

THE UNION JUDICIARY

The Judiciary

The judiciary in India is an independent body that plays a critical role in the functioning of the country. It has the sole right to make or break decisions without the interference of the government including the legislature and the executive.

It plays a key role in the functioning of the country and protecting the Fundamental rights of the citizens. Apart from resolving all disputes between the citizens and the government, the judiciary at various levels is also the final interpreter of the Constitution.

The Indian judiciary is a three-tiered system with the Supreme Court at its helm

officiated by the Chief Justice, the high court at the head of state followed by district and sessions court.

The High Courts were established in the presidencies of Bombay, Calcutta, and Madras in 1862 well before the Supreme Court. The first Supreme Court was established on the 26th January, 1950, the republic day. The courts are interconnected through the appellate system that exists in India. This means if a person feels they have not been given justice at a lower court, they can approach the high court to relook at the case.

Most of the cases fall into two broad categories of the legal system, criminal and civil law. Criminal law deals with cases of assault, theft, murder, dowry, and harassment whereas civil law deals with

land disputes, property deals, divorce and rent agreements.

To increase the accessibility to justice, the Supreme Court introduced the Public Interest Litigation or PIL in the 1980s. This enabled a person who needed justice to file a PIL directly to the High Court or Supreme Court.

[The Supreme Court of India](#)

The Supreme Court of India

The Constitution provided the Supreme Court of India. The Supreme Court is the highest court of justice in the country. The Supreme Court is a single unified judicial system it stands at the top. All the other courts in the country are subordinate to this body.

Judges of The Supreme Court

The Supreme court of India consists of the Chief Justice and no more than 25 other judges. The number of judges can be increased by an Act of Parliament.

Term of the Judges

The judges of the Supreme Court can hold office up to the age of 65 years. The Judges can be removed only on the ground of proven miss behavior. Both the Houses of Parliament will pass a motion to that effect by a two-thirds majority of the total membership of the House.

Qualifications of the Chief Justice

- . Citizen of India
- . At least five years of experience as judge of a High Court. Or

- . Ten years experience as an advocate in a High Court Or
- . Ten years experience as an eminent jurist.

Appointing the Chief Justice and other Judges

The chief Justice of the Supreme Court is appointed by the president of India in consultation with the judges of the supreme Court. The President appoints the other judges of the Supreme Court in consultation with the Chief Justice.

Salary of the Chief Justice

The Chief Justice of the Supreme Court draws a salary of 36,000 per month. The salary of the other judges is 33,000 per month. Their pay and allowances cannot be

reduced during their tenure. They get a pension on retirement.

Powers of the Supreme Court

The Supreme Court has been given powers to hear and decide both civil and criminal cases. It has the power to review its own judgements. Here Judgements are recorded for evidence and testimony so it is a court of record.

The Supreme Court has three kinds of powers they are

- . Original Jurisdiction
- . Appellate Jurisdiction and
- . Advisory Role.