

Event Report

Event Name: Webinar

Topic: The Journey of Kesavananda Bharati Case

Date of the Event: 24th Aril 2023

Time of the Event: 4:00 to 5:00 P.M onwards

Guest Speaker: Dr. Swapnil Bangali

Venue: Online via Google Meet

Name of the Event Coordinator: Dr. Bhavana Kadu Asso. Dean

Objective of the Program: To mark silver jubilee of the landmark judgement of Keshwanand Bharti case.

Outline of the Program:

Sir discussed the Kesavananda Bharati Case was a landmark case in the Supreme Court of India. The Kesavananda Bharati Case outlined the basic structure doctrine of the Indian Constitution.

In a 7:6 decision, the court struck down amendments to the Constitution that violated the fundamental structure of the Indian Constitution. According to Justice Hans Raj Khanna's Basic Structure doctrine, the constitution has a fundamental structure of constitutional ideals and principles. The main petitioner of the Kesavananda Bharati Case was Kesavananda Bharati, of Kesavananda Bharati Sripadagalvaru. The case came to be known as the Kesavananda Bharati and Ors. v. State of Kerala Case, 1973.

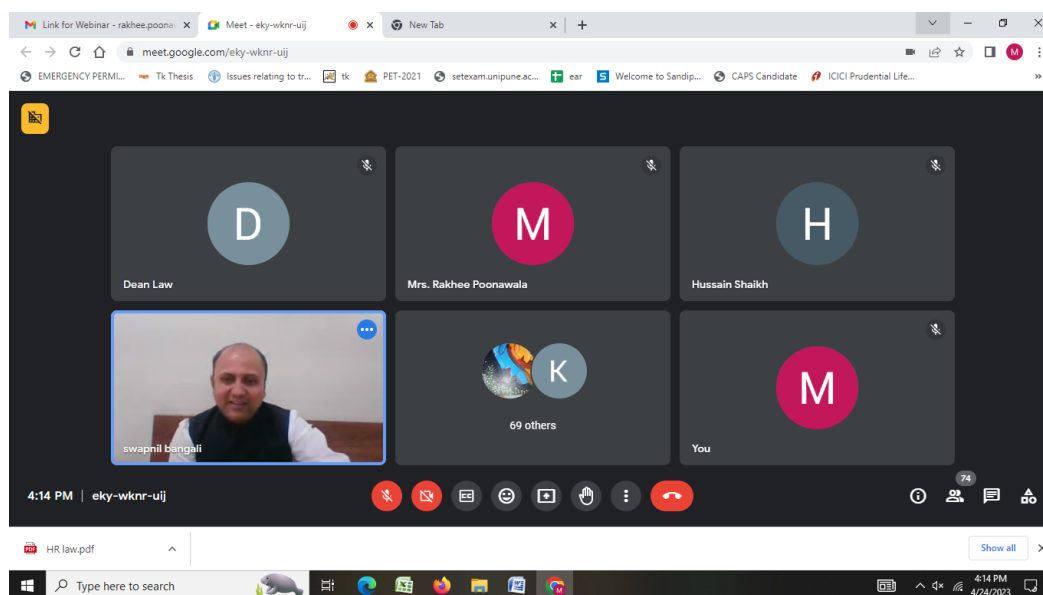
The 13-judge Constitution bench of the Supreme Court deliberated on the limitations, if any, of the powers of the elected representatives of the people and the nature of fundamental rights of an individual. In a verdict divided 7–6, the court held that while the Parliament has 'wide' powers, it did not have the power to destroy or emasculate the basic elements or fundamental features of the constitution.

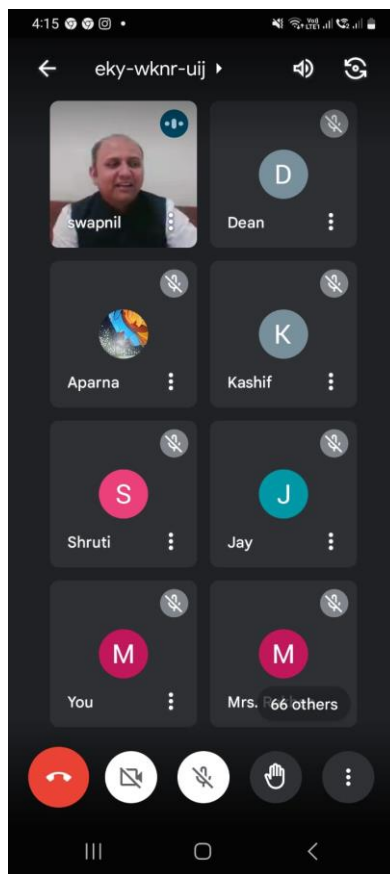
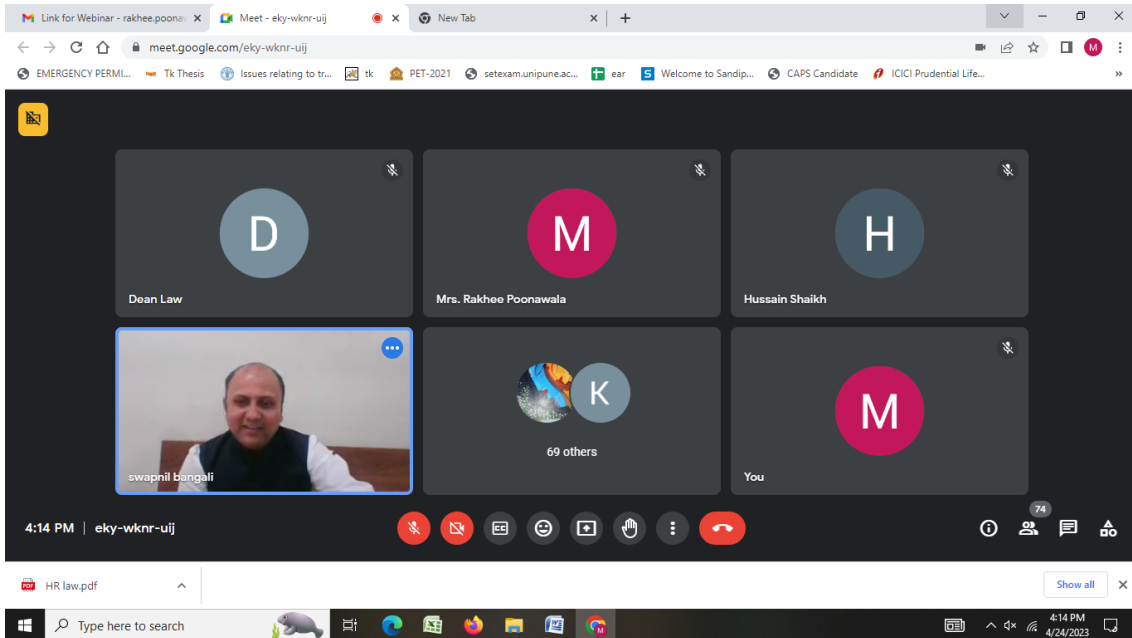
When this case was decided, the underlying apprehension of the majority bench that elected representatives could not be trusted to act responsibly was unprecedented. The Kesavananda judgment also defined the extent to which Parliament could restrict property rights, in pursuit of land reform and the redistribution of large landholdings to cultivators, overruling previous decisions that suggested that the right to property could not be restricted. The case was a culmination of a series of cases relating to limitations to the power to amend the Constitution.

This case is very important from the point of view of the landmark cases and also the basic structure of the Indian constitution.

The session concluded by vote of thanks to the guest.

Photos from the Event





Bhavana Kadu

Dr. Bhavana Kadu