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Syllabus heading

Constitution and Polity

UPSC Civil Services (Main) Examination · GS II · General Studies Paper II

Constitution and Polity

Facts & figures for this syllabus heading.

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

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Vihaan Kumar v. State of Haryana (2025)

Violations of Constitutional Rights in Arrest and Custody Background: Vihaan Kumar was arrested without being informed of reasons, and later chained to a hospital bed. He challenged violations of **Article 21 and 22(1)**.

Judgement

Declared the arrest illegal due to lack of meaningful communication.; Ruled that handcuffing violated human dignity.; Clarified that subsequent legal processes cannot validate a constitutionally illegal arrest.

Impact

Strengthened procedural safeguards for personal liberty.; Condemned inhumane treatment in custody.; Demanded new arrest and detention protocols.

Vihaan Kumar v. State of Haryana (2025) -

Contemporary Relevance and Analytical Angle for UPSC; Central to GS2 answers on police reforms, due process and human dignity.; Useful in evaluating custodial violence and procedural justice.; Cited in debates on **Article 21**'s expanding scope and abuse of power.; Strong material for Essays on rule of law and dignity in criminal justice.

Supriyo v. Union of India (2023) - Same-Sex

Contemporary Relevance and Analytical Angle for UPSC; Central to GS2 answers on LGBTQIA+ rights, equality and civil liberties.; Cited in debates on marriage equality, personal liberty vs. societal morality.; Useful in essays on constitutional morality, social reform and evolving family structures.

Anuradha Bhasin v. Union of India (2020)

Right to Internet Access as a Fundamental Right

Background

After the abrogation of **Article 370**, J&K witnessed an internet shutdown. Journalist Anuradha Bhasin challenged it as violating freedom of expression, profession, and access to information.

Impact

Defined internet as a public necessity.; Ensured accountability in digital restrictions.; Laid groundwork for digital rights jurisprudence.

Anuradha Bhasin v. Union of India (2020) - Right to

Frames debates on State control vs. digital freedoms in modern democracies.; Enhances understanding of judicial application of proportionality in tech-driven governance.

Navtej Singh Johar v. Union of India (2018)-

Frames debates on Uniform Civil Code, queer civil rights, and anti-discrimination laws.; Cited in demands for marriage equality, trans rights and inclusive education.; Powerful case to explore constitutional morality vs. societal norms in democracy.

Indian Young Lawyers Association v. State of Kerala

Religious Freedom vs. Gender Equality Background: The case challenged Rule 3(b) of **Kerala Worship Rules (1965)** that barred women aged 10-50 years from entering Sabarimala Temple, citing traditions linked to the celibacy of Lord Ayyappan. Referred to a Constitution Bench.

Indian Young Lawyers Association v. State of Kerala

Reiterated that personal; laws are subject to; constitutional scrutiny.

Impact

Asserted constitutional supremacy over religious customs.; Advanced inclusive access to religious spaces.; Sparked public discourse on judicial activism vs. religious autonomy.

Indian Young Lawyers Association v. State of Kerala

Cited in debates on women's entry in mosques, triple talaq, and Female Genital Mutilation.; Useful in analysing conflict between **Articles 25 and 14/15**.; Supports Essay arguments on reform within religious institutions.

Hadiya v. Union of India (2018)- Freedom of

Recognized conversion and interfaith marriages as protected freedoms under **Articles 25 and 21**. Impact:; Strengthened the legal recognition of individual autonomy in personal decisions.; Reaffirmed that marriage is a personal domain which is not subject to parental, societal or judicial veto.; Became a landmark case for freedom of belief, women's agency, and interfaith rights.

Hadiya v. Union of India (2018)- Freedom of

Cited in debates around anti-conversion laws, love jihad laws, and State overreach into private life. Useful in Essay themes on individual autonomy vs. social conservatism and constitutional morality.; Illustrates the limits of judicial paternalism and upholds pluralism and secularism.

Shreya Singal v. Union of India (2015)- Freedom of

Censorship Background: Two women were arrested under **Section 66A** of the IT Act for posting critical remarks online. The PIL challenged vague terminology and criminalisation of free digital speech, invoking **Article 19(1)(a)**.

Aruna Shanbaug v. Union of India (2011)

Passive Euthanasia & Right to Die with Dignity Background: Aruna Shanbaug, a nurse left in a persistent vegetative state for 42 years, became the face of India's legal discourse on euthanasia. The plea for mercy killing raised profound questions about life, suffering, and constitutional rights under **Article 21**.

Impact

Laid the foundation for **Article 21A (86th Amendment, 2002)**.; Strengthened state responsibility for universal access.; Precursor to **Unnikrishnan (1993)** and **RTE Act (2009)**.

M.C. Mehta v. Union of India (1986)

Birth of Absolute Liability & Environmental Jurisprudence Background: A leak of oleum gas from Shriram Fertilizers (Delhi) caused serious harm. M.C. Mehta filed a PIL under **Article 32**, raising questions about industrial safety, environment, and public health.

Maneka Gandhi v. Union of India (1978)

Redefining Personal Liberty under Article

Kesavananda Bharati v. State of Kerala (1973)-

Basic Structure Doctrine Background: Kesavananda Bharati, a religious head, challenged the **Kerala Land Reforms Act** for violating **Article 26 (religious freedom)**. The case tested Parliament's amending power following conflicts between Shankari Prasad, Sajjan Singh and Golaknath. Judgement:: Parliament can amend any part, but not the Basic Structure.; Preamble is part of the Constitution.; Amendment is not "law" under...

Golaknath v. State of Punjab (1967)

Can Parliament Amend Fundamental Rights? Background: Golaknath challenged the Punjab Land Tenure law for violating Right to Property. He questioned if Parliament could amend Part III Fundamental Rights, contradicting prior rulings in **Shankari Prasad (1951)** and **Sajjan Singh (1965)**.

Golaknath v. State of Punjab (1967) - Can

Key Supreme Court Judgements 16

Judgement

SC declared Parliament cannot amend Fundamental Rights.; It held that constitutional amendments are "law" under **Article 13(2)**.; Overruled Shankari Prasad and Sajjan Singh. Impact.; Led to the 24th **Constitutional Amendment Act (1971)**-excluded amendments from **Article 13**.; Set the stage for the **Kesavananda Bharati (1973)** case and Basic Structure Doctrine.; Ffirst major blow to Parliamentary Supremacy in independent...

Golaknath v. State of Punjab (1967) - Can

Key to questions on Basic Structure, judicial review and limits of constituent power.; Supports debates on constitutionalism vs. majoritarianism.; Can be cited in GS2 answers on checks and balances in constitutional democracy.

Preamble of the Indian Constitution Berubari Union

Preamble not part of Constitution; The Court ruled that the Preamble is not a part of the Constitution. The Preamble cannot alter constitutional provisions and was excluded from the amendment process.; Limited the Preamble's role in constitutional interpretation. **Kesavananda Bharati Case (1973)**: Part of Constitution and Amendable; The Preamble is part of the Constitution. The Court upheld the Preamble's role in...

Basic Structure of the Constitution Kesavananda

The Supreme Court ruled that Parliament's amending power is subject to the "**Basic Structure**" of the Constitution. The basic structure doctrine is a common law legal doctrine that the constitution of a sovereign state has certain characteristics that cannot be erased by its legislature. **Waman Rao Case (1981)**: SC reiterated the Basic Structure Doctrine, applying it only to amendments after **Kesavananda Bharati (1973)**....

Basic Structure of the Constitution

Key Supreme Court Judgements 19

Basic Structure of the Constitution

These cases can be quoted in questions on role of Judiciary in protecting rights, democracy and constitution.

Amendability of Fundamental Rights Shankari Prasad

The Court asserted that Parliament's power to amend under **Article 368** includes the power to amend Fundamental Rights guaranteed in **Part III of the Constitution**. **Sajjan Singh Case (1965)**: The case reinforced Parliament's authority to amend any part of the Constitution, including **Fundamental Rights**. **Golaknath Case (1967)**: The Court ruled that Parliament could not amend Fundamental Rights thereby asserting that such...

Fundamental Rights Vs Directive Principles

Background: The Supreme Court ruled that in case of a conflict between Fundamental Rights and Directive Principles, Fundamental Rights would prevail.; Judgment established the supremacy of Fundamental Rights over Directive Principles in case of conflict.

Golak Nath V. The State of Punjab (1967)

The Court ruled that Fundamental Rights cannot be abridged or diluted to implement Directive Principles.; Judgment affirmed that the Constitution cannot be amended to limit or infringe upon Fundamental Rights in favor of Directive Principles.

Minerva Mills V. Union of India (1980)

The Supreme Court struck down provisions of the 42nd **Amendment Act (1976)** that sought to give priority to Directive Principles over Fundamental Rights.; Judgment held that there is no conflict between Fundamental Rights and Directive Principles; they are complementary and must be balanced.

Fundamental Rights Vs Directive Principles

Use Minerva Mills to discuss the harmony between Fundamental Rights and Directive Principles, emphasizing their complementary nature in the Constitution.

Office of Profit Jaya Bachchan V. Union of India

The case dealt with the definition and scope of the term "**Office of Profit**" under the Constitution.; SC defined "**Office of Profit**" as an office capable of yielding a profit or pecuniary gain. It clarified that the potential for profit, rather than the actual receipt of profit, is the key factor in determining an office of profit. **U.C. Raman V. P.T.A. Rahim Case (2014)**;; The case examined the power of legislatures to...

Corruption, Bureaucracy & Politics Nexus

The SC held that employment based on political loyalties violates **Articles 14 and 16**, which guarantee equality and non-discrimination in public service.; Strengthened the principle of merit-based appointments and challenged political favoritism in government employment.

Upendra Narayan Singh Case (2009)

The SC observed that **Public Service Commissions**, which are constitutionally mandated to be independent, had become politicized, with recruitment influenced by political loyalties.; Highlighted the corruption and politicization of recruitment processes in **Public Service Commissions**, stressing the need for impartiality and independence.

Environment vs Tribal Rights

Refer to Samatha V. State of Andhra Pradesh to discuss the constitutional protection of tribal land rights and livelihoods.; Can be quoted in debates on the balance between tribal displacement for conservation and ensuring their fundamental rights.

3 CONSTITUTIONAL PRINCIPLES AND JUDICIAL

DOCTRINES 3.1 Doctrine of Basic Structure; Definition: The basic structure doctrine is a common law legal doctrine that the constitution of a sovereign state has certain characteristics that cannot be erased by its legislature.; Judicial Foundation;; **Kesavananda Bharati Case (1973)**: Supreme Court held that Parliament cannot alter the basic structure of the Constitution.; **Minerva Mills Case (1980)**: Emphasized the...

Doctrine of Basic Structure

Kesavananda Bharati as a landmark case to demonstrate how the judiciary safeguards constitutional integrity. Relate it to contemporary cases such as Sabarimala.

Doctrine of Judicial Review Definition

The judiciary's authority to examine the constitutionality of laws and governmental actions. It ensures that laws by the Executive and Legislature align with the Constitution. This doctrine is implicitly mentioned in **Article 13** of the Indian Constitution (All laws are inconsistent with or in derogation of the Fundamental Rights shall be null and void).; Judicial Foundation.; **Marbury v. Madison** (U.S.): Pioneered...

Doctrine of Basic Structure

safeguarding constitutional rights. Discuss the landmark **Indira Gandhi v. Raj Narain** case and how judicial review evolved in the context of the Right to Privacy case.

Doctrine of Basic Structure

Key Supreme Court Judgements 36

Procedure Established by Law Definition

Enshrined in **Article 21** of the Indian Constitution, it states, "No person shall be deprived of his life or personal liberty except according to the procedure established by law." This means that a person can only be deprived of their liberty if the law, enacted by the legislature, follows the correct legal procedure, regardless of the fairness or reasonableness of the law.

Doctrine of Constitutional Morality Definition

Stresses adherence to constitutional principles that protect minorities and democratic values, irrespective of majority views. Challenges the notion of majoritarianism by upholding fundamental rights.; Key Cases.; **Sabarimala Case (2018)**: Court upheld gender equality and freedom of religion, challenging age-old practices.; Kesavananda Bharati Case: Protected the Constitution's basic structure against majoritarian...

Doctrine of Constitutional Morality

protection individual and group rights by citing Sabarimala and Kesavananda Bharati.

1 IMPORTANT ARTICLES OF THE CONSTITUTION

Related Cases; **Maneka Gandhi (1978)**, **KS Puttaswamy (2017)**; **Supriyo Chakraborty v. UoI (2023)** : Right to marry is not recognised as a fundamental right, case related to recognition of same sex marriage.; **Amar Jain v. Union of India (2025)** : Recognised inclusive digital access as part of right to life and dignity; directed accessible digital KYC for persons with disabilities.

Article 37

Application of the Directive Principles.; The principles in this Part are not enforceable by courts but are fundamental to the country's governance; It is the duty of the State to apply these principles when making laws.

Article 11: Parliament to regulate the right of

Related Acts; Citizenship (Amendment) Act, 2019 Fundamental Rights

Article 13: Laws inconsistent with or in derogation

Existing laws that conflict with Fundamental Rights are void to that extent.; The State cannot enact laws that infringe upon the Fundamental Rights and such laws will be void.; This does not apply to constitutional amendments under **Article 368** Related Cases; **Shankari Prasad v. Union of India (1951)**;; **Golaknath v. State of Punjab (1967)**; **Kesavananda Bharati vs State of Kerala (1973)** Right to Equality (**Article 14-18**)

Article 14: Equality before Law

The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

Article 15: Prohibition of discrimination

The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, or place of birth.; The state can make special provision for the advancement of any socially and educationally backward classes.; The state can make special provisions in educational institutions, including private ones, other than minority institutions.; The state can make provisions for a 10% reservation for...

Article 16: Equality of Opportunity in matters of

There shall be equality of opportunity for all citizens in matters of employment or appointment to any office under the State. IMPORTANT ARTICLES OF THE CONSTITUTION 1 Related Cases; **Indra Sawhney (1992)**; **M. Nagaraj v. Union of India (2006)** Amendments; 77th (1995), 81st (2000), 85th (2001) and 103rd (2019) .

Article 17: Abolition of Untouchability

Article 17 abolishes "untouchability" and forbids its practice in any form, making any disability arising from it illegal and punishable.; Supreme Court ruled that **Article 17** applies against private individuals Related Cases; People's Union for Democratic Rights case(1982) Related Acts; **Protection of Civil Rights Act, 1955**. Amendments; 77th (1995), 81st (2000), 85th (2001) and 103rd (2019). Right to Freedom (Article...

Constitutional article + linked

movement, residence, profession etc.; Reasonable Restrictions;; Sovereignty and integrity of India, security of the State, friendly relations with foreign States, public order, decency, morality, contempt of court, defamation, or incitement to an offence.; General public interest or protection of Scheduled Tribes, etc. Related Cases; Imran Pratapgadhi Case : Speech causing discomfort or offence remains protected...

Article 20: Protection in respect of conviction for

No Ex Post Facto Law; No Double Jeopardy; No Self-incrimination Related Cases; **Maqbool Hussain v. State of Bombay (1950)**

Article 21: Protection of Life and Personal Liberty.

No person shall be deprived of life or personal liberty except according to the procedure established by law.; **Articles 20 and 21** could not be suspended during a national emergency(44th CAA); **Article 359** - Suspension of the enforcement of fundamental rights during Emergencies
 IMPORTANT ARTICLES OF THE CONSTITUTION 2 Related Cases; **Maneka Gandhi (1978)**, **KS Puttaswamy (2017)**; **Supriyo Chakraborty v. UoI (2023)** : Right...

Article 21A: Right to Education

The State shall provide free and compulsory education to all children of the age of six to fourteen years in such a manner as the State may determine.; Provision added by the 86th CAA of 2002.

Article 22: Protection against Arrest and Detention

Preventive detention beyond three months requires Advisory Board approval, unless otherwise legislated by Parliament. Related Cases; **Ankul Chandra Pradhan case (1997)**; **Ameena Begum case (2023)** Right against Exploitation (Article - 23 & 24)

Article 23: Prohibition of traffic in human beings

Traffic in human beings, begar, and similar forms of forced labour are prohibited. Any violation is punishable by law. Related Cases; **Sanjit Roy v. The State of Rajasthan (1983)** Related Acts; **Equal Remuneration Act 1976**; the **Minimum Wages Act 1948**. Amendments; 1st CAA 1951, 16th CAA 1963, 44th CAA 1978.

Article 24: Prohibition of employment of children

No child below the age of fourteen years shall be employed in any factory, mine, or other hazardous employment. Related Cases; **MC Mehta vs State of Tamil Nadu (1996)**. Related Acts; The Child Labour (Prohibition and Regulation) Act 1986; Commission for **Protection of Child Rights Act 2005**. Other info; Bachpan Bachao Andolan, started in 1980 by Nobel Laureate Kailash Satyarthi, is India's largest movement advocating...

Constitutional article + linked

State by making law ;; can regulate economic,ffinancial,political or secular activities (TTD Act,1932).; provide for social welfare and reform, including opening Hindu institutions to all Hindus (Sabarimala Temple Entry case).

Article 26: Freedom to manage Religious Affairs.

Religious denominations can establish and maintain institutions, manage religious affairs, and own property.; These rights are subject to public order, morality, health, and adherence to the law. Related Cases; **TMA Pai Foundation v. The State of Karnataka (2003)**; **N. Adithayan v. Travancore Devaswom Board (2002)**

Article 27: Freedom as to Payment of Taxes for the

This provision prohibits only the levy of a tax, not a fee. Therefore, a fee can be charged to pilgrims for special services or safety measures. Related Cases; **Sri Jagannath v. The State of Orissa (1954)**.

Constitutional article + linked

Educational Institutions Cultural and Educational Rights (Article - 29 & 30)

Article 29: Protection of interests of minorities.

Any citizen group with a distinct language, script, or culture has the right to preserve it. Related; [Animal Welfare Board v. Union of India \(2014\)](#) (Jallikattu case). Cases

Article 30: Right of Minorities to Establish and

Minorities, based on religion or language, shall have the right to establish and administer educational institutions of their choice. Related; AMU minority status case (2002), [S.P. Mittal v. Union of India \(1983\)](#) Cases; TMA Pai case (2003) : Minority institutions providing formal education under ambit of Government rules and regulation for the same set for private institutions.

Article 32: Constitutional Remedies for Enforcement

This right provides for the Judicial Review.; [Dr. Ambedkar](#) : An Article without which this constitution would be a nullity. It is the very soul of the Constitution and the very heart of it. Related Cases; ADM Jabalpur case (1976); [Bharati Reddy v. The State Of Karnataka \(2018\)](#).; Power of Parliament to modify the Fundamental Rights in their application to Forces, etc. IMPORTANT ARTICLES OF THE CONSTITUTION 4

Article 37: Application of the Directive Principles.

The principles in this Part are not enforceable by courts but are fundamental to the country's governance; It is the duty of the State to apply these principles when making laws.

Constitutional article + linked

by ensuring a just social order.; by minimising inequalities among individuals and also region-wise. Amendments; 44th CAA 1978

Article 39: Certain principles of policy to be

Ensure equal livelihood rights for men and women.; Distribute resources for the common good.; Prevent wealth concentration.; Ensure equal pay for equal work for both men and women; Protect workers' health and prevent child labour.; Provide children with healthy development and protect them from exploitation. Related Cases; [State of Karnataka vs Shri Ranganatha Reddy \(1977\)](#); Sanjeev Coke Manufacturing Company vs...

Article 39A: Equal justice and free legal aid

The State shall ensure that the legal system promotes justice based on equal opportunity and provides free legal aid to prevent denial of justice due to economic or other disabilities. Related Cases; [Hussainara Khatoon v. State of Bihar \(1979\)](#). Related Acts; The [Legal Services Authorities Act 1987](#). Amendments; 42nd CAA

Article 40: Organisation of Village Panchayats

The State shall organise village panchayats and grant them the necessary powers to function as units of self-government. Amendments; 73rd and 74th CAA, 1992.

Article 41: Right to work, education, and public

Related Acts; Indira **Gandhi** National Old Age Pension Scheme; Annapurna scheme; Indira **Gandhi** National Widow Pension Scheme.

Article 43: Living wage, etc. for workers

IMPORTANT ARTICLES OF THE CONSTITUTION 5; The State shall ensure a living wage, decent work conditions, and access to leisure and cultural opportunities for all workers, and promote cottage industries in rural areas. Related Acts; MGNREGA

Article 43B: Promotion of co-operative societies.

Related Acts; The **Khadi and Village Industries Commission Act 1956**. Amendments; Added by 42nd CAA

Article 44: Uniform civil code for the citizens.

The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India.

Article 46: Promotion of educational and economic

The State shall promote the educational and economic interests of weaker sections and protect them from social injustice and exploitation. Related Acts; **Protection of Civil Rights Act (1955)**; Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Related Cases; **Champakaran Dorairajan (1951)** - this led to 1st CAA and addressed the country's reservation programme.

Constitutional article + linked

Amendments; Added by 42nd **CAA Related Acts**; Wildlife (Protection) Act, 1972.; Forest (Conservation) Act, 1980; Environment (Protection) Act, 1986

Article 50: Separation of the judiciary from the

Related Acts; The Criminal Procedure Code 1973. Fundamental Duties Article-51A: Fundamental Duties of Citizens Amendments; 42nd CAA 1976; 86th CAA 2002 Related Acts; Prevention of Insults to **National Honour Act, 1971**; **Protection of Civil Rights Act 1955**. Related Cases; **Shri Rangnath Mishra v. Union of India (2003)**; **AIIMS Students Union v. AIIMS (2001)** IMPORTANT ARTICLES OF THE CONSTITUTION 6

Article 61: Procedure for impeachment of the

The President can be impeached by either House of Parliament for violating the Constitution.

Constitutional article + linked

of Parliament) ; Also gives eligibility criteria for the Vice President.

Constitutional article + linked

years from the date on which he enters upon his office).

Constitutional article + linked

of person elected to fill casual vacancy.; An election to fill a vacancy caused by the expiration of the term of office of Vice-President shall be completed before the expiration of the term.

Constitutional article + linked

for.; Punishments by Court Martial.; Offences against Union executive power laws.; Death sentences. Union Ministers and Attorney General **Article 74**.; Council of Ministers to aid and advise the President.; The advice given by Ministers to the President shall not be questioned in any court Amendments; 42nd CAA, 44th CAA.

Article 76: Attorney-General for India

It shall be the duty of the Attorney-General to give advice to the Government of India upon such legal matters.

Article 79: Constitution of Parliament.

There shall be a Parliament for the Union consisting of the President and two Houses: the Council of States and the House of the People.

Article 82: Readjustment after each census.

Upon each census, the allocation of seats and division of constituencies in the House of the People shall be readjusted by such authority and manner as determined by Parliament by law.

IMPORTANT ARTICLES OF THE CONSTITUTION 7 Amendments; 42nd CAA 1976, 84th CAA 2001, 87th CAA 2003 Related Acts; The **Delimitation Commission Act 1952**, 1963, 1973, 2002

Constitutional article + linked

general election to the House of the People and at the commencement of the first session of each year).

Article 89: The Chairman and Deputy Chairman of the

The Vice-President of India is the ex officio Chairman of the Council of States. **Article 91**.; Power of the Deputy Chairman or other person to perform the duties of the office of or to act as the Chairman; If the Chairman's office is vacant or the Vice-President is acting as President, the Deputy Chairman performs the duties.

Article 93: The Speaker and Deputy Speaker of the

Related cases; **Kihoto Hollohan (1992)**; Manipur Legislative Assembly case (2020).

Constitutional article + linked

office is under consideration. Related cases; Nabam Rebia case (2016)-a speaker will be disabled from deciding disqualification petitions under the anti-defection law if a notice for their removal is pending.

Article 102: Disqualifications for membership

Amendments; 52nd CAA 1985 Related Acts; The Representation of the People Act, 1951 Related cases; Lily Thomas v. Union of India (2013); Krishnamurthy v. Sivakumar & Ors (2015)

Article 103: Decision on questions as to

Any question regarding the disqualification of a member of either House under Article 102(1) shall be referred to the President, whose decision shall be final.; The President shall obtain and act according to the opinion of the Election Commission. Amendments; 42nd CAA 1976, 44th CAA 1978.

Constitutional article + linked

Related cases; P V Narasimha Rao v State Case (1998); State of Kerala Vs. K. Ajith Case 2021

Article 108: Joint sitting of both Houses in

IMPORTANT ARTICLES OF THE CONSTITUTION 8

Article 110: Definition of "Money Bills"

The Speaker of the House of the People decides if a Bill is a Money Bill, and the decision is final. Related cases; KS Puttaswamy v Union of India(2017) - SC held Aadhaar Act as money bill. Related Acts; Aadhaar Act 2016 Article 111.; Outlines the procedure for the President's assent to Bills passed by the Parliament. It specifies that a Bill must be presented to the President after being passed by both Houses of...

Article 112: Annual Financial Statement

The President shall cause to be laid before both Houses of Parliament a statement of the estimated receipts and expenditure of the Government of India for each financial year.

Article 118: Rules of procedure

Each House of Parliament may make rules for regulating its procedure and the conduct of its business, subject to the provisions of this Constitution.

Article 121: Restriction on discussion in

Parliament shall not discuss the conduct of any Supreme Court or High Court Judge in the discharge of duties.

Article 122: Courts not to inquire into proceedings

The validity of any proceedings in Parliament shall not be questioned on the ground of any alleged procedural irregularity Related Cases; Indira Nehru Gandhi v Raj Narain (1975); Satish Chandra v Speaker, Lok Sabha (2013)

Constitutional article + linked

Related Cases; R.C. Cooper v. Union of India (1970);, A.K. Roy v. Union of India (1982); D.C. Wadhwa v. State of Bihar (1987).

Article 124: Establishment and constitution of

The Supreme Court of India shall consist of a Chief Justice and up to seven other Judges, unless

Article 129: Supreme Court to be a court of record

The Supreme Court shall be a court of record.; It shall have all the powers of a court of record, including the power to punish for contempt of itself. Related Cases; P.N. Duda v. V P Shiv Shankar & Others (1988). Related Acts; The Contempt of Courts Act (1971)

Constitutional article + linked

the Chief Justice of India may, with the approval of the President, appoint).

Article 131: Original jurisdiction of the Supreme

The Supreme Court has original jurisdiction in disputes;; Between the Government of India and one or more States.; Between the Government of India and any State(s) on one side and one or more other States on the other.; Between two or more States.; This jurisdiction covers disputes involving questions of law or fact on which the existence or extent of a legal right depends. Related Cases; State of Madhya Pradesh vs...

Article 137: Review of judgments or orders by the

The Supreme Court shall have the power to review its own judgments or orders, subject to any laws made by Parliament or rules.

Article 139: Conferment on the Supreme Court of

Parliament may by law confer on the Supreme Court the power to issue directions, orders, or writs, for purposes other than those mentioned in Article 32(2).

Constitutional article + linked

of India. Related Cases; State of U.P v. Synthesis & Chemicals Ltd. (1991); Paramjit Kaur v. State of Punjab (2021)

Article 142: Enforcement of decrees and orders of

The Supreme Court may issue orders and decrees for complete justice in any case, enforceable throughout India as prescribed by law or Presidential order. Related acts; Supreme Court (Decrees and Orders) Enforcement Order, 1954 Related cases; Bhopal Gas Tragedy Case (1991); State of Karnataka vs Umadevi (2006); Chandigarh Mayor's Election case (2024) IMPORTANT ARTICLES OF THE CONSTITUTION 10

Article 143: Power of the President to consult the

The President may refer to the Supreme Court any question of law or fact that has arisen or is likely to arise, which is of such public importance. Related cases; Jammu and Kashmir Resettlement Act in 1982; Cauvery Water Disputes Tribunal in 1992; Ram Janma Bhumi case in 1993 Comptroller and Auditor General of India

Article 148: Comptroller and Auditor General of

There shall be a Comptroller and Auditor-General of India who shall be appointed by the President by warrant under his hand and seal; Removal: from office in like manner and on the like grounds as a Judge of the Supreme Court. Governor

Article 154: Executive power of the state shall be

This article does not prevent Parliament or the State Legislature from conferring functions on any authority subordinate to the Governor by law.

Constitutional article + linked

in certain cases.; Recently the Madras High Court ruled that the Governor is bound by the State Cabinet's advice while granting remission or premature release of convicts. State Ministers and Advocate General [Article 163](#); Council of Ministers to aid and advise the Governor.; Except where the Constitution requires him to act in his discretion.; The Governor's decision on whether a matter falls within his...

Article 165: Advocate-General for the State.

The Advocate-General shall advise the State Government on legal matters, perform duties of a legal nature as assigned by the Governor. State Legislature

Article 168: Constitution of Legislature in state

The Legislature shall consist of the Governor and two Houses in states which have legislative councils .; In other States, the Legislature shall consist of the Governor and one House.
IMPORTANT ARTICLES OF THE CONSTITUTION 11

Article 169: Abolition or creation of Legislative

Parliament may by law abolish or create a Legislative Council in a State if the Legislative Assembly passes a resolution.

Constitutional article + linked

general election to the Legislative Assembly and at the commencement of the first session of each year).

Article 178: The Speaker and Deputy Speaker of the

Every Legislative Assembly of a State shall have Speaker and Deputy Speaker thereof.

Article 192: Decision on questions as to

Governor decides and his decision shall be final.; The Governor must seek and follow the Election Commission's opinion before deciding. Amendments; 42nd CAA 1976, 44th CAA 1978. Related cases; [DD Thaisii Vs Election Commission of India \(2021\)](#).

Article 194: Powers, privileges, etc., of the

Amendments; 42nd CAA 1976, 44th CAA 1978. Related cases; [N. Ravi v Speaker, Legislative Assembly \(2003\)](#).

Article 198: Special procedure in respect of Money

Article 200; The Governor shall give assent, withhold assent, or reserve it for the President's consideration.; If the Bill is re-passed and presented again, the Governor shall not withhold assent. Related cases; The *State of Tamil Nadu v Governor of Tamil Nadu* (2023).

Article 201: Bills reserved for consideration

When a Bill is reserved by the Governor for the consideration of the President, the President shall either assent to the Bill or withhold assent.

Article 202: Annual financial statement.

The Governor shall cause to be laid before the House or Houses of the Legislature of the State, a statement of the estimated receipts and expenditure of the State for that financial year.

Article 212: Courts not to inquire into proceedings

The validity of any proceedings in the Legislature of a State shall not be called in question on the ground of any alleged irregularity of procedure. Related cases; *Ambika Roy v. The Hon'ble Speaker, West Bengal Legislative Assembly* (2021)

Article 213: Power of Governor to promulgate

The Governor may promulgate Ordinances during the recess of the Legislature if satisfied that immediate action is necessary.; certain limitations exist on this power of governor. Related cases; *D.C. Wadhwa v. State of Bihar* (1987). IMPORTANT ARTICLES OF THE CONSTITUTION 12

Article 215: High Courts to be courts of record.

Related acts; *Contempt of Courts Act 1971*.

Article 226: Power of High Courts to issue certain

Amendments; 42nd CAA 1976, 43rd CAA 1977, 44th CAA 1978 Related cases; *Bandhua Mukti Morcha v. The Union of India* (1984); *Common Cause v. Union of India* (2018).

Article 227: Power of superintendence over all

Every High Court shall have superintendence over all courts and tribunals throughout the territories in relation to which it exercises jurisdiction. Amendments; 42 CAA 1976, 44th CAA 1978 Related cases; *Kirti v. Renu Anand & Ors.* 2023. Subordinate Courts

Article 233: Appointment of district judges.

Appointments, postings and promotions of district judges in any State shall be made by the Governor in consultation with the High Court exercising jurisdiction in relation to such State. Related cases; *State of Assam v. Ranga Muhammad* (1966)

Article 239: Administration of Union Territories

UTs shall be administered by the President acting through an administrator appointed by him with such designation as he may specify. Amendments; 7th CAA 1956 Related cases; **Government of NCT of Delhi v Union of India (2017) Article 239A**; Creation of local Legislatures or Council of Ministers or both for certain Union territories; Provision added by the 14th CAA 1962 Related Acts; The Government of Union Territories...

Article 239AA: Special provisions with respect to

The Legislative Assembly shall have power to make laws on matters in the State List or Concurrent List, except those in Entries 1, 2, and 18 of the State List and related entries.; Parliament retains the power to make laws for the Union territory.; Provision added by the 69th CAA 1991. Related Acts; GNCTD Act, 2021 Related cases; **Government of NCT of Delhi v Union of India (2017)**.

Constitutional article + linked

If the Legislature of the UT of Puducherry is not in session, the administrator may promulgate Ordinances with the President's instructions.; Provision added by the 27th CAA 1971 Amendments; 38th CAA 1975, 44th CAA 1978. Related cases; Puducherry Lieutenant Governor case (2019).

Constitutional article + linked

Andaman and Nicobar Islands; Lakshadweep; Dadra and Nagar Haveli and Daman and Diu; Puducherry;); Provided that when any body is created under **article 239A** to function as a Legislature for the Union territory of Puducherry , the President shall not make any regulation. Panchayats (Part Added by 73rd CAA 1992)

Constitutional article + linked

Amendments; 7th CAA 1956 Related cases; **Government of NCT of Delhi v Union of India (2017)**

Article 243B: Constitution of Panchayats

Every State shall constitute Panchayats at the village, intermediate, and district levels, **Article 243D**; Seats shall be reserved in every Panchayat for: (a) the Scheduled Castes (SC), (b) the Scheduled Tribes (ST).; Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes); State Legislatures may also provide reservations for backward...

Constitutional article + linked

financial position of the Panchayats and make recommendations to the Governor. IMPORTANT ARTICLES OF THE CONSTITUTION 14

Article 243K: Elections to the Panchayats.

The superintendence, direction, and control of all elections to the Panchayats shall be vested in a **State Election Commission**.; The **State Election Commission** shall have a **State Election Commissioner** to be appointed by the Governor.

Article 243L: Application to Union territories.

The President may, by public notification, direct that the provisions of this Part shall apply to any UT or part thereof, subject to such exceptions and modifications as specified in the notification. Municipalities (Part Added by 74th CAA 1992)

Article 243Q: Constitution of Municipalities.

Every State shall constitute a : (a) A Nagar Panchayat for a transitional area, (b) A Municipal Council for a smaller urban area; (c) A Municipal Corporation for a larger urban area.

Article 243T: Reservation of seats.

Not less than one-third of the total number of seats to be filled by direct election in every Municipality, including those reserved for SCs and STs, shall be reserved for women, and these seats may be allotted by rotation to different constituencies.

Article 243Y: Finance Commission.

The Finance Commission constituted under Article 243-I shall also review the financial position of the Municipalities and make recommendations to the Governor

Article 243ZB: Application to Union territories.

The President may, by public notification, direct that the provisions of this Part shall apply to any UT or part thereof, subject to such exceptions and modifications as specified in the notification. Cooperative Societies (Part Added by 97th CAA 2011) Article 243ZI; Incorporation of co-operative societies.; The Legislature of a State may, by law, make provisions for the incorporation, regulation and winding up of...

Article 244: Administration of Scheduled Areas and

Amendments; 7th CAA 1956. IMPORTANT ARTICLES OF THE CONSTITUTION 15 Article 244A; Formation of an autonomous State comprising certain tribal areas in Assam.; Parliament may, by law, form within the State of Assam an autonomous State comprising all or any of the tribal areas and create for that autonomous State; Provision added by the 22nd CAA 1969. Centre-State Legislative Relations

Article 245: Extent of laws made by Parliament and

No law made by Parliament to be invalid on the ground that it would have extra-territorial operation.; The Doctrine of Territorial Nexus states that the laws made by a State Legislature are not applicable outside the State, except when there is a sufficient nexus between the state and the object. Related cases; A.H. Wadia v. Income Tax Commissioner (1948), State of Bombay v. RMDC (1952) Article 246; Subject-matter...

Article 248: Residuary powers of legislation.

Parliament has exclusive power to make any law with respect to any matter not enumerated in the Concurrent List or State List.

Constitutional article + linked

Proclamation of Emergency is in operation.

Article 252: Power of Parliament to legislate for

Related acts; **Prize Competition Act 1955**, Wild Life (Protection) Act 1972.

Article 253: Legislation for giving effect to

Parliament has power to make any law for the whole or any part of the territory of India for implementing any international treaty, agreement or convention. Centre-State Administrative Relations

Article 258A: Power of the States to entrust

Amendments; 7th CAA 1956. IMPORTANT ARTICLES OF THE CONSTITUTION 16 Centre-State Financial Relations

Article 262: Adjudication of disputes relating to

Parliament may by law provide for the adjudication of any dispute in any inter-State river or river valley. Related acts; **River Boards Act 1956**,; Inter state **River Water Disputes Act 1956** Related cases; Cauvery Dispute.

Article 263: Provisions with respect to an

The President may, by order, establish such a Council, and define its duties, organisation, and procedure. Finance, Property, Contracts And Suits

Article 270: Taxes levied and distributed between

The **16th Finance Commission** under the chairmanship of Dr. Arvind Panagariya has submitted its report for the period of 2026-31. The Central government has accepted its recommendations with respect to devolution of funds from Centre to States. **Article 279A**; Goods and Services Tax Council.; Provision added by 101st CAA 2016. Related cases; Pradeep Goyal versus **Union of India & Ors. (2022)**

Article 280: Finance Commission.

The President shall, at the expiration of every fifth year or at such earlier time as the President considers necessary, by order constitute a **Finance Commission** . Amendments; 73rd CAA 1993, 74th CAA 1993.

Article 281: Recommendations of the Finance

The President shall cause every recommendation made by the **Finance Commission** be laid before each House of Parliament.

Article 293: Borrowing by States.

A State's executive power extends to borrowing within India upon the security of the Consolidated Fund of the State, within limits fixed by the **State Legislature Related Acts**; FRBM Act, 2003. Related Case; Kerala's suit against Union 2024. IMPORTANT ARTICLES OF THE CONSTITUTION 17 Right to Property **Article 300A**; Persons not to be deprived of Property save by authority of law.; Provision added by 44th CAA 1978....

Article 301: Freedom of trade, commerce and

Related cases; *G.K. Krishnan v. State of Tamil Nadu* (1975)

Article 304: Restrictions on trade, commerce and

Current Context: The SC invoked **Article 304(a)** while quashing a 2007 Rajasthan government notification granting exemption from payment of value-added tax (VAT) on sale of locally made asbestos cement sheets and bricks. **Public Service Commission**

Article 312: All-India services

Article 315; **Public Service Commissions** for the Union and for the States.; There shall be a **Public Service Commission** for the Union and a **Public Service Commission** for each State. **Article 320**; Functions of **Public Service Commissions**.; It shall be the duty of the Union and the **State Public Service Commissions** to conduct examinations for appointments to the services of the Union and of the State respectively....

Constitutional article + linked

Commission. Amendments; 19th CAA 1966. Related Act; The **Election Commission** (Conditions of Service of **Election Commissioners** and 'Transaction of Business) Act 1991 Related cases; Anoop Baranwal case (2023).; *T.N. Seshan v. Union of India* (1995)

Constitutional article + linked

roll on grounds of religion, race, caste or sex. Related cases; *Praveen Kumar Chaudhary v. Election Commission of India* (2019).; *Association for Democratic Reforms v. Election Commission of India*, 2025- 26 : Upheld ECI's power over Special Intensive Revision of electoral rolls; Aadhaar may support identity but not citizenship.

Constitutional article + linked

the basis of adult suffrage. Amendments; 61st CAA 1988 Related Acts; **Representation of the People Act** (RPA) 1950. Related cases; *Jyoti Basu & Others v. Debi Ghosal & Others* (1982); Anoop Baranwal case (2023). **Article 327**.; Power of Parliament to make provision with respect to elections to Legislatures; Parliament may from time to time by law make provision with respect to all matters relating to elections to either...

Article 329: Bar to interference by courts in

Amendments; 39th CAA 1975, 44th CAA 1978. Related Acts; Ponnuswamy judgement (1952); *K. Venkatachalam vs. A. Swamickan* (1999). Special Provisions Relating to Certain Classes

Constitutional article + linked

People. Amendments; 51st CAA 1984, 42nd CAA 1976, 84th CAA 2001. Related Act; *Soosai vs. Union of India* (1985); *Indra Sawhney Case* (1992).

Constitutional article + linked

Assemblies of the States. IMPORTANT ARTICLES OF THE CONSTITUTION 19 [Article 335](#); Claims of Scheduled Castes and Scheduled Tribes to services and posts; The claims of the members of the Scheduled Castes and the Scheduled Tribes in appointment to services shall be taken into consideration, consistently with the maintenance of efficiency of administration.

Article 338: National Commission for Scheduled

Amendments; 65th CAA 1990, 89th CAA 2003 [Article 338A](#); [National Commission](#) for Scheduled Tribes.; Provision added by 89th CAA 2003. Related cases; [M. Nagaraj vs. Union of India \(2006\)](#), [LIC v. NCSC](#) case (2022) [Article 338B](#); [National Commission](#) for Backward Classes; Provision added by 102nd CAA 2018. Amendments; 105th CAA 2021. Related Acts; [National Commission for Backward Classes Act, 1993](#). Related cases; Maratha...

Article 341: Scheduled Castes.

The President may, with respect to any State or Union territory, and where it is a State, after consultation with the Governor, specify the castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State or Union territory.
Official Language

Article 343: Official language of the Union

Related Acts; [Official Languages Act 1963](#)

Constitutional article + linked

promote the spread of the Hindi language.

Article 352: Proclamation of Emergency.

National emergency can be declared on the basis of war, external aggression or armed rebellion. Amendments; 38th CAA 1975, 42nd CAA 1976, 44th CAA 1978. Related case; [Minerva Mills case \(1980\)](#).

Constitutional article + linked

Related case; [Sarbananda Sonowal v. Union of India \(2005\)](#); [S. R. Bommai v. Union of India \(1994\)](#) [Article 356](#); Provisions in case of failure of constitutional machinery in States.; If the President, on receipt of a report from the Governor of a State or otherwise, is satisfied that the Government of the State cannot be carried on in accordance with the provisions of this Constitution, the President may issue a...

Constitutional article + linked

etc.; Ladakh groups and the Centre discussed [Article 371](#)-like constitutional safeguards to protect Ladakh's land, jobs, culture and local autonomy. IMPORTANT ARTICLES OF THE CONSTITUTION 21

9th Constitutional Amendment Act, 1960 Retired

Cession of Berubari Union: Provided for as ad hoc Judges in the Supreme Court. the cession of Berubari Union in West

18th Constitutional Amendment Act, 1966

Bengal to Pakistan as per the Indo- **Pakistan Agreement (1958)**.; Clarification on State Formation: The Amendment clarified that the power of

10th Constitutional Amendment Act, 1961 Parliament

Incorporation of Dadra and Nagar Haveli: includes the power to create a new State or Dadra and Nagar Haveli were incorporated Union Territory by uniting part of a State into the Indian Union by this amendment. or Union Territory with another State or; Amendment of the First Schedule: The First Union Territory. Schedule of the Constitution was amended to include Dadra and Nagar Haveli as part of 22nd...

12th Constitutional Amendment Act, 1962

the State of Assam.; Incorporation of Goa, Daman, and Diu.; Insertion of **Article 244A**: Inserted Article Goa, Daman, and Diu were incorporated 244A in the **Tenth Schedule**, which into the Indian Union by this amendment. provides for the creation of autonomous

13th Constitutional Amendment Act, 1962 states

legislative assemblies for such areas.; Nagaland: Granted statehood to Nagaland, making it the 16th state of India. 24th **Constitutional Amendment Act, 1971**; Special Provisions: The Amendment made; The Amendment reversed the Golak Nath special provisions for Nagaland, allowing for **Case (1967)**, which had held that greater autonomy and addressing the unique cultural and historical concerns of Parliament could not amend...

14th Constitutional Amendment Act, 1962 any part of

Incorporation of Puducherry: Puducherry Fundamental Rights. was formally incorporated into the Indian; The Amendment made it compulsory for Union as a Union Territory. the President to give assent to a; Legislatures and Council of Ministers were Constitutional Amendment Bill. created for the Union Territories of Articles Amended: Himachal Pradesh, Manipur, Tripura, Goa.; **Article 368**: Clarified Parliament's power to...

25th Constitutional Amendment Act, 1971

Insertion of **Article 31C**: Added Article Articles Amended: 31C, which ensures that laws aimed at; **Article 71**: Related to disputes regarding giving effect to the Directive Principles the election of the President and Vice- under **Articles 39(b) and 39(c)** cannot be President. challenged on the grounds of violating; **Article 329**: Excluded judicial scrutiny of Fundamental Rights (**Articles 14, 19**, and elections for...

27th Constitutional Amendment Act, 1971

Supreme Court struck down the 39th; Introduced special provisions for the Amendment Act. The Court reinforced the Union Territories (UTs) of Arunachal Doctrine of Basic Structure, holding that Pradesh and Mizoram. Parliament's power to amend the; Authorised Parliament to create a Constitution is not absolute and cannot alter Legislative Assembly and a Council of the basic structure. Ministers for the state of...

38th Constitutional Amendment Act, 1975 Articles

Made the following non-justiciable (not; Added three new words to the Preamble: subject to judicial review): Socialist, Secular, and Integrity.; Declaration of Emergency by the; Added Part IVA to the Constitution, President. specifying the Fundamental Duties of; Promulgation of Ordinances by the citizens. President, Governors, and; Added Part XIV A dealing with the Administrators of Union Territories. establishment...

39th Constitutional Amendment Act, 1975 aid.

Placed disputes related to the President.; **Article 43A**: Participation of workers in Vice-President, Prime Minister, and the management of industries. Speaker beyond the jurisdiction of the; **Article 48A**: Protection of the judiciary. Such disputes were to be decided environment, forests, and wildlife. by an authority determined by Parliament. IMPORTANT CONSTITUTIONAL AMENDMENTS 24; Five subjects were transferred from...

44th Constitutional Amendment Act, 1978

The President was made bound to act (Enacted by the Janata Government) according to the advice of the Cabinet.; Restored the original term of Lok Sabha and Other Changes: State Legislative Assemblies to 5 years; The tenure of Lok Sabha and State (reversing the 42nd Amendment's Legislative Assemblies was raised from 5 extension to 6 years). to 6 years.; Removed the reference to the British House; Provision for the...

43rd Constitutional Amendment Act, 1977

satisfaction of the President, Governor and; Restored the jurisdiction of the Supreme Administrators final in issuing Ordinances. Court and High Courts with respect to judicial review and the issuance of writs. On National Emergency.; The special powers of Parliament to make; Replaced the term "**Internal Disturbance**" laws to deal with anti-national activities with "**Armed Rebellion**" in the context of were removed....

52nd Constitutional Amendment Act, 1985 Assembly

(Popularly Known as the Anti-Defection Law) Ministers for the National Capital; Disqualification of Defectors: Introduced Territory of Delhi to allow for local provisions for the disqualification of governance. Members of Parliament (MPs) and State Articles Added: Legislatures on the grounds of defection; **Article 239AA**: Relates to the special from their political party. provisions for the governance of National...

73rd Constitutional Amendment Act, 1992

Exceptions: Allowed for disqualification only if the defection was not justified by; Granted constitutional status to Panchayati reasons like being expelled from the Raj Institutions (PRIs), ensuring their party or joining a new party after a importance in the governance structure. merger.; Added Part-IX of the Constitution titled "**The Panchayats**", which defines the framework

61st Constitutional Amendment Act, 1989 for local

The voting age was reduced from 21 years to; Introduced the **Eleventh Schedule**, which lists 18 items that Panchayats are responsible for, aiming to decentralize State Legislative Assemblies. power and responsibilities. IMPORTANT CONSTITUTIONAL AMENDMENTS 26 Articles Added; End of 50% Ceiling: Removed the 50%; **Article 243-243(O)**: These articles deal ceiling on...

74th Constitutional Amendment Act, 1992 and OBCs.

Granted constitutional status to Urban

82nd Constitutional Amendment Act, 2000

Local Bodies (ULBs), similar to the Panchayati Raj Institutions in rural areas.; Allowed relaxations in qualifying marks or; Added Part-IX-A titled "**The lowering of evaluation standards for SCs and Municipalities**", which provides the STs in examinations. framework for urban local governance.; Introduced the **Twelfth Schedule**, listing 18 Related Case: functional items for Municipalities.; **S. Vinod Kumar v. Union of...**

77th Constitutional Amendment Act, 1995 16(4).

Provided for reservation in promotions for Articles Amended: SCs and STs in government jobs.; **Article 335**: Relates to the efficiency of Article Added: administration in the context of; **Article 16(4A)**: Allowed for reservation in reservations. promotions for SCs and STs in government jobs, addressing the issue of representation **85th Constitutional Amendment Act, 2001** in higher-level positions.; Provided "Consequential..."

81st Constitutional Amendment Act, 2000 Ram Bhog

(High Court of Delhi): The court dealt with; Backlog Vacancies: Allowed the consequential seniority in promotions for government to consider unfilled reserved vacancies as a separate class of vacancies to government servants from SCs and STs be filled in the succeeding year(s). under reservation rules. IMPORTANT CONSTITUTIONAL AMENDMENTS 27

86th Constitutional Amendment Act, 2002 for

Made elementary education a Fundamental into two separate bodies: Right for all children between the ages of 6 1. **National Commission** for Scheduled and 14. Castes (NCSC); Amendment to **Article 45**: Changed **Article 2. National Commission** for Scheduled 45 in the Directive Principles to state that Tribes (NCST) the State shall endeavour to provide early; This division was made to provide more childhood care and education...

87th Constitutional Amendment Act, 2003 Limit on

Population Figures for Delimitation.; Total number of ministers, including; The Amendment provided that the PM, cannot exceed 15% of Lok Sabha population figures from the 2001 **Census** strength. Same applies to State would be used for the readjustment and Assemblies. rationalisation of territorial constituencies; Disqualification for Political Posts: in the States, replacing the 1991 **Census**; A member disqualified for...

89th Constitutional Amendment Act, 2003 Articles

Article 75: Relates to appointment of PM Bifurcation of the **National Commission** for Scheduled Castes and Scheduled Tribes: and Council of Ministers at the Centre.; The 89th Amendment Act of 2003; **Article 164:** Relates to appointment of CM bifurcated the existing **National Commission** and Council of Ministers in States. IMPORTANT CONSTITUTIONAL AMENDMENTS 28 Articles Added.; Promotion of Co-operative Societies; Article...

93rd Constitutional Amendment Act, 2005

operative societies.; The Amendment enabled the State to make; Addition of Part IX-B: Part IX-B was added special provisions for socially and to the Constitution, specifically focusing on educationally backward classes, Scheduled "The Co-operative Societies." Castes (SCs), and Scheduled Tribes (STs) in Articles Amended: educational institutions, including private; **Article 19:** Relates to the protection of...

99th Constitutional Amendment Act, 2014

that reservations cannot be imposed on unaided private institutions for minorities; National Judicial Appointments or non-minorities. Commission (NJAC): Replaced the Collegium System for judicial appointments, Articles Amended: aiming for transparency and inclusiveness.; **Article 15:** Prohibits discrimination on the; **Supreme Court Ruling (2015):** The grounds of religion, race, caste, sex, or place Supreme Court...

97th Constitutional Amendment Act, 2011 Article

High Court judges and transfers.; The Amendment granted Constitutional; **Article 231:** Establishment of High Courts status to co-operative societies and brought for Union Territories. in several significant changes.; Right to Form Co-operative Societies Articles Added: as a Fundamental Right: The right to; **Article 124A:** Establishment of NJAC. form co-operative societies was made a; **Article 124B:** Composition and...

Federalism State of Bihar v. Kameshwar Singh (1952)

Background: The case dealt with the legislative power of state legislatures in relation to the central legislature, particularly on matters in the Union List.; The Court upheld that Parliament has exclusive power to legislate on matters in the Union List, acknowledging Parliament's residual powers.; Judgment solidified the idea that federalism in India favors the Union, with the Union having greater legislative...

S.R. Bommai V. Union of India (1994)

The case was concerned with the imposition of President's Rule in Karnataka and its implications for federalism.; The Court ruled that federalism is a basic feature of the Constitution and states have autonomy in their sphere.; Judgment reinforced federalism in India, ensuring state autonomy within the constitutional framework.

Federalism

Key Supreme Court Judgements 25

Union of India v. Harbhajan Singh (1983)

The case was concerned with **Article 356** and the scope of the Union's power to dismiss state governments.; The Court ruled that the Union's power to impose President's Rule should be exercised with respect to federalism, not arbitrarily.; It put limits on central power by ensuring the Union cannot interfere with state autonomy without valid justification. **Kameshwar Singh (1952)** to show how the legislative and...

Role of Governor S. R. Bommai Case (1994)

It examined the Governor's role in dismissing state governments and imposition of President's Rule.; The Court emphasized the primacy of a Floor Test to determine majority and limited the arbitrary use of **Article 356** by Governors.; Judgement reinforced democratic processes by limiting Governors' discretionary powers in dismissing state governments. **Rameshwar Prasad Case (2006)**; It addressed the Governor's role in...

Role of Governor

Key Supreme Court Judgements 26

Harish Chandra Rawat V. Union of India Case (2016)

The case was concerned with the Governor's report and the process of imposing President's Rule.; The Court ruled that the Governor's report must be verified by the Council of Ministers before President's Rule is imposed. Reinforced the need for transparency and fairness in imposing **President's Rule. State of Punjab v. Principal Secretary to the Governor of Punjab (2023)**; It addressed the procedure for withholding...

Centre - State Relations

Rajamannar Committee on Centre-State Relations

Centre - State Relations

Focus Areas Recommendations

Centre - State Relations

Establishment of an Inter- Create an Inter-State Council for discussing and resolving issues State Council between Centre and States. ISC was established in 1990.

Centre - State Relations

Revenue Devolution Make excise duties and cesses compulsorily divisible between Union and States, instead of at the Union's discretion.

Centre - State Relations

IMPORTANT COMMITTEES, RECOMMENDATIONS 12

Centre - State Relations

Transfer of Subjects Transfer mineral oil resources and other subjects from Union List to State List for greater state control.

Centre - State Relations

Venkatachaliah Commission (2002) Recommendations on Centre-State Relations:

Centre - State Relations

Inter-State Create Inter-State Council to facilitate dialogue, build consensus, and address Council contentious issues between Union and States.

Centre - State Relations

Transfer of Union should only manage subjects in concurrent jurisdictions essential for Entries from List II national uniformity. to List III

Centre - State Relations

President's Apply 6-month period (**Article 201**) for President's assent on Bills; reasons Assent for withholding assent should be communicated to States.

Centre - State Relations

IMPORTANT COMMITTEES, RECOMMENDATIONS 13

Centre - State Relations

Treaty- Parliament to legislate on treaties and agreements with foreign Making Powers countries(Entry 14 of List I); **Finance Commission** to include financial implications of treaties.

Centre - State Relations

Streamlining Focus on streamlining Center-State interactions without curtailing Union's Center-State power for national unity. Interactions

Centre - State Relations

Punchhi Commission on Centre-State Relations Focus Areas Recommendations Amendments to Limit Centre's intervention to specific troubled areas for up to 3 months. **Articles 355 and 356** National Establish a superior internal security structure (similar to US Homeland Integration Council Security Department). Convene annually, with 5-member delegation visiting communal tension areas within 2 days. Concurrent List Centre...

Parliament and Legislatures Of Uts and States

Parliament Accountability Mechanism Question Hour **Functioning Bills Referred To Committees**; Lok Sabha: ~60% functioning; 17th Lok Sabha: Only 16% of bills referred; Rajya Sabha: ~52% functioning; 15th Lok Sabha: 71%; 16th Lok Sabha: 25%; Only 24-31% of oral questions answered

Budget Scrutiny Same-Day Bill Passage 2019-2023

Around 80% of budget passed; 45 of 222 bills passed on the day of without discussion introduction in 17th Lok Sabha; 2023: Entire budget passed without any; Many bills discussed for less than 2 hours discussion

Attendance Of Mps Lok Sabha Sitzings 17th Lok

Average 79%; 17th Lok Sabha: 274 sittings; Slight decline from 81% in previous Lok; 16th Lok Sabha: 331 sittings Sabha; No Deputy Speaker was elected in the entire 17th Lok Sabha

Election and Politics

Electoral Bonds And Party Funding Constitutional And Legal Framework; ₹3,438 crore raised through Electoral; **Representation of the People Act, 1951** Bonds in 2019-20.; **Delimitation Commission Act, 2002**; ₹2,664 crore raised through Bonds in; Articles: 81, 82, 170, 243K, 243ZA, 323B, 324- 2021-22. 327, 329; Sources of Party Funding (from 31 parties; 84th **Constitutional Amendment Act** analyzed); 55.9% from Electoral...

Key Committees On Electoral Reforms Ram Nath

Simultaneous Elections; **Indrajit Gupta Committee** - State Funding of Elections; **Vohra Committee** - Criminalisation of Politics; **Goswami Committee** - Electoral Reforms; **Law Commission** - Reform of Electoral Laws; **Jeevan Reddy Committee (2004)**, **NCRWC (2001)**; **Second ARC (2008)**, **Tarkunde Committee (1974)**

Impact

Landmark ruling for transparency in political funding.; Ends unequal access to corporate funding and levels electoral playing field.; Curtails opaque influence on elections.

Association for Democratic Reforms (ADR) v. Union

Supports essay points on money power in politics and corporate-state nexus.; Relevant for debates on institutional integrity and voter empowerment.; A turning point in restoring accountability in electoral finance.

Aruna Shanbaug v. Union of India (2011) - Passive

Recognised the right to refuse treatment.; Urged Parliament to enact euthanasia laws (which culminated in 2018 verdict). Impact;; Laid the groundwork for **Common Cause v. Union of India (2018)**, which legalised living wills and advance directives.; Brought patient autonomy and end-of-life care into public debate.; Helps analyse the scope of **Article 21** in linking right to life with right to die with dignity.; Directly...

Berubari Union Case (1960)

Limits of Parliament's Power to Cede Territory Background: Following the **Nehru-Noon Agreement (1958)** to transfer part of Berubari Union to Pakistan, the President referred the matter under **Article 143** to determine the correct constitutional procedure. Judgement;; **Article 3** pertains only to internal reorganisation.; Territorial cession needs a constitutional amendment under **Article 368**.; **Article 1(3)(c)** doesn't allow...

Berubari Union Case (1960) - Limits of Parliament's

Key Supreme Court Judgements 17

Berubari Union Case (1960) - Limits of Parliament's

Useful in explaining the 2015 India-Bangladesh Land Boundary Agreement and why amendment was required.; It demonstrates judicial scrutiny of foreign policy-linked actions.; Relevant for questions on executive accountability vs. constitutional supremacy.

Anti-Defection Law

G. Viswanathan V. Speaker, **Tamil Nadu Legislative Assembly Case (1996)**:: Expelled members remain "unattached" but still part of their original party unless they join a new party, which constitutes defection.; Clarified that joining a new party after expulsion leads to defection. **Kihoto Hollohan Case (1992)**:: Upheld the Anti-Defection Law, making the Speaker's decision subject to limited judicial review. Courts can't...

Anti-Defection Law

Key Supreme Court Judgements 30

Electoral Reforms

Union of India V. Harbans Singh Jalal and Others Case (1997):: The SC affirmed that the **Election Commission** is entitled to take necessary steps to ensure free and fair elections.

Speaker

Mohd. Saeed Siddiqui V. State of Uttar Pradesh / **Yogendra Kumar Jaiswal V. State of Bihar (2015)**:: SC ruled that the Speaker's decision, especially regarding whether a bill is a Money Bill, is final and not subject to judicial review. Legislative procedures cannot be questioned under **Article 212**.; Affirmed the Speaker's authority and protected legislative procedures from judicial interference.

Speaker

It can also be quoted in Separation of Power questions.

Key data and facts

About 5.56 crore cases are pending across all courts in 2026.; Supreme Court: About 94,000 cases pending.; High Courts: Account for about 11.6% of total pending cases.; Lower Courts: Account for about 88.3% of total pending cases.; High Courts: Sanctioned strength: 1,122 judges and vacancies: 316 (~28%).; Large judge vacancies remain in several High Courts, including Allahabad, Calcutta, Punjab & Haryana, Madras...

Government Schemes And Initiatives All India

Proposal to fill judge vacancies.; Pro Bono Legal Services - Legal help for the poor.; Nyaya Mitra - Supports citizens with pending cases.; Judicial Service Centre - For court-related services.; Inter-operable Criminal Justice System (ICJS) - Digital link among courts, police, and prisons.; Tele-Law - Remote legal advice to citizens.

degrees Celsius (C) less than normal for two

KEY SUPREME COURT JUDGEMENTS

Judgement

Justice Nagarathna: Found approval invalid due to procedural gaps, stressed precautionary principle.; Justice Karol: Allowed trials with safeguards, called for independent studies.; Both called for a national policy involving states and stakeholders.

Gene Campaign v. Union of India (2024) - GM Mustard

Key Supreme Court Judgements 1

Balram Singh v. Union of India (2024)

Validity of 'Secular' and 'Socialist' in the Preamble Background: The case challenged the insertion of 'secular' and 'socialist' into the Preamble via the 42nd **Amendment (1976)**, alleging it distorted foundational principles without public mandate. Judgement:: Upheld inclusion of 'secular' and 'socialist'.; Stated secularism is implicit in the Constitution and a basic feature.; Socialism = social justice and not...

Association for Democratic Reforms (ADR) v. Union

Striking Down Electoral Bonds: Transparency in Political Funding Background: ADR challenged the **Electoral Bonds Scheme (2017)** for enabling anonymous donations, risking corporate and foreign influence. The Supreme Court declared the scheme unconstitutional in 2024.

Judgement

Struck down Electoral Bonds Scheme as unconstitutional.

Association for Democratic Reforms (ADR) v. Union

Key Supreme Court Judgements 2

Anoop Baranwal v. Union of India (2023)

Reforming the Appointment Process for **Election Commissioners** Background: In the absence of a law under **Article 324(2)** governing appointments of CEC and ECs, the upreme Court intervened to prevent executive monopoly and protect institutional independence.

Judgement

Directed that CEC and ECs be appointed by a 3-member panel: 1. Prime Minister 2. Leader of Opposition 3. Chief Justice of India; This will be followed until Parliament enacts a law.; Ensures functional and structural independence of the **Election Commission**.

Anoop Baranwal v. Union of India (2023) - Reforming

Supports analysis of separation of powers and judicial innovation.; Relevant to discussions on transparency, neutrality, and institutional design.; Use in essays on deepening democracy and reviving public trust in institutions.

Supriyo v. Union of India (2023)

Same-Sex Marriage and Personal Liberty Background: A five-judge Constitution Bench heard petitions demanding legal recognition of same-sex marriages, especially under the **Special Marriage Act, 1954**. The Union government opposed legal recognition but suggested administrative reforms to protect civil rights of same-sex couples.

Judgement

Distinguished between the right to choose a partner (protected) and right to marry (not fundamental).; Did not grant legal recognition to same-sex marriages.; Directed the government to ensure civil protections for; queer unions through an administrative framework.; Reaffirmed freedom of partner choice as a part of personal liberty.

Supriyo v. Union of India (2023) - Same-Sex

Key Supreme Court Judgements 4

S.G. Vombatkere v. Union of India (2022)

Sedition Law on Hold: Balancing Civil Liberties and National Security Background: A challenge was raised against **Section 124A** of the IPC, which criminalises sedition, arguing its frequent misuse to suppress dissent. The Supreme Court took cognisance and suspended its operation pending constitutional review.

Judgement

Sedition law kept in abeyance-no new FIRs to be filed.; All ongoing investigations, trials, and appeals stayed.; Affected persons may approach courts for individual relief.; Court acknowledged the need for a modern legal test balancing liberty with sovereignty. Impact.; Judicial recognition of misuse of colonial- era laws.; Put the burden on the State to justify sedition's necessity.; Set the stage for legislative...

S.G. Vombatkere v. Union of India (2022) - Sedition

Contemporary Relevance and Analytical Angle for UPSC; Use in GS2 answers on civil liberties, colonial laws, and freedom of expression.; Vital for debates on BNS 2023 and the today's national security framework.; Helps analyse judicial restraint vs. proactive rights protection.; Strong example for Essay on free speech in a democracy and abuse of legal provisions.

Vidhya Devi v. State of Himachal Pradesh (2020)

Right to Property as a Human and Constitutional Right Background: The Himachal Pradesh government took possession of an elderly widow's land without due process or compensation, and claimed it via adverse possession. She challenged the act under **Article 300A**.

Judgement

Held that Right to Property is a constitutional and human right.; Forcible dispossession without compensation is illegal and violates dignity.

Vidhya Devi v. State of Himachal Pradesh (2020) -

Key Supreme Court Judgements 5

Judgement

Declared Internet access a fundamental right under **Articles 19 and 21**.; Internet is essential for free speech, education and trade.; Imposed proportionality, time-limit, and judicial review on shutdowns.; Mandated publication of shutdown orders for transparency.

Anuradha Bhasin v. Union of India (2020) - Right to

Key Supreme Court Judgements 6

Karnataka Hijab Issue - Religious Expression vs.

Students were denied entry into a government college for wearing hijab, citing uniform rules. The case challenged whether this ban violated **Articles 14, 19, 21**, and 25. Judgment:; Declared hijab is not an essential religious practice in Islam.; Held that uniform rules do not infringe **Articles 19** or 25.; Supported state's authority to enforce discipline under education laws.; **Upheld Karnataka Education Act, 1983**.

Impact

Sparked national debates on religious freedom, gender, and uniformity.; Viewed by some as limiting access to education for minority women.; Prompted Supreme Court split verdict (2022)-pending larger bench review. secular public institutions.; Illustrates challenges in balancing individual expression and institutional discipline.; Relevant for debates on uniform civil code, women's rights, and inclusive education....

Supreme Court of India v. Subhash Chandra Agarwal

Judiciary under RTI: Balancing Transparency and Independence Background: RTI activist Subhash Agarwal filed applications seeking information about judges' appointments and asset disclosures. The question was whether the CJI's office falls under the RTI Act, 2005, reaching a Constitution Bench. Judgment:; Held that the CJI is a public authority under RTI Act.; Judges are not above the law and their accountability is...

Impact

Promoted judicial transparency and accountability.

Supreme Court of India v. Subhash Chandra Agarwal

Key Supreme Court Judgements 7

Supreme Court of India v. Subhash Chandra Agarwal

Reinforced public trust in the judiciary, especially in appointments.; Connected RTI with post-Puttaswamy privacy safeguards.; Supports debates on Collegium transparency and ethical disclosure.; Illustrates calibrated openness-where transparency supports (and not undermines) ndependence.; Can be cited in calls for greater public oversight of constitutional bodies.

Navtej Singh Johar v. Union of India (2018)-

Affirming LGBTQ Rights Background: **Section 377** IPC criminalised same- sex relations. Five LGBTQ+ citizens challenged it post the Suresh Kaushal verdict (2013) which had reinstated the ban, reversing **Naz Foundation (2009)**. Judgement:; Struck down **Section 377** for consensual adult acts.; Recognised sexual orientation as identity protected by **Articles 14, 15, 19, and 21**.; Dismissed majoritarian morality and affirmed...

Judgement

Struck down Rule 3(b) as unconstitutional and discriminatory.; Held that devotion cannot justify gender discrimination.; Ruled the practice violated; equality and dignity, and was not an ERP.

Indian Young Lawyers Association v. State of Kerala

Key Supreme Court Judgements 8

Judgement

Restored Hadiya's marriage, holding that her choice of religion and partner was autonomous and constitutionally protected.; Stated that an adult's right to choose a life partner is a facet of individual liberty under **Article 21**.; Held that the High Court cannot annul a valid marriage based on personal perception of welfare.

Hadiya v. Union of India (2018)- Freedom of

Key Supreme Court Judgements 9

Justice K.S. Puttaswamy v. Union of India (2017)

Right to Privacy as a Fundamental Right Background: Justice Puttaswamy challenged mandatory Aadhaar linking, citing surveillance and data misuse concerns under **Article 21**. Judgement:; Declared Right to Privacy as fundamental under **Articles 14, 19, and 21**.; Applied Doctrine of Proportionality to Aadhaar.; Upheld Aadhaar for welfare schemes but struck down use by private entities.; Invalidated Sections enabling...

Shreya Singal v. Union of India (2015)- Freedom of

Key Supreme Court Judgements 10

Judgement

Struck down **Section 66A** as unconstitutional.; Held that vague terms led to arbitrary arrests and chilling effect.; Reiterated that liberty of thought and expression is central to democracy.

Impact

Strengthened online speech protection and civil liberty discourse.; Provided legal clarity on content moderation and platform liability.; Cited in debates on **IT Rules (2021)**, online surveillance and social media takedowns.; Illustrates the judiciary's role in upholding free speech in the digital age.; Relevant for questions on liberty vs. cyber regulation and safe harbour provisions

T.S.R. Subramanian v. Union of India (2013)

Shielding Bureaucracy from Political Interference Background: Filed by retired bureaucrats seeking insulation of the civil service from arbitrary political control, especially against frequent transfers and oral instructions. The case invoked administrative reform ideas such as those from the [Hota Committee](#). Judgement:; Oral instructions are not binding unless recorded in writing.; Mandated creation of Civil...

Judgement

Passive euthanasia allowed, with strict guidelines and High Court approval.; Right to life includes dignified death, distinct from suicide (which is not a right).

Aruna Shanbaug v. Union of India (2011) - Passive

Key Supreme Court Judgements 11

Vishaka & Ors v. State of Rajasthan & Ors (1997)

Sexual Harassment at Workplace Background: The petition was filed for the enforcement of fundamental rights of working women under [Articles 14, 19](#), and 21 of the Constitution due to the increasing incidents of sexual harassment at workplaces, especially in light of a brutal gang rape incident in Rajasthan. The petition aimed to establish judicial guidelines for preventing such violations in the absence of...

Vishaka & Ors v. State of Rajasthan & Ors (1997) -

1.21 [Mohini Jain v. State of Karnataka \(1992\)](#)- Right to Education as a Fundamental Right Background: Mohini Jain challenged capitation fees in private colleges, arguing it violated her fundamental rights, especially equality ([Article 14](#)) and right to life ([Article 21](#)). Judgement:; Declared Right to Education is part of [Article 21](#).; Capitation fee is unconstitutional and exploitative.; Education is not a commercial...

Vishaka & Ors v. State of Rajasthan & Ors (1997) -

Key Supreme Court Judgements 12

Judgement

Upheld 27% OBC reservation and excluded creamy layer.; Fixed 50% reservation cap, with rare exceptions.; Denied reservation in promotions under [Article 16\(4\)](#).; Recommended a permanent OBC classification body.

D.C. Wadhwa v. State of Bihar (1986)- Misuse of

Unconstitutional Background: Bihar government had re-promulgated 256 ordinances between 1967-1981 without legislative approval. D.C. Wadhwa challenged this misuse of executive law-making powers. Judgement:; Re-promulgation without legislative scrutiny is unconstitutional.; Ordinances are temporary emergency measures only.; Misuse violates democratic accountability and rule of law.

Impact

Reinforced legislative supremacy in law-making.; Prevented abuse of ordinance power.; Helps analyse ordinance misuse in land/farm laws or state-level governance.; Illustrates how courts uphold constitutional morality and legislative integrity.; Key case to support calls for transparency in governance.

D.C. Wadhwa v. State of Bihar (1986) - Misuse of

Key Supreme Court Judgements 13

Judgement

Introduced Absolute Liability-no exceptions, stricter than English law.; Hazardous industries fully liable, even without fault.; Recognised right to a clean environment under Article 21.; Article 32 empowers Court to award remedies for environmental harm. Impact.; First industrial accident case penalising a private firm.; Judicially established green jurisprudence.; Sparked rise of environmental PILs and...

1.25 Olga Tellis v. Bombay Municipal Corporation

Right to Livelihood and Eviction of Pavement Dwellers Background: Maharashtra sought to evict pavement dwellers, claiming they should be deported, raising the issue of their right to livelihood under Article 21. Judgement.; Right to Life: Eviction without due process violates the right to livelihood, a part of the right to life under Article 21.; Eviction Process: Eviction must follow natural justice, giving...

M.C. Mehta v. Union of India (1986) - Birth of

Key Supreme Court Judgements 14

Mohd. Ahmed Khan v. Shah Bano Begum (1985)

Maintenance Rights & the Uniform Civil Code Debate Background: Shah Bano, a divorced Muslim woman, sought maintenance under Section 125 CrPC-a secular law-sparking national debate on personal laws vs. constitutional rights. Judgement.; Maintenance applies to all, irrespective of religion.; Cited Quranic principles to justify support for divorced wives.; Stressed the need for UCC to promote gender justice. Impact...

Background

Maneka Gandhi's passport was impounded without a hearing. She challenged the move citing violation of Article 21 and natural justice. Judgement.; Recognised right to travel as part of personal liberty.

Maneka Gandhi v. Union of India (1978) - Redefining

Key Supreme Court Judgements 15

Maneka Gandhi v. Union of India (1978) - Redefining

Procedure must be just, fair, and reasonable not arbitrary.; Formed the Golden Triangle of **Articles 14, 19, and 21**. Impact:; Shifted from procedural to substantive due process.; Triggered new interpretations of Right to Life.; Influenced jurisprudence on legal aid, privacy, and environment.; Forms basis for PILs and rights-based governance models.; Helps frame arguments in environmental, reproductive and privacy...

Romesh Thapar v. State of Madras (1950)

Landmark in Freedom of Speech Jurisprudence Background: Romesh Thapar's journal Cross Roads was banned under the **Madras Maintenance of Public Order Act, 1949**, prompting a challenge under **Article 19(1)(a)** for violation of the freedom of speech and expression. Judgement:; It recognised freedom of circulation as part of **Article 19(1)(a)**.; Declared that press freedom is implicit in free speech.; Held that "public order"...

Romesh Thapar v. State of Madras (1950) - Landmark

Key Supreme Court Judgements 18

Right to Equality (Article 14-18)

The Court upheld the 27% reservation for Backward Classes under **Article 16(4)** and rejected an additional 10% reservation Indira Sawhney Case for the poorer sections of upper castes. (Famously known as; Caste can be used to identify backward classes for reservations. Mandal Case) (1992); Reinforced the constitutional validity of reservations for Backward Classes and limited reservation based purely on economic...

Right to Equality (Article 14-18)

Key Supreme Court Judgements 20

Right to Equality (Article 14-18)

The Court ruled that there is no fundamental right to reservations Mukesh Kumar V. The in promotions and states are not obligated to provide them. State of Uttarakhand; **Articles 16(4) and 16(4 A)** are enabling provisions and not (2020): mandatory and that states are not required to implement them.; The case involved the validity of the 103rd constitutional amendment regarding the Economic Weaker Sections (EWS) Janhit...

Right to Freedom (Article 19-22)

Freedom of Speech and Expression; The Court emphasized that freedom of speech and expression includes the freedom to propagate ideas and the freedom of Romesh Thapar V. State circulation. of **Madras (1950)**;; Press freedom is an essential part of **Article 19(1)(a)** and the freedom to circulate ideas.; The case held that freedom of speech and expression includes the Association for right to receive and impart...

Right to Freedom (Article 19-22)

Key Supreme Court Judgements 21

Right to Freedom (Article 19-22)

Right to Life and Personal Liberty; The Court expanded the scope of personal liberty under Article 21, linking it with Articles 19 and 14.; Any law affecting personal liberty must adhere to "due process," which includes the requirements of Article 19 and India (1978): 14.; It broadened the interpretation of fundamental rights under Articles 19 and 21.; The Court introduced the "rarest of..."

Right to Freedom (Article 19-22)

Key Supreme Court Judgements 22

Background

The Court recognized transgender people as National Legal Services the "third gender" and affirmed their rights to equality and Authority V. Union of India protection. (2014); Transgender people can self-identify their gender and receive reservations in education and employment.; The Court ruled on firecracker sales during Diwali in Delhi, Ban on Diwali Firecrackers balancing public health with industry interests....

Right to Freedom (Article 19-22)

Discuss cases like Maneka Gandhi and Justice K.S. Puttaswamy to show how personal liberty and privacy are fundamental and shape governance practices and policies.; Use National Legal Services Authority to highlight how the Court protects marginalized groups, ensures gender equality and rights for transgender individuals.; Refer to Mazdoor Kisan Shakti Sangathan to discuss the boundaries of the right to protest in...

Freedom of Religion (Article 25-28)

Shafin Jahan V. Asokan K.M. (2018) (Case of Hadiya); The Supreme Court held that the right to choose one's religion and marry is an intrinsic part of meaningful existence. The Court stated that neither the state nor patriarchal supremacy can interfere in a person's decision to choose a spouse and religion.; Judgment emphasized that while the Indian Constitution guarantees the right to freedom of religion but it...

Freedom of Religion (Article 25-28)

Key Supreme Court Judgements 23

Triple Talaq Shayara Bano Case (2017)

This case dealt with the constitutionality of Instant Triple Talaq (Talaq-e-bid'at). The Court examined the conflict between gender equality and freedom of religion.; It declared Instant Triple Talaq unconstitutional, ruling that it was not an essential part of Islam and violated the right to equality under Article 14. The practice was found to be arbitrary and unconstitutional. Shah Bano Case (1985); Shah Bano, a...

Sedition Law Kedar Nath Singh V. State of Bihar

The case examined the constitutionality of **Section 124A** of the IPC (sedition law) in the context of free speech.; The Court upheld **Section 124A**, affirming sedition laws are valid when speech incites violence or threatens public order. **Shreya Singhal V. Union of India (2015)**;; The case addressed the constitutionality of **Section 66A** of the **Information Technology Act**, which criminalized online speech.; The Supreme...

Sedition Law

Key Supreme Court Judgements 27

Judiciary First Judges Case (1981) / S P Gupta

The SC held that "consultation" regarding the appointment of judges does not mean "concurrence," but simply an exchange of views.; Judgment established that the executive has a dominant role in judicial appointments.

Judiciary

Second Judges Case (1993) / Supreme Court Advocates-on-Record Association V. Union of India Case;; This case revisited the interpretation of "consultation" in judicial appointments.; The Court reversed its previous ruling, stating that consultation means "concurrence," making the CJI's advice binding on the President in the appointment of judges.; It strengthened the Collegium system, giving primacy to the CJI's...

Third Judges Case (1998)

This case further clarified the consultation process in judicial appointments.; The Court stated that the CJI must consult a Collegium of the four senior-most judges of the SC and that the CJI's advice alone is not sufficient.; It highlighted the need for a Collegium of judges to ensure transparency and fairness in judicial appointments.

Supreme Court Advocates-On-Record vs. Union Of

The case addressed the constitutionality of the **National Judicial Appointments Commission (NJAC)**.; The SC struck down the NJAC under the 99th **Constitutional Amendment Act**, restoring the Collegium system for judicial appointments.; It reinforced the independence of the judiciary and the primacy of the Collegium system in judicial appointments.

National Court of Appeal V. Vasantha Kumar Case

A PIL was filed for the establishment of a National Court of Appeal.; The SC directed the government to reconsider its rejection of the proposal for the establishment of courts in Chennai, Mumbai, and Kolkata.; Highlighted the need for accessibility to justice through regional courts.

Rupa Ashok Hurra V. Ashok Hurra & Another Case

This case involved the concept of the Curative Petition, seeking relief after a review petition had been dismissed.; The SC first evolved the Curative Petition to avoid miscarriage of justice and prevent abuse of the process.; It strengthened the judicial process, ensuring the protection of justice and fairness under **Article 137**.

National Federation of Societies for Fast Justice

The case dealt with the establishment of Gram Nyayalayas.; The SC directed all states to establish Gram Nyayalayas and expedite consultations with state governments.; Judgement promoted access to justice at the grassroots level by establishing village-level courts.

Judiciary

Key Supreme Court Judgements 28

L. Chandra Kumar V. Union of India (1997)

The case examined the role of Tribunals and their relation to the judicial review power of High Courts.; The SC held that Tribunals cannot replace the judicial review power of High Courts but should function as supplementary institutions under their supervision.; It ensured that Tribunals remain accountable to High Courts, maintaining judicial oversight. **Swapnil Tripathi V. SC (2018)**;; BThe SC ordered the...

Prevention of Corruption Act / Prior Sanction for

Vineet Narain V. Union of India (1997) / Jain Hawala Case;; The case involved the requirement of prior sanction for investigating corruption cases involving public servants.; The SC struck down the requirement for sanction to investigate, ruling that government supervision should not control CBI investigations.; It set a time frame of 3 months for granting prosecution sanction and recommended reforms to make the CBI...

Prevention of Corruption Act / Prior Sanction for

Key Supreme Court Judgements 29

Prevention of Corruption Act / Prior Sanction for

Use cases to emphasize the importance of prior sanction in the investigation of corruption cases involving public servants to ensure due process.; Use MK Aiyappa and Narayana Swamy to discuss the impact of requiring prior sanction for investigations, considering its potential to hinder unbiased, efficient investigations.

Uniform Civil Code (Article 44)

Mohd. Ahmad Khan V. Shah Bano Begum and Others (1985);; The SC observed that a common Civil Code would aid national integration by removing conflicting laws and disparate loyalties. **Sarla Mudgal Case (1995)**;; The SC ruled that a Hindu marriage can only be dissolved under the **Hindu Marriage Act**, and a second marriage after converting to Islam is an offence under **Section 494** of the IPC.; Judgement emphasized the need...

Ordinance

D C Wadhwa and others V. State of Bihar and others (1986);; The SC ruled that the Governor cannot assume legislative functions beyond constitutional limits.; Repeated promulgation of ordinances is unconstitutional and must be deemed improper and invalid. Ordinances should only be used to address extraordinary situations. **AK Roy V. Union of India (1982)**;; The SC held that the President's ordinance-making power is not...

Electoral Reforms

Key Supreme Court Judgements 31

Electoral Reforms

The Model Code of Conduct (MCC) comes into force when elections are announced and remains in force until results are declared. It emphasized the importance of MCC in maintaining the integrity of elections. **Union of India V. Association for Democratic Reforms (2002)**; The SC ruled that electors have a fundamental right to know the antecedents of candidates, including criminal charges. The **Election Commission** was...

Electoral Reforms

Key Supreme Court Judgements 32

Rambabu Singh Thakur V. Sunil Arora (2020)

The SC mandated political parties to disclose the criminal history of their candidates, including case details, charges, and reasons for choosing such candidates.; Promoted accountability of political parties in candidate selection. **Association for Democratic Reforms V. Union of India (2021)**; The SC directed political parties to disclose the details of electoral bond donations, including donor particulars....

Corruption, Bureaucracy & Politics Nexus

Key Supreme Court Judgements 33

Vijay Madanlal Choudhary V. Union of India (2022)

Judgment: The SC upheld the constitutional validity of the **Prevention of Money Laundering Act (PMLA)**, including provisions on property attachment, search, and seizure. It also supported the reversed burden of proof for bail in money laundering cases.; Affirmed the power of the Enforcement Directorate under PMLA to combat money laundering, strengthening the fight against corruption and financial crimes.

Samatha V. State of Andhra Pradesh (1997)

Judgment: SC nullified mining leases in Scheduled Areas and halted mining operations, emphasizing the right to livelihood under **Article 21**.; Protected tribal land rights against exploitative mining operations.

Environment vs Tribal Rights

Key Supreme Court Judgements 34

Other Important Judgments S. P. Gupta V. Union of

Justice P.N. Bhagwati introduced Public Interest Litigation (PIL), allowing individuals to file petitions in the public interest.; This expanded access to justice through PIL, promoting public accountability.

Safai Karamchari Andolan V. Union of India (2014)

SC ordered the abolition of manual scavenging and mandated the rehabilitation of manual scavengers.; Led to the passage of the **Manual Scavengers and Their Rehabilitation Act, 2013**.

Extra Judicial Execution Victim V. Union of India

SC limited immunity under AFSPA, stating security personnel cannot claim absolute immunity from criminal trial.; Strengthened accountability of armed forces in cases of extrajudicial killings.

Verdict on Rohingya Crisis - Md. Salimullah V. Uoi

SC rejected the plea to stop the deportation of seven Rohingya immigrants, deeming them illegal immigrants.; Upheld the government's stance on deporting illegal immigrants.

Rajbala V. State of Haryana (2015)

SC upheld the law barring illiterate individuals from contesting panchayat elections, asserting that the right to contest is a constitutional right that can be regulated.; Affirmed the state's right to regulate qualifications for electoral candidates.

Zahira Sheikh V. State of Gujarat (2006)

SC emphasized the need for witness protection and defined the concept of a fair trial.; Established the need for witness protection in the judicial process.

Subhash Mahajan V. State of Maharashtra (2018)

SC diluted the provisions of the SC/ST (Prevention of Atrocities) Act, 1989, regarding anticipatory bail and arrest procedures.; Balanced protections for accused and victims by ensuring fair procedures in the application of the Atrocities Act.

ADM Jabalpur Case (1976)

SC upheld the government's power to detain individuals without judicial review during the Emergency.; The ruling was later overturned, acknowledging the denial of habeas corpus during the Emergency. Demonetisation Case: **Vivek Narayan Sharma Case (2016)**;; SC upheld the validity of the demonetisation notification, stating it met the proportionality test.; It affirmed the legality of the government's demonetisation...

Other Important Judgments

Key Supreme Court Judgements 35

Principle of Natural Justice Definition

A fundamental legal doctrine that ensures fairness in decision-making, requiring that both parties to a dispute are given a fair hearing. It includes principles like the right to be heard (audi alteram partem) and impartiality (nemo iudex in causa sua).

Key Case

Maneka Gandhi v. Union of India (1978): The case elaborated on the procedural safeguards under natural justice, especially in the context of personal liberty. Contemporary Linkage: The principle of natural justice ensures transparency and accountability in administrative and judicial actions. It is especially relevant in the application of public law principles like the Right to Information and fair trial guarantees.

Principle of Natural Justice

Discuss the role of natural justice in safeguarding individual rights, especially in administrative decisions.; Link the Maneka **Gandhi** case to its continued relevance in cases of government decisions that impact personal freedoms.

Due Process of Law Definition

Ensures that laws are not only legally valid but also fair, just and reasonable.; Key Case: **Maneka Gandhi v. Union of India (1978)**: Expanded the interpretation of **Article 21**, requiring that laws must be fair, just, and reasonable.; Contemporary Linkage: The Triple Talaq judgment (2017) applied the due process principle to emphasize gender justice and personal law reforms, ensuring fundamental rights are upheld even...

Due Process of Law

linking t to the modern application in cases like Triple Talaq.

Procedure Established by Law

Key Supreme Court Judgements 37

Doctrine of Res Judicata Definition

The principle that a matter that has been adjudicated by a competent court cannot be re-litigated between the same parties. This ensures finality in judicial decisions and prevents unnecessary litigation. Key Case:; **Satyadhyan Ghosal v. Smt. Deorajin Devi (1960)**: This case clarified the application of Res Judicata in Indian law, ensuring that decisions by a court of competent jurisdiction cannot be challenged...

Doctrine of Res Judicata

Discuss how the principle of Res Judicata contributes to legal certainty in both civil and criminal law.; Use the Satyadhyan Ghosal case to illustrate its application and link it to modern examples of family and commercial dispute resolution.

'Polluter Pays' Principle Definition

Holds that those responsible for environmental harm must bear the costs of pollution. It advocates for accountability in environmental degradation and pollution.; Key Case:; SC on **Stubble Burning (2020)**: Court imposed penalties on states for air pollution due to stubble burning, reinforcing the principle.; Contemporary Linkage: This doctrine has been used to fine organisations involved in environmental damage...

Doctrine of Locus Standi Definition

A party must have sufficient interest to bring a case, preventing frivolous litigation and ensuring only affected parties approach the court.

Doctrine of Locus Standi

Key Supreme Court Judgements 38

Key Cases

Navtej Singh Johar v. Union of India (2018): Expanded PIL, allowing broader judicial access, especially for constitutional issues.; **S.P. Gupta v. Union of India (1981)**: Court allowed public-spirited individuals to file petitions on behalf of marginalized groups, widening access to justice.; Contemporary Linkage: Locus Standi limits unnecessary cases, but PIL expands access, aiding marginalized groups. S.P. Gupta...

Doctrine of Locus Standi

Explain how Navtej Singh Johar and S.P. Gupta broaden access to justice through PIL for marginalized groups.

Doctrine of Public Trust Definition

Certain natural resources are held by the government in trust for the public. It ensures that public resources are used responsibly for the common good.; Key Case: **M.C. Mehta v. Kamal Nath (1997)**: State must protect the environment as a public trustee. Contemporary Linkage: This principle is vital in the context of environmental protection debates, especially with regard to air and water pollution.

Doctrine of Public Trust

Use **M.C. Mehta v. Kamal Nath** to explain the state's responsibility as a trustee of natural resources.

Doctrine of Pith and Substance Definition

Determines the core or true nature of a law to categorize it under the correct legislative list.; Key Case:; **State of Bombay v. F.N. Balsara (1951)**: Established the first application of this doctrine to resolve conflicts between legislative subjects.; Contemporary Linkage: This doctrine helps address federal conflicts, particularly in cases where laws affect both central and state subjects.

Doctrine of Pith and Substance

Use **State of Bombay v. F.N. Balsara and Prafulla v. Bank of Commerce** to demonstrate how this doctrine applies in determining the legislative competence of legislatures at different levels.

Doctrine of Severability Definition

When part of a law is unconstitutional, only the invalid part is struck down, leaving the rest intact.; Key Case:; **A.K. Gopalan v. State of Madras (1950)**: This case reaffirmed that only unconstitutional provisions are void.; Contemporary Linkage: This principle has been crucial in maintaining legislative intent, even when parts of a law violate constitutional rights.

Doctrine of Severability

unconstitutional parts while preserving the intent of laws.

Doctrine of Severability

Key Supreme Court Judgements 39

Doctrine of Eclipse Definition

A law violating Fundamental Rights is not void but unenforceable until it is revived.; Key Case;; **Keshavan Madhava Menon v. State of Bombay (1951)**: Court held that laws conflicting with Fundamental Rights are temporarily eclipsed.; Contemporary Linkage: This doctrine has been instrumental in interpreting laws that conflict with evolving interpretations of fundamental rights.

Doctrine of Eclipse

in contemporary constitutional interpretation, particularly with evolving rights like privacy, right to be forgotten, etc.

Doctrine of Colourable Legislation Definition

Implies that a legislature cannot do something indirectly what it cannot do directly.; Key Case;; **R.S. Joshi v. Ajit Mills (1977)**: SC held that laws passed under a subject not within the legislature's competence are "colourable" and hence unconstitutional.; Contemporary Linkage: This doctrine ensures that legislative actions remain within the constitutional framework.

Doctrine of Colourable Legislation

Use **R.S. Joshi v. Ajit Mills** to show how this doctrine checks the overreach of legislative powers.

Doctrine of Harmonious Construction Definition

A method used by courts to resolve conflicts in legal provisions, ensuring all provisions of a statute are read together harmoniously.; Key Case;; **East India Hotels Ltd. v. Union of India (2000)**: SC emphasized that all provisions must be read together to maintain consistency.; Contemporary Linkage: This doctrine is crucial in resolving conflicts between Union, State, and Concurrent List laws, especially in federal...

Doctrine of Harmonious Construction

Use East India Hotels to demonstrate the application of this doctrine in resolving conflicts between constitutional provisions and federal units.

Doctrine of Repugnancy Definition

Resolves conflicts between Central and State laws, giving precedence to the Central law in cases of contradiction.; Key Case;; **M. Karunanidhi v. Union of India (1979)**: SC ruled that if a Central and State law are irreconcilably inconsistent, the Central law prevails.; Contemporary Linkage: Relevant in modern federal governance when state laws conflict with central policies, especially in concurrent matters.

Doctrine of Repugnancy

M. Karunanidhi case can be quoted to explain how the doctrine resolves conflicts between central and state laws.

Doctrine of Repugnancy

Key Supreme Court Judgements 40

Doctrine of Territorial Nexus

Key Supreme Court Judgements 41

Doctrine of Territorial Nexus

GOVERNMENT SCHEMES AND POLICIES

Doctrine of Territorial Nexus

DIGITAL INDIA

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