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GS Notes for Judiciary

AMENDMENTS OF THE CONSTITUTION (ARTICLE 368)

There are two categories of Amendment under Article 368 which are:-

- 1. By special majority of Parliament that is (more than 50 percent) of the total membership of each House and a majority of two-thirds of the members of each House present and voting.
- 2. By special majority of Parliament and with the consent of half of the State Legislature by a simple majority. Provisions related to Federal structure can be amended through this procedure. There is a third category of the Amendment which is done by simple majority though these amendments do not come under ambit of **Article 368.**
- 3. It has been held by the Supreme Court in the **Kesavananda Bharati Case** (1973) that every provision of the Constitution is amendable under the meaning of Article 368 except the basic structure of the Constitution.

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