

## Indian Judiciary: A Catalyst of Good Governance

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*Research Article*

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### Abstract

When a government effectively perform its functions, then we called the governance a ‘good governance’. Good governance exists a state Government truly represents the people of the country and always tries to secure welfare of its people by ensuring or speed up economic growth and progress of the country. Apart from economic growth, progress and development, good governance has many more important attributes; they are transparency, participation of people in public policy making, openness etc. and these are unforgettable characteristics of good governance. The process of good governance can be experienced by the citizens of a country. It is not just an executive matter but it is the duty of all the three organs of the government (legislature, executive and judiciary) to perform its functions as envisaged by the law of the land. The role of private organizations, Non-Governmental Organizations and peoples also important in this matter. Although Indian judiciary is not a part of governance, which is in the hands of elected executives, still its role is very important in promoting good governance. In every area, the judgments of Supreme Court and other Courts throughout their verdicts contribute in the governance. It may be on the issues of environment, human rights, justice, education, gender, police reform etc. In this paper, the author would discuss the concept of good governance and the role of judiciary, particularly the Supreme Court of India, in promoting good governance. For this study, historical and descriptive methods have been adopted.

**Keywords:** *Good-governance, Judiciary, Participation, Environment, Justice*

### 1. Introduction

Structurally, India is a federation with parliamentary democracy and a republican country. Here, the President who stands at the top of the government, is the de jure executive that means he is the nominal head of the government and the Prime Minister, like Britain, is the de facto executive or real head of the government. The Constitution of India provides for a

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federal type of government in which there are two levels of governments, national government and regional governments. Both national government, also called as central government, and state governments enjoys sovereign power in their respective jurisdiction that is assigned by the constitution. The framers of Indian constitution adopted provision of bicameral legislation where two houses are present, one known as Rajya Sabha that is the upper chamber of the house and other is Lok Sabha, it is lower chamber of the parliament. Indian federal constitution also establishes an independent judicial system, an important feature of federalism, which is led by the Indian Supreme Court. Indian judiciary is the protector and final interpreter of the constitution. It resolves inter-state conflicts and can declare void any law made by the central legislature or the state legislature which are not consistent with the constitution. When framers of the Constitution adopt world largest written constitution, they felt the necessity for a strong and independent judiciary. They wanted to assure that the democracy continues to exist in the country.

## 2. Structure of Indian Judiciary

The constitution of India provided for its citizen a single and integrated judicial system where the Supreme Court<sup>2</sup> stands at the top and High Courts are situated below the Supreme Court. Supreme Court is the apex court and it is the only arbiter of disputes between centre and states and the states inter se. It resolves these disputes in its original jurisdiction. Supreme Court is the highest court of appeal. In this integrated system, there are several subordinate courts are present under a High court, like District Courts, Civil Courts, Criminal Courts, Panchayat Courts and many more lower courts. The framers of Indian constitution adopted this structure of judicial system from the Government of India Act, 1935. This single hierarchical system of judiciary has brought about not only jurisdictional unity but also it established of a single judicial cadre for the whole country. The primary responsibility of the judiciary is to make sure the country's governance works very smoothly. Indian judiciary is the protector and guardian of the constitution. For the protection of democratic freedom and constitutional rights of the Indian citizens, the role of judiciary is utmost important. As a guardian of the constitution, the judiciary can direct the central government as well as the states governments on various issues. Article 142 of the Indian constitution has given the right to the Supreme Court to issue any order for securing comprehensive justice to anybody within the jurisdiction of India.

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<sup>2</sup> The Supreme Court of India was inaugurated on 28th January 1950. Articles 124 to 147 of the Indian Constitution deals with the Supreme Court.

### 3. Concept of Good Governance

“Governance as the exercise of political, economic and administrative authority in the management of a country’s affairs at all levels. Governance comprises the mechanisms, processes and institutions through which citizens and groups articulate their interest, exercise their political rights, meet their obligations and mediate their differences.”

- The United Nations development Programme 1997.

The World Bank, in its 1992 publication ‘Governance and Development’ defined governance as “the manner in which power is exercised in the management of a country’s economic and social researches for development”.<sup>3</sup> Good governance is that governance where a government perform its functions or duties in an effective manner. In good governance, government would be legitimate and accountable which would protect the fundamental rights of the people and also ensure the adherence rule of law in society. The government would ensure for its citizens a just society which would be socially and economically comprehensive in nature. Stability of government and representation of people are two important attributes of good governance, these would speed up the economic growth and progress, and would ensure the wellbeing of the people of a country. When we recognize a governance as good governance, then it must be a transparent government. In good governance, there would be immense opportunity for the interested group of peoples to serve for their country in decision making process. Here government shares all possible information about governance with its citizen and people also share their planning and innovations with the government. In this way people also participate in the policy making process.

The concept of good governance is very subjective implying that idea of it would vary from person to person depending on one’s own values and personal ethics. Governance deals with the evaluation of how a country was governed. It intends to analyse the process and the quality of decision making, procedure, transparency and all related affairs. Also, it provides assistance in differentiating between the actual and presumed self-understanding of group ruling from their real contribution to misery or opulence of the subjects. Eight major characteristics of good governance have been laid down by United Nations Economic and Social Commission for Asia and the Pacific and they include transparency, participation,

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<sup>3</sup> Governance and Development, World Bank, 1992, *available at*: Governance Overview (worldbank.org). (Last visited on Dec 22, 2020).

accountability, consensus, responsiveness, effectiveness and efficiency, equity and inclusiveness and adherence to rule of law.

Good governance cannot be described in a word. It not only depends on the proper functioning of the government but when all the organs of the government, private organizations, non-governmental organizations and people would work together, only then good governance could be achieved. Governance seems to be an institution that is apprehensive about governance. Every country's meaning of good governance is different from others due to its cultural, geographical, political and administrative differences and their different economic conditions. But the final result would be same to achieve accountability, transparency, responsiveness and freedom of political participation of the citizens. It is the governance in which the administration improves the standard of living of the members of the country by creating and making available the basic necessities of life, ensure security for its members, provide opportunities for member's personal growth. It would ensure a sustaining responsible judicial system that assign justice on a fair, unbiased and in meaningful manner. Every society has the expectation from its government that it would fulfill its promises to create an equitable atmosphere by which individual growth can be fulfilled. The government would be fully accountable to its citizen in distributing public resources.

### **3.1 Some prerequisites for Good Governance:<sup>4</sup>**

- a. An important pre-requisite for achieving good governance is to develop a country with attitude that would be maintained,
- b. Government would try to minimize the gap between theory, that is promises made by union government as well as regional governments to its citizens, and practices,
- c. For good governance, it is essential for the civil servants or the bureaucrats to act neutrally and independently when they would function for the well-being of the people,
- d. Ethics and morality are the essential pre-conditions for good governance that would ensure the permanency of the government as well as growth and progress of any nation,
- e. In good governance, there would be protection of the interest of the people of the country,

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<sup>4</sup> Bandesh Kumar Giri, *Democracy Good Governance and Right to Information A Critical Study with Special Reference to Right to Information Act 2005* (2015) (Unpublished PhD Thesis, Department of Law, University of Lucknow), available at: <https://shodhganga.inflibnet.ac.in/bitstream/10603/122963/4/3%20chapter%203.pdf>.

- f. The Rule of Law, administrative reforms, develop good character among persons in government and transparency are some very important essentials for good governance in any country.

#### **4. Relations between Judiciary and Good Governance in India**

We know good governance refers to the governance that ensures for its peoples equality before the law, human rights, people's valuable involvement in policy making process, differences in political affairs, transparency, accountability, legitimacy, provides education, proper knowledge, political participation, justice, feasibility, promotes such ideologies which encourages accountability, harmony and discourages intolerance. Indian constitution provides for India a sovereign, socialist, secular, democratic and republic country. The meaning of these terms has been extended by many more times by the judiciary because in front of judiciary every Indians are equal, even the Prime Minister of India or the common people, all are treated same, as mandated by the Indian constitution. It is the responsibility of the judiciary to maintain the equality before the law, as it breached then the belief of the people on the judiciary would be collapsed. Judiciary protects the human rights of the people and maintain the Rule of Law in the state by ensuring transparent and accountable processes and institutions, thus it plays the role of a medium to achieve good governance. With the judicial verdict and interpretation of the constitution, the judiciary provides access to knowledge, information, health, education, duties of the authorities etc. The judiciary also provides remedies for the unlawful damage was happened and also gives guidelines for the implementation and action on law. Despite of their elected representatives, peoples have too much faith on the judiciary because they think that if there elected government does something wrong to them, the judiciary would ensure them proper justice. Several judicial cases like *Kesvananda Bharati v. State of Kerala*<sup>5</sup>, *Maneka Gandhi v. Union of India*<sup>6</sup>, recently decriminalization of Section 377 case of the Indian Penal Code<sup>7</sup> set an example and have changed the perspective of judiciary and so the government and, thus, the governance.

#### **5. Role of Judiciary in Good Governance in India**

<sup>5</sup> (1973) 4 SCC 225: AIR 1973 SC 1461.

<sup>6</sup> 1978 AIR 597, 1978 SCR (2) 621", "1978 SCC (1) 248.

<sup>7</sup> *Navtej Singh Johar v. Union of India*, AIR 2018 SC 4321

Indian Judiciary, in many ways has a catalytic importance in establishing good governance. Judiciary as an institution takes an important role to protect democratic values and by protecting these values judiciary ascertain good governance in our country. Equality, rights, freedom, justice have been very much established and prevailed in the country, this only because of the activist role of Indian judiciary, because Indian judiciary acts independently to protect these values. Constitution does not permit the executive to exercise unlimited power, hence there has been such constitutional restrictions on governmental activities. This restriction on government is one of the pre-requisites of good governance because this would ensure people's constitutional rights and liberties against government's arbitrary actions. It makes legislature, executive and judiciary more responsible and answerable to the citizens of India. There have been enough laws, rules, regulations and procedures are present in India but while any disputes arise, they are settled in the courts. On every area, the Supreme Court has delivered significant judgments by which it ensures better governance in India. Some of these areas are fundamental rights, environmental issues, police reform, electoral reform, restriction impose on the Parliament to amend fundamental rights and many more and this is illustrative.

The Indian constitution has given for its citizens six fundamental rights that have been described in Article 12 to 35. For the protection of fundamental rights, Indian Supreme Court has extended its jurisdiction through judicial review and this has been observed in several court cases. In this matter, we can mention about Article 21 where Supreme Court initiated to acknowledge people's basic human rights as their fundamental rights, even when they were not expressly mentioned therein. Further, it included rationality and non-arbitrariness in the same Article to establish fair and unbiased justice among Indian judiciary. After some time, the Court rejected such brutal punishment to create rights against custodian violence, relax pre-trial bail requirements etc. and assures legal aid. Indian judiciary shows its pro-activeness to protect the fundamental rights for its citizens. Article 21 guaranteed for its citizen the protection of rights and their personal liberty that has now been extended to right to live with self-esteem and dignity, live in healthy environment, free and compulsory education under Article 21A, right to information etc. From the last seventy years, Indian judiciary elaborated the extent of fundamental rights for human existence constantly to protect the rights and personal liberties of the individuals and ensure better governance. On many occasion, it has been observed that Indian judiciary issues directions to the executive for law enforcement.



On the environment issue, the legislature has enacted a number of laws to protect and improve our environment. State would emphasis on sustainable development, so that people would access natural resources. In this matter, judiciary expresses its apprehension in the implication of environmental pollution at the present time and for the future too. Judiciary also shows its concern about the obligation of the state to prevent environmental degradation and state responsibility to protect the environment as well as public health.

Another important area where Indian judiciary plays an important role in promotion of better governance is election processes. For a successful democratic government it is important to conduct free and fair election by an independent agency. In India, elections are conducted, monitored and controlled by Election Commission of India that works independently. The judiciary plays a significant role through its judgments and judicial pronouncement to prevent the possibilities of abuse by the candidates. Criminalization of politics is always a threat to good governance, and for this reason judiciary made an electoral reform in which any candidate who wish to contest election must be disclose of his antecedents. It would influence the voters to make decision while they casting their votes. In educational fields and the rights of minorities, the judiciary has delivered number of verdicts from last seven decades, these also induce the process of good governance in India.

Other important area without which the discussion would be incomplete is the basic structure theory that means, imposition of restriction on the power of the parliament to amend fundamental rights of the people of India. *Shankari Prasad v. Union of India* (1951)<sup>8</sup>, where the constitutional validity of the First Amendment Act was challenged. By the first Constitutional Amendment Act, Parliament inserted Articles 31A, 31B and Ninth Schedule in the Indian Constitution, to pass various land laws because after adoption of the constitution, the government tried to abolished the Zamindari system and tried to bring land reforms, hence the validity of the Constitutional Amendment Act was challenged. In this case Article 13 was questioned as Article 13 said that all laws that are inconsistent with any of the fundamental rights shall be void.<sup>9</sup> In the judgment, the Supreme Court said that the ordinary laws and the constitutional amendments are two different things. Supreme Court goes to the literal meaning of laws here and the constitutional makers only mentioned laws here in Article 13 and not about constitutional amendments. So only laws can be declared null and

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<sup>8</sup> 1951 AIR 458.

<sup>9</sup> M. Laxmikanth, *Indian Polity: For Civil Service Examination* 158 (McGraw Hill Education (India) Pvt Ltd., Uttar Pradesh, 5<sup>th</sup> edn., 2017).

void, court cannot declare any amendments null and void. Therefore, First Constitutional Amendment Act was survived because it was an amendment not any law. The main conflict in this case was that who is stronger, is Article 13 or Article 368? The Supreme Court in its verdict said that parliament by amending constitution can alter fundamental rights. That means total amending power was given by the judiciary to the Indian parliament. The court said in *Shankari Prasad* case that if any law frame by the parliament that are inconsistent with the constitution, the court can declare the law null and void. But so far as the amendments are concerned, as it is not mentioned in Article 13, it cannot be declared null and void by the court. Hence the Supreme Court upheld the status of Article 368 over Article 13 of the constitution of India. This case had a great impact on Indian polity particularly on governance. In *Sajjan Singh v. State of Rajasthan*<sup>10</sup>, the Supreme Court expresses its consent in the *Shankari Prasad* case and the court said that parliament can amend any part of the constitution including fundamental rights. In 1967, *Golaknath v. State of Punjab*<sup>11</sup>, the Supreme Court reversed its earlier decision taken in *Shankari Prasad* case and declared opposite verdict. The background of the Golaknath was the family of Henry and William Golaknath held over 500 acres land in Punjab. In 1953, through Punjab Security and Land Tenure Act, the State government said that the Golaknath brothers can keep only 30 acres of land each and rest of the land would be distributed among workers on the field to implement different schemes. But as Right to Property was fundamental right at that time, the law definitely violates the fundamental rights to property. Hence the Golaknath brothers went to the courts. Since the Punjab Security and Land Tenure Act was placed in the Ninth schedule by the 17<sup>th</sup> constitutional amendment, the main issues involved was, whether amendment is a law or not? And whether fundamental rights can be amended or not? In this verdict Supreme Court viewed that parliament could not amend fundamental rights. This judgment made fundamental rights the status of sacrosanct fundamental rights. The Supreme Court also reversed its earlier decision of *Shankari Prasad* case and said that there is no difference between law and amendment. But the court said that the 17<sup>th</sup> constitutional amendment is valid therefore the law put under Ninth schedule is also valid, therefore the land would be taken from Golaknath brothers and distributed among the workers in the field. In this particular case the judiciary curtailed the power of the legislature. Many constitutional amendments were made to overcome from the decision of *Golaknath* case. The decision of *Golaknath* case made a sensation across the country. It apprehended that because of this

<sup>10</sup> 1965 AIR 845, 1965 SCR (1) 933.

<sup>11</sup> 1967 AIR 1643, 1967 SCR (2) 762.



judgment various socialistic and welfare activities of the government would be stopped. To tackle this situation Indian parliament made two constitutional amendments in 1971, they are 24<sup>th</sup> and 25<sup>th</sup> constitutional amendments. The 24<sup>th</sup> Constitutional Amendment Act was made to abrogate the Supreme Court judgment. It amended Article 13 and Article 368. It said that parliament can abridge or take away any of the fundamental rights by enacting constitutional amendment acts. By this amendment parliament gain unlimited power to amend any part of the constitution including the provisions of part III of the constitution. The 25<sup>th</sup> Constitutional Amendment Act inserted a new Article, that is Article 31C which said that no law that seeks to implement the directive principles mentioned in Articles 31B and 31C shall be void because it would violate the fundamental rights mentioned in Articles 14, 19 and 31.

*Kesavananda Bharati v. State of Kerala* is a landmark case, where validity of the 24<sup>th</sup> Constitutional Amendment Act was challenged. In 1970, Kesavananda Bharati who was a head of a Hindu Math called Edneer in Kerala challenged Kerala government's attempt under two Land Reforms Act to impose restrictions on the management of the Edneer math. Against this restrictions Kesavananda Bharati went to court. In this case the 24<sup>th</sup>, 25<sup>th</sup>, 26<sup>th</sup>, and 29<sup>th</sup> constitutional amendment act was challenged. Supreme Court in its verdict said that 24<sup>th</sup> and 25<sup>th</sup> Constitutional Amendment Acts are valid and parliament has the power to amend fundamental rights. But the 'Basic Structure' of constitution could not be amended and court has the power to validate any constitutional amendment that means the court stated that the judicial review cannot be stopped by any provision. This particular case basically saved India's democracy because it put a restriction on amending power of the parliament. Also this case puts supremacy of the constitution, not legislature or judiciary. As a result, any law made by legislature or any kinds of activities of the executive, if violates the constitutional provisions or the basic structure, then judiciary declared the law or the act as unconstitutional. In this way Indian judiciary takes a major role in curbing arbitrary nature of the executive and promoting good governance in India.

Another important case where the Supreme Court takes an important role in providing rights for the people guaranteed by the constitution of India is the *Maneka Gandhi v. Union of India* Case happened in 1978. In this particular case Article 21 was questioned and the Article said that no person shall be deprived for his life or personal liberty except according to the procedure established by law. The meaning of procedure established by law is that, a law that is enacted by the legislature or the parliament would only be valid if the correct procedure has been followed to the letter. The *Maneka Gandhi v. Union of India* case was arise because the

Regional Passport Office, New Delhi asked Maneka Gandhi to relinquish her travel passport in the interest of public within the time limit of seven days under Section 10(3)(c) of the Passport Act 1967. Maneka Gandhi asked the reason, why the particular order was issued and the authority denied to told the reason behind the order issued by them. In response Mrs. Gandhi filed a writ in the Supreme Court. The main issues of the cases whether the right to go to abroad is a part of right to liberty under Article 21? The Second issue was whether passport acts prescribes a procedure or not? Third was whether the Passport Act violates Articles 14, 19(1)(a) and 21? Fourth, is freedom of speech and expression confined to Indian territories? The judgment of the case was the Passport Act was declared null and void because it does not follow the procedure established by law, hence it is unconstitutional. Then the Court said that right to travel is under Article 21 of the constitution. Court also argued that if a law is depriving a person from liberty, it has to fulfill requirement of Articles 14 and 19 also, that means a liberty of a person can be curb down in specific cases but even that have to fulfill the criteria of Article 14 and Article 19. In *Maneka Gandhi* case a new doctrine was evolved that is 'post-decisional hearing' that is for allowing the hearing of matter after the action is taken. In this said case, the Apex Court of India made a deep study and interpretation about Article 21 and came to Conclusion that a person can be deprived by right to life and personal liberty by law only if the statement made in the light of constitution are nothing but just, reasonable and fair.<sup>12</sup> That means it can be said that the Supreme Court in this case introduced the doctrine of 'due process of law'. In this way, the Supreme Court protects the rights of the citizens of India and secure good governance.

During 1980s when the concept of Public Interest Litigation (PIL) was introduced, the Supreme Court takes very active role in promoting good governance. The area covered by the PILs being so wide ranging from telecommunications, pollutions, terrorism, road safety, constructional hazards to environment. A PIL can be about anything where the government laws could not keep up with it. It is an instrument in the hands of the people by which governmental corruption could be exposed. The 2G scam, the 3G scam, the coal scam all were all exposed using the Public Interest Litigations. It is a vital instrument of social change and a tool for maintaining equality in the country. It makes basic human rights reachable to those who are denied their rights by the executive. *M. C. Mehta v. Union of India*<sup>13</sup> was a PIL on environmental issue. The case based on Oleum gas leaked from Sri Ram Food and

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<sup>12</sup> *Supra* note 9.

<sup>13</sup> 1987 SCR (1) 819, AIR 1987 965.

Fertilisers Limited Complex at Delhi and it also just happened after the Bhopal Gas leak in December 1984. Due to Oleum gas leaked the District Magistrate of Delhi ordered Sri Ram Company to stop manufacturing and move out of Delhi because it dealing with poisoned and hazardous gases. Since their process of stopping their manufacturing and shifting a second leak happened. At this particular point M. C. Mehta, a lawyer, filed a PIL for compensation and demanded that closed establishment should not restart. In this case again Article 21 was questioned and the case was for right to life enumerated in Article 21. The issue of this case was whether Article 21 is available against Sri Ram Company that is engaged in industry vital to public health and with potential to affect life of people? Second whether Sri Ram Company is under Article 12 where the definition of state is mentioned? And third was what the measure of liability is? In the judgment of the case, the Court said that the enterprise must absorb the cost of accident that means the company would be liable for any accident or any such thing happened. The Court also said that the larger and more prosperous it is, that is bigger the company is greater the amount of compensation should be bear. The court did not decide whether Sri Ram company is an authority under Article 12 because it was a subsidiary company of Delhi Cloth Mill that is run by state government and if the company is a 'State' under Article 12 then it is a case of violating the fundamental rights of people by the state authority and in such cases there are special machinery for investigation, so the court did not decide whether it is under Article 12 or not. Therefore no special machinery for investigation will be set. The effect of the case was the Supreme Court closed a number of industrial companies and Court allowed those companies to start again only following the pollution control disposal in Ganga basin.

*Vishaka v. State of Rajasthan*<sup>14</sup> was another PIL against sexual harassment filed by Bhanwari Devi. In this case Supreme Court gives a definition of sexual harassment at workplace and made guidelines to deal with it. Court also recognizes that sexual harassment is violative of fundamental rights under Articles 14, 15 and 21. All these cases shows that the judiciary plays the role of a bridge that fill the vacuum of poor governance.

Another landmark judgment is decriminalization of Section 377 of the Indian Penal Code delivered by the Supreme Court on September 2018 where the Court upheld the right of the LGBT community people. Section 377 said that whoever voluntarily has carnal intercourse

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<sup>14</sup> AIR 1997 SC 3011.

against the order of nature with any man, women or animal, shall be punished<sup>15</sup>. In 2001, NAZ foundation an NGO filed a petition<sup>16</sup> in Delhi High Court, pleaded that Section 377 should be declared unconstitutional. In 2009, the Delhi High Court ruled Section 377 unconstitutional because it violates Article 14, Article 15 and Article 21. But in 2013 when the matter went to the Supreme Court in the *Suresh Kumar Koushal v. NAZ Foundation*<sup>17</sup>, the Court said that Section 377 is constitutional and it is retained in the statute book of the country. In 2014, in the *National Legal Services Authority* judgment the Supreme Court recognizes transgender as a third gender but homosexuality still continued to be a crime despite this 2014 judgment. In February 2016 the Supreme Court refers to the matter to a constitutional bench in *Navtej Singh Johar v. Union of India*. In this landmark verdict the Court declared that homosexuality is not a crime. The verdict gives us the principle of non-retrogression of rights. The stirring message of the judgment is social morality cannot trump constitutional morality and finally the judgment reaffirmed the right to love. In this way the Supreme Court once again secure the fundamental rights of the people of India.

Judicial review is an important tool to keep a check on administration and assures their accountability if their decisions goes beyond the constitutional provisions. By judicial review we mean judiciary's power to revise and then reconsider validity of a law enacted by legislature or an order passed by executive can be described as the power of judicial review. That means the Constitution is the supreme law of the land and if any law inconsistent with the Constitution shall be void. It maintains effective checks and balances by preventing arbitrary acts taken in favour of the legislature and the executive. Supreme Court or Indian judiciary through its power of judicial review, judicial activism and PIL, presently keeps a catalytic role in good governance. In situation of hung assembly in any state election, the judiciary makes judicial transparency by making political candidates meet fuller norms of disclosure. In this situation the court issue orders for a floor test to prove the majority to ensure that the states has a government. Hence it bring hopes for the voters who voted for government in the hope of good governance.

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<sup>15</sup> The Indian Penal Code, 1860, s. 377.

<sup>16</sup> 160 Delhi Law Times 277.

<sup>17</sup> CIVIL APPEAL NO. 10972 OF 2013 (Arising out of SLP (C) No. 15436 of 2009).

## 6. Conclusion

Indian judiciary from last seventy years took very much activist role in bringing development, social change, growth and progress in the Indian society. In almost every aspects of life Indian judiciary particularly the Supreme Court of India keeps its influential role, from fundamental rights to environmental issue, from corruption to social justice the Supreme Court keep its vigilance eye and provide better life and justice for the people of India. This catalytic role of judiciary confirms good governance in the country. There is no doubt in the fact that the judiciary keeps a significant role in promoting better governance in a free democracy like India. But it is not only possible for the judiciary to ensure good governance in India; it would only be possible when legislature, executive, private bodies and people of India would be accountable and responsible as Indian judicial system made them accountable. When all branches of government would work together and would perform their assign duties only then good governance can be achieved.

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