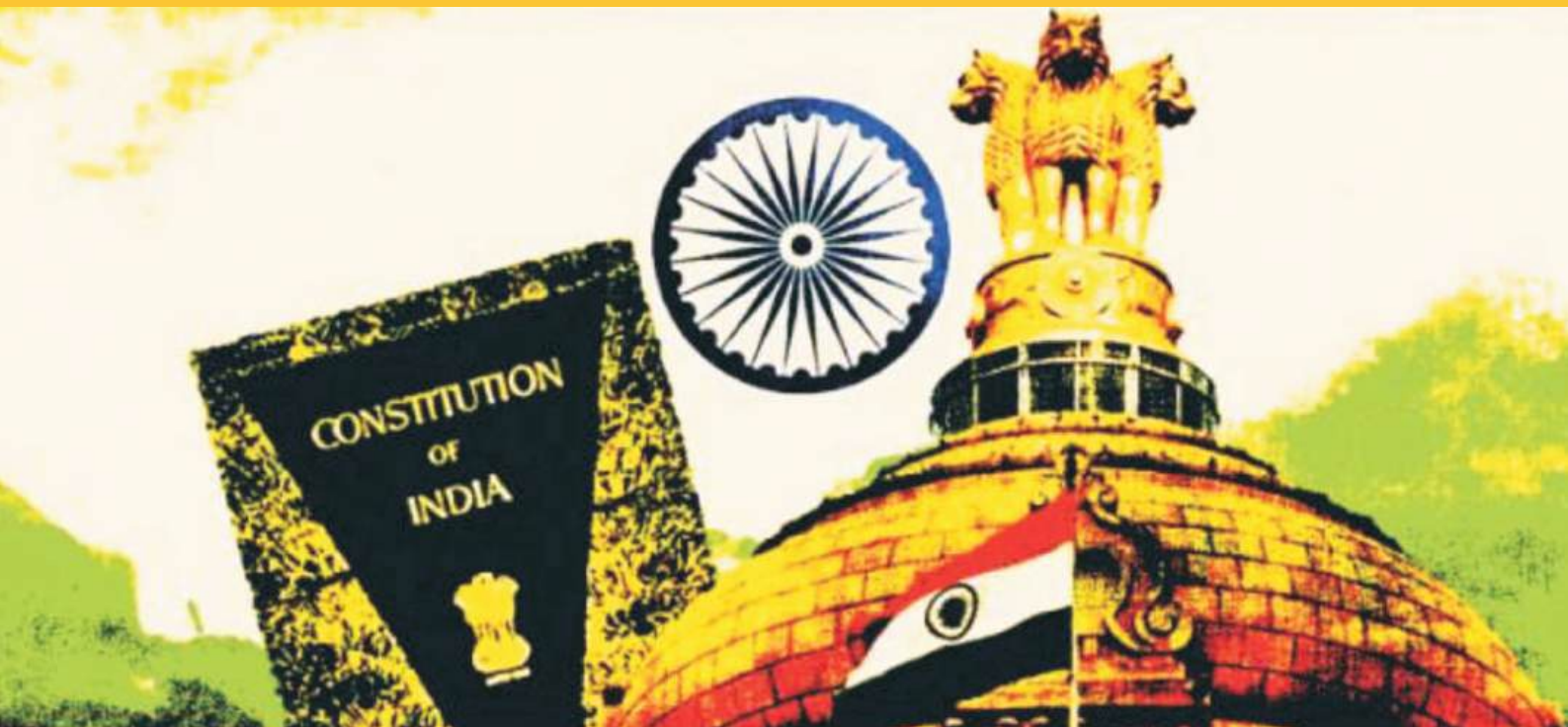


Prof. O.P. Chauhan Memorial Lecture cum National Seminar

on

75 Years of the Indian Constitution and Supreme Court: The Journey So Far and Challenges Ahead



E-SOUVENIR

Organised by

**Department of Laws
H.P. University, Shimla**

ON 29TH MARCH, 2025

**Prof. O.P. Chauhan Memorial Lecture
Cum National Seminar**

On

**75 Years of the Indian Constitution and
Supreme Court: The Journey So Far
and Challenges Ahead**



E-SOUVENIR

Organised by

Department of Laws

H.P. University, Shimla

ON 29TH MARCH, 2025



HIMACHAL PRADESH UNIVERSITY
(NAAC Accredited 'A' Grade University)
SUMMER HILL, SHIMLA-171005

Prof. (Dr.) S. P. Bansal

Hon'ble Vice-Chancellor

Message

It is a matter of immense pleasure to learn that the Department of Laws, H.P. University, Shimla is organizing Prof. O.P. Chauhan Memorial Lecture cum National Seminar on the topic “ 75 Years of the Indian Constitution and Supreme Court : The Challenges so Far and Way Ahead ” on 29th March,2025, wherein a good number of academicians , legal luminaries, research scholars, students, members of Government and Non-Governmental organisations are expected to participate in the academic deliberations of this event. In my opinion, such type of events would be a great platform for intellect sharing and further augment the existing pool of knowledge. I am also happy to know that Department has decided to bring out a souvenir on this occasion.

The Constitution of India is not just a legal document; it is a symbol of India's diversity and unity. It guarantees fundamental rights to every citizen, ensuring that no one is discriminated against based on religion, caste, gender, or any other factor. These rights empower individuals and provide the foundation for personal freedom and equality. At the same time, the Constitution also emphasizes duties, reminding citizens of their responsibilities towards the nation and society. This balance between rights and duties is crucial for maintaining harmony and progress in a diverse country like India. Over the past 75 years, the Indian Constitution has been a guiding light, helping the country navigate through numerous challenges and changes. As a highest court of justice The Supreme Court's role is going to be more important than ever as India moves into a new stage of its democratic development.

I compliment Department of Laws, H.P. University, Shimla for organizing Prof. O.P. Chauhan Memorial Lecture cum National Seminar on the topic “75 Years of the Indian Constitution and Supreme Court : The Challenges so Far and Way Ahead” and I am confident that the deliberations in the same will bring out innovative and useful ideas and pragmatic suggestions , which will go a long way in meeting the desired objectives.

I extend my warm greetings to the organisers and the participants and wish the seminar every success.

Prof. (Dr.) S. P. Bansal



HIMACHAL PRADESH UNIVERSITY
(NAAC Accredited 'A' Grade University)
SUMMER HILL, SHIMLA-171005

Prof. (Dr.) Rajinder Verma

Hon'ble Pro Vice Chancellor
Dean and Chairman
Faculty of Laws, H.P.U. Shimla

Message

It is a matter of immense pleasure and pride that Department of Laws, H.P. University, Shimla is going to organise Prof. O.P. Chauhan Memorial Lecture cum National Seminar on the topic “75 Years of the Indian Constitution and Supreme Court: The Challenges so Far and Way Ahead” on 29th March, 2025 and coming out with seminar souvenir to commemorate the occasion.

The Constitution of India serves as a tool for social transformation. It has played a vital role in addressing historical injustices and promoting social equity. Laws and policies aimed at abolishing untouchability, ensuring reservations for disadvantaged communities, and promoting gender equality have their roots in the constitutional ideals. The judiciary, as the guardian of the Constitution, has also played a crucial role in upholding these values through landmark judgments that have strengthened individual rights and freedoms. While we have made significant progress, there are still challenges to address. The 75 years of the Indian Constitution and Supreme Court is a time to reflect on the journey so far and to envision the road ahead.

I would like to congratulate Seminar Convenor, Co-Convenors, organizing secretary as well the entire Committee members for such a good initiative. I hope that this seminar will provide a healthy platform for all the participants including research scholars, academicians, lawyers, civil society members etc. to deliberate upon emerging issues and concerns. While extending heartfelt greetings to the organisers and participants, I pray for the great success of the event.

My good wishes for the success of the event

Prof. (Dr.) Rajinder Verma



HIMACHAL PRADESH UNIVERSITY
(NAAC Accredited 'A' Grade University)
SUMMER HILL, SHIMLA-171005

Prof. (Dr.) Lalit Dadwal
(Convenor)

Prof. Runa Mehta Thakur
(Co-Convenor)

Prof. Shiv Kumar Dogra
(Co-Convenor)

Dr. Shalini Kashmiria
(Organising Secretary)

Message

In organizing Prof. O.P. Chauhan Memorial Lecture cum National Seminar on the topic “75 Years of the Indian Constitution and Supreme Court : The Challenges so Far and Way Ahead” we received guidelines and exuberant cooperation from Prof. (Dr.) Rajinder Verma ,Hon’ble Pro Vice Chancellor , H.P.U. cum Dean and Chairman, Department of Laws, H.P.U., Shimla

The Constitution of India stands as the supreme law of the nation, offering a detailed, written framework that defines the country’s core principles, government structure, processes, powers, and responsibilities, as well as the rights and duties of its citizens. It is more than a legal document; it represents India’s unity and diversity. Over the years, the Constitution has been a tool for social change, addressing historical injustices and promoting social equity. Its 75-year journey has served as a guiding light, helping India navigate through both challenges and successes. Similarly, the journey of the Supreme Court over the last 75 years underscores its pivotal role in reinforcing democracy, safeguarding individual rights, and navigating complex constitutional and legal matters. Looking at the judicial landscape since the Constitution came into force, we can identify both achievements and challenges. Despite the challenges, India's judiciary is still held in high regard, with citizens continuing to place great trust in it as a pillar of democracy and justice.

We are considering this seminar as a platform to initiate a Right discourse, expecting thought provoking, multidisciplinary, quality research papers. We look forward to make this endeavor very meaningful and successful.

With Best Wishes

Prof. (Dr.) Lalit Dadwal (Convenor)

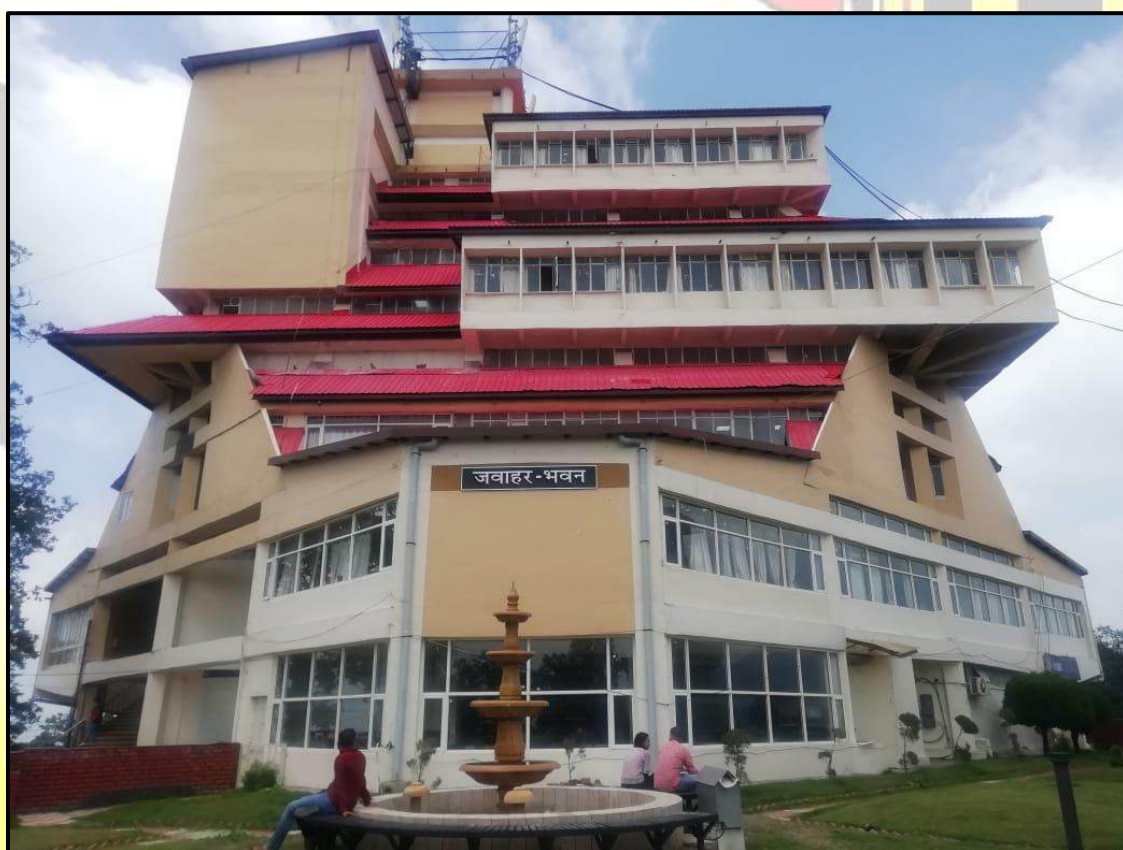
Prof. Runa Mehta Thakur (Co-Convenor)

Prof. Shiv Kumar Dogra (Co-Convenor)

Dr. Shalini Kashmiria (Organising Secretary)

ABOUT HIMACHAL PRADESH UNIVERSITY

Himachal Pradesh University was established by an Act of the Legislative Assembly of Himachal Pradesh on 22nd July, 1970 as a response to the needs and aspirations of the Union Territory, poised for full statehood in the Union of India on 25th January, 1971. It is the first multi-faculty residential and affiliating university in the State that provides higher education to urban, rural and tribal areas through formal and distant modes. The headquarters of the University is located at Summer Hill, the picturesque suburb of Shimla. The University has a total area of 241.11 bighas with stately buildings set among rhododendron, silver oak, pine and deodar trees. It affords a salubrious climate and congenial atmosphere for reflection, study and research. The prime objective of the University is to disseminate knowledge, advance learning and understanding through research, training and extension programmes. It instills in its students and teachers a conscious awareness regarding the social and economic needs, cultural ethos, and future requirements of the state and the country. Himachal Pradesh University is a multi-faculty and affiliating University. It stands for knowledge, learning, progress, humanity, tolerance, intellect, morality, determination, thought, and discernment. It is a grade 'A' accredited university by the National Assessment and Accreditation Council. It enjoys the National and International repute.



ABOUT DEPARTMENT OF LAWS

The Department of Laws came into existence in 1970 when the University was established. Initially it was housed in D.A.V. School, Middle Bazar, Shimla. Later it was shifted to Avalodge, Chaura Maidan where it remained functional for some years. The Department was relocated in the University campus in 1984 and finally shifted to its own building in 1993. Since its inception the department has been actively engaged in imparting legal education, training and legal research benefiting to the students desirous of pursuing their career in law. The Department has a distinction of producing best Professionals, Statesmen and officers rendering useful service to the Nation. Its Alumni include Judges of Supreme Court, High Courts, Union Cabinet Ministers, State Cabinet Ministers, Senior Bureaucrats, Police Officers, officers of subordinate Judiciary, Law officers, Civil Servants and members of the legal Profession. Law graduates from this Department are serving all over the country including District Courts, High Courts and Supreme Court.



ABOUT THE SEMINAR

The Constitution of India stands as the supreme law of the nation, offering a detailed, written framework that defines the country's core principles, government structure, processes, powers, and responsibilities, as well as the rights and duties of its citizens. It is more than a legal document; it represents India's unity and diversity. The Constitution ensures fundamental rights for all citizens, guaranteeing equality and protection from discrimination based on religion, caste, gender, or any other factor. These rights serve as the foundation for personal freedom and equality. At the same time, the Constitution emphasizes the importance of duties, reminding citizens of their responsibilities towards the nation and society. This balance between rights and duties is key to maintaining harmony and fostering progress in a country as diverse as India.

Rooted in essential values such as democracy, republicanism, rule of law, an independent judiciary, the autonomy of institutions, federalism, and secularism, the Constitution also upholds liberty, equality, fraternity, and individual dignity. These ideals define the very spirit of the Indian Constitution. Over the years, the Constitution has been a tool for social change, addressing historical injustices and promoting social equity. Its 75-year journey has served as a guiding light, helping India navigate through both challenges and successes. The evolution of Constitutional principles and governance institutions over the years continues to ensure justice, liberty, and equality for all citizens.

As India celebrates 75 years of the Constitution, it's an appropriate moment to reflect on the progress made and consider the challenges that remain. While the nation has achieved much, issues like the tension between a strong central government and the autonomy of states, the debate over the reservation system, restrictions on civil liberties in the name of national security, the One Nation One Election proposal, concerns about secularism, religious fanaticism, privatization, the independence of the judiciary, corruption etc. still need to be addressed.

At the pinnacle of India's judicial system lies the Supreme Court, which wields considerable constitutional power. The journey of the Supreme Court over the last 75 years underscores its pivotal role in reinforcing democracy, safeguarding individual rights, and navigating complex constitutional and legal matters. As one of the country's most important institutions, the

Supreme Court has played a central role in shaping India's constitutional democracy, defending citizens' rights, and ensuring a check on the powers of the executive and legislature.

Judicial activism in India has significantly influenced constitutional law, turning the judiciary into a powerful force for preserving democracy, rights, and social justice. Through landmark rulings and proactive engagement, the judiciary has bolstered constitutional principles, adapted the law to societal changes, and expanded the scope of individual rights. Despite concerns over judicial overreach, such activism has often been a necessary response to institutional gaps, legislative inaction, and executive inefficiency, ultimately advancing the promise of the Indian Constitution.

Looking at the judicial landscape since the Constitution came into force, we can identify both achievements and challenges. Issues such as the growing case backlog, judicial efficiency, the insufficient judge-to-population ratio, lack of transparency, corruption, favoritism, and the impact of new technological advancements all require urgent attention. Despite these challenges, India's judiciary is still held in high regard, with citizens continuing to place great trust in it as a pillar of democracy and justice.

OBJECTIVES OF THE SEMINAR

Over the past 75 years, the Indian Constitution and Hon'ble Supreme Court has not only been a blueprint for governance but also a dynamic instrument of social change. This seminar aims to explore the Constitution's text and context, its evolution, and its relevance in addressing contemporary challenges in governance, rights, and technology. It seeks to underscore the enduring values enshrined in the Constitution while imagining its future in a rapidly changing world. Some other key objectives of the seminar are:

To assess the Constitution's transformative impact on India's legal, social, political, economic evolution and challenges of future.

To create a platform for critical engagement with the Constitution's and Hon'ble Supreme Court's journey over the past seven decades while shaping the discourse on its role in the 21st century and Road Ahead.

SUB THEMES

Constitution of India and Supreme Court @ 75

Achievements, Experiences, Memories and Lessons from the Indian Constitution and Judiciary

Constitution of India as an Instrument for Economic Growth and Social Justice

Constitution of India in Precept and Practice

Constitutional Reforms: Necessity and Boundaries

The Role of Legislature and Executive in Strengthening Constitutional Democracy

Constitutional Supremacy vs Parliamentary Sovereignty

Changing Dimensions of Constitutionalism

Role of Governor: Contemporary Issues and Challenges

Accountability of Political Parties for their Manifesto and their Role to make an effective Democratic system

Role of the Election Commission in the Democratic System: Contemporary Issues and Challenges

Data Privacy & AI Governance: The Constitutional Perspective.

Fundamental Rights and Directive Principles of State Policies: Relations and Comparisons

The Role of Technology in Judiciary: E-Courts & Access to Justice.

Secularism: Issues and Challenges

Uniform Civil Code: Socio-Political Issues

Multiculturalism and Constitution of India.

One Nation One Election.

Parliamentary Competence to amend the Constitution and Principle of Basic Structure

Corruption: A threat to Constitutionalism

Media Transparency: An Essential Condition for a Successful Constitutional System.

How Relevant is Constitutional Morality?

Supreme Court and Indian Federalism

Collegium System of Judicial Appointment

Judicial Activism: Need of hour or Encroachment on Legislative power

Access to Justice

Right to Life and its New Dimensions

Data Protection and Right to Privacy.

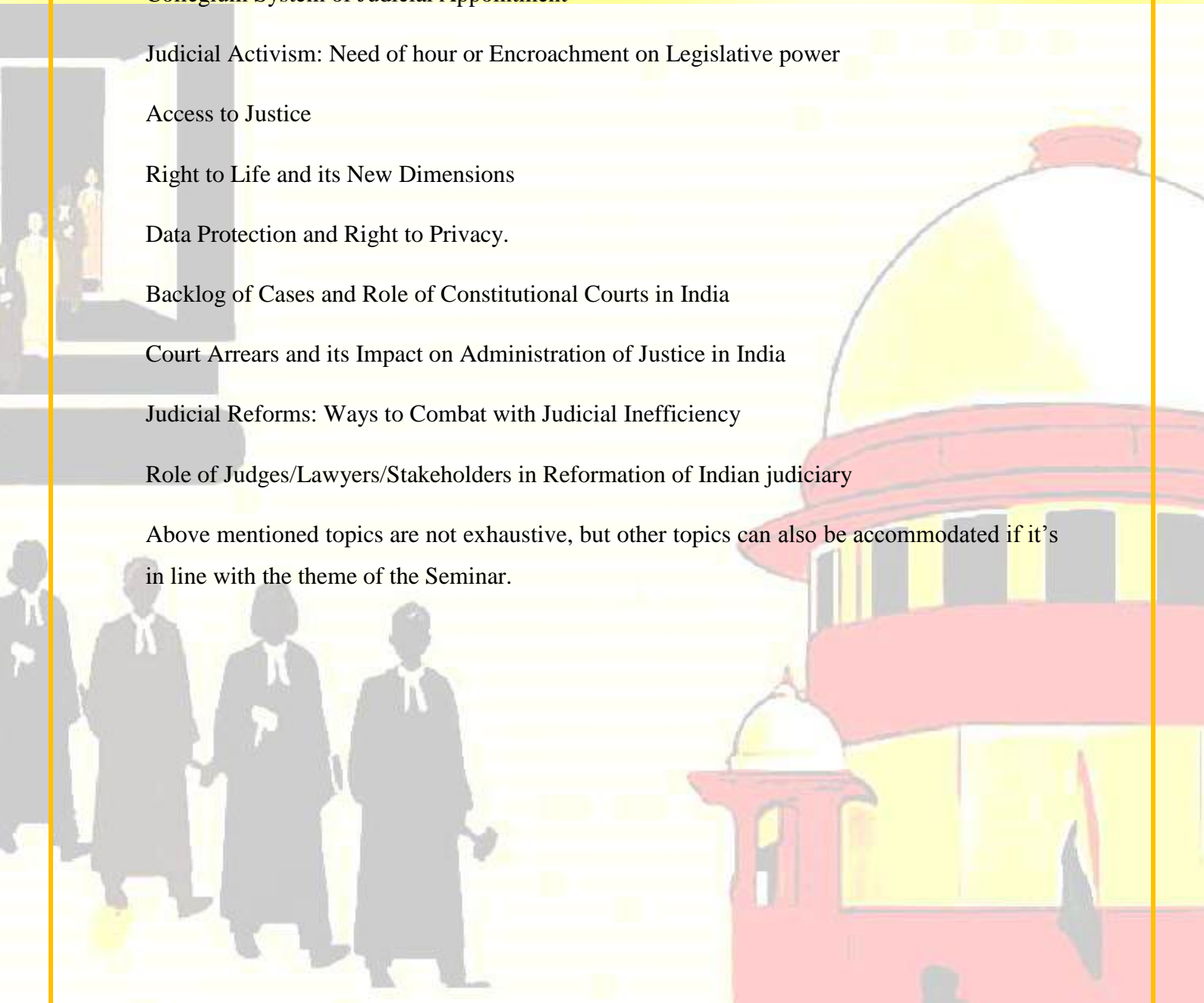
Backlog of Cases and Role of Constitutional Courts in India

Court Arrears and its Impact on Administration of Justice in India

Judicial Reforms: Ways to Combat with Judicial Inefficiency

Role of Judges/Lawyers/Stakeholders in Reformation of Indian judiciary

Above mentioned topics are not exhaustive, but other topics can also be accommodated if it's in line with the theme of the Seminar.



PATRON-IN-CHIEF

Prof. (Dr.) S.P. Bansal, Hon'ble Vice Chancellor, Himachal Pradesh University, Shimla

PATRON

Prof. (Dr.) Rajinder Verma, Hon'ble Pro-Vice Chancellor, Himachal Pradesh University,
Shimla

Dean and Chairman, Department of Laws, H.P. University, Shimla

CONVENOR

Prof. (Dr.) Lalit Dadwal, Department of Laws, Himachal Pradesh University, Shimla

CO- CONVENORS

Prof. (Dr.) Runa Mehta Thakur, Department of Laws, Himachal Pradesh University, Shimla

Prof. (Dr.) Shiv K. Dogra, Department of Laws, Himachal Pradesh University, Shimla

ORGANIZING SECRETARY

Dr. Shalini Kashmiria

ADVISORY COMMITTEE

Prof. (Dr.) Sunil Deshta

Prof. (Dr.) Sanjay Sindhu

Prof. (Dr.) Umesh Kumar

Dr. Geetika Sood

ORGANIZING COMMITTEE

Dr. Sasha Chauhan

Dr. Abhishek Singh Negi

Dr. Ramesh Verma

Dr. Vandana Thakur

STUDENT SECRETARIES

Mr. Aagam Sharma

Mr. Praveen Kumar

Mr. Pushap Deep

Mr. Sarvshresth Paras Dohru

Mr. Vikram Kaushal

Ms. Poonam

INDEX

Sr. No.	Title and Author's Detail	Page No.
1.	ROLE OF GOVERNOR IN INDIAN FEDERALISM: EMERGING ISSUES AND CHALLENGES Dr. Sanjeev Kumar Bragta , Associate Professor, Political Science, H.P. University, Department of Evening Studies, Shimla.	1
2.	ONE NATION, ONE ELECTION: FOR DEVELOPED INDIA Dr. Joginder Singh Saklani , Associate Professor, Political Science, ICDEOL HPU Shimla	2
3.	75 YEARS OF 'SUPREME' JOURNEY IN PURSUITS OF SOCIO-ECONOMIC AND POLITICAL JUSTICE Dr. Kusum Chauhan , Associate Professor, H.P. University Institute of Legal Studies, Ava-Lodge, Shimla	2
4.	BRIDGING THE GAP: THE SUPREME COURT AND ACCESS TO JUSTICE Dr. Amandeep Kaur , Associate Professor APG Shimla University	3
5.	THE ROLE OF TECHNOLOGY IN JUDICIARY: E COURTS AND ACCESS TO JUSTICE Dr. Kalpana Thakur , Assistant Professor, (Law), Rayat Bahra College of Law, Hoshiarpur Dr. Poonamdeep Kaur , Assistant Professor (Law), Regional Campus, Guru Nanak Dev University, Amritsar	4
6.	THE NEED FOR ENFORCEMENT OF FUNDAMENTAL DUTIES: A PATH TOWARDS RESPONSIBLE CITIZENSHIP Sheeba Varghese , Assistant Professor of Law (Senior), St. Dominic's College of Law, Kanjirappally, Kerala	5
7.	CRITICAL EVALUATION OF INDIA'S COLLEGIUM SYSTEM: A NECESSITY FOR REFORM Mayur Anand , Assistant Professor, Chotanagpur Law College, Ranchi	6
8.	JUDICIAL OVERREACH: THE ETHICAL DILEMMA OF JUDICIAL ACTIVISM Dr. Gitanjali Thapar , Assistant Professor, Himachal Pradesh University Institute of Legal Studies, Shimla Tanya Sharma , Student of BA.LLB (Hons), Himachal Pradesh University Institute of Legal Studies, Shimla	7
9.	JUDICIAL REFORMS: WAYS TO COMBAT WITH JUDICIAL INEFFICIENCY Dr. Sandeep Kumari , Assistant Professor of Law, HIMCAPES College of Law, Badhera, Una (HP) Anshu Jaswal , Research Scholar, Deptt. of Law, Himachal Pradesh University, Shimla.	8
10.	ROLE OF JUDICIARY IN HARMONIOUS CONSTRUCTION OF RELIGIOUS PRACTICE AND CONSTITUTIONAL MANDATE D. Merlin Mary , Assistant Professor, Department of Constitutional Law and Legal Order The Tamil Nadu Dr. Ambedkar Law University	9

11.	JUDICIAL ACTIVISM, CONSTITUTIONAL MORALITY, AND LGBTQ+ RIGHTS: PUBLIC PERCEPTION AND THE SUPREME COURT'S ROLE IN INDIA Meghna Thakur, Business Analyst & Assistant Professor, Faculty of Management Sciences, Shoolini University	10
12.	UPHOLDING CONSTITUTIONAL MORALITY: THE JUDICIARY'S ROLE IN NAVIGATING SOCIAL AND LEGAL CLASHES Alka Rani, Assistant Professor in Law, Rayat Bhara college of Law, Hoshiarpur	11
13.	CONFRONTING JUDICIAL BACKLOG: STRATEGIES FOR THE INDIAN SUPREME COURT IN ITS 75TH YEAR Dr. Munish Dulta, Assistant Professor, Deptt. of Public Administration, H.P. University, Shimla	12
14.	ECONOMIC JUSTICE AND THE CONSTITUTION OF INDIA: BRIDGING INEQUALITY THROUGH POLICY Dr. Manoj Sharma, Assistant Professor, Department of Commerce, H.P. University, Shimla	12
15.	THE ROLE OF TECHNOLOGY IN JUDICIARY: E-COURTS & ACCESS TO JUSTICE Jai Singh, Ph.D. Scholar, Deptt. of Law HPU Shimla	13
16.	THE SUPREME COURT AND CRIMINAL PROSECUTION: 75 YEARS OF LEGAL AND PROCEDURAL REFORMS Sarveshreshth Paras Dohru, Research Scholar, Department of Laws, Himachal Pradesh University	14
17.	ONE NATION, ONE ELECTION: A CRITICAL ANALYSIS OF FEASIBILITY, BENEFITS, AND CHALLENGES Dr. Puspanjli Thapar, Assistant Professor, Political Science, University Institute of Legal Studies, Shimla	15
18.	SAFEGUARDING RIGHTS IN THE DIGITAL AGE: A CONSTITUTIONAL PERSPECTIVE ON DATA PRIVACY AND AI GOVERNANCE Divya Nautiyal, Research Scholar and Assistant Professor, School of Law, Graphic Era Hill University	15
19.	CONSTITUTION SUPREMACY VS. PARLIAMENTARY SOVEREIGNTY Prerana Sharma, Kritika Dhanta, Sheds Law College Solan	16
20.	INDEPENDENCE OF JUDICIARY IN INDIA: A STUDY FROM LEGAL PERSPECTIVE Ritesh Kumar, Research Scholar, Faculty of Law, Himachal Pradesh University, Shimla	17
21.	THE INTERSECTION OF ARTICLE 21 AND FOREST LAND RIGHTS: EXPANDING THE RIGHT TO LIFE JURISPRUDENCE Aagam Sharma, Research Scholar, Department of Laws, Himachal Pradesh University	18
22.	THE SIGNIFICANCE OF COMMUNITY ENGAGEMENT IN PROTECTION OF ENVIRONMENT Babita Negi, Research Scholar, Department of Laws, Himachal Pradesh University	19

23.	FROM FAMINE TO FOOD SECURITY: 75 YEARS OF THE RIGHT TO FOOD IN INDIA'S CONSTITUTIONAL JOURNEY Anjali Kumari , Research Scholar, Department of Laws, Himachal Pradesh University	19
24.	75 YEARS OF MARRIAGE LAWS IN INDIA: CONSTITUTIONAL EVOLUTION AND JUDICIAL TRENDS Parveen Kumar , Research Scholar, Department of Laws, Himachal Pradesh University	20
25.	JUDICIAL OVERSIGHT AND COOPERATIVE SOCIETIES: THE JUDICIARY'S ROLE IN SHAPING AND TRANSFORMING INDIA'S COOPERATIVE MOVEMENT Rajneesh Kumar Jaswal , Joint Registrar H.P. Cooperative Societies, Currently pursuing Law from HPU Shimla	21
26.	IMPACT OF TECHNOLOGY ON MODERNIZING JUDICIAL SYSTEMS Desh Deepak , Research Scholar, Department of Laws, Himachal Pradesh University	22
27.	GRAM SWARAJ TO DIGITAL INDIA: 75 YEARS OF CONSTITUTIONAL PROMISES FOR RURAL DEVELOPMENT Sarvesh Kumar , Research Scholar, Department of Interdisciplinary Studies, Himachal Pradesh University	23
28.	EMPOWERING TRIBES: THE ROLE OF THE INDIAN CONSTITUTION IN ECONOMIC GROWTH AND SOCIAL JUSTICE FOR FOREST DWELLERS IN HIMACHAL PRADESH Poonam Verma , Research Scholar, Bahra University, Wagnaghat Solan	24
29.	CITIZENSHIP AND IDENTITY: NAVIGATING INCLUSION AND EXCLUSION IN CONTEMPORARY INDIA Shashi Poonam , Research Scholar (Ph.D.), Department of Laws, Himachal Pradesh University, Summerhill, Shimla	24
30.	REPRODUCTIVE RIGHTS AND CONSTITUTIONAL LAW: ANALYZING THE ROLE OF JUDICIARY IN GLOBAL PERSPECTIVE Nitika Sharma , Research Scholar Department of Laws, Himachal Pradesh University, Shimla	25
31.	JUDICIAL REFORMS FOR GENDER-SENSITIVE VIRTUAL HEARING Sonakshi Bandhu , PhD Research Scholar, Department of Laws, HPU Summerhill	26
32.	WOMEN'S RIGHTS AND SOCIO-ECONOMIC EMPOWERMENT UNDER INDIAN CONSTITUTION Meenakshi Parmar , Ph.D. Research Scholar, School of Law, Bahra University Wagnaghat, Solan	27
33.	TRANSGENDER RIGHTS IN INDIA: ANALYSING THE SUPREME COURT'S ROLE IN ENSURING CONSTITUTIONAL JUSTICE Ajay Kumar , PhD Research Scholar, Department of Laws, Himachal Pradesh University Summer, Hill, Shimla	28
34.	RIGHT TO LIFE AND LIBERTY Manas Tripathi , Research Scholar, University of Allahabad	29

35.	UNIFORM CIVIL CODE AND DISPOSAL OF SPOUSAL PROPERTY IN INDIA: AN OVERVIEW Divya Thakur , Research Scholar, Department of Laws, Himachal Pradesh University	30
36.	DATA PROTECTION AND RIGHT TO PRIVACY Isha, Kanika Kumari Sonkhala , LLM, Career Point University, Hamirpur	30
37.	NECESSITY OF CONSTITUTIONAL REFORMS IN AN ERA OF TRANSFORMATIVE CONSTITUTIONALISM: A CRITICAL EXAMINATION OF INDIAN CONSTITUTIONAL FUNCTIONING AND ITS IMPLICATIONS ON DEMOCRATIC GOVERNANCE Subash S. , LL.M., Constitutional Law and Legal Order Kavya S. , LL.M., Business Law, The Tamil Nadu Dr. Ambedkar Law University, Taramani	31
38.	CONSTITUTIONALITY OF COLLEGIUM SYSTEM FOR JUDICIAL APPOINTMENTS IN INDIA – A CRITICAL ANALYSIS Krishnasree G. , PG Student, LLM., (Constitutional Law and Human Rights) Tamil Nadu Dr. Ambedkar Law University School of Excellence in Law Megha V C , PG Student, LLM., (Constitutional Law and Human Rights) Tamil Nadu Dr. Ambedkar Law University School of Excellence in Law	32
39.	DATA PRIVACY & AI GOVERNANCE: THE CONSTITUTIONAL PERSPECTIVE Priya , Designation: LLM (Research Scholar), Law Department, Career Point University, Hamirpur, H.P.	33
40.	75 YEARS OF THE INDIAN CONSTITUTION AND THE SUPREME COURT: THE JOURNEY SO FAR AND CHALLENGES AHEAD Ritika Sharma , Student, Department of Laws, HPU	34
41.	RIGHT TO LIFE AND IT'S NEW DIMENSIONS Sakshi , LLB 4th Semester, Department of Laws, HPU, Shimla	35
42.	THE SEMI-CENTENNIAL JOURNEY OF EPISTOLARY JURISDICTION: THE ACTIVISM OF SUPREME COURT IN PROTECTION OF VULNERABLE Kirubha Sree S. , Student, Government Law College, Madurai, Lingeashwara Pandiya T. , Student, Government Law College, Madurai,	36
43.	RIGHT TO LIFE AND ITS NEW DIMENSIONS R. Karthika , Dr. Ambedkar Law University, Tamilnadu	37
44.	DATA PRIVACY AND AI GOVERNANCE: THE CONSTITUTIONAL PERSPECTIVE Sheetal Chauhan , L.L.B. 4th Semester, Department of Laws, Himachal Pradesh University Shashwat Saini , L.L.B. 6th Semester, Department of Laws, Himachal Pradesh University	37
45.	UNIFORM CIVIL CODE POLITICAL AND SOCIAL ISSUES AND IS IT RIGHT FOR INDIA? Jyoti Thakur, Nisha , Student, Indian Institute of Legal Studies, Hari Devi, Ghanahatti	38

46.	MEDIA TRANSPARENCY: AN ESSENTIAL CONDITION FOR A SUCCESSFUL CONSTITUTIONAL SYSTEM Purnima Sharma , SHEDS College of Law, Solan	39
47.	LIFE IN THE 21ST CENTURY: EXPLORING THE EXPANDING SCOPE OF THE RIGHT TO LIFE Sonia and Khushboo , Students of BALLB (Hons') 8th Semester. HIMCAPES College of Law, Badhera, Una (H.P.)	40
48.	SECULARISM: ISSUES AND CHALLENGES Himanshu , SHEDS Collage of Law, Chambaghat, Solan	40
49.	JUDICIAL INNOVATIONS AND INTERPRETATIONS: THE SUPREME COURT OF INDIA'S ROLE IN SHAPING DOMESTIC VIOLENCE LAW Harsha Sharma , Research Scholar, Department of Laws, H.P. University	41
50.	CORRUPTION: A THREAT TO CONSTITUTIONALISM Nidhi , Student, UILS, Shimla	42
51.	FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES OF STATE POLICIES; RELATIONS AND COMPARISONS Manpreet Kaur , Student, Punjab School of Law, Punjabi University, Patiala	43
52.	DATA PRIVACY AND AI GOVERNANCE: THE CONSTITUTIONAL PERSPECTIVE Akash Sharda, Mandeep Kaur , Students, HIMCAPES College of Law, Badhera, Una (HP)	44
53.	ROLE OF GOVERNOR: CONTEMPORARY ISSUES AND CHALLENGES Amrit , Department of Laws, HP University	45
54.	CORRUPTION: A THREAT TO CONSTITUTIONALISM Nikita Thakur , SHEDS College of Law, Solan	46
55.	DATA PROTECTION: A RIGHT, NOT A PRIVILEGE Shubhangi Chaudhary & Sumedha Chowdhary , Students, HIMCAPES College of Law, Badhera, Una (HP)	47
56.	ROLE OF TECHNOLOGY IN JUDICIARY: E-COURTS AND ACCESS TO JUSTICE Arshita Sharma , Former LL.M. Student, University Institute of Laws Panjab University Regional Centre, Ludhiana	48

ROLE OF GOVERNOR IN INDIAN FEDERALISM: EMERGING ISSUES AND CHALLENGES

Dr. Sanjeev Kumar Bragta, Associate Professor, Political Science, H.P. University,
Department of Evening Studies, Shimla.

ABSTRACT

The position and role of governor in India is an offshoot of British empire and has grown in the post-Independence India through playing a significant role in the form of federal structure in India. Initially, intended to act an impartial guardian and to act as a bridge between the centre and the state governments. The role of governor in India's federal system is to uphold the constitutional integrity and legitimacy but over the period, it has become a subject-matter of debates and contestations. The appointment and removal of governors often driven by political aim with most of them having political affiliations. In an interesting manner, in violation of article 356 of the constitution of India President rule was enacted 63 times in 20 years between 1971 and 1990. It was used 20 times between 1950 and 1970, shows the diverged political environment during in those times. Further, in the multiparty system this has led to the struggle among governors and the elected state governments in India.

Despite of few improvements with judicial checks on misuse of the Article 356, the role of governor in the contemporary times remains largely unsuitable and continue to be a source of conflict between the centre and the state governments. It is against these political backdrops the paper is an attempt to analyse the challenges and contestations around the role and position of governor thus causing a source of struggle between centre and the state in our federal structure in India. The article will also suggest certain amicable measures to discharge the function suitably by not posing a threat to federal constitutionalism.

Keywords: Centre-State Relation, Constitutionalism, Federalism, Governor

ONE NATION, ONE ELECTION: FOR DEVELOPED INDIA

Dr. Joginder Singh Saklani, Associate Professor, Political Science, ICDEOL HPU Shimla

ABSTRACT

The concept of One Nation, One Election proposes synchronizing elections for the Lok Sabha (Parliament) and State Legislative Assemblies in India to reduce the frequency of polls and ensure greater administrative efficiency. The idea aims to minimize electoral costs, curb policy paralysis due to frequent elections, and enhance governance stability. This research Paper has been debated for its potential benefits, such as reducing the burden on security forces, lowering expenditure, and ensuring uninterrupted development. However, challenges include constitutional amendments, logistical hurdles, and concerns over federalism, as state governments may face dissolution before their term ends. While the idea has historical precedence its implementation requires broad political consensus, legal amendments, and robust electoral planning. If executed effectively, One Nation, One Election could streamline India's democratic process while ensuring sustained governance.

Keywords: Election, Nation, Administrative efficiency, Electoral Planning

75 YEARS OF 'SUPREME' JOURNEY IN PURSUITS OF SOCIO-ECONOMIC AND POLITICAL JUSTICE

Dr. Kusum Chauhan, Associate Professor, H.P. University Institute of Legal Studies,
Ava-Lodge, Shimla

ABSTRACT

India's 75-year journey since independence has been marked by significant strides in its pursuit of socio-economic and political justice, but challenges remain at the core of its democratic fabric. The nation has made remarkable progress in reducing poverty, increasing literacy, and expanding access to healthcare. However, socio-economic inequality persists, with a growing gap between the rich and poor, especially in rural areas. Marginalized communities, including Dalits, Adivasis, and women, continue to face systemic barriers that prevent them from accessing equal opportunities. While affirmative action policies have empowered certain sections of society, caste-based discrimination, gender inequality, and

regional disparities still pose major hurdles to achieving true social justice. The 75 years of the Supreme Court of India represent a journey of upholding democracy, protecting fundamental rights, and ensuring justice for all. As it moves forward, the Court's role in adapting to changing societal needs while adhering to constitutional principles will continue to be crucial for India's democracy.

The Supreme Court's role is going to be more important than ever as India moves into a new stage of its democratic development. The judiciary's ability to maintain justice in a world that is changing quickly will be put to the test by issues like socio-economic disparities, the role of the state in society, and the balance of power between the person and the state. To strengthen the Supreme Court's role in ensuring socio-economic and political justice in India, several measures can be taken. Expanding legal aid services and improving access to the judiciary will ensure that the underprivileged can seek justice effectively. Raising awareness of constitutional rights among the public through outreach programs can empower citizens to engage with the justice system. Additionally, the Supreme Court can play a more active role in reviewing policies that address socio-economic inequalities, promoting fair opportunities in education, employment, and healthcare. Finally, reinforcing political accountability through judicial review of government actions will ensure that the state remains responsive to the needs of the people, fostering a more just and equitable society.

Keywords: Supreme Court, Constitution, Socio-Economic and Political Justice

BRIDGING THE GAP: THE SUPREME COURT AND ACCESS TO JUSTICE

Dr. Amandeep Kaur, Associate Professor APG Shimla University

ABSTRACT

During the National Freedom Struggle, our nation's founding fathers recognized the critical importance of justice. Recognizing this critical need, they felt compelled to draft a Constitution that would lay the groundwork for a liberated nation, ensuring equal access to justice for all of its citizens. For the underprivileged and marginalized, the ideals of equal justice hold little meaning if they cannot reap the benefits of legal and judicial systems intended to uphold these foundational values. The constitutional commitment to justice,

liberty, and equality, coupled with the Directive Principles of State Policy, laid the foundation for legal aid as an essential service.

The Supreme Court is vested with the authority to deliver justice to all segments of society, regardless of economic disparities, across the Indian nation. The court has been instrumental in institutionalising legal aid, arguing that free legal aid is an essential component of the rule of law. Additionally, through a series of judicial rulings, it has actively addressed cases involving violations of fundamental or constitutional rights. Its influential decisions prompted the government to form critical committees, which resulted in the enactment of the Legal Services Authorities Act in 1987. This legislation laid the groundwork for the formation of NALSA, the national legal aid body, and Lok Adalats (People's Courts); with the overarching goal of realising the vision of providing access to justice at the doorstep through legal aid to the country's marginalised masses.

Despite these advancements, challenges persist, including procedural delays, lack of awareness, and resource constraints within legal aid institutions. This paper critically examines the role of Supreme Court in advancing access to justice, the milestones achieved, and the challenges that lie ahead in fulfilling the constitutional promise of equal justice for all.

Keywords: Access to Justice, Legal Aid, Constitutional Rights, Rule of Law

THE ROLE OF TECHNOLOGY IN JUDICIARY: E COURTS AND ACCESS TO JUSTICE

Dr. Kalpana Thakur, Assistant Professor, (Law), Rayat Bahra College of Law, Hoshiarpur

Dr. Poonamdeep Kaur, Assistant Professor (Law), Regional Campus, Guru Nanak Dev University, Amritsar

ABSTRACT

The incorporation of technology into judicial system operations has changed the showpiece of the judiciary, making it more efficient, transparent, and accessible. The conversion of physical courts into the digital domain, otherwise known as E-Courts, has led to a revolution in this area. The process of judicial decisions through digitizing court documents, faster and efficient ways of dispute settlement is what e-Courts are aimed at. Apart from the digital

platforms, e-Courts bring a new era to case management by producing documents with several people virtually collaborating and by allowing virtual hearings to take place, which they do very quickly and easily. This progress results not only in the faster administration of justice but also in the provision of equality, especially, which endows the marginalized and remote communities. What is more, e-Courts are also at the same time characteristic of transparency and responsibility enhancement inside the judiciary, and this is achieved through such measures as real-time case updates and digital record maintenance. However, the problems like digital literacy, infrastructural gaps, and data security need to be examined in order to achieve successful technology in the justice system. This research presents the innovative role of e-Courts in the delivery of fair justice, which is based on the necessity of digital frameworks for all and the nature of these frameworks being adaptive and inclusive.

Keywords: E-Courts, Access to Justice, Judicial Technology, Digital Transformation, Legal Accessibility, Judicial Efficiency

THE NEED FOR ENFORCEMENT OF FUNDAMENTAL DUTIES: A PATH TOWARDS RESPONSIBLE CITIZENSHIP

Sheeba Varghese, Assistant Professor of Law (Senior), St. Dominic's College of Law,
Kanjirappally, Kerala

Research Scholar, School of Indian Legal Thought, Mahatma Gandhi University, Kottayam,
Kerala

ABSTRACT

The Constitution of India ensures equality, liberty, and justice by providing its citizens with a comprehensive array of fundamental rights. The associated Fundamental Duties, outlined in Article 51A of the Indian Constitution, are often overlooked and remain largely unenforceable. This paper explores the urgent need for the implementation of Fundamental Duties to promote responsible citizenship and uphold national integrity. It provides an in-depth analysis of the historical evolution of Fundamental Duties, their non-justiciable nature, and the challenges faced in their implementation. It examines how the absence of a legal framework for enforcement has led to a lack of civic responsibility, social disorder, and disregard for national values. The paper also analyses international examples where civic duties are legally mandated and their impact on society, drawing insights from comparative constitutional law.

The goal of this paper is to spark a significant discussion on whether legal enforcement is essential for achieving a balance between rights and responsibilities in a democratic context. Additionally, it evaluates the role of the judiciary, educational institutions, and public awareness initiatives in fostering these duties and proposes potential legal and policy reforms, such as integrating Fundamental Duties into governance structures, creating incentives for compliance, and establishing penalties for infringements. All these initiatives can assist India in cultivating a culture of accountability, social cohesion, and national advancement.

Keywords: Fundamental rights, Fundamental Duties, Indian Constitution, Citizenship and Civic responsibility

CRITICAL EVALUATION OF INDIA'S COLLEGIUM SYSTEM: A NECESSITY FOR REFORM

Mayur Anand, Assistant Professor, Chotanagpur Law College, Ranchi

ABSTRACT

The Supreme Court of India serves as the ultimate guardian of the Indian Constitution, entrusted with the authority to interpret its provisions and ensure that the Legislature does not exceed the powers granted by the constitutional framework. One of the most debated and carefully scrutinized aspects of the Supreme Court's functioning has been the appointment of its judges. This issue has been the subject of intense deliberation for decades, as it directly impacts the independence and integrity of the judiciary. Since 1993, the responsibility of appointing judges to India's higher judiciary has rested with a collegium of senior judges rather than the executive branch of the government. The collegium system was formally established through a landmark Supreme Court ruling in 1993 and was subsequently reinforced by two additional judgments—one in 1998 and another in 2015. Despite its institutionalization, the collegium system has faced persistent criticism, and multiple legislative attempts have been made to abolish or reform it. However, all such attempts have failed. The most notable effort to replace the collegium system was made in 2015 when the government sought to amend the Constitution to establish the National Judicial Appointments Commission (NJAC). This proposal was ultimately struck down by the Supreme Court, which ruled it unconstitutional. The legitimacy, transparency, and necessity of the collegium system have remained subjects of ongoing debate. Critics argue that replacing an

appointment system involving elected representatives with one controlled by unelected judges undermines democratic principles. They contend that such a structure lacks accountability and operates in a largely opaque manner. On the other hand, proponents of the collegium system emphasize the critical need to safeguard judicial independence from potential interference by the executive branch. They argue that allowing the government to influence judicial appointments could jeopardize the impartiality of the judiciary and weaken its role as a check on legislative and executive overreach. This paper delves into the intricacies of both the NJAC and the collegium system—the two primary mechanisms for judicial appointments in India. It critically examines the merits and drawbacks of each approach, shedding light on the widespread criticism that the collegiums system operates without sufficient oversight. As the judiciary retains the unchecked authority to interpret the Constitution and determine which provisions form its & quot; basic structure, & quot; concerns about judicial opacity and lack of justification in certain rulings have grown. The discussion surrounding the ideal process for judicial appointments is crucial, as it requires a delicate balance between maintaining judicial independence, ensuring accountability, and fostering public confidence in the legal system. This paper aims to contribute to that discourse by analyzing the strengths and weaknesses of existing mechanisms and exploring potential reforms that could enhance transparency and credibility in judicial appointments.

Keywords: Independence of Judiciary, Transparent Appointment, Collegium, NJAC, Accountability

JUDICIAL OVERREACH: THE ETHICAL DILEMMA OF JUDICIAL ACTIVISM

Dr. Gitanjali Thapar, Assistant Professor, Himachal Pradesh University Institute of Legal Studies, Shimla

Tanya Sharma, Student of BA.LLB (Hons), Himachal Pradesh University Institute of Legal Studies, Shimla

ABSTRACT

An independent judiciary is one of the most important elements of a democratic country. The concept of judicial activism ensures the independence of judiciary from the influence of the various other organs of government. Now-a-days there is a constant on going tug of war

between Indian Judiciary and Legislature ; the reason behind this tug of war is the concept of JUDICIAL ACTIVISM followed by the Indian Judiciary in its everyday working. In the current scenario new concerns are being raised about Judicial activism; some see it as an encroachment on the legislative powers rather than considering it as a tool to maintain the superiority and independence of Indian Judiciary. Through this research paper we would be answering various questions regarding the conflict arising due to implementation of judicial activism; such as:

- What is the Judicial activism and when does it becomes an overreach?
- How does Judicial activism works and what is the significance of Judicial activism in Indian Judiciary?
- Is Indian Judiciary exercising its power of judicial activism in accordance to Indian Constitution?
- Is Judicial activism becoming a threat to legislative power?

The present research paper aims to find different views and opinions regarding the questions started above. Moreover, this research paper would act as a guide for us to understand the term Judicial activism along with its relevance in today's scenario.

JUDICIAL REFORMS: WAYS TO COMBAT WITH JUDICIAL INEFFICIENCY

Dr. Sandeep Kumari, Assistant Professor of Law, HIMCAPES College of Law, Badhera, Una (HP)

Anshu Jaswal, Research Scholar, Deptt. of Law, Himachal Pradesh University, Shimla.

ABSTRACT

Indian judiciary has one of the oldest system in the world and it plays an important role in upholding the rule of law, protecting individuals rights and promoting social justice. However, the Indian judiciary faces numerous challenges, including delay in disposal of cases, huge backlog of cases and inefficiencies. These issues challenge the effectiveness of the justice system, wear away public trust and become responsible for injustice. It has undergone many changes and reforms with the passage of time. Judicial reforms in India are

essential for improving the effectiveness and fairness of the legal system. These reforms aim to tackle problems like case delays, accessibility, and the overall quality of justice. By understanding the key aspects of these reforms, we can make out an effective approach to enhance the efficiency, effectiveness, and accessibility to the justice system, ultimately ensuring that justice is delivered in fair, timely and transparent manner. This article outlines important points about judicial inefficiency in India, including strengthening the judiciary, streamline the court's procedure and promoting judicial accountability by focusing on their significance and the challenges that need to be addressed.

Keywords: Indian judiciary, judicial inefficiency, judicial reforms, judicial accountability

ROLE OF JUDICIARY IN HARMONIOUS CONSTRUCTION OF RELIGIOUS PRACTICE AND CONSTITUTIONAL MANDATE

D. Merlin Mary, Assistant Professor, Department of Constitutional Law and Legal Order
The Tamil Nadu Dr. Ambedkar Law University

ABSTRACT

India is a pluralistic society encompassing diverse religious beliefs. The framers of the Constitution designed it in a way that it upholds principle of secularism and inclusiveness of pluralism within the diverse fabric of Indian society. Since its inception, the Constitution separated secular domain governed by the State from religious domain in which the State must not interfere. Despite this demarcation, the judiciary is often faced with challenges where law and religion intersect leading to conflict of interest necessitating the judicial intervention. Such intervention is necessary to uphold the constitutional values and fundamental rights of individuals and the judiciary has adjudged religious practice and has developed the 'doctrine of essential religious practice' to decide the matter. However, this trend of judiciary in adjudicating matters of religious question seems to be infringing religious domain and at times reforming religion. The conflict of interest between State and religion has become a global concern among various secular countries. In many freedom of religion cases, courts and other human rights institutions import ideas from other jurisdictions and there is a need to assess and analyse the migration of ideas and doctrines on freedom of religion cases particularly on religious practices matters. Therefore, it is necessary to study transnational practices that are adopted in interpreting religious practices in line with the

Constitution. This paper analyses the role of judiciary in safeguarding constitutional values while fostering an environment of tolerance and inclusivity in a diverse and pluralistic society. It also explores methods and practices developed and adopted in other secular nations in adjudicating religious questions.

Keywords: Essential religious practice, secularism, pluralism, religious freedom

JUDICIAL ACTIVISM, CONSTITUTIONAL MORALITY, AND LGBTQ+ RIGHTS: PUBLIC PERCEPTION AND THE SUPREME COURT'S ROLE IN INDIA

Meghna Thakur, Business Analyst & Assistant Professor, Faculty of Management Sciences,
Shoolini University

ABSTRACT

Over the past 75 years, the Supreme Court of India has played a crucial role in expanding constitutional rights, particularly in areas where legislative action has been slow. Nowhere is this more evident than in the recognition of LGBTQ+ rights, where judicial activism and constitutional morality have bridged the gap between legal recognition and societal acceptance. This paper critically examines the Supreme Court's role in LGBTQ+ rights expansion through landmark judgments such as Naz Foundation (2009, 2013), NALSA (2014), Puttaswamy (2017), Navtej Singh Johar (2018), and Supriyo Chakraborty (2023).

Using a 2023 survey conducted by the author on public perception of LGBTQ+ rights, this study applies sentiment analysis to assess whether legislative inaction stems from societal resistance or political inertia. The findings reveal that while explicit opposition to LGBTQ+ rights is minimal, public attitudes remain largely neutral—indicating that inertia, rather than backlash, is the primary barrier to legal reform. This strengthens the case for judicial intervention through constitutional morality, as seen in Navtej Singh Johar, where the Court prioritized fundamental rights over majoritarian views. However, the Supriyo Chakraborty ruling, where the Court deferred same-sex marriage rights to Parliament, signals a recent shift toward judicial restraint.

This paper applies the Fuller-Hart debate to LGBTQ+ rights in India, analysing whether the Supreme Court should actively expand rights using constitutional morality (Fuller) or respect

legislative supremacy by leaving such decisions to Parliament (Hart). Additionally, it critically evaluates the Transgender Persons (Protection of Rights) Act, 2019, which contradicts the NALSA judgment by imposing restrictions on gender self-identification, illustrating how weak legislative efforts can undermine judicial progress.

By combining legal analysis with empirical public opinion data, this paper argues that while judicial activism has been essential in securing LGBTQ+ rights, long-term progress requires legislative codification. It concludes that Parliament must act decisively, as public sentiment does not indicate strong opposition to LGBTQ+ rights, making the lack of legal reforms a matter of political hesitation rather than societal resistance.

Keywords: Judicial Activism, Constitutional Morality, Legislative Reform, Fuller-Hart Debate

UPHOLDING CONSTITUTIONAL MORALITY: THE JUDICIARY'S ROLE IN NAVIGATING SOCIAL AND LEGAL CLASHES

Alka Rani, Assistant Professor in Law, Rayat Bhara college of Law, Hoshiarpur

ABSTRACT

The Indian constitution is a dynamic document that regulates a heterogeneous society with various moral views. Morality has an important role in influencing laws. Constitutional morality, however, aims at making legal judgments conform to justice, equality, and basic rights instead of civil traditions. This paper will consider the interplay between morality and the Indian constitution, how it supports and challenges constitutional principles. It will also consider supreme court cases in which judgments have been delivered in favor of or against conventional morality. By examining seminal judgments like the judgment in Navtej Singh Johar v. union of India and Joseph Shine v. Union of India, the essay will identify the dynamic nature of the morality of the Indian constitution. Finally, the paper will assert that constitutional morality must override social morality in an effort to uphold democratic principles and personal freedom.

Keywords: Constitution, Morality, Judges, Social, Indian, case, judgement

CONFRONTING JUDICIAL BACKLOG: STRATEGIES FOR THE INDIAN SUPREME COURT IN ITS 75TH YEAR

Dr. Munish Dulta, Assistant Professor, Deptt. of Public Administration, H.P. University, Shimla

ABSTRACT

As the Supreme Court of India marks its 75th anniversary, it confronts a pressing issue: a considerable backlog of cases that hinders the prompt administration of justice. This paper explores the current situation regarding judicial pendency within the Supreme Court, pinpointing critical factors that contribute to the growing number of unresolved cases, including a lack of judges, broad jurisdictional scope, procedural delays, and inadequate infrastructure. It offers a critical assessment of past reform initiatives, such as the increase in judicial appointments and the adoption of technological solutions, evaluating their success in mitigating the backlog. Building on this evaluation, the paper suggests strategic actions to improve judicial efficiency, which include enhancing judicial capacity, implementing stricter case admission criteria, enacting comprehensive procedural reforms, and making significant upgrades to court facilities. By adopting these strategies, the Supreme Court can more effectively fulfill its constitutional responsibilities, ensuring timely justice delivery and bolstering public trust in the judicial system.

Keywords: Indian Supreme Court, judicial backlog, case pendency, judicial reforms, court infrastructure, procedural efficiency, 75th anniversary

ECONOMIC JUSTICE AND THE CONSTITUTION OF INDIA: BRIDGING INEQUALITY THROUGH POLICY

Dr. Manoj Sharma, Assistant Professor, Department of Commerce, H.P. University, Shimla

ABSTRACT

Economic justice is a fundamental principle enshrined in the Constitution of India, aimed at reducing socio-economic disparities and ensuring equitable distribution of resources. The Preamble of the Constitution emphasizes justice—social, economic and political—as a core objective, further reinforced by the Directive Principles of State Policy (DPSPs). Articles

such as 38, 39, and 46 mandate the state to minimize inequalities, promote equal access to wealth and resources, and uplift marginalized communities.

Despite these constitutional provisions, economic inequality persists due to structural challenges, policy inefficiencies, and market forces. Government interventions such as progressive taxation, labor laws, reservation policies, and welfare schemes have played a crucial role in bridging disparities. However, the effectiveness of these measures depends on their implementation, periodic reforms and adaptability to contemporary economic challenges.

This paper explores the constitutional foundation of economic justice in India, evaluates policy measures adopted to achieve it and examines the role of judicial activism in upholding socio-economic rights. It also highlights the gaps that remain and suggests policy directions for a more inclusive and equitable economic framework.

THE ROLE OF TECHNOLOGY IN JUDICIARY: E-COURTS & ACCESS TO JUSTICE

Jai Singh, Ph.D. Scholar, Deptt. of Law HPU Shimla

ABSTRACT

Technology has become a crucial enabler of judicial reforms, enhancing efficiency, transparency, and accessibility in the legal system. E-courts, which integrate digital tools such as online case filing, virtual hearings, AI-driven legal research, and block chain-based record-keeping, have significantly transformed traditional judicial processes. These advancements help reduce case backlogs, lower litigation costs, and provide remote access to justice, particularly benefiting marginalized communities. However, challenges such as the digital divide, cybersecurity risks, and resistance to technological change persist. This paper explores the role of e-courts in improving access to justice and suggests future strategies for maximizing their potential while addressing existing limitations. Furthermore, the paper addresses critical issues such as the need for robust infrastructure, enhancing digital literacy among judicial personnel, and ensuring stringent data security measures. It underscores the necessity for a comprehensive strategy that encompasses infrastructure development,

continuous training, and a well-defined policy framework to facilitate the seamless adoption of technology in the judiciary.

Keyword: Digital Courts, Judicial Transparency, E-filing, Artificial Intelligence (AI), Cybersecurity, Digital Literacy, National Judicial Data Grid (NJDG)

THE SUPREME COURT AND CRIMINAL PROSECUTION: 75 YEARS OF LEGAL AND PROCEDURAL REFORMS

Sarveshresth Paras Dohru, Research Scholar, Department of Laws, Himachal Pradesh University

ABSTRACT

Over the past 75 years, the Supreme Court of India has played a crucial role in shaping the prosecution system through its interpretation of constitutional provisions, procedural safeguards, and fair trial principles. The evolution of criminal prosecution has been deeply influenced by the Court's jurisprudence, ensuring a balance between state power, prosecutorial independence, and the rights of the accused.

This paper examines key judicial pronouncements that have redefined the role of public prosecutors, strengthened fair trial guarantees under Article 21, and addressed issues of prosecutorial misconduct and accountability. Landmark cases such as *Zahira Habibullah Sheikh v. State of Gujarat*, *Shiv Kumar v. Hukum Chand*, and *CBI v. Ramesh Gelli* highlight the Court's stance on witness protection, prosecutorial discretion, and the independence of investigative agencies. The paper also analyzes procedural reforms, including fast-track courts, plea bargaining, and digital evidence, reflecting the judiciary's efforts to modernize prosecution in India.

Despite these advancements, challenges such as political influence over prosecution, delays in criminal trials, and inadequate legal infrastructure persist. This paper argues for further reforms to ensure prosecutorial efficiency, independence, and fairness, aligning with the constitutional mandate of justice.

Keywords: Supreme Court, prosecution, fair trial, Article 21, public prosecutor, judicial reforms, witness protection, criminal justice.

ONE NATION, ONE ELECTION: A CRITICAL ANALYSIS OF FEASIBILITY, BENEFITS, AND CHALLENGES

Dr. Puspanjali Thapar, Assistant Professor, Political Science, University Institute of Legal Studies, Shimla

ABSTRACT

The concept of “One Nation, One Election” (ONOE) suggests synchronizing elections for the Lok Sabha and State Assemblies in India to improve governance efficiency, reduce costs, and minimize disruptions. While simultaneous elections were conducted from 1952 to 1967, political instability led to staggered elections. Proponents argue that ONOE can save resources and enhance voter participation, but critics highlight challenges related to federalism, constitutional amendments, and administrative feasibility. This paper examines the historical background, potential benefits, and challenges of ONOE, drawing comparisons with global election systems and proposing a phased implementation strategy.

Keywords: Simultaneous Elections, Governance, Federalism, Electoral Reforms, India

SAFEGUARDING RIGHTS IN THE DIGITAL AGE: A CONSTITUTIONAL PERSPECTIVE ON DATA PRIVACY AND AI GOVERNANCE

Divya Nautiyal, Research Scholar and Assistant Professor, School of Law, Graphic Era Hill University

ABSTRACT

The Rapid breakthroughs in Artificial Intelligence (AI) have ushered in a period of unparalleled technological innovation, generating serious concerns about data privacy and governance. As AI systems analyze massive volumes of personal data, a strong legal framework to protect individual rights has become critical. This article examines the constitutional elements of data privacy and AI governance, focusing on the junction of basic rights, ethical concerns, and regulatory issues.

The right to privacy, recognized as a fundamental right under various constitutional frameworks, faces new threats in the age of AI-driven decision-making. Issues such as

surveillance, algorithmic bias, data misuse, and lack of accountability pose significant challenges to democratic principles. This study examines constitutional safeguards, judicial precedents, and legislative efforts aimed at balancing technological innovation with individual freedoms.

Furthermore, the study examines the role of constitutionalism in defining AI governance, highlighting the need of openness, justice, and accountability in AI legislation. A comparative review of worldwide legal frameworks, including the European Union's GDPR and forthcoming AI rules in India and the United States, sheds light on optimal methods for guaranteeing data privacy without limiting innovation.

By advocating for a rights-based approach, this paper underscores the necessity of aligning AI governance with constitutional principles to foster a digital ecosystem that upholds privacy, equality, and human dignity. It calls for proactive legal reforms to ensure AI development remains ethically sound and constitutionally compliant in the ever-evolving digital landscape.

Keywords: Constitutional, Data Privacy, governance, Artificial Intelligence

CONSTITUTION SUPREMACY VS. PARLIAMENTARY SOVEREIGNTY

Prerana Sharma, Kritika Dhanta, Sheds Law College Solan

ABSTRACT

A society or nation where justice prevails always requires laws, rules and regulations for the proper functioning of various aspects of the society. Laws and rules are necessary for every society to maintain peace and harmony in society and to ensure the well-being of every individual. To make laws, Constitution is considered as the ground norm or the supreme law of the land which provides a basic structure for the laws and rule of the land and also defines the limit of various organs of the state functioning under the constitution. The organs of the state must act within the limits defined by the constitution. If there is any contradiction between the constitution and any other law, the provisions of the constitution will always prevail, this doctrine is known as constitutional Supremacy.

The law-making power in democratic or sovereign nations is generally assigned to the parliament and it can make new laws or amend the existing laws prevailing in the country. When this law-making power is conferred absolutely (or unlimited power) to the parliament so that it can make any law or amend any existing statute without being questioned by any authority this is known as the supremacy of parliament or parliamentary sovereignty.

Keywords: Law, Constitution, Parliament

INDEPENDENCE OF JUDICIARY IN INDIA: A STUDY FROM LEGAL PERSPECTIVE

Ritesh Kumar, Research Scholar, Faculty of Law, Himachal Pradesh University,
Shimla

ABSTRACT

The meaning of the independence of the judiciary is still not clear after years of its existence. Constitution of India by the way of the provisions just talks of the independence of the judiciary but it is nowhere defined what actually the independence of the judiciary is. The primary talk on the independence of the judiciary is based on the doctrine of separation of powers which holds its existence from several years. Judicial independence is the concept that the judiciary needs to be kept away from the other branches of government. Judicial independence is vital and important to the idea of separation of powers. This research paper makes an attempt to discuss in details about the constitutional provisions and legal cases in relation to judicial independence. The next part of the research paper dealt with ethics at courts and at home. Furthermore, this research paper also examines judicial independence and accountability in the light of Right to Information Act, 2005. At last but not least this research paper also dealt with Bar-Bench relation which is also an integral part for maintaining independence of judiciary.

Keywords: Judiciary, Separation of Powers, Constitution of India, Judges, Rule of law, Independence of judiciary, Bar-Bench relation, judicial accountability, RTI.

THE INTERSECTION OF ARTICLE 21 AND FOREST LAND RIGHTS: EXPANDING THE RIGHT TO LIFE JURISPRUDENCE

Aagam Sharma, Research Scholar, Department of Laws, Himachal Pradesh University

ABSTRACT

The Supreme Court has broadly expanded the right to life and personal liberty under Article 21 of the Indian Constitution to include environmental protection, clean air, and sustainable development. However, despite its direct relevance to forest-dependent communities and indigenous livelihoods, the Court has yet to explicitly recognize forest land rights as a fundamental right under Article 21. To make the case that forest land rights are a crucial part of the right to live in dignity and should be expressly acknowledged within the framework of the constitution, this paper critically reviews the body of existing jurisprudence.

The study examines significant Supreme Court decisions that, although addressing issues of environmental conservation, tribal rights, and displacement, have fallen short of firmly reaffirming forest land rights under Article 21. Examples of these decisions include *T.N. Godavarman v. Union of India*, *Niyamgiri Judgment* (*Orissa Mining Corporation v. MoEF*), and *Samatha v. State of Andhra Pradesh*. The paper highlights key contradictions—where the Court has, on one hand, upheld tribal autonomy and habitat protection (e.g., in the *Niyamgiri case*) while, on the other, prioritizing state control and conservation (e.g., in the *2019 Eviction Order*).

By analyzing these trends through the lens of *75 years of constitutional evolution*, the paper makes a normative case for an explicit recognition of forest land rights under Article 21, drawing parallels with international human rights frameworks. It concludes by proposing a judicial and legislative roadmap to bridge this gap, ensuring that India's constitutional promise of *justice, liberty, and equality* extends fully to its forest-dwelling communities.

Keywords: Article 21, Forest Land Rights, Tribal Rights, Right to Life, Environmental Jurisprudence, 75 Years of Constitutional Evolution, Supreme Court of India.

THE SIGNIFICANCE OF COMMUNITY ENGAGEMENT IN PROTECTION OF ENVIRONMENT

Babita Negi, Research Scholar, Department of Laws, Himachal Pradesh University

ABSTRACT

Community involvement is crucial in safeguarding and sustaining the environment, enabling collective efforts to tackle environmental issues. Environmental challenges pose a serious threat to the Earth's liability, with harmful human actions accelerating ecosystem destruction. Environmental mismanagement stems from factors such as inadequate education, economic difficulties, lifestyle habits, weak legal frameworks, and insufficient regulatory oversight. Additionally, the public's limited awareness of environmental laws and the lack of proper enforcement contribute to environmental harm. This paper highlights the value of collective action at the local, regional, and global levels to raise environmental awareness, encourage sustainable practices, and involve communities in decision-making. The research outlines strategies to empower communities, including education, collaboration with policymakers, and the integration of local knowledge. It also examines the challenges communities face in engaging effectively, such as socio-economic constraints, lack of resources, and political barriers. Through case studies and an analysis of environmental initiatives, the paper demonstrates how community-led efforts enhance ecosystem resilience, prevent environmental degradation, and support long-term sustainability. The findings underscore that effective environmental protection depends not only on government policies but also on the active, informed participation of local communities, which is vital for achieving lasting environmental preservation.

FROM FAMINE TO FOOD SECURITY: 75 YEARS OF THE RIGHT TO FOOD IN INDIA'S CONSTITUTIONAL JOURNEY

Anjali Kumari, Research Scholar, Department of Laws, Himachal Pradesh University

ABSTRACT

The core question of whether food access is a welfare privilege or a fundamental right has been debated within India's constitutional framework for the past 70 years. From the Bengal

Famine (1943) to the National Food Security Act (2013), this essay explores the development of the right to food and how it has been shaped—and frequently limited—by the Indian Constitution and Supreme Court case law.

While the Constitution's Directive Principles (Article 47) enshrined food security as a state obligation, it was not until landmark cases like *PUCL v. Union of India* (2001) that the Supreme Court tentatively recognized the right to food as part of Article 21's right to life. Nonetheless, court actions have alternated between assertive claims of constitutional morality (such as requiring midday meals and PDS improvements) and submissive retreats that permit systemic failures in the distribution of rations, starving deaths, and agrarian hardship to continue.

In the 75th year of India's constitutional democracy, the paper advocates for a new jurisprudence that recognizes food security as a fundamental right rather than a policy aim. It finishes with proposals to bridge the constitutional promises and the experienced reality.

Keywords: Right to Food, the National Food Security Act, 2013, Article 21

75 YEARS OF MARRIAGE LAWS IN INDIA: CONSTITUTIONAL EVOLUTION AND JUDICIAL TRENDS

Parveen Kumar, Research Scholar, Department of Laws, Himachal Pradesh University

ABSTRACT

Over the past 75 years, India's marriage laws have evolved significantly under the influence of constitutional principles and judicial interpretations. The Indian Constitution, while ensuring fundamental rights, has allowed for the coexistence of personal laws, leading to ongoing debates on legal uniformity, gender justice, and individual autonomy. This paper critically examines the constitutional evolution of marriage laws and key judicial trends that have shaped the legal landscape of marriage, divorce, and spousal rights.

The study explores landmark Supreme Court rulings that have expanded the scope of Article 21, recognizing the right to marry as a fundamental right and addressing issues such as interfaith marriages, bigamy, live-in relationships, and the right to divorce. It also highlights the role of family courts in resolving matrimonial disputes and the challenges in ensuring gender-equitable justice within personal laws. Additionally, contemporary debates on same-

sex marriage, marital rape, and the Uniform Civil Code (UCC) are analyzed in light of constitutional morality and social justice.

Keywords: Marriage laws, Indian Constitution, Supreme Court, Article 21, personal laws, gender justice, divorce rights, Uniform Civil Code, judicial trends.

JUDICIAL OVERSIGHT AND COOPERATIVE SOCIETIES: THE JUDICIARY'S ROLE IN SHAPING AND TRANSFORMING INDIA'S COOPERATIVE MOVEMENT

Rajneesh Kumar Jaswal, Joint Registrar H.P. Cooperative Societies, Currently pursuing Law from HPU Shimla

ABSTRACT

Cooperative movement in India is as old as the mankind itself. However the institutional cooperative movement in India took a new paradigm after independence. Once the constitution of India came into force, Cooperation was scrupulously inserted into the state list making it a state subject and mandating the states only to legislate and thereby enacting their own Acts and formulating the corresponding Rules. The Cooperatives as such are, and have been in conflict with law many a time and have thus necessitated the intervention of judiciary. Apex Court as a result has played a crucial role in shaping and transforming Cooperatives through landmark judgments. The court has interpreted constitutional provisions, reinforced cooperative principles, and clarified the extent of state control over these societies, which precisely forms the objective of this paper as well.

Now before formulating the key issues it is perhaps apposite to understand why the framers of constitution thought it wise to include the subject of Cooperation in the state list at all. Cooperative movement in India historically traces its origin from agriculture and it practically gained momentum as a farmer's movement to prevent exploitation. It was under this background that the cooperatives transferred to provincial control in 1919 through Govt. of India Act 1919, and it continued to be so even after the independence as it was included in Seventh Schedule, Entry 32 of the state (List II), reflecting a focus on state autonomy and local needs.

The Supreme Court and High Courts through number of judgments have upheld the cardinal principles of cooperatives viz. the autonomy, democratic control, voluntary and open membership etc. **Banbihari Tripathy v. Registrar of Cooperative Societies by Orissa High Court in 1988, Pradeep Kumar Biswas v. Indian Institute Chemical Biology SC (2002), U.P. State Cooperative Land Development Bank Ltd. V. Chandra Bhan Dubey SC (1998), Vipulbhai M. Chaudhary v. Gujrat Cooperative Milk Marketing federation Ltd. SC (2015) and Rajendra N. Shah v. UOI SC (2021)** are some landmark cases which collectively demonstrate the Supreme Court's/judiciary's evolving stance on cooperative societies, balancing autonomy, democratic governance and state control.

One of the most important implications of these judgments have been that they maintained the cooperative societies' right to self-governance. They restored the democracy in Cooperatives and at the same time limited excessive state intervention. Financial and Administrative control was recognized to be the matter falling exclusively in the domain of management of these societies unless warranted otherwise and that too with the procedure established by law.

IMPACT OF TECHNOLOGY ON MODERNIZING JUDICIAL SYSTEMS

Desh Deepak, Research Scholar, Department of Laws, Himachal Pradesh University

ABSTRACT

The use of technology in the judiciary has revolutionized the legal landscape by enhancing efficiency, accessibility, and transparency. Digital tools and platforms are increasingly being utilized to streamline case management, reducing delays and backlogs in court systems. Electronic filing systems allow for faster document submissions, minimizing the need for physical paperwork, and improving the overall speed of legal processes. Video conferencing technology has enabled virtual hearings, making it easier for parties to participate regardless of geographical location, particularly during the COVID-19 pandemic. Additionally, artificial intelligence (AI) and machine learning are being leveraged to assist in legal research, predict case outcomes, and provide insights that can aid decision-making. Blockchain technology also shows potential in ensuring the security and authenticity of legal documents, reducing the risk of fraud. However, the integration of technology raises concerns about data privacy,

cybersecurity, and the potential for inequality in access to these resources. As technology continues to evolve, the judiciary must navigate these challenges while ensuring that innovations enhance fairness, impartiality, and access to justice for all. The future of the judicial system is undoubtedly intertwined with technological advancements, promising a more efficient and inclusive legal framework.

GRAM SWARAJ TO DIGITAL INDIA: 75 YEARS OF CONSTITUTIONAL PROMISES FOR RURAL DEVELOPMENT

Sarvesh Kumar, Research Scholar, Department of Interdisciplinary Studies, Himachal Pradesh University

ABSTRACT

The Indian Constitution's commitment to rural development, envisioned through Directive Principles (Articles 38, 39, and 40) and later reinforced by Panchayati Raj reforms (73rd Amendment), has traversed a complex journey from Gram Swaraj ideals to Digital India ambitions. This paper critically evaluates how constitutional promises—decentralized governance, land reforms, and equitable resource distribution—have translated into ground realities over 75 years, amid shifting judicial interpretations and policy paradigms.

Through an analysis of key Supreme Court judgments (e.g., *Swaraj Abhiyan v. Union of India* on drought mitigation), the study reveals a tension between progressive jurisprudence and systemic implementation failures. While the judiciary has expanded the right to livelihood (Article 21) and mandated welfare schemes like MGNREGA, rural India still grapples with agrarian distress, digital exclusion, and Panchayati Raj inefficiencies.

The paper argues that India's rural development framework remains caught between constitutional idealism and bureaucratic/political inertia, with recent digital initiatives (e.g., e-Gram Swaraj) often bypassing the most marginalized. It concludes by proposing a rights-based digital governance model, aligning Digital India with the Constitution's original Gram Swaraj vision to bridge the urban-rural divide in the next 25 years.

Keywords: Rural Development, Indian Constitution, Gram Swaraj, Digital India, Panchayati Raj, Supreme Court, Article 21.

EMPOWERING TRIBES: THE ROLE OF THE INDIAN CONSTITUTION IN ECONOMIC GROWTH AND SOCIAL JUSTICE FOR FOREST DWELLERS IN HIMACHAL PRADESH

Poonam Verma, Research Scholar, Bahra University, Wagnaghat Solan

ABSTRACT

Himachal Pradesh being a hilly states special status has been granted under Article 371 of the Constitution of India. But the socio-economic status of Scheduled Tribe (ST) groups in India has always been a significant academic focus. The Constitution of India has, safeguards the rights of Scheduled Tribes (STs) and other traditional forest dwellers, through its various provisions. The Forest Rights Act of 2006 (FRA) in India is a landmark social justice law designed to strengthen land security for forest communities. As development projects and extractive industries increasingly displace indigenous peoples, impairing their impoverishment. So FRA is intended to help them safeguard their land, livelihoods, and cultural heritage. For economic upliftment and social justice constitutional mandates, land rights, and welfare schemes play a crucial role In Himachal Pradesh. The However, implementation challenges persist. According to the Ministry of tribal Affairs the implementation of the FRA is very poor in the state. This paper examines the constitutional provisions, their impact, and the hurdles faced in ensuring inclusive growth for these communities in the state of Himachal Pradesh.

Keywords: Empowering Tribes, Social Justice, Economic Growth

CITIZENSHIP AND IDENTITY: NAVIGATING INCLUSION AND EXCLUSION IN CONTEMPORARY INDIA

Shashi Poonam, Research Scholar (Ph.D.), Department of Laws, Himachal Pradesh University, Summerhill, Shimla

ABSTRACT

In contemporary India, the constructs of citizenship and identity are undergoing significant transformations, influenced by legislative measures such as the Citizenship (Amendment) Act (CAA) of 2019 and the proposed National Register of Citizens (NRC). The CAA offers

expedited citizenship to non-Muslim minorities from Afghanistan, Bangladesh, and Pakistan, marking a departure from India's secular principles by introducing religious criteria into Citizenship laws. This shift has sparked nationwide protests and debates, with critics arguing that it undermines the inclusive visions of Indian democracy and exacerbates religious divisions.

The proposed NRC further complicates the landscape by requiring individuals to provide documentary proof of citizenship, a process that has led to fears of disenfranchisement among marginalized communities, particularly those lacking proper documentation. The intersection of the CAA and NRC has raised concerns about the potential for large-scale statelessness and the erosion of fundamental rights. Beyond religious lines, issues of caste discrimination continue to persist, often being overlooked in corporate perpetuates social hierarchies and hampers true inclusivity. Additionally, refugee communities, such as the Rohingya, face significant barriers to basic rights like education, highlighting the challenges in India's commitment to universal human rights. Collectively, these developments reflect a critical juncture in India's democratic journey, where the principle of secularism, equality, and inclusivity are being tested. Understanding the implications of these citizenship laws is essentials for navigating the complex terrain of identity, inclusion, and exclusion in contemporary India.

Keywords: Citizenship laws, identity, national register of citizens, religious minorities

REPRODUCTIVE RIGHTS AND CONSTITUTIONAL LAW: ANALYZING THE ROLE OF JUDICIARY IN GLOBAL PERSPECTIVE

Nitika Sharma, Research Scholar Department of Laws, Himachal Pradesh University,
Shimla

ABSTRACT

Reproductive rights are fundamental to personal autonomy, gender equality, and public health, yet they remain highly contested across jurisdictions. The judiciary plays a crucial role in shaping and interpreting reproductive rights within constitutional frameworks, balancing individual freedoms with state interests. This paper examines the judicial role in

reproductive rights from a global perspective, analyzing key rulings and legal precedents in different legal systems.

The study inspects how courts in democratic nations like the United States, India, and European countries have interpreted constitutional rights to privacy, bodily autonomy, and gender equality in reproductive health cases. Landmark decisions, including *Roe v. Wade* (1973), *Planned Parenthood v. Casey* (1992), *Dobbs v. Jackson Women's Health Organization* (2022) in the U.S., *Suchita Srivastava v. Chandigarh Administration* (2009) in India, and rulings from the European Court of Human Rights, highlight varying judicial approaches. Some courts have expanded reproductive rights, affirming abortion access and contraception as constitutional guarantees, while others have restricted them, citing moral and state interests. Additionally, this paper examines how international human rights treaties and organizations influence national judicial decisions on reproductive rights. The analysis underscores the judiciary's role in either advancing or limiting reproductive freedoms, reflecting broader socio-political dynamics. It concludes that constitutional interpretation remains a powerful tool in shaping reproductive rights, making judicial review essential in protecting or restricting reproductive autonomy worldwide.

Keywords: Reproductive rights, Abortion, foetus, contraceptive, pregnant

JUDICIAL REFORMS FOR GENDER-SENSITIVE VIRTUAL HEARING

Sonakshi Bandhu, PhD Research Scholar, Department of Laws, HPU Summerhill

ABSTRACT

Virtual hearings, propelled by technological advancements and necessity, offer significant potential to enhance access to justice. However, their implementation necessitates careful consideration to ensure gender sensitivity and avoid exacerbating existing inequalities within the justice system. This paper examines the need for specific judicial reforms to mitigate the potential for bias and disadvantage experienced by women and other marginalized genders in virtual court proceedings. Key areas of concern include the digital divide, which disproportionately affects women in certain regions, leading to unequal access to technology and reliable internet connectivity. Furthermore, the home environment may present

challenges for women, potentially impacting their ability to participate effectively in hearings due to childcare responsibilities or domestic violence. This research advocates for reforms that address these challenges through infrastructural support like providing access to reliable technology, adjusting hearing schedules to accommodate caregiving responsibilities, and implementing training programs for judges and legal professionals to recognize and mitigate gender bias in virtual settings. The ultimate goal is to create a more equitable and inclusive virtual court system that upholds the principles of justice for all, regardless of gender or socio-economic status. This requires a holistic approach encompassing policy changes, technological adaptations, and a heightened awareness of gender dynamics within the virtual courtroom.

Keywords: Virtual Hearings, Gender Sensitivity, Judicial Reforms, Access to Justice

WOMEN’S RIGHTS AND SOCIO-ECONOMIC EMPOWERMENT UNDER INDIAN CONSTITUTION

Meenakshi Parmar, Ph.D. Research Scholar, School of Law, Bahra University Wagnaghat,
Solam

ABSTRACT

The Indian Constitution prioritizes socio-economic justice for all citizens, including women, as articulated in its Preamble and Fundamental Rights. These rights ensure women receive equal treatment, have the freedom of speech, are protected from exploitation, and are entitled to live with dignity. The Constitution not only advocates for gender equality but also empowers the State to address and eliminate all forms of discrimination against women. The significance of Fundamental Rights in the socio-economic advancement of women is particularly notable in India, where women have historically faced disparities in both social and financial realms. The empowerment of women has become a critical global issue in recent decades and is increasingly featured in governmental agendas worldwide. Nonetheless, many policies primarily emphasize economic self-reliance as the main avenue for empowerment, often neglecting other essential areas such as health, education, and literacy. Despite these challenges, women have made considerable contributions to human development, and a nation’s progress is closely linked to the roles women play in society. Women constitute half of the global population, yet they command only a small portion of

the world's resources and earn significantly less, highlighting a profound economic inequality, particularly evident in India. The Indian Constitution firmly establishes gender equality through its Preamble, Fundamental Rights, Fundamental Duties, and Directive Principles. Since the Fifth Five-Year Plan (1974-78), there has been a transition from welfare-oriented policies to development-focused strategies concerning women. In 1990, the National Commission for Women was established to safeguard women's legal rights. Additionally, the 73rd and 74th Constitutional Amendments (1993) provided for reserved seats for women in local governance, thereby enhancing their involvement in decision-making processes.

Keywords: Social Development, Economic Development, Women Empowerment, Issues and Problems

TRANSGENDER RIGHTS IN INDIA: ANALYSING THE SUPREME COURT'S ROLE IN ENSURING CONSTITUTIONAL JUSTICE

Ajay Kumar, PhD Research Scholar, Department of Laws, Himachal Pradesh University
Summer, Hill, Shimla

ABSTRACT

Transgender rights in India have witnessed significant legal and social transformations, particularly with the intervention of the Supreme Court. The landmark **NALSA v. Union of India** judgment recognized the transgender community as the 'third gender' and affirmed their fundamental rights under the Indian Constitution. This research paper analyzes the Supreme Court's role in ensuring constitutional justice for transgender individuals, focusing on key legal precedents, constitutional provisions, and subsequent legislative developments, including the **Transgender Persons (Protection of Rights) Act, 2019**. The paper explores how the Supreme Court has interpreted **Articles 14 (Right to Equality), 15 (Prohibition of Discrimination), 19 (Freedom of Expression), and 21 (Right to Life and Dignity)** to safeguard the rights of transgender persons. Additionally, it examines the gaps between judicial pronouncements and their on-ground implementation, particularly in access to education, healthcare, employment, and legal recognition of gender identity. While the judiciary has played a crucial role in advancing transgender rights, challenges persist due to

societal stigma, bureaucratic hurdles, and inadequate policy execution. This study also evaluates the impact of recent Supreme Court rulings on LGBTQ+ rights, including **Navtej Singh Johar v. Union of India**, which decriminalized homosexuality, and their implications for transgender rights. By assessing judicial interventions and policy measures, this paper aims to highlight the evolving legal landscape and the ongoing struggle for full constitutional justice for transgender individuals in India. The study concludes with recommendations for strengthening legal frameworks and ensuring effective implementation of Supreme Court directives.

Keywords: Transgender Rights, Supreme Court, Third Gender etc.

RIGHT TO LIFE AND LIBERTY

Manas Tripathi, Research Scholar, University of Allahabad

ABSTRACT

This abstract describes the development, importance, and legal boundaries of the right to life and liberty, highlighting its function in protecting individual freedom while acknowledging the intricacies of its application in modern systems of governance. The right to life and liberty is a basic human right that is incorporated in numerous international human rights treaties, such as the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). It is the foundation of human dignity and individual freedom, guaranteeing that all individuals have the inherent right to live and be free from arbitrary interference. This right includes protection against arbitrary killings, torture, slavery, and arrest, and the assurance of security of the person and freedom of movement

The right to life is usually regarded as the most elementary right, on which all other rights are based. While widely known and respected, obstacles exist toward successfully realizing the right to liberty and life worldwide. These occur through ongoing human rights violations, such as extrajudicial killings, dictatorial regimes, and unequal access to the courts of justice. This study contends that, while the right to life and liberty is universally recognized, it requires continual vigilance to assure effective protection in the face of changing political, social, and technological forces.

Keywords: Fundamental Right, Life Preservation, Autonomy, state power, capital punishment, Abortion.

UNIFORM CIVIL CODE AND DISPOSAL OF SPOUSAL PROPERTY IN INDIA: AN OVERVIEW

Divya Thakur, Research Scholar, Department of Laws, Himachal Pradesh University

ABSTRACT

This paper delves into the constitutional vision outlined in Article 44, which mandates the state to establish a Uniform Civil Code (UCC) for Indian citizens, focusing specifically on spousal property rights. Despite 75 years of constitutional democracy, India continues to function under fragmented personal laws that regulate marriage, divorce, and property rights differently across various religious communities. This fragmentation leads to significant gender inequalities, particularly in the disposal of spousal property, where women's contributions often go unrecognized and uncompensated.

The research examines the current legal frameworks under Hindu, Muslim, Christian, and Parsi personal laws, highlighting disparities in property rights during marriage and after its dissolution. By exploring potential matrimonial property regimes—including community property, deferred community, and equitable distribution systems—and reviewing state-level initiatives like the Goa Civil Code, the paper proposes a balanced approach to UCC implementation that offers minimum guarantees of equity while respecting India's pluralistic foundations. The study concludes that a carefully crafted UCC addressing spousal property rights is not only a constitutional obligation but also a vital step toward gender justice and legal certainty in contemporary India.

Keyword-Uniform Civil Code (UCC), Spousal property rights, Constitutional mandate, Matrimonial property regimes

DATA PROTECTION AND RIGHT TO PRIVACY

Isha, Kanika Kumari Sonkhala, LLM, Career Point University, Hamirpur

ABSTRACT

In 21st century, the world getting transformed into a digital society where digital technology become part of daily life. In present scenario, there is need to protect personal data or privacy issues. The measures taken to protect data and personal information of an individual has

emerged as a primary factor that shapes the law and technology in different parts of the world. With the expansion of the internet, the use of cloud services and implementation of AI has been on high level. The collection of personal data for processing and sharing data raises many important questions involving security, consent, and individual rights. Data protection refers to safeguarding personal information from misuse, unauthorized access, or other breaches. A system is put in place to guarantee that individuals protect their data and choose how it is shared or stored. Laws such as General Data Protection Regulation (GDPR) in the European Union and California Consumer Privacy Act (CCPA) in the US and Information Technology Act, 2000 give legal frameworks to protect personal data of user. Privacy has been declared a fundamental human right in Universal Declaration of Human Rights (UDHR). In India under part III, Article 21 of Indian Constitution right to privacy is declared as fundamental right. The Indian legislative took appropriate measures to protect privacy and data of users. The legislation reflects balancing right to privacy and protection of data in digital age absolutely.

Keywords: Digital Technology, Artificial intelligence, Data protection, Privacy

NECESSITY OF CONSTITUTIONAL REFORMS IN AN ERA OF TRANSFORMATIVE CONSTITUTIONALISM: A CRITICAL EXAMINATION OF INDIAN CONSTITUTIONAL FUNCTIONING AND ITS IMPLICATIONS ON DEMOCRATIC GOVERNANCE

Subash S., LL.M., Constitutional Law and Legal Order

Kavya S., LL.M., Business Law, The Tamil Nadu Dr. Ambedkar Law University, Taramani

ABSTRACT

The Indian Constitution, as a living document, has undergone continuous evolution to adapt to the changing needs of the socio-political and administrative landscape of the dynamic tenets of the 21st century. In an era of transformative constitutionalism, constitutional reforms become imperative to safeguard the foundational principles of our founding forefathers who precipitated their hard-fought struggles in preserving ideals and aspirations of justice, liberty, equality, and fraternity which remain relevant and effective even in contemporary times. This study critically examines the functioning of the Indian Constitution, analyzing its responsiveness to socio-political and administrative transformations and its implications on

limited democratic governance as ensured by the principles of Constitutionalism. By exploring the various structural and functional lacunae in the Indian Constitution, this research assesses whether the existing constitutional framework adequately addresses contemporary necessities and boundaries that the existing politico-administrative system aspires to achieve. The paper argues that while the Constitution provides mechanisms for progressive interpretation, structural and procedural reforms are essential to bridge the gap between constitutional ideals and their practical realization of structural impediments in areas such as the Constitutional positions of the Office of the Governor, the Election Commission, the Judiciary, and so on. The paper also attempts to analyze the functional impediments emphasizing the working of Financial Delinquency under FRBM, executive biasness in the case of the Speaker, the issue of unsprouted Democratic Decentralization, and so on. Ultimately, this research guides us into further re-investigation of our constitutional ethos which acts as a guiding light in identifying the spirit of constitutionalism in the era of Transformative Constitutional studies.

Keywords: Transformative Constitutionalism, Governor, the Election Commission, the Judiciary

CONSTITUTIONALITY OF COLLEGIUM SYSTEM FOR JUDICIAL APPOINTMENTS IN INDIA – A CRITICAL ANALYSIS

Krishnasree G., PG Student, LL.M., (Constitutional Law and Human Rights) Tamil Nadu Dr. Ambedkar Law University School of Excellence in Law

Megha V C, PG Student, LL.M., (Constitutional Law and Human Rights) Tamil Nadu Dr. Ambedkar Law University School of Excellence in Law

ABSTRACT

The independence of the judiciary is a fundamental tenet of constitutional democracy, ensuring that judicial decisions remain free from political influence. This paper critically examines the constitutionality of the collegium system in India, which has been the primary mechanism for judicial appointments since the early 1990s. Despite its intent to safeguard judicial independence, the collegium system has faced significant scrutiny for perceived opacity and lack of accountability. Historical precedents reveal that prior to the collegium's establishment, judicial appointments were often marred by political motivations and

nepotism, raising concerns about the judiciary's role in checking executive power. The introduction of the National Judicial Appointments Commission (NJAC) aimed to create a more balanced framework by involving both the judiciary and the executive in the appointment process. However, the NJAC was declared unconstitutional by the Supreme Court in 2015, reaffirming the primacy of the collegium system. This ruling highlighted ongoing tensions between judicial independence and political oversight in judicial appointments. The paper further explores criticisms surrounding the collegium's functioning, including issues of transparency and meritocracy, while proposing potential reforms to enhance its functioning. Ultimately, this analysis seeks to contribute to the broader dialogue on maintaining an independent judiciary that upholds democratic principles and protects individual rights in India.

DATA PRIVACY & AI GOVERNANCE: THE CONSTITUTIONAL PERSPECTIVE

Priya, Designation: LLM (Research Scholar), Law Department, Career Point University,
Hamirpur, H.P.

ABSTRACT

The rapid advancements in Artificial Intelligence (AI) have transformed industries by enabling data-driven decision-making, automation, and predictive analytics. However, AI's reliance on large-scale data processing has raised significant concerns regarding data privacy, algorithmic bias, transparency, and constitutional rights. In India, the right to privacy was recognized as a fundamental right under Article 21 in *Justice K.S. Puttaswamy (Retd.) v. Union of India* (2017). However, AI systems, particularly in governance, law enforcement, and surveillance, challenge this right by collecting and analyzing personal data without clear legal safeguards.

This paper examines the constitutional dimensions of AI governance and data privacy, focusing on key rights under the Indian Constitution, including Article 14 (Right to Equality), Article 19 (Freedom of Speech & Expression), and Article 21 (Right to Life & Personal Liberty). It highlights concerns about algorithmic discrimination, AI-driven censorship, predictive policing, and due process violations in the absence of regulatory oversight. The study also evaluates India's legislative framework, including the Digital Personal Data

Protection Act, 2023, and compares it with global AI governance models. Through a constitutional and comparative analysis, this paper identifies gaps in India's AI governance framework and suggests legal and policy reforms to balance innovation with privacy protection, accountability, and fundamental rights. The research underscores the need for transparent, ethical, and legally compliant AI systems that align with constitutional principles and human rights standards.

Keywords: Artificial Intelligence, Data Privacy, Constitutional Rights, AI Governance

75 YEARS OF THE INDIAN CONSTITUTION AND THE SUPREME COURT: THE JOURNEY SO FAR AND CHALLENGES AHEAD

Ritika Sharma, Student, Department of Laws, HPU

ABSTRACT

The Indian Constitution, adopted on January 26, 1950, has been the cornerstone of the country's democratic framework, guiding governance, rights, and justice for 75 years. Over this period, the Supreme Court of India has played a pivotal role in interpreting the Constitution, protecting fundamental rights, and ensuring the rule of law. This paper explores the achievements, experiences, memories, and lessons derived from the journey of the Indian Constitution and judiciary, analysing their evolution and impact on democracy and society.

Among its key achievements, the judiciary has safeguarded constitutional principles through landmark judgments, including *Keshavananda Bharati v. State of Kerala* (1973), which established the Basic Structure Doctrine, and *K.S. Puttaswamy v. Union of India* (2017), which recognised the right to privacy. The introduction of Public Interest Litigation (PIL) has made justice more accessible, while judicial activism has expanded the scope of fundamental rights. The judiciary has also played a crucial role in electoral reforms, federal disputes, and gender justice. Despite these successes, the judiciary has faced challenges, including political interference, judicial delays, and debates over the collegium system. The Emergency period (1975-77) tested judicial independence, leading to critical introspection. Lessons from these experiences highlight the need for judicial reforms, greater transparency in appointments, and improved access to justice. Additionally, technology-driven judicial processes and alternative

dispute resolution mechanisms are vital for addressing case backlogs and improving efficiency. As India marks 75 years of its Constitution and judiciary, the focus must be on strengthening democratic institutions while preserving constitutional morality. The judiciary's role as the guardian of the Constitution remains crucial in ensuring justice, liberty, and equality in the evolving socio-political landscape. Moving forward, continuous reforms and adherence to constitutional principles will be essential for sustaining India's democratic ethos.

Keywords: Basic Structure Doctrine, Constitutional Principles, Public Interest Litigation, Judicial Activism, Fundamental Rights

RIGHT TO LIFE AND IT'S NEW DIMENSIONS

Sakshi, LLB 4th Semester, Department of Laws, HPU, Shimla

ABSTRACT

The Right to Life is the most fundamental human right, as it serves as the cornerstone for the fulfillment of all other rights. It has historically been seen as defense against arbitrary deprivation of life, guaranteeing that people are protected against governmental violence, extrajudicial executions, and the death penalty without due process. However, the right to life has dramatically changed in the modern era, covering a wider range of matters that support human dignity and welfare.

Under Article 21 of the Constitution of India, the right to life and personal liberty is a fundamental right, ensuring that no person can be deprived of their life or liberty except according to the procedure established by law. New facets of the right to life include the right to a clean and healthy environment, access to healthcare, reproductive rights, euthanasia, and ethical and much more. Since climate change and environmental degradation directly affects human survival, legal systems have acknowledged conservation of environment as a fundamental component of the right to life. Different legal systems across the world have differing opinions on the right to die with dignity, whether through assisted suicide or euthanasia. Furthermore, access to abortion and assisted reproductive technologies, as well as reproductive autonomy, are increasingly viewed as components of a person's right to life and dignity. This paper highlights the necessity of a dynamic approach to human rights by

examining these changing dimensions through legislative frameworks, judicial interpretations, and international policy. The right to life must be interpreted from time to time as societies grows in order to deal with new issues and guarantee that everyone has access to basic necessities, security, and dignity.

Keywords: Right to Life, Fundamental Right, Article 21, Constitution of India, Personal Liberty, Dignity, Euthanasia

THE SEMI-CENTENNIAL JOURNEY OF EPISTOLARY JURISDICTION: THE ACTIVISM OF SUPREME COURT IN PROTECTION OF VULNERABLE

Kirubha Sree S., Student, Government Law College, Madurai,
Lingeashwara Pandiya T., Student, Government Law College, Madurai,

ABSTRACT

The Epistolary Jurisdiction 1 of the Hon'ble Supreme Court has been evolved as the source to quench the thirst of societal lacunas. This research paper investigates the significant role of Supreme Court predominantly through the Suo Motu actions that satisfies the necessity arose in almost in the past semi-centennial. The Hon'ble Supreme Court has opened the gate of epistolary jurisdiction through the letter that knocked the door of justice against the injustice that was happening to the prisoners of Bihar. From the case of Sunil Bhatra 2 to the Lokpal order allowing HC sitting Judges 3 the Supreme Court in plethora of circumstances shown its concern over the crises. As it disrupts the smooth functioning of this Righteous Society the epistolary jurisdiction eases the access to justice for all including the vulnerable population. By employing both Positivist and Observational Methods, it is evident that the Supreme Court's judicial activism plays a significant role in ensuring that the justice is served equitably safeguarding both mankind and the environment in line with the constitutional principles of Separation of Powers and the Doctrine of Checks and Balances. The medium of Suo Motu cases through its Epistolary Jurisdiction has thus transformed the Indian judiciary into a powerful catalyst for positive changes. This paper further explores the arena of challenges such as the epistolary jurisdiction does not overreach or encroach the legislative

and executive functions that lead to tension between the branches of government and the hardships of epistolary jurisdiction in the 21st century.

Keywords: Protection of Vulnerable, Judicial Activism, Separation of power, Hardships

RIGHT TO LIFE AND ITS NEW DIMENSIONS

R. Karthika, Dr. Ambedkar Law University, Tamilnadu

ABSTRACT

Everything in which involves humans included impliedly or expressly ended with right to Life from birth to death. Due to the evolution of the world regarding both the physical and mental health of the human being related to the new dimension of the laws especially fundamental rights in specifically right to Life under article 21 which leads a cornerstone to the human to enjoy their right to Life and personal liberty includes right to Life with dignity, right to reputation, right to choose partners, right to privacy, right to healthy environment, right to health care, right to die with dignity, Right to Speedy Trial and Legal Aid, Right to Shelter, Right to Education, Right to Healthcare, Right to Freedom of Movement further more rights which was implied gives more power to the people in their lifetime with the protection of their lives. The Expansion of the right to Life will lead to the entry of the new era.

Keywords: Right to life, Personal liberty, Environment new dimension

DATA PRIVACY AND AI GOVERNANCE: THE CONSTITUTIONAL PERSPECTIVE

Sheetal Chauhan, L.L.B. 4th Semester, Department of Laws, Himachal Pradesh University

Shashwat Saini, L.L.B. 6th Semester, Department of Laws, Himachal Pradesh University

ABSTRACT

There has been brought significant changes within the domain of governance, decision making, data privacy management and surveillance because of the integration and development of Artificial Intelligence into different sectors. This paper critically analyzes the Indian Constitution's ability to protect the emerging "New Age rights". The main focus lays

on the rights providing protection from AI-driven violations, Right to Equality - Article 14, Freedom of Speech and Expression - Article 19(1) (a) and The Protection of Life and Personal Liberty. This paper deals with the intersection of AI-governance and data privacy within the legal framework of Indian Constitution. Though some landmark judgements by Supreme Court has recognized privacy as a major fundamental right under the Article 21 in cases like Justice K.S. Puttaswamy v. Union Of India (2017), but still the absence of AI-specific legal provision has created a “legal vacuum” leading to potential violations. The Digital Personal Data Protection Act, 2023 (DPDP Act) aimed at safeguarding the privacy and personal data of an individual but fails to comply to the provisions regarding the AI-driven issues.

The paper also compares India’s AI legal framework with international models like the European Union’s GDPR AND AI Act, the United States’ AI Bill of Rights and China’s AI regulations. It also discusses role of judiciary in interpreting AI’s impacts on existing fundamental rights.

The study concludes that while AI has brought efficiency, its unregulated use has threatened the Constitutional principles too. It discusses and calls for the need for AI- specific legal frameworks and ethical guidelines for the use of AI. It also oversees to the role of judiciary to build a transparent and accountable AI ecosystem in India.

UNIFORM CIVIL CODE POLITICAL AND SOCIAL ISSUES AND IS IT RIGHT FOR INDIA?

Jyoti Thakur, Nisha, Student, Indian Institute of Legal Studies, Hari Devi, Ghanahatti

ABSTRACT

The Uniform Civil Code (UCC), enshrined under Article 44 of the Indian Constitution, aims to replace personal laws based on religious customs with a common set of laws governing marriage, divorce, inheritance, and adoption. This paper explores the political and social issues surrounding the UCC and examines the arguments for and against its implementation in India. While proponents argue that the UCC would ensure gender equality, secularism, and social unity, critics contend that it may infringe upon religious freedom and cultural diversity

in a country as heterogeneous as India. The paper critically assesses whether a Uniform Civil Code is a viable solution for a nation with diverse religious communities or if such a move could lead to social unrest and political polarization. It also explores the potential benefits and challenges of the UCC in achieving gender justice, focusing on the disparities in personal laws, especially concerning women's rights. Ultimately, the paper raises important questions about the balance between religious autonomy and equality, offering a nuanced perspective on how the UCC might shape India's future legal and social landscape.

MEDIA TRANSPARENCY: AN ESSENTIAL CONDITION FOR A SUCCESSFUL CONSTITUTIONAL SYSTEM

Purnima Sharma, SHEDS College of Law, Solan

ABSTRACT

Not codified in anywhere but in the mind of every citizen, the media holds very important position in our nation. It is considered as the fourth pillar of the government with the other bodies i.e. legislature, executive and judiciary. This pillar stands beneath the house of government. If media houses are not transparent, the mirror between government and people turned blurred. In the present era where the technology is everything and what is wrong or what is right, we can't differentiate, media have opportunity to give direction of right path with the help of certain means i.e. newspapers, news channels, social media platforms and radio etc. From the establishment of media houses to there press work, on every stage constitution protect the right of press. Freedom to press is like a cherry on top. Newspaper have duty to not run behind the more customers but behind every news deal with corruption, government irregularities. The newspapers must have no greed for more advertisements, but for root of a news. The news channels who are always on their live mode, have duty to not run behind TRP but behind every politician who hide the real fact from people.

Lastly, I want to conclude with that the media have to remember that they have power because of constitution and not constitution have power because of them. If constitution have authority to provide them freedom of press also have authority to prohibit it with certain restrictions.

Keywords: Media, Freedom, Constitution, Government

LIFE IN THE 21ST CENTURY: EXPLORING THE EXPANDING SCOPE OF THE RIGHT TO LIFE

Sonia and Khushboo, Students of BALLB (Hons') 8th Semester. HIMCAPES College of Law, Badhera, Una (H.P.)

ABSTRACT

Imagine a world where the right to life is not just a fundamental right, but a dynamic and evolving concept that adapts to the challenges of the 21st century. The right to life, a fundamental and inalienable right, has undergone significant transformations in recent years. Traditionally, this right was interpreted as protection against arbitrary deprivation of life. However, new dimensions have expanded the scope of this right. Modern interpretations of the right to life encompass not only the protection of physical existence but also the right to a dignified life. This includes freedom from poverty, access to healthcare, education, and social security. The right to life has also been linked to environmental protection. Advances in technology and biomedicine have raised complex questions about the right to life. The debates surrounding abortion, euthanasia, assisted reproduction have challenged traditional notion of life and its value. Furthermore, the development of artificial intelligence has sparked concern about the potential for machines to take human life. As we move forward in this rapidly changing world, this paper concludes that the right to life is not a static concept, but a dynamic and evolving principle that must adapt to the challenges of the modern world. In final analysis, this paper demonstrates the re-examining the right to life through the lens of emerging technologies and innovative frameworks.

SECULARISM: ISSUES AND CHALLENGES

Himanshu, SHEDS Collage of Law, Chambaghat, Solan

ABSTRACT

Secularism, as a political and social order that distances religion from the state, faces numerous issues and challenges in practice and application. The meaning and definition of secularism vary between cultures and nations, leading to controversy and confusion. In addition, how much religion should be separated from the state is typically controversial,

with some demanding a hard separation and others advocating a moderate one. Besides, the focus of secularism on the rights of individuals can at times lead to the exclusion of minority groups with strong religious identities. Also, religious fundamentalism has challenged the foundation pillars of secularism, which at times leads to conflict between secular and religious values. Diversity of culture and society, globalization, and migration have brought new challenges to secularism due to intermixing of varied religious and cultural traditions with secular values. Last but not least, addressing these challenges and issues is crucial to ensuring the viability and effectiveness of secularism in promoting social harmony, freedom for individuals, and democratic values.

Keywords: Secularism, Cultures, Rights, Freedom

JUDICIAL INNOVATIONS AND INTERPRETATIONS: THE SUPREME COURT OF INDIA'S ROLE IN SHAPING DOMESTIC VIOLENCE LAW

Harsha Sharma, Research Scholar, Department of Laws, H.P. University

ABSTRACT

Domestic violence represents a significant human rights issue in India, addressed prominently through the Protection of Women from Domestic Violence Act, 2005 (DV Act). The Supreme Court of India has actively influenced and refined this legislation through various pivotal decisions. Initial judgments, such as *S.R. Batra v. Taruna Batra* (2007), narrowly defined residential protections, while later decisions, notably *Satish Chander Ahuja v. Sneha Ahuja* (2020), have expanded these rights significantly. Landmark cases, including *Hiralal P. Harsora v. Kusum Narottamdas Harsora* (2016), eliminated gender-based restrictions, promoting broader inclusivity. Additional judgments have explicitly recognized economic and emotional abuses, ensured procedural flexibility, and extended protections to women in live-in relationships, divorced women, and survivors of violence occurring before or after marriage. Despite these progressive judicial steps, implementation challenges persist due to India's complex socio-legal diversity. This article highlights the judiciary's dynamic role in balancing traditional norms with constitutional principles of equality and dignity, emphasizing the continued need for judicial innovation and systemic reforms to ensure robust protections and justice for domestic violence survivors.

CORRUPTION: A THREAT TO CONSTITUTIONALISM

Nidhi, Student, UILS, Shimla

ABSTRACT

Corruption poses a profound and multifaceted threat to constitutionalism by systematically **undermining democratic institutions, distorting the rule of law, and eroding public trust in governance**. It weakens the essential system of **checks and balances**, fosters **authoritarian tendencies**, and impedes **economic and social progress**. Corruption enables the **misuse of public power for private gain**, leading to a loss of legitimacy in government institutions and an erosion of the foundational principles of constitutional democracy.

At its core, constitutionalism is built on the principles of **separation of powers, judicial independence, fundamental rights, and accountability**. However, corruption distorts these principles by **concentrating power in the hands of the executive, manipulating the judiciary, suppressing fundamental freedoms, and reducing transparency in governance**. It fosters **institutional decay**, allowing ruling elites to manipulate legal frameworks for personal or political gain, thereby rendering constitutional safeguards ineffective.

Through an examination of **historical and contemporary case studies**, this paper highlights the detrimental effects of corruption on governance in both developed and developing nations. Examples such as **the Watergate scandal in the United States, the 2G spectrum scam in India, state capture in Russia, judicial corruption in Zimbabwe, and political purges disguised as anti-corruption efforts in China** demonstrate how corruption manifests in various political systems, from democracies to authoritarian regimes.

The study further explores how corruption **impairs economic development, fosters inequality, and fuels social unrest**, ultimately threatening the stability of constitutional governance. Additionally, the paper discusses mechanisms to combat corruption, emphasizing **legal reforms, independent anti-corruption bodies, enhanced judicial transparency, and civil society participation** as crucial steps in safeguarding constitutional democracy.

Addressing corruption requires a **multifaceted and sustained approach**, involving not only legal and institutional measures but also **public engagement, media freedom, and**

technological interventions. Without strong constitutional safeguards and active enforcement, corruption can **hollow out democratic institutions** from within, leading to an erosion of constitutional governance and the rise of autocratic rule.

This paper concludes that **a robust constitutional framework must be actively defended, enforced, and adapted** to counter the evolving challenges posed by corruption. Strengthening democratic institutions, empowering independent oversight mechanisms, and ensuring civic participation are essential to **preserving the integrity of constitutionalism in the face of corruption.**

Keywords: Corruption, Constitutionalism, Rule of Law, Governance, Accountability, Judicial Independence, Transparency

FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES OF STATE POLICIES; RELATIONS AND COMPARISONS

Manpreet Kaur, Student, Punjab School of Law, Punjabi University, Patiala

ABSTRACT

Our Indian Constitution ensure justice, equality, and the welfare of the people provides the balanced combination of *Fundamental Rights* (FRs) and *Directive Principles of State Policy* (DPSPs). Part III of our Indian Constitution (Articles 12-35) provides comprehensive justiciable Fundamental Rights, preserve the rights of individuals and also protecting them from arbitrary state action. On the other hand, Part IV of our Indian Constitution (Articles 36-51), provides DPSPs, directions for promoting the socio-economic democracy by implementing the policies of the country. The basic difference between the FRs and DPSPs are- FRs are justiciable in nature and enforceable by the court of law, DPSPs are non-justiciable in nature but create a moral obligation on the state.

By the judicial pronouncements, we can analyse the relationship between FRs and DPSPs. There were the cases in which Supreme court by their landmark Judgements preference the Fundamental rights over the DPSPs. In *State of Madras v. Champakam Dorairajan* (1951) case, decided the question of supremacy between FRs and DPSPs. However, the *Kesavananda Bharati* (1973) judgment brought a change by admitting that FRs and DPSPs

must be balance to fulfill the purpose of the Constitution. The *Minerva Mills* (1980) case further maintain the harmony between the two and affirmed that both are complementary to each other.

Under the DPSPs, concept of welfare state dealing with the issues of Health, education, resources distribution and on the other side, FRs protect the freedom of individuals. Throughout the years, Articles 21 and 14 play an important role in protecting and promoting the fundamental rights.

This abstract concludes that the collaboration between FRs and DPSPs are important for realizing that they both are equally significant in India's Constitutional framework since they are crucial to achieving the constitutional objective of social, economic and political fairness.

DATA PRIVACY AND AI GOVERNANCE: THE CONSTITUTIONAL PERSPECTIVE

Akash Sharda, Mandeep Kaur, Students, HIMCAPES College of Law, Badhera, Una (HP)

ABSTRACT

In the era of vast growth of technology, there comes an introduction to about Artificial Intelligence (AI). Whereas term AI seems to be very small word but contains a lot of parameters in itself. As AI technology generally based on a lot of privacy details. With this encouraged advancement comes along with various risks factors such as Privacy Breach. While right to privacy is mentioned under Article 21 of Indian Constitution (Right to life). It brings up the challenge of AI Governance and Amendment under Information and Technology Act, 2000. AI system increasingly rely on vast amounts of personal data, accountability and transparency have come to forefront. The rapid growth of AI technologies has brought unprecedented opportunities for economic growth, healthcare, education and governance. However, it also increased fear of misuse of the personal data, algorithmic bias and potential erosion of privacy. The major effect privacy includes challenges posed by AI governance, including lack of transparency in algorithmic decision-making, the risk of perpetually societal biases and the difficulty in holding AI system accountable for their actions. This paper will provide the comprehensive overview about AI, consequences of AI

rapid growth, factor affecting data privacy due to AI growth and constitutional framework about AI governance in India.

Keywords: Artificial intelligence, Privacy Breach, Article 21, Technology

ROLE OF GOVERNOR: CONTEMPORARY ISSUES AND CHALLENGES

Amrit, Department of Laws, HP University

ABSTRACT

The Governor serves as the constitutional head of a state in a parliamentary democracy, acting as a vital link between the Union and the states. Initially envisioned as an impartial authority, the role has increasingly come under scrutiny due to allegations of political interference and constitutional ambiguities. This paper explores the historical evolution of the office, its constitutional mandate, and the contemporary challenges faced by Governors in India.

The position of the Governor has its roots in the colonial era, where it functioned primarily as an agent of the British Crown. Post-independence, the framers of the Indian Constitution retained the role to ensure administrative continuity and uphold constitutional principles. However, tensions have arisen due to the discretionary powers vested in the Governor, particularly in matters such as government formation, dissolution of legislative assemblies, and assent to bills. These powers, intended as safeguards, have often been perceived as tools of political maneuvering.

One of the primary conflicts stems from the relationship between the Governor and the elected state government. While the Governor is appointed by the President on the advice of the Union government, state governments are elected by the people, leading to frequent clashes over governance. Allegations of partisan behavior, undue interference in state affairs, and delays in approving legislation have further fueled debates on the role and accountability of Governors. Additionally, the lack of a clear framework to regulate the Governor's discretionary powers has led to inconsistent practices across different states.

This paper critically examines these issues by analyzing landmark judicial pronouncements and constitutional provisions. It highlights instances where gubernatorial decisions have led to political instability and legal battles, raising concerns about the erosion of federal principles. Furthermore, the study delves into the implications of recent controversies surrounding Governors, particularly in opposition-ruled states, where accusations of bias have been most pronounced.

To address these challenges, the paper recommends reforms aimed at ensuring a more transparent, accountable, and non-partisan gubernatorial institution. Suggestions include redefining the scope of discretionary powers, establishing a consultative mechanism between the Union and states before appointing Governors, and enforcing judicial oversight to prevent misuse of authority. Strengthening cooperative federalism through institutional checks and balances is crucial to restoring the credibility of the office.

In conclusion, while the Governor's role is indispensable in upholding constitutional values, the increasing politicization of the office necessitates urgent reforms. A balanced approach that respects both federal principles and constitutional morality can help realign the institution with its intended purpose, ensuring its effective functioning in India's democratic framework

CORRUPTION: A THREAT TO CONSTITUTIONALISM

Nikita Thakur, SHEDS College of Law, Solan

ABSTRACT

Corruption poses a significant threat to constitutionalism, undermining the rule of law, democratic institutions, and the principles of good governance. This paper examines the corrosive impact of corruption on constitutionalism, exploring its effects on the separation of powers, the independence of the judiciary, and the protection of fundamental rights.

Corruption erodes the legitimacy of constitutional institutions, creating an environment of impunity and undermining public trust. It also distorts the policy-making process, leading to the misallocation of resources and the perpetuation of inequality. Furthermore, corruption facilitates the concentration of power, undermining the system of checks and balances and threatening the very foundations of constitutional democracy.

This paper argues that combating corruption is essential to preserving constitutionalism and promoting good governance. It proposes a range of strategies, including strengthening institutional checks and balances, promoting transparency and accountability, and supporting civil society initiatives to combat corruption.

Keywords: Corruption, constitutionalism, rule of law, good governance, accountability, transparency

DATA PROTECTION: A RIGHT, NOT A PRIVILEGE

Shubhangi Chaudhary & Sumedha Chowdhary, Students, HIMCAPES College of Law,
Badhera, Una (HP)

ABSTRACT

The Progress of the technology and dynamism of legal universe in this latest age provide a perspective on privacy and data protection problems. Due to technological development, there are various issues prevailing regarding the protection of data and the privacy of the individuals sharing the content. Privacy is any individual's right to control and access over his or her personal information and protection of such data is thus crucial aspect of any democratic country. Although, privacy is not expressly given in accordance with the constitution, it implies the right to privacy as guaranteed freedom under Article 21 of the Indian Constitution. Data protection may include economic details, information on health, intellectual property and sensitive information.

Owing to the modern regime, the user of the modern technology has lack of control over the technological complexity, so there is a need for confidential arrangement to ensure the right of the person to control the accumulation and transmission of the individual data, there is a requirement for those concerned to exercise this control. In pursuance of inflicting the punishment to the wrongdoers of the individual's privacy by stealing the personal information requires a stronger legislation on the same, to set a deterrent. This paper provides a comprehensive view on the infringement of the personal information and the inadequacy of prevailing legislation and the need for stronger legislation on the same.

Keywords: Privacy, Data Protection, Confidentiality.

ROLE OF TECHNOLOGY IN JUDICIARY: E-COURTS AND ACCESS TO JUSTICE

Arshita Sharma, Former LL.M. Student, University Institute of Laws Panjab University
Regional Centre, Ludhiana

ABSTRACT

The Indian judiciary, as a pillar of democracy, has faced persistent challenges, including procedural delays and an overwhelming backlog of cases, affecting its efficiency and accessibility. In response, the adoption of technology has played a transformative role in modernizing the judicial system, enhancing transparency, and improving public access to justice. This paper examines the integration of technology within the Indian judiciary, particularly focusing on e-courts and their impact on case management, court administration, legal research, and judicial transparency. By analyzing various technological initiatives such as digital case management systems, the National Judicial Data Grid (NJDG), e-filing, and AI-based legal tools, the study highlights how these innovations have streamlined operations, reduced delays, and enhanced efficiency in court proceedings. Additionally, the research addresses key challenges, including the need for improved digital infrastructure, enhanced digital literacy among legal professionals, and robust data security mechanisms. It emphasizes the importance of a strategic approach that includes infrastructure development, continuous training, and clear policy frameworks to ensure seamless technological integration in the judiciary. By synthesizing expert insights and qualitative data, this study aims to provide a roadmap for a technologically advanced judicial system, ensuring greater accessibility and efficiency in delivering justice.

Keywords: E-Courts, Judicial Technology, National Judicial Data Grid (NJDG), Cyber security, Legal Research, Digital Literacy.

**DEPARTMENTS OF LAWS
HIMACHAL PRADESH UNIVERSITY
SUMMER HILL, SHIMLA**

FACULTY MEMBERS



Prof. (Dr.) Rajinder Verma

Hon'ble Pro-Vice-Chancellor, Himachal Pradesh University, Dean and Chairman,
Department of Laws



Dr. Sunil Deshta
Professor



Dr. Sanjay Sindhu
Professor



Dr. Lalit Dadwal
Professor



Dr. Runa Mehta Thakur
Professor



Dr. Shiv Kumar Dogra
Professor



Dr. Umesh Kumar
Professor



Dr. Shalini Kashmiria
Assistant Professor



Dr. Sasha Chauhan
Assistant Professor



Dr. Abhishek Singh Negi
Assistant Professor



Dr. Ramesh Verma
Assistant Professor



Dr. Geetika Sood
Assistant Professor



Dr. Vandana Thakur
Assistant Professor

Glimpses of National Seminar



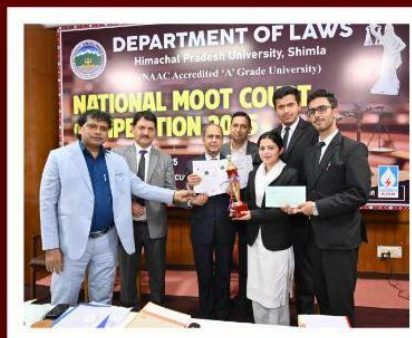
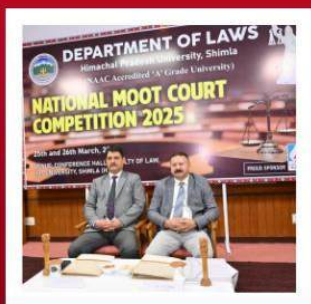
**National Seminar on “Human Rights of Children: Emerging Issues and Concerns”
organised by the Department of Laws on 12 March, 2025**

Glimpses of National Seminar



National Seminar on “Environment and Health in India: Issues and Challenges for Environmental Laws” organised by the Department of Laws on 22 March, 2025

Glimpses of National Moot Court



**National Moot Court Competition organised by the Department of Laws
on 25-26 March, 2025**

Visit to Forensic Laboratory Junga



Students of LL.B. 6th Semester visited Forensic Laboratory, Junga on 27 March, 2025

Visit to District Jail Kaithu, Shimla



Students of LL.B. IV Semester Visited District Jail Kaithu, Shimla on 27 March, 3025

THE CONSTITUTION OF INDIA

PREAMBLE

WE, THE PEOPLE OF INDIA, having solemnly resolved to
constitute India into a SOVEREIGN SOCIALIST SECULAR
DEMOCRATIC REPUBLIC, ensure to all its citizens :

JUSTICE, social, economic and

LIBERTY of

EQUALITY

of worship ;

and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity
and integrity of the Nation ;