

CHAPTER - 1

CONSTITUTIONAL DEVELOPMENT IN INDIA

Constitution

- Constitution is a legally sanctified document, considering of the basic governing principles of the State and sets out the framework and the principal functions of the organs of the Government of a State.
- There are various forms of Government prevalent across the world. Constitution of a country gives idea about the basic structure of the political system under which its people are to be governed.
- The idea of Constitutionalism suggests way and means to work out a governmental form, which exercises power and ensures, at the same time, individual freedom and liberty.
- Constitutionalism suggests a way for reconciling the power of the State with individual liberty, by prescribing the principles of organising the State.
- It defines the powers of the main organ of the State, demarcates their responsibilities and regular their relationships with each other and with the people.
- Constitution serves as the “Fundamental Law” of a country; any other laws made must be in conformity with it, in order to be legally endorsed.

Significance of the Constitution

- The philosophy embodied in a nation's Constitution determines the kind of Government present there.
- A Constitution outlines the vision of the State and is its most important document.
- A Constitution ensure certain rights to its citizens as well as defines their duties.
- A Constitution is an expression of faith and hopes, that people have from the State, and the promises that they wish to make for the future.

Is the Constitution static?

- A Constitution is an extension of the philosophical and organisational frameworks into the future.
- But a State has to face the challenges of changing social, economic and political conditions in the society.
- All living constitutions provide for procedures for introducing changes in the them by means of amendments. So, the constitution is not static.

Written and unwritten constitutions

- Constitutions of most countries came into existence as a result of a conscious decision to have such a document. These are the ‘written’ Constitution, which provide institutional arrangements and procedures.
- But, the laws and institutions of British Constitution have gradually evolved over the centuries. The British Constitution is an ‘unwritten’ Constitution. It comprises the constitutional conventions that act as precedents for the working of institutions and other documents such as the statutes and Acts of Parliament. Here the Parliament is supreme, unlike the ‘written’ Constitution where, the Constitution is supreme.
- In Britain, any change in the Constitution is possible by means of laws passed by the Parliament. There is no distinction between an ordinary law and a constitutional law. This is an example of the most flexible form of Constitution.

Constitutional Developments

The Indian administrative structure is largely a legacy of the British rule. The various functional aspects such as public services, education system, political set-up, recruitment, training, office procedures, districts administration, local



administration, police system, revenue administration, budgeting, auditing, and so on, have their roots in the British rule.

The British rule in India can be divided into two phases- the Company rule till 1858 and the Crown's rule from 1858 to 1947.

Landmarks

The landmarks in the development of the Constitution are:

Milestones

- 1687 The first Municipal Corporation in India was set up in Madras.
- 1772 Lord Warren Hastings created the office of District Collector.
- 1829 The office of the Divisional Commissioner was created by Lord William Bentick.
- 1859 The portfolio system was introduced by Lord Canning.
- 1860 A system of Budget was introduced.
- 1870 Lord Mayo's resolution on financial decentralisation visualised the development of local self-government institutions in India.
- 1872 First census in India was conducted during Lord Mayo's period.
- 1881 First regular census was conducted during the period of Lord Ripon.
- 1882 Lord Ripon's resolution was hailed as the 'Magna Carta' of local self-government. He is regarded as the 'Father of local self-government in India'.
- 1905 The tenure system was introduced by Lord Curzen.
- 1905 The Railway Board was set up by a resolution of the Government of India.
- 1921 Public Accounts Committee was created at the Centre.
- 1921 Railway Budget was separated from the General Budget.
- 1935 Reserve Bank of India was established by an Act of the Central Legislature.

Regulating Act of 1773

This was the first step taken by the British Government to control and regulate the affairs of the East India Company in India.

- It designated the Governor of Bengal as the Governor-General of Bengal.
- The first Governor-General was Lord Warren Hastings.
- It subordinated the Governors of Bombay and Madras to the Governor-General of Bengal.
- The Supreme Court was established at Fort William (Calcutta) as the Apex Court in 1774.

Pitt's India Act of 1784

- It was introduced to remove the drawbacks of the Regulating Act.
- Was named after the then British Prime Minister.
- Placed the Indian affairs under the direct control of the British Government.
- Established a Board of Control over the Court of Directors.

Charter Act of 1833

- It made the Governor-General of Bengal as the Governor-General of India.
- First Governor-General of India was Lord William Bentick.
- All civil and military powers were vested in him.
- Governments of Bombay and Madras were deprived of their legislative powers.
- This was the final step towards centralization in the British India.
- The Act ended the activities of the East India Company as a commercial body.

Charter Act of 1853

- The legislative and executive functions of the Governor-General's Council were separated.
- It introduced a system of open competition as the basis for the recruitment of civil servants of the Company.

Government of India Act of 1858

- This Act transferred the Government, territories and revenues of India from the East India Company to the British Crown.

- In other words, the rule of Company was replaced by the rule of the Crown in India.
- The powers of the British Crown were to be exercised by the Secretary of State for India.
- The Secretary of State was a member of the British Cabinet.
- He was assisted by the Council of India, having 15 members.
- He was vested with complete authority and control over the Indian administration through the Governor-General as his agent.
- He was responsible ultimately to the British Parliament.
- The Governor-General was made the Viceroy of India.
- Lord Canning was the first Viceroy of India.

Indian Council Act of 1861

- It introduced for the first time the repetitive institutions of India.
- It provided that the Governor-General's Executive Council should have some Indians as the non-official members while transacting the legislative businesses.
- Initiated the process of decentralisation by restoring the legislative powers to the Bombay and the Madras President.
- It accorded statutory recognition to the portfolio system.

India Council Act of 1892

- Introduced the principle of elections but in an indirect manner.
- Enlarge the functions of the Legislative Councils and gave them the power of discussing the Budget and addressing questions to the Executive.

Indian Councils Act of 1909

- This Act is also known as the Morley- Minto Reforms (Lord Morley was the then Secretary of State for India and Lord Minto was the then Governor-General of India).
- It changed the name of the Central Legislative Council to the Imperial Legislative Council.

- Introduced a system of communal representation for Muslims by accepting the concept of 'separate electorate'.
- Lord Minto came to be known as the 'Father of Communal Electorate'.

Government of India Act of 1909

- This Act is also known as the Montague-Chelmsford Reforms.
- Montague was the then Secretary of State and Lord Chelmsford was the then Governor-General of India.
- The Central subjects were demarcated and separated from those of the Provincial subjects.
- The scheme of dual governance, 'Dyarchy', was introduced in the Provincial subjects.
- The Act introduced, for the first time, bicameralism and direct elections in the country.
- The Act also required that the three of the six members of the Governor-General's Council (other than Commander-in-Chief) were to be Indians.

Government of India Act of 1935

- The Act provided for the establishment of an All-India Federation consisting of the Provinces and the Princely States as units.
- The Act divided the powers between the Centre and the units in items of three lists, namely the Federal List, the Provincial List and the Concurrent List.
- The Federal List for the Centre consisted of 59 items, the Provincial List for the provinces consisted of 54 items and the Concurrent List for both consisted of 36 items.
- The residuary powers were vested with the Governor-General.
- The Act abolished the Dyarchy in the Provinces and introduced 'Provincial Autonomy'.
- It provided for the adoption of Dyarchy at the Centre.
- Introduced bicameralism in 6 out of 11 Provinces.
- These six Provinces were Assam, Bengal, Bombay, Bihar, Madras and the United Province.

Indian Independence Act of 1947

- Till 1947, the Government of India functioned under the provinces of the 1919 Act only. The provisions of 1935 Act relating to Federation and Dyarchy were never implemented.
- The Executive Council provided by the 1919 Act continued to advise the Governor-General till 1947.
- It declared India as an Independent and Sovereign State.
- Established responsible Governments at both the Centre and the Provinces.
- Designated the Governor-General of India and the provincial Governors as the Constitutional Heads(normal heads).
- It assigned dual functions (Constituent and Legislative) to the Constituent Assembly and declared this dominion legislature as a sovereign body.

National Symbols

National Flag

- The National Flag is a horizontal tricolour of deep saffron (kesaria) at the top, white in the middle and dark green at the bottom in equal proportion
- The ratio of width of the flag to its length is two to three.
- In the centre of the white band is a navy-blue wheel which represents the charka.
- Its design is that of the wheel which appears on the abacus of the Sarnath Lion Capital of Ashoka.
- Its diameter approximates to the width of the white band and it has 24 spokes.
- The design of the National Flag was adopted by the Constitution Assembly of India on 22 July 1947.
- Apart from non-statutory instructions issued by the Government from time to time, display of the National Flag is governed by the provisions of the Emblems and Names (Prevention of Improper Use) Act, 1950 and the prevention of Insults of National Honour Act, 1971.
- The Flag Code of India, 2002 is an attempt to bring together all such laws, conventions,

practices and instructions for the guidance and benefit of all concerned.

- The Flag Code of India, 2002, took effect from 26 January 2002 and superseded the 'Flag Code-Indias' as it existed.
- As per the provisions of the Flag Code of India, 2002, there are no restriction on the display of the National Flag by members of general public, private organisations, educational institutions, etc., except to the extent provided in the Emblems and Names (Prevention of Improper Use) Act, 1950 and Prevention of Insults of National Honour Act, 1971 and any other law enacted on the subject.

National Emblem

- The state emblem is an adaptation from the Sarnath Lion Capital of Ashoka.
- In the original, there are four lions, standing back to back, mounted on an abacus with a frieze carrying sculptures in high relief of an elephant, a galloping horse, a bull and a lion separated by intervening wheels over a bell-shaped lotus.
- Carved out of a single block of polished sandstone, the Capital is crowned by the Wheel of the Law (Dharma Chakra).
- In the state emblem, adopted by the Government of India on 26 January 1950, only three lions are visible, the fourth being hidden from view.
- The wheel appears in relief in the centre of the abacus with a bull on right and a horse on left and the outlines of other wheels on extreme right and left.
- The bell-shaped lotus has been omitted.
- The words Satyameva Jayate from Mundaka Upanishad, meaning 'Truth Alone Triumphs', are inscribed below the abacus in Devanagari script.

National Anthem

- The song "Jana-gana-mana", composed originally in Bengali by Ravindra Nath Tagore, was adopted in Hindi version by the Constituent Assembly as the National Anthem of India on 24th January 1950.
- It was first sung on 27th December 1911 at the Calcutta session of the Indian National Congress.

National Song

- The song Vande Mataram, composed in Sanskrit by Bankim Chandra Chatterji, was a source of inspiration to the people in their struggle for freedom.
- It has an equal status with 'Jana-gana-mana'.
- The first political occasion when it was sung was the 1896 session of the Indian National Congress.

National Calendar

- The national calendar based on the Saka Era, with Chaitra as its first month and a normal year of 365 days was adopted from 22 March 1957 along with the Gregorian calendar for the following official purposes:
 - i) Gazette of India,
 - ii) news broadcast by All India Radio,
 - iii) calendars issued by the Government of India and
 - iv) Government communications addressed to the members of the public.
- Dates of the national calendar have a permanent correspondence with dates of the Gregorian calendar, 1 Chaitra falling on 22 March normally and on 21 March in leap year.

Flag Code of India, 2002

'Flag Code-India' is neither a statute nor a statutory rule or regulation. It is, in reality, a mere consolidation of executive instructions issued by the Government of India from time to time and contains detailed instruction in regard to the shape, size and colour of the National Flag, the correct display, instances of misuse and display on National Days or special occasions.

And now, Flag Code of India, 2002 is an attempt to bring together all such laws, conventions, practices and instructions for the guidance and benefit of all concerned.

For the sake of convenience, Flag Code of India, 2002 has been divided into three parts. Part I of the code contains general description of the National Flag. Part II by members of public, private organizations and educational institutions. Part III of the Code relates to display of the National Flag by Central and State governments and organisations and agencies.

Flag Code of India, 2002 has taken effect from January 26, 2002 by superseding the 'Flag Code - India' as it existed.

Flag Controversy-Naveen Jindal case

Prior to 2004, the Flag code of India did not permit flying of the Flag of India on non government institutions. In 2001, a case was filed against Naveen Jindal for flying the Flag of India atop his company building. He said that he was inspired by his American friends displaying their flag during his college days in USA and he believed flying the national flag should be the right of every Indian. He took the case to the Delhi High Court and the Supreme Court of India and won both cases. The Supreme Court ordered the Government of India to set aside a committee to look into this matter. Finally on January 26, 2004 (India's Republic Day), private citizens were allowed to fly India's flag inside and atop their buildings and institutions.

The New Flag Code

- One can hoist the flag only from sunrise to sunset.
- The ratio of width to length of the flag should be 2:3.
- Don't print it on a costume, cushion or napkin either.
- Don't drape the flag on vehicles.
- Don't hoist it upside down. Must not touch the ground.
- must fly higher than all other flags except that of the UN or other nations.
- Don't fly a damaged flag.
- The amended code came into effect from January 26, 2003.

National Animal

- The magnificent tiger, *Panthera tigris*, is the national animal.
- The combination of grace, strength, agility and enormous power has earned the tiger its pride of place as the national animal of India.
- To check the dwindling population of tigers in India, 'Project Tiger' was launched in April 1973.
- So far, 29 tiger reserves have been established in the country under this project.

National Bird

- The Indian peacock, *Pavo cristatus*, the national bird of India, is a colourful, swan-sized bird, with a fan-shaped crest of feathers, a white patch under the eye and a long, slender neck.
- The male of the species is more colourful than the female, with a glistening blue breast and neck and spectacular bronze-green train of around 200 elongated feathers.
- The female is brownish, slightly smaller than the male and lacks the train.
- The peacock is widely found in the Indian sub-continent from the south and the east of the Indus river, Jammu and Kashmir, east Assam, south Mizoram and the whole of the Indian peninsula.
- The peacock is fully protected under the Indian Wildlife (Protection) Act, 1972.

National Flower

- Lotus (*Nelumbo Nucifera Gaertn*) is the national flower of India.
- It is a sacred flower and occupies a unique position in the art and mythology of ancient India and has been an auspicious symbol of Indian culture since time immemorial.

National Tree

- Indian fig tree, *Ficus bengalensis*, whose branches root themselves like new trees over a large area.
- The roots then give rise to more trunks and branches.
- Because of this characteristic and its longevity, this tree is considered immortal and is an integral part of the myths and legends of India.
- Even today, the banyan tree is the focal point of village life and the village council meets under the shade of this tree.

National River

- The Ganga or Ganges is the longest river of India flowing over 2,510 kms of mountains, valleys and plains.
- It originates in the snowfields of the Gangotri Glacier in the Himalayas as the Bhagirathi River.

- It is later joined by other rivers such as the Alaknanda, Yamuna, Son, Sumti, Kosi and Ghagra.
- The Ganga river basin is one of the most fertile and densely populated areas of the world and covers an area of 1,000,000 sq. kms.
- There are two dams on the river – one at Haridwar and the other at Farakka.
- Dolphin is an endangered animal that specifically inhabits this rivers.
- The Ganga is revered by Hindus as the most sacred river on earth.
- Key religious ceremonies are held on the banks of the river at cities such as Varanasi, Haridwar and Allahabad.
- The Ganga widens out into the Ganges Delta in the Sunderbans swamp of Bangladesh, before it ends its journey by emptying into the Bay of Bengal.

National Fruit

- A fleshy fruit of the tree *Mangifera indica*, the mango is one of the important and widely cultivated fruits of the tropical world.
- Mangoes have been cultivated in India from time immemorial.
- The poet Kalidasa sang its praises.
- Alexander savored its taste, as did the Chinese pilgrim Hieun Tsang.
- Mughal emperor Akbar planted 100,000 mango trees in Darbanga, Bihar at a place now known as Laxi Bagh.

National Game

- Hockey is the National Game of India.
- Unmatched excellence and incomparable virtuosity brought India a string of Olympic gold medals.
- The Golden Era of hockey in India was the period from 1928 – 1956 when India won 6 consecutive gold medals in the Olympics.
- During the Golden Era, India played 24 Olympic matches, won all 24, scored 178 goals (at an average of 7.43 goals per match) and conceded only 7 goals.
- The two other gold medals for India came in the 1964 Tokyo Olympics and the 1980 Moscow Olympics.

National Pledge

General Pledge

- India is my country. All Indians are my brothers and sisters.
- I Love my country. I am proud of its rich and varied culture. I shall always strive to be worthy of it.
- To my country and my people I pledge my devotion.

National Integration Pledge

- I solemnly pledge to work with dedication to preserve and strengthen the freedom and integrity of the nation.
- I further affirm that I shall never resort to violence and that all differences and disputes relating to religion, language, region or other political or economic grievances should be settled by peaceful and constitutional means.
- It their well being and prosperity alone lies my happiness.

Farming of the Constitution of India

- The Constitution of India was farmed and adopted by the Constituent Assembly of India.
- The Constitution Assembly was set up in November 1946 as per the Cabinet Mission Plan of 1946.
- The demand for the Constitution Assembly to draft the Constitution of India was, for the first time, raised by the Congress in 1935.
- The British Government accepted this demand, for the first time, in the 'August Offer' of 1940.
- The seats were allocated to three communities- Muslims, Sikhs and General-in proportion to their population.
- There were a total of 389 members in the Constituent Assembly of which 296 were elected by the members of the Provincial Assemblies and the rest were nominated by the Princely States.
- The Mountbatten Plan of June 3, 1947 announced the partition of the country and a separate Constituent Assembly for the proposed State of Pakistan.
- Consequently the members of the Constituent Assembly representing those areas which were

included in Pakistan. East Bengal, North-West Frontier Province (NWFP), West Punjab, Sindh, Baluchistan, and Sylhet district of Assam, were no more members of the Constituent Assembly of India.

Three Phases of the Constituent Assembly

- i) 1st Phase: As Constituent Assembly under the limitations of Cabinet Mission, Plan from 6th December 1946 to 14th August 1947.
- ii) 2nd Phase: As Constituent Assembly, a Sovereign body + Provisional Parliament from 15th August 1947 to 26th November 1949.
- iii) 3rd Phase: As a Provisional Parliament from 27th November 1949 to March 1952.

- North-West Frontier Province and Sylhet decided through a referendum to remain with Pakistan.
- Therefore, the membership of the Constituent Assembly for India was reduced to 299 after partition.
- Its first meeting was held on 9th December 1946, with Sachidanand Sinha as the interim President.
- On 11th December 1946, Dr. Rajendra Prasad was elected as the President of the Constituent Assembly.
- The historic 'Objective Resolution' was moved in the Constituent Assembly by Pt. Jawahar Lal Nehru on 13th December 1946.
- The first meeting of Constituent Assembly was boycotted by the Muslim League.
- Shri. B.N. Rau was appointed as the Legal Advisor of the Constituent Assembly.
- Dr. B.R. Ambedkar is rightly regarded as the 'Father of the Constitution of India'.
- The Constituent Assembly formed 13 important committees for farming the Constitution.
- The Drafting Committee of 7 members were appointed on 29 August 1947, with Dr. B.R. Ambedkar as the Chairman.
- The first draft of the Constitution was prepared in October 1947 and was published in January 1948.
- The Draft Constitution of India prepared by the Drafting Committee was submitted to the President of the Assembly on 21 February 1948.



- As many as 7,635 amendments were proposed and 2473 were actually discussed.
- The clause-by-clause consideration of the Draft Constitution was taken up between 15 November 1948 and 17 October 1949.
- On 26 November 1949, the people of India through the Constituent Assembly adopted, enacted and gave to themselves the Constitution of India.
- The Constitution was finally signed in by the members of the Constituent Assembly on 24 January 1950, which was the last day of the Assembly.
- The Constitution came into full operation with effect from 26 January 1950.
- During this period, the Constituent Assembly acted as a 'Temporary Parliament' [15 August 1947 - 26 November 1949]
- The Constitution was approved by the members and was signed in by 284 members of the Constituent Assembly.
- It is considered to be the lengthiest Constitution in the world.
- Originally, it had 22 Parts, 395 Articles and 8 Schedules.
- The Constituent Assembly held 11 sessions.
- The design of the National Flag was adopted by the Constituent Assembly on July 22, 1947.
- The National Anthem was adopted by the Constituent Assembly on January 24, 1950.
- The Constituent Assembly of India was converted into the provisional Parliament of India on November 26, 1949.
- The only State having constitution of its own is Jammu & Kashmir.

Committees of the Constituent Assembly

The Constituent Assembly appointed 22 committees to deal with different task of Constitution-making. Out of these, 10 were on procedural affairs and 12 on substantive affairs. The report of these committees formed the basis on which the first draft of the Constitution was prepared. These were as follows:

Committees on Procedural Affairs

1. Steering Committee (Chairman: Dr K M Munshi)
2. Rules of Procedure Committee (Chairman: Dr. Rajendra Prashad)
3. House Committee
4. Hindi Translation Committee
5. Urdu Translation Committee
6. Finance and Staff Committee
7. Press Gallery Committee
8. Committee on the effect of Indian Independence Act of 1947.
9. Orders of Business Committee
10. Credential Committee

Committees of Substantive Affairs

1. Drafting Committee (Chairman: Dr B R Ambedkar)
2. Committee for Negotiating with States (Chairman: Dr Rajendra Prashad)
3. Committee on Chief Commissioners' Provinces.
4. Union Constitution Committee (Chairman: Jawaharlal Nehru)

Drafting Committee of Constituent Assembly

Chairman: Dr. BR Ambedkar

Members

1. N Gopalaswamy Ayyangar
2. Alladi Krishnaswami Iyer
3. KM Munshi
4. Mohammed Sadullah
5. BL Mittar (replaced by N Madhav Rao)
6. DP Khaitan (who died in 1948 and was replaced by TT Krihnamachari)

- The Draft Constitution was considered for 114 days. The Constituent Assembly took 2 years, 11 months and 18 days to frame the Constitution.
- It cost the exchequer Rs. 6.4 crore.

5. Provincial Constitution Committee (Chairman: Sardar Patel).
6. Special Committee to Examine the Draft Constitution (Chairman: Sir Alladi Krishnaswamy Iyer)
7. Commission on Linguistic Provinces
8. Expert Committee on Financial Provisions
9. Ad-hoc Committee on National Flag
10. Union Powers Committee (Chairman: Jawaharlal Nehru)
11. Ad. hoc Committee on the Supreme Court
12. Committee on Fundamental Rights and Minorities (Chairman: Sardar Patel).

Important members of the Constituent Assembly

Jawaharlal Nehru, Rajendra Prasad, Sardar Patel, Maulana Azad, Gopaldaswami Ayyangar, Gobind Ballabh Pant, Abdur Ghaffar Khan, TT Krishnamachari, Alladi Krishnaswami Ayyar, H N Kunzru, H S Gour, K V Shah, Masani, Acharya Kripalani, Dr Ambedkar, Dr Radha Krishnan, Dr Jaykar, Liaquat Ali Khan, Khwaja Nazimuddin, Sir Feroze Khan Noor, Suhrawardy, Sir Zafurullah Khan and Dr Sachchidananda Sinha.

- The first elections to the Parliament were held in 1952.
- The first amendment to the Constitution was effected in 1951.
- According to Article 394, provisions relating to the citizenship, elections, provisional Parliament and temporary and temporary and transitional provisions contained in Articles 5, 6, 7, 8, 9, 60, 324, 366, 367, 379, 380, 388, 391, 392 and 393 came into force on the day of adoption (i.e. c26 November 1949) of the Constitution and the remaining provisions of the Constitution came into being on the day of the commencement (i.e. 26 January 1950) of the Constitution.
- According to Article 395, the Government of India Act of 1935 and the Indian Independence

Act of 1947 got replaced with the commencement of the Constitution of India.

- January 26 was selected as the date of commencement of the Constitution of India because on this date in 1930, Indian people observed 'Independence day', following the resolution of 'Purna Swaraj' of the Congress session held in the midnight of December 31, 1929 at Lahore.
- Constituent Assembly could not be called a sovereign body. It was established by the British government and could be abolished by it. So its authority was limited, and it worked within the framework of the Cabinet Mission Plan. These limitations were nullified by the passing of the Indian Independence Act of 1947.

Different sources of our Constitution

- The founding fathers of our Constitution had before them the accumulated experience from the working of all the known constitutions of the world, and were aware of the difficulties faced in the working of those constitutions.
- Hence, besides incorporating some provisions from the other constitutions, a number of provisions were included to avoid some of the difficulties experienced in the working of these constitutions.
- This is an important reason for making our Constitution the lengthiest and the most comprehensive of all written constitutions of the world.
- The most profound influence was exercised by the Government of India Act of 1935. The federal scheme, office of governor, power of federal judiciary, emergency powers etc were drawn from this Act.
- The British practice influenced the lawmaking procedures, rule of law, system of single citizenship besides, of course, the model of a parliamentary form of government.
- The US Constitution inspired details on the independence of judiciary, judicial review, fundamental rights, and the removal of Supreme Court and High Court judges.
- The Irish Constitution was the source of the Directive Principles, method of Presidential elections, and the nomination of members of Rajya Sabha by the President.

- From the Canadian Constitution was taken the idea of a federation with a strong Centre, and placing residuary powers with the Centre.
- The Weimar Constitution of Germany was the source of provisions concerning the suspension of fundamental rights during emergency.
- The idea of a Concurrent List was taken from the Australian Constitution.

Provisions of the Constitution and Their Source

1. Independence of Judiciary	USA Constitution
2. Judicial Review	USA Constitution
3. President as the Executive head	USA Constitution
4. President as the Supreme Commander of the Armed Forces	USA Constitution
5. The Vice-President as the ex-officio Chairman of the Council of States ...	USA Constitution
6. Fundamental Rights	USA Constitution
7. Preamble	USA Constitution
8. Removal of Supreme Court and High Court Judges	USA Constitution
9. Law making procedures	UK Constitution
10. Rule of Law	UK Constitution
11. System of single citizenship	UK Constitution
12. Parliamentary system with ministerial responsibility	UK Constitution
13. Federation with a strong Centre	Canadian Constitution
14. Distribution of powers between the Union and the State and placing residuary powers with the Centre	Canadian Constitution
15. Directive Principles	Irish Constitution
16. Method of Election of the President	Irish Constitution
17. Nomination of members of the Rajya Sabha by the President	Irish Constitution
18. Emergency and its effect on Fundamental Rights	Weimar Constitution of Germany
19. The Concurrent List	Australian Constitution
20. Provision regarding trade, commerce and intercourse	Australian Constitution
21. Constitutional Amendments	South African Constitution
22. Fundamental Duties	Japanese Constitution
23. Republic	French Constitution