditional Indian values while we were writing our Constitution. It was more of a process of selective adaption than borrowing.

After 2 years, 11 months, and 18 days of nonstop thinking, it was created. They examined several different constitutions from other nations, but they did not copy and paste any of them. Each article you read was adjusted using every available technique to fit the Indian context.

Some of the Unique Features of the Indian Constitution

- The Indian Constitution is the most comprehensive one in existence.
- The spirit and content of the Indian Constitution are distinctive.
- It is written with an understanding of the historical context of Indian Nationalist efforts, the geographical variety of India, and its unique traditions and traits.

Short Tricks to Remember Borrowed Features of the Indian Constitution and their Sources

- एक बार कुछ लोग बैठकर आपस में बातें कर रहे थे और भारत के " डॉ. भीम राव अम्बेदकर" चुपचाप सुन रहे थे। बातें कुछ इस प्रकार हो रही थी...
- ब्रिटेन :- पूरे भारत देश पर मेरा कब्जा था इस लिये `संसद का निर्माण अकेले करेंगे (संसदिये , विधि निर्माण , एकल)
- अमेरीका :- नहीं, मेरे पास संयुक्त राष्ट्र संघ है। इसलिए लोगों को न्याय और स्वतंत्रता दिलाना मेरा अधिकार है (न्यायिक , स्वतंत्रता का अधिकार और मौलिक अधिकार)
- जर्मनी :- तुम लोगो ने हमें विश्व युद्ध में हराया है इसलिये अब मैं आपातकाल घोषित करूंगा (आपातकाल)



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- फ्रांस :- मै तो पहले से ही गणतंत्रता वाला देश हूँ ये तुम सब जानते हो। (गणतंत्रतात्मक शासन)
- कनाडा :- तुम लोग को जो करनी हो करो। मै ऐक शक्तिशाली देश हूँ शक्ति का बँटवारा कर अपनी सुरक्षा कर लुंगा (राज्यो मे शक्ति का विभाजन)
- आयरलैंड:- अरे यार। तुम लोग कि निती निर्देश हमे कुछ समझ नही आ रहे (नीति निर्देशक तत्व)
- ऑस्ट्रेलिया :- मै विश्व कप क्रिकेट मे हमेशा सूची नं 1 पर रहता हूँ | (समवर्ती सूची)
- दक्षिण अफ्रिका :- पर हम इतना अच्छा खेलने के बाद भी आज तक सेमी फाइनल तक भी नही पहचे सायद अपने खेल मे कुछ संसोधन करना पडेगा (संविधान संसोधन की प्रक्रिया)
- रुस : भारत मेरा दोस्त है और उसकी मदद करना हमारा मूल कर्तव्य है (मूल कर्तव्य)



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