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Retired Justice Oka Warns of Erosion of Fundamental Rights

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Retired Supreme Court judge Abhay Oka has expressed concern over what he described as ongoing threats to fundamental rights in India. Speaking at a lecture in Mumbai, Justice Oka underscored the crucial role of the judiciary and the press in safeguarding constitutional guarantees and individual dignity.

He noted that fundamental rights form the foundation of India's democratic system, ensuring that all citizens are treated equally under the law and protected from arbitrary action by the state. Justice Oka stressed that these rights are not privileges granted by the government but inherent freedoms that must be upheld by democratic institutions.

A significant portion of his address focused on the independence of the judiciary. He emphasised that courts must operate free from external pressures and act decisively when citizens' rights are at risk. According to him, swift and impartial judicial action is essential to maintain public trust in the legal system.

Justice Oka also highlighted the role of a free and responsible press in strengthening democracy. Describing the media as a watchdog, he said it must inform the public, hold power to account, and foster open debate. When the press operates without fear or bias, he added, it enhances transparency and protects democratic values.

Another issue he raised was the delay in judicial appointments. Justice Oka warned that prolonged vacancies in the higher judiciary lead to heavier caseloads, slower case resolutions, and the denial of timely justice. Such delays, he argued, weaken the judiciary's capacity to protect rights and risk eroding public confidence in the justice system.

He urged the relevant authorities to expedite the appointment of qualified judges, enabling courts to work at full capacity. Judicial efficiency, he stressed, is directly linked to the protection of fundamental rights, as delayed verdicts can have lasting consequences for those seeking justice.

Throughout his lecture, Justice Oka called on the judiciary, the press, and civil society to share the responsibility of defending constitutional freedoms. He reiterated that preserving democratic safeguards requires constant vigilance, especially in the face of political, social, and legal challenges.

His remarks have drawn attention from legal experts, journalists, and rights advocates, who see his comments as a timely reminder of the importance of protecting India's democratic foundations.

Justice Oka's warning, delivered in a time of shifting political and legal landscapes, serves as a call to strengthen the institutions tasked with upholding the Constitution and ensuring that fundamental rights remain protected for every citizen