

## **Federal features of Indian Constitution:**

1. Division of Power: There should be clear cut division of power between the central government and the state governments i.e. every federal constitution has dual government.

This dual government originates from the constitution and is controlled by the constitution.

2. Written constitution: It must be done by a common agreement in writing. The source of power of both the Federal and the state government is written constitution. It is binding on both sets of government.

3. Rigidity of the Constitution: The procedure of amending the constitution regarding the federal principle is rigid. It can't be changed unilaterally either by the federal or State

Government. Here rigidity of constitution refers power of amending those provisions which relates to division of power not given to any one set of government. It can't be done unilaterally. It has to be passed by dual majority & ratification of not less than half of states.

4. Supremacy of the Constitution: The constitution is supreme. This means all the authorities of the union & states such as legislature, executive and judiciary are subject to the authority

of the constitution.

5. Impartial & Independent Judiciary: There should be an impartial judiciary to decide dispute between different government (i.e. Federal and state, state and state) and give interpretations of the constitution in case of any dispute.

Indian Constitution possesses these characteristics as there are clear cut divisions of power between the Union & States under chapter 7 of Part XI and 7th schedule. 7th schedule of the constitution provides for three lists.

Union list (originally 97 subjects) (Now 100).

State lists (originally 66 subjects) (Now 61).

The concurrent list (originally 47 subjects) (Now 52).

But in cases of conflict between the two, law of the union prevails.

It is thus clear that Indian Constitution possessed all the essential characteristics of a federal polity. Even after that some jurist characterizes it as not federal.