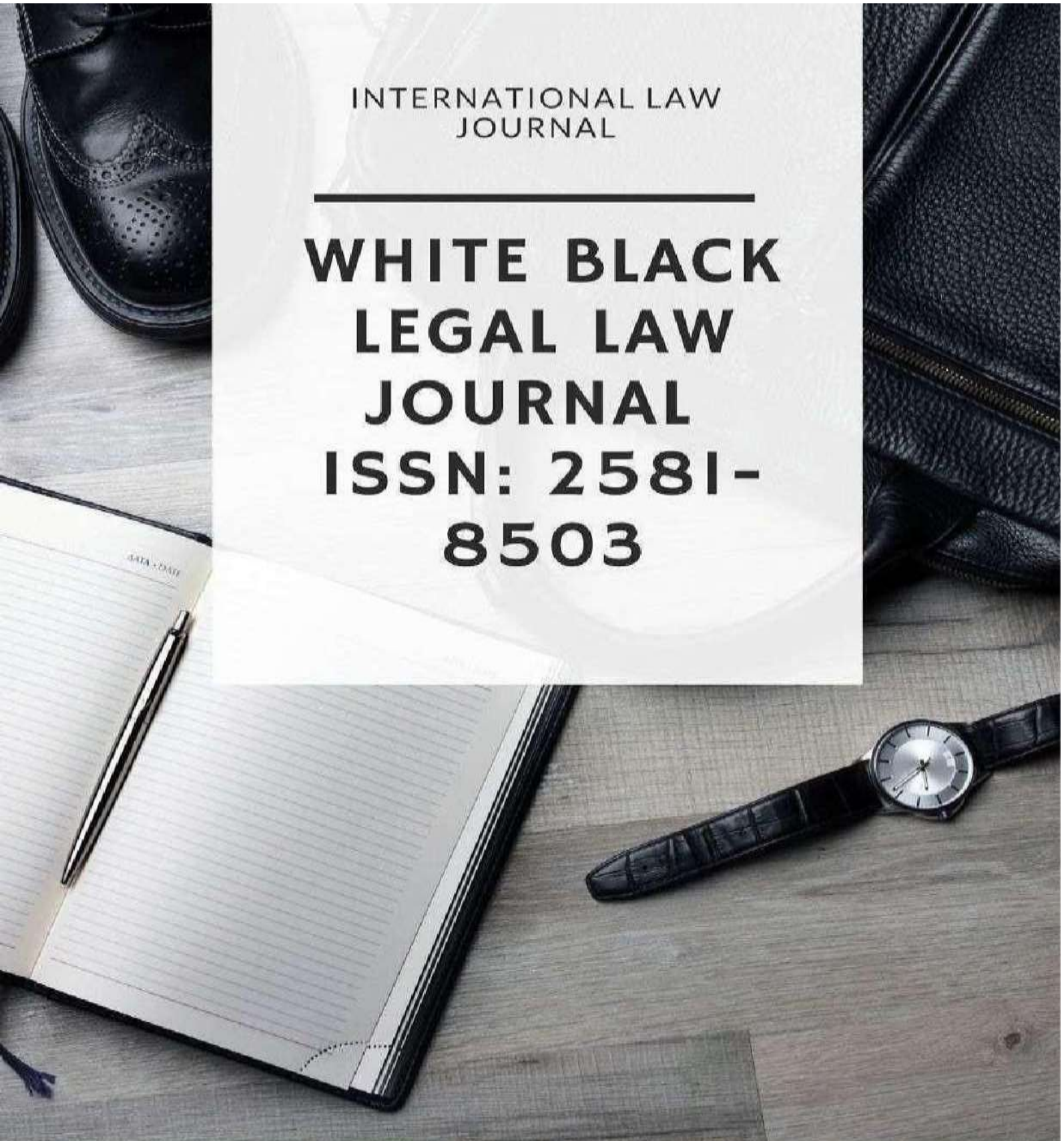




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ABOUT WHITE BLACK LEGAL

White Black Legal – The Law Journal is an open-access, peer-reviewed, and refereed legal journal established to provide a scholarly platform for the examination and discussion of contemporary legal issues. The journal is dedicated to encouraging rigorous legal research, critical analysis, and informed academic discourse across diverse fields of law.

The journal invites contributions from law students, researchers, academicians, legal practitioners, and policy scholars. By facilitating engagement between emerging scholars and experienced legal professionals, *White Black Legal* seeks to bridge theoretical legal research with practical, institutional, and societal perspectives.

In a rapidly evolving social, economic, and technological environment, the journal endeavours to examine the changing role of law and its impact on governance, justice systems, and society. *White Black Legal* remains committed to academic integrity, ethical research practices, and the dissemination of accessible legal scholarship to a global readership.

AIM & SCOPE

The aim of *White Black Legal – The Law Journal* is to promote excellence in legal research and to provide a credible academic forum for the analysis, discussion, and advancement of contemporary legal issues. The journal encourages original, analytical, and well-researched contributions that add substantive value to legal scholarship.

The journal publishes scholarly works examining doctrinal, theoretical, empirical, and interdisciplinary perspectives of law. Submissions are welcomed from academicians, legal professionals, researchers, scholars, and students who demonstrate intellectual rigour, analytical clarity, and relevance to current legal and policy developments.

The scope of the journal includes, but is not limited to:

- Constitutional and Administrative Law
- Criminal Law and Criminal Justice
- Corporate, Commercial, and Business Laws
- Intellectual Property and Technology Law
- International Law and Human Rights
- Environmental and Sustainable Development Law
- Cyber Law, Artificial Intelligence, and Emerging Technologies
- Family Law, Labour Law, and Social Justice Studies

The journal accepts original research articles, case comments, legislative and policy analyses, book reviews, and interdisciplinary studies addressing legal issues at national and international levels. All submissions are subject to a rigorous double-blind peer-review process to ensure academic quality, originality, and relevance.

Through its publications, *White Black Legal – The Law Journal* seeks to foster critical legal thinking and contribute to the development of law as an instrument of justice, governance, and social progress, while expressly disclaiming responsibility for the application or misuse of published content.

PUBLIC INTEREST LITIGATION

AUTHORED BY - MANOJ LG

INTRODUCTION:

Public Interest Litigation (PIL) is a significant development in the Indian legal system that aims to ensure justice for all, especially for marginalized and disadvantaged sections of society. It allows any public-spirited individual to approach the courts for the protection of public interest. Over time, PIL has evolved as a powerful tool for social justice, environmental protection, and governmental accountability

2. Objectives of the Study:

- To understand the concept and evolution of Public Interest Litigation in India.
- To analyse the role of PIL in promoting social justice and protecting fundamental rights
- To examine landmark judicial decisions related to PIL.
- To evaluate the effectiveness and limitations of PIL
- To suggest reforms for improving the functioning of PIL.

3. Research Problem:

Despite its importance, PIL is often misused for personal, political, or publicity purposes. There is also a lack of awareness among the public regarding its proper use. This study aims to analyse whether PIL is effectively serving its purpose or being misused

4. Research Questions:

- What is the origin and development of PIL in India?
- How does PIL differ from traditional litigation?
- What impact has PIL had on society and governance?
- What are the major challenges and misuse of PIL?
- How can the system be improved?

5. Hypothesis:

PIL enhances access to justice for marginalized communities.

It increases government accountability.

However, misuse of PIL reduces its effectiveness and burdens the judiciary.

6. Methodology:

The study will follow:

Doctrinal Method: Analysis of constitutional provisions, statutes, and case laws.

Case Study Method: Examination of landmark PIL cases.

Comparative Method: Comparison with similar legal mechanisms in other countries.

Sources of Data:

Primary: Constitution, case laws

Secondary: Books, journals, articles, reports

7. Scope of the Study:

The study focuses on the development, role, and impact of PIL in India, especially in areas like human rights, environment, and governance. It does not cover private or individual litigation.

8. Limitations of the Study:

Difficulty in distinguishing genuine and frivolous PILs

Limited availability of empirical data

Subjectivity in defining “public interest”

9. Significance of the Study:

This research will help in understanding how PIL contributes to justice delivery and social change. It will also highlight the need for reforms to prevent misuse and improve efficiency.

CHAPTER 2 – CONSTITUTIONAL FRAMEWORK OF PIL:

PIL derives its authority from Articles 32 and 226 of the Constitution of India, which empower the Supreme Court and High Courts to enforce fundamental rights. Courts can issue writs such as Habeas Corpus, Mandamus, Certiorari, Prohibition, and Quo Warranto. The concept of locus standi is relaxed in PIL, allowing any person to file a petition on behalf of others.

CHAPTER 3- HISTORICAL DEVELOPMENT OF PIL:

PIL developed in India during the late 1970s and 1980s through judicial activism. Judges like Justice P.N. Bhagwati and Justice V.R. Krishna lyer played a key role in its growth. Initially, PIL focused on the rights of prisoners and bonded labourers, but later expanded to areas like environmental protection and governance

CHAPTER 4 - LANDMARK JUDGMENTS:

Several landmark cases shaped PIL in India:

S.P. Gupta v. Union of India - Relaxed locus standi

Hussainara Khatoon v. State of Bihar - Right to speedy trial

M.C. Mehta v. Union of India Environmental protection

Vishaka v. State of Rajasthan - Guidelines on workplace harassment

These cases expanded the scope of fundamental rights and strengthened judicial intervention.

CHAPTER 5 - PIL AND SOCIAL JUSTICE:

PIL has played a vital role in promoting social justice by protecting the rights of disadvantaged groups. It has addressed issues like bonded labour, child labour, prison reforms, women's rights, and environmental protection. PIL ensures that justice is accessible to all sections of society.

CHAPTER 6 - PIL AND GOVERNANCE:

PIL helps in improving governance by ensuring transparency and accountability of public authorities. It allows courts to monitor government actions and prevent misuse of power. PIL has contributed to policy changes and administrative reforms in various sectors.

CHAPTER 7-CONCLUSION:

To improve PIL:

Courts should strictly examine petitions before admitting them

Frivolous PILs must be discouraged

Clear guidelines should be followed

Awareness among citizens should be increased

In conclusion, PIL is a powerful tool for justice, but it must be used carefully to maintain its true purpose of serving public interest.