

UNIT 1 – UPSC - 24th Amendment Act 1971

In order to remove difficulties created by the decision of Supreme Court in GOLAKNATH'S case parliament enacted the 24th amendment Act. The amendment has made the following amendments:

1. It has added a new clause (4) to article 13 which provides that 'nothing in this article shall apply to any amendment of this constitution made under article 368.
2. It substituted a new marginal heading to article 368 in place of the old heading "procedure for amendment of the constitution". The new heading is "power of parliament to amend the constitution and procedure thereof."
3. It inserted a sub clause (1) in article 368 which provides that "notwithstanding anything in this constitution, parliament may, in exercise of its constituent power may amend by way of addition, variation, or repeal any provision of this constitution in accordance with the procedure laid down in article"
4. It substituted the words "it shall be presented to the president who shall give his assent to the bill and thereupon" for the words "it shall be presented to the president for his assent and upon such assent being given to the Bill." Thus it obligatory for the president to give his assent to the bill amending the constitution.
5. It has added a new clause (3) to article 368 which provides that "nothing in article 13 shall apply to any amendment made under this article."

