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## **Constitution of India Art 31C - Saving of laws giving effect to certain directive principles**

**Notwithstanding anything contained in article 13, no law giving effect to the policy of the State towards securing all or any of the principles laid down in Part IV shall be deemed to be void on the ground that it is inconsistent with, or takes away or abridges any of the rights conferred by article 14 or article 19; and no law containing a declaration that it is for giving effect to such policy shall be called in question in any court on the ground that it does not give effect to such policy:**

**Provided that where such law is made by the Legislature of a State, the provisions of this article shall not apply thereto unless such law, having been reserved for the consideration of the President, has received his assent.**

### SYNOPSIS

#### **Cited in Sankaranarayanan 2017**

Constitutionality—Article 31-C (as amended by Forty-second Amendment Act) held unconstitutional to the extent of change made by 24 nd Amendment Act, *Minerva Mills Ltd. v. Union of India*, (1980) 3 SCC 625.

*Sanjeev Coke Manufacturing case*, (1983) 1 SCC 147 interpreting Article 39-B of the Constitution referred to larger Bench, *Property Owners Association v. State of Maharashtra*, (2001) 4 SCC 455.

Legislative declaration of nexus between the law and Article 39 is inconclusive and justiciable. Court can tear the veil if necessary, to examine the allegation of colourable legislation or

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abuse of power, Tinsukhia Electric Supply Co. Ltd. v. State of  
Assam, (1989) 3 SCC 709.