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Q12

**Judicial Legislation is antithetical to the doctrine of separation of powers as envisaged in the Indian Constitution. In this context justify the filing of large number of public interest petitions praying for issuing guidelines to executive authorities.**

UPSC Civil Services Mains 2020 · GS II · 15 marks · Separation of Powers

Separation of powers between various organs; dispute redressal mechanisms and institutions.

Facts & figures for this PYQ only.

Numbers move. Confirm the latest Budget, Economic Survey or census round. This sheet is for revision, not a substitute for the model answer.

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**Vishaka v. State of Rajasthan (1997)**

Sexual-harassment guidelines as law under **Article 141** until the POSH Act, 2013.

**D.K. Basu v. State of West Bengal**

Arrest-and-custody directions to make **Article 21** real against police practice.

**Articles 32 and 226**

Constitutional jurisdiction that makes rights PILs possible against executive authorities.

**Article 141**

Law declared by the Supreme Court binds all courts; the hook on which guidelines travel.

**POSH Act, 2013**

Example of the legislature later occupying a field the Court had temporarily mapped.

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