



# POLITICAL SCIENCE

## BOOKS - FULL MARKS POLITICAL SCIENCE (HINGLISH)

### JUDICIARY

#### Ncert Textbook Questions With Answers

1. What are the different ways in which the independence of the judiciary is ensured ?

Choose the odd ones out.

(i) The Chief Justice of the Supreme Court is consulted in the appointment of other judges of the Supreme Court.

(ii) Judges are generally not removed before the age of retirement.

(iii) Judge of a High Court cannot be transferred to another High Court.

(iv) The Parliament has no say in the appointment of judges.



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2. Does independence of the judiciary mean that the judiciary is not accountable to any one ? Write your answer in not more than 100 words.



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3. What are the different provisions in the constitution on order to maintain the independence of judiciary ?



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4. Read the news report below and identify the following aspects :

- What is the case about ?
- Who has been the beneficiary in the case ?
- Who is the petitioner in the case ?
- Visualise what would have been the different arguments put forward by the company
- What arguments would the farmers have put forward ?

Supreme Court order REL to pay Rs. 300 crore to Dahanu farmers

Our Corporate Bureau 24 March 2005

Mumbai : The Supreme Court has ordered Reliance Energy to pay Rs. 300 crores to farmers who grow the chikoo fruit in the Dahanu area outside Mumbai. The order comes after the chikoo growers petitioned the court against the pollution caused by Reliance's thermal power plant.

Dahanu, which is 150 km from Mumbai, was a self - sustaining agricultural and horticultural economy agricultural and horticultural economy known for its fisheries and forests just over a decade ago, but was devastated in 1989 when a thermal power plant came into

operation in the region. The next year, this fertile belt saw its first crop failure. Now, 70 per cent of the crop of what was once the fruit bowl of Maharashtra is gone. The fisheries have shut and the forest cover has thinned. Farmers and environmentalists say that fly ash from the power plant entered ground water and polluted the entire eco - system. The Dahanu Taluka Environment Protection Authority ordered the thermal station to set up a pollution control unit to reduce sulphur emissions, and in spite of a Supreme Court order backing the order the pollution control

plant was not set up even by 2002. In 2003, Reliance acquired the thermal station and re-submitted a schedule for for installation process in 2004. As the pollution control plant is still not set up, the Dahanu Taluka Environmental Protection Authority asked Reliance for a bank guarantee of Rs. 300 crores.



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5. Read the following news report news report and,

- Identify the governments at different levels.
- What elements of the working of judiciary and executive can you identify in it
- Identify the policy issues, matters related to legislation, implementation and interpretation of the law involved in this case.

Centre, Delhi join hands on CNG issue

By Our Staff Reporter, the Hindu 23 September  
2001

NEW DELHI, SEPT. 22. The Centre and the Delhi



Government today agreed to jointly approach the Supreme Court this coming week for phasing out of all non CNG commercial vehicles in the Capital. They also decided to seek a dual fuel policy for the city instead of putting the entire transportation system on the single - fuel mode "which was full of dangers and would result in disaster."

It was also decided to discourage the use of CNG by private vehicle owners in the Capital. Both governments would press for allowing the use of 0.05 per cent low sulphur diesel for running of buses in the Capital. In addition, it

would be pleaded before the Court that all commercial vehicles, which fulfil the Euro - II standards, should be allowed to ply in the city. Though both the Centre and the State would file separate affidavits, these would contain common points. The Centre would also go out support the Delhi Government's stand on the issues concerning CNG. These decisions were taken at a meeting between the Delhi Chief Minister, Ms. Sheila Dikshit, and the Union Petroleum and Natural Gas Minister, Mr. Ram Naik.

Ms. Dikshit said the Central Government

would request the court that in view of the high powered Committee appointed under Dr. R.A. Mashelkar to suggest an "Auto Fuel Policy" for the entire country, it would be appropriate to extend the deadline as it was not possible to convert the entire 10,000-odd bus fleet into CNG during the prescribed time frame. The Mashelkar Committee is expected to submit its report within a period of six months.

The Chief Minister said time was required to implement the court directives. Referring to the coordinated approach on the issue, Ms. Dikshit said this would take into account the

details about the number of vehicles to be run on CNG, eliminating long queues outside CNG filling stations, the CNG fuel requirements of Delhi and the ways and means to implement the directive of the court.

The Supreme Court had . . . refused to relax the only CNG norm for the city's buses but said it had never insisted on CNG for taxis and auto rickshaws. Mr. Naik said the Centre would insist on allowing use of low sulphur diesel for buses in Delhi as putting the entire transportation system dependent on CNG could prove to be disastrous. The Capital

relied on pipeline supply for CNG and any disruption would throw the public transport system out of gear.



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6. The following is statement about Ecuador. What similarities or differences do you find between this example and the judicial system in India ?

"It would helpful if a body of common law, or judicial precedent, existed that could clarify a

journalist's rights. Unfortunately, Ecuador's court don't work that way. Judges are not forced to respect the rulings of higher courts in previous cases. Unlike the US, an appellate judge in Ecuador (or elsewhere in South America, for that matter) need not provide a written decision explaining the legal basis of a ruling. A judge may rule one today and the opposite way, in a similar case, tomorrow, without explaining why."



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7. Read the following statements. Match them with the different jurisdictions the Supreme Court can exercise - Original, Appellate, and Advisory.

- The government wanted to know if it can pass a law about the citizenship status of residents of Pakistan - occupied areas of Jammu and Kashmir.
- In order to resolve the dispute about river Cauvery the government of Tamil Nadu wants to approach the court.
- Court rejected the appeal by people against the eviction from the dam site.



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8. In what way can public interest litigation help the poor ?



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9. Do you think that judicial activism can lead to a conflict between the judiciary and the executive ? Why ?



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**10.** How is judicial activism related to the protection of Fundamental Rights ? Has it helped in expanding the scope of Fundamental Rights ?



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**Additional Questions With Answers | Very Short Answer Type Questions**

1. . . . . Of the judiciary does not imply arbitrariness or absence of accountability.



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2. The Constitution provides that the salaries and allowances of the judges are not subjected to the approval of the . . . . .



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3. Identify the level of court.

Its decisions are binding on all courts.



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4. Identify the level of court.

The court can issue writs for restoring  
Fundamental Rights.



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5. Identify the level of court.

It deals with cases arising in the district.



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6. Select the correct option.

The structure of the judiciary in India is

A. Square

B. Rectangle

C. Circle

D. Pyramidal

**Answer: D**



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7. Select the correct option.

The lower courts function under the direct superintendence of the

A. Supreme Court

B. Higher courts

C. Subordinate courts

D. Panchayat

**Answer: B**



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**8.** Select the correct option.

The President of India can refer any matter that is of public importance or that which involves interpretation of Constitution to the Supreme Court for advice.

A. Original Jurisdiction

B. Writ Jurisdiction

C. Appellate Jurisdiction

D. Advisory Jurisdiction

**Answer: D**



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**9. Correct and rewrite the statement.**

Original jurisdiction means cases that can be

directly considered by the High Court without going to lower courts before that.



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## 10. Correct and rewrite the statement

In 1973, the Supreme Court gave a decision that has become very important in regulating the relations between the Parliament and the Judiciary since then. This case is famous as the D.K. Basu case.



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**11.** Correct and rewrite the statement.

The Indian Constitution is based on a delicate principle of limited separation of powers and checks and payment.



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**12.** Identify the jurisdiction.

In any federal country, legal disputes are bound to arise between the Union and the States , and among the States themselves. The

power to resolve such cases is entrusted to the Supreme Court of India.



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**13.** Identify the jurisdiction.

Any individual, whose fundamental right has been violated, can directly move the Supreme Court for remedy. The Supreme Court can give special orders in the form of writs.



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**14.** Identify the jurisdiction.

A person can appeal to the Supreme Court against the decisions of the High Court.



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**15.** What do you mean by judiciary ?



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**16.** Name the highest judicial authority in India.



**View Text Solution**

**17.** Mention the age of retirement of High Court judge.



**View Text Solution**

**18.** In how many categories, can the court cases be divided ?



**View Text Solution**

**19.** Mention the qualifications of a High Court judge.



**View Text Solution**

**20.** Mention the jurisdiction of powers of the Supreme Court.



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**21.** What do you mean by Lok Adalats ?



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**22.** What are the powers of the Subordinate Courts ?



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## Additional Questions With Answers | Short Answer Type Questions

1. Write down the composition of the Supreme Court of India.



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2. How can a judge of the supreme Court be removed from his office ?



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3. What is the original jurisdiction of the Supreme Court ?



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4. What are the Advisory Powers of the Supreme Court of India ?



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5. What is the composition of a High Court in a state ?



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6. What is judicial review exercised by the High Court ?



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7. What are the powers of the High Court ?





[View Text Solution](#)

8. How can a judge of the High Court be removed from the office ?



[View Text Solution](#)

9. What are the powers of the District Court ?



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## Additional Questions With Answers Iii Short Answer Type Questions

1. Give some suggestions to ensure speedy and inexpensive justice in India.



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2. What is the jurisdiction of the High Courts ?



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3. What are lok Adalats ? Explain.



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4. What is Public Interest Litigation ? Explain.



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5. What is the importance of judiciary in a democratic country like India ?



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6. Mention those factors which ensure the independence of the judiciary in India.



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7. You are a lawyer of the High Court in Delhi. How can you justify that the judiciary of India is independent ? Support your answer with appropriate arguments.



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## Additional Questions With Answers Iv Long Answer Type Questions I Passage Based Questions

1. Read the passage (NCERT Textbook, page 141) given below carefully and answer the questions that follow :

The Indian Constitution is based on a delicate principle of limited separation of powers and checks and balances. This means that each organ of the government has a clear area of functioning. Thus, the Parliament is supreme

in making laws and amending the Constitution, the executive is supreme in implementing them while the judiciary is supreme in settling disputes and deciding whether the laws that have been made are in accordance with the provisions of the Constitution. Despite such clear cut division of power the conflict between the Parliament and judiciary, and executive and the judiciary has remained a recurrent theme in Indian politics.

What is the base of Indian Constitution ?



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2. Read the passage (NCERT Textbook, page 141) given below carefully and answer the questions that follow :

The Indian Constitution is based on a delicate principle of limited separation of powers and checks and balances. This means that each organ of the government has a clear area of functioning. Thus, the Parliament is supreme in making laws and amending the Constitution, the executive is supreme in implementing them while the judiciary is supreme in settling disputes and deciding



whether the laws that have been made are in accordance with the provisions of the Constitution. Despite such clear cut division of power the conflict between the Parliament and judiciary, and executive and the judiciary has remained a recurrent theme in Indian politics.

What are the main functions of the Parliament and executive ?



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3. Read the passage (NCERT Textbook, page 141) given below carefully and answer the questions that follow :

The Indian Constitution is based on a delicate principle of limited separation of powers and checks and balances. This means that each organ of the government has a clear area of functioning. Thus, the Parliament is supreme in making laws and amending the Constitution, the executive is supreme in implementing them while the judiciary is supreme in settling disputes and deciding

whether the laws that have been made are in accordance with the provisions of the Constitution. Despite such clear cut division of power the conflict between the Parliament and judiciary, and executive and the judiciary has remained a recurrent theme in Indian politics. Mention one important function of judiciary.



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4. Read the passage (NCERT Teextbook, page 139) given below carefully and answer the

questions that follow :

Besides, as we saw in the section on jurisdiction of the Supreme Court, in the case of federal relations too, the Supreme Court can use the review powers if a law is inconsistent with the distribution of powers laid down by the Constitution. Suppose, the central government makes a law, which according to some States, concerns a subject from the State list. Then the States can go to the Supreme Court and if the court agrees with them, it would declare that the law is unconstitutional. In this sense, the review

power of the Supreme Court includes power to review legislations on the ground that they violate fundamental rights or the ground that they violate the federal distribution of powers. The review power extends to the laws passed by State legislatures also.

What is judicial review by the Supreme Court ?



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5. Read the passage (NCERT Teextbook, page 139) given below carefully and answer the

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What does judicial review consist of ?



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power of the Supreme Court includes power to review legislations on the ground that they violate fundamental rights or the ground that they violate the federal distribution of powers.

The review power extends to the laws passed by State legislatures also.

How does judicial review extend in the federal distribution of power ?



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7. Read the passage given below carefully and answer the questions that follow :

"The Constitution of India provides for a single integrated judicial system. This means that unlike some other federal countries of the world, India does not have separate State courts. The structure of the judiciary in India is pyramidal with the Supreme Court at the top, High Courts below them and district and subordinate courts at the lowest level (see the diagram below). The lower courts function under the direct superintendence of the

higher courts".

Mention any two functions of the Supreme Court of India.



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**8.** Read the passage given below carefully and answer the questions that follow :

"The Constitution of India provides for a single integrated judicial system. This means that unlike some other federal countries of the world, India does not have separate State

courts. The structure of the judiciary in India is pyramidal with the Supreme Court at the top, High Courts below them and district and subordinate courts at the lowest level (see the diagram below). The lower courts function under the direct superintendence of the higher courts".

Highlight any three functions of the High Courts in India.



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## Additional Questions With Answers V Long Answer Type Questions li

1. Explain the composition, original and appellate jurisdiction of the Supreme Court of India.



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## Additional Questions With Answers V Long Answer Type Questions Passage Based Questions li

1. Describe the functions of the Cupreme Court and the High Court ?



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2. Explain the composition and jurisdiction of the subrodinate courts at the district level in India.



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3. What is the importance of the judicial review of the Supreme Court of India ?



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## Additional Questions With Answers Picture Based Question

1. Read the cartoon (NCERT Textbook, page 135) given below and answer the question that follow :



What is the cartoon about ?



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2. Read the cartoon (NCERT Textbook, page 135) given below and answer the question that follow :



What message is being conveyed through the cartoon ?



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3. Read the cartoon (NCERT Textbook, page 135) given below and answer the question that follow :



What are the instruments of Judicial Activism ?

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**Resource Material**

1. Write a short note on judicial over reach.



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2. Judiciary assumes the roles and functions of the legislature and executive. Explain.



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