

Shaping legislative actions:-

- 1) Legislature can't abridge away any fundamental right which forms a basic structure
- 2) Strengthened the position of judicial review - thus any law or act curtailing the basic structure will be declared void.
- 3) Actions taken for public welfare violate fundamental rights are upheld by courts

Shaping Judicial Interpretations:-

- 1) Minnerva Mills case (1980) - Supreme court upheld basic structure and schedule 9th amendments are also open to Judicial Review after the year 1973

Thus ^{like} Supreme court said "Article 368 gives power to amend the constitution not rewrite it" apptly applies to Basic Structure Doctrine

Q1. Critically analyze the role of the Basic Structure Doctrine in safeguarding constitutional values in India. In what ways does it shape legislative actions and judicial interpretations in the present context? (10 Marks, 150 Words)

Candidates must not write on this margin

Basic Structure Doctrine was given by Supreme Court in Kesavanand Bharti case of 1973.

Role in Safeguarding Constitutional values:-

- 1) Protects the constitution from autocracy of any government.
- 2) Prohibits amending important parts of the constitution like:-
 - 1) Rule of law
 - 2) Equality
 - 3) Federal nature of constitution
 - 4) Secular nature
 - 5) Free & fair election
 - 6) Sovereignty & unity of India
 - 7) Freedom & integrity of individual