

Introduction: In Indian parliamentary democracy has blend of both principle of separation of powers between the three organs as well as principle of checks & balances

The body part: The three organs of the state have following functions based on thistle separation of power

- legislature is concerned with law making
- executive deals with execution
- judiciary is concerned with adjudication

Even if at times there have been conflictual relations between the three, but largely, the three organs have remained confined in their respective domains in exercise of powers. For example, Judiciary has not always intervened in other spheres and often has left its powers to legislature and executive.

Traditionally, the ideals of democracy demands complete separation of powers to ensure constitutionalism and prevent despotism. Hence, its extremely important to protect the independence of judiciary to protect constitution from legislature and executive especially in parliamentary democracy. However, 1990s onwards the society has become complex led by rise of technology and globalisation, hence to effectively deal with such situation the executive needs support from the legislature as well as judiciary instead of merely checks from the two. Hence, it demands harmonious coordination between the three. Since executive enjoys majority in and belongs to legislature, the coordination is more needed between the judiciary on one hand and executive led legislature on the other.

- Executive has taken an initiative in good faith which might not suit the technicalities of complex law system, the judiciary should support it. Instead of striking it down completely, it can take recommend changes where required. For example, the Aadhaar verdict struck down controversial provisions but didn't annul the law as a whole
- Judiciary can reduce the micro-control by not intervening in every case and instead ensure macro accountability by intervention where necessary. For example, court refused to intervene on petitions challenging lockdown but intervened in migrants crisis
- When executive works on ease of doing business, unless judiciary supports by expediting justice and not intervening unnecessarily, it can't be a reality
- Innovative laws like GST and IBC should be allowed to settle down
- Similarly, Many times the harsh action by judiciary through activism is essential in extreme cases like policy paralysis

However, coordination comes with its caveat as under the name of harmonious coordination, executive can usurp judicial independence. When judiciary is demanded to intervene less, it can result into violation of rights of people and constitutionalism. For example, every development project be it Singur, Nandigram can have devastating impact on lives of local and such citizens have a constitutional fundamental right to be heard. In the name of coordination and development, such petitions cannot be ignored. Just like the migrants issue, in going for coordination and allowing executive a free hand, it regretted as it indirectly allowed an unprecedented human crisis. Small arbitrariness today can become a huge challenge tomorrow.

Conclusion: Thus, there should be harmonious coordination between the three organs but without harming independence of any one especially the judicial independence.

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