

- ii) To establish a democratic Union with an equal level of self government for all the constituent parts.
  - iii) All power and authority of the union government and governments of the constituent parts are derived from the people.
  - iv) To guarantee and secure to all people of India. Justice, Social, Economic and Political.
    - equality of status, of opportunity and before law.
    - freedom of thought, expression, belief, faith, worship, vocation association and action.
  - v) Adequate safeguards for minorities backward and tribal areas and depressed and other backward classes.
  - vi) To maintain the integrity of the territory of the Republic and its sovereign rights on land, sea, and air according to justice and law of civilized nations.
  - vii) To secure for India its rightful and honoured place in the world.
  - viii) To contribute to the promotion of world peace and the welfare of mankind.
- These objectives incorporated in the Preamble of the constitution.

#### 4. Salient features of the Indian Constitution

##### 1. The Bulkiest constitution of the world.

The constitution, originally consisting of 395 articles, now consists of 444 Articles divided into 25 parts and 12 schedules. The main factors that led to the constitution being bulky were:

- i) Incorporation of good provisions of the constitutions of other countries to avoid future loopholes.
- ii) absence of separate constitutions for the states and provision of both central and state structure in the constitution.
- iii) incorporation of Fundamental Rights, Fundamental Duties and Directive Principles of State Policy.
- iv) provisions regarding peculiar problems facing the country, such as problem of scheduled cases and scheduled tribes, backward classes, official languages etc.
- v) inclusion of emergency provisions in the constitution for the protection of the interests of the country and the people.
- vi) detailed provisions regarding the organization of the judiciary, the services, election and other transitory provision.
- vii) codification of details regarding centre, state relations to eliminate future conflicts.
- viii) enumeration of central practices, which in other countries operate on the basis of conventions.

##### 2. Combination of Rigidity and Flexibility.

The Indian Constitution is a combination of rigidity and flexibility, while some provisions of the constitution can be amended by the

Parliament by a simple majority, other require a two-thirds majority of the members of the Parliament as well as a majority in the state legislatures. Again, some provisions of the constitution can be amended by the Parliament alone by a two-third majority. Further flexibility is introduced in the constitution by the provisions which permit the parliament to supplement the provisions of the constitution by legislation.

### 3. Parliamentary system of Government.

The constitution provides for a parliamentary system of government under which the real executive power rests with the council of ministers and the President is only a nominal ruler. The council of ministers stay in office as long as they enjoy the confidence of the Parliament.

The framers of the constitution decided to adopt a parliamentary system of government for several reasons.

Firstly, the system was already in existence in India and people were well acquainted with its working.

Secondly, the vast size of the country and the diversity of its culture necessitated the adoption of a parliamentary form of government.

Thirdly, the desire to avoid conflicts between the executive and the legislatures, which was a common features in America also induced the members of the constituent Assembly to opt for a parliamentary system.

### 4. Federal system with a Unitary Bias.

The Indian constitution provides for a federation with a strong centre.

It is note worthy that the constitution has not used the word 'federation', any when, and has described India as a "Union of States", which implies that the Indian federation is not the result of any agreement among the units and the unit cannot secede from it.

India possesses most of the features of the federation but also several of the unitary features.

The Indian federal structure acquired a unitary character during emergency, where the normal distribution of powers between the centre and the states undergoes vital changes.

### 5. Fundamental Rights

The constitution contains an elaborate list of Fundamental Right.

The state cannot make laws which take away or abridge any of the fundamental right of the citizens. If it does so, the courts can declare such a law as unconstitutional.

It may be noted that the fundamental rights granted by the constitution are not absolute and are subject to certain restrictions. In other words,