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**Commissioner,**  
**Department of Employment and Training.**

# Salient features of constitution

The salient features of the Constitution, as it stands today, are as follows:

## 1. Longthiest Written Constitution

The Constitution of India is the lengthiest of all the written constitutions of the world.

### Why so?

Four factors have contributed to the elephantine size of our Constitution.  
They are:

(a) Geographical factors, that is, the vastness of the country and its diversity.
(b) Historical factors, e.g., the influence of the Government of India Act of 1935, which was bulky.
(c) Single Constitution for both the Centre and the states except Jammu and Kashmir
(d) Dominance of legal luminaries in the Constituent Assembly

## 2. Blend of Rigidity and Flexibility

The Constitution of India is neither rigid nor flexible but a synthesis of both. Article 368 provides for two types of amendments:

- (a) Some provisions can be amended by a special majority of the Parliament, i.e., a two-third majority of the members of each House present and voting, and a majority (that is, more than 50 per cent), of the total membership of each House.
- (b) Some other provisions can be amended by a special majority of the Parliament and with the ratification by half of the total states

## 3. Federal System with Unitary Bias

The Constitution of India establishes a federal system of government. It contains all the usual features of a federation, viz., two government, division of powers, written Constitution, supermacy of Constitution, rigidity of Constitution, independent judiciary and bicameralism

However, the Indian Constitution also contains a large number of unitary or non-federal features, viz., a strong Centre, single Constitution, single citizenship, flexibility of Constitution, integrated judiciary, appointment of state governor by the Centre, all-India services, emergency provisions.

#### 4. Drawn From Various Sources

	<i>Sources</i>	<i>Features Borrowed</i>
1.	Government of India Act of 1935	Federal Scheme, Office of governor, Judiciary, Public Service Commissions, Emergency provisions and administrative details.
2.	British Constitution	Parliamentary government, Rule of Law, legislative procedure, single citizenship, cabinet system, prerogative writs, parliamentary privileges and bicameralism.
3.	US 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.
4.	Irish Constitution	Directive Principles of State Policy, nomination of members to Rajya Sabha and method of election of president.
5.	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.
6.	Australian Constitution	Concurrent List, freedom of trade, commerce and intercourse, and joint sitting of the two Houses of Parliament.
7.	Weimar Constitution of Germany	Suspension of Fundamental Rights during Emergency.
8.	Soviet Constitution (USSR, now Russia)	Fundamental duties and the ideal of justice (social, economic and political) in the Preamble.

9.	French Constitution	Republic and the ideals of liberty, equality and fraternity in the Preamble.
10.	South African Constitution	Procedure for amendment of the Constitution and election of members of Rajya Sabha.
11.	Japanese Constitution	Procedure established by Law.

### 5. Parliamentary Form of Government

The Constitution of India has opted for the British parliamentary System of Government rather than American Presidential System of Government. The parliamentary system is based on the principle of cooperation and coordination between the legislative and executive organ. The parliamentary system is also known as the 'Westminster' model of government, responsible government and cabinet government. The Constitution establishes the parliamentary system not only at the Centre but also in the states.

### 8. Fundamental Rights

The Fundamental Rights are meant for promoting the idea of political democracy. They operate as limitations on the tyranny of the executive and arbitrary laws of the legislature.

(a) Right to Equality (Articles 14–18),

(b) Right to Freedom (Articles 19–22),

(c) Right against Exploitation (Articles 23–24),

(d) Right to Freedom of Religion (Articles 25–28),

(e) Cultural and Educational Rights (Articles 29–30), and

(f) Right to Constitutional Remedies (Article 32)

### 9. Directive Principles of State Policy

The directive principles are meant for promoting the ideal of social and economic democracy. They seek to establish a 'welfare state' in India.

## 10. Fundamental Duties

The fundamental duties serve as a reminder to citizens that while enjoying their rights, they have also to be quite conscious of duties they owe to their country, their society and to their fellow-citizens.

Fundamental duties were added during the operation of internal emergency (1975–77) by the 42nd Constitutional Amendment Act of 1976 on the recommendation of the Swaran Singh Committee.

## 11. A Secular State

The Constitution of India stands for a secular state. Hence, it does not uphold any particular religion as the official religion of the Indian State.

## 12. Universal Adult Franchise

The Indian Constitution adopts universal adult franchise as a basis of elections to the Lok Sabha and the state legislative assemblies. Every citizen who is not less than 18 years of age has a right to vote without any discrimination of caste, race, religion, sex, literacy, wealth, and so on. The voting age was reduced to 18 years from 21 years in 1989 by the 61<sup>st</sup> Constitutional Amendment Act of 1988.

## 13. Single Citizenship

Though the Indian Constitution is federal and envisages a dual polity (Centre and states), it provides for only a single citizenship, that is, the Indian citizenship

## Three-tier Government

