

Class Notes	
Class: VIII	Topic: Judiciary
Subject: Social and political life	

Ncert exercises.To be written in notebook.

1. You read that one of the main functions of the judiciary is ‘upholding the law and Enforcing Fundamental Rights’. Why do you think an independent judiciary is necessary to carry out this important function?

Answer :

An independent judiciary is necessary to carry out the function of ‘upholding the law and enforcing Fundamental Rights’.

It intends to shield the judicial process from external influences and provide full legal protection to all individuals going to court for whatever reason.

Anyone can approach the courts if they believe that their rights have been violated.

If any law passed by the Parliament violates anyone’s Fundamental Rights, the judiciary has power to declare such a law as null and void.

2. Re-read the list of Fundamental Rights provided in Chapter 1. How do you think the Right to Constitutional Remedies connects to the idea of judicial review?

Answer :

- The Right to Constitutional Remedies connects to the idea of judicial review in its capacity of protecting the rights of an individual against the working of the State legislature or executive.
- It allows citizens to move the court if they think that their fundamental rights are being violated by the State administration.

In this case, a higher court can repeal the judgments of a lower court based on its own investigation.

5. Why do you think the introduction of Public Interest Litigation (PIL) in the 1980s is a significant step in ensuring access to justice for all?

Answer : The Supreme Court in the early 1980s devised a mechanism of Public Interest Litigation or PIL to increase access to justice.

- It allowed any individual or organisation to file a PIL in the High Court or the Supreme Court on behalf of those whose rights were being violated.
- The legal process was greatly simplified and even a letter or telegram addressed to the Supreme Court or the High Court could be treated as a PIL.
- In the early years, PIL was used to secure justice on a large number of issues such as rescuing bonded labourers from inhuman work conditions; and securing the release of prisoners in Bihar who had been kept in jail, even after their punishment term was complete.

Thus, the introduction of Public Interest Litigation is a significant step in ensuring access to justice for all.

Note : Q. no. 3 and 4 to be done by the students.

Extra questions :

- 1) What are the main branches of the legal system? Differentiate between the legal systems. (for answer refer to pg . no. 60)
- 2) What is the role of the Judiciary? Refer to pg no.55
- 3) Complete the table given on pg. no. 56 .

Answer:

Types of disputes

Types of disputes	Example
Dispute between Centre and state	<ul style="list-style-type: none">- The Kerala government moved the Supreme Court against the Citizenship (Amendment) Act under Article 131 of the Constitution.- This is related to the Central government's plan to update the National Population Register (NPR) and establish a National Register of Indian Citizens.



Article 131

Types of disputes	Example
Dispute between two states	- Dispute between Telangana and Andhra Pradesh regarding water utilization from the Krishna and Godavari rivers.
Dispute between two citizens	- Disputes of land, property, rent unpaid, tenancy rights, sale of sub-standard goods.



Types of disputes	Example
Laws that are in violation of the Constitution	- Actions on behalf of the government that prevents an individual from exercising constitutionally protected individual rights (such as the right to vote or to practice religion).

VOTE
YES NO



Note : The above content is absolutely prepared at home.

