



GS FOUNDATION BATCH FOR CSE 2024

Polity - 22 **(Important Amendments)**

Amend No.	Year	Objective	Features
1st	1951	<p>1. During the last fifteen months of the working of the Constitution, certain difficulties have been brought to light by judicial decisions and pronouncements specially in regard to the chapter on fundamental rights. 2. The citizen's right to freedom of speech and expression guaranteed by article 19(1)(a) has been held by some courts to be so comprehensive as not to render a person culpable even if he advocates murder and other crimes of violence. 3. To put a reasonable restriction upon freedom of profession with motive to initiate nationalisation (By addition of Article 19(6). insert provisions fully securing the constitutional validity of zamindari abolition laws in general and certain specified State Acts in particular. 4. Amplify Article 15(3) in order that any special provision that the State may make for the educational, economic or social advancement of any backward class of citizens may not be challenged on the ground of being discriminatory,</p>	<p>1. It added the following three more heads to Article 19(2): "public order", "friendly relations with foreign states", and "incitement to an offence". Thus, the legislature became entitled to restrict the freedom of speech and expression in respect of these three heads also in addition to the heads originally mentioned in Article 19(2). 2. added a clarificatory clause to Article 19(6) to make it clear that the freedom of trade and commerce guaranteed by Article 19(1)(g) was not to invalidate any scheme of nationalisation undertaken by the state. 3. curtailed the Fundamental Right to property guaranteed by Article 31 with a view to achieve quick implementation of important measures of agrarian reform passed by the State Legislatures by immunising the same against attack in the courts. This amendment added two new Articles, 31A and 31B, and the Ninth Schedule, so as to make laws acquiring zamindaris unchallengeable in the courts</p>

3rd	1954	To rationalise the delimitation with increasing population	Originally, Article 81(1)(b) required that Lok Sabha would have not less than one member for every 7,50,000, and not more than one member for every 5,00,000, of the population. The strength of the Lok Sabha was fixed at 500 and at the rate of one member for every 7.5 lakhs of people, the formula became unworkable the moment the population reached 37.5 crores. The Amending Act, therefore, dropped the minimum requirement of one member for every 7.5 lakhs of people in Article 81(1)(b).
5th	1955	To make changes in Article 3	No Bill for the purpose shall be introduced in either House of Parliament except on the recommendation of the President
6th	1956	sought to remove some of the difficulties arising in the area of sales taxation by the States. The Amendment was passed to do away with multiple taxation of sale or purchase of goods in interstate trade	
7th	1956	In order to implement the scheme of States reorganisation, it is necessary to make numerous amendments in the Constitution seeks to make these amendments and also some other amendments to certain provisions of the Constitution relating to the High Courts and High Court Judges, the executive power of the Union and the States, and a few entries in the legislative lists.	<ol style="list-style-type: none"> 1. dealing with allocation of seats in the Rajya Sabha, was completely revised 2. Article 81 and 82 dealing with allocation of seats in the Rajya Sabha, was completely revised 3. dealing with allocation of seats in the Rajya Sabha, was completely revised 4. Article 153- was modified so as to make it possible to appoint one person as the Governor of two or more States 5. Article 171 was revised so as to increase the strength of the Upper Houses in the State 6. Article 224 was modified so as to make provision for appointment of additional and acting Judges in the high courts and 7. Article 220 was revised so as to permit a retired high court Judge to practice in the Supreme Court and in any high court other than the one in which he was a permanent Judge; this provision was made to attract talent to the high courts

			<p>8. Article 220 was revised so as to permit a retired high court Judge to practice in the Supreme Court and in any high court other than the one in which he was a permanent Judge; this provision was made to attract talent to the high courts</p> <p>9. Articles 230 and 231 were completely revised with a view to establishing common high courts for two or more States and to extend to a Union Territory.</p> <p>10. Article 239 was re-drafted so as to provide for the administration of Union Territories.</p> <p>11. Article 258A was added to enable a State to entrust its functions to the Centre</p> <p>12. Article 239 was re-drafted so as to provide for the administration of Union Territories.⁵⁹</p> <p>Article 258A was added to enable a State to entrust its functions to the Centre</p> <p>13. Articles 350A and 350B were inserted to implement one of the recommendations of the States' Re-organisation Commission to afford safeguards to the linguistic minorities</p>
11th	1961		to prevent election of the President or the Vice-President from being challenged on the ground of any vacancy existing at the time of election in the appropriate electoral college
15th	1963	Made Multiple Changes- Kind of Omnibus Amendment	<p>1. raise the retirement age of the high court Judges from 60 to 62 years (the commission had recommended to raise the age till 65 years)</p> <p>2. make it possible for the retired high court Judges to sit and act as ad hoc Judges of the Supreme Court</p> <p>3. Provided for appointment of acting chairman of PSCs in case of vacancy</p>
16th	1963	with a view to give effect to the recommendations made by the Committee on National Integration and Regionalism	enabling the state to make a law imposing reasonable restrictions on the exercise of rights conferred by Articles 19(1)(a), (b) and (c) in the interests of the sovereignty and integrity of India

17th	1964	Again on matters related to right to property	It changed the definition of the word "estate" by bringing within its scope ryotwari lands as well as other lands in respect of which provisions are normally made in land reform enactments.
		The Kerala Agrarian Relations Act, 1961, was struck down by the Supreme Court in its application to ryotwari lands, as well as by the Kerala High Court in relation to lands other than "estates" in the Malabar area on the ground that it transgressed Articles 14, 19 and 31	
19th	1966	To provide for settlement of election disputes Abolition of Election Tribunals on the Recommendation of Election Commission	Hitherto, election disputes were settled by election tribunals. Thus, election tribunals were abolished. Later on, the Representation of the People Act, 1951, provided that election petitions were to be heard by the high courts
24th	1971	The Supreme Court in the well-known Golak Nath's case reversed, by a narrow majority, its own earlier decisions. The result of the judgment is that Parliament is considered to have no power to take away or curtail any of the fundamental rights guaranteed by Part III of the Constitution even if it becomes necessary to do so for giving effect to the Directive Principles of State Policy and for the attainment of the objectives set out in the Preamble to the Constitution. It is, therefore, considered necessary to provide expressly that Parliament has power to amend any provision of the Constitution so as to include the provisions of Part III within the scope of the amending power.	makes it clear that article 368 provides for amendment of the Constitution as well as procedure therefor. The Bill further provides that when a Constitution Amendment Bill passed by both Houses of Parliament is presented to the President for his assent, he should give his assent thereto

25th	1971	In the Bank Nationalization case [1970, 3 S.C.R. 530], the Supreme Court has held that the Constitution guarantees right to compensation,	A new clause 31C was added declaring that a law giving effect to the state policy towards securing the Directive Principles contained in Articles 39(b) or (c) would be held void because of its inconsistency with Articles 14, 19 and 31
26th	1971	Abolition of Privy Purses	It also changed the word compensation with word amount. Article 291 providing for the payment of privy purses, and Article 362 guaranteeing personal rights, privileges and dignities of the princes were omitted The Amendment terminated the privileges and privy purses of the ex-rulers of the former Indian States. and supreme court held the amendment to be valid. Appellate Jurisdiction of the supreme court changed- from earlier value of suit to now certificate of HC
30th	1972		
38th	1975 (During Emergency)	some writ petitions filed in the high courts to the effect that while one proclamation of emergency under Article 352 was in operation, another proclamation of emergency could not be made.	Article 352 was thus amended so as to make it clear that the President could issue different proclamations of emergency on different grounds whether or not there was already a proclamation in existence and in operation. Further President satisfaction to proclaim emergency was made final and conclusive and made beyond question in any court

39th	1975	<p>Aftermath of Indira Gandhi V Raj Narain the President, the Vice-President, the Prime Minister and the Speaker are holders of high offices.</p> <p>The President is not answerable to a court of law for anything done, while in office, in the exercise of his powers.</p> <p>The same reasoning applies equally to the incumbents of the offices of Vice-President, Prime Minister and Speaker. It is accordingly proposed to provide that disputes relating to the election of the President and Vice-President shall be determined by a forum as may be determined by a parliamentary law.</p> <p>It is further proposed to render pending proceedings in respect of such election under the existing law null and void. The Bill also provides that the parliamentary law creating a new forum for trial of election matters relating to the incumbents of the high offices abovementioned shall not be called in question in any court.</p>	<p>The Thirty-ninth Amendment also extended immunity to a number of statutes from judicial purview on the ground of infringement of Fundamental Rights by including them in the Ninth Schedule</p>
41st	1976		raised the age of retirement of the chairman and members of State Public Service Commissions from 60 to 65

42nd	1976	Statement of Object and Reasons:	<p>Added three new words (i.e., socialist, secular and integrity) in the Preamble.</p> <p>Added Fundamental Duties by the citizens (new Part IV A).</p> <p>Made the president bound by the advice of the cabinet.</p> <p>Provided for administrative tribunals and tribunals for other matters (Added Part XIV A).</p> <p>Froze the seats in the Lok Sabha and state legislative assemblies on the basis of 1971 census till 2001 - Population Controlling Measure</p> <p>Made the constitutional amendments beyond judicial scrutiny.</p> <p>Curtailed the power of judicial review and writ jurisdiction of the Supreme Court and high courts.</p> <p>Raised the tenure of Lok Sabha and state legislative assemblies from 5 to 6 years.</p> <p>Provided that the laws made for the implementation of Directive Principles cannot be declared invalid by the courts on the ground of violation of some Fundamental Rights.</p> <p>Empowered the Parliament to make laws to deal with anti-national activities and such laws are to take precedence over Fundamental Rights.</p> <p>Added three new Directive Principles viz., equal justice and free legal aid, the participation of workers in the management of industries and protection of the environment, forests, and wildlife.</p> <p>Facilitated the proclamation of national emergency in a part of the territory of India.</p> <p>Extended the one-time duration of the President's rule in a state from 6 months to one year.</p> <p>Empowered the Centre to deploy its armed forces in any state to deal with a grave situation of law and order.</p> <p>Shifted five subjects from the state list to the concurrent list, viz, education, forests, protection of wild animals and birds, weights and measures and administration of justice, constitution and organisation of all courts except the Supreme Court and the high courts.</p> <p>Did away with the requirement of quorum in the Parliament and the state legislatures.</p> <p>Empowered the Parliament to decide from time to time the rights and</p>
		<p>A Constitution to be living must be growing. If the impediments to the growth of the Constitution are not removed, the Constitution will suffer a virtual atrophy. The question of amending the Constitution for removing the difficulties which have arisen in achieving the objective of socio-economic revolution, which would end poverty and ignorance and disease and inequality of opportunity, has been engaging the active attention of Government and the public for some years now.</p> <p>It is, therefore, proposed to amend the Constitution to spell out expressly the high ideals of socialism, secularism and the integrity of the nation, to make the directive principles more comprehensive and give them precedence over those fundamental rights which have been allowed to be relied upon to frustrate socio-economic reforms for implementing the directive principles.</p> <p>It is also proposed to specify the fundamental duties of the citizens and make special provisions for dealing with anti-national activities, whether by individuals or associations.</p> <p>To reduce the mounting arrears in High Courts and to secure the speedy disposal of</p>	

service matters, revenue matters and certain other matters of special importance in the context of the socio-economic development and progress, it is considered expedient to provide for administrative and other tribunals

privileges of its members and committees.

Provided for the creation of the All-India Judicial Service.

Shortened the procedure for disciplinary action by taking away the right of a civil servant to make representation at the second stage after the inquiry (i.e., on the penalty proposed).

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- Restored the jurisdiction of the Supreme Court and the High Courts in respect of judicial review and issue of writs.
- Deprived the Parliament of its special powers to make laws to deal with anti-national activities.

44th

1978 Recent experience has shown that the fundamental rights, including those of life and liberty, granted to citizens by the Constitution are capable of being taken away by a transient majority.

It is, therefore, necessary to provide adequate safeguards against the recurrence of such a contingency in the future and to ensure to the people themselves an effective voice in determining the form of government under which they are to live.

This is one of the primary objects of this Bill. It is, therefore, proposed to provide that certain changes in the Constitution which would have the effect of impairing its secular or democratic character, abridging or taking away fundamental rights prejudicing or impeding free and fair elections on the basis of adult suffrage and compromising the independence of judiciary

Check against the misuse of the Emergency provisions and to put the right to life and liberty on a secure footing, it would be provided that the power to suspend the right to move the court for the enforcement of a fundamental right cannot be exercised in respect of the fundamental right to life and liberty.

50th

1984

Restored the original term of the Lok Sabha and the state legislative assemblies (i.e., 5 years).
Restored the provisions with regard to the quorum in the Parliament and state legislatures.
Omitted the reference to the British House of Commons in the provisions pertaining to the parliamentary privileges.
Gave constitutional protection to publication in a newspaper of true reports of the proceedings of the Parliament and the state legislatures.
Empowered the president to send back once the advice of the cabinet for reconsideration. But, the reconsidered advice is to be binding on the president.
Deleted the provision which made the satisfaction of the president, governor, and administrators final in issuing ordinances.
Restored some of the powers of the Supreme Court and high courts.
Replaced the term 'internal disturbance' by 'armed rebellion' in respect of national emergency.
Made the President to declare a national emergency only on the written recommendation of the cabinet.
Made certain procedural safeguards with respect to a national emergency and President's rule.
Deleted the right to property from the list of Fundamental Rights and made it only a legal right.
Provided that the fundamental rights guaranteed by Articles 20 and 21 cannot be suspended during a national emergency.
Omitted the provisions which took away the power of the court to decide the election disputes of the president, the vice-president, the prime minister and the Speaker of the Lok Sabha.

The old Article 33 applied only to the members of the armed forces or the forces charged with the maintenance of public order. The new Article 33 applies to two

			more categories of services.
52nd	1985	Curb Defection	Added Xth Schedule of the Constitution
54th	1986	Salaries of Judges Increased which was static since 1950	Formerly the salaries for these Judges were mentioned in the Second Schedule which could be amended only by following the procedure prescribed for a constitutional amendment.
61st	1989		Reduced the voting age from 21 years to 18 years for the Lok Sabha and state legislative assembly elections.
65th	1990		Provided for the establishment of a multi-member National Commission for Scheduled Castes and Scheduled Tribes in the place of a Special Officer for Scheduled Castes and Scheduled Tribes.
69th	1991		Accorded a special status to the Union Territory of Delhi by designing it as the National Capital Territory of Delhi. The amendment also provided for the creation of a 70-member legislative assembly and a 7-member council of ministers for Delhi.
70th	1992		provides for the inclusion of the members of the Legislatures of National Capital Territory and the Union Territory of Pondicherry in the electoral college for the election of the President
73rd	1993		PRI
74th	1993		ULB
77th	1995		This Article expressly empowers the state to make any provision for reservation in matters of promotion in any class or classes of posts in the service under the state in favour of S/Cs and S/Ts which, in the opinion of the state, are not adequately represented in the services under the state
86th	2002	Incorporate Right to Education	Made elementary education a fundamental right under the Article 21A Changed the subject matter of Article 45 in Directive Principles Added a new fundamental duty under Article 51-A
88th	2003		Introduction of VAT System which replaced Sales Tax

89th	2003		Bifurcated the erstwhile combined National Commission for Scheduled Castes and Scheduled Tribes into two separate bodies, namely, National Commission for Scheduled Castes (Article 338) and National Commission for Scheduled Tribes (Article 338-A).
91st	2003		Made the following provisions to limit the size of Council of Ministers, to debar defectors from holding public offices, and to strengthen the anti-defection law: The total number of ministers, including the Prime Minister, in the Central Council of Ministers, shall not exceed 15% of the total strength of the Lok Sabha. A member of either house of Parliament belonging to any political party who is disqualified on the ground of defection shall also be disqualified to be appointed as a minister. The total number of ministers, including the Chief Minister, in the Council of Ministers in a state shall not exceed 15% of the total strength of the Legislative Assembly of that state. But, the number of ministers, including the Chief Minister, in a state shall not be less than 12. The provision of the Tenth Schedule (anti-defection law) pertaining to exemption from disqualification in case of split by one-third members of the legislature party has been deleted. It means that the defectors have no more protection on grounds of splits.

Ninety Seventh Amendment Act, 2011
 § Gave constitutional status and protection to cooperative societies. It made the following three changes in the constitution:
 § It made the right to form co-operative societies a fundamental right (Article 19 (1) (c)).
 § It included a new Directive Principle of State Policy on the promotion of co-operative societies.

§ It added a new Part IX-B in the constitution which is entitled "The Co-operative societies".

Ninety Ninth Amendment Act 2014

§ Replaced the collegium system of appointing judges to the Supreme Court and High Courts with a new body called the National Judicial Appointments Commission (NJAC).

§ However, in 2015, the Supreme Court declared this Amendment Act as unconstitutional and void. Consequently, the earlier collegium system became operative again.

One Hundredth Amendment Act, 2014

§ Gave effect to the acquiring of certain territories by India and transfer of certain other territories to Bangladesh (through the exchange of enclaves and retention of adverse possessions) in pursuance of the Land Boundary Agreement of 1974 and its Protocol of 2011.

One Hundred and First Amendment Act, 2017

§ Introduction of the Goods and Services Tax

§ Created GST Council

One Hundred and Second Amendment Act, 2018

§ Constitutional status was provided to the National Commission for Backward Classes under India's Ministry of Social Justice and Empowerment.

One Hundred Third Amendment Act, 2019

§ It introduced reservations for Economic Weaker Section for the first time in independent India

§ Amendment in Article 16 allows a 10% reservation up to EWS in public employment.

One Hundred Sixth Amendment Act, 2023

Provision for Representation to Women in terms of reservation of seats in parliament and Legislature of states, UT of Delhi -as nearly as possible one third

