Polity & Governance · GS - II

Distinguish between procedural fairness and substantive justice. How does appellate judicial review help uphold both in India's justice delivery system?

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 25/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

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Answer Hint

Natural justice, due process, fair hearing, appellate jurisdiction, judicial accountability, rule of law

Model Answer

Justice requires not only a legally correct outcome but also a fair and impartial process through which that outcome is reached. Procedural fairness and substantive justice are therefore complementary dimensions of the rule of law.

Procedural fairness

It concerns the fairness of the decision-making process.

1. Parties must receive an adequate opportunity to be heard.
2. Adjudicators must act impartially and avoid conflicts of interest.
3. Decisions should follow prescribed legal procedures and provide appropriate reasons.

Substantive justice

It concerns the fairness and legality of the outcome itself. Courts must correctly apply the law, protect fundamental rights and prevent arbitrary or discriminatory decisions.

Role of appellate judicial review

1. Higher courts examine errors of law, jurisdictional defects and procedural irregularities.
2. They may set aside legally unsustainable decisions and direct fresh proceedings where necessary.
3. Appellate scrutiny promotes consistency in legal interpretation and strengthens public confidence.
4. It also reinforces judicial accountability without compromising judicial independence.

The institutional challenge

Repeated appeals, case backlogs and procedural delays can weaken access to timely justice. Effective case management, judicial capacity and alternative dispute resolution are therefore important.

A credible justice system must ensure that both the process and the outcome satisfy constitutional principles. Appellate review provides an essential safeguard against miscarriage of justice and arbitrary adjudication.

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