

Q.no

MPPSC MAINS

Don't write here

Q →

What is judicial Activism? What are the problems related with it? Give your suggestions to check the judicial overreach.
(225 W) Neeraj

Ans →

The judiciary plays an important role in upholding and promoting the rights of citizens of ~~India~~ the country. The active role of judicial activism is to upholding the rights of citizens and preserving the constitutional and legal system of the country.

The expression Judicial Activism signifies the anxiety of courts to find out appropriate remedy and in India it can be witnessed with reference to the review power of the Supreme court under Article 32 and High courts under Article 226 of the constitution.

Problems related to Judicial Activism →

MPPSC MAINS

Don't write here

- Misuse of PIL in India ✓
- Judicial populism ✓
- Utterior purposes [Blackmailing]
- Inefficient use of limited resources
- Symbolic Justice
- Disturbing the constitutional balance of power ✓

Major steps need to be taken in order to prevent or to check the overreach of Judicial Activism → ✓

- Misuse of PIL should be stopped
- Judicial Activism should be there instead of Judicial Adventurism ✓
- Relaxation must be procedural
- Judicial Activism is not PIL.
- A court can be judicially active or inactive irrespective of PIL ✓
- Displacing Government Administration
- Judges should verify the credentials of the applicants ✓

Q.no

MPPSC MAINS

Don't
write
here

- According to the constitution Supreme court has the power to punish anyone for contempt of any law

Way forward →

Judicial Activism is fabricated solely by the judiciaries and are not backed by the constitution. When the judiciary surpasses the line of the powers it can be protected by judicial activism. One can say that the judiciary then begins to nullify the concept of separation of powers specified in the constitution.

Established since 1990

Excellently