


Why Do We Need Courts?

Every day, newspapers show how courts solve many kinds of problems — from student rights to disputes between states.

But why do we need courts?

 **Rule of Law** – The law is equal for all citizens, and fixed procedures must be followed when laws are broken.

To make sure everyone follows the law, India has a judicial system — a network of courts that any citizen can approach if their rights are violated.

 **Judiciary** – The branch of government that interprets laws and delivers justice. It is independent of the other two branches (Legislature and Executive).

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What Does the Judiciary Do?

The Indian judiciary performs three main functions:

1 Dispute Resolution

- Between citizens
- Between citizens and the government
- Between two states
- Between state and central governments

2 Judicial Review

The judiciary can cancel laws made by Parliament if they go against the Constitution.

 This is called judicial review.


3 Enforcing Fundamental Rights

Any citizen can go to the High Court or Supreme Court if they feel their Fundamental Rights are being violated.

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What Is an Independent Judiciary?

 **Independent Judiciary** – Judges can make decisions without any pressure from the government or powerful people.

 **Example:** If a powerful politician grabs your land and can remove judges at will, the court will always be biased. The Constitution prevents this by separating the judiciary from the Legislature and Executive.

- Judges are appointed with minimal interference.
- They cannot be easily removed.
- Courts do not report to the government.

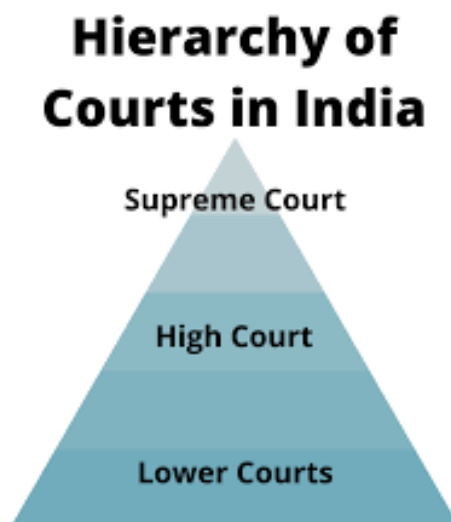
📖 Separation of Powers – Different government organs (Legislature, Executive, Judiciary) work independently.

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🏛️ Structure of Indian Courts

The Indian judiciary is like a pyramid with 3 levels:

- ● Subordinate/District Courts → Local level (Trial Court)
- ● High Courts → One in each state (or common for some states)
- ● Supreme Court → Highest court in the country, based in New Delhi



📷 Fig. – Pyramid structure showing the 3 levels of courts

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🔄 Appellate System – One Case, Many Levels


📖 Appellate System – If someone is unhappy with a court's decision, they can appeal to a higher court.


📖 Real Example: The Sudha Goel Case

- Sudha died in 1980 due to burns.
- Trial Court found her in-laws guilty → sentenced to death
- High Court later said it was an accident → all acquitted
- Supreme Court (1985) disagreed → sentenced husband and mother-in-law to life imprisonment

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Criminal vs Civil Law

 Criminal Law – Deals with crimes (e.g., theft, murder, domestic violence)

 Civil Law – Deals with rights of individuals (e.g., property disputes, divorce, rent issues)

Criminal Law	Civil Law
Crimes like theft or harassment	Disputes like property or rent issues
Starts with an FIR (police investigation)	Starts with a petition in court
Punishment: jail and/or fine	Court grants relief (e.g. return of property)

 Fig. – Table showing differences between Criminal and Civil law

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Access to Justice – For All?

Technically, everyone in India can approach courts.

But in reality, court cases are expensive and time-consuming. Poor people often cannot afford the process.

 PIL – Public Interest Litigation


Introduced in the 1980s to help more people access justice.

Anyone can file a PIL in the High Court or Supreme Court – even through a letter.

 Example: Mid-Day Meal Case (2001)

- Severe drought in Rajasthan & Orissa
- Government godowns full of food, but people starving
- PUCL filed a PIL demanding food as a Fundamental Right
- Supreme Court agreed and ordered mid-day meals in schools



 Fig. 4 – Photos showing school meals

Olga Tellis Case – Right to Livelihood

Article 21 – Right to Life

Includes the Right to Livelihood

In 1985, the Supreme Court ruled in the Olga Tellis case:

- Evicting slum dwellers means they lose their home & job
- Without livelihood, they lose the right to life
- Therefore, eviction without rehabilitation violates the Constitution

 This case expanded the meaning of the Right to Life to include the Right to Work and Shelter.


Justice Delayed = Justice Denied

Court cases in India can take years – even decades.

 Example: Hashimpura Case (1987)

- 43 Muslims killed by police
- Families waited 31 years for justice
- Delhi High Court finally punished the accused in 2018



 Fig. – Victims’ families protesting at Press Club, Lucknow (2007)

Even with these delays, the judiciary remains a key pillar of our democracy.

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Glossary

Term	Meaning
Judiciary	Courts that interpret laws
Rule of Law	Everyone is equal before the law
PIL	A public case filed to protect rights of a group
Eviction	Removal from home or land
Acquit	To declare someone not guilty
Appeal	To take a case to a higher court
Violation	Breaking a law or right