

## Chapter-5 Judiciary

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?  
*An independent judiciary is necessary to carry out this important function as it allows the courts to play a central role in ensuring that there is no misuse of power by the legislature and the executive. It also plays a crucial role in protecting the Fundamental Rights of citizens because anyone can approach the courts if they believe that their rights have been violated.*
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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?  
*The Right to Constitutional Remedies allows all citizens of India to have a right to justice through the courts if their Fundamental Rights are being violated. As the final interpreter of the Constitution, the judiciary also has the power to strike down particular laws passed by the parliament if it believes that these are a violation of the basic structure of the Constitution. This is called judicial review. In this way the Right to Constitutional Remedies connects to the idea of judicial review.*
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3. In the following, all in each ties with the judgements given by the various courts in the Sudho Goel case. Check your responses with others in class?

*Lower Court:*

*Laxman, his brother in law and his mother were sentenced to death.*

*High Court:*

*Laxman, Shakuntala and Subhash Chandra were acquitted.*

*Supreme Court:*

*Laxman and Shakuntala were given imprisonment while Subhash Chandra was acquitted for lack of sufficient evidences.*

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4. *Keeping the Sudha Goel case in mind, tick the sentences that are true and correct the ones that are false.*
- a. *The accused took the case to the High Court because they were unhappy with the decision of the Trial Court.*
  - b. *They went to the High Court after the Supreme Court given its decision.*
  - c. *If they do not like the Supreme Court verdict, the accused can go back again to the Trial Court.*
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- a. *True*
  - b. *They went to the Supreme Court after High Court has given its judgement.*

*c. The Supreme Courts verdict is final and no changes can be made in it by lower courts.*

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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?*

*The introduction of Public Interests Litigation (PIL) in the 1980s is a significant step in ensuring access to justice for all because it allows any individual or organisation to file a PIL in the High Court on behalf of those whose rights were being violated. For example, the illiterate and poor who weren't educated to access the Indian legal system for justice against the violation they faced.*

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6. *Re-read excerpts from the judgement on the Olga Tellis vs Bombay Municipal Corporation case. Now write in your own words what the judges meant when they said that the Right to Livelihood was part of the Right to Life.*

*When the judge said that the Right to livelihood was a part of the Right to Life he meant that, Right to life not just only means a mere animal existence or that life cannot be extinguished but it also means that no person can live without the means of living that is livelihood.*

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7. *Write a story around the theme, 'Justice delayed is justice denied'.*

*If Justice had been Given earlier.*

*Last year a man was arrested for robbery of Rs.200. He was survived by his wife and two children. After his arrest their lives were ruined. Their house owner threwed them out of the house after they were unable to pay their rent. The accused named Ravi again and again said that he was innocent. Her, his wife and his children were in very bad condition, begging for food and sleeping on pavement. There were long dates in between his hearing and his case was delayed a lot by the court. In the meantime, one of his child died due to cold weather and*

*nowhere to stay.*

*One whole year passed but he was not given justice. His second child also died of cold. After 4 months of this court acquitted him of all charges. But it was too late. His family would not have been ruined if he would have been given bail or justice given to him earlier.*

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8. *Make sentences with each of the glossary words given on the next page.*

*Acquit:*

*Amit was acquitted of the fraud case.*

*To Appeal:*

*Women organisation appealed against the equalities face by the women to the court.*

*Compensation:*

*The court asked the government to give a compensation of Rs.5 lakhs to the victims.*

*Eviction:*

*People were evicted illegally out of their homes they were living in.*

*Violation:*

*The court can take action if violation of our constitution takes place.*