

Constituent Assembly and making of the Constitution

These notes are your ultimate revision weapon to revise Constituent Assembly and making of the Constitution. We've distilled years of previous exam questions (PYQs) into one powerful, concise resource. Everything you need to know, nothing you don't.

- **PYQs, Decoded:** All key concepts from past exams, organized and simplified.
- **Revise in Record Time:** Short, precise, and designed for last-minute review.
- **Focus on What Matters:** Master high-probability topics and boost your confidence.

Constitutional Framework of India



I. Sources of the Indian Constitution (Borrowed Features)

The Indian Constitution is a synthesis of features borrowed from several other nations.

A. Preamble

- **Idea of the Preamble:** Borrowed from the **Constitution of the U.S.A.**
- **Wording of the Preamble:** Taken from the **Constitution of Australia**

B. Federal Structure & Union of States

- **Concept of a "Union of States":** Derived from the **British North-American Act (1867)**
- **Federal System:** Inspired by the **Constitution of Canada**

- **Federal Supreme Court:** For constitutional interpretation, common with the **U.S.A.**
- **Union of States with stronger central powers & Residuary Powers:** Borrowed from the **Constitution of Canada**

C. Distribution of Powers

- **Concurrent List:** Borrowed from the **Constitution of Australia**

D. Directive Principles

- **Directive Principles of State Policy (DPSP):** Adopted from the **Constitution of Ireland**

E. Judicial Review

- **Concept of Judicial Review:** Adopted from the **Constitution of the U.S.A.**

F. Other Key Features



- **Fundamental Rights:** Borrowed from the **Constitution of the United States of America (USA)**
- **Parliamentary System & Cabinet Government:** Borrowed from the **United Kingdom (British Constitution)**
- **Emergency Provisions:** Adopted from the **Weimar Constitution of Germany**
- **Procedure established by Law:** Adopted from the **Constitution of Japan**
- **Rule of Law:** Principle inherited from **England (UK)**
- **Governor reserving a bill for the President's consideration:** Taken from **Canada**
- **Fundamental Duties:** Incorporated from the **Constitution of Russia (Former Soviet Union)** based on the **Swaran Singh Committee** recommendation.

II. Nature of the Indian Polity

A. Supremacy

- The **Constitution of India is the supreme** law of the land.

B. Federalism with Unitary Features

- India is described as a **"Union of States"** (Article 1).
- While federal in structure, it has a **strong unitary bias** during emergencies.
- It is often described as a **federal system with unitary features**.

III. The Judiciary and Judicial Review

A. Definition and Source

- **Judicial Review** is the power of the courts to examine and invalidate government actions if they violate the Constitution.
- This system exists in both **India and the U.S.A.**

B. Scope and Limitation

- The scope of Judicial Review in India is **limited**.
- This limitation is based on the **'Basic Structure Doctrine'** established in the **Kesavananda Bharati case (1973)**, which prevents the alteration of the Constitution's basic structure.

C. Difference from the British System

- A key difference from the British Parliamentary system is that **India has the system of Judicial Review, while the UK does not.**

IV. The Constituent Assembly & The Constitution

- The idea of the **Rajya Sabha (Council of States)** representing talent, experience, and service was inspired by the **Irish Republic**.
- **Frank Anthony:**

- First **nominated Deputy Chairman** of the Constituent Assembly.
- Founded the **All India Anglo-Indian Association** in 1942.
- The Indian Constitution is the **longest written constitution** in the world (its length is due to multiple factors, not just Fundamental Rights).
- The tradition of a **written constitution** began from **America (USA)**.

V. The First Cabinet of India (1947)

- In the transition from the **Interim Government (1946)** to the **first cabinet of Independent India (1947)**, the portfolio of **C.H. Bhabha** changed from **Works, Mines, and Power** to **Commerce**.
- The portfolios of the following ministers remained the same:
 - **Dr. Rajendra Prasad**: Food & Agriculture
 - **Jagjivan Ram**: Labour
 - **Sardar Baldev Singh**: Defence

VI. Miscellaneous Features

- **Citizenship**: The Indian Constitution provides for **single citizenship**.
- **Legislature**: India has a **bicameral legislature** (Lok Sabha and Rajya Sabha).

Know More About Constituent Assembly and making of the Constitution:

- [Constituent Assembly and making of the Constitution – Old Year Questions](#)
- [Constituent Assembly and making of the Constitution One Liner Questions & Answers](#)