Polity & Governance · GS - II

Explain the reasons for the growth of public interest litigation in India. As a result of it, has the Indian Supreme Court emerged as the world's most powerful judiciary?

EXAM YEAR	PAPER	SUBJECT
2024	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

Answer Hint

PIL, judicial activism, Article 32, Article 226, access to justice, social action litigation, locus standi, fundamental rights, judicial review, constitutional remedies

Model Answer

Introduction

Public Interest Litigation (PIL) emerged in India as a mechanism to make justice accessible to disadvantaged groups who could not effectively approach courts themselves. It significantly expanded the judiciary's role in protecting constitutional and public rights.

Reasons for Growth of PIL

1. Relaxation of locus standi: Courts permitted public-spirited individuals and organisations to approach them on behalf of disadvantaged groups.

2. Socio-economic inequalities: Poverty, bonded labour, custodial violence and environmental degradation created issues requiring judicial intervention.

3. Rights-oriented jurisprudence: The expansion of Article 21 enabled courts to recognise several dimensions of dignified life.

4. Executive and administrative failures: PIL sometimes became a mechanism for securing implementation of constitutional and legal obligations.

5. Epistolary jurisdiction: Courts accepted letters and informal communications as writ petitions in appropriate cases.

Has It Made the Supreme Court the World's Most Powerful Judiciary?

PIL has undoubtedly expanded the Supreme Court's reach through judicial review, continuing mandamus and public-law remedies. It has intervened in areas including environment, prison reform, corruption and social welfare.

However, describing it as the **world's most powerful judiciary would be an overstatement**. Judicial power remains constitutionally limited, subject to legislative competence, institutional constraints and the separation of powers. Excessive judicial intervention may also raise concerns regarding institutional overreach.

The Supreme Court itself maintains guidelines governing PIL to prevent its misuse.

Conclusion

PIL has made Indian constitutional justice more accessible and strengthened judicial accountability. Yet its legitimacy depends on **judicial restraint, constitutional boundaries and respect for institutional separation of powers**.

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