



INDIRA NEHRU GANDHI V. RAJ NARAIN (1975)

Constitutional Interpretation & Basic Structure

PRELIMS SNAPSHOT

- ♦ 1. Prelims Snapshot (Fact Box)
- 📅 Year: 1975
- ⚖️ Case: Indira Nehru Gandhi v. Raj Narain
- 👤 Bench Strength: 5 Judges
- 📖 Key Articles Involved: Article 329(b), Article 368, Representation of the People Act, 1951
- 🧠 Doctrine Evolved: Judicial review of elections cannot be curtailed; Rule of law and free elections are part of the Basic Structure
- 💬 Famous Line: "Democracy is a part of the basic structure of the Constitution."

CONTEXT & BACKGROUND

Raj Narain, a political opponent, challenged Prime Minister Indira Gandhi's 1971 election victory, alleging corrupt practices under the Representation of the People Act.



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In 1975, the Allahabad High Court found her guilty, declared her election void, and barred her from holding any elected office for six years. The verdict triggered the declaration of Emergency and a constitutional amendment (39th Amendment) that sought to remove judicial review over elections to the posts of President, Prime Minister, and Speaker.

Indira Gandhi challenged the High Court verdict in the Supreme Court.

CONSTITUTIONAL ISSUES RAISED

- Can Parliament amend the Constitution to exempt certain elections from judicial scrutiny?
- Does the 39th Amendment violate the Basic Structure of the Constitution?
- Is free and fair election a Fundamental Right or a basic feature of democracy?

VERDICT & RATIO DECIDENDI

The Supreme Court struck down Clause 4 of the 39th Amendment, holding that:



- Free and fair elections are an essential part of democracy, which is part of the Basic Structure
- Judicial review is a cornerstone of the Constitution, and cannot be eliminated even through constitutional amendments
- Parliament cannot use Article 368 to immunise certain actions from judicial scrutiny, especially those affecting democratic legitimacy
- The rest of the amendment (changing election procedure retrospectively) was allowed to stand only with strict limitations.

DOCTRINE / PRINCIPLE EVOLVED

- Judicial review, rule of law, and free elections are part of the Basic Structure
- Parliament's power to amend the Constitution is not unlimited
- Democracy is not just a political principle but a constitutional guarantee



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IMPACT & LEGACY

- This judgment fortified the Basic Structure Doctrine laid down in Kesavananda Bharati (1973)
- It reaffirmed the supremacy of constitutional values over political expediency
- Reinforced the independence of the judiciary, especially during times of constitutional crisis
- Played a key role in post-Emergency legal and institutional reforms



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RELEVANCE FOR UPSC

- GS Paper 2:
 - Electoral laws, separation of powers, constitutional amendments
 - Judiciary as a check on legislative overreach
- GS Paper 4 (Ethics):
 - Institutional integrity, courage, checks and balances
- Essay Paper:
 - Apt for themes like Democracy and Constitution, Limits of Power, Judicial Independence
- UPSC Interview:
- Relevant in discussions on emergency history, role of judiciary, and electoral reforms

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