



# 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 14, Article 368
- 🧠 Doctrine Evolved: Democracy as part of the Basic Structure
- 💬 Famous Line: "Democracy is an essential feature of the Constitution."

## CONTEXT & BACKGROUND

This case arose in the aftermath of the Allahabad High Court's judgment that found Prime Minister Indira Gandhi guilty of electoral malpractices during the 1971 Lok Sabha election. The ruling disqualified her from Parliament, prompting a constitutional crisis.



While the matter was under appeal in the Supreme Court, the government passed the 39th Constitutional Amendment, inserting Article 329A, which barred judicial review of elections to the offices of President, Vice-President, Prime Minister, and Speaker.

The amendment placed the Prime Minister's election beyond the purview of courts, violating the principle of equality and free and fair elections.

## **CONSTITUTIONAL ISSUES RAISED**

- Can Parliament use its amending power to shield specific individuals from judicial scrutiny?
- Does excluding judicial review of elections violate the Right to Equality under Article 14?
- Is free and fair election a part of the Basic Structure of the Constitution?

## **VERDICT & RATIO DECIDENDI**

The Supreme Court struck down Clause 4 of Article 329A, holding that:

- The amendment violated the Basic Structure Doctrine, as it destroyed the principle of free and fair elections



**UPSC  
GURUS**

## MAJOR SUPREME COURT JUDGEMENTS

- Democracy, judicial review, and rule of law are integral to the Constitution
- The amendment also violated Article 14 (Right to Equality) by creating special privileges for one individual

Justice H.R. Khanna's observation became historic: "Democracy postulates that the people elect their representatives. Free and fair elections are thus a basic feature of the Constitution."

### **DOCTRINE / PRINCIPLE EVOLVED**

The judgment extended the scope of the Basic Structure Doctrine established in *Kesavananda Bharati* (1973), by adding:

- Free and fair elections
- Rule of law
- Judicial review of electoral disputes as features that cannot be destroyed even by a constitutional amendment.





**UPSC  
GURUS**

# MAJOR SUPREME COURT JUDGEMENTS

## IMPACT & LEGACY

- Reinforced the judiciary's power to strike down amendments violating democratic principles
- Asserted the idea that individual-specific laws undermining constitutional equality are invalid
- Became a key precedent post-Emergency in restoring electoral accountability
- Strengthened the doctrine of constitutional supremacy over political expediency



**UPSC  
GURUS**

# MAJOR SUPREME COURT JUDGEMENTS

## RELEVANCE FOR UPSC

- GS Paper 2:
  - Electoral reforms
  - Constitutional safeguards for democracy
  - Judicial review and parliamentary limits
- GS Paper 4 (Ethics):
  - Abuse of power
  - Constitutional morality
- Essay Paper:
  - Use in essays on Democracy, Electoral Integrity, Checks and Balances
- UPSC Interview:
  - Relevant in discussions on misuse of power, electoral ethics, and role of institutions

**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)