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Ch: WORKING INSTITUTION ( NOTES)

## The Judiciary

All the courts at different levels in a country put together are called the **judiciary**. The Indian judiciary consists of:

- A Supreme Court for the entire nation
- High Courts in the states
- District Courts
- The courts at the local level

**India has an integrated judiciary** which means the Supreme Court controls the judicial administration in the country. Its decisions are binding on all other courts of the country. It can take up any dispute

- Between citizens of the country
- Between citizens and government
- Between two or more state governments
- Between governments at the union and state level

**Independence of the judiciary** means that it is not under the control of the legislature or the executive. The judges do not act on the direction of the government or according to the wishes of the party in power.

The judges of the Supreme Court and the High Courts are appointed by the President on the advice of the Prime Minister and in consultation with the Chief Justice of the Supreme Court. Once a person is appointed as judge of the Supreme Court or the High Court it is nearly impossible to remove him or her from that position. A judge can be removed only by an impeachment motion passed separately by two-thirds members of the two Houses of the Parliament.

### ***Powers of Judiciary***

The judiciary in India is one of the most powerful in the world.

- The Supreme Court and the High Courts have the power to interpret the Constitution of the country.
- They can determine the Constitutional validity of any legislation or action of the executive in the country when it is challenged before them. This is known as the **judicial review**.

- The Supreme Court of India has also ruled that the core or basic principles of the Constitution cannot be changed by the Parliament.

The powers and the independence of the Indian judiciary allow it to act as the guardian of the Fundamental Rights. Anyone can approach the courts if public interest is hurt by the actions of the government. This is called **public interest litigation**.