Polity & Governance · GS - II

Examine how India's constitutional amendment procedure balances the need for constitutional change with federalism and parliamentary consensus.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 25/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

Answer Hint

Article 368, special majority, federal ratification, parliamentary sovereignty, basic structure doctrine, constitutional stability

Model Answer

The Indian Constitution combines flexibility with rigidity to accommodate changing socio-economic requirements while protecting its foundational principles. Article 368 establishes the principal procedure for constitutional amendments.

Mechanisms ensuring constitutional balance

1. **Special parliamentary majority:** Most constitutional amendments require a majority of the total membership of each House and a two-thirds majority of members present and voting. This prevents amendments through ordinary legislative majorities.
2. **Federal participation:** Amendments affecting specified federal provisions, including the representation of States in Parliament, require ratification by at least half of the State Legislatures.
3. **Separate approval:** Both Houses must independently pass an amendment Bill. There is no provision for a joint sitting under Article 368.
4. **Presidential assent:** The President is constitutionally required to give assent to a duly passed amendment Bill.

Judicial limitations

The basic structure doctrine, established in *Kesavananda Bharati v. State of Kerala (1973)*, limits Parliament's amending power. Parliament cannot destroy essential constitutional features such as democracy, secularism, federalism and judicial review.

Contemporary significance

Proposals concerning women's reservation and delimitation illustrate the importance of parliamentary consensus and federal consultation. Delimitation can affect the distribution of political representation, making transparency and consideration of regional concerns particularly important.

Conclusion: Article 368 enables constitutional evolution without permitting unrestricted constitutional transformation. Its combination of parliamentary special majority, federal ratification and judicial review protects constitutional continuity while allowing democratic reform.

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