

Salient Features of Indian Constitution

[UPSC Notes]

What are the Salient Features of Indian Constitution?

The Constitution of India was formed and adopted by the Constituent Assembly on 26th November 1946 under the Cabinet mission plan. The head of the Indian Constitution's drafting committee was Dr. B. R. Ambedkar. 18 distinguishing features of the Indian Constitution accounts for its uniqueness. Even though few features are adopted from other countries, they suit the Indian Polity and government. The Indian Constitution reflects the following ideologies-

- Secularism- it is the hallmark of the Constitution of India.
- Democracy- borrowed from the West.
- Sarvodaya- means development and welfare of all.
- Socialism- Vedanta's philosophy
- Decentralization- aspect of Sarvodaya
- Humanism- peculiar features of the Indian ideology
- Liberalism- Indian context of liberalism
- Mixed Economy- a salient feature of Indian ideology
- Gandhism- representation of the moral and ethical India

Indian Constitution Overview

Highlights	Details
Indian Constitution was adopted on	26 November 1946
Constitution Day	26 November
Features borrowed	11
No. of Schedules and Articles	12 schedules and 448 articles

Salient Features of Indian Constitution

The salient features of the Indian Constitution that make it a dynamic creation include the following-

Longest Constitution of the World

The Constitution of India is a detailed, elaborated, and comprehensive document that is distinguished from the rest of the constitutions by being the longest written document. The

factors like the history, geographical features, single documents for states and the center, legal luminaries' dominance in the Constituent Assembly accounts for the bigger size of the Indian Constitution. It includes the non-justiciable and justiciable rights and the fundamental principles of governance.

Drawn from Various Sources

It cannot be denied that the Indian Constitution has derived a few of its features from the Constitutions of other countries. Yet, it is unique as it has adopted only those features that suit the Indian government and polity perfectly. Most features are carried forwards by the Government of India Act of 1935. There are almost 250 provisions that the Indian Constitution has adopted from the Government of India Act of 1935. The features adopted from the Government of India Act of 1935 are as follows-

- Administrative details
- Emergency provisions
- Public Service Commissions
- Judiciary
- Office of governor
- Federal Scheme

Mixture of Rigidity and Flexibility

There are two types of Constitutions- the Rigid Constitution (like the Constitution of America that requires a particular procedure to get amended) and the flexible Constitution (like the British Constitution that does not require a special procedure and are amended according to the ordinary law). However, The Indian Constitution shows both the qualities of being flexible and rigid at the same time. There are three amendments to the Indian constitution depending on the amendment's nature. Initially, the simpler ones and then the most difficult ones.

Preamble of the Constitution

Indian Constitution has a Preamble that accounts for the basic principles, ideals, and objectives of the Constitution. It is the nature of the Indian state. The Preamble, directly and indirectly, is responsible for the change in the flow of the objectives of the Constitution. The different objectives stated in the Preamble are committed to securing Indian citizens.

Federal System with Unitary Bias

It establishes the Federal System of government as it depicts two governments: the Constitution's rigidity, bicameralism, the supremacy of the constitution, division of powers, and independent judiciary. These are the usual features of the federal system. Along with the federal features, the Indian Constitution holds the non-federal features. These include the integrated judiciary, all-India services, appointment of state governor by the Centre, a single Constitution, a strong Centre, and much more. Thus, it is considered a Federal system with unitary bias.

Democratic system

According to the Preamble of the Indian Constitution, India is a republic, meaning it doesn't nominate a head of state nor the monarch rules it. Instead, the nation's people elect a head of state for a five-year fixed term. The reflections are repeated after every 5 years.

Parliamentary Form of Government

The Indian Constitution adopts the parliamentary form of government from the British government. It is based on the coordination and cooperation of the executive and legislative organs of the government. In this form of government, Prime Minister plays a significant role. Thus, the Parliamentary Form of Government is often called Prime Ministerial Government.

Fundamental Rights and duties

Indian Constitution has provisions for the protection of the Fundamental Rights of Indian citizens. According to the Indian Constitution, every citizen must enjoy basic and fundamental rights. There are six fundamental rights. These are-

- Right to Constitutional Remedies
- Cultural and Educational Rights
- Right to Freedom of Religion
- Right Against Exploitation
- Right to Freedom
- Right to Equality

Also, the 42nd Amendment, 1976 of the Indian Constitution has provisions for the fundamental duties of an individual.

Universal Adult Franchise

As per the Indian Constitution, there is no difference between men and women. Both are treated equally and have the same rights to vote (with the condition that they need to be above the age of 18 years). Not only this, all the registered voters of India stand a chance to cast a vote in elections.

Integrated and Independent Judiciary

There is a single and integrated judiciary system for the states and the Union. According to the Constitution of India, the high courts work at the state level while the Supreme court works at the apex level, and all the other courts work under the high court of the respective state. The Indian Constitution also ensures the independent judiciary that functions independently of the Executive and legislative. It has complete independence in terms of finances and administration.

Directive Principles of State Policy

Directive Principles of State Policy were considered the novel features of the Constitution of India by Dr. B R Ambedkar. These principles are stated in Part IV of the Indian Constitution and were involved in the Constitution to provide economic and social justice to Indian citizens. It aims to form a welfare state in India.

Emergency Provisions

In the Constitution of India, there is a well-elaborated provision responsible for dealing with the challenges that come in the way of the unity and security of the country. There are three different types of emergencies these are-

- Article 360- Financial emergency
- Article 356 & 365- Emergency because of the failure of constitutional machinery in states

- Article 352- Emergency caused by armed rebellion, external aggression, or war.

Secularism

India is a vast country with plenty of religions, and the Indian Constitution guarantees the freedom of religion to all. The Indian citizens are free to follow or preach any religion. It ensures equal rights to all without discrimination based on sex, religion, caste, or creed. Everyone has the right freely to profess, propagate and practice a religion. Thus, it embodies the positive concept of secularism. Along with this, minorities are granted special cultural rights.

Three-tier Government

According to the 73rd and 74th amendment act, there are urban and rural local bodies that act as the third tier of the structure of government. These sections work on the aims of self-functioning villages in India.

