

# Master the Constitution of India

Dear CLAT Aspirant,

Welcome to your comprehensive guide to the most important articles of the Constitution of India. Understanding constitutional provisions is not just about memorizing article numbers—it's about grasping the foundational principles

that

govern our nation and shape legal discourse in India.

This carefully curated collection covers the essential articles that appear frequently in CLAT examinations, from Fundamental Rights and Directive Principles to Union-State relations and Emergency provisions. Each article is presented with its key provisions and practical significance to help you understand not just what the law says, but why it matters.

The Constitution of India is a living document that has shaped our democracy for over seven decades. These articles form the backbone of legal reasoning questions, current affairs analysis, and general knowledge sections in CLAT.



# Study Tips for Constitutional Mastery

- ⚖️ Understand the Context: Don't just memorize article numbers. Understand the historical context and purpose behind each provision.
- ⚖️ Link to Current Affairs: Connect constitutional articles to recent Supreme Court judgments, political developments, and national debates.
- ⚖️ Create Visual Maps: Draw mind maps linking related articles—for example, connect all Fundamental Rights articles or trace the emergency provisions.
- ⚖️ Practice Article-Case Matching: For each important article, remember at least one landmark case that interpreted or applied it.
- ⚖️ Use Mnemonics: Create memory aids for article sequences, especially for Fundamental Rights 14 35) and DPSP 36 51 .
- ⚖️ Comparative Study: Compare similar provisions—for example, Article 19 vs Article 21, or different types of emergencies.
- ⚖️ Read Preamble Daily: The Preamble encapsulates the Constitution's spirit. Reading it daily reinforces constitutional values.
- ⚖️ Study Amendments: Major amendments 1st, 42nd, 44th, 73rd, 74th, 101st) have significantly shaped our Constitution—know them well.



# Constitutional Articles

MUST- KNOW FOR CLAT PREPARATION

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Prepared by: CLAT Tribe Team

Total Articles: 50

## PART III: Fundamental Rights



Defines 'State' for the purposes of Part III to include the Government and Parliament of India, State Governments and Legislatures, and all local and other authorities within the territory of India or under the control of the Government of India.

### Significance:

This is a foundational article that determines which entities can be challenged for violation of fundamental rights. The scope has been expanded through judicial interpretation to include instrumentalities of the state.

Declares that any law inconsistent with or in derogation of fundamental rights shall be void. The State shall not make any law which takes away or abridges fundamental rights.

### Significance:

Establishes the doctrine of judicial review and gives courts the power to strike down unconstitutional laws. Key case: Kesavananda Bharati case established the Basic Structure doctrine.



Guarantees equality before law and equal protection of laws within the territory of India. No person shall be denied equality before the law or equal protection of laws.

**Significance:**

This is the foundation of the right to equality. It allows reasonable classification but prohibits arbitrary discrimination. Applies to both citizens and non-citizens.

Prohibits discrimination on grounds of religion, race, caste, sex, or place of birth. However, allows special provisions for women, children, and socially and educationally backward classes.

**Significance:**

Enables affirmative action policies. Article 15 4) and 15 5) added by amendments allow reservation in educational institutions including private institutions receiving state aid.

Guarantees equality of opportunity in matters of public employment. Prohibits discrimination on grounds of religion, race, caste, sex, descent, place of birth, or residence.

**Significance:**

Allows reservation in public employment for SCs, STs, and OBCs. Article 16 4A) provides for reservation in promotions for SCs/STs.

Abolishes untouchability and forbids its practice in any form. The enforcement of any disability arising out of untouchability is an offence punishable by law.

**Significance:**

This is both a fundamental right and a fundamental duty. The Protection of Civil Rights Act, 1955 makes untouchability a punishable offence.



Guarantees six freedoms to all citizens: freedom of speech and expression, assembly, association, movement, residence, and profession. These rights are subject to reasonable restrictions.

**Significance:**

Most frequently invoked article in CLAT questions. Balances individual liberty with public interest. Freedom of speech includes right to information and press freedom.

Provides protection against ex-post facto laws, double jeopardy, and self-incrimination. No person shall be convicted for an act that was not an offence when committed.

**Significance:**

Ensures fair trial and due process. Protection against self-incrimination is a fundamental safeguard in criminal law.



No person shall be deprived of his life or personal liberty except according to procedure established by law. This is the most expansively interpreted fundamental right.

**Significance:**

Called the "heart and soul" of fundamental rights. Judicial interpretation has read in rights to privacy, education, livelihood, clean environment, speedy trial, and many more.

The State shall provide free and compulsory education to all children of the age of six to fourteen years. Added by the 86th Constitutional Amendment, 2002.

**Significance:**

Made education a fundamental right. Implemented through the Right to Education Act, 2009. Also made a fundamental duty under Article 51A.



Provides safeguards to arrested persons including right to be informed of grounds of arrest, right to consult a lawyer, and right to be produced before magistrate within 24 hours.

**Significance:**

Balances state security with individual liberty. Distinguishes between ordinary arrest and preventive detention. Several preventive detention laws enacted under this article.

Prohibits traffic in human beings, forced labor (begar) and other similar forms of forced labor. Violation is punishable by law.

**Significance:**

Protects human dignity and prohibits exploitation. Does not prohibit compulsory service for public purposes like military service.

Prohibits employment of children below the age of 14 years in any factory, mine, or other hazardous employment.

**Significance:**

Protects children from exploitation. Implemented through the Child Labour Prohibition and Regulation Act. Complements Article 21A on right to education.

All persons are equally entitled to freedom of conscience and the right to freely profess, practice, and propagate religion, subject to public order, morality, and health.

**Significance:**

Ensures secularism. Does not include right to convert others. State can regulate secular activities associated with religion.



Protects the interests of minorities by providing them the right to conserve their distinct language, script, or culture. No citizen shall be denied admission to educational institutions on grounds of religion, race, caste, or language.

**Significance:**

Protects cultural and educational rights of minorities. Works in conjunction with Article 30 to preserve minority rights.

All minorities, whether based on religion or language, have the right to establish and administer educational institutions of their choice.

**Significance:**

Protects autonomy of minority educational institutions. State aid to such institutions must be without discrimination.



Guarantees the right to move the Supreme Court for enforcement of fundamental rights. The Supreme Court can issue writs including habeas corpus, mandamus, prohibition, quo warranto, and certiorari.

**Significance:**

Dr. B.R. Ambedkar called it the "heart and soul" of the Constitution. Makes fundamental rights enforceable and real. Cannot be suspended except during national emergency.



# PART IV: Directive Principles of State Policy

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Defines 'State' for the purposes of Part IV, having the same meaning as in Article 12 for Part III.

**Significance:**

Establishes that Directive Principles apply to all organs of the state—Union, State, and local authorities.

The State shall strive to promote the welfare of the people by securing a social order permeated by justice—social, economic, and political—and shall minimize inequalities.

**Significance:**

Provides the philosophical foundation for DPSP. Guides all welfare legislation and affirmative action policies.

Directs the State to ensure: adequate livelihood for all citizens, equitable distribution of resources, equal pay for equal work, protection of workers' health, and prevention of concentration of wealth.

**Significance:**

Contains socialist principles. Article 39(b) and 39(c) were at the center of the Basic Structure debate. Article 39A added for free legal aid.





The State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.

**Significance:**

Provides the foundation for decentralized governance. Implemented through the 73rd Constitutional Amendment Act, 1992, which gave constitutional status to Panchayati Raj.

The State shall endeavor to secure for citizens a uniform civil code throughout the territory of India.

**Significance:**

One of the most debated DPSP. Aims to replace personal laws based on religion with a common set of laws. Goa is the only state with a uniform civil code.

The State shall endeavor to provide early childhood care and education for all children until they complete the age of six years. Amended by 86th Amendment)

**Significance:**

Originally dealt with free and compulsory education for children up to 14 years. After 86th Amendment made Article 21A a fundamental right, this was modified for under-6 children.

The State shall endeavor to organize agriculture and animal husbandry on modern and scientific lines and shall take steps for preserving and improving breeds and prohibiting slaughter of cows and other useful cattle.

**Significance:**

Provides constitutional backing for cow protection laws. Balances religious sentiments with modern agricultural practices.



The State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country. Added by the 42nd Amendment, 1976.

**Significance:**

Foundation for environmental laws in India. Courts have linked this with Article 21 to recognize the right to a clean environment as a fundamental right.

The State shall endeavor to promote international peace and security, maintain just and honorable relations between nations, foster respect for international law, and encourage settlement of disputes by arbitration.

**Significance:**

Reflects India's commitment to global peace and cooperation. Guides foreign policy decisions and international treaty obligations.

## PART IVA: Fundamental Duties

Lists 11 fundamental duties of every citizen including: respecting the Constitution, national flag and anthem; cherishing ideals of freedom struggle; protecting sovereignty and integrity; promoting harmony; preserving cultural heritage; protecting environment; developing scientific temper; safeguarding public property; striving for excellence; and providing education opportunities (duty of parents/guardians).

**Significance:**

Added by 42nd Amendment 1976 . 11th duty added by 86th Amendment 2002 . Not enforceable by law but serve as moral obligations. Courts consider them while interpreting laws.



# Union-State Relations & Distribution of Powers

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Parliament can make laws for the whole or any part of India. State legislature can make laws for the whole or any part of that state. Parliament's laws prevail in case of conflict.

**Significance:**

Establishes territorial jurisdiction of laws. Parliament has extra-territorial jurisdiction.

Foundation of federal structure.

Distributes legislative powers between Union and States through three lists: Union List (97 subjects), State List (originally 66, now 61 subjects), and Concurrent List (originally 47, now 52 subjects).

**Significance:**

Core of Indian federalism. Residuary powers vest with Parliament. Union law prevails over State law in Concurrent List in case of conflict.

If Rajya Sabha passes a resolution by 2/3rd majority that it is necessary in national interest, Parliament can make laws on subjects in State List for the whole or part of India.

**Significance:**

Enables Parliament to legislate on state subjects in national interest. Resolution valid for one year but can be extended. Reflects cooperative federalism.



If any provision of a State law is repugnant to a Union law on a Concurrent List subject, the Union law shall prevail. However, if State law receives Presidential assent, it can prevail in that state.

**Significance:**

Resolves conflicts between Union and State laws. Maintains supremacy of Parliament while allowing state autonomy with Presidential approval.

The executive power of every State shall be so exercised as to ensure compliance with Union laws. The Union can give necessary directions to States.

**Significance:**

Ensures uniform implementation of Union laws. If a state fails to comply, Article 365 allows President's Rule.



Empowers the President to establish an Inter-State Council to investigate and discuss subjects of common interest between Union and States, and make recommendations for better coordination of policy and action.

**Significance:**

Promotes cooperative federalism. Inter-State Council established in 1990. Headed by Prime Minister with Chief Ministers and Union Ministers as members.



# PART XVIII: Emergency Provisions

President can proclaim National Emergency if satisfied that security of India or any part thereof is threatened by war, external aggression, or armed rebellion. Must be approved by both Houses of Parliament within one month.

## Significance:

Invoked thrice: 1962 China war), 1971 Pakistan war), 1975 (internal emergency). 44th Amendment added safeguards including requirement of written recommendation from Cabinet and parliamentary approval by special majority.

If the President is satisfied that the government of a State cannot be carried on in accordance with the Constitution, he can assume State functions, dissolve State legislature and impose President's Rule. Must be approved by Parliament within 6 months.

## Significance:

Most controversial provision. Supreme Court in S.R. Bommai case 1994) held that President's Rule is subject to judicial review. Cannot be misused for political purposes.

President can proclaim Financial Emergency if satisfied that financial stability or credit of India or any part thereof is threatened. Must be approved by Parliament within 2 months.

## Significance:

Never invoked in India. During Financial Emergency, President can reduce salaries of all government employees including judges, and require States to observe financial propriety.



During National Emergency, President can suspend the right to move courts for enforcement of Fundamental Rights (except Articles 20 and 21). The 44th Amendment ensures Articles 20 and 21 cannot be suspended.

**Significance:**

Balances national security with individual rights. 44th Amendment (1978) added crucial safeguards after the 1975 Emergency experience.

## PART XX: Amendment of Constitution

Parliament can amend any provision of the Constitution by: 1 Simple majority 2 Special majority 2/3rd of members present and voting + majority of total members 3 Special majority + ratification by at least half the States

**Significance:**

Provides for constitutional flexibility. Kesavananda Bharati case (1973) established the Basic Structure doctrine - Parliament cannot amend basic features of Constitution even by following Article 368.

## Important Administrative & Constitutional Bodies

There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President. The President shall act in accordance with such advice. 44th Amendment made it mandatory for President to act on Council's advice.

**Significance:**

Establishes parliamentary system. President is constitutional head; real power vests with Council of Ministers. President can ask for reconsideration but must accept revised advice.



President shall appoint a person qualified to be a Supreme Court judge as Attorney General of India. AG is the highest law officer of India who advises the government on legal matters and represents India in Supreme Court.

**Significance:**

AG has right of audience in all courts. Can participate in Parliamentary proceedings but cannot vote. Holds office during President's pleasure.

Defines Money Bill as a bill dealing only with taxation, government expenditure, borrowing, consolidated/contingency fund, etc. Can only be introduced in Lok Sabha. Speaker's decision on whether a bill is Money Bill is final.

**Significance:**

Rajya Sabha has limited powers over Money Bills (can only recommend, not reject). Ensures financial supremacy of Lok Sabha. Speaker's decision is not subject to judicial review.

When Parliament is not in session, President can promulgate Ordinances having same force as an Act of Parliament. Ordinance must be approved by Parliament within 6 weeks of reassembly, otherwise it lapses.

**Significance:**

Enables executive to act in urgent situations. Cannot be issued on matters requiring Constitutional Amendment. Supreme Court held that ordinance-making power is subject to judicial review.



Establishes the Supreme Court of India consisting of Chief Justice and other judges (currently 33) appointed by President. Judges hold office until age 65. Can be removed only by impeachment.

**Significance:**

Ensures independence of judiciary. Collegium system evolved through judicial interpretation for appointments. Supreme Court is guardian of Constitution and protector of fundamental rights.

President can seek the opinion of Supreme Court on any question of law or fact of public importance. Supreme Court may, after consideration, report its opinion to the President.

**Significance:**

Advisory opinion is not binding on President or Court itself. Used in important matters like Ram Janmabhoomi-Babri Masjid case, Cauvery water dispute, etc.

CAG shall be appointed by President and can be removed only on grounds and manner similar to Supreme Court judge. CAG audits all receipts and expenditure of Union and State governments.

**Significance:**

Ensures financial accountability of government. CAG's reports are laid before Parliament/State Legislatures. Independent constitutional authority, not under executive control.

When State Legislature is not in session Governor can promulgate Ordinances on matters within State's legislative competence. Must be approved by Legislature within 6 weeks of reassembly.

**Significance:**

Similar to President's power under Article 123 but at State level. Governor acts on aid and advice of Council of Ministers.





High Courts can issue writs for enforcement of fundamental rights and for any other purpose. Wider than Supreme Court's writ jurisdiction under Article 32 which is limited to fundamental rights.

**Significance:**

Makes High Courts guardians of fundamental rights at state level. Can issue writs against private parties also, unlike Article 32.

President shall constitute a Finance Commission every 5 years to recommend distribution of tax revenues between Union and States, grants-in-aid to States, and measures to augment State finances.

**Significance:**

Ensures fiscal federalism. Recommendations are advisory but generally accepted. Currently 16th Finance Commission is operational 2026 2031 .

Provides for Union Public Service Commission for Union and State Public Service Commissions for States Conduct examinations for appointment to civil services and advises on service matters.

**Significance:**

Ensures merit-based recruitment. UPSC and SPSCs are independent constitutional bodies. Members can be removed only by President on grounds of misbehavior or incapacity.

Superintendence, direction, and control of elections vests in the Election Commission Chief Election Commissioner and other Election Commissioners appointed by President. CEC can be removed only by impeachment.

**Significance:**

Ensures free and fair elections. EC has wide powers including Model Code of Conduct enforcement. Independence of EC is crucial for democracy.



Hindi in Devanagari script shall be the official language of Union. English shall continue to be used for official purposes for 15 years (until 1965). Parliament can extend use of English.

**Significance:**

Parliament extended English indefinitely through Official Languages Act. Both Hindi and English are used in Parliament, Supreme Court, and High Courts.

Where a State fails to comply with directions given by the Union under any provision of the Constitution, it shall be lawful for the President to hold that a situation has arisen in which the government of the State cannot be carried on.

**Significance:**

Provides grounds for imposing President's Rule under Article 356. Links State's failure to comply with Union directions to constitutional breakdown.

Granted special autonomous status to Jammu & Kashmir. Union laws did not automatically apply. State had its own Constitution. Abrogated on August 5, 2019 through Presidential Order and J&K Reorganization Act.

**Significance:**

Most debated article. Abrogation led to bifurcation into two Union Territories: J&K and Ladakh. Matter is currently sub-judice in Supreme Court.





## About CLAT Tribe

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Our mission is to democratize access to premium CLAT preparation resources and help every student realize their dream of studying at India's top National Law Universities.

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***"The Constitution is not a mere lawyers document, it is a vehicle of Life, and its spirit is always the spirit of Age."***  
**— Dr. B.R. Ambedkar**

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