

reopen the validity of any amendment to the Constitution which took place prior to the date.

3. Fundamental Rights

Amendability of Fundamental Rights

a) Shankari Prasad Singh Deo v. Union of India (1951)	<ul style="list-style-type: none"> The SC asserted that the Parliament's power to amend under Article 368 also includes the power to amend the Fundamental Rights guaranteed in Part III of the Constitution. It said that a constitutional amendment act enacted to abridge or take away the fundamental rights is not void of article 13(2).
b) Sajjan Singh case (1965)	<ul style="list-style-type: none"> In this case SC held that the Parliament can amend any part of the Constitution including the Fundamental Rights.
c) Golaknath case (1967)	<ul style="list-style-type: none"> In this case, SC reversed its earlier stance that the Fundamental Rights can be amended. It held that Fundamental Rights are not amenable to the Parliamentary restriction as stated in Article 13 and that to amend the Fundamental rights a new Constituent Assembly would be required. Article 368 gives the procedure to amend but does not confer on Parliament the power to amend the Constitution. It conferred upon Fundamental Rights a transcendental position.

Freedom of speech

Anuradha Bhasin case (2020): Right to Internet Access

Issue/dispute at the core:

- SC in response to petitions filed, arguing the **Internet shutdown and curbing of other civil liberties in the Jammu and Kashmir (J&K).**

Constitutional and legislative provisions involved:

- Section 144 of the Code of Criminal Procedure (1973), Indian Telegraph Act (1885), Information Technology Act, Article 21, Article 19 (1) & Article 19(1)(g).

