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CLASS: VIII	SUB: SOCIAL SCIENCE	TOPIC: Civics	CH-4
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Judiciary

Multiple Choice Type Questions

1. Which of the following is not a role of the judiciary? **Making of laws.**
2. When is the original jurisdiction exercised by the court ? **In a case involving disagreement on matters related to the state elections.**
3. Which court supervises and controls the functioning of district courts ? **High Court.**
4. High Court judges retire at the age of **62** .
5. The **Supreme Court** advises the president on constitutional issues .

Fill in the blanks

1. The **judiciary** is the final authority on the constitution .
2. The Supreme Court devised the system of **public interest litigation** in the 1980s.
3. The Supreme Court is headed by the **Chief Justice of India.**
4. **Criminal** cases deal with offenses which can harm the entire society .
5. Judges of the Supreme Court and high courts are appointed by the **president.**

Write “T” for true or “F” for false statements.

1. Judiciary does not guarantee the fundamental rights of the citizens . **F**
2. The District court is headed by the District Judge. **T**
3. The People's Court gives speedy justice but it is expensive . **F**
4. The decisions of the higher courts are not binding on the lower courts. **F**
5. Original jurisdiction is the right of the court to hear a case for the first time .**T**

Short Answer Questions

1. **What is judicial review ?**

The judiciary has the power to declare any law passed by parliament to be unconstitutional if it ,in any way , contravenes with the basic ideals enshrined in the constitution. This is called Judicial review.

2. What does court of record mean ?

It means ,verdicts or decisions passed by these courts are documented . This documentation helps in future cases of similar nature .

3. What is appellate jurisdiction ?

It is the right of higher courts to try a case that has already been tried in lower court. if a person loses a case in the lower court in the first trial , has the right to appeal to a higher court . The court where such appeals are made is called appellate court and that court is said to exercise appellate jurisdiction.

4. In which cases does the Supreme Court exercise original jurisdiction?

The Supreme Court exercises original jurisdiction over the following cases :

- Dispute between states .
- Dispute between the center and one/ more states.
- Cases involving violation of the constitution by the government, any of its agency or any individual .
- Can issue writs.

5. How is the Chief Justice and other judges appointed in the High Court ?

The Chief Justice is appointed by the president of India in consultation with the Chief Justice of India and the governor of state, other judges are also appointed by the president in consultation with the Chief Justice of India and the governor of state and the Chief Justice of the High Court .

Long Answer Questions

1. Explain the two types of the cases that may be put up in the court .

There are two type of cases :

- **Civil Cases :** civil cases deal with conflict between people or institutions on issues such as breach of contract , property dispute, inheritance dispute between a property owner and a tenant, divorce , guardianship, even minor accidents. In such cases , the aggrieved or affected party files a case or petition in the court and the decision involves granting certain respite to the victorious party.
- **Criminal Cases :** Criminal cases deals with Offenses which harm the entire society, , which includes theft , robbery, dowry, murder ,fraud , rape, molestation, drunken driving , etc. Initially a First Information Report is lodged with the police , then they probe the crime . Then, a case is filed in the

court if the accused is found to be guilty he / she is punished. The sentence may vary from a simple fine to a death sentence.

2. Describe briefly the various functions of the judiciary .

- **Resolution of disputes :** The judiciary council's disagreement among the citizens , between the government and the citizens, among the States and between the state government and the central government.
- **Judicial review :** The judiciary has the power to declare any law passed by the parliament to be unconstitutional if it, anyway, contravenes with the basic ideals enshrined in the constitution.
- **Implementation of the fundamental rights:**
Judiciary upholds and guarantees the fundamental rights to the citizens , this means that we can approach the Supreme Court or High Court if our fundamental rights have been violated.

3. How did the framers of the constitution ensure the independence of the judiciary ?

Our constitution has ensured independence of the judiciary in following ways :

- The constitution of India provides for the separation of power . it ensures that the legislature and the executive cannot intervene in the work of the judiciary.
- The judges of the Supreme Court and high courts are appointed by the president of India after due consultation with the judicial authorities . Also , the removal of the judges is a complex and difficult procedure as per the rules that were laid down in the constitution.
- The safety of the judges is the duty of the government who takes care that any powerful criminal does not intimidate them.
- Lastly, the judges cannot continue practice after retirement so that they do not influence any verdict announced during their official term.

4. Write briefly about the Supreme Court of India.

- The supreme court is the apex court of India , located in New Delhi.
- It is headed by the Chief Justice of India who is appointed by the president of India and assisted by 33 judges. These judges are also appointed by the president in consultation with the Chief Justice.
- The judges retired at the age of 65. However, they can be removed by the president on grounds of misuse of power or misconduct.
- The Supreme Court has the power of judicial review.
- All courts in India function under the direction and control of the Supreme Court.

5. What are the unique features of public interest litigation?

- The aggrieved party need not necessarily find the PIL. Anybody acting in public interest can do so.
- The legal procedure has been made so simple that even a letter or telegram, explaining particulars of the case , Address to a High Court or Supreme Court is treated as PIL.
- Any individual or organization for a public cause can move to the High Court or the Supreme Court.