

## Study notes for polity topic - Constitution of India

Today we will be studying about the constitution of India. The fact that India has a democratic form of government must be known to you all. This system of government derives its authority from the Constitution of India which essentially is the edifice of Indian Polity. A document containing basic principles and laws governing India, entrusting responsibilities to those ruling and also guaranteeing certain rights to those being ruled i.e. we the people of India.

## Some salient features of Indian constitution

Ours is the largest constitution in the world consisting of 395 articles originally but now 444 articles divided into 25 parts and 12 schedules. The Indian constitution is a combination of rigidity and flexibility i.e. it can be amended. However certain basic features or structure of constitution as described and defined by the Supreme Court are amenable i.e. they cannot be altered through an act of Parliament. They are:

1. Republican and Democratic forms of Government
2. Secular character of the Constitution
3. Separation of Powers between the legislature, the Executive, and the Judiciary
4. Federal Character of the Constitution.
5. The mandate to build a welfare state contained in the Directive Principles of State Policy
6. Maintenance of the unity and integrity of India
7. The sovereignty of the country

The constitution provides a parliamentary system of Government where Council of Ministers (CoM) are collectively responsible to Lok Sabha or in case of states, the state legislative Assemblies. It is borrowed from the British system. Its features are:

1. Presence of Nominal and Real Executive i.e. President and Prime Minister respectively.
2. Majority party rule
3. Collective responsibility of the executive and legislature
4. Membership of the ministers in the legislature
5. Leadership of the Prime Minister or the Chief Minister
6. Dissolution of the lower House (Lok Sabha or Assembly)

The constitution establishes a federal government system in India. It contains all the usual features of a federation, viz. two governments, division of powers, written constitution, and supremacy of Constitution, rigidity of Constitution, independent judiciary and bicameralism. The Constitution of India has borrowed most of its provisions from the Constitution of various sources as well as the Government of India Act of 1935. Certain crucial aspects that have been borrowed along with the associated countries have been given in the table below:

## Study notes for polity topic - Constitution of India

Country	Borrowed Feature
Britain	<ol style="list-style-type: none"> <li>1. Parliamentary form of Government</li> <li>2. Rule of Law</li> <li>3. Legislative Procedure</li> <li>4. Single Citizenship</li> <li>5. Cabinet System</li> <li>6. Bicameralism</li> </ol>
USA	<ol style="list-style-type: none"> <li>1. Preamble</li> <li>2. Fundamental Rights</li> <li>3. Independent Judiciary</li> </ol>
Ireland	<ol style="list-style-type: none"> <li>1. Directive Principles of State Policy</li> <li>2. Nomination of members to Rajya Sabha</li> <li>3. Method of election of President</li> </ol>
Canada	<ol style="list-style-type: none"> <li>1. Unitary Bias</li> <li>2. Residuary Powers with Centre</li> <li>3. Centre Appoints Governor to States</li> </ol>
Russia (USSR)	<ol style="list-style-type: none"> <li>1. Fundamental Duties</li> <li>2. Ideals of Justice (Social, Economic, Political) enshrined in Preamble</li> </ol>
France	<ol style="list-style-type: none"> <li>1. Idea of Republic</li> <li>2. Ideals of Liberty, Equality, Fraternity enshrined in Preamble</li> </ol>
Germany	<ol style="list-style-type: none"> <li>1. Fundamental Rights suspended during emergency</li> </ol>

## Study notes for polity topic - Constitution of India

Thus, even merely looking at the preamble acting as the identity card, we can conclude with much confidence that our constitution is one that is comprehensive and complete in its entirety of rights it gives to citizens of India and responsibilities it entrusts to its rulers.

## History of the constitution of India

The evolution of Indian constitution is based in our national movement for freedom which we finally got on 15th of August 1947 following relentless efforts of all pervasive sections of Indian society and nationalistic leaders. During the course of freedom struggle the first major attempt of Indians to draft a constitution was in the Nehru report of 1928. Then it was in 1934 that the idea of a Constituent Assembly for India was put forward for the first time by M.N. Roy and demand for it was accepted by the British government in what is known as the August Offer of 1940.

In 1942, Sir Stafford Cripps, a Member of the British Cabinet, came to India with a draft proposal of the British government on the framing of an independent Constitution to be adopted after World War II. The Cripps proposals, which were rejected by the Muslim League, wanted India to be divided into two autonomous states with two separate Constituent Assemblies. Finally, it was the Cabinet Mission Plan, the proposals of which led to the formulation of constituent assembly which framed the Constitution we have today. The Objective Resolution of the Constitution which laid down the fundamentals and philosophy of the constitutional structure was moved by Jawahar Lal Nehru on December 13, 1946.

Some other important committees relevant from examination point of view are: Rules of Procedure Committee: Dr. Rajendra Prasad, Fundamental Rights Committee: J.B. Kripalani, Union Constitution Committee: Jawaharlal Nehru

Certain provisions of the constitution came into effect on 26th November 1949 itself but some remaining parts (major ones) were enforced on 26th January 1950. This day is referred to as the 'commencement of constitution' date. January 26th was so chosen because on this day Purna Swaraj day was celebrated following the Lahore Session of Congress.

## Preamble of Constitution

Preamble contains the summary or essence of the constitution. It has been amended by the 42nd amendment Act, 1976 which added three new words- Socialist, Secular and Integrity. The Preamble in its present form reads:

**WE, THE PEOPLE OF INDIA**, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:

**JUSTICE**, social, economic and political;

**LIBERTY** of thought, expression, belief, faith and worship;

**EQUALITY** of status and of opportunity; and to promote among them all

**FRATERNITY** assuring the dignity of the individual and the unity and integrity of the Nation;





## STUDY CONTENTS THAT GET YOU SELECTED

**FREE  
PDF**



**5 LAKH+ STUDENTS**  
Already enrolled with our  
selection focused courses.



**30+ EXPERT INSTRUCTORS**  
Our instructors are the best  
In the industry



**10000+ HOURS OF VIDEOS**  
All videos are well-explained for you  
to get every bit out of the videos

Study notes for polity topic - Constitution of India

**IN OUR CONSTITUENT ASSEMBLY** this twenty-sixth day of November, 1949, do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION**

This was all about the constitution of India. Hope all your queries got cleared. For more stay tuned with us.



Follow us on



**Address : 1997, Mukherjee Nagar, 110009**

**Email : [online@kdcampus.org](mailto:online@kdcampus.org)**

**Call : +91 95551 08888**

Download the App

