

TNPSC MAIN DESCRIPTIVE

Q. NO.

6 Short Features for Constitution for India.

1. Longest Constitution: Constitution are classified into Written like American Constitution or Unwritten like British Constitution.

The Constitution of India is the longest of all. The written Constitution of the World.

It is a very comprehensive, elaborate and detailed document.

The factors like contributed to the Constitution are of the India Constitution are Geographical Factors, Historical Factors, dominance of Legal Literatures, and a Single Constitution.

Initially Constitution had 395 articles, 22 Parts and 8 Schedules. But, Now 465 articles, 25 Parts and 12 Schedules.

2. Various Sources:- The Constitution of India has borrowed most of its Provision from the Constitution of Various Countries and as well as Government of India act 1935.

Dr. Ambedkar said that the Constitution of India had been created after Researching all the known Constitution of the World.

Philosophical Part - Fundamental Rights and DPSP

Structural Part - Government of India act 1935

Political Part - Britain Constitution.

3. Blend of Rigidity and Flexibility:- Constitution are classified into Rigid and Flexible.

Rigid Constitution is one that Needs a Special Procedure for its amendment, for Example - American Constitution.

Flexible Constitution is One That can be amended in the same manner as Ordinary Laws, For Example Britain Constitution.

4. Federal System with Unitary bias:- One Indian Constitution has given Federal Form of Government as well as Unitary form of Government.

Federal Government → Dual Governments, Written Constitution, Independent Judiciary, Division of Powers, Supremacy of Constitution.

Unitary Government → Single Citizenship, Single Constitution, Strong Centre, Flexibility of Constitution.

5. Parliamentary Form of Government - The Constitution of India has opted for the British Parliamentary System of Government rather than the American Presidential Form of Government.

The Parliamentary System is based on the Principle of Co-ordination and Co-operation between the Legislative and Executive, while the Presidential System is based on the doctrine of Separation of Powers between the two organs.

6. Synthesis of Parliamentary Sovereignty and Judicial Supremacy:- The Doctrine of the Sovereignty of Parliament is associated with the British Parliament while the Principle of Judicial Supremacy with that of the American Constitution. In India these two types are also followed. This is called Special Features of Indian Constitution.

7. Integrated and Independent Judiciary:- India has a Single Integrated Judicial System.

The Supreme Court stands as the apex court of the Judicial System. Below the Supreme Court are the all High Courts are at the state.

Under a High Court, there is a Hierarchy of subordinate courts, that is district courts and the lower courts.

The Supreme Court is a Federal Court, the highest court for appeal, guardian of the Constitution and guardian of the Fundamental Rights. Hence the Constitution has Made various provisions to ensure its Independence.