










A.K. GOPALAN V. STATE OF MADRAS (1950)

Constitutional Interpretation & Basic Structure

PRELIMS SNAPSHOT

-  1. Prelims Snapshot (Fact Box)
-  Year: 1950
-  Case: A.K. Gopalan v. State of Madras
-  Bench Strength: 6 Judges
-  Key Articles Involved: Article 21, Article 22, Article 19
-  Doctrine Evolved: Early narrow interpretation of Article 21; Procedure established by law \neq due process (later overruled)
-  Famous Line: "If the law is valid, the deprivation is valid."

CONTEXT & BACKGROUND

A.K. Gopalan, a communist leader, was detained under the Preventive Detention Act, 1950, and challenged his detention on the grounds that it violated his fundamental rights under Articles 19, 21, and 22



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The central issue was whether “procedure established by law” under Article 21 required just, fair, and reasonable law, or merely any validly enacted law, even if arbitrary.

This was India’s first major constitutional case interpreting personal liberty and state power.

CONSTITUTIONAL ISSUES RAISED

- Does Article 21 include the principle of due process?
- Can a person be deprived of liberty based on a valid law, even if it is arbitrary or unjust?
- Should Fundamental Rights be read in harmony, or are they mutually exclusive?

VERDICT & RATIO DECIDENDI

The Supreme Court ruled:

- “Procedure established by law” in Article 21 does not imply American-style due process
- If a law is enacted by the legislature, and proper procedure is followed, liberty can be curtailed



- The Court treated each fundamental right as separate, refusing to read Articles 19 and 21 together
- This interpretation gave the State wide powers over personal liberty
- Justice Fazl Ali dissented, advocating for due process and harmonious reading of rights, a view later accepted in Maneka Gandhi (1978).

DOCTRINE / PRINCIPLE EVOLVED

- Established the “procedure established by law” as narrow and literal
- Denied the interlinking of fundamental rights (a position later reversed)
- Revealed early judicial deference to legislative authority over individual liberty



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IMPACT & LEGACY

- The judgment was widely criticised for allowing arbitrary deprivation of liberty
- Was effectively overruled in *Maneka Gandhi v. Union of India* (1978), which held that laws under Article 21 must be just, fair, and reasonable
- Marked a foundational debate on civil liberties and the role of judiciary
- Serves as a historical benchmark in the evolution of Article 21 jurisprudence



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RELEVANCE FOR UPSC

- GS Paper 2:
 - Evolution of Article 21, liberty jurisprudence, preventive detention
 - Role of dissent in constitutional interpretation
- GS Paper 4 (Ethics):
 - Rule of law, liberty vs. state power, judicial responsibility
- Essay Paper:
 - Apt for themes on Civil Liberties in Constitutional Democracy, Due Process vs. Procedure Established by Law
- UPSC Interview:
- Useful for questions on preventive detention, liberty in times of state action, early constitutional debates

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