

### 3. Features of the Constitution

In the last two lessons, we studied how our Constitution was made. We studied its Preamble and understood terms like Sovereign, Socialist, Secular, Democratic, Republic. The goals expressed in the Preamble are the characteristic features of our Constitution as well. Apart from these, the Constitution also has other features. We shall try to understand these in the present chapter.

**Federalism :** One of the important features of our Constitution is the federal system. In countries with large territories and huge populations, government is run by a federal system. Ruling a large territory from a single capital city is not only difficult, but may also lead to the neglect of some far-flung areas. People residing there cannot participate in the affairs of the Government. Therefore, Governments function at two levels in a federation. The Government at the Centre carries out tasks like defence of the entire country, foreign policy, establishing peace, etc. It is also called 'Union Government' or 'Federal Government'. It carries out the administration of the entire country.

The Government that oversees the administration of the region that we live in is called State Government. It looks after the administration of a particular State. For example, Government of Maharashtra looks after the administration of the State of Maharashtra.

The system of running the administration of a country cooperatively by the Governments at two levels, making laws about different subjects is called federalism.

**Separation of Powers :** The Constitution has divided the subjects for making laws between the Union

Government and the State Governments. Let us see which Government is entrusted with what subjects. Our Constitution has given three lists of various subjects.

The first list is called Union List. It contains 97 subjects on which the Union Government makes laws. The State List is for the State Governments to legislate upon. It contains 66 subjects. Apart from these two lists, there is a Concurrent List, which contains 47 subjects. Both Governments can make laws on subjects included in this list. If a subject comes up that is not included in any of the lists, the Union Government is entitled to make laws on it. These powers are termed as Residuary Powers.



#### Do you know?

The division of powers in the Indian Constitution is unique. It enables the Union Government and the State Government to bring about the country's progress by cooperating with each other. This also encourages participation of citizens in the administration of the country.

#### Who deals with what subjects -

##### (1) Subjects with the Union

**Government :** Defence, foreign relations, war and peace, currency, international trade, etc.

##### (2) Subjects with the State

**Government :** Agriculture, law and order, local government, health, prison administration, etc.

##### (3) Subjects with both the

**Governments :** Employment, environment, economic and social planning, personal law, education, etc.





### Do this.

Make a list of the north-eastern Indian States. Name their capital cities.

**Union Territories :** In India, there is a Union Government, 28 State Governments and 9 Union Territories. The Union Government controls the Union Territories. Following are the nine Union Territories : New Delhi, Daman and Diu, Puducherry, Chandigarh, Dadra and Nagar Haveli, Andaman and Nicobar



### Do you know?



Currency note

You have surely seen currency notes. The words 'Guaranteed by the Central Government' are printed on currency notes.

If you have seen the badge on the uniform of a policeman, it reads 'Maharashtra Police.'

You must have surely come across the following : 'Indian Railways' and

Islands, Jammu and Kashmir, Ladakh and Lakshadweep.

### Parliamentary System of Government :

The Indian Constitution has provided for a parliamentary system of Government. In such a system, the Parliament, i.e. the Legislature has the highest decision-making power. Indian Parliament includes the President, Lok Sabha or the House of the People and Rajya Sabha or the Council of States. The Council of Ministers that runs the administration emerges from the Lok Sabha and is answerable to the Lok

'Maharashtra State Road Transport Corporation'.

This means that in our country, Government functions at two levels. One is the Central Government, and the other is the State Government e.g., Maharashtra State Government, Karnataka State Government, etc.



Maharashtra Police



Indian Railways



Maharashtra State Road Transport Corporation

Sabha for all its decisions. In Parliamentary Democracy, the discussion and debates that take place in the Parliament have great significance.

**Independent Judiciary :** The Indian Constitution has created an independent Judiciary. The disputes that cannot be resolved mutually are referred to the Judiciary. The Court hears both the contesting parties, looks into the injustice if any, and gives its judgement. This has to be done impartially.

The Constitution has made several provisions to ensure that the Judiciary

remains more and more independent. For example, Judges are appointed by the President and not by the Government. It is not easy to remove the Judges from their office.

**Single Citizenship :** The Indian Constitution has granted a single citizenship to all Indians. That is 'Indian Citizenship.'

**Process of Amending the Constitution :** There comes up a need to make changes or amendments in the provisions of the Constitution due to changing circumstances. But frequent





amendments to the Constitution may lead to a situation of instability. The procedure for amendment is specified in the Constitution itself so as to ensure that an amendment is made only after giving it a careful consideration. The procedure for amendment in the Constitution is unique. It is neither too difficult, nor too easy. More scope has been provided for giving more consideration and thought to important amendments. The procedure is also flexible to ensure that general amendments can be brought about easily.



### Find out.

How many amendments have been made to the Indian Constitution till date?

**Election Commission :** You must have read about the Election Commission in the newspapers. Since India has adopted a democratic form of government, people have to elect their representatives periodically. For this, the elections have to be conducted in a free and fair atmosphere. Only then will the citizens be able to elect



### Exercise

1. Prepare a table to show the separation of powers in a Federal Government.

Union List	State List	Concurrent List
(1) _____	(1) _____	(1) _____
(2) _____	(2) _____	(2) _____
(3) _____	(3) _____	(3) _____

2. Find one word for.

- (1) Machinery for the governance of the entire country –
- (2) Machinery for conducting elections –
- (3) The third list of subjects for making laws –

3. Answer the following questions.

- (1) Why does the Government function at two levels in a federation?



### Can you tell?

- \* Who is the current Chief Election Commissioner?
- \* What do you understand by 'Code of Conduct' for Elections?
- \* What is a Constituency?

a candidate of their choice without any fear or pressure. If the government were to conduct elections, there might be no guarantee of such free, fair and just atmosphere for the elections. Hence, the Constitution has entrusted the responsibility of conducting elections to an independent machinery. This machinery is known as the Election Commission. The responsibility of conducting all elections in India rests with the Election Commission.

The Indian Constitution has some important characteristic features. In this chapter, we have studied only some of the important features. Another important feature of our Constitution is the exhaustive provision of fundamental rights. We shall study these in the next chapter.



- (2) What do you understand by Residuary Powers?
- (3) Why has the Constitution created an independent Judiciary for India?
4. Hold a group discussion on the merits and demerits of an independent judicial system.
5. Find out about the Electronic Voting Machine (EVM) and discuss the advantages of conducting elections with the EVM.

### Activity

Establish an Election Commission in your class, decide upon the positions you would like to fill through elections. Then conduct elections under the guidance of this Commission.

