

## Examrace

### Competitive Exams: Political Science Study Material Role of SC

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#### **Role of the SC in Strengthening the Constitution in the Last 50 Years**

- Under the Constitution, the Supreme Court performs multiple roles viz. as custodian of the Constitution, guarantor of the Fundamental Rights, and final interpreter of the Constitution.
- The Supreme Court has been described as a continuous Constitutional convention, as it continues to expand the scope of the Constitution in conformity with the growing demands of the Indian society.
- It is primarily through the power of the judicial review that the Court has been helping in the growth of the Constitution.
- The most fundamental contribution in this regard is that it emphasises that, in India it is the Constitution which is supreme.
- Whenever there was a parliamentary threat to the Constitution, the Court succeeded in protecting it through various decisions, culminating in the doctrine of 'Basic Structure' as propounded in the Kesavananda Bharati case.
- By providing a liberal interpretation of the Constitution, especially Arts. 19 and 21, it has expanded the scope of the Fundamental Rights by including the rights to education, privacy, health of workers, and concept of the due process of law under Part III of the Constitution.
- It has also succeeded in maintaining a harmony between two important parts of the Constitution Part III and Part IV as is clear in the Minerva Mills case decision.
- It has also successfully expanded the scope of judicial review to crucial Articles viz. 352 and 356.
- It has also taken upon itself the role of a crusader aimed at extending a corruption-free administration and liveable environment for all the people of India through a new phenomenon known as 'judicial activism'
- It has also successfully incorporated the concept of Public Interest Litigation (PIL) as part of Indian jurisprudence to heighten the responsibility of the Executive. Thus it has also acted as a source of social and economic transformation in the country.

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