

Polity Study Material: Federal Features

Federal Features of the Constitution

The main federal features of the Indian Constitution are as follows:

- 1. Written Constitution:** The first essential feature of a Federal System is a written Constitution which defines the structure, organization and powers of the Central Government as well as the State Governments so that they operate with each other's jurisdiction. The Indian Constitution is a written document which now contains 440 Articles and 12 Schedules. It stands at the top of hierarchy of all laws and all the authorities in India are legally bound to respect it.
- 2. Rigid Constitution:** Another essential feature of our federation is a rigid Constitution which can be amended either by the joint action of the Federal and State Legislatures or by an independent authority. The Indian Constitution is rigid to a large extent.
- 3. Independent Judiciary:** The existence of an independent judiciary is another important feature of the Indian Federal System. The Supreme Court of India, which is the apex court in India, acts as the guardian of the Constitution and can declare any law or order ultra vires if it contravenes any provision of the Constitution. The Supreme Court also ensures that the Federal and the State Governments operate within the spheres allotted to them by the Constitution.
- 4. Division of Powers:** Another feature of a federation is statutory division of powers between the Federal Government and the State Governments. The Indian Constitution divides the powers on the pattern of the Canadian Constitution. All the powers have been divided into three lists—the Union List, the State List and the Concurrent List. The residuary powers have been vested by the Constitution in the Central Government.
- 5. Bicameral Legislature:** Like other Federations, the Constitution of India also provides for a bicameral Parliament consisting of the Lok Sabha and the Rajya Sabha. While the Lok Sabha comprises representatives directly elected by the people on the basis of universal adult franchise, the Rajya Sabha mainly comprises representatives of the units.
- 6. Supremacy of the Constitution:** The supremacy of the Constitution, another feature of federalism, is also present in India. The Constitution of India stands at the top of the hierarchy of all laws both national and state.



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