

Judicial Analysis of the Supreme Court's Landmark Decisions of 2021: A Critical and Analytical Study

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Abstract: The year 2021 marked a transformative phase in Indian constitutional jurisprudence. Amid the challenges posed by the COVID-19 pandemic, rapid technological developments, and evolving democratic concerns, the Supreme Court of India delivered several landmark judgments that substantially influenced constitutional governance, administrative accountability, federalism, public health, digital privacy, and commercial law. Rather than merely resolving disputes, these decisions reaffirmed the judiciary's role as the guardian of constitutional values and fundamental rights. This article critically examines some of the most significant Supreme Court decisions delivered in 2021, analyses the constitutional principles emerging from these judgments, and evaluates their long-term impact on Indian jurisprudence. It argues that the Court adopted a balanced approach by safeguarding constitutional liberties while recognizing the legitimate functions of the legislature and the executive.

Keywords: Supreme Court of India, Constitutional Law, Judicial Review, Fundamental Rights, Judicial Activism, Constitutional Governance.

1. Introduction

The Constitution of India entrusts the Supreme Court with the responsibility of protecting constitutional supremacy, preserving the rule of law, and enforcing fundamental rights. Judicial review under Articles 32, 136, 141, and 142 has enabled the Court to respond to changing constitutional challenges while maintaining institutional balance among the three organs of the State.¹

The year 2021 presented exceptional legal challenges. The COVID-19 pandemic tested the constitutional obligation of the State to protect public health while respecting civil liberties. Simultaneously, issues relating to digital surveillance, cooperative federalism, arbitration, legislative accountability, and democratic governance reached the Supreme Court for constitutional adjudication. The Court's response reflected an effort to harmonize competing constitutional values instead of mechanically applying legal rules.

Unlike earlier periods often characterized as either judicial restraint or judicial activism, the Court in 2021 adopted what may be described as **constitutional pragmatism**. It neither accepted executive assertions without scrutiny nor unnecessarily entered the legislative domain. Instead, it emphasized constitutional accountability, procedural fairness, proportionality, and institutional responsibility.²

This article analyses selected landmark decisions of 2021 to understand how the Supreme Court strengthened constitutional governance while responding to contemporary legal challenges.

2. Constitutional Trends in the Supreme Court's 2021 Jurisprudence

A study of the Supreme Court's major judgments delivered during 2021 reveals four significant constitutional trends.

¹ M.P. Jain, Indian Constitutional Law 1645–52 (8th ed., LexisNexis 2018).

² H.M. Seervai, Constitutional Law of India vol. I, 210–15 (4th ed. 2015).

First, the Court reaffirmed that **fundamental rights remain enforceable even during extraordinary situations such as a public health emergency**. The pandemic did not diminish constitutional guarantees; instead, it reinforced the judiciary's obligation to ensure executive accountability.

Secondly, the Court expanded **judicial scrutiny of executive discretion**, particularly where governmental decisions affected privacy, health, liberty, and democratic institutions. The judiciary emphasized that constitutional review remains available even when the executive invokes public interest or national security.

Thirdly, several judgments strengthened **constitutional federalism** by clarifying the distribution of legislative powers between the Union and the States. The Court reiterated that constitutional amendments cannot disturb the federal balance beyond permissible limits.

Finally, the Court demonstrated increasing sensitivity towards **technology-related constitutional questions**, particularly digital privacy and governmental surveillance, thereby acknowledging the growing importance of informational autonomy in the digital era.

These developments collectively illustrate the judiciary's evolving role in preserving constitutional democracy while respecting institutional competence.

3. Critical Analysis of Landmark Decisions

A. Manohar Lal Sharma v. Union of India (Pegasus Spyware Case)

The Pegasus litigation emerged from allegations that sophisticated spyware had been used to compromise the mobile devices of journalists, lawyers, political leaders, academics, and civil society members. Rather than deciding whether the allegations were factually correct, the Supreme Court considered whether such allegations justified independent constitutional scrutiny.³

The Union Government relied upon national security to resist disclosure regarding surveillance practices. However, the Court refused to accept a generalized invocation of national security as sufficient to exclude judicial review. Instead, it emphasized that constitutional courts possess an obligation to examine allegations involving violations of fundamental rights, particularly the right to privacy recognized under Article 21.⁴ Consequently, an independent Expert Committee under the supervision of Justice R.V. Raveendran (Retd.) was constituted.

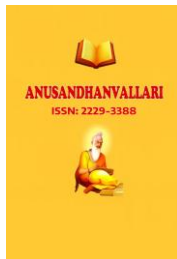
Critical Analysis

The judgment is significant because it strengthens constitutional accountability without compromising legitimate security interests. The Court carefully avoided determining disputed facts while ensuring that executive action remained subject to judicial oversight. However, the order stopped short of establishing comprehensive constitutional standards governing digital surveillance. Consequently, although it represents an important procedural safeguard, substantial questions concerning legislative regulation of spyware and independent surveillance oversight remained unresolved.

B. Union of India v. Rajendra N. Shah (Maratha Reservation Case)

³ Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 SCC 1; Manohar Lal Sharma, 2021 SCC OnLine SC 985.

⁴ Manohar Lal Sharma v. Union of India, 2021 SCC OnLine SC 985.



In this landmark judgment, the Supreme Court examined the constitutional validity of the Constitution (One Hundred and Second Amendment) Act, 2018, particularly regarding the authority of States to identify socially and educationally backward classes.⁵

The majority held that, following the constitutional amendment, States no longer possessed independent authority to identify backward classes for reservation purposes under the constitutional framework then in force. The decision significantly affected Indian federalism and reservation policy.

Critical Analysis

The judgment reaffirmed constitutional supremacy by emphasizing textual interpretation of constitutional amendments. Nevertheless, critics argued that the decision substantially reduced State autonomy in an area historically linked to local social conditions. The subsequent constitutional response through the Constitution (One Hundred and Fifth Amendment) Act, 2021 demonstrated the continuing constitutional dialogue between Parliament and the judiciary.

C. Project Director, NHAI v. M. Hakeem

The Supreme Court considered whether courts exercising jurisdiction under Section 34 of the Arbitration and Conciliation Act, 1996 possess authority to modify arbitral awards.⁶

The Court held that judicial intervention remains strictly limited to the statutory grounds expressly provided by Parliament. Courts may set aside arbitral awards where legally permissible but cannot rewrite or modify them.

Critical Analysis

The judgment significantly strengthens India's arbitration framework by respecting legislative intent and party autonomy. Judicial restraint in commercial arbitration enhances predictability and promotes India's objective of becoming an arbitration-friendly jurisdiction. However, the decision also limits judicial flexibility in correcting partially defective awards, thereby occasionally requiring fresh arbitral proceedings that may increase costs and delay dispute resolution.

D. Keisham Meghachandra Singh v. Speaker, Manipur Legislative Assembly

The Supreme Court addressed persistent delays in deciding disqualification petitions under the Tenth Schedule to the Constitution.⁷ The Court observed that prolonged inaction by Speakers undermines democratic accountability and facilitates political instability.

The Court recommended that disqualification proceedings ordinarily be decided within a reasonable period and emphasized the constitutional obligation of Speakers to exercise their powers impartially.

Critical Analysis

This decision reflects judicial concern regarding the effectiveness of India's anti-defection framework. Although the Court refrained from fundamentally restructuring the constitutional scheme, it encouraged institutional reforms that would strengthen legislative integrity. The judgment recognizes that constitutional democracy depends not merely upon legal provisions but also upon timely and impartial constitutional decision-making.

E. *In Re: Distribution of Essential Supplies and Services During the COVID-19 Pandemic*

⁵ Union of India v. Rajendra N. Shah, (2021) 9 SCC 1.

⁶ Project Director, NHAI v. M. Hakeem, (2021) 9 SCC 1.

⁷ Keisham Meghachandra Singh v. Speaker, Manipur Legislative Assembly, (2021) 16 SCC 670.

During the devastating second wave of the COVID-19 pandemic, the Supreme Court initiated suo motu proceedings to examine the availability of medical oxygen, hospital infrastructure, essential medicines, and vaccination policies across the country.⁸ While recognizing that policy formulation ordinarily falls within the executive domain, the Court held that judicial review becomes necessary when executive decisions directly affect the constitutional right to life under Article 21.

The Court repeatedly emphasized that constitutional governance cannot remain passive during a public health emergency. Access to oxygen, hospital beds, and life-saving medicines was treated as an integral component of the right to life. Instead of replacing executive decision-making, the Court adopted a cooperative constitutional approach by directing both the Union and State Governments to place relevant data before the Court and to ensure transparent allocation of essential resources.

Critical Analysis

The decision represents an important example of **constitutional pragmatism**. Rather than assuming executive functions, the Court exercised supervisory jurisdiction to ensure that governmental action remained consistent with constitutional obligations. Critics argued that continuous judicial monitoring risked encroaching upon executive policymaking. However, the extraordinary humanitarian crisis justified limited judicial intervention to protect fundamental rights. The proceedings demonstrated that judicial review may operate as a constitutional safeguard without undermining the principle of separation of powers.

F. *Jacob Puliye v. Union of India*

The constitutional challenge to the COVID-19 vaccination policy raised significant questions regarding the relationship between public health and individual liberty. The petitioners contended that compulsory vaccination requirements and restrictions imposed upon unvaccinated individuals infringed Articles 14, 19, and 21 of the Constitution.⁹

The Supreme Court acknowledged that vaccination serves an important public health objective but observed that restrictions affecting individual autonomy must satisfy the constitutional doctrine of proportionality. The Court directed the Government to periodically review pandemic-related restrictions in light of evolving scientific evidence and public health data.

Critical Analysis

The judgment reflects the Court's mature constitutional approach toward scientific and technical questions. Rather than substituting judicial opinion for expert medical advice, the Court insisted upon transparency, reasonableness, and proportionality. The decision illustrates that constitutional review of public health measures should ensure legality and fairness while respecting scientific expertise. Such an approach strengthens democratic legitimacy by balancing collective welfare with individual rights.

G. Emerging Constitutional Principles

An examination of the Supreme Court's landmark decisions delivered during 2021 reveals several recurring constitutional principles.

⁸ In Re: Distribution of Essential Supplies and Services During Pandemic, Suo Motu Writ Petition (Civil) No. 3 of 2021, Supreme Court of India.

⁹ Jacob Puliye v. Union of India, (2022) 7 SCC 1 (arising from litigation and constitutional issues actively considered during 2021).

First, the Court reaffirmed that **fundamental rights remain fully enforceable even during periods of national emergency or public crisis**. Neither a pandemic nor assertions of national security justify complete exclusion of constitutional scrutiny.

Secondly, the judiciary emphasized **constitutional accountability** by requiring executive authorities to justify governmental action affecting individual liberty. Whether the dispute concerned digital surveillance, public health, or democratic governance, the Court insisted that executive discretion must remain subject to constitutional limitations.

Thirdly, the Court adopted the **doctrine of proportionality** as an important constitutional standard. Restrictions upon liberty must pursue a legitimate objective, possess a rational connection with that objective, represent the least restrictive available measure, and maintain an appropriate balance between competing constitutional interests.¹⁰

Finally, the judgments illustrate an increasingly **technology-sensitive constitutional jurisprudence**. Questions concerning privacy, digital surveillance, informational autonomy, and electronic governance have become central to modern constitutional adjudication. The Court acknowledged that constitutional rights must evolve alongside technological developments if they are to remain meaningful in contemporary society.

4. Critical Evaluation

The jurisprudence of 2021 demonstrates a significant evolution in the Supreme Court's constitutional philosophy. Rather than embracing either unrestricted judicial activism or excessive judicial restraint, the Court generally adopted a balanced institutional approach grounded in constitutional pragmatism. The decisions reflect careful attention to democratic accountability while simultaneously respecting legislative competence and executive expertise.

One of the most important achievements of the Court during 2021 was the strengthening of constitutional accountability. In the Pegasus litigation, the Court reaffirmed that generalized claims of national security cannot automatically exclude judicial review. Similarly, during the COVID-19 proceedings, judicial supervision ensured governmental transparency without assuming direct executive control. These decisions collectively reinforce the constitutional principle that every public authority remains accountable under the Constitution.

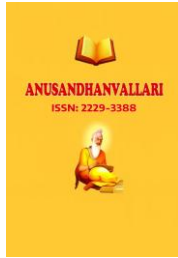
The Court also strengthened Indian federalism and democratic governance. The decisions concerning reservation policy and anti-defection law clarified constitutional boundaries while encouraging institutional reforms. At the same time, commercial jurisprudence benefited from the Court's restrained interpretation of the Arbitration and Conciliation Act, promoting legal certainty and investor confidence.

Nevertheless, certain limitations remain. In several instances, the Court deliberately refrained from formulating broader constitutional standards, preferring incremental development through future litigation. While such restraint preserves institutional legitimacy, it may also leave important constitutional questions unresolved. Future constitutional adjudication will therefore determine how these principles evolve in response to new technological, political, and social challenges.

5. Conclusion

The landmark judgments delivered by the Supreme Court of India during 2021 collectively represent an important stage in the continuing evolution of Indian constitutional law. They demonstrate that constitutional adjudication is no longer confined to traditional disputes concerning statutory interpretation but increasingly

¹⁰ Modern Dental College & Research Centre v. State of Madhya Pradesh, (2016) 7 SCC 353; Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 SCC 1.



addresses complex issues involving digital privacy, public health, federalism, democratic governance, and commercial regulation.

A critical examination of these decisions indicates that the Court consistently attempted to balance individual liberty with legitimate governmental objectives through principles of proportionality, constitutional accountability, and institutional responsibility. Rather than expanding judicial power indiscriminately, the Court exercised constitutional review in a manner that preserved the rule of law while respecting democratic governance.

The jurisprudence of 2021 therefore reflects a mature constitutional philosophy in which judicial review functions as an instrument of constitutional balance rather than institutional supremacy. These decisions are likely to influence future constitutional interpretation by reinforcing the judiciary's role as the guardian of fundamental rights while encouraging responsible governance and adherence to constitutional values. As India confronts new challenges arising from technological innovation, public emergencies, and evolving democratic expectations, the constitutional principles articulated in these judgments will continue to serve as important precedents for courts, legislatures, and policymakers.