

Welcome Speech*

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Mr. Vice-President, Mr. Director and Friends : It gives me great pleasure to welcome you all this morning. It is a matter of considerable gratification that our Vice-President is to inaugurate the present Seminar. The obvious reason is that in him we find the combination of the rich experience of a distinguished lawyer in the actual working of our Constitution and the experience in the law-making processes gathered by him as the presiding authority of the Chamber of the Elders of our Parliament. There could be none, therefore, more proper to inaugurate this Seminar than the one in whom there rests such a remarkable combination.

Next after the Constitution of the United States of America, India's was the unique experience of constitution-making. It was unique for a variety of reasons. Foremost among them was the attempt to provide a democratic system of government for one of the largest countries in the world, both in size and population, with a legal philosophy with which to weld together in one united political community a heterogeneous society, multi-lingual, multi-religious, multi-racial and to a very large extent tradition-bound and hierarchical. Such a philosophy is epitomised in the solemn and sonorous terms of the preamble to our Constitution. Through such a philosophy, the Constitution seeks to harmonise the freedom of the individual, well-accepted in all democratic systems, with the long-felt aspirations of the people for their advancement, social and economic, and particularly of the weaker sections amongst them to at least a level befitting the citizens of a democracy and the needs of the State for achieving them. Such a process in its very nature is a delicate and complicated one requiring great care and caution so that the balance between the needs of the individual and those of the State and the society is not upset. One of the achievements of our Constitution-makers was to ensure such a balance by providing the combination of parliamentary system and judicial review.

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The Constitution has now been in operation for the last 22 years. During this period, its actual working has thrown out various problems. However elaborate a constitutional document may be, it has to be expressed in general terms. It cannot, therefore, contain express provisions for all the problems which arise in the course of its working. Its success, therefore, depends upon how it is made to adapt itself to new problems and circumstances arising from time to time which were neither known nor anticipated when it was framed. Such a working is sought to be achieved mainly through law-making and to a certain extent through judicial pragmatism.

It will be the function of this Seminar to pinpoint, first, the areas in which during these last 22 years developments have taken place, and secondly, a more difficult task, to assess and evaluate those developments in the light of the needs and the welfare of the people.

I now request the Vice-President to inaugurate the Seminar.