

UPSC Civil Services Examination

Political Science & International Relations for IAS Prelims and Mains

Topic: 42nd Amendment of Indian Constitution- Indian Polity Notes

42nd Amendment Act, 1976 is one of the most important amendments to the Indian Constitution. It was enacted by Indian National Congress headed by Indira Gandhi then. The topic '42nd Amendment Act' also called The Constitution Act, 1976 is significant for IAS Exam as it is an essential part of UPSC Political Science for both Prelims and Mains GS-II papers.

What is 42nd Amendment Act?

The act also called The Constitution Act, 1976 is termed as one of the most controversial acts in the history of amendments to Indian Constitution. It amended/ introduced various provisions given below:

- Attempted to reduce the power of the Supreme Court and High Courts
- Laid down Fundamental Duties for citizens
- Terms- Socialist, Secular and Integrity added to the Preamble

Similar to the 42nd amendment act, there are several other important amendments in the Indian Constitution for UPSC that you may like to read from the linked article for civil services exam preparation.

Why is 42nd Amendment called Mini Constitution?

The forty-second amendment attempted to alter the basic structure of Indian Constitution. Check the table below to read what all amendments were brought by the constitution act, 1976 because of which it was called the mini-constitution:

Amendments by 42nd Amendment Act	Details of the Amendments
Changes to Preamble	Words Socialist, Secular and Integrity added
Changes to 7th Schedule	Transferred five subjects from the state list to the concurrent list: <ol style="list-style-type: none"> 1. Education 2. Forests 3. Weights & Measures 4. Protection of Wild Animals and Birds 5. Administration of Justice
Added Article 51A	10 Fundamental Duties added for the citizens (Read below about the amendments registered in Article 51A)
Parliamentary Amendments	<ol style="list-style-type: none"> 1. Made President bound to the advice of the cabinet 2. Allowed Centre to deploy central forces in State to deal with the conflicting situations of law and order (Article 257A) 3. Gave special discriminatory powers to the speaker of Lok Sabha and Prime Minister (Article 329A) 4. Directive Principles were given precedence over Fundamental

	Rights and any law made to this effect by the Parliament was kept beyond the scope of judicial review by the Court
Changes to the judicial powers of HC	Curtailed the judicial review power of the high courts
Added Articles 323A and 323B XIV-A to the Constitution.	Part XIV-A added entitled as Tribunals dealing with Administrative Tribunals and tribunals for other matters
Added 4 new DPSPs to list	<ol style="list-style-type: none"> 1. To secure opportunities for the healthy development of children (Article 39) 2. To promote equal justice and to provide free legal aid to the poor (Article 39 A) 3. To take steps to secure the participation of workers in the management of industries (Article 43 A) 4. To protect and improve the environment and to safeguard forests and wildlife (Article 48 A)

How many duties are registered in 51st article of Indian Constitution by 42nd Amendment?

Article 51A under Part IV-A of the Constitution (which consists of only one Article—51A) was added by the 42nd amendment act. It introduced 10 Fundamental Duties:

S.No	Fundamental Duties under Article 51A
1	to respect the Constitution, national flag and national anthem
2	To cherish and follow the noble ideals which inspired our national freedom struggle
3	to protect the sovereignty, unity and integrity of the country
4	To defend the country and render national service
5	to promote harmony and the spirit of common brotherhood amongst all the people
6	to preserve the rich heritage of our composite culture
7	To protect and improve the natural environment and have compassion for living creatures
8	To develop the scientific temper, humanism and spirit of enquiry
9	To safeguard public property
10	To strive towards excellence in all spheres of individual and collective activity