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INDIAN POLITY

50 Most Important Articles of the Constitution

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Why These 50 Articles Are High-Yield

Indian Polity is the most scoring subject in UPSC Prelims, and Article numbers are its currency. Every year, Prelims asks direct one-mark questions that turn on a single Article — which Article abolishes untouchability, which one creates the Finance Commission, which one the President uses for ordinances. In Mains GS Paper II, answers that cite the correct Article read as precise and fetch better marks than vague descriptions of "constitutional provisions".

You do not need to memorise all 470-plus Articles. UPSC returns to the same 60 to 80 Articles again and again, and the 50 below are the core of that set. Each table gives you the Article, its subject, and one crisp exam-focused key point — exactly what the examiner is testing.

New in this expanded edition: every one of the 50 Articles below now comes with detailed exam notes — what the provision says, why it matters constitutionally, the landmark cases and amendments behind it, and exactly how UPSC tests it. Use the quick summary tables for last-mile revision, and the detailed notes when you are studying a topic for the first time.

Part I: The Union and its Territory

Article	Subject	Key point for exam
1	Name and territory of the Union	"India, that is Bharat, shall be a Union of States" — UPSC tests the phrase Union of States: India is not a federation by compact, and states have no right to secede.
3		Parliament can create or alter states by simple majority; the President must refer the bill to the affected state legislature for its

Article	Subject	Key point for exam
	Formation of new States; alteration of areas, boundaries or names	views, but those views are not binding. Used for the Jammu and Kashmir reorganisation in 2019.

1. Article 1: Name and territory of the Union

What it says: Article 1 declares that "India, that is Bharat, shall be a Union of States," establishing that the Indian polity is a union — not a federation formed by an agreement among pre-existing sovereign states. It also defines the territory of India as comprising the territories of the States, the Union Territories specified in the First Schedule, and any other territories that may be acquired.

Why it matters: The phrase "Union of States" carries the weight of permanence: because the states were not parties to a compact, no state has any right to secede from the Union. This was the Constituent Assembly's answer to the partition experience and to any future fissiparous claim, and it distinguishes India from federations like the United States or the erstwhile Soviet Union.

Cases, amendments & evolution: The non-secession reading flows from the text itself and has been consistently affirmed in constitutional interpretation. The First Schedule has been amended repeatedly as new states and Union Territories came into existence — most recently with the reorganisation of Jammu and Kashmir in 2019 (Article 370 abrogated August 2019) and the merger of Dadra and Nagar Haveli with Daman and Diu in 2020. Acquired territory, such as the enclaves exchanged with Bangladesh under the 100th Amendment (2015), also enters the Union through this Article.

How UPSC tests it: Prelims asks whether the Constitution uses "Union" instead of "Federation," why India is described as "indestructible union with destructible states," and which Article names the country India/Bharat. In Mains GS-II, it anchors answers on federalism and secession debates.

2. Article 3: Formation of new States; alteration of areas, boundaries or names

What it says: Article 3 empowers Parliament to form new states, alter the area or boundaries of existing states, or change a state's name. The Bill for this purpose must first be referred by the President to the concerned state legislature to elicit its views, but those views are not binding on Parliament. The law is passed by a simple majority of Parliament and is not treated as a constitutional amendment. In practice this gives the Centre a unilateral, near-absolute power to redraw the political map.

Why it matters: Article 3 is the legal foundation of India's entire history of state reorganisation — from the linguistic reorganisation of 1956 through Telangana's creation in 2014 to the bifurcation of Jammu and Kashmir into two Union Territories in 2019. It explains why India is called an indestructible Union with destructible states: the Union's existence is guaranteed, but no state's territorial integrity is.

Cases, amendments & evolution: The Supreme Court has upheld the non-binding nature of the state legislature's views, treating the reference requirement as procedural rather than substantive. A well-known illustration is the J&K Reorganisation Act, 2019, passed under Articles 3 and 370-era procedures after the abrogation of Article 370 in August 2019. The provision has operated smoothly precisely because a simple majority suffices — no special majority or state ratification is needed.

How UPSC tests it: Prelims frequently asks whether a state's views are binding (they are not), what majority is required (simple), and whether an Article 3 law counts as a constitutional amendment (it does not). Mains GS-II uses it in questions on federalism, linguistic reorganisation, and the J&K bifurcation.

Part II: Citizenship

Article	Subject	Key point for exam
5	Citizenship at the commencement of the Constitution	Lays down who became a citizen on 26 January 1950 — domicile plus birth in India, descent, or five years of ordinary residence.
11	Parliament to regulate citizenship by law	The source of Parliament's power to pass the Citizenship Act, 1955 and its amendments, including the Citizenship (Amendment) Act, 2019.

3. Article 5: Citizenship at the commencement of the Constitution

What it says: Article 5 lays down who was a citizen of India when the Constitution came into force on 26 January 1950. It grants citizenship to every person who had his domicile in the territory of India and additionally satisfied one of three conditions: being born in India, having either parent born in India, or having been ordinarily resident in India for not less than five years immediately preceding the commencement. It thus settles, in a single provision, the founding citizen body of the Republic.

Why it matters: Article 5 mattered enormously in 1950 because partition had uprooted millions. It provided a clear, self-executing rule for determining who belonged to the new Republic on day one, read together with Articles 6 and 7 which dealt with migrants from Pakistan. It marked the constitutional break from British subjecthood and from the patchwork of princely-state nationality.

Cases, amendments & evolution: Articles 5 to 9 are a closed, one-time scheme for the commencement date; everything after is left to Parliament under Article 11, which produced the Citizenship Act, 1955 (later amended several times, including the 2019 CAA). The domicile-plus-condition formula of Article 5 is occasionally litigated in disputes over early residence records, but its text has never been amended.

How UPSC tests it: Prelims asks the three alternative conditions in Article 5, the commencement date 26 January 1950, and the distinction between Articles 5 (at commencement) and 11 (Parliament's power after). Mains GS-II links it to citizenship debates around the CAA and Assam's NRC.

4. Article 11: Parliament to regulate citizenship by law

What it says: Article 11 provides that nothing in Articles 5 to 10 shall derogate from the power of Parliament to make any provision with respect to the acquisition and termination of citizenship and all other matters relating to citizenship. In plain terms, while the Constitution itself settled citizenship at the commencement, Parliament was given complete and exclusive authority to legislate on citizenship for all time thereafter.

Why it matters: Article 11 is the constitutional basis of every citizenship statute since 1950 — most importantly the Citizenship Act, 1955, which governs acquisition by birth, descent, registration, naturalisation and incorporation of territory, as well as termination. It also underpins the Citizenship (Amendment) Act, 2019, which fast-tracked citizenship for certain persecuted minorities from neighbouring countries. Because the power is Parliament's alone, states cannot create or extinguish citizenship.

Cases, amendments & evolution: The Citizenship Act, 1955 has been amended repeatedly (1986, 1992, 2003, 2005, 2015 and 2019), each amendment flowing from Article 11. Debates around the 2019 amendment and the Assam NRC process turned heavily on Article 11's scope versus the equality guarantees of Part III. The provision has never been amended itself and its plenary character is settled.

How UPSC tests it: Prelims asks which Article empowers Parliament to regulate citizenship by law (Article 11) and which Act it enabled (Citizenship Act, 1955). Mains GS-II uses it in answers on the CAA, dual citizenship/OCI, and the Centre–state division of powers over citizenship.

Part III: Fundamental Rights

The most questioned Part in both Prelims and Mains. Learn the clusters: equality (14–18), liberty (19–22), religion and minorities (25–30), and the remedy itself (32).

Article	Subject	Key point for exam
12	Definition of "the State"	Covers the government, Parliament, state legislatures, local authorities and "other authorities" — read widely by courts to include bodies performing public functions.
13	Laws inconsistent with Fundamental Rights are void	Foundation of judicial review. After the 24th Amendment (1971), a constitutional amendment under Article 368 is not "law" under Article 13.
14		

Article	Subject	Key point for exam
	Equality before law and equal protection of laws	Two ideas in one Article: equality before law (British origin) and equal protection (American origin). UPSC loves the "reasonable classification" test.
15	Prohibition of discrimination	Five banned grounds: religion, race, caste, sex, place of birth. Exceptions matter — 15(3) for women and children, 15(4) for SC, ST and OBC, 15(6) for EWS (103rd Amendment).
16	Equality of opportunity in public employment	The reservation Article: 16(4), 16(4A) and 16(4B) for SC and ST, and 16(6) for EWS. Frequently paired with Article 15 in questions.
17	Abolition of untouchability	An absolute right — unlike most Fundamental Rights, it admits no "reasonable restrictions". Enforced through the Protection of Civil Rights Act, 1955.
19	Six freedoms	Speech and expression, assembly, association, movement, residence, and profession. Note: the right to property, 19(1) (f), was deleted by the 44th Amendment in 1978.
20	Protection in respect of conviction for offences	Three safeguards: no retrospective criminal law, no double jeopardy, no compulsion to be a witness against oneself.
21	Protection of life and personal liberty	The most expanded Article by judicial interpretation — privacy (Puttaswamy, 2017), dignity, speedy trial. Maneka Gandhi (1978) read "due process" into it.
21A	Right to education	Free and compulsory education for children aged 6 to 14. Inserted by the 86th Amendment (2002); given statutory shape by the RTE Act, 2009.
25	Freedom of conscience; free profession, practice and propagation of religion	Subject to public order, morality and health. UPSC tests the "essential religious practices" doctrine courts use to apply it.
30	Right of minorities to establish and administer educational institutions	Available to religious and linguistic minorities. The 44th Amendment added that acquiring such property must not abrogate this right.
32	Remedies for enforcement of Fundamental Rights	Ambedkar called it the "heart and soul" of the Constitution. The Supreme Court's five writs — and the right to move the Court is itself a Fundamental Right.

5. Article 12: Definition of "the State"

What it says: Article 12 defines the term "the State" for the purposes of Part III. It includes the Government and Parliament of India, the Government and Legislature of each State, all local authorities, and "other authorities" within the territory of India or under the control of the

Government of India. This definition matters because Fundamental Rights are enforceable primarily against the State — so what counts as "State" decides who can be sued for a rights violation.

Why it matters: The phrase "other authorities" has been read expansively by the courts, bringing bodies like statutory corporations, public sector undertakings, and even private bodies performing public functions within the reach of Fundamental Rights. Without this wide reading, the government could escape constitutional duties simply by acting through agencies and companies.

Cases, amendments & evolution: In *Rajasthan State Electricity Board v. Mohan Lal* (1967), the Supreme Court rejected a narrow reading of "other authorities" and held that bodies created by statute are covered. The "instrumentality or agency of the State" test was developed in *Ajay Hasia v. Khalid Mujib* (1981), which laid down factors — financial, functional and administrative control by the government — to decide whether a body is "State" under Article 12.

How UPSC tests it: Prelims asks whether a given body (e.g., a society, a private university, BCCI) qualifies as "State" — a classic one-marker. In Mains GS-II, Article 12 appears in answers on horizontal vs vertical application of rights and judicial review of administrative action.

6. Article 13: Laws inconsistent with Fundamental Rights are void

What it says: Article 13 declares that all pre-Constitution laws inconsistent with Fundamental Rights are void to the extent of the inconsistency (clause 1), and the State shall not make any law that takes away or abridges these rights — any such law is void to the extent of the contravention (clause 2). Clause 3 defines "law" broadly to include ordinances, orders, bye-laws, rules, regulations, notifications, and even customs having the force of law.

Why it matters: Article 13 is the textual basis of judicial review in India — it empowers courts to strike down unconstitutional laws. It also created the famous question of whether a constitutional amendment is a "law" under Article 13, which drove the *Golaknath–Kesavananda* battle over Parliament's power to amend Fundamental Rights.

Cases, amendments & evolution: In *Golaknath v. State of Punjab* (1967), the Court held Parliament could not amend Fundamental Rights. The 24th Amendment (1971) responded by adding clause 4, declaring that nothing in Article 13 applies to amendments made under Article 368. In *Kesavananda Bharati* (1973), the Court upheld the 24th Amendment but created the basic structure doctrine — Parliament may amend any provision, including Fundamental Rights, but cannot destroy the Constitution's basic structure. The doctrine of eclipse (a pre-Constitution law overshadowed by a Fundamental Right revives if the right is later amended) also flows from this Article.

How UPSC tests it: Prelims frequently asks about Article 13(2) and 13(4) with the 24th Amendment. Mains GS-II uses Article 13 to explain judicial review, the basic structure doctrine, and the limits of Parliament's amending power.

7. Article 14: Equality before law and equal protection of laws

What it says: Article 14 guarantees that the State shall not deny to any person "equality before the law" or "the equal protection of the laws" within India. "Equality before the law" is a negative concept drawn from English common law — no one is above the law and no special privileges exist. "Equal protection of the laws," drawn from the American Constitution, is positive — persons in similar circumstances must be treated alike by the law.

Why it matters: Article 14 is the foundation of the rule of law in India and the most invoked Fundamental Right. It does not demand identical treatment for everyone; it permits reasonable classification, but forbids arbitrary state action. It applies to "any person" — citizens and foreigners alike — and binds the State in all its actions, legislative and executive.

Cases, amendments & evolution: The classic reasonable-classification test was laid down in *State of West Bengal v. Anwar Ali Sarkar* (1952): a classification must rest on an intelligible differentia, and that differentia must have a rational nexus with the object of the law. Classification is allowed; class legislation is not. Later, in *Maneka Gandhi* (1978), the Court read Article 14 as striking at arbitrariness itself — any arbitrary state action violates equality.

How UPSC tests it: Prelims loves the two phrases (match the origin: England vs USA) and the twin conditions of reasonable classification. Mains GS-II uses Article 14 in almost every answer on reservations, gender justice, or arbitrary executive action.

8. Article 15: Prohibition of discrimination

What it says: Article 15 prohibits the State from discriminating against any citizen on grounds only of religion, race, caste, sex, or place of birth. Clause 2 extends this to private citizens in specified public spaces — no one may be denied access to shops, public restaurants, hotels, places of public entertainment, or the use of wells, tanks, bathing ghats, roads, and public resorts maintained wholly or partly from State funds or dedicated to public use. The Article then carves out exceptions: clause 3 allows special provisions for women and children; clause 4 for socially and educationally backward classes, SCs and STs; clause 5 for reservations in educational institutions including private unaided ones; and clause 6 for the economically weaker sections.

Why it matters: Article 15 converts the abstract promise of Article 14 into a concrete anti-discrimination code, and its exception clauses are the constitutional home of India's entire reservation architecture — gender quotas, SC/ST/OBC reservations, and EWS quotas all draw validity from here.

Cases, amendments & evolution: The 1st Amendment (1951) inserted clause 4 after *Champakam Dorairajan* (1951) struck down caste-based reservation in educational institutions. The 93rd Amendment (2005) added clause 5, extending reservations to private unaided institutions. The 103rd Amendment (2019) added clause 6, providing up to 10% reservation for economically weaker sections. Note the contrast with Article 14: Article 15 protects only citizens, while Article 14 covers all persons.

How UPSC tests it: Prelims asks which grounds are listed (place of birth is included; "descent" and "residence" are not — those belong to Article 16) and which amendment added which clause. Mains GS-II links Article 15 to reservation debates, women's rights, and social justice.

9. Article 16: Equality of opportunity in public employment

What it says: Article 16 guarantees equality of opportunity for all citizens in matters of public employment or appointment to any office under the State, and forbids discrimination on grounds only of religion, race, caste, sex, descent, place of birth, or residence. It then lists exceptions: Parliament may prescribe residence requirements for certain posts (clause 3); the State may reserve posts for backward classes inadequately represented in services (clause 4); offices connected with religious or denominational institutions may be reserved for that religion or denomination (clause 5); and the 103rd Amendment (2019) added clause 6 permitting reservation for economically weaker sections.

Why it matters: Article 16 applies the equality principle to the one area where the State is the largest employer — government jobs. It balances merit with social justice, and almost every major reservation judgment in Indian constitutional law is an interpretation of this Article.

Cases, amendments & evolution: The 77th Amendment (1995) inserted clause 4A permitting reservation in promotions for SCs and STs, and the 81st Amendment (2000) added clause 4B for carry-forward of unfilled reserved vacancies. In *Indra Sawhney v. Union of India* (1992), the Court upheld reservations but imposed the 50% ceiling, introduced the creamy-layer exclusion, and held reservations in promotions impermissible (later reversed by the 77th Amendment). In *M. Nagaraj* (2006), the Court upheld clauses 4A and 4B but required the State to show backwardness, inadequacy of representation, and no harm to administrative efficiency under Article 335 before granting promotion quotas.

How UPSC tests it: Prelims tests the exception clauses and amendment numbers (77th, 81st, 103rd) — a favourite one-marker set. Mains GS-II asks about the 50% ceiling, creamy layer, and reservation in promotions as social-justice questions.

10. Article 17: Abolition of untouchability

What it says: Article 17 abolishes "untouchability" and forbids its practice in any form. It declares that the enforcement of any disability arising out of untouchability shall be an offence punishable in accordance with law. Notably, the Article neither defines untouchability nor lists exceptions — it is a short, absolute prohibition.

Why it matters: Article 17 is unique among Fundamental Rights: it is absolute and not subject to "reasonable restrictions" like Articles 19 or 25. It also operates horizontally — it forbids private individuals, not just the State, from practising untouchability, making it one of the few rights enforceable directly against private conduct. It gave constitutional force to the social reform movement against caste-based exclusion.

Cases, amendments & evolution: Parliament has given teeth to Article 17 through the Protection of Civil Rights Act, 1955 (originally the Untouchability (Offences) Act, 1955, renamed in

1976) and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Courts have read the term "untouchability" in its historical sense — the social disabilities imposed on certain castes — rather than as a literal dictionary meaning, and have upheld strict enforcement of the anti-atrocities law as flowing from this Article.

How UPSC tests it: Prelims asks the standout feature — that Article 17 is absolute with no reasonable restrictions — and the names of the two enforcing statutes. Mains GS-II uses it in answers on caste discrimination, social empowerment, and the horizontal application of rights.

11. Article 19: Six freedoms

What it says: Article 19(1) guarantees six freedoms to citizens: (a) speech and expression; (b) assembly peaceably and without arms; (c) formation of associations, unions, or co-operative societies; (d) movement freely throughout India; (e) residence and settlement in any part of India; and (g) practising any profession or carrying on any occupation, trade, or business. Clauses 2 to 6 permit the State to impose "reasonable restrictions" on each freedom on specified grounds such as sovereignty and integrity of India, public order, decency, morality, and the interests of the general public.

Why it matters: Article 19 is the charter of civil liberties in India — press freedom, the right to protest, trade unions, and the freedom to earn a livelihood all flow from it. The "reasonable restrictions" framework is how the Constitution balances individual liberty against collective interests, and courts constantly police that balance.

Cases, amendments & evolution: The original list had seven freedoms; clause (f), the right to acquire, hold and dispose of property, was deleted by the 44th Amendment (1978) and property became a mere legal right under Article 300A. The 16th Amendment (1963) added "sovereignty and integrity of India" as a restriction ground, and the 97th Amendment (2011) added "co-operative societies" to clause (c). In *Maneka Gandhi* (1978), the Court held that any procedure restricting these freedoms must be fair, just, and reasonable — linking Articles 14, 19, and 21 into a golden triangle of rights.

How UPSC tests it: Prelims asks which freedom was deleted and by which amendment (19(1)(f), 44th Amendment), and the restriction grounds under clause 2. Mains GS-II uses Article 19 for questions on free speech vs hate speech, the right to protest, and sedition debates.

12. Article 20: Protection in respect of conviction for offences

What it says: Article 20 gives three safeguards to persons accused of offences: clause 1 bars ex post facto criminal laws — no one can be convicted for an act that was not an offence when committed, nor given a heavier penalty than the law then prescribed; clause 2 bars double jeopardy — no prosecution and punishment for the same offence more than once; clause 3 bars self-incrimination — no person accused of an offence can be compelled to be a witness against himself. The protections are confined to criminal proceedings and do not extend to civil liability or departmental inquiries.

Why it matters: Article 20 embodies the rule-of-law idea that criminal punishment must be predictable and proportionate — the State cannot invent crimes after the fact, punish twice for the same act, or force confessions. During the Emergency, Articles 20 and 21 were the two rights the 44th Amendment (1978) made non-suspendable, marking them as the Constitution's irreducible core of criminal justice.

Cases, amendments & evolution: Courts have clarified the boundaries: clause 2 applies only where there has been both prosecution and punishment before a court of law, so parallel departmental proceedings are not barred; clause 3 protects against testimonial compulsion but not against the collection of physical evidence such as fingerprints or voice samples. Clause 3 also extends to corporations only in a limited sense, since it speaks of a person "accused of an offence" being compelled as a witness against himself.

How UPSC tests it: Prelims tests the three protections as a matching or statement-based one-marker, especially that double jeopardy requires prior prosecution *and* punishment. Mains GS-II links Article 20 to fair-trial rights and criminal justice reform.

13. Article 21: Protection of life and personal liberty

What it says: Article 21 provides that no person shall be deprived of life or personal liberty except according to procedure established by law. Though a single sentence, it has become the most expansive Fundamental Right: "life" has been read to mean life with human dignity, not mere animal existence, and "personal liberty" has been given the widest amplitude, covering everything from livelihood and privacy to a clean environment and speedy trial.

Why it matters: Article 21 is the engine room of Indian constitutional rights — dozens of unenumerated rights have been discovered within it, making it the provision through which the Constitution stays alive to new social realities. Its transformation from a narrow procedural guarantee into a substantive charter of dignity is the single most important development in Indian rights jurisprudence.

Cases, amendments & evolution: In A.K. Gopalan (1950), the Court read "procedure established by law" narrowly, holding any enacted procedure sufficient. Maneka Gandhi (1978) overruled this approach: the procedure must be fair, just, and reasonable, not arbitrary, and Articles 14, 19, and 21 must be read together. The right to livelihood was read into Article 21 in Olga Tellis (1985). Most recently, in Puttaswamy (2017), a nine-judge bench unanimously held that privacy is intrinsic to life and personal liberty under Article 21, overruling the earlier position in M.P. Sharma and Kharak Singh.

How UPSC tests it: Prelims asks about Maneka Gandhi (1978) and Puttaswamy (2017) with their holdings. Mains GS-II expects Article 21 in answers on dignity, privacy, data protection, euthanasia debates, and the right to a healthy environment.

14. Article 21A: Right to education

What it says: Article 21A directs the State to provide free and compulsory education to all children aged six to fourteen years, in such manner as the State may by law determine. It makes

elementary education a justiciable Fundamental Right rather than a mere policy aspiration, though the actual machinery — schools, teachers, standards — is left to legislation.

Why it matters: Article 21A constitutionalised the idea that basic education is not charity but a right, shifting the burden squarely onto the State. It is the only Fundamental Right that expressly requires Parliament to pass a law to give it effect, and it completed a journey that began with education sitting only in the Directive Principles under Article 45.

Cases, amendments & evolution: The judiciary led the way: in *Mohini Jain* (1992) and *Unni Krishnan* (1993), the Supreme Court held that the right to education flows from the right to life under Article 21. Parliament responded with the 86th Amendment (2002), which inserted Article 21A, rewrote Article 45 to cover early childhood care below age six, and added Article 51A(k) making it a fundamental duty of parents to educate children aged six to fourteen. The Right of Children to Free and Compulsory Education Act, 2009 (in force from 1 April 2010) is the implementing statute, mandating 25% reservation for disadvantaged children in private schools.

How UPSC tests it: Prelims asks the age group (6–14), the amendment (86th, 2002), and the RTE Act year (2009). Mains GS-II uses Article 21A for education-policy questions — learning outcomes, dropout rates, and the State's duty versus parental duty under Article 51A(k).

15. Article 25: Freedom of conscience; free profession, practice and propagation of religion

What it says: Article 25 guarantees all persons freedom of conscience and the right to freely profess, practise, and propagate religion, subject to public order, morality, health, and the other provisions of Part III. Clause 2 permits the State to regulate secular activities associated with religious practice and to make laws for social welfare and reform — including throwing open Hindu religious institutions to all classes and sections. The Explanations clarify that wearing and carrying kirpans is part of Sikh religious practice, and that references to Hindus include Sikhs, Jains, and Buddhists.

Why it matters: Article 25 is the constitutional anchor of India's religious freedom and its distinctive model of secularism — the State keeps equal distance but may intervene for reform. The Article draws a careful line: belief and worship are protected, but the State can regulate the secular, economic, or social aspects attached to religious practice.

Cases, amendments & evolution: Courts have evolved the "essential religious practices" doctrine — only practices essential to a religion get Article 25 protection, with the Court itself deciding what is essential. Propagation is protected, but forcible or fraudulent conversion is not a fundamental right, and several States have enacted anti-conversion laws. The reform power under clause 2(b) has been used to justify laws against untouchability in temples and to uphold the State's role in managing religious endowments where secular administration is involved.

How UPSC tests it: Prelims tests the four limitations (public order, morality, health, other FRs) and the kirpan Explanation. Mains GS-II uses Article 25 in secularism answers — uniform civil code debates, religious reform, and the essential-practices doctrine.

16. Article 30: Right of minorities to establish and administer educational institutions

What it says: Article 30(1) gives all religious and linguistic minorities the right to establish and administer educational institutions of their choice. Clause 1A provides that where the State compulsorily acquires minority-institution property, the compensation must not restrict or abrogate this right. Clause 2 forbids the State from discriminating against minority-managed institutions when granting aid. Together, these clauses give minorities both autonomy and equal access to public support.

Why it matters: Article 30 protects educational and cultural pluralism — minorities can preserve their language, script, and culture through their own institutions. Unlike Article 29, which protects the interests of any section of citizens, Article 30 is available only to minorities, making it a special shield against majoritarian assimilation.

Cases, amendments & evolution: Clause 1A was inserted by the 44th Amendment (1978) after the right to property was deleted, to ensure compensation for acquired minority property could not be used to choke these institutions. In *T.M.A. Pai Foundation* (2002), an eleven-judge bench held that the right to administer is not absolute — reasonable State regulation in the interest of educational standards and the national interest is permissible — while affirming that unaided minority institutions enjoy maximum autonomy in admissions and administration.

How UPSC tests it: Prelims distinguishes Article 29 (any section of citizens) from Article 30 (minorities only) and asks which amendment added clause 1A. Mains GS-II links Article 30 to minority rights, education policy, and the autonomy-vs-regulation debate after *T.M.A. Pai*.

17. Article 32: Remedies for enforcement of Fundamental Rights

What it says: Article 32 guarantees the right to move the Supreme Court for the enforcement of Fundamental Rights, and empowers the Court to issue directions, orders, or writs — habeas corpus, mandamus, prohibition, quo warrant, and certiorari — whichever is appropriate. Clause 4 declares that this right shall not be suspended except as otherwise provided by the Constitution, meaning it can be curtailed only during a national Emergency under Article 359.

Why it matters: A right without a remedy is a mere pious declaration — Article 32 makes enforcement itself a Fundamental Right, so citizens can approach the Supreme Court directly without exhausting other remedies. Dr. B.R. Ambedkar called it the "heart and soul" of the Constitution, and it is the provision that turned the Supreme Court into the guardian of Fundamental Rights.

Cases, amendments & evolution: Article 32(3) allows Parliament to empower other courts to issue these writs. The Article is narrower than Article 226 (under which High Courts can issue writs for "any other purpose," including legal rights) but more potent, since approaching the Supreme Court directly is itself a guaranteed right. The 44th Amendment (1978) ensured that even during an Emergency, the rights under Articles 20 and 21 — and hence remedies for their violation — cannot be suspended.

How UPSC tests it: Prelims loves the "heart and soul" quote attribution (Ambedkar) and the Article 32 vs Article 226 comparison (Supreme Court: only FRs; High Courts: FRs plus other legal rights). Mains GS-II uses Article 32 in answers on judicial review, public interest litigation, and access to justice.

Part IV: Directive Principles of State Policy

Non-justiciable but "fundamental in the governance of the country". Mains answers on welfare, environment and social justice routinely invoke these.

Article	Subject	Key point for exam
39	Principles of policy to be followed by the State	Adequate means of livelihood, equal pay for equal work, and preventing concentration of wealth — the policy backbone of India's welfare legislation.
40	Organisation of village panchayats	The Gandhian Directive Principle that became the constitutional justification for the 73rd Amendment and Panchayati Raj.
44	Uniform civil code for the citizens	A Directive, not enforceable — but perpetually in the news, from Shah Bano to the state-level UCC debates. Classic Mains fodder.
48A	Protection of the environment; safeguarding forests and wildlife	Inserted by the 42nd Amendment (1976). Pairs with the citizen's duty in Article 51A(g) — UPSC often tests the pair together.
50	Separation of judiciary from executive	Given practical effect by the Criminal Procedure Code, 1973, which separated the judiciary from the executive magistracy.
51	Promotion of international peace and security	The constitutional root of India's foreign-policy principles — often cited alongside Article 253 on international treaties.

18. Article 39: Principles of policy to be followed by the State

What it says: This Article directs the State to shape its policies so that the social order promotes the welfare of the people, and then lists six specific goals in clauses (a) to (f). Every citizen should have an adequate means of livelihood; the ownership and control of the country's material resources should be distributed to serve the common good; the economic system must not allow wealth and means of production to concentrate in ways that harm the common interest; there must be equal pay for equal work for men and women; the health and strength of workers must not be abused, and children should grow up in freedom and dignity, protected against exploitation. Clause (f), dealing with children, was recast by the 42nd Amendment in 1976.

Why it matters: Article 39 is the constitutional heart of economic and social justice in India. It was designed to add economic democracy to the political democracy guaranteed by the Fundamental Rights, so that freedom does not remain empty for the poor. It underpins labour laws, minimum-wage policy, land reforms, equal-pay legislation and child-protection schemes.

Cases, amendments & evolution: In *Minerva Mills v. Union of India* (1980) the Supreme Court struck down the 42nd Amendment's attempt to give every Directive Principle primacy over Fundamental Rights, but it kept alive the original Article 31C, which shields laws made to enforce clauses (b) and (c) of Article 39 from challenges under Articles 14 and 19. The Court thus preserved the balance: socio-economic goals are protected, but they cannot swallow individual rights.

How UPSC tests it: Prelims loves matching clauses to subjects — remember 39(d) is equal pay for equal work and 39(f) protects children. In Mains GS-II, Article 39 is the go-to anchor for answers on the welfare state, economic justice, labour policy and child rights.

19. Article 40: Organisation of village panchayats

What it says: The State shall take steps to organise village panchayats and endow them with the powers and authority necessary to enable them to function as units of self-government. It is a short provision with an enormous consequence: it plants the idea that democracy must reach the village level, not stop at Delhi and the state capitals.

Why it matters: Article 40 is the Gandhian soul of the Directive Principles. Gandhi's vision of self-reliant village republics was turned into constitutional text here, and this Article became the moral basis for Panchayati Raj in India. It legitimised the idea that local bodies are governments in their own right, not mere agents of the state administration.

Cases, amendments & evolution: The real evolution of Article 40 is legislative. The Balwant Rai Mehta Committee (1957) and later the Ashok Mehta Committee (1978) shaped the policy journey, which culminated in the 73rd Constitutional Amendment of 1992. That amendment added Part IX (Articles 243 to 243O) and the Eleventh Schedule, giving panchayats constitutional status, regular elections and a list of 29 subjects for local governance.

How UPSC tests it: A classic one-marker: which Directive Principle led to the 73rd Amendment? Answer: Article 40. Prelims also asks its classification (Gandhian principle) and sometimes contrasts it with Article 43B. In Mains GS-II, cite it when discussing decentralisation, local self-governance and grassroots democracy.

20. Article 44: Uniform civil code for the citizens

What it says: The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India. In plain terms, it asks the State to work towards one common set of laws governing marriage, divorce, inheritance, adoption and maintenance for all citizens, replacing the religion-based personal laws that currently govern these matters.

Why it matters: Article 44 sits at the intersection of equality, gender justice and religious freedom, which is why it remains one of the most debated provisions in the Constitution. It is a

liberal-intellectual Directive Principle. Its supporters argue that personal laws have historically disadvantaged women, while critics see it as a threat to cultural and religious identity protected under Article 25.

Cases, amendments & evolution: In *Mohd. Ahmed Khan v. Shah Bano Begum* (1985) the Supreme Court upheld maintenance rights for a divorced Muslim woman and expressed regret that a common civil code had not yet been framed. A decade later, in *Sarla Mudgal v. Union of India* (1995), the Court again urged the government to move towards a uniform code. Goa has long operated under a Portuguese-era common civil code, and Uttarakhand enacted its own Uniform Civil Code in 2024, keeping the national debate alive.

How UPSC tests it: Prelims asks the Article number (44) and its classification among the three types of Directive Principles. Mains GS-II essays and answers regularly demand a balanced treatment of the UCC debate — equality and gender justice versus Articles 25 and 29 — so this is a favourite Mains topic.

21. Article 48A: Protection of the environment; safeguarding forests and wildlife

What it says: The State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country. It covers the natural world as a whole — air, water, forests and wild animals — and obliges the State to actively preserve them rather than merely avoid destroying them.

Why it matters: Article 48A gave constitutional dignity to environmental protection at a time when the original 1950 text had no explicit environmental provision. It works as a pair with Article 51A(g), the Fundamental Duty to protect the natural environment. Together with Article 21, this pair allowed the Supreme Court to build India's entire environmental jurisprudence, including the polluter-pays and precautionary principles.

Cases, amendments & evolution: Article 48A did not exist in the original Constitution; it was inserted by the 42nd Constitutional Amendment of 1976, in the aftermath of the 1972 Stockholm Conference on the environment. The courts have consistently read it together with Article 21 (right to life) to develop doctrines such as sustainable development and the public trust doctrine, turning a non-justiciable directive into living environmental law.

How UPSC tests it: The standard Prelims question: which Amendment added Article 48A? Answer: the 42nd Amendment, 1976. Its pairing with Article 51A(g) is another favourite one-marker. In Mains GS-III (environment) and GS-II, it anchors answers on sustainable development and the constitutional basis of green governance.

22. Article 50: Separation of judiciary from executive

What it says: The State shall take steps to separate the judiciary from the executive in the public services of the State. The point is simple but powerful: the person who accuses, investigates or administers should not also be the person who judges. Judicial officers must be institutionally distinct from the executive branch.

Why it matters: Article 50 protects the most basic requirement of a fair trial — an impartial judge. It is part of the Constitution's larger architecture for the independence of the judiciary, alongside the safeguards in Articles 124, 125, 211 and 212. Without separation, executive officers deciding cases would be judging matters in which their own administration has an interest, violating natural justice.

Cases, amendments & evolution: The landmark practical implementation came through the Code of Criminal Procedure, 1973, which separated the judiciary from the executive magistracy: District Magistrates and executive officers lost their power to try criminal cases, and a distinct class of Judicial Magistrates was created. Several states had already begun this separation earlier, but the 1973 Code made it uniform across India.

How UPSC tests it: Prelims asks which legislation implemented Article 50 (CrPC, 1973) or matches the Article to the idea of judicial independence. In Mains GS-II, it is useful in answers on separation of powers and the independence of the judiciary, showing how a Directive Principle was realised through ordinary legislation.

23. Article 51: Promotion of international peace and security

What it says: The State shall endeavour to promote international peace and security, maintain just and honourable relations between nations, foster respect for international law and treaty obligations in the dealings of organised peoples with one another, and encourage the settlement of international disputes by arbitration.

Why it matters: Article 51 is the constitutional foundation of India's foreign policy. It reflects the ideals of peaceful coexistence, the Panchsheel principles and non-alignment, and commits India to resolving disputes through dialogue and international law rather than force. It also connects to Article 253, under which Parliament can make laws to implement international treaties even on subjects in the State List.

Cases, amendments & evolution: The provision carries the imprint of the Constituent Assembly's idealism in the shadow of the Second World War. It has guided India's stance at the United Nations, its peacekeeping contributions and its consistent support for disarmament and the rule-based international order. Parliament has used Article 253 read with Article 51 to enact laws giving effect to international conventions.

How UPSC tests it: Prelims typically matches Article 51 to international peace and security, or pairs it with Article 253 on treaty-making power. In Mains GS-II (international relations), it provides the constitutional opening line for answers on India's foreign policy doctrine.

Part IVA: Fundamental Duties

Article	Subject	Key point for exam
51A		Eleven duties, added by the 42nd Amendment (ten) and the 86th Amendment (the eleventh — parents and guardians must provide education

Article	Subject	Key point for exam
	Fundamental duties	to children aged 6 to 14). Not enforceable by courts, but used to interpret laws.

24. Article 51A: Fundamental duties

What it says: Article 51A lists eleven Fundamental Duties of citizens, beginning with abiding by the Constitution and respecting its ideals, the national flag and the national anthem. The duties include cherishing the noble ideals of the freedom struggle, upholding sovereignty and integrity, defending the country, promoting harmony and brotherhood, preserving the composite culture, protecting the environment and wildlife, developing scientific temper, safeguarding public property, striving for excellence, and — the eleventh — providing opportunities for education to children between the ages of six and fourteen. The duties are non-justiciable: no court can compel a citizen to perform them.

Why it matters: Article 51A supplies the moral counterweight to Part III's rights, reminding citizens that rights carry correlative obligations. Though non-justiciable, the duties serve as interpretive aids — courts and Parliament invoke them when upholding environmental, educational and civic legislation, giving constitutional cover to laws that ask something of citizens rather than of the state.

Cases, amendments & evolution: Ten duties were inserted by the 42nd Amendment (1976) on the Swaran Singh Committee's recommendation; the eleventh duty (6–14 education) was added by the 86th Amendment (2002), which also made education a fundamental right under Article 21A. Courts have repeatedly cited the duties — for example in environmental and flag-respect jurisprudence — while consistently holding that they cannot be enforced as writs.

How UPSC tests it: Prelims asks how many duties there are (eleven), which amendment added the original ten (42nd, 1976) and the eleventh (86th, 2002), and whether they are justiciable (no). Mains GS-II asks whether duties should be made enforceable and how they relate to rights.

Part V: The Union

Article	Subject	Key point for exam
61	Procedure for impeachment of the President	Only ground: "violation of the Constitution". Charge by one-fourth of a House, passed by two-thirds majority. Never actually used.
72	President's power to grant pardons	Covers death sentences and court-martial cases — wider than the Governor's power under Article 161. Subject to limited judicial review.
74	Council of Ministers to aid and advise the President	The 42nd Amendment made the advice binding; the 44th Amendment lets the President return it once for reconsideration.

Article	Subject	Key point for exam
108	Joint sitting of both Houses	Breaks deadlocks on ordinary bills only — not Money Bills and not constitutional amendment bills. Presided over by the Speaker; used only three times (1961, 1978, 2002).
110	Definition of Money Bills	Introduced only in the Lok Sabha; the Speaker's certificate is final. The Rajya Sabha gets only 14 days to return it with recommendations.
111	Assent to Bills	The President may assent, withhold assent, or return the bill once — but no time limit is prescribed, which is what makes a "pocket veto" possible.
123	President's power to promulgate Ordinances	Only when Parliament is not in session; maximum life of six months and six weeks; must be laid before Parliament. Re-promulgation was struck down in D.C. Wadhwa.
124	Establishment and constitution of the Supreme Court	Appointment of judges runs through the collegium convention; Parliament's attempt to replace it — the NJAC, 99th Amendment — was struck down in 2015.
136	Special leave to appeal	The Supreme Court's discretionary jurisdiction — it may grant leave against any court or tribunal order, except those of military tribunals.
141	Law declared by the Supreme Court binding on all courts	The basis of judicial precedent in India — a favourite one-line Prelims question.
148	Comptroller and Auditor-General of India	Audits the accounts of the Union and the States; described as the guardian of the public purse.

25. Article 61: Procedure for Impeachment of the President

What it says: Article 61 lays down the exclusive procedure for removing the President from office for "violation of the Constitution" — the only ground on which the President can be impeached. The process may be initiated in either House of Parliament: a charge must be preferred by at least one-fourth of the total members of that House, after giving the President a minimum of 14 days' notice in writing signed by the initiating members. The charge must then be passed by a majority of not less than two-thirds of the total membership of that House; the other House investigates (or has it investigated), with the President given the right to appear and be represented, and if the investigating House also sustains the charge by a two-thirds majority, the President stands removed from the date the resolution is passed.

Why it matters: The bar is deliberately set extremely high so that removal is a quasi-judicial constitutional safeguard, not a political weapon, and it reflects the President's status as the elected head of the republic with a fixed five-year term.

Cases, amendments & evolution: The procedure has never been used against any Indian President since 1950 — a fact worth stating plainly. Its roots lie in the Constitution's design of the President as a largely ceremonial figure in a parliamentary system, where impeachment is a last-resort check rather than a routine political tool.

How UPSC tests it: Prelims loves one-markers on the sole ground ("violation of the Constitution"), the 1/4 initiating and 2/3 passing majorities, the 14-day notice, and the fact that it has never been invoked. Mains GS-II may ask how the high bar protects the separation of powers.

26. Article 72: Power of President to Grant Pardons

What it says: Article 72 empowers the President to grant pardons, reprieves, respites, remissions, or commutations of sentence in cases where the punishment is by a court-martial, where the sentence is a sentence of death, and where the offence relates to a matter to which the executive power of the Union extends. This covers the most serious punishments in the country, including every death sentence regardless of whether the underlying law is a Union or State subject, and extends to sentences imposed by military tribunals under the Armed Forces' legal codes.

Why it matters: The provision blends mercy with constitutional duty — the President's grace power is the final safety valve against judicial error in capital cases, but because it is exercised on ministerial advice, it is also a test of how the clemency process respects due process and natural justice.

Cases, amendments & evolution: The scope of Article 72 is wider than the Governor's parallel power under Article 161, which cannot touch death sentences or court-martial cases. In *Maru Ram v. Union of India* (1981), the Supreme Court held that the President's power under Article 72 must be exercised on the advice of the Council of Ministers. Later, in *Kehar Singh v. Union of India* (1988), the Court clarified that while the President must act on ministerial advice, the advice is subject to judicial review on limited grounds. Further, in *Epuru Sudhakar v. Government of Andhra Pradesh* (2006), the Court confirmed that clemency orders can be reviewed for mala fides, non-application of mind, or extraneous considerations — mercy is not a law-free zone.

How UPSC tests it: Classic Prelims trap: "the Governor can grant pardon for death sentences" (false — only the President under Article 72). Mains GS-II uses mercy petitions and delay in deciding them as fodder for questions on clemency, judicial review, and executive accountability.

27. Article 74: Council of Ministers to Aid and Advise the President

What it says: Article 74 provides that there shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President, and the President must act in accordance with such advice. The provision also bars courts from enquiring into the question of whether any advice was tendered by ministers to the President, preserving the confidentiality of executive counsel.

Why it matters: This article is the textual foundation of India's parliamentary executive: the President is a constitutional head, and real executive power vests in the Council of Ministers

answerable to the Lok Sabha. The tension between the letter (advice is binding) and the political reality (a President may influence, counsel, and on rare occasion test the advice) has shaped executive practice since independence.

Cases, amendments & evolution: Originally, the Constitution's wording left room for debate over whether the President could act independently. The 42nd Amendment (1976) inserted the explicit binding clause — "the President shall, in the exercise of his functions, act in accordance with such advice" — removing that ambiguity. The 44th Amendment (1978) softened it by adding a proviso: the President may require the Council to reconsider the advice once, and must then act in accordance with the advice tendered after reconsideration. In *S.R. Bommai v. Union of India* (1994), the Court reaffirmed that the President acts on ministerial advice under Article 74 in the exercise of functions like imposing President's Rule.

How UPSC tests it: Expect Prelims questions matching amendments to effects — 42nd made advice binding, 44th added the single return for reconsideration. Mains GS-II asks the broader question: does the President have any discretion left, and how does Article 74 embody responsible government?

28. Article 108: Joint Sitting of Both Houses of Parliament

What it says: Article 108 provides a deadlock-breaking mechanism: if a Bill has been passed by one House and rejected by the other, if the Houses disagree on amendments, or if more than six months elapse without the Bill being passed by the second House, the President may summon both Houses to meet in a joint sitting to deliberate and vote on the Bill. The joint sitting applies only to ordinary bills — not Money Bills (Article 110) and not constitutional amendment Bills under Article 368. The Speaker of the Lok Sabha presides over the joint sitting (in their absence, the Deputy Speaker, or in both their absence the Deputy Chairman of the Rajya Sabha), and decisions are taken by a majority of the total members present and voting.

Why it matters: The provision balances bicameralism with the democratic primacy of the directly elected House: because the Lok Sabha is numerically larger, a joint sitting almost always favours the Lok Sabha's will, making it a rare but decisive override of Rajya Sabha obstruction.

Cases, amendments & evolution: The joint sitting has been invoked only three times: the Dowry Prohibition Bill (1961), the Banking Service Commission (Repeal) Bill (1978), and the Prevention of Terrorism Bill (2002). The deliberate exclusions — Money Bills, where the Rajya Sabha's role is already limited to 14 days, and Article 368 amendment Bills, where consensus of both Houses is considered essential — show the Constitution treating these categories as too sensitive for a majoritarian override.

How UPSC tests it: High-frequency Prelims territory: which Bills are excluded, who presides, the three instances (1961, 1978, 2002), and the "majority of those present and voting" rule. Mains GS-II can probe whether joint sittings dilute federal second-chamber scrutiny.

29. Article 110: Definition of Money Bills

What it says: Article 110 defines a Money Bill narrowly — it deals only with matters such as the imposition, abolition, remission, alteration or regulation of any tax; the regulation of borrowing by the Government of India; the custody of the Consolidated Fund or the Contingency Fund of India; appropriation of money out of the Consolidated Fund; expenditure charged on the Consolidated Fund; or matters incidental to these. If any question arises whether a Bill is a Money Bill, the decision of the Speaker of the Lok Sabha is final, and such a Bill can be introduced only in the Lok Sabha and only on the President's recommendation.

Why it matters: The definition concentrates the power of the purse in the House directly elected by the people, keeping the unelected-element Rajya Sabha at arm's length from taxation and public expenditure — a core parliamentary-finance principle borrowed from the British tradition.

Cases, amendments & evolution: The Rajya Sabha's role in a Money Bill is limited to making recommendations within 14 days, which the Lok Sabha may accept or reject — the definition is therefore also a device that makes Money Bills immune to the joint-sitting mechanism of Article 108. The Speaker's certificate under Article 110 has become a live constitutional issue in recent years, with controversy over whether certain legislations were certified as Money Bills to bypass the Rajya Sabha; the Supreme Court has examined the finality of the Speaker's certificate, including in *Roger Mathew v. South Indian Bank* (2019), where a larger bench was tasked with revisiting whether the Speaker's decision is truly beyond judicial review.

How UPSC tests it: Prelims asks the components of the definition, the Speaker's finality, the 14-day Rajya Sabha window, and "introduced only in Lok Sabha". Mains GS-II examines the Speaker's certificate controversy and whether Money Bill classification is being used to circumvent the Rajya Sabha.

30. Article 111: Assent to Bills

What it says: When a Bill passed by Parliament is presented to the President, Article 111 gives three options: give assent, withhold assent, or — if it is not a Money Bill — return it once for reconsideration with a message suggesting amendments. If the Bill is passed again with or without amendment and presented once more, the President must give assent. Notably, the Constitution fixes no time limit within which the President must act, creating the possibility of a "pocket veto" by indefinite delay.

Why it matters: Article 111 is the President's legislative interface — a check that the executive head agrees (or at least acquiesces) to legislation. The no-return rule for Money Bills and the no-time-limit gap make it a subtle instrument: mostly a formality, but capable of delay and, in exceptional cases, political signalling.

Cases, amendments & evolution: In practice, Presidents have occasionally used the return option for ordinary Bills, sending them back with queries; once Parliament re-passes the Bill, assent follows. The pocket veto was famously employed by President Zail Singh in 1986 when he withheld assent indefinitely to the Indian Post Office (Amendment) Bill — the legislation never

became law because no action was taken within any prescribed period. Unlike the US model, the Indian veto structure has no override mechanism other than re-passage making assent mandatory.

How UPSC tests it: Prelims one-markers target the three options, the "Money Bill cannot be returned" rule, and the absence of a time limit (pocket veto). Mains GS-II may compare the Indian and American veto powers or ask whether the pocket veto should be time-bound.

31. Article 123: Power of President to Promulgate Ordinances

What it says: Article 123 empowers the President to promulgate ordinances having the force of law when both Houses of Parliament are not in session and the President is satisfied that circumstances exist rendering immediate action necessary. Every ordinance must be laid before both Houses when they reassemble and ceases to operate six weeks after reassembly, unless disapproved earlier by Parliament; if the two Houses reassemble on different dates, the six-week period runs from the later date. The maximum life of an ordinance is therefore about six months plus six weeks from the date of the previous session's end, and it cannot be promulgated retrospectively in a way Parliament itself could not legislate.

Why it matters: Ordinances are an emergency legislative power designed for genuine urgency during parliamentary recess — but because they bypass debate, they have been misused as a parallel law-making track, making Article 123 one of the most contested executive powers.

Cases, amendments & evolution: The landmark *D.C. Wadhwa v. State of Bihar* (1987) struck down the Bihar practice of re-promulgating ordinances mechanically for years without laying them before the legislature, calling it a fraud on the Constitution and confirming that the President's (or Governor's) "satisfaction" is open to judicial review for mala fides. Later, in *R.C. Cooper v. Union of India* (1970), the Court had already held ordinance-making power subject to judicial scrutiny. Most decisively, in *Krishna Kumar Singh v. State of Bihar* (2017), a seven-judge bench reaffirmed *Wadhwa* and held that re-promulgation of ordinances without placing them before the legislature is unconstitutional, and that the satisfaction of the President under Article 123 is not immune from judicial review.

How UPSC tests it: Prelims asks the "only when Parliament is not in session" condition, the maximum life (6 months + 6 weeks), and the *D.C. Wadhwa* (1987) ban on re-promulgation. Mains GS-II uses ordinance misuse as a classic question on executive overreach and the separation of powers.

32. Article 124: Establishment and Constitution of the Supreme Court

What it says: Article 124 establishes the Supreme Court of India, consisting of the Chief Justice of India and such number of other judges as Parliament may by law prescribe (currently 34 judges including the CJI). Judges are appointed by the President and must be citizens of India who have been a judge of a High Court for five years, an advocate of a High Court for ten years, or in the President's opinion a distinguished jurist; they hold office until the age of 65 and can be removed only by impeachment on grounds of proved misbehaviour or incapacity, through the procedure in Article 124(4).

Why it matters: The article creates the apex of India's integrated judiciary — a single Supreme Court standing above High Courts and subordinate courts. Because the appointment mechanism is thinly sketched in the text, its real history lies in the struggle between the executive and the judiciary over who controls appointments.

Cases, amendments & evolution: Through the Judges' Cases, the Supreme Court read "consultation" as binding concurrence and evolved the collegium system: the CJI plus the four senior-most judges (for Supreme Court appointments) recommend names, a convention that now governs appointments though it appears nowhere in the constitutional text. Parliament tried to replace it with the National Judicial Appointments Commission via the 99th Amendment (2015), but a Constitution Bench struck the NJAC down in *Supreme Court Advocates-on-Record Association v. Union of India* (2015), holding that judicial primacy in appointments is part of the basic structure. No judge has ever been removed through the Article 124(4) impeachment process.

How UPSC tests it: Prelims targets retirement age (65), removal procedure, the NJAC/99th Amendment being struck down in 2015, and the collegium being a judicial creation. Mains GS-II frequently asks whether the collegium needs reform and what an appointment system respecting both independence and accountability would look like.

33. Article 136: Special Leave to Appeal by the Supreme Court

What it says: Article 136 gives the Supreme Court a discretionary power to grant "special leave" to appeal from any judgment, decree, determination, sentence or order in any cause or matter passed by any court or tribunal in India (military tribunals and courts-martial are expressly excluded). This is a plenary, residuary power that the Court may exercise on its own terms — it is not confined to cases where a certificate of appeal could have been granted under Articles 133–134A.

Why it matters: Article 136 makes the Supreme Court a court of last resort in a substantive sense: even where no appeal ordinarily lies, the Court can intervene when it senses a grave miscarriage of justice, an important question of law, or a perverse order. Its discretionary character is the safeguard — the Court refuses most petitions, keeping the docket manageable while retaining ultimate supervisory reach.

Cases, amendments & evolution: The Court has repeatedly stressed that Article 136 is discretionary and should be exercised sparingly — typically where there is a substantial question of law of general importance, a denial of justice, or an error apparent in a lower adjudication. Because it is discretionary, refusal of special leave does not amount to an affirmation of the lower court's reasoning on merits. The exclusion of military tribunals preserves a separate chain of military justice, keeping service discipline outside the Court's appellate umbrella.

How UPSC tests it: Prelims one-marker: Article 136 is discretionary, and the one exclusion — military tribunals/courts-martial — is a classic trap. Mains GS-II may ask how Articles 136, 141 and 32 together define the Supreme Court's role as guardian of the Constitution.

34. Article 141: Law Declared by Supreme Court to Be Binding on All Courts

What it says: Article 141 provides that the law declared by the Supreme Court shall be binding on all courts within the territory of India. The Court's ratio decidendi thus becomes precedent — the doctrine of stare decisis given constitutional status — binding every subordinate court and every High Court, though the Supreme Court itself is not bound by its own earlier decisions and may overrule them.

Why it matters: This single article converts Supreme Court interpretation into law for the whole country, ensuring uniformity of legal interpretation across states — a crucial feature of an integrated judiciary. It is the constitutional reason why one judgment in Delhi reshapes trials in every district court in India.

Cases, amendments & evolution: The classic illustration of Article 141 at work is *Kesavananda Bharati v. State of Kerala* (1973), where the Court's declaration of the basic structure doctrine instantly became the law of the land, binding all courts and constraining all future constitutional amendments. Later, in *Minerva Mills v. Union of India* (1980), the Court struck down clauses of the 42nd Amendment that tried to limit judicial review — and that declaration too became binding law under Article 141. The doctrine's reach was also tested when the Court, in *Puttaswamy v. Union of India* (2017), declared privacy a fundamental right, binding all courts immediately.

How UPSC tests it: Prelims: Article 141 = law declared by SC binding on all courts (not on the SC itself). Mains GS-II uses it to explain why *Kesavananda Bharati* matters — one judgment, countrywide binding force — and how the Court's interpretive power interacts with parliamentary sovereignty.

35. Article 148: Comptroller and Auditor-General of India

What it says: Article 148 provides for an independent Comptroller and Auditor-General of India, appointed by the President, who audits the accounts of the Union and the States and performs such other duties as Parliament may prescribe. To secure independence, the CAG's salary and conditions of service are protected, they can be removed only in the same manner and on the same grounds as a Supreme Court judge (Article 124(4)), and the administrative expenses of the office are charged on the Consolidated Fund of India rather than voted upon.

Why it matters: The CAG is the constitutional guardian of public finance — the mechanism by which Parliament (and through it, the public) verifies that the executive actually spent money the way Parliament authorised. An independent auditor is the teeth of parliamentary financial control.

Cases, amendments & evolution: The CAG's reports, submitted to the President and Governors and laid before Parliament and state legislatures, become the raw material of the Public Accounts Committee's scrutiny — a relationship that has repeatedly produced political accountability, most visibly in the coal-block and spectrum audits of the 2010s. The office's constitutional protections (charged expenditure, judge-like removal) are designed so that no government can punish an auditor for an inconvenient report.

How UPSC tests it: Prelims asks appointment (by the President), removal (like an SC judge), and "expenses charged on the Consolidated Fund". Mains GS-II may ask how the CAG strengthens legislative oversight of the executive and whether its mandate should extend to newer areas like public-private partnerships.

Part VI: The States

Article	Subject	Key point for exam
163	Council of Ministers to aid and advise the Governor	Unlike the President under Article 74, the Governor retains discretionary functions — the key difference UPSC tests between the two offices.
200	Governor's assent to Bills	Four options: assent, withhold, reserve for the President, or return once. A Money Bill cannot be returned.
213	Governor's power to promulgate Ordinances	The state-level twin of Article 123, with the same limits — recess of the legislature, six months and six weeks maximum life.
226	High Courts' power to issue writs	Wider than Article 32 — writs can issue for Fundamental Rights and "for any other purpose". But it is discretionary, and not itself a Fundamental Right.

36. Article 163: Council of Ministers to Aid and Advise the Governor

What it says: Article 163 provides that there shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of the Governor's functions. However, unlike the President under Article 74, the Governor retains discretionary functions: where the Constitution requires the Governor to act in discretion, the Governor is not bound to act according to ministerial advice. Any question whether a matter falls within the Governor's discretion is decided by the Governor, and that decision is final; the validity of anything done by the Governor cannot be questioned on the ground that the Governor ought or ought not to have acted in discretion.

Why it matters: This article is the key textual difference between the Union and State executives. The President has no discretion under Article 74 (except the single return), but the Governor does — a distinction that explains why Governors can reserve bills for the President, report on constitutional breakdown under Article 356, and (controversially) exercise judgment in hung-assembly situations.

Cases, amendments & evolution: In *S.R. Bommai v. Union of India* (1994), the Supreme Court read down the Governor's discretion under Articles 163 and 356: a Governor's report recommending President's Rule is not beyond judicial review, and the floor test of the Assembly — not the Governor's satisfaction — is the proper way to test a government's majority. Earlier, in *Nabam Rebia v. Deputy Speaker* (2016), the Court held that the Governor's discretionary powers

are limited to situations the Constitution expressly or by necessary implication provides for — discretion is an exception, not the norm.

How UPSC tests it: The favourite comparative one-marker: the Governor has discretionary functions, the President does not. Prelims also asks the "Governor's decision on discretion is final" clause. Mains GS-II uses Article 163 to discuss Governor–Chief Minister conflicts and the demand for a code of conduct for Governors.

37. Article 200: Assent to Bills (Governor)

What it says: When a Bill passed by a state legislature is presented to the Governor, Article 200 offers four courses: give assent, withhold assent, return the Bill once for reconsideration (not a Money Bill), or reserve the Bill for the consideration of the President. A Money Bill cannot be returned for reconsideration — the Governor must either assent or reserve it for the President. If the legislature re-passes a returned Bill with or without amendment, the Governor cannot withhold assent a second time in that scenario — the returned-Bill mechanism mirrors Article 111's once-only return.

Why it matters: Article 200 makes the Governor the Union's sentinel over state legislation: reservation for the President's consideration creates a channel through which the Centre can veto state laws (used for bills repugnant to Union law or affecting Union interests), making this article a fault line in Centre–State relations.

Cases, amendments & evolution: The Constitution fixes no time limit for the Governor's decision under Article 200 — a gap that has produced prolonged delays and "pocket vetoes" by Governors, a major Centre–State flashpoint in recent years. The Supreme Court, in judgments around 2023–2024 concerning the Tamil Nadu and Punjab Governors, held that Governors cannot indefinitely sit on Bills and that the phrase "withhold assent" is not a standalone pocket-veto power divorced from returning or reserving the Bill. Whether the President, once a Bill is reserved, is bound by any time limit remains a live constitutional debate.

How UPSC tests it: Prelims loves the four options and the rule that a Money Bill cannot be returned. Mains GS-II asks about the misuse of Article 200, the absence of a time limit, and how Governor delays undermine federalism and democratic legislation.

38. Article 213: Power of Governor to Promulgate Ordinances

What it says: Article 213 is the state-level twin of Article 123: when the Legislative Assembly (or both Houses, where a Legislative Council exists) is not in session and the Governor is satisfied that circumstances exist requiring immediate action, the Governor may promulgate an ordinance having the force of law. Like the President's ordinance, it must be laid before the legislature on reassembly and lapses six weeks thereafter unless approved; it cannot deal with subjects on which Parliament alone may legislate, and the Governor generally needs the President's prior instructions where the ordinance contains provisions requiring the President's previous sanction.

Why it matters: The provision gives states the same urgency tool the Union has — but its history is darker: state governments abused re-promulgation far more egregiously than the Centre,

turning ordinances into a parallel statute book without legislative debate, which is why the leading case law on ordinance abuse comes from the states.

Cases, amendments & evolution: D.C. Wadhwa v. State of Bihar (1987) is the defining case: the Bihar government had kept 256 ordinances alive through mechanical re-promulgation, some for up to 14 years, without ever placing them before the legislature. The Supreme Court called this a fraud on the Constitution and held the Governor's satisfaction under Article 213 reviewable for mala fides. The doctrine was reaffirmed with even greater force in Krishna Kumar Singh v. State of Bihar (2017), where a seven-judge bench held that re-promulgation of ordinances without placing them before the legislature is unconstitutional and that the satisfaction under Article 213 is subject to judicial review.

How UPSC tests it: Prelims: Article 213 is the Governor's equivalent of Article 123; D.C. Wadhwa (1987) and Krishna Kumar Singh (2017) killed re-promulgation. Mains GS-II uses ordinance abuse at the state level to examine executive accountability in a parliamentary-federal setup.

39. Article 226: Power of High Courts to Issue Writs

What it says: Article 226 empowers every High Court to issue directions, orders or writs — including habeas corpus, mandamus, prohibition, quo warranto and certiorari — to any person or authority, including the government, for the enforcement of fundamental rights and "for any other purpose". This makes the High Courts' writ jurisdiction wider in scope than the Supreme Court's under Article 32, which is confined to fundamental rights. However, unlike Article 32 (which is itself a fundamental right), Article 226 is discretionary: the High Court may refuse relief on grounds such as delay, alternative remedy, or the petitioner's conduct.

Why it matters: Article 226 makes High Courts the first-line constitutional courts for most citizens — closer, cheaper, and more accessible than the Supreme Court. Its "any other purpose" phrase allows High Courts to correct legal wrongs beyond fundamental-rights violations, giving it a broad supervisory role over administration within the state.

Cases, amendments & evolution: The breadth of "any other purpose" was settled early: in cases like State of Orissa v. Madan Gopal Rungta (1952), the Court clarified that while the power is wide, it remains discretionary. The 42nd Amendment (1976) had attempted to curtail High Courts' writ power by restricting their jurisdiction over central laws; the 44th Amendment (1978) substantially restored Article 226 to its original breadth. During the 1975 Emergency, the ADM Jabalpur decision (1976) had suspended even Article 226's habeas corpus jurisdiction; the 44th Amendment's changes to Article 359 now protect Articles 20 and 21 from suspension, ensuring that the writ power can never again be switched off in the same way.

How UPSC tests it: The classic comparison — 226 is wider than 32 ("any other purpose") but discretionary, while 32 is a fundamental right. Prelims also asks which amendment curtailed it (42nd) and restored it (44th). Mains GS-II uses Article 226 to discuss judicial remedies and access to justice.

Part VIII: The Union Territories

Article	Subject	Key point for exam
239AA	Special provisions for Delhi	Inserted by the 69th Amendment (1991): Delhi as the National Capital Territory with an elected assembly and a Lieutenant Governor — the root of the recurring Centre-versus-Delhi power tussle.

40. Article 239AA: Special provisions for Delhi

What it says: Article 239AA gives Delhi a special status as the National Capital Territory: it provides for an elected Legislative Assembly and a Council of Ministers headed by a Chief Minister, alongside a Lieutenant Governor appointed by the President. The Assembly can legislate on subjects in the State and Concurrent Lists, except public order, police and land, which remain with the Centre. In case of difference of opinion between the LG and the Council of Ministers, the LG must refer the matter to the President and act according to the President's decision.

Why it matters: Article 239AA was designed to balance two needs: democratic self-government for Delhi's residents and the Centre's control over the national capital. That balance has been the subject of a prolonged Centre–Delhi power tussle — over who controls services, the bureaucracy and day-to-day governance — making 239AA one of the most litigated provisions on Centre–UT relations.

Cases, amendments & evolution: Inserted by the 69th Amendment (1991), which also introduced Articles 239AA and 239AB following the Balakrishnan Committee's recommendations. The Supreme Court's Constitution Bench interpreted it in the 2018 Delhi governance judgment and again in the May 2023 verdict on control of services, holding that the elected government — not the LG — has control over services except the three reserved subjects; Parliament responded with the GNCTD (Amendment) Act, 2023. The friction continues to generate litigation.

How UPSC tests it: Prelims asks which amendment inserted 239AA (69th, 1991), the three subjects reserved for the Centre (public order, police, land), and who the LG refers disputes to (the President). Mains GS-II uses it for Centre–state/UT relations and cooperative federalism questions.

Part IX: The Panchayats

Article	Subject	Key point for exam
243D	Reservation of seats in Panchayats	Seats reserved for SCs and STs in proportion to population, and one-third for women including chairperson posts — many states have since raised the women's quota to fifty percent.

41. Article 243D: Reservation of seats in Panchayats

What it says: Article 243D mandates reservation of seats in every Panchayat for Scheduled Castes and Scheduled Tribes in proportion to their population in the Panchayat area. It further requires that not less than one-third of the total seats — including the seats reserved for SCs and STs — be reserved for women, and that not less than one-third of the offices of chairpersons at each level be reserved for women as well. Reservations rotate among constituencies, and the SC/ST reservation provisions were given a defined life linked to the corresponding Lok Sabha reservation.

Why it matters: Article 243D is the engine of grassroots democratisation in India: it has brought lakhs of women, Dalits and Adivasis into elected local office, often as first-generation public representatives. It operationalises substantive equality at the village level, where formal equality alone had historically kept marginalised groups out of power.

Cases, amendments & evolution: Introduced by the 73rd Amendment (1992), which inserted Part IX and gave Panchayati Raj constitutional status. Many states have since raised the women's quota to 50 percent through their own Panchayat laws (Bihar led the way in 2006), and the Supreme Court has upheld rotation of reserved constituencies. The one-third floor remains the constitutional minimum; Parliament has debated but not enacted a uniform 50 percent.

How UPSC tests it: Prelims asks the reservation formula (SC/ST proportional, 1/3 women including chairpersons), which amendment introduced it (73rd, 1992), and whether states can exceed the floor (yes — many have 50%). Mains GS-II uses it in questions on women in local governance, democratic decentralisation, and the "sarpanch-pati" debate.

Part XI: Relations between the Union and the States

Article	Subject	Key point for exam
246	Subject-matter of laws — the Seventh Schedule	Divides subjects into the Union List, State List and Concurrent List. Residuary subjects go to Parliament under Article 248.
254	Inconsistency between Parliament and state laws	The repugnancy rule: the Parliamentary law prevails, unless the state law received the President's assent — then it prevails in that state.

42. Article 246: Subject-matter of laws — the Seventh Schedule

What it says: Article 246 divides law-making power between Parliament and the state legislatures using the three lists of the Seventh Schedule. Parliament has exclusive power over the Union List, state legislatures have exclusive power over the State List, and both can legislate on the Concurrent List — where a central law prevails in case of conflict. Anything not mentioned in any list, the residuary subjects, belongs to Parliament under Article 248.

Why it matters: This Article is the backbone of Indian federalism and of its centralising tilt at the same time. The Union List is the longest (around a hundred subjects), the State List has about sixty, and the Concurrent List a little over fifty. Because residuary power goes to the Centre and Parliament can legislate on State List subjects during emergencies or with state consent, the division is federal in form but unitary in spirit — the classic description of the Indian system.

Cases, amendments & evolution: The 42nd Amendment of 1976 significantly shifted the balance by transferring subjects like education, forests and protection of wildlife from the State List to the Concurrent List, expanding Parliament's reach. Article 246 operates alongside Articles 249, 250, 252 and 253, which give Parliament exceptional power to legislate on State List matters in special circumstances.

How UPSC tests it: A guaranteed Prelims area: match subjects to lists (agriculture is State List, railways is Union List), and remember that residuary subjects vest with Parliament. Mains GS-II questions on cooperative versus competitive federalism almost always begin with Article 246 and the Seventh Schedule.

43. Article 254: Inconsistency between Parliament and state laws

What it says: When both Parliament and a state legislature make laws on a Concurrent List subject and the two conflict, the Parliamentary law prevails and the state law is void to the extent of the repugnancy. There is one exception: if the state law was reserved for the President's consideration and received his assent, it prevails in that state. Even then, Parliament can later pass a law that overrides it.

Why it matters: Article 254 is the conflict-resolution rule of Indian federalism. It ensures legal uniformity across the country on shared subjects while giving states a narrow escape route through Presidential assent. The proviso protects Parliament's final word, preserving the centralising character of the Constitution even where states win a temporary reprieve.

Cases, amendments & evolution: The leading decision is *M. Karunanidhi v. Union of India* (1979), where the Supreme Court laid down the tests for repugnancy: whether there is direct conflict, whether Parliament intended to occupy the whole field, and whether the two laws are irreconcilable. The Court held that repugnancy must be clear and direct — mere overlap or incidental touching is not enough.

How UPSC tests it: The one-marker favourite is the Presidential-assent rule: a repugnant state law can survive in that state only with the President's assent, and Parliament can still override it later. In Mains GS-II, Article 254 features in answers on Centre-State legislative relations and federal disputes.

Part XII: Finance and Property

Article	Subject	Key point for exam
280	Finance Commission	Constituted by the President every five years to recommend tax devolution and grants — the 15th Finance Commission fixed the states' share at 41 percent.
300A	Right to property	Inserted by the 44th Amendment (1978): "no person shall be deprived of his property save by authority of law". A legal right now, not a Fundamental Right.

44. Article 280: Finance Commission

What it says: The President shall constitute a Finance Commission within two years of the commencement of the Constitution and every five years thereafter, or earlier if necessary. The Commission recommends how the net proceeds of taxes are divided between the Union and the states, the principles governing grants-in-aid to states, and measures needed to supplement the resources of panchayats and municipalities.

Why it matters: The Finance Commission is the institutional heart of fiscal federalism in India. Since most tax revenue flows to the Centre while most public spending happens in the states, the Commission's recommendations determine the financial lifeblood of every state government. Its awards shape five years of Centre–State financial relations at a time.

Cases, amendments & evolution: Sixteen Finance Commissions have been constituted so far. The 15th Finance Commission, chaired by N.K. Singh, recommended that states receive 41 per cent of the divisible pool of central taxes for 2021–26 — a one-point reduction from the 14th Commission's 42 per cent, on account of the reorganisation of Jammu and Kashmir into Union Territories. The 16th Finance Commission, headed by Arvind Panagariya, is preparing the next award.

How UPSC tests it: Prelims repeatedly asks the periodicity (every five years), the constituting authority (the President) and the states' share figure (41 per cent under the 15th FC). In Mains GS-II and GS-III, the Finance Commission anchors answers on fiscal federalism, vertical and horizontal devolution, and grants-in-aid.

45. Article 300A: Right to property

What it says: No person shall be deprived of his property save by authority of law. In plain words, the State can take away property only through a valid law — not by arbitrary executive action. But property is no longer a Fundamental Right; it is a constitutional or legal right, enforceable through the courts but without the special remedy of Article 32.

Why it matters: Article 300A marks the end of a long constitutional battle. Originally, property was a Fundamental Right under Articles 19(1)(f) and 31, and land-reform and bank-nationalisation laws kept colliding with it. Removing it from Part III freed socio-economic legislation from the strictest judicial scrutiny, while still protecting citizens against arbitrary seizure — a balance between reform and rule of law.

Cases, amendments & evolution: The 44th Constitutional Amendment of 1978 deleted Articles 19(1)(f) and 31 and inserted Article 300A, demoting property from a Fundamental Right to a legal right. Earlier, in *Kesavananda Bharati v. State of Kerala* (1973), the Court had held that compensation for acquired property could not be illusory — a safeguard that still informs the spirit of Article 300A.

How UPSC tests it: The classic trap question: is the right to property a Fundamental Right? Answer: no, it is a constitutional (legal) right under Article 300A. Prelims also asks which Amendment removed it (the 44th, 1978). In Mains GS-II, it illustrates the evolution of Fundamental Rights and the tension between individual rights and social reform.

Part XIV: Services

Article	Subject	Key point for exam
312	All-India Services	A new All-India Service can be created if the Rajya Sabha passes a resolution by two-thirds majority. The existing ones are the IAS, IPS and Indian Forest Service.

46. Article 312: All-India Services

What it says: Article 312 empowers Parliament to create new All-India Services — common to the Union and the States — if the Rajya Sabha first passes a resolution, supported by not less than two-thirds of the members present and voting, declaring it necessary or expedient in the national interest. Officers of these services are recruited and trained centrally but serve under both the Centre and the states, forming a shared steel frame of administration. Existing All-India Services at commencement were the IAS and the IPS.

Why it matters: The All-India Services are a deliberate check on centrifugal tendencies: officers who rotate between the Centre and states give the Union a lever of administrative influence and ensure a uniform standard of governance. The Rajya Sabha's gatekeeper role protects the federal balance by requiring the states' House to consent before new services are created.

Cases, amendments & evolution: Under Article 312, Parliament created the Indian Forest Service in 1966 (the third AIS), and has periodically debated proposals for new services such as an All-India Judicial Service or an All-India Education Service — none of which has yet cleared the Rajya Sabha hurdle. The provision has never been amended; its 2/3-resolution precondition remains the operative filter.

How UPSC tests it: Prelims asks the majority required in the Rajya Sabha (2/3 of present and voting), which House initiates (Rajya Sabha), and which are the three existing AIS (IAS, IPS, Indian Forest Service). Mains GS-II uses it in questions on federalism, civil service reform and the proposed All-India Judicial Service.

Part XV: Elections

Article	Subject	Key point for exam
324	Election Commission — superintendence of elections	Vests the "superintendence, direction and control" of elections in the Election Commission — the Article behind every debate on the Commission's independence and the appointment of Commissioners.

47. Article 324: Election Commission — superintendence of elections

What it says: Article 324 vests the "superintendence, direction and control" of the preparation of electoral rolls and the conduct of elections to Parliament, state legislatures, and the offices of President and Vice-President in the Election Commission of India. The Commission consists of a Chief Election Commissioner and such number of Election Commissioners as the President may fix; the CEC can be removed only like a Supreme Court judge, while other Commissioners can be removed on the CEC's recommendation. Parliament may make laws regulating the Commission's functioning.

Why it matters: Article 324 is the constitutional guarantee of free and fair elections — the courts have read "superintendence, direction and control" expansively, allowing the Commission to fill gaps in electoral law through directions (including the Model Code of Conduct's authority) where statutes are silent. It makes the Election Commission one of the few constitutional bodies whose powers the judiciary has consistently widened rather than narrowed.

Cases, amendments & evolution: The provision itself is unamended, but its interpretation has grown — notably the 2023 Constitution Bench judgment requiring appointments of the CEC and ECs on the advice of a committee comprising the Prime Minister, the Leader of Opposition and the Chief Justice of India (Parliament subsequently legislated a different selection mechanism). Long-running debates continue over the Commission's independence, the security of tenure of Election Commissioners, and simultaneous-election proposals.

How UPSC tests it: Prelims asks what "superintendence, direction and control" covers (rolls + conduct of elections), the CEC's removal process (like a Supreme Court judge), and which elections fall under the ECI (Parliament, state legislatures, President, Vice-President — not local bodies). Mains GS-II uses it for electoral reforms, ECI independence and appointment controversies.

Part XVIII: Emergency Provisions

Article	Subject	Key point for exam
352	Proclamation of National Emergency	Grounds: war, external aggression, or "armed rebellion" — the 44th Amendment replaced the vaguer "internal disturbance". Proclaimed three times: 1962, 1971 and 1975.
356	President's Rule in a state	On failure of constitutional machinery. S.R. Bommai (1994) imposed safeguards: floor test as the test of majority, and judicial review of the proclamation.

48. Article 352: Proclamation of Emergency

What it says: Article 352 empowers the President to proclaim a National Emergency if satisfied that a grave emergency exists whereby the security of India or any part of it is threatened by war, external aggression, or armed rebellion. The proclamation must be approved by both Houses of Parliament within one month (originally two months) by a special majority, and thereafter continues for six months at a time with repeated parliamentary approval. During the Emergency, the Union can legislate on state subjects, the executive directions of the Centre override state authority, and fundamental rights under Article 19 are automatically suspended (Articles 20 and 21 cannot be suspended).

Why it matters: Article 352 temporarily converts India's federal structure into a unitary one — the most dramatic constitutional transformation the text permits. Its design is haunted by the 1975 Emergency: every post-1978 safeguard exists to ensure that episode cannot be repeated on the same thin legal basis.

Cases, amendments & evolution: The original text allowed proclamation on the ground of "internal disturbance" — the phrase used to justify the 1975 Emergency. The 44th Amendment (1978) replaced "internal disturbance" with the narrower "armed rebellion", raised the approval bar to a special majority, required the proclamation to be on the written advice of the Cabinet (not merely the Prime Minister), and protected Articles 20 and 21 from suspension under Article 359. National Emergency has been proclaimed three times: 1962 (Chinese aggression), 1971 (Indo-Pak war), and 1975 (on the "internal disturbance" ground). The 1975 proclamation and its excesses — press censorship, mass detentions under MISA, the 42nd Amendment's entrenchment moves — remain the defining lesson of Article 352.

How UPSC tests it: Very high-frequency: the 44th Amendment's substitution of "armed rebellion" for "internal disturbance", the three proclamations (1962/1971/1975), the special-majority approval, and that Articles 20 and 21 cannot be suspended. Mains GS-II asks whether the post-1978 safeguards are adequate and what the 1975 Emergency teaches about constitutional morality.

49. Article 356: Provisions in Case of Failure of Constitutional Machinery in States

What it says: Article 356 allows the President, on receipt of a report from the Governor (or otherwise) that the government of a state cannot be carried on in accordance with the Constitution, to assume the state's executive functions, dissolve or suspend the legislature, and authorise Parliament to exercise the state's legislative powers. The proclamation must be approved by Parliament within two months and can continue for up to three years with six-monthly approvals, subject to conditions including that the Election Commission certifies the difficulty of holding elections.

Why it matters: Article 356 is the Constitution's "dead letter turned most-used letter" — meant as a rare remedy for genuine constitutional breakdown, it became for decades a routine political instrument for dismissing opposition-ruled state governments, making it the central case study of federal abuse in Indian constitutional history. B.R. Ambedkar himself called it a provision he hoped would remain a dead letter.

Cases, amendments & evolution: The turning point is *S.R. Bommai v. Union of India* (1994), where a nine-judge bench laid down enduring safeguards: the President's satisfaction under Article 356 is subject to judicial review; the proper test of a government's majority is a floor test in the Assembly, not the Governor's report; the Assembly cannot be dissolved before parliamentary approval of the proclamation; and secularism is part of the basic structure. The 44th Amendment (1978) had earlier tightened the provision by requiring parliamentary approval within two months and limiting extensions, with Election Commission certification required beyond one year. President's Rule has been imposed over a hundred times since 1950, though its frequency fell sharply after Bommai.

How UPSC tests it: Among the most-tested provisions: Bommai's safeguards (floor test, judicial review, no dissolution before approval), the 44th Amendment's two-month approval window, and the "dead letter" remark. Mains GS-II routinely asks whether Article 356 is compatible with federalism and what institutional reforms (Sarkaria Commission recommendations) would further restrain it.

Part XX: Amendment of the Constitution

Article	Subject	Key point for exam
368	Power of Parliament to amend the Constitution	Special majority, plus ratification by half the states for federal provisions. Limited by the basic structure doctrine from <i>Kesavananda Bharati</i> (1973) — Parliament cannot destroy the Constitution's basic features.

50. Article 368: Power of Parliament to amend the Constitution

What it says: Article 368 gives Parliament the power to amend the Constitution by addition, variation or repeal, and prescribes the procedure. An amendment can be initiated only by introducing a Bill in either House of Parliament. Most provisions need a special majority — a majority of the total membership of each House plus two-thirds of the members present and voting. Amendments affecting federal features, such as the election of the President, the Supreme Court and High Courts, the Seventh Schedule, state representation in Parliament, or Article 368 itself, additionally require ratification by at least half of the state legislatures.

Why it matters: Article 368 embodies the Constitution's balance between flexibility and rigidity: amendable enough to adapt, protected enough to survive. But the power is not unlimited. The basic structure doctrine holds that Parliament may amend but not destroy the Constitution's essential identity — a limit the judiciary, not Parliament, enforces.

Cases, amendments & evolution: The 24th Amendment (1971) asserted Parliament's power to amend any part of the Constitution, including Fundamental Rights. In *Kesavananda Bharati v. State of Kerala* (1973), the Supreme Court upheld the amendment power but propounded the basic structure doctrine: no amendment may alter the Constitution's basic features. The 42nd Amendment (1976) tried to bar judicial review of amendments; in *Minerva Mills v. Union of India* (1980) the Court struck that down and also narrowed Article 31C to clauses (b) and (c) of Article 39, preserving the harmony between Fundamental Rights and Directive Principles.

How UPSC tests it: Prelims asks the special-majority formula and which provisions need state ratification. Mains GS-II treats the basic structure doctrine as one of the most important topics in the syllabus — *Kesavananda Bharati* (1973) and *Minerva Mills* (1980) are compulsory case law for any answer on constitutional amendments.

How to Revise These Articles: 5 Memory Tips

1. Learn them in pairs, not alone

UPSC loves comparison questions, so store Articles as pairs: 32 and 226 (Supreme Court versus High Court writs), 72 and 161 (President versus Governor pardons — only the President touches death sentences and court-martials), 74 and 163 (binding advice versus discretionary Governor), 111 and 200 (assent at the Centre and in the states), 123 and 213 (ordinances at the two levels).

2. Cluster by theme

Group the equality Articles 14 to 18 as one block, the liberty Articles 19 to 22 as another, and the religion-and-minority Articles 25 to 30 as a third. Recalling one Article in a cluster pulls the neighbours with it — which is exactly how options in Prelims are framed.

3. Tie every big amendment to its Articles

Amendments stick better when anchored: the 42nd Amendment (1976) gave us 51A, 48A and binding advice under 74; the 44th Amendment (1978) gave us 300A and changed 352's "internal disturbance" to "armed rebellion"; the 86th Amendment (2002) gave us 21A and the eleventh duty in 51A; the 103rd Amendment (2019) added EWS quotas to 15 and 16.

4. Master the FR-versus-DPSP tension

Mains GS-II repeatedly asks how Fundamental Rights and Directive Principles are reconciled. The short version: DPSPs are non-justiciable but fundamental to governance, courts harmonise the two, and Article 31C (as narrowed by *Minerva Mills*) protects only laws serving 39(b) and (c) from challenge under Articles 14 and 19.

5. Anchor on "firsts and onlys"

A few Articles are unique, which makes them unforgettable: 17 is the only absolute Fundamental Right with no permissible restrictions; 32 is the only writ jurisdiction that is itself a Fundamental Right; 61's impeachment has never been used; 360's financial emergency has never been proclaimed.

Frequently Asked Questions

Do I need to memorise all 470-plus Articles?

No — and attempting it wastes precious time. UPSC repeatedly tests a core set of about 60 to 80 Articles, and the 50 on this page cover the most-asked among them. Understand what each Article does and why it matters; the number then attaches itself naturally through revision and mock tests.

What is the difference between Article 32 and Article 226?

Article 32 is the Supreme Court's writ jurisdiction: it covers only Fundamental Rights, but approaching the Court is itself a Fundamental Right. Article 226 is the High Courts' jurisdiction: wider in scope (Fundamental Rights plus "any other purpose"), but discretionary — no one has a fundamental right to invoke it.

Which Part of the Constitution gets the most questions?

Part III, Fundamental Rights, by a clear distance — Articles 14, 19, 21 and 32 appear almost every year. Next come Part V (the Union executive, legislature and judiciary) and the FR-versus-DPSP relationship, which is a Mains staple.

Are Directive Principles enforceable in court?

No. Article 37 declares them non-justiciable — no court can compel the state to implement them. But they are "fundamental in the governance of the country", courts use them to interpret laws and Fundamental Rights, and several have been converted into enforceable rights by amendment (21A) and legislation (the 73rd Amendment flowing from Article 40).

Which important Articles were added by constitutional amendments?

21A and the eleventh Fundamental Duty (86th Amendment, 2002); 48A and the original ten duties in 51A (42nd Amendment, 1976); 239AA on Delhi (69th Amendment, 1991); 243D on panchayat reservations (73rd Amendment, 1992); and 300A on property as a legal right (44th Amendment, 1978).

What about Article 370?

Article 370, which granted special status to Jammu and Kashmir, was effectively abrogated in August 2019, followed by the Jammu and Kashmir Reorganisation Act passed under Article 3. It is not operative law anymore — do not cite it as a current provision in answers.