

# INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS



Open Access, Refereed Journal Multi-Disciplinary  
Peer Reviewed

[www.ijlra.com](http://www.ijlra.com)

## DISCLAIMER

No part of this publication may be reproduced, stored, transmitted, or distributed in any form or by any means, whether electronic, mechanical, photocopying, recording, or otherwise, without prior written permission of the Managing Editor of the *International Journal for Legal Research & Analysis (IJLRA)*.

The views, opinions, interpretations, and conclusions expressed in the articles published in this journal are solely those of the respective authors. They do not necessarily reflect the views of the Editorial Board, Editors, Reviewers, Advisors, or the Publisher of IJLRA.

Although every reasonable effort has been made to ensure the accuracy, authenticity, and proper citation of the content published in this journal, neither the Editorial Board nor IJLRA shall be held liable or responsible, in any manner whatsoever, for any loss, damage, or consequence arising from the use, reliance upon, or interpretation of the information contained in this publication.

The content published herein is intended solely for academic and informational purposes and shall not be construed as legal advice or professional opinion.

**Copyright © International Journal for Legal Research & Analysis.  
All rights reserved.**

## ABOUT US

The *International Journal for Legal Research & Analysis (IJLRA)* (ISSN: 2582-6433) is a peer-reviewed, academic, online journal published on a monthly basis. The journal aims to provide a comprehensive and interactive platform for the publication of original and high-quality legal research.

IJLRA publishes Short Articles, Long Articles, Research Papers, Case Comments, Book Reviews, Essays, and interdisciplinary studies in the field of law and allied disciplines. The journal seeks to promote critical analysis and informed discourse on contemporary legal, social, and policy issues.

The primary objective of IJLRA is to enhance academic engagement and scholarly dialogue among law students, researchers, academicians, legal professionals, and members of the Bar and Bench. The journal endeavours to establish itself as a credible and widely cited academic publication through the publication of original, well-researched, and analytically sound contributions.

IJLRA welcomes submissions from all branches of law, provided the work is original, unpublished, and submitted in accordance with the prescribed submission guidelines. All manuscripts are subject to a rigorous peer-review process to ensure academic quality, originality, and relevance.

Through its publications, the *International Journal for Legal Research & Analysis* aspires to contribute meaningfully to legal scholarship and the development of law as an instrument of justice and social progress.

## ***PUBLICATION ETHICS, COPYRIGHT & AUTHOR RESPONSIBILITY STATEMENT***

The *International Journal for Legal Research and Analysis (IJLRA)* is committed to upholding the highest standards of publication ethics and academic integrity. All manuscripts submitted to the journal must be original, unpublished, and free from plagiarism, data fabrication, falsification, or any form of unethical research or publication practice. Authors are solely responsible for the accuracy, originality, legality, and ethical compliance of their work and must ensure that all sources are properly cited and that necessary permissions for any third-party copyrighted material have been duly obtained prior to submission. Copyright in all published articles vests with IJLRA, unless otherwise expressly stated, and authors grant the journal the irrevocable right to publish, reproduce, distribute, and archive their work in print and electronic formats. The views and opinions expressed in the articles are those of the authors alone and do not reflect the views of the Editors, Editorial Board, Reviewers, or Publisher. IJLRA shall not be liable for any loss, damage, claim, or legal consequence arising from the use, reliance upon, or interpretation of the content published. By submitting a manuscript, the author(s) agree to fully indemnify and hold harmless the journal, its Editor-in-Chief, Editors, Editorial Board, Reviewers, Advisors, Publisher, and Management against any claims, liabilities, or legal proceedings arising out of plagiarism, copyright infringement, defamation, breach of confidentiality, or violation of third-party rights. The journal reserves the absolute right to reject, withdraw, retract, or remove any manuscript or published article in case of ethical or legal violations, without incurring any liability.

# **JURISTOCRACY AND CONSTITUTIONALISM IN INDIA: A CRITICAL ANALYSIS**

AUTHORED BY - KOUSHIK DEY

## **Abstract**

This article examines changes in India's constitutional democracy, focusing on the tension between parliamentary and judicial supremacy. It reviews how constitutional interpretation has evolved in India, especially after the *Kesavananda Bharati v. State of Kerala* (1973) case and the introduction of the Basic Structure Doctrine. The article explores whether India's system still upholds parliamentary supremacy or if the judiciary now functions as a higher authority, shaping governance in new ways. It concludes by considering how this shift impacts Indian democracy.

## **Introduction**

India's Constitution was designed to combine parliamentary democracy with constitutional supremacy. When it came into effect in 1950, it established an elected legislature to make laws and assigned the judiciary the task of interpreting and protecting constitutional principles. At first, Indian constitutionalism followed a model where the legislature, within constitutional limits, held the highest authority.

Over the past seventy years, the Indian judiciary, especially the Supreme Court, has steadily increased its power to interpret and review laws. Using ideas like the Basic Structure Doctrine and tools such as Public Interest Litigation (PIL), judges have become more active in shaping public policy and governance. Some critics say this has led to a juristocracy, in which judges make decisions with wide social and political impact—roles that were once mainly for the legislature or the executive.

This debate centres on a key question: Has India shifted from parliamentary supremacy within constitutional limits to a system where the judiciary holds the most power? Has the judiciary become the main political decision-maker in a way that might weaken democratic legitimacy, or has it simply protected constitutional values by limiting majoritarian or executive power? This article examines these issues in detail.

## **Parliamentary Supremacy vs. Constitutional Supremacy: The Theoretical Framework**

**Parliamentary Supremacy:** In the classic Westminster model, parliamentary supremacy means that the legislature has the highest law-making power and its decisions cannot be challenged in court. (Parliamentary Sovereignty, 2024) No other body can overturn Parliament's laws, and the legislature is politically accountable to the people. (Parliamentary sovereignty, 2025)

**Constitutional supremacy and Judicial Review:** Constitutional supremacy means the Constitution is the highest law, so all laws and government actions must follow it. (Jee & Batra, 2025, pp. 1949-1954) Judicial review is important because courts can check and overturn laws that do not match the Constitution. (Kashyap & Chauhan, 2025, pp. 1910-1921)

In India, the system is mixed. The Constitution is the highest law, but Parliament still has wide law-making powers as long as it stays within constitutional limits. (Kashyap & Chauhan, 2025, pp. 1910-1921)

**Juristocracy defined:** 'Juristocracy' combines the words "jurist" and "cracy" to mean rule by judges. It describes a situation where judges, by interpreting or reviewing laws broadly, play a key role in shaping important policies.

### **The Judiciary and the Basic Structure Doctrine**

**The Genesis – Kesavananda Bharati v. State of Kerala (1973):** The Kesavananda Bharati case is a landmark in constitutional law. When there were disagreements about how far Parliament could go in amending the Constitution, the Supreme Court introduced the Basic Structure Doctrine. This doctrine says that the Constitution sets real limits on Parliament's power to amend it. Some core features, such as democracy, secularism, separation of powers, and judicial review, cannot be removed even by a constitutional amendment. (Faisal et al., 2025)

This doctrine is not directly stated in the Constitution. Instead, it was developed by the judiciary. (India, 1973)

**Judicial Reasoning and Constitutional Interpretation:** The Supreme Court assumed the power to review Parliament's ability to change the constitution, which is unusual in countries that rely solely on written law. Some critics argue that this decision gave judges greater constitutional power than elected officials.

Implication of the Basic Structure Doctrine: This change made sure that universal human rights and key constitutional protections could not be overridden by majority rule. It gave courts the role of upholding constitutional values and allowed judges to get more involved in reviewing legislative policy decisions.

### **Expansion of Judicial Review: From Adjudication to Policy**

Public Interest Litigation – During the 1980s and 1990s, public interest litigation (PIL) became more common in India. Courts began accepting petitions from citizens and NGOs who spoke for disadvantaged groups. While PIL made justice more accessible, it also changed how courts worked, especially when they started giving directions about administrative policy and governance.

Judicial Law Making – Cases such as environmental protection orders, interpretations of socio-economic rights under Article 21, and rules in education and governance have blurred the line between judicial interpretation and judicial policymaking. (S, 2023)

This leads to a key constitutional question: Does judicial law-making help democracy by addressing gaps in governance, or does it overstep into areas meant for political branches?

### **Analysing the Shifts: Is India Moving Toward Judicial Supremacy?**

Yes – Through Judicial Supremacy.

Unelected Judges Shape Public Policy: Many policy decisions that come from court judgments show that judges are involved in issues beyond traditional legal disputes, such as reservation policies, executive appointments, and environmental regulation.

The Basic Structure Doctrine as a Super-Constitution: When courts claim the power to set limits on constitutional amendments, they end up creating a separate constitutional standard that stands apart from the political process.

Legislative responses are often Reactive: Parliament sometimes responds to judicial decisions rather than passing proactive laws on complex social issues. For example, this can be seen with agricultural laws and how reservations are interpreted, which increases the influence of the judiciary.

No – Judicial Supremacy Misconstrued.

Judicial Review is Constitutionally Mandated: Articles 13, 32, and 226 give courts the authority to protect fundamental rights and uphold the Constitution. (Judicial Review: The Judiciary's Guard against Constitutional Violations, 2025) Judicial review is meant to prevent the majority from overstepping its limits.

Checks and Balances Remain: Parliament can still amend the Constitution, as long as it does not change its basic structure. (Constitutional Amendments & Article 13: UPSC Demystified, 2023) There are also processes for removing judges, impeachment rules, and other checks that balance the power of the judiciary. (Constitutional Provisions Ensuring Judicial Independence in India, 2022)

Judicial Activism Often Compensatory: When the executive or legislature has not protected constitutional rights, courts have acted to defend those rights and uphold constitutional values, rather than to take over governing.

### **Critical Appraisal: Normative and Institutional Application.**

Democratic Legitimacy vs. Constitutional Supremacy: A key challenge in Indian constitutionalism is balancing democratic legitimacy, which comes from representative politics, with constitutional morality, upheld by the judiciary. (Raj & R., 2025, pp. 853-862) Judicial review helps protect rights, but too much judicial policymaking can sidestep democratic accountability. (Judicial Review and the Doctrine of Basic Structure, 2025)

The Role of Basic Structure Doctrine: The doctrine helps protect the core values of the Constitution, but it also gives judges broad authority. (Faisal et al., 2025) This power is based on the Constitution's principles, but its limits are unclear, which allows for different interpretations. (India, 1973)

Institutional Competence and Accountability: Judges are legal experts, not elected policymakers. Their ability to handle complex administrative, social, and economic issues is sometimes questioned. (Vakil, 2018) They also do not have political accountability, which creates a gap in democracy. (Krishnaswamy, 2011)

Judicial Restraint and Dialogue: Modern constitutional theory supports a 'dialogue' model, where courts interpret the Constitution but also respect the policy expertise of elected officials.

(Friedman, 1993, pp. 577-634) When courts have stepped back from overreaching, it shows why judicial restraint matters. (Protecting Basic Structure from judicial arbitrariness, 2021)

### **Case Studies Illustrating the Debate**

**Right to Privacy (Puttaswamy v. Union of India):** The Supreme Court declared privacy a fundamental right under Article 21, thereby affecting many policy areas, including data protection and surveillance. This decision is praised for protecting rights, but it also shows how the judiciary can influence national policy. (Puttaswamy v. Union of India, 2017)

**Reservation Policies and Social Justice:** When courts intervene in reservation policies, it highlights the tension between judicial review and the creation of social policies, which is usually the legislature's job. (Modh & Sharma, 2025)

**Environmental Jurisprudence:** Court orders on environmental protection have helped implement policies, but they have also raised concerns about the separation of powers when courts closely supervise administrative agencies. (Iyengar et al., 2019)

### **Balancing Act: Towards a Responsible Constitutionalism**

**Reasserting the Primacy of Democracy within Constitutional Supremacy:** India was established as a parliamentary democracy governed by a supreme Constitution. The framers rejected the notion of absolute parliamentary sovereignty, but they also did not intend to establish judicial supremacy. The decision in *Kesavananda Bharati v. State of Kerala* shifted this balance by empowering the judiciary to review constitutional amendments through the Basic Structure Doctrine.

This development reinforced constitutional supremacy while also positioning the judiciary as the ultimate arbiter of constitutional identity. When courts delineate the substantive limits of Parliament's constituent power, they effectively assume a role superior to that of elected representatives in defining the Constitution's core.

However, the expansion of judicial review does not eliminate democratic primacy. Parliament retains the authority to legislate, amend, and govern within the broad parameters of the Constitution. The central concern is not judicial supremacy itself, but rather the potential

weakening of legislative constitutional culture. Judicial assertiveness frequently compensates for deficiencies in parliamentary deliberation.

Therefore, maintaining this balance requires:

- Greater legislative engagement with constitutional principles,
- Increased transparency in the amendment process,
- Recognition that judicial intervention primarily occurs when constitutional discipline is lacking.

The solution does not lie in the arbitrary curtailment of judicial power, but rather in the revitalisation of democratic constitutionalism.

The Basic Structure Doctrine: Constitutional Safeguard or an Overarching Constitutional Authority?

The Basic Structure Doctrine serves as the central pillar in debates concerning juristocracy. By determining that certain foundational features of the Constitution are beyond amendment, the judiciary in *Kesavananda Bharati* (1973) imposed substantive constraints on Parliament's power to amend the Constitution. (*Kesavananda Bharati v. State of Kerala*, 1973)

This development gives rise to three critical concerns:

First, the doctrine is implied from the constitutional text rather than being expressly articulated. Critics contend that this represents judicially constructed constitutionalism. Second, the doctrine's content open-ended. Concepts such as democracy, secularism, federalism, and judicial review are inherently broad and subject to diverse interpretations. This indeterminacy increases the scope of judicial discretion.

Third, by reviewing constitutional amendments, the judiciary exercises authority over constituent power, which has traditionally been regarded as supreme.

However, historical context is significant. During the Emergency period, constitutional amendments sought to shield executive actions from judicial scrutiny. (Thirty-eighth Amendment of the Constitution of India, 1975) In cases such as *Minerva Mills v. Union of India*, the Supreme Court invoked the doctrine to restore constitutional balance. (*Minerva Mills Ltd. & Others v. Union of India & Others* 1980)

Therefore, although the doctrine enhances judicial authority, it simultaneously serves as a structural safeguard against authoritarian encroachment. The central issue is not its existence, but the extent of its application.

#### Expansion of Judicial Review: From Adjudication to Governance

The evolution of the Indian judiciary from a constitutional interpreter to an active participant in policy-making has raised concerns regarding juristocracy.

By employing Public Interest Litigation and adopting expansive interpretations of Article 21 in *Maneka Gandhi v. Union of India*, the courts have entered domains traditionally reserved for the executive and legislature, including environmental governance, socio-economic rights, administrative regulation, and institutional reforms. (*Maneka Gandhi v. Union of India*, 1978)

This transformation manifests in two distinct dimensions:

- Rights-Enhancing Dimension

Judicial activism has contributed to the protection of marginalised communities, the expansion of access to justice, and the strengthening of civil liberties. (Razia, 2016, pp. 1-10)

- Governance-Substituting Dimension

In specific instances, courts have issued detailed administrative guidelines, supervised implementation processes, and directly influenced policy outcomes. (*T. S. R. Subramanian v. Union of India*, 2013)

Although such interventions often result from governance failures, they blur the separation of powers. (*Judicial Review and the Doctrine of Basic Structure*, 2025) Courts lack the institutional design necessary for continuous administrative oversight. Excessive judicial governance entails risks such as:

- Institutional overreach,
- Reduced political accountability,
- Democratic deficit.

The legitimacy of judicial review depends on the maintenance of principled boundaries.

#### Democratic Legitimacy and the Counter-Majoritarian Necessity:

A central theoretical concern in juristocracy is the “counter-majoritarian difficulty.” Judges, who are unelected and insulated from political accountability, possess the authority to invalidate decisions made by elected representatives.

Within India's pluralistic and diverse society, frequently serve as protectors of minority rights and uphold constitutional morality. In *S.R. Bommai v. Union of India*, the Supreme Court affirmed secularism and federal principles, thereby protecting constitutional principles and preventing the political misuse of power. (*S.R. Bommai v. Union of India* (1994) – GKToday, 2019)

Therefore, judicial intervention may be democratically justified under the following circumstances:

- When fundamental rights are threatened,
- When majoritarian impulses undermine constitutional identity,
- Or when structural principles such as federalism are weakened.

However, democratic legitimacy necessitates judicial restraint when cases involve contested policy choices rather than clear constitutional violations. Courts must distinguish between the following:

- Unconstitutional actions, which warrant judicial intervention, and
- Debatable policy preferences, which require judicial deference.

The preservation of constitutional democracy depends on maintaining this distinction.

Towards Institutional Dialogue and Constitutional Equilibrium:

The future of Indian constitutionalism depends on encouraging dialogue between institutions rather than privileging either parliamentary or judicial supremacy.

Instead of one branch dominating the others, constitutional governance should work through:

- **Judicial Calibration**

Courts should use different standards depending on the situation, applying strict scrutiny in rights cases and showing deference in technical policy matters.

- **Legislative Responsibility**

Parliament should encourage open debate, clear constitutional reasoning, and transparency when amending the constitution. If debates are weak, courts may step in to correct them.

- **Executive Accountability**

When the administration fails, courts often have to step in. Good governance can reduce the need for this kind of judicial oversight.

- **Constitutional Culture**

Public understanding and academic review are important for maintaining institutional

balance.

India has not completely moved to judicial supremacy. Instead, it follows a model where the judiciary acts as a strong guardian within a parliamentary system. The Basic Structure Doctrine does not give the judiciary unlimited power, but it does make the courts the protectors of the constitution's core identity. The challenge is ensuring that this guardianship remains principled, restrained, and democratically sensitive.

## Conclusion

Indian constitutionalism has evolved through a continuous and often contested balance between parliamentary authority and judicial review. The Constitution established a parliamentary democracy grounded in constitutional supremacy; however, this equilibrium shifted significantly following the *Kesavananda Bharati v. State of Kerala* decision. The introduction of the Basic Structure Doctrine marked a pivotal moment, positioning the judiciary as the principal guardian of the Constitution's fundamental values. By determining that Parliament's power to amend the Constitution under Article 368 is subject to substantive limits, the Supreme Court ensured that essential principles such as democracy, secularism, federalism, and judicial review remain protected from alteration by transient political majorities.

The Basic Structure Doctrine has demonstrably strengthened Indian constitutionalism. It has served as a safeguard during periods when democratic principles were threatened, preventing majorities from undermining the Constitution. This doctrine affirmed that constitutional supremacy, rather than parliamentary sovereignty, forms the foundation of Indian governance. Consequently, judicial review has helped preserve the republic's core values.

However, the expansion of judicial authority has raised substantive concerns regarding democratic principles and institutional balance. Since the Basic Structure Doctrine is not explicitly articulated in the Constitution, its interpretation remains subject to judicial discretion. This interpretive flexibility confers significant power upon unelected judges. When courts review constitutional amendments, they assume authority over constitutional change, prompting debate about whether the judiciary has evolved into a 'super-constitutional' body. Furthermore, the expansion of Public Interest Litigation and the broad interpretation of fundamental rights, particularly under Article 21, have augmented the judiciary's involvement in policy and administration. While these judicial interventions have frequently advanced the protection of marginalised groups and enhanced access to justice, they occasionally blur the

distinction between adjudication and governance. Courts are not institutionally designed to oversee complex social and economic policies over extended periods, and excessive judicial involvement may undermine the accountability of elected representatives.

Nevertheless, it would be inaccurate to characterise India as being entirely governed by the judiciary. Parliament continues to enact legislation, the executive administers governmental functions, and judicial intervention typically occurs only when necessary. The Indian system does not reflect absolute parliamentary dominance or complete judicial rule; rather, it exemplifies robust constitutional protection.

The persistent challenge lies in maintaining an equitable balance among institutions. Judicial review should remain circumspect and concentrate on safeguarding the Constitution's essential elements, rather than substituting judicial perspectives for democratic decisions. Simultaneously, Parliament must fulfil its constitutional responsibilities and ensure that its actions align with both the popular will and constitutional mandates.

Ultimately, constitutional supremacy does not imply judicial dominance over all matters. Rather, it requires that the legislature, executive, and judiciary adhere to the principles established by the Constitution. Indian democracy is most robust when these institutions maintain balance, mutual respect, and continuous dialogue.

### Reference:

(2024). Parliamentary Sovereignty. Legal Vidhiya. <https://legalvidhiya.com/parliamentary-sovereignty-2/>

(November 17, 2025). Parliamentary sovereignty. House of Commons Library Research Briefing. <https://commonslibrary.parliament.uk/research-briefings/cbp-10377/>

Jee, R. & Batra, B. (2025). Judicial Review: Upholding Constitutional Boundaries in Law Making. *Iconic Research And Engineering Journals* 9(5), pp. 1949-1954. <https://doi.org/10.64388/IREV9I5-1712292>

Kashyap, U. & Chauhan, A. (2025). Judicial Review and the Doctrine of Basic Structure. *Journal of International Commercial Law and Technology* 6(1), pp. 1910-1921. <https://doi.org/10.61336/Jiclt/25-01-176>

Faisal, S. M., Bashir, U. & Kahn, F. S. (2025). The Doctrine of Basic Structure: Constitutional Constraint or Judicial Overreach?. *The Journal of Research Review* 2(03).

<https://www.thejrr.com/index.php/39/article/view/169>

India, S. C. (1973). Kesavananda Bharati v. State of Kerala. [https://en.wikipedia.org/wiki/Kesavananda\\_Bharati\\_v.\\_State\\_of\\_Kerala](https://en.wikipedia.org/wiki/Kesavananda_Bharati_v._State_of_Kerala)

S, S. (2023). Supreme Court of India and Environmental Justice: A Historical Analysis. *Journal of Polity and Society* 14(2). <https://doi.org/10.3390/su11247234>

(2025). Judicial Review: The Judiciary's Guard Against Constitutional Violations. *Law Notes by TheLaw.Institute*. <https://thelaw.institute/human-rights-in-india/judicial-review-guard-against-constitutional-violations/>

(2023). Constitutional Amendments & Article 13: UPSC Demystified. *Presensi Perpustakaan Nasional*. <https://presensi.perpusnas.go.id/pro-ideas/constitutional-amendments-and-article-13-upsc-demystified-1764796924>

(2022). Constitutional Provisions Ensuring Judicial Independence in India. *TheLaw Institute*. <https://thelaw.institute/criminal-justice-administration/judicial-independence-constitutional-provisions-india/>

Raj, A. A. & R., P. (2025). The Basic Structure Doctrine and the Modern Indian State: Between Judicial Review and Democratic Mandate. *Indian Journal of Legal Review* 5(7), pp. 853-862. <https://doi.org/10.55662/IJLR.2025.421>

(2025). Judicial Review and the Doctrine of Basic Structure. *Journal of International Commercial Law and Technology*. <https://www.jiclt.com/article/judicial-review-and-the-doctrine-of-basic-structure-300/>

Faisal, S. M., Bashir, U. & Kahn, F. S. (2025). The Doctrine of Basic Structure: Constitutional Constraint or Judicial Overreach?. *The Journal of Research Review* 203. <https://doi.org/10.5555/jrr.2025.2.3.169>

India, S. C. (n.d.). Kesavananda Bharati v. State of Kerala. [https://en.wikipedia.org/wiki/Kesavananda\\_Bharati\\_v.\\_State\\_of\\_Kerala](https://en.wikipedia.org/wiki/Kesavananda_Bharati_v._State_of_Kerala)

Vakil, R. (2018). Constitutionalizing administrative law in the Indian Supreme Court: Natural justice and fundamental rights. *International Journal of Constitutional Law* 16(2). <https://doi.org/10.1093/icon/moy027>

Krishnaswamy, S. (2011). *Democracy and Constitutionalism in India: A Study of the Basic Structure Doctrine*. Oxford University Press. <https://academic.oup.com/book/10796>

Friedman, B. (1993). Dialogue and Judicial Review. *Michigan Law Review* 91, pp. 577-634. <https://doi.org/10.2307/1289700>

(April 23, 2021). Protecting Basic Structure from judicial arbitrariness. *The Indian Express*. <https://indianexpress.com/article/opinion/columns/kesavananda-bharati-case-basic-structure->

[doctrinesupremecourt9062570/](https://www.ijlra.com/doi/10.31305/ijlra.2025.v01.n01.001)

(2017). Puttaswamy v. Union of India.

[https://en.wikipedia.org/wiki/Puttaswamy\\_v.\\_Union\\_of\\_India](https://en.wikipedia.org/wiki/Puttaswamy_v._Union_of_India)

Modh, H. & Sharma, M. (2025). Judicial Review Under Siege: How Legislative Amendments Reshaped Reservation Laws. Indian Journal of Law and Legal Research.

<https://doi.org/10.31305/ijlra.2025.v01.n01.001>

Iyengar, S., Dolšak, N. & Prakash, A. (2019). Selectively Assertive: Interventions of India's Supreme Court to Enforce Environmental Laws. Sustainability 11(24).

<https://doi.org/10.3390/su11247234>

(July 31, 1975). Thirty-eighth Amendment of the Constitution of India. Wikipedia.

[https://en.wikipedia.org/wiki/Thirty-eighth\\_Amendment\\_of\\_the\\_Constitution\\_of\\_India](https://en.wikipedia.org/wiki/Thirty-eighth_Amendment_of_the_Constitution_of_India)

(July 30, 1980). Minerva Mills Ltd. & Ors. v. Union of India & Ors. (1980). Drishti IAS.

<https://law.drishtiiias.com/landmark-judgement/constitution-of-india/minerva-mills-ltd-%26-ors-v-union-of-india-%26-ors-1980>

(July 24, 1978). Maneka Gandhi v. Union of India. Wikipedia.

[https://en.wikipedia.org/wiki/Maneka\\_Gandhi\\_v.\\_Union\\_of\\_India](https://en.wikipedia.org/wiki/Maneka_Gandhi_v._Union_of_India)

Razia. (2016). Judicial Activism and the Protection of Minorities. IJRDO - Journal of Social Science and Humanities Research 1(9), pp. 1-10. <https://doi.org/10.53555/sshr.v1i9.354>

(2025). Judicial Review and the Doctrine of Basic Structure. Journal of International Commercial Law and Technology. <https://www.jiclt.com/article/judicial-review-and-the-doctrine-of-basic-structure-300/>

(2013). T. S. R. Subramanian v. Union of India.

[https://en.wikipedia.org/wiki/T.\\_S.\\_R.\\_Subramanian\\_v.\\_Union\\_of\\_India](https://en.wikipedia.org/wiki/T._S._R._Subramanian_v._Union_of_India)

(2019). S.R. Bommai v. Union of India (1994) – GKToday. GKToday.

<https://www.gktoday.in/s-r-bommai-v-union-of-india-1994/>