

Indira Nehru Gandhi v. Raj Narain (1975)

Court: Supreme Court of India

Citation: AIR 1975 SC 2299; (1975) Supp SCC 1

Dataset Tag: Cases where Indira Gandhi was a party to the case

Facts:

Following the Allahabad High Court's decision setting aside Indira Gandhi's 1971 Lok Sabha election, Parliament passed the 39th Amendment placing disputes involving the PM's election beyond judicial review. Raj Narain challenged the amendment.

Issues:

Whether Clause (4) of the 39th Amendment violated the basic structure by excluding judicial scrutiny.

Holding:

The Court struck down Clause (4) as unconstitutional, holding that free and fair elections and judicial review are part of the basic structure.

Significance:

Reaffirmed the basic structure doctrine and limited parliamentary power even during the Emergency.