



ARTICLE-PIL AND JUDICIAL TRENDS:-

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The Supreme Court of India has played a guardian role in protecting rights and interest of the people. It has moved in different dimensions and granted remedy to the people against the violation of rights. The Supreme Court has accepted that without recognizing the right of the people the preambular promise can't be established. In the judicial process, it has accepted the public interest litigation as a potent media to grant remedy to the people who suffer due to their disadvantage condition of life. It has rejected the traditional doctrine and accepted the new doctrine of 'locus standi'. It has interpreted the constitutional provisions to achieve the public welfare. In order to grant socio, economic and political justice to the people, it has harmonized law. It has created harmony between Fundamental rights and Directive principles. It has given new meaning to the word 'life' and played a positive role to safeguard the interest of the people and enlarged the responsibility on the state. In the process it has taken various socio-legal issues i.e. ecological protection, consume justice, prison reform, easy access to justice, gender justice, compensatory justice, and myriad bonded labourer's plight. Concern of socially handicapped person.

PIL AND JUDICIAL TRENDS:-

❖ The constitutional courts in exercising the power of judicial Review found to its dismay that, poorest of the poor, deprived, the illiterate, the urban and rural unorganized labour sector, women, children, handicapped and downtrodden due to their ignorance, indigence and illiteracy and other downtrodden, have either no access to justice or had been denied Justice. The court took affirmative action to render complete justice to the people, who are due to several reasons unable to approach the court.

❖ The court went against the age old practice of gender discrimination and invoked the privilege of elimination of all forms discrimination against women in the spirit of global trend.

It framed detailed guidelines for establishing redressal mechanism to tackle the issue of sexual harassment of women at workplaces. The court evolved the practice of appointing commissions for the purpose of gathering information in regard to a complaint of breach of fundamental right (by killing of citizens) by the Manipur police and other security forces, while they were in custody or in fake encounter or through extra judicial executions.

❖ The Supreme Court declared that, the right to livelihood was a fundamental right. It was held that, slums are reflection of structural social inequality and they should be treated with greatest compassion. The dynamics of the judicial process, took new dimension of enforcement and the constitutional court provide that, it acts as sentinel on the qui vive discharging its obligation as the custodian of constitutional morals. The court while interprets the legal norms, it acts through activated tort consciousness, and not merely through some of the provisions of the code of criminal procedure. The court held that, it is the primary duty of the courts to ensure that, all government agencies are discharging their entrusted duty in accordance with the law. Articles 21 and 32 provide “the finest guarantee and most effective protection for the most precious of all rights namely the right to life and personal liberty of every person.” At the instance of violations of these rights, the Supreme Court put all the faculties at high alert, to find out every grain of justice and contents of truth. Hearing the petition involving the question of rescue and rehabilitation of fallen women/ prostitutes and their children, the court played very active role. And granted appropriate relief.

CONCLUSION:-

❖ The people of India have a dream to create an egalitarian society and expressly stated it in the preamble of the constitution.

The preamble contains the noble and grand vision of the people with the high ideals to lay policy for a socialistic democratic Republic state. The welfare of the people is solemn aspirations for which the country struggled against the British regime. The idea is crystallized in the preamble by imputing the words “to secure justice-social, economic and political” to the people. It declares that ultimate sovereignty in India, resides in the people and no others. Thus every action of the state owes responsibility to provide a decent standard of life to the people and eliminate inequality in income and grand social status to lead a standard life. It wave a

pattern of life in which equal opportunity and facilities for democratic living shall prevail. The attainment of the common good is the essence of our constitutionalism. It ensures life to be meaningful and livable with all human dignity. All the organs of state must ensure the spirit of the constitution and act independently in their respective jurisdictions. But the constitutional courts are given power of judicial review to which that fundamental rights of the people are sacrosanct and no authority has frustrated the indivisible right. The Supreme Court is empowered to act as 'watchdog' to harmonize law to make 'life' meaningful.

REFERENCE:-

1. Dicey, Law and public opinion in England, 1961, (126-210).
2. Preamble of the constitution of India ensures Trinity of justice – i.e. justice – social, economic and political
3. I. R. Coelho Vs State of Tamil Nadu- AIR 2007 Sc 861

