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Q6

What was held in the Coelho case? In this context, can you say that judicial review is of key importance amongst the basic features of the Constitution?

UPSC Civil Services Mains 2016 · GS II · 12 marks · Indian Constitution

Indian Constitution - historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

Facts & figures for this PYQ only.

Numbers move. Confirm the latest Budget, Economic Survey or census round. This sheet is for revision, not a substitute for the model answer.

<https://wrapexams.com/upsc/mains-answers/gs-2/2016/what-was-held-in-the-coelho-case-in-this-context-can-you-say-that-judicial-review-is-of-key-importance-amongst-the-basic-features-of-the-constitution/>

I.R. Coelho v. State of Tamil Nadu (2007)

Nine-judge Bench held that **Ninth Schedule** laws inserted after 24 April 1973 are open to basic-structure challenge, including on judicial review.

Article 31B and Ninth Schedule

Inserted by the First Amendment, 1951, to validate specified laws even if they conflict with Part III, subject now to the Coelho limit.

Kesavananda Bharati (1973)

Held that constitutional amendments cannot destroy basic structure; Coelho uses 24 April 1973 as the cut-off for **Ninth Schedule** immunity.

Minerva Mills (1980)

Struck down 42nd Amendment clauses that tried to immunise amendments and to subordinate fundamental rights; treated judicial review as essential.

L. Chandra Kumar (1997)

Held that **Articles 32 and 226** judicial review is a basic feature and cannot be fully ousted by tribunal clauses.