

Chapter

The Judiciary

I. Choose the correct answer.

1. The highest and final judicial tribunal of India is

- a) President
- b) Parliament
- c) Supreme Court
- d) Prime Minister

Answer:

- c) Supreme Court

2. Judicial system provides a mechanism for resolving disputes between

- a) Citizen
- b) Citizen and the government
- c) Two State governments
- d) all the above

Answer:

- d) all the above

3. Dispute between States of India comes to the Supreme court under

- a) Original jurisdiction
- b) Appellate jurisdiction
- c) Advisory jurisdiction
- d) none of these

Answer:

- a) Original jurisdiction

4. Which of the following state/ Union territories have a common High Court?

- a) Punjab and Jammu Kashmir
- b) Assam and Bengal
- c) Punjab, Haryana and Chandigarh
- d) Uttar Pradesh and Bihar

Answer:

- c) Punjab, Haryana and Chandigarh

5. The System of Public Interest Litigation has been introduced in India by

- a) Supreme Court
- b) Parliament
- c) Political parties
- d) Constitutional amendments

Answer:

a) Supreme Court

6. How many courts are there in apex level in India?

a) One

b) Two

c) Three

d) Four

Answer:

a) One

7. Supreme court is located at

a) Chandigarh

b) Bombay

c) Calcutta

d) New Delhi

Answer:

d) New Delhi

8. FI R means

a) First Information Report c) First Incident Report

Answer:

a) First Information Report

9. The court that hear criminal cases are called

a) District court

b) Sessions court

c) Family court

d) Revenue court

Answer:

a) District court

II. Fill in the Blanks.

1. The High Court is the oldest High Court in India.

Answer:

Calcutta

2. The framers of the Constitution established and judiciary in India.

Answer:

Independent, Impartial

3. a famous French philosopher propounded the idea of an independent judiciary.

Answer:

Montesquieu

4. deals with disputes over money, property and social matters.

Answer:

Civil Law

5. During ancient times, most of the Kings' courts dispensed justice according to

Answer:

dharma

III. Match the following.

1. Supreme Court	a) social duties
2. High Court	b) speedy justice
3. Lok Adalat	c) highest court of appeal
4. Sir Elijah Impey	d) highest court in the States
5. Smiritis	e) chief justice

Answer:

1. Supreme Court	c) highest court of appeal
2. High Court	d) highest court in the States
3. Lok Adalat	b) speedy justice
4. Sir Elijah Impey	e) chief justice
5. Smiritis	a) social duties

IV. State true or false.

1. The Supreme Court of India was inaugurated on 28th January 1951.

Answer:

False

2. During the Tughlaq period, the code of procedure was written in Arabic.

Answer:

True

3. The Regulating Act of 1773 made provision for the formation of Supreme Court.

Answer:

True

4. Sadar Diwani Adalat was a Criminal court of appeal.

Answer:

False

5. The Allahabad High Court is the largest court in India.

Answer:

True

6. The Constitution of India secures justice to all its citizen.

Answer:

True

V. Choose the correct statement.

1. Consider the following statements.

i) A law commission was setup by Macaulay.

ii) It codified the Indian Laws.

Which of the statements given above is / are correct?

a) i only

b) ii only

c) Both i and ii

d) Neither i nor ii

Answer:

c) Both i and ii

2. Consider the following statements.

i) An Indian Penal Code was prepared in 1860.

ii) The Calcutta High Court was established on 1862.

iii) The Government of India Act, 1935 created Federal Court.

Which of the statements given above is/are correct?

a) i only

b) ii, iii only

c) i,iii only

d) All the above

Answer:

d) All the above

3. Which of the following statement is not true about India's Supreme Court?

i) The Supreme Court of India is the highest court of the land.

ii) It was established by part V under Chapter IV of Indian Constitution.

iii) Supreme court cannot transfer cases from one High court to another

iv) Its decisions are binding on all courts

a) i

b) ii c) iii

d) iv

Answer:

c) iii

4. Assertion: The Supreme Court is a Court of Record.

Reason: It maintains records of the court proceedings and its decisions are binding upon the lower courts.

a) A is correct and R is wrong.

b) Both A and R are Wrong

c) A is correct and R explains A

d) A is correct and R does not explain A

Answer:

c) A is correct and R explains A

5. Agree or disagree

a) Every citizen of India can approach the Supreme court.

Answer:

Agree

b) Rich and powerful people control the judiciary system.

Answer:

Disagree

c) Every citizen has a right to get justice through the courts.

Answer:

Agree

d) Politicians can not control judges

Answer:

Agree

VI. Answer the following in one or two sentences.

1. Why do we need a judicial system?

Answer:

1. Judiciary plays an important role as an organ of the government.
2. It administers justice, settles disputes, interprets laws, protects fundamental rights, and acts as guardian of the Constitution.
3. So we need a judiciary to be efficient in order to ensure proper justice.

2. What are the different levels of courts in India?

Answer:

The different levels of courts in India are

- Supreme Court
- High Court'
- District Court
- Subordinate Court
- Some of the subordinate courts are Panchayat court, revenue, court, Lok Adalat Fast track court, Family court, Mobile Court, and E – Court.

3. Differentiate Law and Judiciary.

Answer:

Law: It is a system of rules imposed through a government or institution to govern people.

Judiciary: In law, the Judiciary or Judicial system is the system of courts which administers Justice in the name of the State.

4. Write a note on Lok Adalat.

Answer:

- Lok Adalat was set up to provide speedy justice.
- It hears and settles the disputes in the language of the people in the public presence.
- It is presided over by a retired judge along with a lawyer and a social worker.

5. What are the advantages of mobile courts?

Answer:

1. Mobile courts will be of great relief to the rural people.
2. It would create greater awareness about the judicial system among the rural masses, cut costs for them and render justice at their doorstep.

VII. Answer the following in detail.

1. Write about the role of the judiciary.

Answer:

Role of Judiciary can be classified as,

1. Dispute Resolution:

Role of Judiciary can be classified as, The Judicial system provides a mechanism for resolving disputes between Citizen, Citizens and the government, Two-State governments, the Centre and the State governments

2. Judicial Review:

The Judicial has the power to declare a law unconstitutional if it believes that the law passed by the Parliament is violating the basic structure of the Constitution.

3. Upholding the Law and Enforcing Fundamental Rights:

Every citizen of India can approach the Supreme Court or High Court if they believe that their fundamental rights have been violated

Judicial Review:

Power to declare a law unconstitutional if it believes that the law passed by the Parliament.

Upholding the Law and Enforcing Fundamental Rights:

Every Citizen can approach the courts if they believe that their fundamental rights have been violated.

2. Differentiate Civil Law and Criminal Law.

Answer:

Civil Law	Criminal Law
Disputes over money property and social matters.	Conducts or acts that the law defines as offences.
Eg: Land, rent	Eg: Theft, Murder
Petition to be filed before the relevant court by the affected parties.	Begins with lodging of an HR with police investigation after which a case is filed in the court.
Sentences awarded in the form of money. Remuneration and as per the claimer.	Punishment is awarded if proven guilty, the accused is sent to Jail.

3. Describe the Jurisdiction of the Supreme Court.

Answer:

1. Jurisdiction of Supreme Court:

- The Supreme Court can hear disputes for the first time in that court only.
- It is mainly concerned with disputes between the Union and one or more states and between two or more states.

2. Appellate Jurisdiction:

It can hear appeals against the decisions made by the High Court on the granting of certificates by the High Court.

3. Advisory Jurisdiction: The Court can report to the President its opinion about a question of the public importance referred to it by the President.

4. Writs Jurisdiction:

The Writs are issued by the Supreme Court under Article 32 and by the High Courts under Article 226 of the Constitution of India.

5. Court of Record:

it maintains records of the court proceedings and its decisions are binding upon the lower courts.

6. Special Powers:
it supervises the functioning of the lower courts.

VIII. Project and Activity.

1. Discuss: Is it necessary to have an independent judiciary? List two reasons.

- Yes. it is necessary to have an independent judiciary.
- In a democratic country judiciary is the custodian of the rights of citizens.
- It should be independent and accountable, which exercises the judicial function in an unbiased manner (or) free from any external influence.