

- **25th Amendment:**
 - ✓ **Section 2** of the act curtailed the right to property, and permitted the acquisition of private property by the government for public use, on the payment of compensation which would be determined by the Parliament and not the courts.
 - ✓ **Section 3** gave precedence to 'Directive Principles of State Policy (DPSP)' over the FRs and **took away the scope of Judicial Review** for policies laid down under several DPSPs (Articles 39 (b) and 39 (c)).
- **29th Amendment:** It added two land reform legislations to the **Ninth Schedule** of the Constitution of India (list of central and state laws which cannot be challenged in courts).

Outcomes of Kesavananda Bharati Case

- **Upheld the validity of the 24th amendment:** SC held that **Parliament had the power to amend any or all provisions of the Constitution** (including FRs), with a condition that the amendments should not alter, damage or destroy the essential features or the fundamental principles of the Constitution. This came to be known as the **"Basic Structure Doctrine"**.
- **Corrected judgments of the Golaknath case:** SC held that Article 368 contained both the power and the procedure for amending the Constitution and that **amending powers and legislative powers of Parliament were different**.
- **Other judgments:** SC upheld the 25th and 29th Amendments except for the parts that curtailed its power of judicial review and also asserted that the **Preamble is a part of the Constitution** and hence amendable.

Significance of the case

- It **expanded the scope of judicial review**, where the apex court was free to mould the 'Basic Structure' doctrine to strike down any constitutional amendment that attacks the very spirit of the Indian Democracy.
- Despite the large number of amendments made to the Indian Constitution, the 'Basic structure doctrine' helped in **preserving the integral philosophies of its framers**.
- It created a check on Parliament's endeavor to wipe out judicial review and strive for unconditional power to amend the Constitution (through Constitution (42nd Amendment) Act, 1976).
- Also, it clarified the distinction in amending and legislative powers of Parliament and gave the Preamble its righteous and integral position in the India constitution.

1.4. QUESTION HOUR

Why in News?

In the wake of the ongoing COVID-19 pandemic, Lok Sabha and Rajya Sabha suspended question hour and private members' business during the last monsoon session of Parliament.

More on News

- As per revised schedule,
 - Rajya Sabha would meet between 9 am and 1 pm and Lok Sabha between 3 pm and 7 pm.
 - **Zero hour has been cut short** to 30 minutes.
 - **No Question Hour** but MPs can ask Unstarred questions.
 - **Short notice questions** would be allowed with oral answers in case of urgency upon the discretion of the Speaker/Chairman.
 - **No Private Members' business**, hour set aside for bills put up by MPs.

A DAY IN PARLIAMENT

