



# **MANEKA GANDHI V. UNION OF INDIA (1978)**

*Constitutional Interpretation & Basic Structure*

## **PRELIMS SNAPSHOT**

- ♦ Prelims Snapshot (Fact Box)
- 📅 Year: 1978
- ⚖️ Case: Maneka Gandhi v. Union of India
- 👤 Bench Strength: 7 Judges
- 📖 Key Articles Involved: Article 14, Article 19, Article 21
- 🧠 Doctrine Evolved: Due Process under Article 21; Interlinking of Fundamental Rights
- 💬 Famous Line: "Procedure under Article 21 must be right, just, and fair—not arbitrary, fanciful, or oppressive."

## **CONTEXT & BACKGROUND**

In 1977, journalist Maneka Gandhi's passport was impounded by the government under the Passport Act, 1967, without giving her a reason or an opportunity to be heard. She filed a writ petition under



Article 32, challenging the action as a violation of her Fundamental Right to personal liberty (Article 21) and freedom of speech and movement (Articles 19(1)(a) and 19(1)(d)). This case opened the door to reinterpret personal liberty in a broader and more substantive sense—beyond mere physical freedom.

## **CONSTITUTIONAL ISSUES RAISED**

- Does the “procedure established by law” under Article 21 mean any law, or must it be just, fair, and reasonable?
- Can Articles 14, 19, and 21 be read together for enforcing Fundamental Rights?
- Is the right to travel abroad a part of personal liberty?

## **VERDICT & RATIO DECIDENDI**

The Supreme Court ruled in favour of Maneka Gandhi and held that:

- Article 21 is not confined to physical liberty; it includes a wide range of rights that make life meaningful
- The “procedure established by law” under Article 21 must be just, fair, and reasonable, not arbitrary



**UPSC  
GURUS**

## MAJOR SUPREME COURT JUDGEMENTS

- Articles 14, 19, and 21 form a golden triangle and must be read together to ensure complete protection of rights
- The government's action was arbitrary and violated the principles of natural justice

This case effectively overruled A.K. Gopalan (1950) and changed the entire landscape of rights jurisprudence in India.

### **DOCTRINE / PRINCIPLE EVOLVED**

- Due process of law became implicitly embedded in Article 21
- Introduced the concept of interconnectedness of Fundamental Rights
- Natural justice and procedural fairness became central to the protection of liberty





**UPSC  
GURUS**

# MAJOR SUPREME COURT JUDGEMENTS

## IMPACT & LEGACY

- Marked a shift from procedural to substantive due process in Indian constitutional law
- Led to the expansion of Article 21, including later rights like:
- Right to privacy (Puttaswamy, 2017)
- Right to clean environment (Subhash Kumar, 1991)
- Right to legal aid, education, and shelter
- Reinforced the importance of reasonableness and fairness in state action
- Became the basis for a range of progressive judgments in the decades that followed



**UPSC  
GURUS**

# MAJOR SUPREME COURT JUDGEMENTS

## RELEVANCE FOR UPSC

- GS Paper 2:
  - Interpretation of Fundamental Rights
  - Evolution of Article 21 and due process
  - Rights-based approach in governance
- GS Paper 4 (Ethics):
  - Justice, fairness, procedural ethics
- Essay Paper:
  - Topics on Individual Liberty, State Power vs. Civil Rights, Rule of Law
- UPSC Interview:
  - Useful in discussions on personal freedoms, digital rights, right to privacy, and administrative fairness

**TO DOWNLOAD PDF  
JOIN OUR TELEGRAM  
CHANNEL**

**[https://t.me/UPSC\\_Gurus](https://t.me/UPSC_Gurus)**









**OR  
DOWNLOAD FROM  
OUR WEBSITE**

**[www.upscgurus.in](http://www.upscgurus.in)**

**FOLLOW US**



 [@UPSCGURUS](https://www.youtube.com/@UPSCGURUS)  8122002172  [UPSC.GURUS](https://www.upscgurus.in)  
 [UPSC\\_Gurus](https://t.me/UPSC_Gurus)  [www.upscgurus.in](http://www.upscgurus.in)  [upscgurus@gmail.com](mailto:upscgurus@gmail.com)