



State of Madras vs V.G. Row Case

For Prelims: [Supreme Court, Fundamental Rights](#), Restrictions on Fundamental Rights

For Mains: Restrictions on Fundamental Rights, Test of Reasonableness on Restriction of Rights

[Source: IE](#)

Why in News?

The [Supreme Court's](#) ruling in *State of Madras vs V.G. Row, 1952*, established the **test of reasonableness** for laws restricting [fundamental rights](#).

- It set a precedent for **judicial review**, ensuring that **restrictions on civil liberties must be fair, just, and not excessive**.

What is the State of Madras vs V.G. Row Case?

- **Background:** The case **challenged the Criminal Law Amendment Act, 1950**, which empowered the government **to restrict associations deemed prejudicial to public order**, under which the Madras government **banned the People's Education Society in 1950**.
 - V.G. Row, a member of the banned society, contended that the law violated **Article 19(1)(c) (Right to Form Associations)** and imposed an **unreasonable restriction under Article 19(4)**.
- **Supreme Court (SC) Ruling:**
 - In 1952, the **SC struck down the law as unconstitutional**, ruling that **excessive executive discretion in banning associations** was arbitrary and violated Article 19(1)(c).
 - It emphasized that restrictions must be **fair, just, and not excessive** in relation to their objective.
 - SC **laid out a framework to test reasonableness of restriction** based on factors like the **nature of the right infringed, purpose** and extent of the restriction, **proportionality to the issue addressed**, and prevailing socio-political conditions.
- **Significance:**
 - **Evolution of Constitutional Jurisprudence:** The **reasonableness test** became **foundational, evolving** into the **structured proportionality test** used today to evaluate state actions that limit fundamental rights.
 - **Impact on Modern Legal Frameworks:** Laws like the [Unlawful Activities \(Prevention\) Act \(UAPA\)](#), [Terrorist and Disruptive Activities \(Prevention\) Act \(TADA\)](#), and [Prevention of Terrorism Act \(POTA\)](#) have been scrutinized under this to ensure **they do not arbitrarily infringe on civil liberties**.

Note

- In [Anuradha Bhasin v. Union of India, 2020](#), the SC ruled that restrictions on **movement and communication must meet the test of proportionality**.
 - SC held that indefinite internet suspension **violates Article 19(1)(a) & 19(1)(g)** unless justified under **Article 19(2)** and must be **necessary, proportionate, and subject to judicial review**.
- **Article 19** of the Indian Constitution guarantees **fundamental rights**, including **speech, assembly, and movement**.
 - **Article 19(2)** allows **reasonable restrictions** for specific purposes: **protecting sovereignty, state security, diplomatic relations, public order, morality, judiciary (contempt of court) etc.**

What are the Landmark Cases on Balancing Rights and Restrictions?

- [Kesavananda Bharati v. State of Kerala, 1973](#): It established the [basic structure doctrine](#).
- [Maneka Gandhi v. Union of India, 1978](#): It expanded the scope of [Article 21](#), requiring that **any restriction must be fair, just, and reasonable**.
- [Shreya Singhal v. Union of India, 2015](#): **Struck down Section 66A of the IT Act** for being **vague and overbroad**.
- [Justice K.S. Puttaswamy v. Union of India, 2017](#).

Read more: [Fundamental Rights \(Part-1\)](#), [Fundamental Rights \(Part-2\)](#)

Drishti Mains Question:

Q. How does the principle of 'reasonable restrictions' safeguard national interest while upholding democratic freedoms?

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Prelims

Q1. 'Right to Privacy' is protected under which Article of the Constitution of India? (2021)

- (a) Article 15
- (b) Article 19
- (c) Article 21
- (d) Article 29

Ans: (c)

Q2. Right to Privacy is protected as an intrinsic part of Right to Life and Personal Liberty. Which of the following in the Constitution of India correctly and appropriately imply the above statement? (2018)

- (a) Article 14 and the provisions under the 42nd Amendment to the Constitution.
- (b) Article 17 and the Directive Principles of State Policy in Part IV.
- (c) Article 21 and the freedoms guaranteed in Part III.
- (d) Article 24 and the provisions under the 44th Amendment to the Constitution.

Ans: (c)

Mains

Q. Examine the scope of Fundamental Rights in the light of the latest judgement of the Supreme Court on Right to Privacy. (2017)

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