

UPSC Civil Services Examination

Political Science & International Relations

Topic: Sources of Indian Constitution – Indian Polity Notes

1. What are the main sources of Indian Constitution?

Indian Constitution has absorbed those features from other nations' constitutions that suited Indian problems and aspirations. Constituent Assembly took the best of features from everywhere and made them its own.

The list of countries from where we have borrowed a few features and the details of those are given in the table below:

S.No	Countries	Borrowed Features
1	Government of India Act of 1935	<ul style="list-style-type: none"> Federal Scheme Office of governor Judiciary Public Service Commissions Emergency provisions Administrative details
2	Australian Constitution	<ul style="list-style-type: none"> Concurrent list Freedom of trade, commerce and intercourse Joint-sitting of the two Houses of Parliament
3	Canadian Constitution	<ul style="list-style-type: none"> Federation with a strong Centre Vesting of residuary powers in the Centre Appointment of state governors by the Centre Advisory jurisdiction of the Supreme Court
4	Irish Constitution	<ul style="list-style-type: none"> Directive Principles of State Policy Nomination of members to Rajya Sabha Method of election of the president
5	Japanese Constitution	<ul style="list-style-type: none"> Procedure Established by law

6	Soviet Constitution (USSR) (now, Russia)	<ul style="list-style-type: none"> • Fundamental duties • Ideal of justice (social, economic and political) in the Preamble
7	British Constitution	<ul style="list-style-type: none"> • Parliamentary government • Rule of Law • Legislative procedure • Single Citizenship • Cabinet system • Prerogative writs • Parliamentary privileges • Bicameralism
8	American Constitution	<ul style="list-style-type: none"> • Fundamental rights • Independence of judiciary • Judicial review • Impeachment of the president • Removal of Supreme Court and High Court judges • Post of vice-president
9	Weimar Constitution (Germany)	<ul style="list-style-type: none"> • Suspension of Fundamental Rights during emergency
10	South African Constitution	<ul style="list-style-type: none"> • Procedure for amendment in the Indian Constitution • Election of members of Rajya Sabha
11	French Constitution	<ul style="list-style-type: none"> • Republic • Ideals of liberty, equality and fraternity in the Preamble

2. Is it justified to call Indian Constitution a bag of borrowing?

Indian Constitution is a unique document drafted after a hard work of three years of the constituent assembly. Though some features of the Indian constitution are borrowed from other nations, it is still wrong to say that it is a bag of borrowing.

Reasons to not call the Indian Constitution a bag of borrowing are given below:

- There are various provisions borrowed from other nations but they are absorbed in the Indian Constitution to suit its polity and governance. They are not exactly copied.
- Indian Constitution is the most detailed constitution of the world. Where the American Constitution has only seven articles, Australian Constitution 128 articles, Indian Constitution originally consisted of 395 articles which have now increased to 448 articles.
- Indian Constitution is unique in its content and spirit.
- It is drafted considering the historical perspective of Indian Nationalist struggles, the geographical diversity of India, and its traditional and characteristics which are totally different from any other nation.





Sources Of The Constitution

Government of India Act of 1935

Federal Scheme, Office of governor, Judiciary, Public Service Commissions, Emergency provisions and administrative details.



British Constitution

Parliamentary government, Rule of Law, legislative procedure, single citizenship, cabinet system, prerogative writs, parliamentary privileges and bicameralism.

Irish Constitution

Directive Principles of State Policy, nomination of members to Rajya Sabha and method of election of president.



USA Constitution

Fundamental rights, independence of judiciary, judicial review, impeachment of the president, removal of Supreme Court and high court judges and post of vice-president.

Canadian Constitution

Federation with a strong Centre, vesting of residuary powers in the Centre, appointment of state governors by the Centre, and advisory jurisdiction of the Supreme Court.



Weimar Constitution of Germany

Suspension of Fundamental Rights during Emergency.

Australian Constitution

Concurrent List, freedom of trade, commerce and intercourse, and joint sitting of the two Houses of Parliament.

