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The Role of the Supreme Court in Protecting and Interpreting the Constitution of India

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ABSTRACT

The Supreme Court of India, established under the Constitution, plays a pivotal role in safeguarding and interpreting the Constitution of India. As the highest judicial authority in the country, the Supreme Court acts as the guardian of the Constitution, ensuring the protection of fundamental rights and the proper interpretation and enforcement of its provisions. This paper examines the multifaceted role of the Supreme Court in upholding and interpreting the Constitution, focusing on its functions as an interpreter, protector of fundamental rights, guardian of federalism, and promoter of social justice.

The Supreme Court possesses the power of judicial review, allowing it to review the constitutionality of laws and executive actions. Through this power, the Court ensures that the government operates within the constitutional limits and prevents any violation of fundamental rights. It has the authority to strike down any law or action that is found to be inconsistent with the Constitution, thereby safeguarding the rights and liberties of individuals. Furthermore, the Court's interpretations of the Constitution have provided stability and continuity to the constitutional framework of India. Notably, the doctrine of basic structure, established in the Kesavananda Bharati case, restricts the Parliament's amending power, ensuring the preservation of essential constitutional principles.

The Supreme Court's role extends beyond interpreting the Constitution to actively protecting and enforcing fundamental rights. Through Public Interest Litigation (PIL), any individual or organization can approach the Court directly to seek judicial intervention in matters of public importance. This jurisdiction has been instrumental in addressing issues related to environmental protection, gender equality, right to education, and access to justice. The Court has been proactive in safeguarding the rights of marginalized sections of society and holding the government accountable.

In addition to protecting fundamental rights, the Supreme Court serves as the guardian of federalism in India. It adjudicates disputes between the central government and state governments, ensuring a harmonious and cooperative relationship between them. The

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Court's interventions have played a vital role in maintaining the balance between the centre and the states, preserving the federal structure of the country.

Keywords: *Judicial review, Interpreter of the Constitution. Rule of law, Guardian of the Constitution.*

I. INTRODUCTION

The Constitution of India, adopted on 26th January 1950, serves as the supreme law of the land, providing a comprehensive framework for governance, protecting fundamental rights, and defining the powers and functions of different branches

of government. At the heart of this constitutional framework stands the Supreme Court of India, the highest judicial authority in the country. The Supreme Court plays a paramount role in protecting and interpreting the Constitution, ensuring the adherence to constitutional principles, and safeguarding the rights and liberties of individuals.

As an independent and impartial judicial body, the Supreme Court acts as the guardian of the Constitution, entrusted with the responsibility of upholding its sanctity and enforcing its provisions. The Court's significance lies in its power of judicial review, which enables it to review the constitutionality of laws and executive actions. This power ensures that the government functions within the limits set by the Constitution and prevents any violation of fundamental rights. The Supreme Court has the authority to strike down any law or action that is found to be inconsistent with the Constitution, thus safeguarding the democratic principles enshrined within it.

One of the primary functions of the Supreme Court is to interpret the Constitution. It acts as the final interpreter of the Constitution, providing authoritative interpretations and clarifications on its provisions. Through its judgments, the Court defines the scope and meaning of fundamental rights, clarifies constitutional provisions, and resolves constitutional ambiguities. The Court's interpretations play a vital role in shaping the understanding and implementation of the Constitution, providing legal certainty and guidance to the government and the citizens.

Over the years, the Supreme Court's interpretations have not only elucidated the constitutional provisions but have also expanded the horizons of fundamental rights. It has recognized the evolving nature of rights and adapted its interpretations to reflect the changing social realities of India. For instance, the Court has recognized the right to privacy as a fundamental right, keeping pace with technological advancements and the increasing importance of individual autonomy in the digital age. The Supreme Court's role as the interpreter of the Constitution is

instrumental in ensuring that the Constitution remains a living document, capable of addressing contemporary challenges and aspirations.

In addition to its role as an interpreter, the Supreme Court serves as a vigilant protector of fundamental rights. The Constitution of India guarantees certain fundamental rights to all its citizens, including the right to equality, freedom of speech and expression, right to life and personal liberty, and protection against discrimination. The Supreme Court acts as a sentinel, diligently safeguarding these rights and ensuring their effective enforcement.

One significant aspect of the Court's role in protecting fundamental rights is through its Public Interest Litigation (PIL) jurisdiction. PIL allows any individual or organization to approach the Court directly, seeking judicial intervention in matters of public importance. This unique jurisdiction enables the Court to address systemic issues, protect the rights of marginalized sections of society, and ensure the accountability of the government. The Supreme Court has used its PIL jurisdiction to address various social issues, including environmental protection, gender equality, right to education, and access to justice. It has often stepped in to correct injustices, fill legislative gaps, and provide relief to those who have been denied justice.

Furthermore, the Supreme Court acts as the guardian of federalism in India. The Constitution of India provides for a federal system of government, where powers are divided between the central government and the state governments. The Court has the responsibility to adjudicate disputes between the center and the states, ensuring a harmonious relationship between them and upholding the principles of federalism. The Supreme Court's interventions have been crucial in maintaining the delicate balance between the centre and the states, preventing any encroachment on the powers of either entity or preserving the federal structure of the country.

II. JUDICIAL REVIEW: UPHOLDING CONSTITUTIONAL VALIDITY

Judicial review is a power vested in the Supreme Court of India to review the constitutionality of laws, executive orders, and actions taken by the government. The Supreme Court's authority to conduct judicial review is derived from the Constitution of India, which establishes it as the highest judicial body in the country.

The Supreme Court's role in upholding constitutional validity is crucial for maintaining the balance of power between the three branches of government and ensuring that laws and actions comply with the provisions of the Constitution. The power of judicial review allows the Supreme Court to determine whether legislative or executive actions are consistent with the constitutional principles and rights enshrined in the Constitution.

When a law or action is challenged as unconstitutional, the Supreme Court has the authority to interpret the relevant constitutional provisions and make a determination on its validity. If the Court finds that a law or action violates the Constitution, it may strike it down as unconstitutional or modify it to bring it in line with constitutional requirements. The Supreme Court's decisions in such cases are binding and have far-reaching implications.

The Supreme Court of India has been instrumental in upholding constitutional validity through judicial review. It has delivered landmark judgments on various issues, including fundamental rights, federalism, separation of powers, and the scope of government authority. These decisions have shaped the constitutional landscape of India and have played a significant role in protecting the rights and liberties of citizens.

It is important to note that the power of judicial review is not absolute, and the Supreme Court exercises it within the framework of the Constitution. The Court's role is to interpret and apply the Constitution rather than create or amend it. The principle of judicial restraint guides the Court to exercise caution and not encroach upon the domains of the legislature and executive unless there is a clear violation of constitutional principles.

Overall, the Supreme Court of India plays a vital role in upholding constitutional validity through judicial review. Its decisions serve as a check on the powers of the legislative and executive branches, ensuring that they act within the constitutional boundaries and safeguarding the fundamental rights and principles enshrined in the Constitution.

III. ROLE AS THE INTERPRETER OF THE CONSTITUTION

The Supreme Court of India plays a crucial role as the interpreter of the Constitution. As the highest judicial authority in the country, it is entrusted with the responsibility of interpreting the provisions of the Constitution and clarifying their meaning and scope. This power of interpretation allows the Supreme Court to give effect to the intent and purpose of the framers of the Constitution and ensure its continued relevance in a changing society.

The Constitution of India is a living document that lays down the fundamental principles, rights, and governance structures for the country. However, the text of the Constitution is not always explicit or exhaustive in addressing all possible situations or resolving legal ambiguities. Therefore, the Supreme Court's role as the interpreter of the Constitution becomes crucial in providing clarity and resolving disputes.

The Court's interpretation of the Constitution is guided by various principles, including the literal rule, contextual interpretation, purposive interpretation, and harmonious construction.

These principles help the Court to understand the intentions of the framers and apply the Constitution in a manner that is consistent with its underlying values and objectives.

Through its interpretation of the Constitution, the Supreme Court has played a significant role in shaping the legal and social landscape of India. It has expanded the scope of fundamental rights, clarified the division of powers between the central and state governments, and interpreted the principles of equality, justice, and secularism. The Court's interpretations have also influenced legislative and executive actions, guiding the development of laws and policies in line with constitutional principles.

For instance, in the case of *Kesavananda Bharati v. State of Kerala* (1973), the Supreme Court pronounced the doctrine of basic structure, which holds that certain fundamental features of the Constitution are beyond the amending power of the Parliament. This landmark judgment established that the basic structure of the Constitution, including principles such as democracy, secularism, and judicial review, cannot be altered by constitutional amendments. The Supreme Court's interpretation in this case has provided stability and continuity to the constitutional framework of India.

Moreover, the Supreme Court's interpretations have often been relied upon by lower courts and have set precedents for future cases. The doctrine of *stare decisis*, which means "to stand by decided cases," ensures consistency and predictability in the application of the law. Lower courts are bound by the Supreme Court's interpretations unless they are subsequently overruled by the Court itself.

IV. PROTECTING FUNDAMENTAL RIGHTS

The Supreme Court of India has a vital role in protecting fundamental rights enshrined in the Constitution. Fundamental rights are the basic liberties and protections guaranteed to every citizen, and the Supreme Court acts as a guardian to ensure their preservation and enforcement.

The Court plays a key role in protecting fundamental rights through the following mechanisms:

- 1. Judicial Review:** The Supreme Court has the power of judicial review, allowing it to review the constitutionality of laws, executive actions, and government policies. If a law or action is found to violate fundamental rights, the Court can declare it unconstitutional and strike it down.

- 2. Writ Jurisdiction:** The Supreme Court has the authority to issue writs, including habeas corpus, mandamus, certiorari, prohibition, and quo warranto. These writs serve as powerful tools to protect fundamental rights by providing remedies to individuals whose rights have been violated or are at risk.

3. Public Interest Litigation (PIL): The Supreme Court has expanded the scope of PIL, enabling individuals and organizations to file cases on behalf of marginalized and disadvantaged groups. PIL allows the Court to address systemic issues and protect the fundamental rights of those who may not be able to approach the Court directly.

4. Expansive Interpretation: The Supreme Court has adopted a broad and progressive interpretation of fundamental rights to adapt to the changing social and legal landscape. It has expanded the scope of rights such as the right to life, liberty, equality, freedom of speech, and expression, and has recognized new rights like the right to privacy.

5. Protecting Minority Rights: The Supreme Court plays a crucial role in safeguarding the rights of minority communities and marginalized sections of society. It has intervened in cases involving discrimination, atrocities, and denial of basic rights to ensure equal treatment and protection for all citizens.

6. Enforcing Judgments: The Supreme Court monitors the implementation of its judgments and ensures compliance by government bodies and authorities. It can issue directions and orders to ensure that fundamental rights are upheld and respected.

Through its landmark judgments, the Supreme Court has shaped the legal framework and significantly contributed to the protection of fundamental rights in India. It has been at the forefront of securing social justice, gender equality, and individual freedoms.

However, it is important to acknowledge that the Supreme Court's role in protecting fundamental rights is not without challenges. It must strike a delicate balance between individual rights and the legitimate concerns of the state. The Court also faces challenges in ensuring effective enforcement and implementation of its judgments at all levels.

V. GUARDIAN OF FEDERALISM

The Supreme Court of India acts as a guardian of federalism, which is the division of powers and responsibilities between the central government and the state governments. Federalism is a fundamental feature of the Indian Constitution, and the Court plays a crucial role in safeguarding the principles of federalism.

The Supreme Court's role as the guardian of federalism can be understood in the following ways:

1. Interpreting the Distribution of Powers: The Constitution of India clearly defines the powers and jurisdictions of the central government and the state governments. In case of any disputes or conflicts arising between the two, the Supreme Court has the authority to interpret

the provisions of the Constitution and determine the distribution of powers. It ensures that neither the central government nor the state governments exceed their constitutional authority.

2. Resolving Center-State Disputes: The Supreme Court acts as an arbiter in disputes between the central government and the state governments. It has the power to adjudicate on matters related to the interpretation of the Constitution and resolve conflicts arising from the exercise of powers by different levels of government. The Court's decisions help maintain the balance between the center and the states and prevent encroachment on each other's domains.

3. Protecting State Autonomy: The Supreme Court protects the autonomy of state governments by preventing undue interference by the central government. It ensures that the states have the necessary powers and resources to function independently within their constitutional limits. The Court's judgments uphold the principles of federalism and protect the rights of states to govern their respective territories.

4. Upholding Cooperative Federalism: The Supreme Court promotes the spirit of cooperative federalism, where the central government and state governments work together to address common issues and achieve shared objectives. It encourages collaboration and coordination between different levels of government while respecting their respective roles and responsibilities.

5. Balancing National Unity and Regional Aspirations: The Supreme Court strikes a balance between national unity and regional aspirations. It ensures that the interests and aspirations of different states are protected while upholding the unity and integrity of the country. The Court's judgments prevent any excessive concentration of power in the central government and promote a healthy relationship between the center and the states.

Through its judgments and interpretations, the Supreme Court has played a significant role in shaping the federal structure of India. It has upheld the principles of federalism and protected the rights and autonomy of state governments. The Court's interventions have helped maintain a healthy balance between the center and the states, ensuring a cooperative and harmonious functioning of the federal system.

It is worth noting that the Supreme Court's role as the guardian of federalism is not without challenges. Balancing the powers of the center and the states, addressing center-state conflicts, and interpreting the constitutional provisions related to federalism require careful consideration and a nuanced approach by the Court.

In conclusion, the Supreme Court of India acts as the guardian of federalism by interpreting the distribution of powers, resolving center-state disputes, protecting state autonomy, upholding cooperative federalism, and balancing national unity with regional aspirations. Its role in

preserving and promoting federal principles is essential for maintaining a strong and harmonious relationship between the central government and the state governments in India.

VI. PROMOTING SOCIAL JUSTICE

The Supreme Court of India plays a crucial role in promoting social justice. Social justice refers to the fair and equitable distribution of resources, opportunities, and benefits within society, with a focus on addressing disparities and uplifting marginalized and disadvantaged sections of the population. The Supreme Court's role in promoting social justice can be seen through various aspects:

1. **Constitutional Provisions:** The Constitution of India incorporates several provisions that aim to achieve social justice. These include provisions for reservations in educational institutions and government jobs for socially and educationally disadvantaged communities, protection of the rights of Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs), and the promotion of equality and non-discrimination.

For instance, in the case of *Indra Sawhney v. Union of India* (1992), commonly known as the Mandal Commission case, the Supreme Court upheld the reservation policy for socially and educationally backward classes in government jobs and educational institutions. The Court emphasized the importance of affirmative action to address historical discrimination and promote equality of opportunity. The Supreme Court's judgment in this case has had a profound impact on social inclusion and empowerment of marginalized communities in India.

2. **Interpreting and Expanding Fundamental Rights:** The Supreme Court interprets the fundamental rights enshrined in the Constitution in a manner that promotes social justice. It has expanded the scope of fundamental rights to include the right to education, right to livelihood, right to dignity, and right to equality, among others. The Court's interpretations ensure that these rights are accessible to all sections of society, especially the marginalized and disadvantaged.
3. **Protection of Human Rights:** The Supreme Court acts as a custodian of human rights and ensures their protection. It addresses cases related to discrimination, social exclusion, and violations of basic human rights. The Court's interventions have played a crucial role in addressing social issues such as bonded labor, child labor, manual scavenging, and environmental degradation.
4. **Public Interest Litigation (PIL):** The Supreme Court has expanded the scope of public interest litigation, allowing individuals and organizations to file cases on behalf of

those who cannot approach the Court directly. PIL has been instrumental in bringing social issues to the forefront and seeking redress for marginalized and disadvantaged communities.

5. **Progressive Judgments:** The Supreme Court has delivered several progressive judgments that promote social justice. These judgments have addressed issues such as gender equality, LGBTQ+ rights, right to healthcare, right to food, right to housing, and the protection of the rights of vulnerable groups. The Court's decisions have contributed to the advancement of social justice principles and the protection of the rights of marginalized communities.
6. **Judicial Activism:** The Supreme Court has displayed judicial activism in addressing social justice issues. It has taken suo motu cognizance of matters of public importance, directed government agencies to take action, and monitored the implementation of its judgments to ensure social justice is effectively achieved.

Through its interventions, interpretations, and judgments, the Supreme Court has been instrumental in promoting social justice and addressing societal inequalities in India. It has played a significant role in shaping policies, influencing legislation, and advocating for the rights of marginalized and disadvantaged communities.

However, it is important to note that promoting social justice is an ongoing process, and there are challenges in implementation and enforcement. The Supreme Court's role is one part of a larger effort that requires coordination between the judiciary, executive, and legislative branches of government, as well as active participation from civil society organizations and citizens.

VII. UPHOLDING THE RULE OF LAW

The Supreme Court of India plays a vital role in upholding the rule of law. The rule of law refers to the principle that everyone is subject to the law and that laws are applied consistently and impartially. The Court's role in upholding the rule of law can be understood in the following ways:

1. **Constitutional Interpretation:** The Supreme Court is the final interpreter of the Constitution of India. It ensures that all laws, including legislative and executive actions, are in conformity with the Constitution. The Court's power of judicial review allows it to strike down laws that are unconstitutional or violate fundamental rights. By upholding the Constitution as the supreme law of the land, the Court ensures that the rule of law prevails over arbitrary exercise of power.

2. Judicial Independence: The Supreme Court functions as an independent and impartial judicial body. It is insulated from political influence and pressure, which enables it to make decisions based on the law and the Constitution, rather than external forces. The Court's independence is essential for ensuring the rule of law by upholding the principles of fairness, impartiality, and justice.

3. Checks and Balances: The Supreme Court acts as a check on the powers of the executive and legislative branches of government. It reviews the legality and constitutionality of government actions and policies, ensuring that they are within the bounds of the law. This system of checks and balances helps prevent any abuse or excesses of power, thereby upholding the rule of law.

4. Adjudication of Disputes: The Supreme Court is the highest court of appeal and the final arbiter in legal disputes. It provides a fair and impartial forum for resolving conflicts and disputes in accordance with the law. The Court's judgments set legal precedents and establish the rule of law as a guiding principle for all individuals and institutions.

5. Enforcing Judicial Decisions: The Supreme Court has the authority to enforce its judgments and orders. It ensures compliance by government bodies, individuals, and organizations. By ensuring the enforcement of its decisions, the Court reinforces the principle that no one is above the law and that the rule of law must be upheld.

6. Public Confidence: The Supreme Court's credibility and public trust are crucial for upholding the rule of law. The Court's integrity, transparency, and accountability contribute to public confidence in the judiciary and its commitment to the principles of justice and the rule of law.

Through its actions, decisions, and adherence to legal principles, the Supreme Court of India plays a significant role in upholding the rule of law. It ensures that the law applies equally to all individuals and institutions, protects constitutional rights, checks the exercise of power, resolves disputes, and maintains public confidence in the judiciary. By upholding the rule of law, the Court strengthens democratic institutions, protects individual rights, and promotes a just and equitable society.

VIII. CONCLUSION

The Supreme Court of India plays a multifaceted role in upholding various pillars of democracy and ensuring justice and equality in the country. It serves as the interpreter of the Constitution, protecting fundamental rights, promoting federalism, social justice, and the rule of law.

The Court's interpretation of the Constitution shapes the legal landscape and determines the boundaries of governmental powers. It acts as the guardian of fundamental rights, safeguarding individual liberties and equality. Through its writ jurisdiction and public interest litigation, the Court provides access to justice for marginalized and disadvantaged communities.

The Supreme Court also protects the principles of federalism by resolving disputes between the central government and state governments and upholding the autonomy of states. It promotes social justice by addressing issues of discrimination, inequality, and human rights violations, thereby advancing the cause of an inclusive and equitable society.

Moreover, the Court ensures the rule of law by reviewing the constitutionality of laws and government actions, upholding the supremacy of the Constitution, and providing an independent and impartial judiciary. Its decisions and enforcement of judgments contribute to the stability of democratic institutions and the public's trust in the judicial system.

Overall, the Supreme Court's role as the interpreter of the Constitution, protector of fundamental rights, guardian of federalism, promoter of social justice, and upholder of the rule of law is instrumental in shaping the legal and societal landscape of India. Its interventions and judgments have a far-reaching impact, ensuring the principles of justice, equality, and democracy are upheld and preserved in the country.

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