

Judiciary of India

Ethics is knowing the difference between what you have a right to do and what is right to do.

-Potter Stewart



Judicial System

The judiciary is the system of courts that adjudicates legal disputes/disagreements and interprets, defends, and applies the law in legal cases.

The judiciary can also be thought of as the mechanism for the resolution of disputes. Under the doctrine of the separation of powers,



सत्यमेव जयते



History of Indian Judiciary

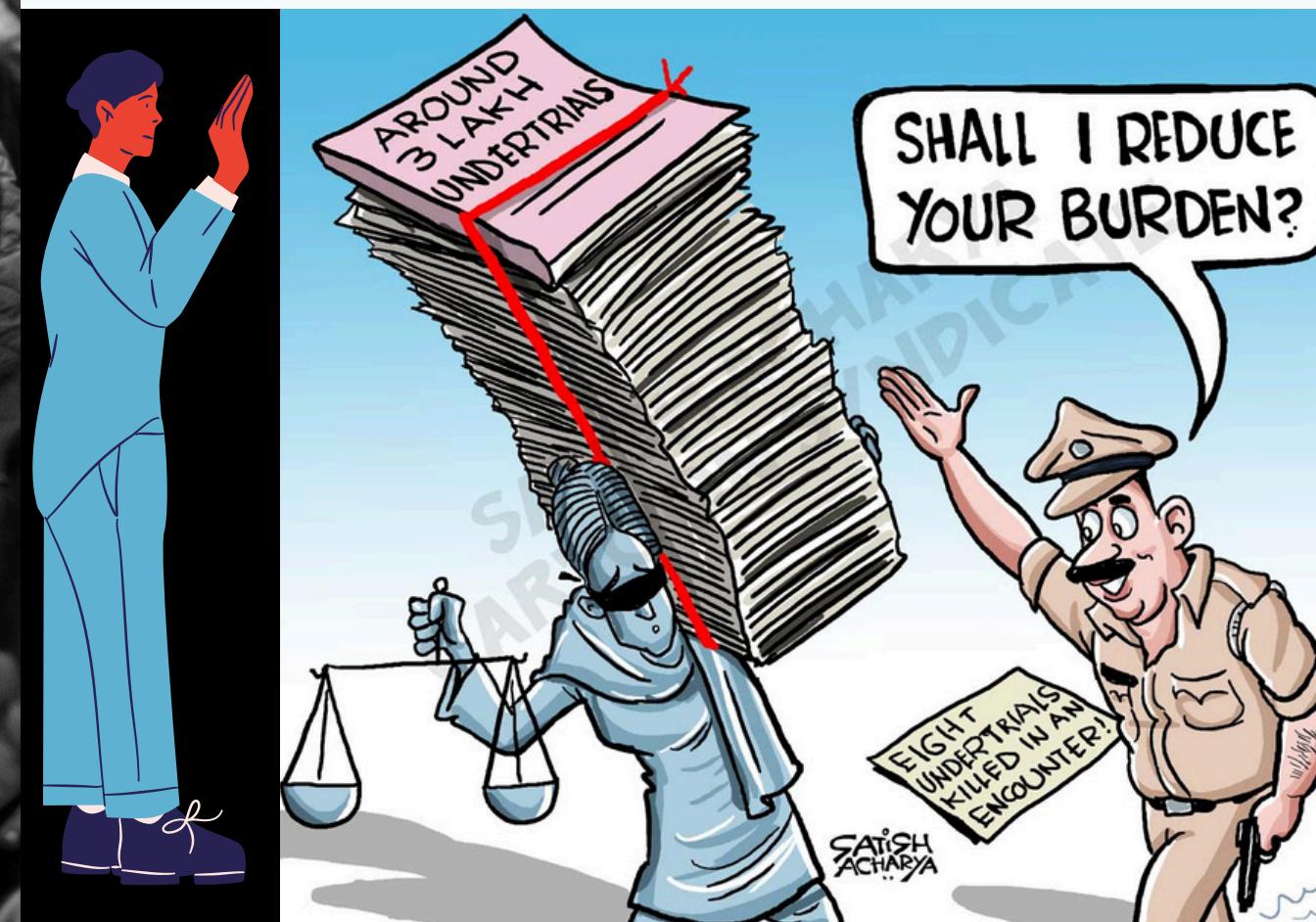
India attained independence in 1947, the Constitution of India came into being on 26 January 1950. The Supreme Court of India also came into existence and its first sitting was held on 28 January 1950. The law declared by the Supreme Court is binding on all Courts within the territory of India.

Is Indian Judiciary Strong ?

The Indian Judiciary is considered to be one of the world's most powerful courts



"Before we send a man to prison, shouldn't we at least be positive that he's not rich?"



CASES

Scenarios that reflects the weakness of Indian Judiciary

Law and order exist for the purpose of establishing justice and when they fail in this purpose they become the dangerously structured dams that block the flow of social progress.

- Martin Luther King, Jr.



Bhopal Gas Tragedy

30 years of Bhopal gas tragedy: a continuing disaster

An appraisal by Sunita Narain and Chandra Bhushan, exclusively extracted from the recently released book, Bhopal Gas Tragedy, After 30 Years

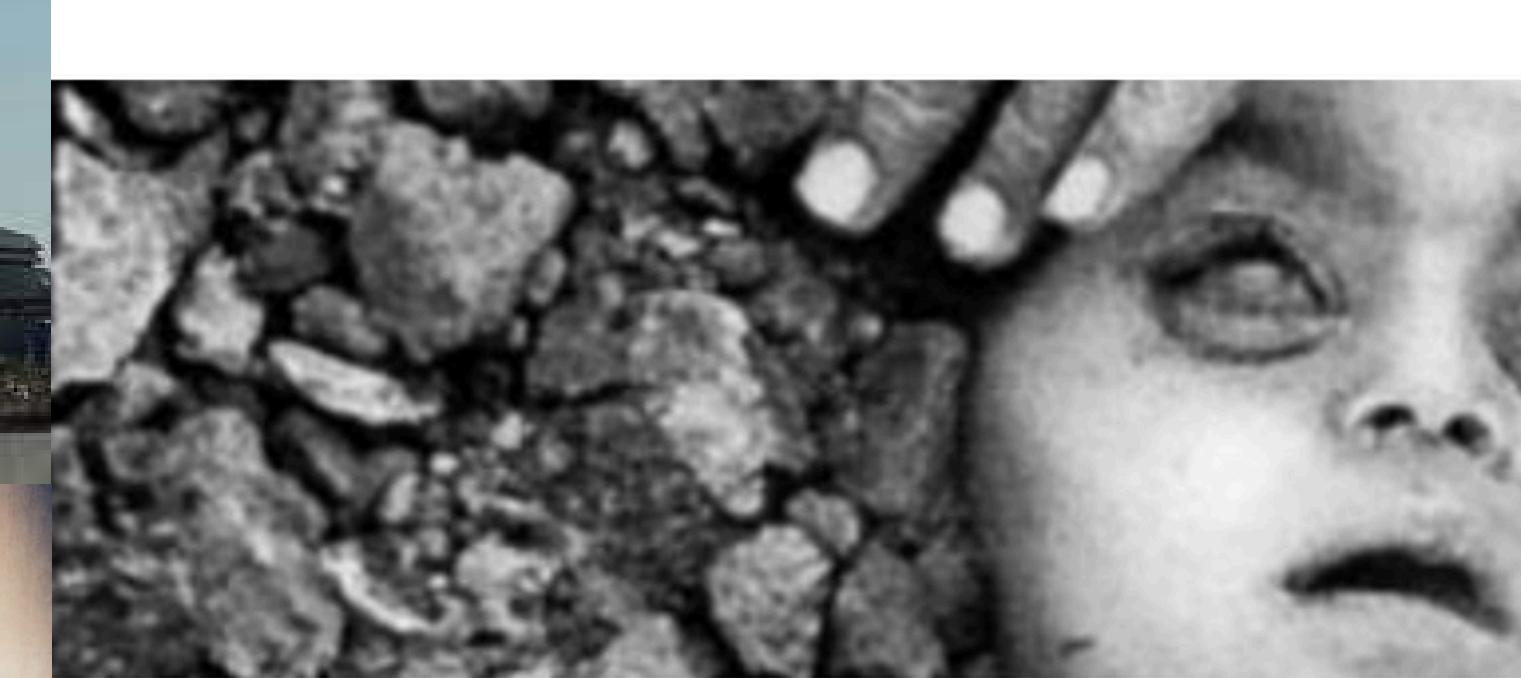


By Sunita Narain, Chandra Bhushan
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ANANYA SINGH | 4 DECEMBER, 2020

36 Years After the Gas Tragedy, Bhopal Survivors Still to Get Justice

Protests continue, governments indifferent

December 2-3 marks not just the 36th anniversary of one of the world's worst industrial disasters—the Bhopal Gas Tragedy—but also over 35 years of the victims' relentless struggle and continued wait for justice.

Union Carbide used trade secrecy as a prerogative to withhold information on the exact composition of the leaked gases. Though it was known that MIC, when reacts with water at high temperatures, could release as many as 300 highly toxic chemicals, research was carried out only to check the toxicity of pure MIC—that also on animals. So, the treatment has been symptomatic.

Aarushi murder case



The Noida double murder case refers to the unsolved murders of 13-year-old girl Aarushi Talwar and 45-year-old Hemraj Banjade, a male live-in domestic worker employed by her family. The two were killed on the night of 15–16 May 2008 at Aarushi's home in Noida, India.



INDIA

Aarushi Talwar murder verdict: Case was based on 'innuendos, assumptions', says lawyer Rebecca John

She hoped that Rajesh and Nupur Talwar, who have been in sharp media spotlight for over nine years, will be allowed privacy after their release from jail.

PTI | October 12, 2017 22:02:39 IST

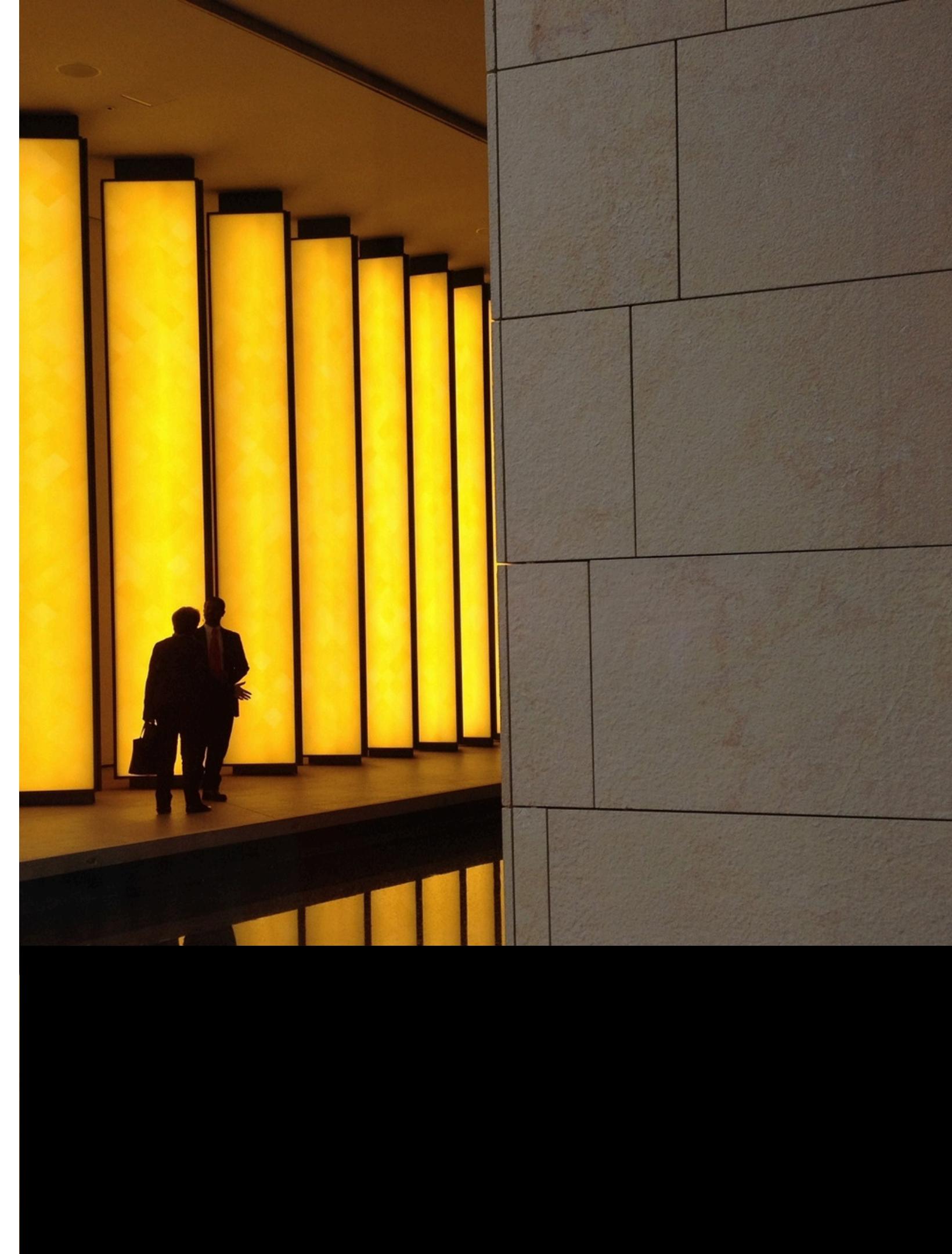


Flaws in Indian Judicial System

The pendency of cases

As of April 2018, there are over three crore cases pending across the Supreme Court, the High Courts, and the subordinate courts (including district courts).

Of these, the subordinate courts account for over 86% pendency of cases, followed by 13.8% pendency before the 24 High Courts.



Corruption

Like the other pillars of **democracy**, the executive and the legislative, the judiciary too (in some instances) has been found to engage in corruption. There has not been established any system of accountability.



Lack of Transparency

The current government led by Prime Minister Modi states that the introduction of NJAC shall be more transparency in appointment of judges.

The supreme court of India, however, denied the fact and said there is a need for the even higher level of law for the appointment of judges as NJAC is not “perfect.”



Conclusion



Thanks



Researched by:

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