Public Interest Litigation (PIL)

Earlier, the Judiciary, including Supreme Court, entertained litigation only from those parties that were affected directly or indirectly by it. It heard and decided cases only under its original and appellate jurisdiction. But subsequently, the Court permitted cases on the ground of Public interest litigation. It means that even people, who are not directly involved in the case, may bring to the notice of the Court matters of Public interest. It is the privilege of the Court to entertain the application for public interest Litigation. The concept of PIL was introduced by Justice P.N. Bhagwati.

PIL is important because justice is now easily available to the poor and the Weaker Sections of society. The Supreme court on the basis of letters received from Journalists, lawyers and Social workers and even on the basis of news paper reports has taken up a number of matters of Public interest . Let us take some examples to know how PIL has helped the people to get justice.

Under PIL, the rights of under trials held under illegal detention have been restored. The Supreme court ordered the release of many detenues without trial on the ground of their Personal liberty, which could not be curbed due to Judicial or bureaucratic inefficiency.

The Supreme court has also taken up steps to free bonded labourers, tribals, slum dwellers, women in rescue homes, children in juvenile homes, child labour etc.

In case of environmental pollution, the Supreme court has ordered closure of a few factories near Kanpur, Delhi and other places.

With more and more decisions coming from the Supreme Court, the scope of PIL has widened. Now a person can approach the Court through a letter and if the Supreme Court believes that the matter is of Public interest, it can consider the letter to be a petition and direct the hearing of the matter so that public interest may be protected. The process of PIL has led to increased Judicial activism.