

# Kesavananda Bharati v. State of Kerala (1973)

Court: Supreme Court of India

Citation: AIR 1973 SC 1461; (1973) 4 SCC 225

Dataset Tag: Cases about violation of fundamental rights in India

## **Facts:**

Swami Kesavananda Bharati, head of a matha in Kerala, challenged state land reform acts alleging they violated his fundamental rights. The case was expanded to question the scope of Parliament's power to amend the Constitution under Article 368.

## **Issues:**

1. Whether the 24th, 25th, 26th, and 29th Constitutional Amendments were valid. 2. Whether Parliament's power to amend is unlimited or subject to inherent limitations.

## **Holding:**

By a 7–6 majority, the Court held that Parliament may amend any part of the Constitution but cannot alter its 'basic structure'. Fundamental rights form part of that basic structure.

## **Significance:**

Established the Basic Structure doctrine, safeguarding core constitutional features against total abrogation and solidifying judicial review over constitutional amendments.