

## UPSC Preparation

### Topic – Constitution of India

To prepare for Indian Polity for any competitive exam, aspirants have to know about the basics of Constitution of India. It gives an idea on all the topics important for [IAS Exam](#) and the polity syllabus (GS-II.) Constitution of India, the Preamble and related topics are extremely important for the UPSC exam. This is an essential portion of polity. As IAS aspirants, you should be thorough with the constitution of India.

This article will provide you with relevant details about the Constitution of India. You can also download the notes PDF.

### What is Constitution of India? – Introduction to the Constitution of India

The Indian Constitution is unique in both spirit and content. Notwithstanding the fact that several features of the constitution have been borrowed from other constitutions from all around the world, it is really a unique piece of work. The original constitution has been considerably changed by the various amendments that have been brought forth such as the 7th, 42nd, 44th, 73rd and 74th Amendments.

### Important Amendments of the Constitution of India

The Indian Constitution is not a rigid constitution. It can be amended by the Parliament following a few rules. There have been made many changes in the Constitution of India. Some of the important amendments of the Indian Constitution are:

1. [42nd Amendment](#)
2. [44th Amendment](#)

The 42nd Amendment is also known as the “Mini Constitution” because it made several sweeping changes to the constitution. This was during the Emergency in 1976. In 1973, the Supreme Court had ruled in the Kesavananda Bharati case that the constituent power of the Parliament under Article 368 does not empower it to alter the basic structure of the constitution.

### Constitution of India – Preamble

The first constitution to start with a preamble was the American Constitution. The Indian constitution also starts with one. The Preamble is basically the introduction or preface to the constitution. It sums up the essence of the constitution. N A Palkhivala, a constitutional expert, referred to the Preamble as the ‘Identity card of the Constitution’.

The Preamble is based on Pandit Nehru’s Objective Resolution that he moved and was adopted by the [Constituent Assembly](#). The Preamble has been amended in 1976 by the 42nd Amendment which added words ‘socialist’, ‘secular’ and ‘integrity’ to it.

#### Ingredients of the Preamble

The Preamble gives 4 components:

1. Source of authority of the Constitution: it mentions that the constitution derives its power from the people of India.

2. Nature of the Indian State: it says India is a sovereign, socialist, secular, democratic and republican State.
3. Objectives of the Constitution: it gives the objectives as – justice, liberty, equality and fraternity.
4. Constitution date of adoption: 26th November 1949

## Why Constitution of India is called Bag of Borrowing?

The constitution has many borrowed features. The country's founding fathers were wise enough to borrow good features from different nations and mould a constitution that best suits India. The influences from other constitutions are listed below.

Constitution	Borrowed Features
British	<ul style="list-style-type: none"> <li>• Parliamentary system</li> <li>• Constitutional Head of State</li> <li>• Lower House of Parliament more powerful than the Upper House</li> <li>• Responsibility of Council of Ministers towards Parliament</li> <li>• Prevalence of the rule of law</li> </ul>
US	<ul style="list-style-type: none"> <li>• Preamble</li> <li>• <a href="#">Fundamental Rights</a></li> <li>• Functions of Vice-president</li> <li>• Amendment of Constitution</li> <li>• Nature and functions of the Supreme Court</li> <li>• Independence of the judiciary</li> </ul>
Australian	<ul style="list-style-type: none"> <li>• List of concurrent powers</li> <li>• Procedure for solving deadlock over concurrent subjects between the Centre and the States</li> </ul>
Irish	<ul style="list-style-type: none"> <li>• Directive Principles of State Policy</li> <li>• Method of nomination of members to the Rajya Sabha</li> </ul>
Weimer Constitution of Germany	<ul style="list-style-type: none"> <li>• Powers of the President</li> </ul>
Canadian	<ul style="list-style-type: none"> <li>• Provisions of a strong nation</li> <li>• Name of the Union of India</li> <li>• Vesting residuary powers</li> </ul>

#### South African

- Procedure of amendment with a two-thirds majority in Parliament (To read about the [types of amendments](#), follow the linked article.)
- Election of the members of the Rajya Sabha on the basis of proportional representation by the State Legislatures

To read about the [Sources of Indian Constitution](#), you may follow the linked article.

## Features of Indian Constitution

The chief features of the Indian Constitution are described below:

### Federal System with Unitary Bias

The constitution establishes a federal government system in India. All the expected features of a federal state such as two government levels, division of power, supremacy and rigidity of the constitution, written constitution and bicameralism are present. But, the constitution also contains many features of a unitary form of government such as single citizenship, strong centre, single constitution, flexibility of constitution, all-India services, integrated judiciary, appointment of state governor by the Centre, emergency provisions, and so on. In addition, the term 'federation' is not mentioned in the constitution. Article 1 says India is a 'Union of States', implying –

1. The Indian federation is not the result of an agreement by the states.
2. States do not have the right to secede from the federation.

### Parliamentary Form of Government

The parliamentary form, borrowed from the British system, is based on the principle of cooperation and coordination between the legislative and executive. This form of government is alternatively known as the Westminster model of government. It is also called responsible government and cabinet government. According to the constitution, not only the centre, the parliamentary form is followed even in the states.

In India, the features of the parliamentary form of government are as follows:

1. Nominal and real executives
2. Rule of the majority party
3. Collective responsibility of the executive to the 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

There are some basic differences between the Indian and the British models, even though both follow the parliamentary form of government. The Indian parliament is not a sovereign body; the British Parliament is. Also, the Indian State has an elected head (since it is a republic) while the British head is hereditary (since Britain is a constitutional monarchy).

## Parliament: Structural and Functional Dimensions

1. According to Article 79, there is a Parliament and 2 Houses or chambers – the House of the People ([Lok Sabha](#)) and the Council of States ([Rajya Sabha](#)).
2. The President is the head of the executive and also a constituent part of the legislature. He performs many functions with regard to the Parliament.

3. However, the president cannot sit in or take part in the discussions in the houses.
4. The president summons and prorogues the houses whenever required.
5. He is also a vital part of the process of legislation in India as he has to give his assent to every bill passed before it can become a law.
6. He has the power to dissolve the Lok Sabha.
7. At the start of the first session after each general election to the Lok Sabha and at the commencement of the first session each year, the President addresses both the chambers which is known as the special address.
8. Article 123 also gives the president the power to promulgate ordinances. (Read about [President](#) in the linked article.)

Introduction to the Constitution of India will help UPSC aspirants to draw key facts for polity answers in Mains GS-II paper. Also, essay on Constitution of India is not directly asked in the paper. However, certain relevant facts about the Indian Constitution can be used in other essays related to polity.

