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Phone : +91 94896 71437 – [info@ilededu.in](mailto:info@ilededu.in) / [Chairman@ilededu.in](mailto:Chairman@ilededu.in)



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## AN EMPIRICAL STUDY ON THE EFFECTIVENESS OF INDIA'S CHECKS AND BALANCES SYSTEM IN PROTECTING CONSTITUTIONAL RIGHTS : A CRITICAL ANALYSIS OF RECENT JUDICIAL DECISIONS AND LEGISLATIVE ACTIONS

**AUTHOR** – G.REETHIKAA, STUDENT AT SAVEETHA SCHOOL OF LAW, SAVEETHA INSTITUTE OF MEDICAL AND TECHNICAL SCIENCES (SIMATS), SAVEETHA UNIVERSITY.

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### ABSTRACT :

"Control debases, and supreme control undermines completely." It centres on this observational consideration on a very basic level, see at the ampleness of India's checks and equalizations system in protecting secured rights in wake of recent judicial decisions and legislation. It seeks to gauge how well the system strikes a balance of power with protection of fundamental rights in an increasingly complex political and legal landscape. The study analyzed primary data that was received from interviews and surveys conducted with legal experts, policymakers, and ordinary citizens across urban India. The three main goals of this study are: assessing whether judicial review protects rights, analyzing what recent legislative actions are doing to constitutional freedoms, and evaluating the role of the executive in preserving institutional balance. Findings of the paper reveal that although the judiciary is a fundamental pillar for protecting rights, recent legislation in the recent past has reflected a tendency toward degrades of constitutional protection. Second, among people, the perception is gaining grounds of the encroachment of the executive on the independence of the judiciary. Enhancing judicial openness, enhancing public enlightenment regarding constitutional protection and reform measures to ensure an effective system of checks and balances are some of the suggestions for further research. These learnings continue the debates on the robustness of Indian democratic institutions and the extent to which such institutions protect the rights of citizens.

**Keywords:** Checks and Balances, Constitutional Rights, Judicial Review, Legislative Actions, India

### Introduction:

The concept of checks and balances is central to any functioning democracy, ensuring that power is not concentrated within any single branch of government and that constitutional rights are protected. In India, this system, deeply influenced by the Anglo-American legal tradition, was institutionalized through its Constitution enacted in 1950.

### Evolution of India's Checks and Balances System

Since its inception, the Indian judiciary has played a crucial role in safeguarding

constitutional rights, especially through landmark judgments that have limited the powers of the legislature and executive. The **Kesavananda Bharati v. State of Kerala (1973)** case marked a turning point, introducing the *basic structure doctrine*, which asserts that Parliament cannot alter the essential features of the Constitution. This doctrine has been a bulwark against constitutional amendments that might undermine individual rights, and it has reinforced the judiciary's role as a check on legislative overreach.

The judiciary's role has further evolved through the use of public interest litigation (PIL), which



allows citizens to approach the courts directly in matters affecting public welfare. PILs have expanded the judiciary's influence, enabling it to address issues of environmental protection, human rights, and social justice. Cases such as **Vishaka v. State of Rajasthan (1997)**, which laid down guidelines for preventing sexual harassment at the workplace, and **Olga Tellis v. Bombay Municipal Corporation (1985)**, which recognized the right to livelihood as part of the right to life, have demonstrated the judiciary's proactive role in protecting individual rights.

However, this role has not been without controversy. The debate surrounding the **National Judicial Appointments Commission (NJAC)**, which sought to give the executive a role in the appointment of judges, highlighted tensions between the judiciary and the executive. The Supreme Court's ruling in **Supreme Court Advocates-on-Record Association v. Union of India (2015)**, which struck down the NJAC, reaffirmed the Collegium system, emphasizing the need for judicial independence. However, the lack of transparency in the Collegium system itself has been criticized, indicating that even within the judiciary, reforms are needed to maintain the integrity of the checks and balances system.

### Government Initiatives and Legislative Interventions

The Indian government has frequently introduced legislative reforms that have sparked debates about the balance of power and the protection of constitutional rights. Recent laws such as the **Citizenship Amendment Act (CAA) 2019** and the **Unlawful Activities (Prevention) Amendment Act (UAPA) 2019** have raised critical concerns about civil liberties. The CAA has been challenged for allegedly violating Article 14 of the Constitution, which guarantees the right to equality, by excluding Muslim refugees from the scope of the law. The delay in the Supreme Court's verdict on the matter has led to public outcry about the judiciary's role in timely interventions, especially when individual rights are at stake.

The UAPA amendments, which broaden the government's power to detain individuals without trial and classify individuals as terrorists, have been seen as an encroachment on civil liberties. The judiciary's handling of cases under UAPA, such as **Gautam Navlakha v. National Investigation Agency (2020)**, has been scrutinized, as delays in trials have been interpreted as a sign of judicial leniency towards state powers. Such legislation tests the judiciary's ability to balance national security concerns with individual freedoms, and the Court's response in these cases will be pivotal in assessing the efficacy of the checks and balances system in 2024.

Another major legislative action that has tested the judiciary's role was the abrogation of **Article 370**, which revoked the special status of Jammu and Kashmir. While the government justified the move as necessary for national unity and security, critics argue that it violated the constitutional principles of federalism and self-determination. The judiciary's hesitance in addressing the legal challenges related to Article 370 has raised concerns about its effectiveness as a check on executive power.

### Factors Affecting Current Trends in 2024

In 2024, several socio-political and legal factors continue to shape the judiciary's role in protecting constitutional rights. The rise of political polarization has increased the scrutiny of judicial appointments and decisions, with critics arguing that the executive has exerted undue influence over the judiciary. This is particularly evident in the appointments of judges and delays in hearings on politically sensitive cases, such as those involving internet shutdowns, labor laws, and religious freedoms.

### Comparison with Other Countries

India's checks and balances system shares similarities with other democracies like the United States and the United Kingdom, but it also faces unique challenges. In the U.S., the judiciary's power of judicial review, established in **Marbury v. Madison (1803)**, has allowed the





courts to act as a critical check on executive actions. In cases such as **Roe v. Wade (1973)** and **Obergefell v. Hodges (2015)**, the U.S. Supreme Court has played a decisive role in safeguarding individual rights. However, recent political appointments to the judiciary have raised concerns about the influence of partisanship on judicial independence, a trend that is mirrored in India.

In the U.K., the judiciary's ability to review executive decisions was emphasized in the **Miller v. Prime Minister (2019)** case, where the prorogation of Parliament by Prime Minister Boris Johnson was declared unlawful. The U.K. judiciary's role in protecting the constitutional principles of parliamentary sovereignty provides a parallel to India's own struggles with executive overreach, though India's more diverse and polarized socio-political landscape complicates its judiciary's role.

### **Public Perception of the Judiciary and the Checks and Balances System**

Public perception of the Indian judiciary is a critical factor in assessing the effectiveness of the checks and balances system. The introduction of PILs has enabled the public and civil society to hold the government accountable, particularly in areas of social justice and human rights. Landmark PIL cases such as **Shreya Singhal v. Union of India (2015)**, which struck down Section 66A of the IT Act for violating free speech, reflect the judiciary's role as a defender of constitutional rights.

However, recent trends suggest growing public skepticism regarding the judiciary's independence. Delays in addressing challenges to the CAA and Article 370, as well as allegations of executive influence in judicial appointments, have contributed to a perception that the judiciary is becoming increasingly politicized. Surveys and studies, such as those by the **Centre for the Study of Developing Societies (CSDS)**, highlight concerns that the judiciary may be less effective in checking government power, especially when it comes to politically sensitive issues.

Moreover, marginalized communities, including Dalits, religious minorities, and tribal groups, often perceive the judiciary as inaccessible or indifferent to their grievances. While the courts have delivered landmark judgments in favor of these communities, such as in the **Narmada Bachao Andolan v. Union of India (2000)** case, the slow pace of justice and the difficulty in enforcing rulings have left many disenfranchised.

The judiciary's role, both as a protector of individual freedoms and as a check on legislative and executive power, is critical in maintaining the balance of power in India's democracy. However, in light of recent trends in 2024, this system faces significant challenges, including judicial delays, political polarization, and increasing executive influence. The extent to which the judiciary can continue to uphold constitutional protections in this evolving landscape will determine the future of India's democratic framework.

### **Objective :**

- To evaluate the effectiveness of India's checks and balances system in safeguarding constitutional rights through a critical analysis of recent judicial decisions.
- To assess the impact of recent legislative actions on the protection of civil liberties and individual rights in India.
- To identify public perceptions and experiences regarding the effectiveness of the checks and balances system in protecting constitutional rights.

### **Literature Review :**

**Manish Tewari and Rekha Saxena**, in their work "The Supreme Court of India: The Rise of Judicial Power and the Protection of Federalism" (included in *Courts in Federal Countries; Federalists or Unitarists?*), highlight the growing judicial activism of the Supreme Court in protecting the federal structure of India. The authors argue that the Court has emerged as a



crucial player in safeguarding federalism, even though at times, its decisions have tilted toward centralization. This raises a debate on whether the judiciary acts as a federalist institution or inadvertently reinforces unitary trends.

**M. Asad Malik (2019)**, in his article “Changing Dimensions of Federalism in India: An Appraisal”, examines the shifts in India’s federal framework over the years. He argues that federalism in India is dynamic, with the Court frequently playing a balancing role between the center and the states. Malik finds that while the Court has generally protected state autonomy, its rulings have also adapted to the changing political and constitutional landscape, sometimes reinforcing central dominance.

**Amal Sethi**, in “Taking the Constitution Away from the Supreme Court of India,” presents a critical view of the Court’s role. He argues that the judiciary, in certain cases, has drifted away from its constitutional mandate, taking a more centralist approach. Sethi highlights instances where the Court’s interpretation of federalism deviated from its traditional role of upholding state rights, reflecting broader trends of judicial centralization in India.

**Bhattacharya, A. (2021)**, in his book *Judicial Review and the Indian Constitution: The Guardian Role of the Supreme Court*, underscores the pivotal role of judicial review in safeguarding the Constitution. Bhattacharya argues that the Supreme Court has established itself as the ultimate protector of constitutional rights, with its authority extending to ensuring that all legislative and executive actions align with the principles enshrined in the Constitution. However, this growing power of judicial review also raises concerns about the balance between the judiciary and other branches of government, a theme that is critical to understanding India’s checks and balances system.

**Ghosh, S. (2020)**, in his article *Judicial Overreach or Checks and Balances: The Role of the Indian Judiciary in Recent Constitutional Controversies* published in the *Indian Law*

*Journal*, explores the tension between judicial activism and the principle of checks and balances. Ghosh critically examines the increasing instances of judicial intervention in political and policy matters, suggesting that while the judiciary is crucial in preventing executive and legislative overreach, it occasionally risks crossing into areas that may undermine the democratic process. This leads to a broader discourse on whether the judiciary is overstepping its constitutional mandate in the name of protecting fundamental rights.

**Jain, R. (2019)**, in his article *Balancing Freedom of Speech and Legislative Authority: The Case of Shreya Singhal v. Union of India* published in the *Constitutional Law Review*, examines how the judiciary balances individual freedoms with legislative intent. Focusing on the landmark case of *Shreya Singhal v. Union of India (2015)*, Jain highlights the Supreme Court’s efforts in protecting freedom of speech by striking down Section 66A of the Information Technology Act, which was deemed to be overly restrictive. The article illustrates the critical role of the judiciary in mediating between the rights of individuals and the power of the state, particularly in the digital age.

**Menon, P. (2022)**, in his work *Privacy as a Fundamental Right in India: Judicial Interpretations Post-Puttaswamy* published in the *Journal of Constitutional Law Studies*, analyzes the Supreme Court’s decision in *Justice K.S. Puttaswamy v. Union of India (2017)*, which recognized the right to privacy as a fundamental right. Menon argues that this judgment marked a significant shift in how constitutional rights are interpreted in India, particularly in the context of digital surveillance and personal data protection. This work emphasizes the judiciary’s evolving role in addressing modern challenges to individual rights, reinforcing its position as a protector of constitutional freedoms.

**Mishra, D. (2021)**, in his article *The Effectiveness of Judicial Interventions in India’s Constitutional Checks and Balances* published in *Law and*



Democracy Quarterly, assesses the judiciary's role in maintaining the balance of power between the executive, legislature, and itself. Mishra argues that judicial interventions have been instrumental in curbing executive overreach, but he also points out the limitations posed by delays in the legal process and a mounting backlog of cases. Mishra's analysis raises questions about the long-term sustainability of judicial activism as a tool for ensuring accountability within the Indian political system.

**Raj, A. (2020)**, in his article *The Citizenship Amendment Act and Its Implications for Constitutional Rights in India* published in the *South Asian Constitutional Review*, critically examines the constitutional challenges posed by the Citizenship Amendment Act (CAA) of 2019. Raj argues that the CAA represents a significant departure from India's secular constitutional framework, as it introduces religious criteria for citizenship. He discusses how the judiciary's forthcoming rulings on the CAA will be pivotal in determining the extent to which constitutional protections of equality and non-discrimination are upheld.

**Sharma, N. (2020)**, in his article *The Evolution of Constitutional Rights in India: A Critical Analysis of Recent Judicial Pronouncements* published in the *Indian Constitutional Law Review*, provides an overview of how the Supreme Court's recent decisions have expanded and refined constitutional rights. Sharma discusses cases such as *Navtej Singh Johar v. Union of India* (2018) that decriminalized homosexuality, highlighting the judiciary's role in advancing social justice and individual freedoms. The article illustrates how judicial pronouncements have shaped contemporary understandings of constitutional rights, making the judiciary a central actor in India's evolving democratic framework.

**Kumar, A. (2018)**, in his article *Judicial Activism and Its Impact on Indian Democracy* published in the *Journal of Indian Public Law*, explores the increasing role of the judiciary in shaping public

policy through judicial activism. Kumar argues that while judicial activism is often necessary to fill legislative or executive voids, it can also result in judicial overreach. He examines landmark cases where the judiciary has made significant interventions, raising questions about the balance of power in India's democracy.

**Patel, S. (2020)**, in her work *Legislative Reforms and Judicial Review: A Comparative Analysis of the Indian Experience* published in *International Constitutional Law Review*, highlights the evolving relationship between legislative actions and judicial review. Patel argues that judicial review has become a powerful tool in shaping Indian laws, particularly in controversial areas such as economic reforms and environmental protection. The study emphasizes how judicial interpretations can either support or nullify legislative reforms.

**Rao, M. (2019)**, in his article *The Role of the Judiciary in Safeguarding Fundamental Rights in India: A Historical Perspective* published in the *Indian Journal of Constitutional History*, traces the historical development of judicial intervention in India. Rao emphasizes the role of the judiciary in protecting civil liberties, particularly through landmark cases in the post-Emergency era. He argues that the judiciary has acted as the ultimate guardian of individual freedoms, even as legislative and executive powers have expanded.

**Singh, R. (2021)**, in her article *Constitutionalism and the Role of the Judiciary in Modern India* published in *South Asian Legal Studies Quarterly*, examines the concept of constitutionalism and the judiciary's role in preserving it. Singh explores the ways in which judicial decisions have bolstered constitutionalism by reinforcing the rule of law, separation of powers, and protection of fundamental rights. She notes that recent judicial pronouncements have helped to maintain democratic norms in the face of growing executive power.





**Shah, A. (2018)**, in his work *The Intersection of Judicial Independence and Legislative Control in India* published in *Journal of Comparative Constitutional Law*, explores the tension between maintaining judicial independence and ensuring accountability to legislative bodies. Shah discusses instances where judicial independence has been compromised by political pressures, as well as cases where the judiciary has asserted its autonomy. He highlights the delicate balance required to maintain judicial impartiality while functioning within a democratic system.

**Desai, P. (2020)**, in her article *Environmental Jurisprudence and Judicial Activism in India* published in *Indian Journal of Environmental Law*, examines how the judiciary has expanded its role in environmental protection through judicial activism. Desai argues that the courts have often acted as legislators in environmental cases, stepping in when the government has failed to act. She discusses how judicial rulings have led to significant policy changes in areas like air and water pollution control, solidifying the judiciary's role in promoting sustainable development.

**Gupta, T. (2019)**, in his work *Constitutional Rights and Judicial Interpretation in India* published in *International Review of Constitutional Studies*, delves into how the Indian judiciary has interpreted constitutional rights in various cases. Gupta argues that judicial interpretation has evolved to include modern societal needs, especially in cases related to privacy, free speech, and equal protection. He notes that the courts have been instrumental in expanding the scope of fundamental rights, often at odds with legislative intent.

**Nair, V. (2021)**, in her article *The Judiciary and Social Change: A Study of Recent Indian Supreme Court Judgments* published in *Asian Journal of Legal Studies*, highlights the judiciary's role in promoting social justice through its decisions. Nair focuses on cases such as the decriminalization of homosexuality

and the recognition of transgender rights, arguing that the judiciary has been a key driver of social change in India. She concludes that judicial activism in social matters has been instrumental in shaping India's evolving societal values.

**Pandey, D. (2018)**, in his article *Federalism in India and the Role of the Judiciary* published in *Indian Journal of Federal Studies*, explores how the judiciary has influenced the federal structure of India. Pandey argues that the courts have played a critical role in resolving disputes between the central and state governments, often interpreting the Constitution to reinforce the central authority. However, he also points out instances where the judiciary has upheld state autonomy, striking a balance between federalism and centralization.

**Iyer, S. (2022)**, in her work *Judicial Delays and the Impact on Constitutional Rights in India* published in *Law and Justice Review*, examines how delays in the judicial process have affected the protection of constitutional rights. Iyer highlights that while the judiciary is tasked with protecting individual freedoms, the backlog of cases and slow proceedings often undermine this responsibility. She argues that addressing judicial inefficiencies is crucial to ensuring that the judiciary remains effective in upholding constitutional rights.

### Research Methodology

This study adopts a **descriptive research method** to explore the public perception of India's checks and balances system, particularly focusing on the protection of constitutional rights. The descriptive approach is used to gather detailed information on the respondents' views regarding the effectiveness of the judiciary, government institutions, and media in safeguarding these rights. The research relies on **quantitative data analysis** to assess trends, patterns, and relationships among the collected data.

### Study Period





The research was conducted over a three-month period, from **June 2024 to August 2024**. This time frame allowed for the collection of a representative sample and an in-depth analysis of public opinion regarding recent judicial and legislative actions.

### Research Design and Population

The study utilized a **descriptive research design** to systematically describe the views and attitudes of the respondents. The **target population** comprised Indian citizens aged 18 to 60, from diverse educational, occupational, and socio-economic backgrounds, ensuring a broad representation of the public.

A **sample size of 200 respondents** was selected using a **simple random sampling method**. The respondents were drawn from both urban and rural settings across various regions of India. This approach ensured that the sample was reflective of the country's demographic diversity.

### Data Collection

Data for this study was collected through a structured questionnaire designed to capture respondents' demographic details and their views on the effectiveness of India's system of checks and balances in protecting constitutional rights. The survey, conducted both online and in person to accommodate respondent accessibility, covered key areas such as age, gender, residential status (urban or rural), educational qualification, and occupation. It further explored respondents' opinions on the most trusted part of the Indian government for protecting rights, the frequency of encountering news about rights and government actions, the major challenges to protecting constitutional rights, and the most impactful recent legislative or judicial actions. Additional questions included an evaluation of media coverage on constitutional rights (comprehensive and unbiased or not), perceptions on the adequacy of the current system of checks and balances, and a rating of the effectiveness of the Indian government in

safeguarding rights on a scale of 1 to 5. Alongside the primary data, secondary data was obtained from academic literature, government reports, and reputable online sources, including prior studies on constitutional rights, judicial independence, and media coverage, to provide contextual insight and support the findings.

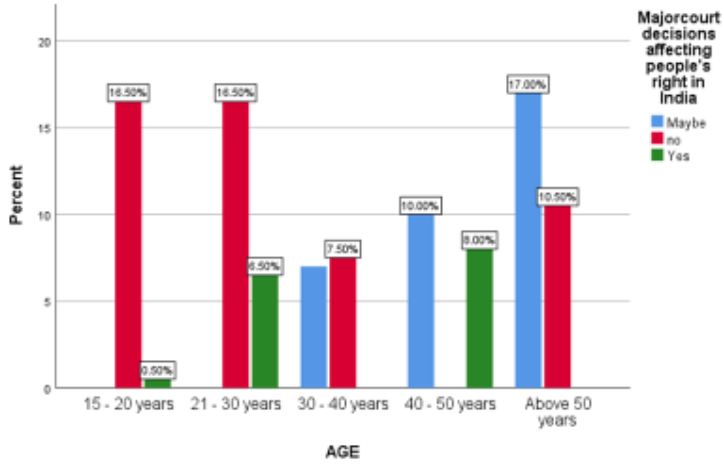
### Data Analysis

The collected data was analyzed using quantitative methods, employing statistical tools such as frequency distributions, cross-tabulations, and graphical representations to interpret the findings. Relationships between the dependent variables, including respondents' perceptions of the effectiveness of the checks and balances system, opinions on media coverage of constitutional rights, and views on government actions protecting these rights, were explored against independent variables like age, gender, residential status, educational qualification, occupation, and exposure to news about constitutional rights.



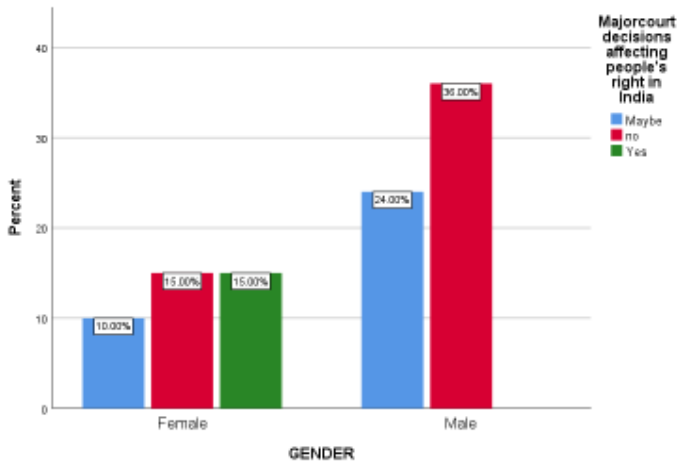
Analysis :

FIGURE 1



Legend : Age Group Perceptions of Major Court Decisions Affecting Rights

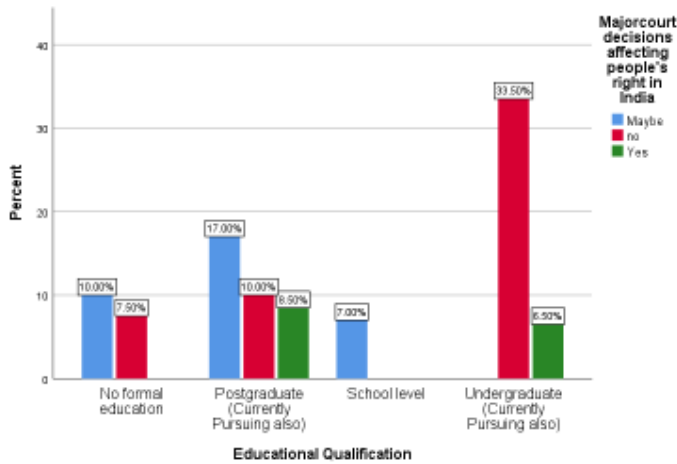
FIGURE 2



Legend : Gender-Based Perspectives on Court Decisions and Rights

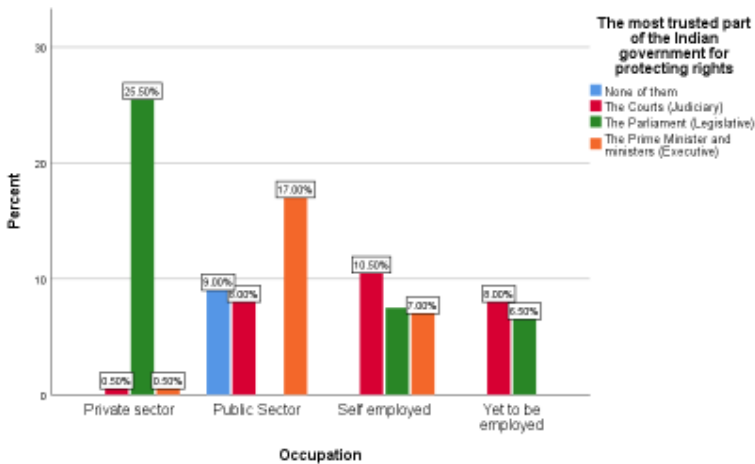


FIGURE 3



Legend : Educational Qualification and Opinions on Legal Impact

FIGURE 4



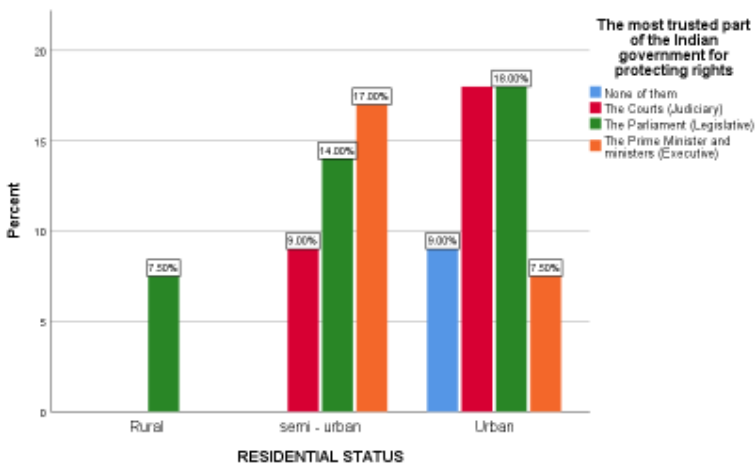
Legend : Trust in Government Institutions: Perspectives by Occupation





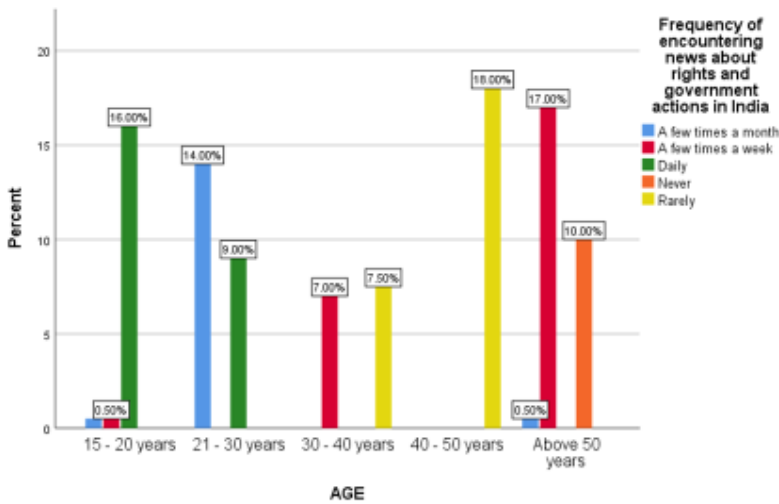


### FIGURE 5



Legend : Trust in Government for Protecting Rights by Residential Status

### FIGURE 6

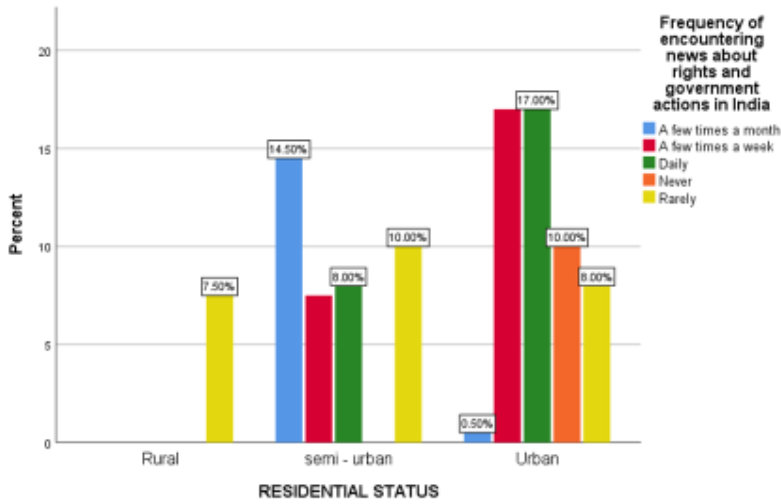


Legend : News Consumption Patterns on Rights and Politics by Age



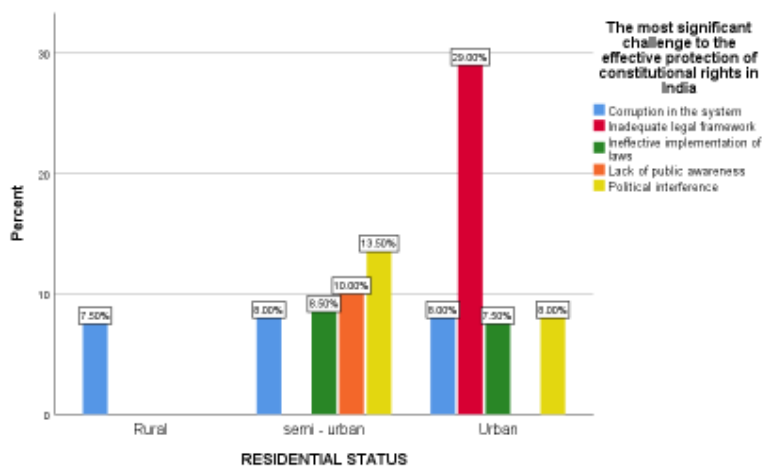


FIGURE 7



Legend : Frequency of Encountering News about Rights by Residential Status

FIGURE 8

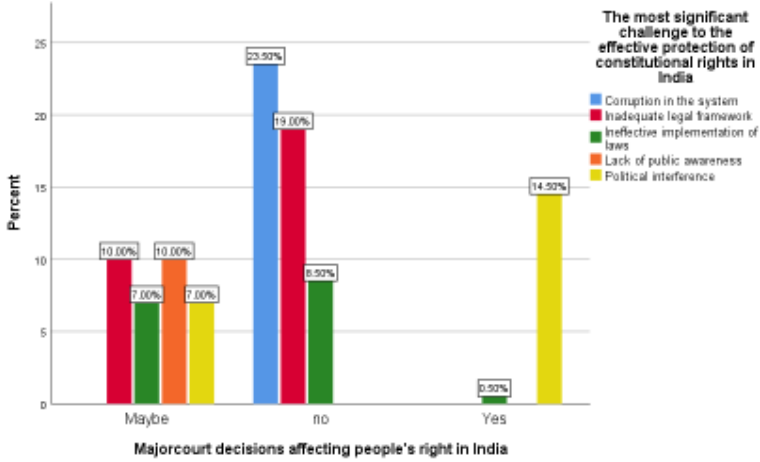


Legend : Challenges to the Protection of Constitutional Rights by Residential Status



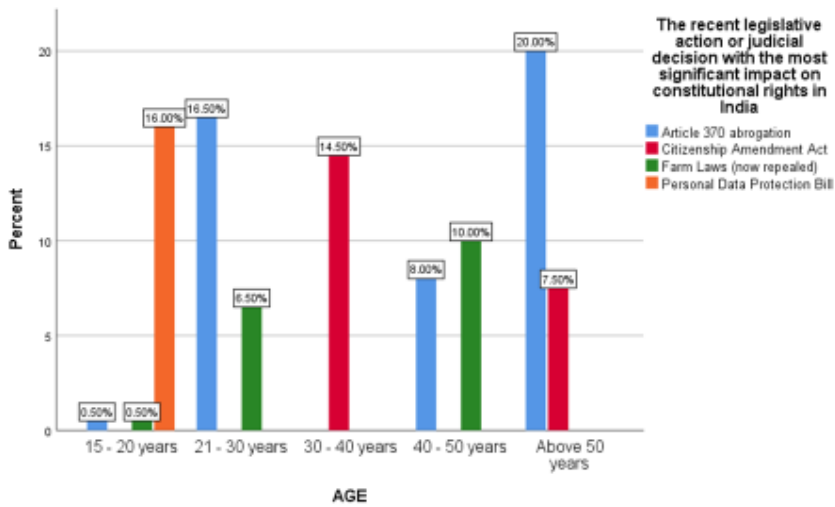


### FIGURE 9



Legend : Perceived Challenges to Effective Protection of Constitutional Rights

### FIGURE 10



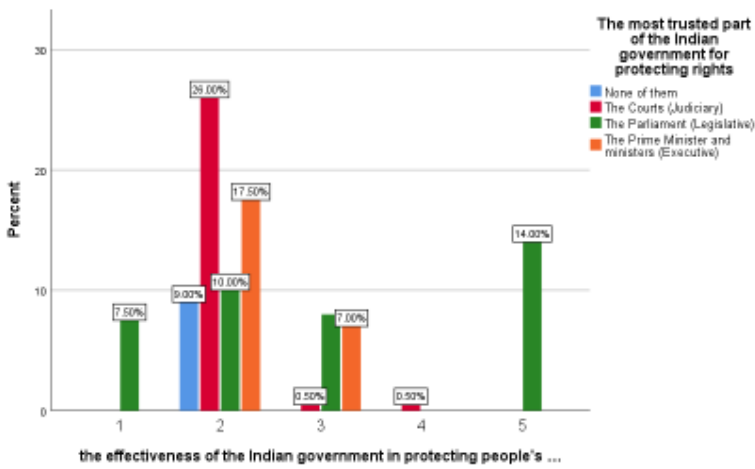
Legend : Impact of Recent Legislative Actions on Constitutional Rights by Age





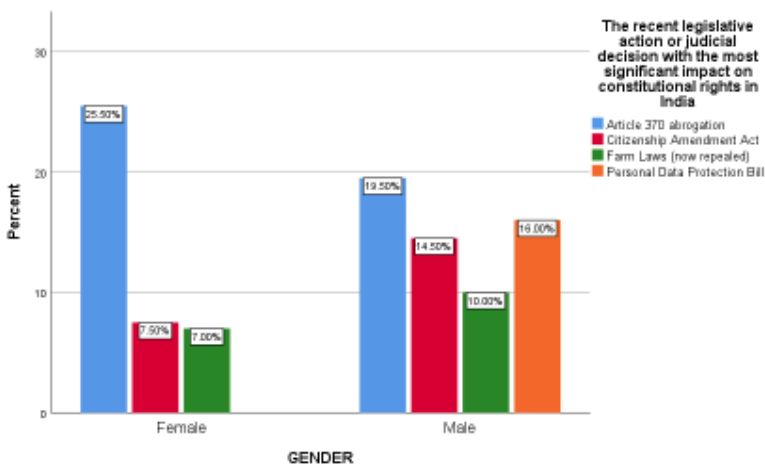


FIGURE 11



Legend : Trust Levels in Government Institutions for Protecting Rights

FIGURE 12

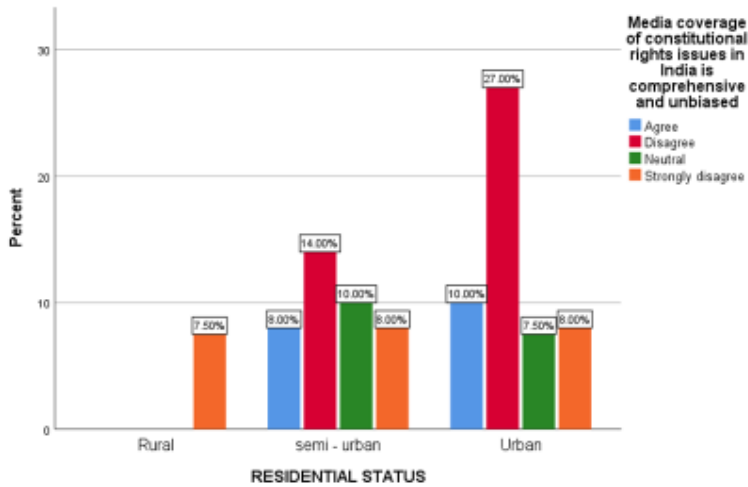


Legend : Perceived Impact of Recent Government Actions on Rights by gender



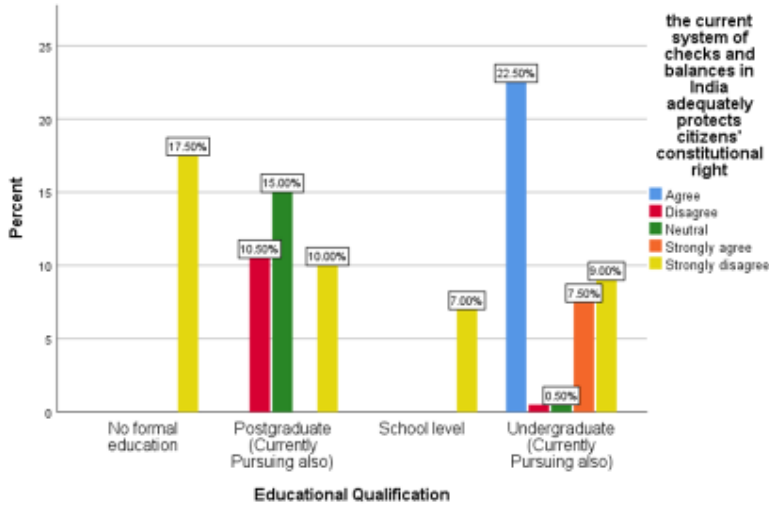


### FIGURE 13



Legend : Public Perception of Media Coverage on Constitutional Rights by residential status

### FIGURE 14

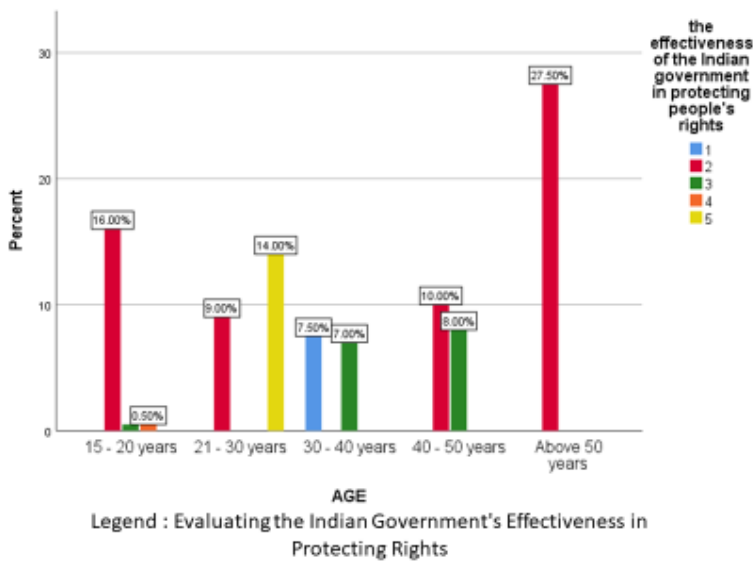


Legend : Perceived Effectiveness of India's Checks and Balances System





FIGURE 15



**Results :**

**Figure 1** The graph depicting the percentage of "Major court decisions affecting people's rights in India" across various age groups reveals key patterns in public opinion. In the 15–20 and 21–30 age groups, the majority response is "Maybe," at 17.02%, reflecting uncertainty or ambivalence among the younger population regarding the impact of these decisions. As age increases, more definitive opinions emerge. In the 30–40 age group, "Maybe" responses drop to 6.38%, with "No" responses rising to 8.51%, while the 40–50 age group shows no uncertainty, with 10.64% responding "No" and 8.51% responding "Yes." The above-50 group has the highest percentage of "No" responses at 17.02%, with 10.64% affirming that major court decisions do affect people's rights. This trend suggests that older individuals are more likely to have firm opinions, either positive or negative, while younger groups show a higher level of uncertainty or indecision.

**Figure 2** displays data on "Majorcourt decisions affecting people's right in India" categorized by gender. For females, the results show 10.64% responding "Maybe," 17.02% responding "No," and 15.96% responding "Yes." For males, there's a more pronounced difference in responses: 25.53% answered "Maybe," 36.17% said "No," and

only 4.26% responded "Yes." This indicates that male respondents were more likely to answer "Maybe" or "No" regarding the impact of major court decisions on people's rights in India, with a particularly high percentage disagreeing. In contrast, female respondents showed a more balanced distribution across all three answer options, with a slightly higher tendency towards "No" and "Yes" responses compared to "Maybe." Overall, the data suggests gender differences in perceptions of how major court decisions affect rights in India, with males showing more skepticism or uncertainty and females having more varied opinions.

**Figure 3** presents data on "Majorcourt decisions affecting people's right in India" categorized by educational qualification. For those with no formal education, 10.64% responded "Maybe," 8.51% said "No," and 2.13% answered "Yes." Among individuals with postgraduate qualifications, 10.64% chose "Maybe," 12.77% selected "No," and 10.64% opted for "Yes." At the school level, 8.51% answered "Maybe," with no visible data for "No" or "Yes" responses. The most striking results are seen in the undergraduate (college going/working) category, where there were no "Maybe" responses, but a substantial 34.04% said "No," and 8.51% responded "Yes." This data suggests that educational background significantly influences perceptions of major





court decisions' impact on rights in India. Notably, undergraduates show the strongest disagreement, while those with postgraduate qualifications and no formal education display more varied opinions. School-level educated individuals seem to have the least definitive stance, with only "Maybe" responses recorded.

**Figure 4** illustrates "The most trusted part of the Indian government for protecting rights" across different occupational categories. In the private sector, the executive branch is overwhelmingly trusted at 27.66%, while the judiciary and legislature each receive only 2.13% trust. The public sector shows more balanced trust, with 9.57% for both the judiciary and legislature, and a higher 17.02% for the executive. Self-employed individuals display varied trust levels: 10.64% for the judiciary, 10.64% for the legislature, and a slightly lower 8.51% for the executive. For those not in employment, only the judiciary (8.51%) and legislature (8.51%) are trusted, with no data shown for the executive branch. This data suggests that trust in different government branches for rights protection varies significantly by occupation. Private sector employees strongly favor the executive, public sector workers show a preference for the executive but with more balanced trust overall, self-employed individuals have relatively even trust across branches, and the unemployed trust only the judiciary and legislature equally.

**Figure 5** presents data on "The most trusted part of the Indian government for protecting rights" based on residential status. In rural areas, only the judiciary (courts) is trusted, with 7.45% of respondents. Semi-urban areas show more varied trust: 9.57% trust the judiciary, 14.89% trust the legislature (Parliament), and 17.02% trust the executive (Prime Minister and ministers). Urban areas display the most balanced distribution: 10.64% trust none of the branches, 18.09% trust the judiciary, 18.09% trust the legislature, and 7.45% trust the executive. This data suggests that trust in government institutions for rights protection varies significantly across residential settings. Rural residents show limited trust, focused solely on

the judiciary. Semi-urban residents have higher overall trust, particularly in the executive and legislature. Urban residents show the most diverse opinions, with equal trust in the judiciary and legislature, some trust in the executive, but also the highest percentage expressing no trust in any branch. This pattern indicates that urbanization correlates with more varied and complex perceptions of government institutions' role in protecting rights.

**Figure 6** illustrates the "Frequency of articulating news about rights and political actions in India" across different age groups. For the 15–20 years age group, 1.06% engage daily, while 17.02% never engage. In the 21–30 years category, 14.89% engage a few times a month, and 8.51% never engage. The 30–40 years group shows 7.45% engaging a few times a week, with 7.45% engaging rarely. For those 40–50 years old, 18.09% engage rarely, with no data for other frequencies. The above 50 years group shows the most varied engagement: 17.02% engage a few times a week, 10.64% engage daily, and 1.06% never engage. This data suggests that engagement with rights and political news varies significantly with age. Younger groups (15–20) tend to either never engage or engage very frequently. Middle-aged groups show moderate engagement, while the oldest group (above 50) demonstrates the most active and diverse engagement patterns. The data indicates a general trend of increasing engagement with rights and political news as age increases, with the most active participation seen in the oldest age group.

**Figure 7** illustrates the frequency with which individuals in different residential areas—Rural, Semi-Urban, and Urban—encounter news about rights and government actions. The data shows a stark contrast in news consumption patterns across these areas. Urban residents exhibit the highest frequency of daily news consumption, with 17.00% encountering news daily, compared to 10.00% in semi-urban areas and none in rural areas. Interestingly, 10.00% of urban dwellers never encounter news, a figure that is absent in both rural and semi-urban populations. In rural



areas, the most common frequency is "A few times a month" and "Rarely," both at 7.50%, with no individuals encountering news daily or never at all. Semi-urban residents display a balanced distribution, with 10.00% encountering news daily and a similar proportion (6.00%) consuming news a few times a month or week. The overall pattern suggests that urban areas experience the most frequent news consumption, while rural areas lag behind, particularly in daily exposure.

**Figure 8** illustrates the perceived most significant challenges to the effective protection of constitutional rights in India. In rural areas, Corruption in the system and Political interference are each cited by 7.00% of respondents, while other issues are not highlighted. In semi-urban areas, 10.00% of respondents identify Corruption, with 5.00% noting Inadequate legal framework, and 8.00% highlighting Political interference. Urban areas show a distinct pattern, with 20.00% of respondents citing Political interference as the most significant challenge, followed by 7.00% for Corruption and 5.00% each for Inadequate framework, Ineffective implementation, and Lack of awareness. This graph suggests that Political interference is perceived as a particularly significant challenge in urban areas, while Corruption in the system is consistently recognized across all residential statuses.

**Figure 9** illustrates the perceptions of major court decisions affecting people's rights in India, highlighting the most significant challenges to the effective protection of constitutional rights. The survey results show that the majority, 25.93%, believe "No" to being affected by court decisions, with "Corruption in the system" being the primary concern at 10%. "Inadequate legal framework" follows closely with 7.0%. Meanwhile, 14.81% of respondents who answered "Yes" cited "Political interference" as the key challenge. A small percentage, 7%, were uncertain, responding with "Maybe," and mentioning "Lack of public awareness" as a concern. Overall, the data indicates that corruption and political interference are perceived as the most

significant barriers to protecting constitutional rights in India.

**Figure 10** examines the perceptions across different age groups regarding recent legislative actions or judicial decisions that have had the most significant impact on constitutional rights in India. The data reveals that individuals above 50 years are most affected by Article 370 abrogation, with 20% identifying it as impactful. In the 21-30 years age group, 16% cite the Citizenship Amendment Act as significant. Among those aged 30-40 years, the Farm Laws, now repealed, are noted by 14.5% as influential. The Personal Data Protection Bill is recognized by 7.5% of those above 50 years. Notably, the 15-20 years age group shows minimal concern at 0.5% across all categories. Overall, perceptions of impact vary significantly with age, highlighting different priorities and concerns among age groups.

**Figure 11** graph illustrates the perceived trust in various parts of the Indian government for protecting people's rights. The most trusted institution is the judiciary, with 26% of respondents indicating their confidence in the courts. The parliament and the prime minister and ministers follow with 17.5% and 14% respectively. A significant portion, 10%, expressed trust in none of the institutions. The remaining percentages reflect varying levels of trust in the different branches of government.

**Figure 12** bar graph illustrates the perceived impact of recent legislative actions and judicial decisions on constitutional rights in India, as viewed by females and males. According to the data, the abrogation of Article 370 is considered to have the most significant impact, with 25.5% of respondents agreeing. The Citizenship Amendment Act and the Farm Laws (now repealed) follow with 19.5% and 16% respectively. The Personal Data Protection Bill is perceived to have a less significant impact, with 10% of respondents selecting it. The graph also shows a gender-based difference in perception, with females slightly more likely to view the



abrogation of Article 370 as having the most significant impact compared to males.

**Figure 13** bar graph illustrates the perceived comprehensiveness and unbiasedness of media coverage on constitutional rights issues in India, based on the responses of individuals from rural, semi-urban, and urban areas. The majority of respondents, 27%, agree that media coverage is comprehensive and unbiased. However, a significant portion, 14%, disagree with this assessment. The remaining respondents express neutral or strongly disagree opinions, indicating a mixed perception of media coverage in this area. The graph also reveals variations across residential statuses, with a slightly higher percentage of rural respondents disagreeing with the comprehensiveness and unbiasedness of media coverage compared to their urban counterparts.

**Figure 14** bar graph illustrates the perceived adequacy of India's current system of checks and balances in protecting citizens' constitutional rights, based on the responses of individuals with varying educational qualifications. The majority of respondents, 22.5%, agree that the system is adequate. However, a significant portion, 17.5%, disagree with this assessment. The remaining respondents express neutral or strongly disagree opinions, indicating a mixed perception of the effectiveness of the system. The graph also reveals variations across educational qualifications, with a slightly higher percentage of individuals with postgraduate education disagreeing with the adequacy of the system compared to those with lower levels of education.

**Figure 15** bar graph illustrates the perceived effectiveness of the Indian government in protecting people's rights, as viewed by individuals of different age groups. The highest rating of effectiveness comes from the age group of 40-50 years, with 27.5% of respondents giving it a score of 4 or 5 (on a scale of 1 to 5). The lowest rating is from the youngest age

group of 15-20 years, with only 0.5% giving it a score of 4 or 5. Overall, the graph suggests a mixed perception of the government's effectiveness in protecting rights, with younger age groups tending to be more critical than older ones.

#### Discussion :

#### Figure 1: Major Court Decisions Affecting People's Rights

The data suggests that younger generations may be less engaged or informed about legal developments affecting their rights. As individuals gain life experience and become more involved in societal issues, their opinions on such matters tend to solidify.

#### Figure 2: Major Court Decisions Affecting People's Rights by Gender

The data hints at potential gender-based differences in information consumption or perceptions of the legal system. It may also reflect societal norms or personal experiences that influence how individuals view the role of courts in protecting rights.

#### Figure 3: Major Court Decisions Affecting People's Rights by Educational Qualification

The data suggests that higher education may lead to a more nuanced understanding of the legal system and its impact on rights. However, the lack of definitive opinions among those with no formal education could be attributed to limited access to information or a lack of confidence in their ability to assess such issues.

#### Figure 4: Most Trusted Part of the Indian Government for Protecting Rights by Occupation

The data reveals that occupational status significantly influences perceptions of trust in government institutions. Private sector employees may have more direct interactions with the executive branch and perceive it as more responsive to their needs. Public sector workers, being more familiar with government operations, may have a more balanced view. The limited trust among the self-employed and





unemployed could be attributed to their experiences with government services or a sense of disconnection from the political process.

#### **Figure 5: Most Trusted Part of the Indian Government for Protecting Rights by Residential Status**

The data suggests that geographic location plays a significant role in shaping trust in government institutions. Rural residents may have limited exposure to other branches of government or may perceive the judiciary as more accessible. Semi-urban and urban residents, with greater exposure to media and civic engagement, exhibit more varied opinions and trust levels.

#### **Figure 6: Frequency of Articulating News about Rights and Political Actions by Age**

The data indicates a generational shift in news consumption habits. Younger generations may be more likely to consume news through digital platforms, which can lead to more selective or sporadic engagement. Older generations, who may have grown up in a different media landscape, may be more accustomed to traditional news sources and more likely to engage regularly.

#### **Figure 7: Frequency of Encountering News about Rights and Government Actions by Residential Status**

The data suggests that access to information and media infrastructure varies significantly across residential areas. Urban areas are likely to have better access to diverse news sources and communication channels, leading to higher levels of news consumption. Rural areas may face limitations in terms of availability and affordability of news outlets.

#### **Figure 8: Most Significant Challenges to the Effective Protection of Constitutional Rights by Residential Status**

The data highlights the pervasive nature of corruption and political interference in India. While these challenges are recognized across

the country, urban areas may have a more acute awareness due to greater exposure to news and civic engagement.

#### **Figure 9: Perceived Challenges to the Effective Protection of Constitutional Rights**

The data confirms the findings from Figure 8, emphasizing the need to address corruption and political interference to effectively protect constitutional rights. The identification of lack of public awareness as a challenge suggests that greater public education and awareness campaigns are necessary to empower citizens to defend their rights.

#### **Figure 10: Recent Legislative Actions or Judicial Decisions with the Most Significant Impact on Constitutional Rights**

The data suggests that different age groups may have varying experiences and priorities that influence their perceptions of the impact of government actions on their rights. Older generations may have witnessed significant changes in constitutional provisions, while younger generations may be more concerned about recent developments that directly affect their lives.

#### **Figure 11: Most Trusted Part of the Indian Government for Protecting Rights**

The data indicates a lack of widespread trust in government institutions, particularly among younger generations. While the judiciary is seen as more trustworthy, its overall trust level is not particularly high. This suggests a need for reforms and greater transparency to enhance public trust in government institutions.

#### **Figure 12: Perceived Impact of Recent Legislative Actions and Judicial Decisions on Constitutional Rights**

The data confirms the findings from Figure 10, highlighting the significant impact of the abrogation of Article 370. The gender-based differences suggest that women may have a different understanding or experience of the impact of these decisions on their rights.



### Figure 13: Perceived Comprehensiveness and Unbiasedness of Media Coverage on Constitutional Rights

The data suggests a mixed perception of media coverage on constitutional rights. While many respondents believe the coverage is comprehensive and unbiased, a significant portion disagrees, indicating a need for improvement in media coverage. The variations across residential statuses highlight the importance of ensuring equitable access to information and diverse perspectives across different regions.

### Figure 14: Perceived Adequacy of India's Current System of Checks and Balances

The data indicates a mixed perception of the effectiveness of the current system of checks and balances. While a majority believe it is

adequate, a significant portion disagrees, suggesting a need for reforms to strengthen the system and ensure better protection of constitutional rights. The variations across educational qualifications highlight the importance of public education and awareness campaigns to improve understanding of the system and its role in protecting rights.

### Figure 15: Perceived Effectiveness of the Indian Government in Protecting People's Rights

The data suggests a generational divide in perceptions of the government's effectiveness in protecting rights. Younger generations may have witnessed recent events or policies that have eroded their trust, while older generations may have a more positive view based on their experiences.

## CHI SQUARE TABLE 1

Count		the effectiveness of the Indian government in protecting people's rights					Total
		1	2	3	4	5	
RESIDENTIAL STATUS	Rural	15	0	0	0	0	15
	semi - urban	0	50	1	1	28	80
	Urban	0	75	30	0	0	105
Total		15	125	31	1	28	200

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	263.594 <sup>a</sup>	8	.000
Likelihood Ratio	182.541	8	.000
N of Valid Cases	200		

a. 6 cells (40.0%) have expected count less than 5. The minimum expected count is .08.

### Hypothesis

Null Hypothesis ( $H_0$ ): There is no significant association between residential status and perceptions of the effectiveness of the Indian government in protecting people's rights.

Alternative Hypothesis ( $H_1$ ): There is a significant association between residential status and perceptions of the effectiveness of the Indian government in protecting people's rights.

### Interpretation

Since the p-value is 0.000, which is less than the common alpha level of 0.05, we reject the null hypothesis. This suggests that there is a statistically significant association between residential status and perceptions of the effectiveness of the Indian government in protecting people's rights.





### Discussion

Residential Status vs. Government Effectiveness: There is a strong association between residential status and perceptions of the government's effectiveness in protecting rights.

## CHI SQUARE TABLE 2

Count

		The recent legislative action or judicial decision with the most significant impact on constitutional rights in India				
		Article 370 abrogation	Citizenship Amendment Act	Farm Laws (now repealed)	Personal Data Protection Bill	Total
Educational Qualification	No formal education	0	15	20	0	35
	Postgraduate (Currently Pursuing also)	56	14	1	0	71
	School level	0	14	0	0	14
	Undergraduate (Currently Pursuing also)	34	1	13	32	80
Total		90	44	34	32	200

### Chi-Square Tests

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	195.463 <sup>a</sup>	9	.000
Likelihood Ratio	213.546	9	.000
N of Valid Cases	200		

a. 3 cells (18.8%) have expected count less than 5. The minimum expected count is 2.24.

This suggests that urban, semi-urban, and rural residents may have differing views, potentially due to varying levels of exposure, resources, and experiences with governmental services.

### Hypothesis

Null Hypothesis (H<sub>0</sub>): There is no significant association between educational qualification and opinions on the most significant legislative or judicial decision impacting constitutional rights.

Alternative Hypothesis (H<sub>1</sub>): There is a significant association between educational qualification and opinions on the most significant legislative or judicial decision impacting constitutional rights.

**Interpretation :** Since the p-value is 0.000, which is less than the alpha level of 0.05, we reject the null hypothesis. This indicates a statistically significant association between educational qualification and opinions on legislative or judicial decisions affecting constitutional rights.

### Discussion

Educational Qualification vs. Legislative Impact: The significant association here implies that

educational background influences opinions on which legislative or judicial decisions are most impactful. Those with different levels of education may have varying awareness and understanding of these decisions, reflecting differences in information access and critical engagement.

### Suggestion and Recommendation

1. To improve public engagement with court decisions, there should be enhanced legal awareness programs targeting younger age groups. This could be achieved through collaborations between educational institutions and legal organizations. Additionally, simplifying legal language in court decisions and making such information more accessible via social media platforms can help younger individuals stay informed.
2. Considering the gender-based differences in legal perception, it is important to promote inclusive legal



awareness initiatives that address specific concerns faced by different genders. Special efforts to include women in legal discussions, particularly in rural areas, can be instrumental in ensuring balanced and equitable understanding of the legal system.

- Higher education institutions should incorporate more practical legal literacy into their curricula to bridge the gap between theoretical knowledge and the real-world implications of court decisions. In communities where formal education is limited, outreach programs that provide accessible legal education could be highly beneficial.
- Given that occupational status impacts trust in government institutions, targeted outreach programs for different professional groups could foster better engagement. Encouraging participation from private sector employees in civic discussions and reinforcing transparency in public sector functions could also build trust.
- To address geographic disparities in trust, it is recommended that government institutions, particularly the judiciary, make efforts to build trust among rural residents through improved outreach programs, legal aid services, and access to information.
- Media literacy campaigns should be introduced to promote more informed news consumption habits, especially among younger individuals who are frequent users of digital platforms. Such campaigns could focus on differentiating between credible and non-credible sources, helping to foster more consistent engagement with news about rights.

#### Limitation of the Study :

- With only 200 respondents and a focus on specific regions, the study may not fully represent India's diverse population.
- Biases in self-reported responses and limited knowledge of recent developments could affect accuracy.
- The short study period and lack of qualitative insights limit the ability to capture evolving trends and complex perspectives.

#### Conclusion :

The analysis of public perceptions on major court decisions and constitutional rights in India across the different demographic groups reveals important insights. First, young Indians show a sense of uncertainty on issues of law and obviously tend to take more definitive views as age progresses, which goes to indicate that legal awareness and engagement are issues mainly by generations. Gender, educational background, and occupation contribute a great deal to trust in the legal system and government. These differences point to an urgent need for improved legal literacy programs towards the younger and less-educated populations in making the citizenry more informed and participative. Media infrastructure should also be strengthened, as well as access to credible information enhanced, especially in rural settings, to ensure a fair apparatus of news consumption. Restoring public confidence in the level of government commitment to protecting constitutional rights will require overcoming systemic issues, such as corruption and political interference, as well as reforming the system of checks and balances. India can further promote a more inclusive, legally literate society that can protect its democratic values and constitutional freedoms through enhancement of transparency, accountability, and focused outreach.



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