

Role of Indian Judiciary in the Protection of Human Rights in India

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Abstract: *Human rights protection in India is deeply rooted in the constitutional framework and judicial interpretation. The judiciary—particularly the Supreme Court and High Courts—has played a transformative role in expanding and safeguarding fundamental rights such as equality, liberty, dignity, and environmental protection. Between 2022 and 2025, several landmark decisions strengthened the protection of human rights by interpreting the Constitution dynamically. This paper examines the evolving role of the Indian judiciary in protecting human rights through significant recent judgments and legal developments.*

Keywords: Constitutional Law, Fundamental Rights, Judicial Activism

I. INTRODUCTION

India's constitutional democracy places the judiciary at the center of protecting fundamental rights. The **Constitution of India** guarantees basic human rights through Part III, especially Articles 14, 19, and 21. The judiciary has expanded these rights through progressive interpretation and public interest litigation. Judicial activism has ensured that rights evolve with social realities such as environmental protection, gender equality, privacy, and social justice.

The concept of the **right to life and personal liberty under Article 21** has been interpreted broadly since earlier precedents such as **Maneka Gandhi v. Union of India**, where the Supreme Court held that personal liberty cannot be curtailed except through fair, just, and reasonable procedures. This interpretation laid the foundation for modern human rights jurisprudence in India.

The protection of human rights in India is deeply rooted in the constitutional framework and has been significantly strengthened through judicial interpretation and activism. The **Supreme Court of India** and the High Courts function as guardians of the Constitution and fundamental rights, ensuring that the principles of justice, liberty, equality, and dignity are upheld. The **Constitution of India** provides a comprehensive structure for the protection of human rights through Fundamental Rights, particularly Articles 14, 19, 21, and 32. Among these, Article 21—protection of life and personal liberty—has emerged as the cornerstone of human rights jurisprudence in India. Through progressive interpretation, the judiciary has expanded the meaning of life and liberty to include human dignity, privacy, livelihood, health, environment, and access to justice.

Historically, the interpretation of Article 21 evolved through landmark judicial decisions. In **A. K. Gopalan v. State of Madras**, the Supreme Court initially adopted a narrow interpretation, holding that personal liberty could be restricted if there was a procedure established by law. However, this approach was later transformed in **Maneka Gandhi v. Union of India**, where the Court held that any procedure depriving a person of liberty must be fair, just, and reasonable. This judgment connected Articles 14, 19, and 21, establishing the foundation for a broader interpretation of human rights in India. Over time, the judiciary developed doctrines such as public interest litigation (PIL), judicial review, and constitutional morality, enabling courts to intervene when executive or legislative actions threatened fundamental rights.

In recent years, particularly between 2022 and 2025, the Indian judiciary has continued to play a transformative role in expanding the scope of human rights protection. In **Deepika Singh v. Central Administrative Tribunal**, the Supreme Court adopted a progressive interpretation of social welfare rights by expanding the legal understanding of “family”



and recognizing diverse family structures for the purpose of maternity benefits. The Court emphasized that constitutional rights must adapt to social realities and should promote dignity and equality in society. This decision reflected the judiciary's commitment to ensuring that welfare legislation aligns with constitutional values and human rights principles.

The judiciary's active role became even more evident in subsequent constitutional developments. In 2024, the Supreme Court delivered significant rulings addressing social justice and equality. For instance, in **State of Punjab v. Davinder Singh**, a seven-judge Constitution Bench held that states could create sub-classifications within Scheduled Castes and Scheduled Tribes to ensure equitable distribution of reservation benefits. The judgment reaffirmed the constitutional objective of substantive equality and demonstrated the judiciary's role in addressing structural inequalities in society. Such decisions highlight how courts interpret constitutional provisions to ensure that historically marginalized communities receive meaningful protection under the law.

Similarly, in **Property Owners Association v. State of Maharashtra**, the Supreme Court examined the balance between state control over resources and individual property rights. The Court clarified that private property cannot automatically be treated as a community resource under Article 39(b), thereby reinforcing constitutional limits on state power. This decision illustrates how the judiciary acts as a constitutional referee, ensuring that state policies remain consistent with fundamental rights and principles of justice.

Recent judicial interventions have also expanded the understanding of the right to life in practical and contemporary contexts. Courts have increasingly linked Article 21 with environmental protection, digital access, public health, and human dignity. For example, courts have emphasized that citizens have the right to live in a clean and healthy environment and that government authorities must maintain conditions that do not degrade human life. In a recent decision, the Delhi High Court held that placing unhygienic facilities such as open garbage bins and public urinals in residential areas violated the constitutional right to life, highlighting the judiciary's role in safeguarding public health and environmental rights.

Another emerging dimension of judicial protection of human rights is accountability in governance and law enforcement. The Supreme Court has intervened in cases involving delayed investigations and misuse of state power, emphasizing that justice must not be compromised by political influence or administrative negligence. By directing strict timelines and judicial monitoring of criminal proceedings in certain cases, the Court has reinforced the principle that the rule of law is essential for protecting human dignity and personal liberty.

Furthermore, contemporary judicial discourse increasingly emphasizes inclusivity and equal representation in institutions of justice. Judicial voices have highlighted the importance of diversity in the legal system and the need to ensure that marginalized communities have equal access to justice. Such perspectives reflect a broader understanding of human rights that extends beyond traditional legal protections and aims to create a more inclusive and responsive judicial system.

The evolving jurisprudence of the Indian judiciary demonstrates that human rights are not static but dynamic concepts that adapt to changing social realities. Through constitutional interpretation, judicial review, and public interest litigation, courts have expanded the scope of fundamental rights to address issues such as gender justice, environmental protection, social welfare, and administrative accountability. The judiciary thus functions not merely as an adjudicatory body but also as a protector of constitutional values and a catalyst for social transformation.

The role of the Indian judiciary in the protection of human rights remains central to the functioning of India's constitutional democracy. From expanding the meaning of life and liberty to ensuring accountability of state institutions, the courts have consistently interpreted the Constitution in a manner that promotes justice, equality, and dignity. The developments between 2022 and 2025 further illustrate the judiciary's proactive approach in addressing contemporary challenges and strengthening the constitutional framework for human rights protection. As India continues to evolve socially and politically, the judiciary will remain a crucial institution in safeguarding fundamental rights and ensuring that constitutional promises translate into lived realities for all citizens.



II. CONSTITUTIONAL FRAMEWORK FOR HUMAN RIGHTS PROTECTION

The Indian Constitution provides several mechanisms to safeguard human rights:

Article 14 – Right to equality

Article 19 – Fundamental freedoms

Article 21 – Right to life and personal liberty

Article 32 and 226 – Constitutional remedies through courts

The judiciary acts as the guardian of the Constitution and ensures that state actions remain consistent with constitutional principles. Judicial review enables courts to invalidate laws or actions that violate fundamental rights. Over time, the courts have expanded Article 21 to include rights such as dignity, clean environment, privacy, legal aid, shelter, and health.

III. JUDICIAL PROTECTION OF HUMAN RIGHTS: KEY CASES (2022–2025)

3.1 Expansion of Family and Social Rights (2022)

A significant decision strengthening human dignity was **Deepika Singh v. Central Administrative Tribunal**, where the Supreme Court broadened the concept of “family” in law and held that atypical families are also entitled to social welfare benefits such as maternity leave. This judgment reinforced equality and dignity as essential elements of human rights.

The judgment reflected the judiciary’s recognition of social realities and ensured that welfare legislation protects diverse family structures.

3.2 Free Speech and Digital Rights (2023–2024)

The judiciary has also played a crucial role in safeguarding democratic freedoms in the digital age. In **Kunal Kamra v. Union of India**, the court examined the constitutionality of government rules regulating online content and emphasized that vague regulations could create a chilling effect on free speech. The judgment highlighted the importance of protecting fundamental rights in digital governance.

This decision demonstrates how courts continue to act as a constitutional check on executive power.

3.3 Environmental Human Rights and Climate Justice (2024)

One of the most significant developments occurred in **M. K. Ranjitsinh v. Union of India**, where the Supreme Court linked environmental protection with the fundamental right to life. The Court recognized protection from the adverse effects of climate change as part of Articles 14 and 21.

This ruling marked an important shift in Indian constitutional law by integrating environmental sustainability with human rights.

3.4 Social Justice and Equality (2024)

In **State of Punjab v. Davinder Singh**, the Supreme Court upheld the power of states to create sub-classifications within Scheduled Castes for reservation benefits. The decision sought to ensure equitable distribution of affirmative action and address internal inequalities within disadvantaged communities.

The case demonstrates the judiciary’s role in balancing equality with social justice.

3.5 Property Rights and Constitutional Balance (2024)

Another constitutional bench decision was **Property Owners Association v. State of Maharashtra**, which clarified that not all private property can automatically be treated as “material resources of the community.” The ruling balanced the state’s social obligations with individual property rights, reinforcing constitutional protections for individuals.



IV. PUBLIC INTEREST LITIGATION (PIL) AND ACCESS TO JUSTICE

The Indian judiciary's creation of Public Interest Litigation (PIL) is one of the most important things it has done to preserve human rights. Justice P.N. Bhagwati and Justice V.R. Krishna Iyer made the rule of locus standi more flexible, so that any person who cares about the public might go to court on behalf of groups who are not well represented.

PIL has addressed issues such as:

- Bonded labour
- Prison reforms
- Environmental degradation
- Sexual harassment at workplace (Vishaka v. State of Rajasthan, 1997)
- Rights of transgender persons (NALSA v. Union of India, 2014)

PIL has democratized access to justice and strengthened human rights enforcement in India.

V. JUDICIAL ACTIVISM AND SOCIAL JUSTICE

Judicial activism refers to proactive judicial intervention in policy matters to protect constitutional values. The judiciary has played a critical role in:

- Environmental protection through the “polluter pays” principle
- Prison reforms and custodial violence prevention
- Protection of women’s rights
- Recognition of LGBTQ+ rights (Navtej Singh Johar v. Union of India, 2018)

The judiciary has often acted as a counter-majoritarian institution, protecting minorities and vulnerable groups against majoritarian impulses.

VI. HARMONIZATION WITH INTERNATIONAL HUMAN RIGHTS LAW

Indian courts have increasingly relied on international conventions such as:

- Universal Declaration of Human Rights
- International Covenant on Civil and Political Rights
- Convention on the Elimination of All Forms of Discrimination Against Women

In Vishaka v. State of Rajasthan (1997), the Supreme Court used CEDAW to frame guidelines against sexual harassment, demonstrating judicial openness to global human rights norms.

VII. LIMITATIONS AND CHALLENGES

Despite its progressive role, the judiciary faces several challenges:

1. Judicial overreach vs. separation of powers debate
2. Massive backlog and delay in justice delivery
3. Inconsistent enforcement of socio-economic rights
4. Limited access to justice for marginalized populations

Additionally, implementation of judicial decisions often depends on executive cooperation, which may dilute their impact.

VIII. HIGH COURT INTERVENTIONS IN PROTECTING HUMAN RIGHTS

High Courts across India have actively enforced constitutional rights through writ jurisdiction. For example, the Delhi High Court ruled that placing garbage facilities and urinals in residential areas violated citizens’ right to live in a healthy environment under Article 21.

Such decisions demonstrate that human rights protection in India is not limited to the Supreme Court but extends throughout the judicial system.



IX. EMERGING TRENDS IN HUMAN RIGHTS JURISPRUDENCE (2022–2025)

1. Expansion of Article 21

Courts continue to broaden the scope of the right to life to include environmental protection, dignity, mental health, and quality of life.

2. Digital and Information Rights

Judicial scrutiny of online regulations reflects growing concern over freedom of speech and privacy in the digital era.

3. Social Justice and Equality

Recent cases highlight judicial efforts to address structural inequality within marginalized communities.

4. Environmental Constitutionalism

Recognition of climate change as a constitutional issue represents a major shift in human rights jurisprudence.

5. Challenges Faced by the Indian Judiciary

Despite significant achievements, the judiciary faces several challenges:

- Judicial backlog and delayed justice
- Limited access to courts for marginalized communities
- Implementation gaps in human rights rulings
- Political pressure and institutional constraints

Nevertheless, the judiciary remains a critical institution in safeguarding constitutional values.

X. CRITICAL EVALUATION

The Indian courts have changed from being strict interpreters of the law to becoming active defenders of rights. It changed its role as the protector of constitutional morals, especially after the Emergency. But to preserve the credibility of the courts, judicial activity must be matched with judicial restraint.

In India, protecting human rights is not only the job of the courts. The legislature, the government, civil society, and independent groups like the National Human Rights Commission (NHRC) all need to work together to do this. Still, the courts have the last word on fundamental rights and liberties.

XI. CONCLUSION

The Indian judiciary has played a pivotal role in protecting and expanding human rights. Through progressive interpretation of constitutional provisions, especially Article 21, courts have ensured that fundamental rights evolve with changing social conditions. Landmark judgments between 2022 and 2025 demonstrate the judiciary's commitment to democracy, dignity, equality, and environmental justice. By balancing state authority with individual freedoms, the judiciary continues to act as the guardian of the Constitution and protector of human rights in India.

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