

Revision Notes Class 8

Social Science - Civics

Chapter 5 - Judiciary

Judiciary

The judiciary is the system of courts that decides on legal disputes and legal cases.

Importance of Judiciary

- Judiciary is the guardian of the constitution.
- The judiciary plays an important role in the interpretation of laws.
- It keeps a check on the powers of the legislature and the executive.

Role of Judiciary

- Resolution of dispute
- Judicial review
- Validating the law and applying fundamental rights

What Is an Independent Judiciary?

The courts are not under the government. The independent functioning ensures that no power is misused by the executive or the legislature. The judges to the Supreme Court and High Court are appointed by the President of India after consultation with the Governor of the concerned state and the Chief Justice of the Supreme Court.

Structure of Courts in India

- District court
- High court
- Supreme court

The decision that is made in a higher court is bound to the lower courts.

Who has Access to Courts?

- All the citizens of India have access to the courts.
- Every citizen has the right to demand justice from the courts of India.
- In the early 1980s, the Supreme Court started the mechanism of public interest litigation (PIL).

Frequently Asked Questions & Answers

1. Write down some examples of the following disputes:

(A) A dispute between the centre and the state

Ans: Disputes over voting share in the GST Council

(B) A dispute between two States

Ans: Kaveri River dispute between Karnataka and TamilNadu

(C) A dispute between two citizens

Ans: Property disputes in the country

(D) A dispute between two countries

Ans: Dispute over Aksai Chin between India and People's Republic of China

2. What is the meaning of law and judiciary?

Ans: Law is the set of rules imposed by the government which is applied to govern the citizens of India. It helps to shape society's politics and economics in many ways.

The Judiciary is the system of courts that explains, defends, and applies the law in legal cases. The judiciary's work is divided into three categories:

- The resolution of the dispute
- Judicial review
- Validating the law and applying fundamental rights

3. What is a PIL?

Ans: PIL stands for Public Interest Litigation which is filed in a court for the protection of public interest such as pollution, safety, etc. PIL can be filed:

- Against the government policies
- For the violation of human rights and fundamental rights
- For a complaint against civic authorities for not performing their duties

4. Explain the terms Acquit and Appeal

Ans: The term acquits means that the court has declared a person not guilty of the charges which they have been tried for in front of the court. To appeal means to file a petition before a higher court to listen to a case that has already been judged by a lower court.

5. What are the six major fundamental rights in the constitution of India?

Ans: The six major fundamental rights given in the Constitution of India are:

- Right to equality
- Right to freedom
- Right against exploitation

- Right to freedom of accepting any religion
- Cultural and educational rights
- Right to constitutional remedies