

III. THE JUDICIARY

CHAPTER 5

The Supreme Court

Syllabus

The Judiciary

The Supreme Court: Composition, qualifications of judges, appointment, independence of judiciary from the control of executive and legislature; Jurisdiction and functions: Independence of Judiciary, Original, Appellate, Advisory, Revisory, Judicial Review and Court of Record. Enforcement of Fundamental Rights and Writs.

THE JUDICIARY

Under our Constitution the judiciary is a single integrated system of courts for the Union and the states with the Supreme Court at the apex. By the single integrated system we mean:

- The Supreme Court is the head of the entire system and not only supervises but also exercises control over the functioning of other courts.
- There are no separate sets of laws and a single civil and criminal system operates throughout the country.
- All cases coming from the Lower Courts can be taken to the High Court and ultimately to the Supreme Court, by way of appeal.

Below the Supreme Court stand the High Courts of different States and under each High Court there is a hierarchy of other subordinate courts.

Need for a Single Integrated Judiciary

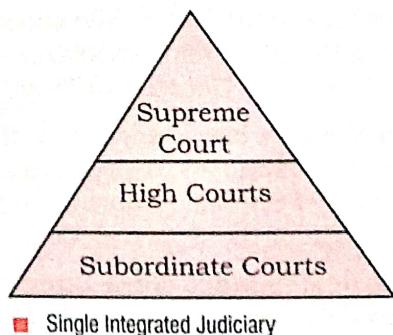
India has opted for single integrated judicial set-up unlike the double judicial set-up in the

USA. This is because of the following reasons:

- (i) In a representative democracy, administration of justice assumes special significance in view of the rights of individuals, which need protection against executive or legislative interference. This protection is given by making the judiciary independent of the other two organs of the government.
- (ii) An independent and supreme judiciary is an essential requirement of a federal governance. In a federal set-up, there is a constitutional division of powers between the executive, legislature and judiciary. The Supreme Court not only safeguards the distribution of these powers but also prevents any action that violates the limitations imposed by the Constitution.
- (iii) An independent and impartial judiciary is an essential requisite for ensuring human rights and protecting democracy.

THE SUPREME COURT

Composition: The Supreme Court of India consists of a Chief Justice of India and not more than 33 other judges, until Parliament by law prescribes a larger number of judges. The Supreme



Court (Number of Judges) Amendment Act, 2019, which received the assent of the President of India on August 9, 2019 increased the number of judges of the Supreme Court (excluding the Chief Justice of India) from 30 to 33.

Qualifications for Appointment as Judge of Supreme Court

A person is not qualified for appointment as a Judge of the Supreme Court unless he/she is a citizen of India, and

- (i) has been for at least five years a Judge of a High Court or of two or more such courts in succession; or
- (ii) has been for at least ten years an advocate of a High Court or of two or more such courts in succession; or
- (iii) is, in the opinion of the President, a distinguished jurist.

Appointment: Every Judge of the Supreme Court is appointed by the President of India in consultation with the Judges of Supreme Court and of High Courts, besides the Council of Ministers. In case of appointment of a Judge other than the Chief Justice, the Chief Justice of India shall be consulted. Consultation would generally mean concurrence. In case of the Chief Justice, usually the senior-most judge of the Supreme Court is appointed.

When the Chief Justice is unable to perform the duties of his/her office, by reason of absence or otherwise, the President may appoint another Judge of the Supreme Court as the acting Chief Justice.

Appointment of Ad Hoc Judges: The Chief Justice may appoint a Judge of a High Court as an *ad hoc* Judge of the Supreme Court for a period as may be necessary. Such appointments are made with the consent of the President and after consultation with the Chief Justice of the High Court concerned.

The Chief Justice may at any time, with previous consent of the President request attendance of retired Judges of Supreme Court or High Courts to act as Judge of the Supreme Court.

Term of Office: A Judge of the Supreme Court shall hold office until he/she attains the age of

APPOINTMENT OF JUDGES OF THE SUPREME COURT

The Union Minister of Law, Justice and Company Affairs seeks the recommendation of the outgoing Chief Justice for the appointment of the next Chief Justice. This recommendation is put up to the Prime Minister who will advise the President in the matter.

When there is expected vacancy in the office of a judge in the Supreme Court the Union Minister of Law, Justice and Company affairs seeks the recommendation of the Chief Justice whose opinion is formed in consultation with a collegium comprising four senior most puisne judges of the Supreme Court.

65 years. A Judge may resign his/her office, by submitting the resignation letter to the President.

A Judge of the Supreme Court cannot be removed from office except by an order of the President on the ground of proved misbehaviour or incapacity. Such an order is passed after an address by each House of Parliament supported by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of the House present and voting for such a removal. This procedure is known as *impeachment*.

In May 1993, a motion to impeach a Judge of the Supreme Court (Justice V. Ramaswami) failed to get the support of majority of the total membership of the House (Lok Sabha). That was the first ever move in the history of India to impeach a Judge of the Supreme Court.

Seat of Supreme Court: The Supreme Court shall sit in Delhi or in any other place as the Chief Justice may decide with the approval of the President.

INDEPENDENCE OF JUDICIARY FROM THE CONTROL OF EXECUTIVE AND LEGISLATURE

Independence of the Judiciary is ensured by the following devices:

1. Appointment of Judges: Every Judge of the Supreme Court is appointed by the President after consultation with the Cabinet as well as the Judges of Supreme Court and High

court. Thus, the judiciary and the executive are involved in the appointment of Judges.

2. Removal of Judges: The Judges cannot be removed from office by any authority through a normal simple procedure. A Judge can be removed by the President only for proved misbehaviour and incapacity. This charge needs to be proved only by a joint address by both Houses of Parliament and supported by a two-third majority of members present and voting. The word 'proved' is very important. It means that an address can only be presented after an allegation has been thoroughly examined by some impartial tribunal.

3. Security of Tenure: A Judge can remain in office till he/she has attained the age of 65 years. He/She can be removed by the President on the ground of "proved misbehaviour or incapacity."

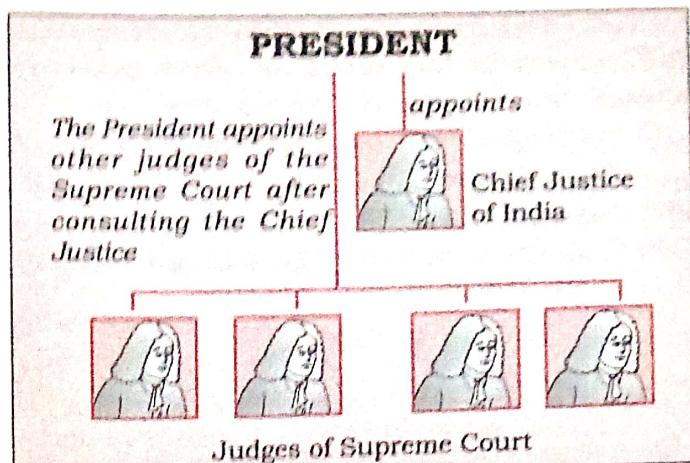
4. Security of Salaries and Service Conditions: Judges' salaries, allowances, etc., shall not be changed to their disadvantage during their term of office. The salaries of the Judges cannot be reduced except during periods of financial emergency. Their salaries and allowances are charged on the Consolidated Fund of India and so are not subject to vote of Parliament.

5. Freedom to Announce Decisions and Decrees: The Judges are free to announce their decisions and decrees in the court chambers without any danger to their person, property or fame. Their decisions cannot be criticised in public or by the press. It is the duty of the State to ensure their personal safety at all costs.

6. Punishment for Contempt of Court: The Supreme Court can punish for the contempt of court if a person or authority makes an attempt to lower its authority.

7. Full Control Over its Procedure of Work and Establishment: The Supreme Court is free to decide its own procedures of work and its establishment as well as the conditions of service of its employees. Thus, it is free from influence of any outside agency.

8. No Discussion in the Legislature on the Conduct of Judges: No discussion can take place in the Parliament regarding the conduct of any judge or about the discharge of his/her duties except when there is a motion for his/her removal.



■ Appointment of Judges

9. Prohibition of Practice after Retirement: The Judges are paid handsome pensions but they are not allowed to practise after their retirement. This has been done so that the Judges are not obliged, during their tenure as Judges, to any prospective employer. Moreover, if they are allowed to practise they might influence their former colleagues in the judiciary.

10. Live-Streaming of Court Proceedings: Live-streaming of court proceedings is done to increase transparency in judicial proceedings and access to justice. The Supreme Court of India began live-streaming regular hearings in 2024. The first case to be live-streamed was the Economically Weaker Section (EWS) quota case in 2022. Several High Courts in India have also started live-streaming their proceedings including the High Courts of Gujarat, Odisha, Karnataka, Jharkhand, Patna, Guwahati and Madhya Pradesh. In fact, the Gujarat High Court was the first High Court to start live streaming.

JURISDICTION AND POWERS OF THE SUPREME COURT

'Jurisdiction' is the power that a court of law exercises to carry out judgements and enforce laws. The Supreme Court is the protector and the final interpreter of the Constitution. It has both original and appellate jurisdiction as well as advisory jurisdiction.

Original Jurisdiction

Original Jurisdiction means the power to hear and determine a dispute in the first instance; i.e., those cases which cannot be moved in any court other than the Supreme Court.

1. Centre-State or Inter-States Disputes:

The Supreme Court has been given exclusive original jurisdiction in any dispute—

- (i) between Government of India and one or more States; or
- (ii) between Government of India and any State or States on one side and one or more States on the other; or
- (iii) between two or more States.

Exception: This jurisdiction shall not extend to:

- (i) a dispute arising out of a treaty, agreement, etc., which is in operation,
- (ii) in certain other matters such as inter-State water disputes, matters referred to the Finance Commission, and
- (iii) adjustment of certain expenses and pensions between the Union and the States.

2. Protection of Fundamental Rights:

The original jurisdiction also extends to cases of violation of the Fundamental Rights of individuals and the court can issue several Writs for the enforcement of these rights. Any individual can approach the Supreme Court in case of violation of a fundamental right.

3. Transfer of Cases from Lower Courts:

Under Article 139 A, inserted by the 44th Amendment in 1978, the Supreme Court may transfer to itself cases from one or more High Courts, if these involve questions of law or cases are of great importance. The Supreme Court may transfer cases from one High Court to another in the interest of Justice.

4. Interpretation of Constitution: All cases where interpretation of the Constitution is required can be directly filed in the Supreme Court. The Supreme Court has the power of exclusive jurisdiction in regard to questions as to Constitutional validity of central laws.

Appellate Jurisdiction

Appellate Jurisdiction means the power to grant special leave to appeal against the judgement delivered by any court in the country. It is a *Court of Appeal* which means that it is a court which may change the decision or reduce the sentence passed by the lower courts. The Supreme Court is the final Court of Appeal. An appeal lies to the Supreme Court from any judgement or final order of a High Court

TERMS

Judgement : A Judgement must be a decision pronounced by a Court determining the rights of the parties in the proceeding.

Decree : An order having the force of law.

Affidavit : A written statement made under oath, swearing to the truth of the contents of the document.

Notarise : To formally complete a document by acknowledgement or oath.

Contempt of Court: Disrespect for the dignity or authority of a Court, including acts such as these – bad behaviour in Court, refusing to answer a question as witness, interfering in the business of the Court, speaking disrespectfully to the Judge or refusing to carry out a Court Order.

Rule of Law: Supremacy of law, implying that no person can be made to suffer in body or goods except for a breach of law established in the ordinary Court of the land. Constitution grants wide powers to the High Courts and the Supreme Court for the preservation of the rule of law.

Writ: A writ is an order from a judicial authority asking a person to perform some act or refrain from performing an act.

Jurist : A person with expert knowledge of law, a someone who analyses and comments on law — a specialist legal scholar.

in India. The appellate jurisdiction extends to Constitutional, civil and criminal cases.

1. Constitutional Cases: All matters irrespective of the nature, where a certificate is issued by a High Court that it involves an important point of law and needs interpretation of the Constitution, can be brought before the Supreme Court. If the High Court refuses to give a certificate on such a case the Supreme Court can grant special leave of appeal.

2. Civil Cases: Appeals in civil matters lie to the Supreme Court, if the High Court certifies:

- (i) that the case involves a substantial question of law of general importance, and
- (ii) that the question needs to be decided by the Supreme Court.

However, if the High Court refuses to give a certificate, the Supreme Court can grant special leave to appeal in suitable cases.

3. Criminal Cases: Two types of appeals in criminal cases lie in the Supreme Court:

- (i) Cases without the certificate of the High Court.
- (ii) Cases with the certificate of the High Court.

The certificate of the High Court is not required in a case:

- (i) where the High Court has reversed the judgement of acquittal given by the Lower Court and punished the accused with a death sentence;
- (ii) a case which is withdrawn by the High Court from a Subordinate Court and sentenced the accused to death.

In all other criminal cases, a High Court certification that the case involves a substantial point of law and interpretation of the Constitution is required for appealing to the Supreme Court.

Advisory Jurisdiction

The Supreme Court has advisory jurisdiction (to give its opinion) on any question of law or fact of public importance as may be referred to it for consideration by the President of India. The Supreme Court may be required to express its opinion in two classes of matters, in an advisory capacity:

- (i) Any question of law may be referred to the Supreme Court if the President considers that the question is of public importance and it is necessary to obtain the opinion

of the Supreme Court. Such opinion of the Supreme Court is advisory and not binding on the Government nor is it executable as a judgement of the Supreme Court.

- (ii) Disputes arising out of pre-Constitution treaties and agreements which are excluded from original jurisdiction by Article 131.

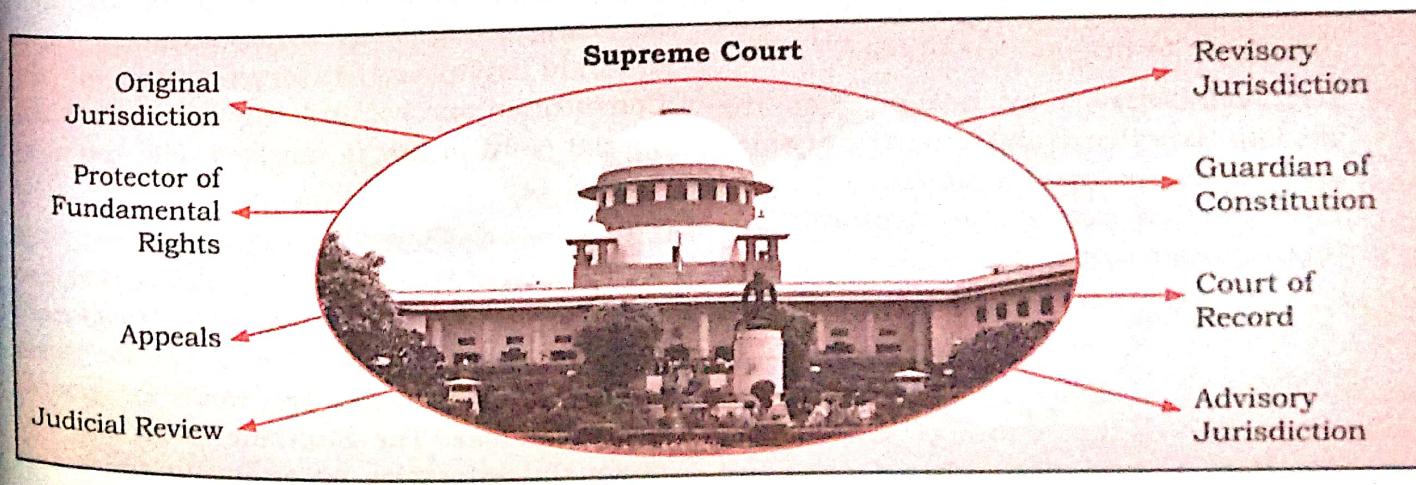
Revisory Jurisdiction

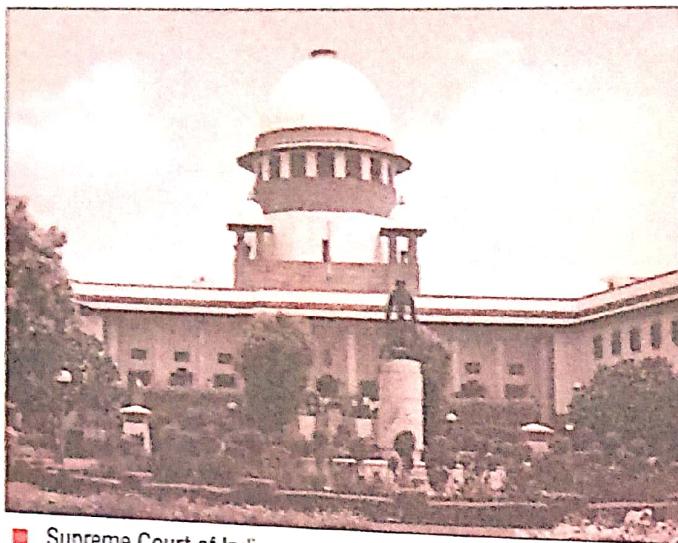
The Supreme Court under Article 137 is empowered to review any judgement or order made by it with a view to removing any mistake or error that might have crept in the judgement or order. This is because the Supreme Court is a court of record and its decisions are of evidentiary value and cannot be questioned in any court.

Judicial Review

The Supreme Court is the interpreter of the Constitution and its decision is final. It has the power to review laws passed by the Union or State legislatures. The Supreme Court can declare a law '*ultra vires*' or null and void, if it is against the letter and spirit of the Constitution or contravenes any provision of the Constitution. This power is referred to as the power of judicial review. The minimum number of Judges to hear and decide a case involving interpretation of the Constitution shall be five.

The Supreme Court has the power to review all National and State laws and executive orders and declare them null and void, if they go against the provisions of the Constitution. For example, in 1970, the Supreme Court had





■ Supreme Court of India

declared the following Acts of Parliament as null and void:

- (i) Presidential order concerning derecognition of the former princes.
- (ii) Banking Companies Act, 1969, for the nationalisation of 14 banks.
- (iii) In August 1999, the Supreme Court held that 'merit' should be the sole criterion for admissions to post-graduate and other higher courses in medicine and engineering.

Need for Judicial Review

The Constitution has provided for a balance of powers between the Centre and the States. If the Union government or the State go beyond their limits, the Supreme Court can settle the dispute.

- (i) In a written Constitution a law may be ambiguously worded. The question of interpretation of the Constitution is bound to arise and only the Supreme Court has the power of original jurisdiction.
- (ii) The legislature may not possess the wisdom, experience and impartiality which are needed to explain what the law means. This function can be best performed by the Supreme Court.

Court of Record

A Court of Record is a court whose judgements are recorded for evidence and testimony. The judgements are in the nature of 'precedents', i.e., the High Courts and other Courts are bound to give a similar decision in a similar

case. They are not to be questioned when they are produced before any subordinate court.

The Supreme Court shall be a "Court of Record" and shall have all the powers of such a court including the power to punish for contempt of itself.

The Court of Record has two implications:

- (i) Its judgements and orders are preserved as record. These can be produced in any court as precedents.
- (ii) If a person commits a contempt of court, the court has the authority to punish him. No authority can deprive the court of this right.

Truly, the Supreme Court acts as the guardian of the Constitution.

FUNCTIONS OF THE SUPREME COURT

Settlement of Disputes

Original: The Supreme Court has the original jurisdiction to settle disputes between the Central government and one or more States and Union Territories (UTs) as well as between different States and UTs. Besides, it has original jurisdiction with regard to the enforcement of Fundamental Rights, transfer of cases from High Courts and interpretation of the Constitution.

On Appeals: (i) The Supreme Court deals with appeals which are made to it in respect of its Original Jurisdiction. It gives its verdict on the interpretation of the Constitution. It also settles Inter-State or Union-State disputes. (ii) Using its Appellate Jurisdiction, it hears appeals involving interpretation of the Constitution on civil and criminal cases where special point of law is involved. (iii) Appeal by Special Leave.

Appeal by Special Leave: Under Article 136 of the Constitution, the Supreme Court can allow leave to appeal against the judgement of any court of India. It is a special power which is to be exercised only under exceptional circumstances. The Supreme Court has laid down the principles according to which this power shall be used.

- In civil cases, special leave to appeal would not be granted unless there is a question of law or general public interest involved in the case.
- In criminal cases, the Supreme Court interferes when it is shown that exceptional and special circumstances exist and grave injustice has been done.
- The Supreme Court could quash the decision of a tribunal when the tribunal has exceeded its jurisdiction or adopted a procedure which runs against the established rules of natural justice.

Enforcement of Fundamental Rights

Any citizen whose rights are violated may move the Supreme Court for the enforcement of the rights. The Supreme Court has power to issue orders or writs, in the nature of *habeas corpus*, *mandamus*, *prohibition*, *quo warranto* and *certiorari* for the enforcement of any of the Fundamental Rights.

The Constitution prohibits the State from making any law which takes away or abridges the Fundamental Rights. If it does so, the law shall be declared null and void by the Supreme Court.

Administrative and Supervisory Functions

- Appointments of officers and staff of the Supreme Court are made by the Chief Justice of India or by such other judge as he/she may direct.
- The Court makes rules regarding the conduct of advocates and other persons appearing before it. It also makes rules regarding the fees to be charged in respect of proceedings in the Court.
- The Supreme Court ruled that Chief Justice of India's recommendation to transfer judges of the High Courts was not binding on the Government, if the recommendation was made without consulting four senior-most judges of the Supreme Court.
- The Supreme Court simplified procedures in the area of Public Interest Litigation (PIL). A person can register a case simply by writing on a postcard or application stating his/her complaint. These complaints are registered and necessary orders are passed. The grievances of women, children, bonded labourers and other weaker sections are given attention under the scheme.

IMPORTANT WRITS

- Habeas Corpus:** It means 'to have the body'. By issuing such a writ, the High Court or the Supreme Court can get the body of any person released if it has been unlawfully detained by any person or a group of persons or by the State. This writ is, thus, a great safeguard for the personal freedom of a citizen.
- Mandamus:** In Latin, it means 'we order'. It is a command or an order from a Superior Court to a lower or an administrative authority to perform certain duty.
- Writ of Prohibition:** The Writ of Prohibition is an order issued by a superior court to a lower court to stop proceedings in a case which might be in excess of the jurisdiction of the lower court.
- Writ of Certiorari:** This writ is issued by a superior court to a judicial authority desiring "to be informed of what is going on." Though it appears similar to the Writ of Prohibition, there is a difference. Writ of Prohibition is issued when certain proceedings are going on. The Writ of Certiorari is issued after the order has already been passed by the lower court.
- Quo-warranto:** It means "by what order." It is issued when a person has usurped any office. This writ thus prevents public officers from forcibly or wrongly holding a high public office.

CHAPTER AT A GLANCE

The Judiciary: India has a single integrated system of courts with the Supreme Court at the top.

The Supreme Court

- **Composition:** a Chief Justice and 33 other judges who are appointed by the President in consultation with the Judges of Supreme Court and of High Courts besides the Cabinet.
- **Term:** can hold office till the age of 65 years.
- **Qualifications of Judges:** (i) a citizen of India; (ii) either a distinguished jurist or a High Court Judge for at least five years or an advocate of the High Court for at least 10 years in succession.

Independence of Judiciary: (i) appointment by the President after consulting the Cabinet and the judges of the Supreme Court and High Court; (ii) removal by the President through impeachment on grounds of 'proven' misbehaviour or incapacity; (iii) security of tenure; (iv) security of salaries and service conditions; (v) freedom to announce decisions and decrees; (vi) punishment for contempt of court; (vii) no discussion in the legislature on the conduct of judges; and (viii) prohibition of practice after retirement.

Jurisdiction

- **Original Jurisdiction:** In all disputes between the Union and the States as well as between the States.
- **Appellate Jurisdiction:** i.e. the power to grant special leave to appeal against the judgement delivered by any court in the country.
- **Advisory Jurisdiction:** The President of India may refer to the Supreme Court any question of law or fact of sufficient importance for its opinion. The opinion so expressed is not binding on the President.
- **Revisory Jurisdiction:** The power to review its own judgement or order with a view to remove any mistake or error that might have crept in the judgement or order.
- **Judicial Review:** Review laws passed by the Union or State Legislatures and can declare a law 'ultra vires' or null and void, if it is against the spirit of the Constitution.
- **Court of Record:** The Supreme Court is a Court of Record whose judgements are recorded for evidence and testimony.
- **Guardian of the Constitution:** The Supreme Court is the final interpreter of the Constitution.

Functions: • Settlement of Disputes; • Enforcement of Fundamental Rights.

EXERCISES

I. Multiple-Choice Questions

1. Justices Alok Aradhe and Vipul M. Pancholi sworn in as Supreme Court Judges. With the swearing-in of these two judges, the Supreme Court returned to its full sanctioned judicial strength.
— Hindu, August 29, 2025

What is the 'full sanctioned judicial strength' of the Supreme Court?

- (a) 30 (b) 33 (c) 34 (d) 28

2. What is the term of office of a judge of the Supreme Court?

- (a) Until he/she attains 63 years (b) Until he/she attains 70 years
(c) Until he/she attains 60 years (d) Until he/she attains 65 years

3. Which of the following statements about the judiciary in India are correct?

- P: There are separate sets of laws for the Centre and the States.
Q: The Supreme Court of India consists of a Chief Justice and 25 other judges.
R: The Supreme Court exercises control over the functioning of other courts in India.
S: The judiciary in India is independent of the other two organs of the government i.e., Legislature and Executive.

- (a) R and S (b) R and S
(c) P and Q (d) P and S

4. Identify the qualifications for appointment as a Judge of the Supreme Court?

- P: He/She has been for at least ten years a Judge of a High Court or two or more such courts in succession.

- Q: He/She has been an advocate for at least ten years of a High Court or two or more such courts in succession.

- R: He/She is a distinguished jurist in the opinion of the President.

- S: He/She has been a member of important enquiry commissions.

- (a) P and Q (b) R and S
(c) P and R (d) Q and R

5. The appellate jurisdiction of the Supreme Court extends to

- (a) Constitutional cases (b) Criminal cases
(c) Civil cases (d) All of the above

6. The minimum number of judges to hear and decide a case involving interpretation of the Constitution shall be

- (a) Ten (b) Four (c) Five (d) Seven

7. Identify the cases in which the Supreme Court holds Original Jurisdiction?

- P: To hear and determine a dispute between Government of India and one or more States.

- Q: In cases involving the violation of the Fundamental Rights of individuals.

- R: Appeals in criminal cases.

- S: All matters that involve interpretation of the Constitution.

- (a) P, Q and S (b) Q, R and S
(c) P, Q and R (d) P, R and S

8. As a 'Court of Record' the Supreme Court has the power to

- (a) punish for contempt of itself (b) confer titles to appellants.
(c) declare evidence as indisputable (d) All of the above.

9. Identify the functions of the Supreme Court of India.

- P: To settle disputes between different ministries.

- Q: To issue writs for the enforcement of Fundamental Rights.

- R: To give its verdict on the interpretation of the Constitution.

- S: To advise the Prime Minister of India on any question of law.

- (a) R and S
(c) Q and S

- (b) Q and R
(d) R and S

10. *The Supreme Court on Monday, April 16, 2018, dismissed a PIL challenging the perks, including pension and travel allowances, given to former Parliamentarians.*

What is the full form of "PIL"?

- (a) Public Interest Law
(c) People's Interest Litigation
(b) Public Interest Litigation
(d) People's Interest Law.

11. Pankaj was detained in police custody. He has not been produced before the magistrate within 24 hours of arrest. Which legal remedy is available to him?

- (a) Writ of Mandamus
(c) Writ of Habeas Corpus
(b) Writ of Quo Warrants
(d) Writ of Prohibition.

12. If the Supreme Court declares a law made by the Central Government as null and void, which power is used by it?

- (a) Revisory Jurisdiction
(c) Advisory Jurisdiction
(b) Judicial Review
(d) All of the above.

13. Select the option that shows the correct relationship between Statements I and II.
(I) Both the judiciary and the executive are involved in the appointment of Judges of the Supreme Court.
(II) Every Judge of the Supreme Court is appointed by the President of India in consultation with the Judges of Supreme Court and High Courts, besides the Council of Ministers.
(a) (I) is true, but (II) is false
(b) (I) is false, but (II) is true
(c) Both (I) and (II) are true, (II) is the correct explanation of (I)
(d) Both (I) and (II) are false.

14. Select the option that shows the correct relationship between Statements I and II.
(I) Both the Supreme Court and the High Courts have the power of Original jurisdiction to settle disputes between Central government and one or more States and UTs.
(II) The Supreme Court has Original jurisdiction with regard to the enforcement of Fundamental Rights.
(a) (I) is true, but (II) is false
(b) (I) is false, but (II) is true
(c) Both (I) and (II) are true, but (II) is not the correct explanation of (I)
(d) Both (I) and (II) are false.

II. Short Answer Questions

1. Who determines the strength of the Supreme Court? How?
2. By whom are the Judges of the Supreme Court appointed? How are they appointed?
3. With reference to the judiciary, what is meant by the term 'impeachment'? On what grounds can a judge of the Supreme Court be removed from office?
4. Who decides the salaries and other emoluments of the Judges of the Supreme Court? Under what circumstances can the salaries and allowances of the Judges of the Supreme Court be reduced?

5. Name the types of jurisdiction of the Supreme Court. In case of violation of the Fundamental Rights of individuals, which type of jurisdiction of the Supreme Court is applicable?
6. Mention any one power of the Supreme Court which is not enjoyed by other courts. What happens if either the Parliament or a State Legislature passes any law that is against the Constitution?
7. *The Supreme Court on Thursday (February 20, 2025) stayed a Lokpal order bringing High Court judges under its jurisdiction while terming the top anti-corruption ombudsman's interpretation "very disturbing".*
— The Hindu

Name the jurisdiction under which the court stayed the order. Why was the order 'very disturbing'?

8. What is meant by the term 'Writ'? Name any two writs issued by the Supreme Court.
9. Mention two conditions under which an appeal in a criminal case lies to the Supreme Court.
10. State the difference between the Original jurisdiction and the Appellate jurisdiction.

III. Structured Questions

1. The Supreme Court is the apex court in the entire judicial set up in India. In this context answer the following questions:
 - (a) What is meant by the term Single Integrated Judicial System?
 - (b) Mention three kinds of cases which come under Appellate jurisdiction of the Supreme Court.
 - (c) Mention the types of cases that come under Original jurisdiction.
2. The independence of the judiciary is necessary in a federal democratic set-up. In this context, describe the part played by the following:
 - (a) Security of Tenure of Office.
 - (b) Security of Salary and Allowances of the Judges.
 - (c) Power to punish for Contempt of itself.
3. The Supreme Court has extensive jurisdiction. In this context answer the following:
 - (a) What is meant by 'Appellate Jurisdiction'? Name two types of cases in which an appeal shall lie to the Supreme Court.
 - (b) What do you understand by advisory functions of the Supreme Court? State the types of cases where the Supreme Court may be required to express its opinion.
 - (c) What is meant by Revisory Jurisdiction of the Supreme Court?
4. Discuss how the Constitution has ensured that the Supreme Court acts as:
 - (a) Custodian of the Constitution.
 - (b) Guardian of the Fundamental Rights.
 - (c) A Court of Records and its implication.
5. Supreme Court has many functions to protect the interests of all citizens. In this context, answer the following questions:
 - (a) What is meant by Judicial Review?
 - (b) What is the significance of the power of Judicial Review?

- (c) Mention three ways in which the Constitution ensures the independence of the Judges of the Supreme Court.
6. Study the figure given below and answer the following questions:
- Identify the building in the picture. Where is it located? What is the position of this court in the entire judicial set up in India?
 - State three qualifications required to be the judge of this court.
 - How does this court maintain the sanctity of the Constitution of India?



IV. Higher Order Thinking Skills (HOTS)

- Suppose the Supreme Court is devoid of its power of Judicial review. How would this impact the protection of Fundamental Rights in India?
- If a person feels that the High Court's decision was unfair, how can he/she get justice from the Supreme Court?
- If the Supreme Court takes too many years to decide a case, do you think justice is really served? Why or why not? Give reasons to support your answer.

