

UNIT-7. THE JUDICIARY

Class: VIII

Subject: Social - Civics

I. Choose the correct answer:

- The highest and final judicial tribunal of India is-
(a) President (b) Parliament (c) **Supreme Court** (d) Prime Minister
- Judicial system provides a mechanism for resolving disputes between-
(a) Citizen (b) Citizen and the government
(c) Two State governments (d) **all the above**
- Dispute between States of India comes to the Supreme Court under-
(a) **Original jurisdiction** (b) Appellate jurisdiction
(c) Advisory jurisdiction (d) none of these
- Which of the following state/ Union territories have a common High Court?
(a) Punjab and Jammu Kashmir (b) Assam and Bengal
(c) **Panjab, Haryana and Chandigarh** (d) Uttar Pradesh and Bihar
- The System of Public Interest Litigation has been introduced in India by-
(a) **Supreme Court** (b) Parliament
(c) Political parties (d) Constitutional amendments
- How many courts are there in apex level in India?
(a) **One** (b) Two (c) Three (d) Four
- Supreme court is located at-
(a) Chandigarh (b) Bombay (c) Calcutta (d) **New Delhi**
- FIR means-
(a) **First Information Report** (b) First information Result
(c) First Incident Report (d) None of these
- The court that hear criminal cases are called-
(a) District court (b) **Sessions court** (c) Family court (d) Revenue court

II. Fill in the Blanks:

- The **Calcutta** High Court is the oldest High Court in India.
- The framers of the Constitution established **independent** and **impartial** judiciary in India.

3. Montesquieu a famous French philosopher propounded the idea of an independent judiciary.
4. Civil Law deals with disputes over money, property and social matters.
5. During ancient times, most of the Kings' courts dispensed justice according to Dharmal

III. Match the following:

- | | | |
|---------------------|---|-----------------------------|
| 1. Supreme Court | - | highest court of appeal |
| 2. High Court | - | highest court in the States |
| 3. Lok Adalat | - | speedy justice |
| 4. Sir Elijah Impey | - | chief justice |
| 5. Smiritis | - | social duties |

IV. State True or False:

1. The Supreme Court of India was inaugurated on 28th January 1951. **False**
2. During the Tughlaq period, the code of procedure was written in Arabic. **True**
3. The Regulating Act of 1773 made provision for the formation of Supreme Court. **True**
4. Sadar Diwani Adalat was a Criminal court of appeal. **False**
5. The Allahabad High Court is the largest court in India. **True**
6. The Constitution of India secures justice to all its citizen. **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) |

2. Consider the following statements.

- (i) An Indian Penal Code was prepared in 1860.
- (ii) The Calcutta High Court was established in 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 |

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)

4. **Assertion (A):** The Supreme Court is a Court of Record.

Reason (R): 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

5. Agree or disagree

- (a) Every citizen of India can approach the Supreme court.
- (b) Rich and powerful people control the judiciary system.
- (c) Every citizen has a right to get justice through the courts.
- (d) Politicians can not control over judges

Answer:

We agree with a, c, and d. Disagree with b

VI Answer the following in one or two sentences

1. Why do we need judicial system?

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

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

The different levels of courts in India are

- Subordinate Courts.
- District Courts.
- High Court and
- Supreme Court

3. Differentiate Law and Judiciary.

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.

- 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.
- A Lok Adalat is presided over by a retired judge along with a lawyer and a social worker.
- Cases are put forward without advocates.
- The first Lok Adalat was held on 1982 at Junagadh of Gujarat

5. What are the advantages of mobile courts?

- Mobile courts will be of great relief to the rural people.
- 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 judiciary.

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

2. Differentiate Civil Law and Criminal Law.

Civil Law	Criminal Law
It deals with disputes over money property and social matters.	It deals with conducts or acts that the law defines as offences.

Eg. Disputes relating to land, rent, marriage dispute etc	Eg. Theft, murder, women harassment etc
A petition has to be filed before the relevant court by the affected parties	It usually begins with lodging of an FIR (First Information Report) with police investigation after which a case is filed in the court
Sentences awarded in the form of money remuneration and as per the petitioner's claim	Punishment is awarded if proven guilty, the accused is sent to jail

3. Describe jurisdiction of Supreme Court.

1. Jurisdiction of Supreme Court:

- The Supreme Court can hear dispute for the first time in that court only.
- It is mainly concerned 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 certificate 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 finding upon the lower courts.

6. Special Powers:

It supervises the functioning of the lower courts.