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Class-8th

(Based on N C E R T pattern)

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civics

Judiciary in India

Question 1

What is the structure of the judicial system of India?

Solution:

The judicial system of India is stratified into various levels. At the apex is the Supreme Court, which is followed by High Courts at the state level, District Courts at the district level and Lok Adalats at the Village and Panchayat Level.

The structure of the courts from the lower to the highest level resembles a pyramid.

Question 2

What is the 'appellate system'?

Solution:

An appellate court, commonly called an appeals court or court of second instance is any court of law that is empowered to hear an appeal of a trial court or other lower tribunal. In most jurisdictions, the court system is divided into at least three levels: the trial court, which initially hears cases and reviews evidence and testimony to determine the facts of the case; at least one intermediate appellate court; and a supreme court which primarily reviews the decisions of the intermediate courts. A jurisdiction's supreme court is that jurisdiction's highest appellate court.

Appellate courts nationwide can operate by varying rules. The authority of appellate courts to review decisions of lower courts varies widely from one jurisdiction to another. In some places, the appellate court has limited powers of review. "Generally speaking, an appellate court's judgment provides 'the final directive of the appeals courts as to the matter appealed, setting out with specificity the court's determination that the action appealed from should be affirmed, reversed, remanded or modified'".

Question 3

Mention the branches of the Legal system.

Solution:

The Legal system can be divided into 2 branches, criminal law and civil law.

Question 4

What is "Public interest Litigation"?

Solution:

"Public interest Litigation" or PIL is a litigation filed in a court of law, for the protection of "Public Interest", such as pollution, terrorism, road safety, constructional hazards etc.

PIL can be filed for the following reasons:

1. Violation of basic human rights of the poor
2. Content or conduct of government policy
3. Compel municipal authorities to perform a public duty
4. Violation of religious rights or other basic fundamental rights
5. Any individual or organisation can file a PIL in the High Court or the Supreme

6. Court on behalf of those whose rights are being violated. It is not necessary, that the person filing a case should have a direct interest in the case.

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