
UNION & STATE JUDICIARY

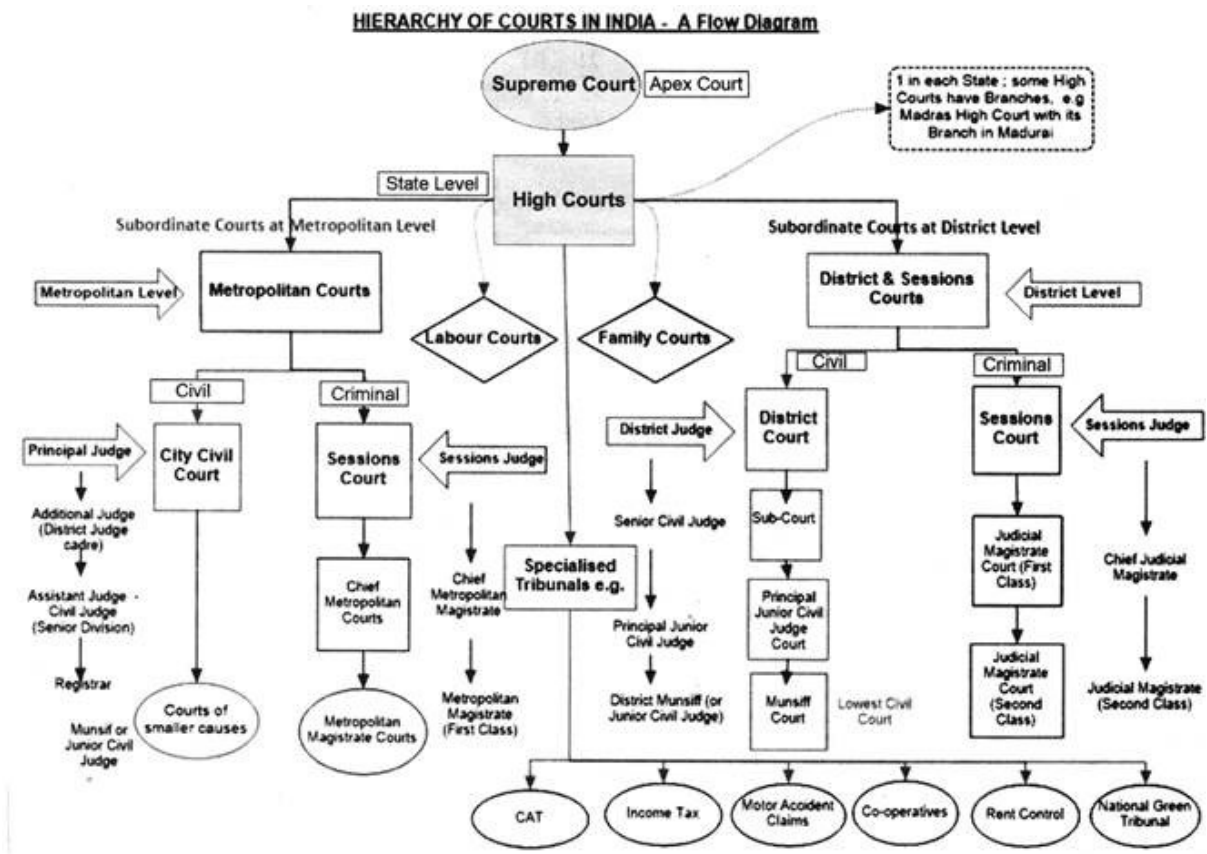
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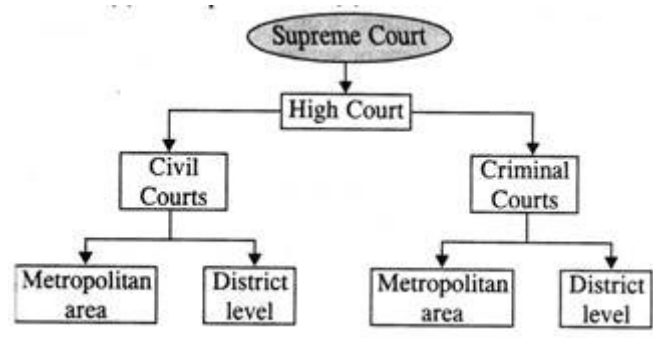
1. Introduction

The Indian Judicial System is one of the oldest legal systems in the world today. In a federal system of government, the Constitution has provided for the setting up of a single integrated system of courts to administer both Union and State laws.



The above simple Flowchart illustrates sub-ordinate courts- both Civil and Criminal courts - at (i) Metropolitan and (ii) District levels. Besides, it illustrates the hierarchy in terms of (i) Labor Courts and (ii) Family Courts together with specialized tribunals.

However, if required, the hierarchy can be illustrated in a different manner for those who want to have the structure by (i) Civil Courts at (a) Metropolitan and (b) District levels and (ii) Criminal Courts at (a) Metropolitan and (b) District levels, i.e.



2. Union Judiciary: Supreme Court

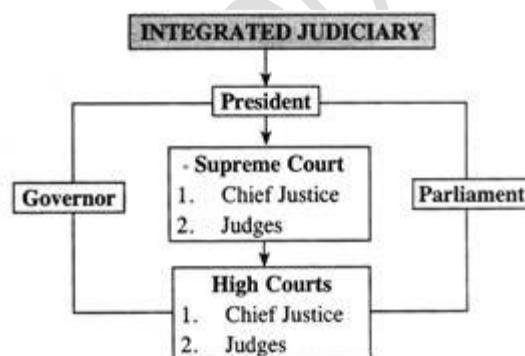
The Supreme Court of India was inaugurated on January 28, 1950. It succeeded the Federal Court of India, established under the Government of India Act of 1935.

Article 124 to 147 in part V of the Constitution deal with the organisation, independence, jurisdiction, powers, procedures and so on of the Supreme Court. The Parliament is also authorised to regulate them.

Supreme Court is the final interpreter and guardian of our Constitution. It is also the guardian of Fundamental rights of the people. It decides the disputes between Centre and States regarding encroachment of power, thus maintains the supremacy of the Constitution. It is the highest court of appeal in India.

Originally the total number of judges was 7, but in 1977, their number was increased to 18. In 1986, it was further raised to 26 (including CJI). Presently there are 31 Judges in Supreme court.

Constitution does not provide for minimum no. of judges who will constitute a bench for hearing cases. Largest bench constituted so far has been of 13 judges in *Keshavanand Bharati vs. Union of India* case in 1973.



Appointment and Removal of Judges

Qualifications to be appointed as a judge of Supreme Court:

- He must be a citizen of India.
- He must either be a distinguished jurist, or one who has been a High Court judge for at least 5 years or an advocate of a High Court (or 2 or more such courts in succession) for at least 10 years (Article 124).
- No minimum age is fixed for the appointment of a judge. The Chief Justice of India is appointed by the President. In this matter, the President shall consult such judges of the Supreme Court and the high courts as he may deem necessary. A 9 judge bench of the SC has laid down that the senior most judge of Supreme Court should be appointed as Chief Justice of India.

In the appointment of other judges, the President shall always consult the Chief Justice of India. He 'may' consult other judges of SC and high courts as he may deem necessary Article 124(2)].

Power of appointment is exercised by the President on the advice of Council of Ministers.

There is no fixed period of office for Supreme Court judges. Once appointed, they hold office till the age of 65 years. He can quit office earlier by submitting his resignation to the President.

He can be removed by an order of President only on the grounds of proved misbehaviour or incapacity. The order of President in this regard can only be passed after it has been addressed to both houses of parliament in the same session, by special majority (majority of the membership of house and majority of not less than 2/3"1 of members of that house present and voting). [Article 124 (4)].

A Supreme Court judge can become Chief Justice of India but cannot practice before any other court or act as a Judge before any other authority. But there is one exception. This is regarding the retired SC judge appointed as a judge of the Supreme Court for a temporary period by the Chief Justice of India with the previous consent of President [Article 128].

Salaries of Judges are determined by the Parliament by law. These cannot be varied to their disadvantage during their term (except during financial emergency). Their salaries and expenses are charged on the Consolidated Fund of India. Salary of Chief Justice – Rs. 1,00,000/month Salary of Judges – Rs. 90,000/month Seat of the Supreme Court is in New Delhi. However it can be shifted elsewhere in India or more benches of SC can be established in India by Chief Justice of India in consultation with the President.

According to Article 129, Supreme Court is a "Court of Record". It means:- Court records are admitted to be of evidentiary value. It can punish for contempt of the court-

Contempt is of 2 type: Criminal and Civil.

Judges can be liable for the contempt of their own court.

Collegium System

The Collegium system is one where the Chief Justice of India and a forum of four senior-most judges of the Supreme Court recommend appointments and transfers of judges. However, it has no place in the Indian Constitution. The system was evolved through Supreme Court judgments in the Three Judges Cases (October 28, 1998).

The Central government has criticised it saying it has created an imperium in imperio (empire within an empire) within the Supreme Court. The Supreme Court Bar Association has blamed it for creating a "give-and-take" culture, creating a rift between the haves and have-nots. "While politicians and actors get instant relief from courts, the common man struggles for years for justice.

The National Judicial Appointment Commission (NJAC) was established by amending the Constitution [Constitution (Ninety-Ninth Amendment) Act, 2014] passed by the Lok Sabha on August 13, 2014 and by the Rajya Sabha on August 14 2014. Alongside, the Parliament also

passed the National Judicial Appointments Commission Act, 2014, to regulate the NJAC's functions. Both Bills were ratified by 16 of the State legislatures and the President gave his assent on December 31, 2014. The NJAC Act and the Constitutional Amendment Act came into force from April 13, 2015.

NJAC consists of six people- the Chief Justice of India, the two most senior judges of the Supreme Court, the Law Minister, and two 'eminent persons'. These eminent persons are to be nominated for a three-year term by a committee consisting of the Chief Justice, the Prime Minister, and the Leader of the Opposition in the Lok Sabha, and are not eligible for re-nomination.

The judiciary representatives in the NJAC - the Chief Justice and two senior-most judges - can veto any name proposed for appointment to a judicial post if they do not approve of it. Once a proposal is vetoed, it cannot be revived. At the same time, the judges require the support of other members of the Commission to get a name through.

Adhoc and Acting Judges

Article 127 says that if there is no Quorum of the Supreme Court Judges to hold or continue any session of the court, the Chief Justice of Indian (CJI), with the previous consent of the President and in consultation with the Chief Justice of the High Court concerned, can request in writing a Judge of the High Court, who is qualified to be a Judge of the Supreme Court, to function as an adhoc Judge of the Supreme Court.

While so attending as the Judge of the Supreme Court, he shall have all the Jurisdiction, powers and privileges and shall discharge the duties of a Judge of the Supreme Court.

Jurisdiction of the Supreme Court

It extends to the cases originating in Supreme Court alone.

No other court has power to try such cases.

Therefore Supreme Court is a federal court. These are between:

(i) GOI on one side and one or more states on the other. (ii) GOI and one or more States on one side and other states on the other

However such jurisdiction does not apply to the disputes arising out of a treaty or agreement which is in operation or wherein provided for such exclusion. These matters are:-

- i. Exclusion of Jurisdiction of Supreme Court by Parliament in case of use, distribution or control of water of any Inter-state river valley (Article 262).
- ii. Financial matters between Centre and states (Article 280).
- iii. Adjustment of expenses between Centre and states (Article 290).

Appointment of acting Chief Justice

When the office of Chief Justice of India is vacant or when the Chief Justice is by reason of absence or otherwise unable to perform the duties of his office, the duties of the office shall be performed by such one of the other judges of the court as the President may appoint for the purpose.

Attendance of retired Judges at sittings of the Supreme Court

Notwithstanding anything in this chapter the Chief Justice of India may at any time, with the previous consent of the

President, request any person who has held the office of a judge of the Supreme Court or of the Federal Court or who was held the office of a judge of a High Court and is duly qualified for appointment as a Judge of the Supreme Court to sit and act as a Judge of the Supreme Court to fit and act as a Judge of the Supreme Court and every such person so requested shall, while so sitting and acting be entitled to such allowances as the President may by order determine and have all the jurisdiction, Power and privileges of, but shall not otherwise be deemed be a judge of that court.

Provided that nothing in this article shall be deemed to require any such person as aforesaid to sit and act as a Judge of that Court unless he consents so to do.

Appellate Jurisdiction

Appeal lies with the Supreme Court against the High Courts in the following 4 categories of cases:

- a. Constitutional matters (civil, criminal or others) - Article 132
- b. Civil matters (except Constitutional) - Article 133
- c. Criminal matter (except Constitutional) - Article 13
- d. Special leave to appeal - Article 136

Special leave to appeal is issued by Supreme Court in discretion. It cannot be issued in case of judgment passed by a court or tribunal of armed forces.

It can be granted in any judgement whether final or interlocutory.

It may be related to any matter —constitutional, civil, criminal, income-tax, labour, revenue, advocates, etc.

High Court can certify a case involving substantial question of law as to the interpretation of the Constitution and thus refer it to Supreme Court.

Advisory Jurisdiction

Article 143 of the Constitution provides that if it appears to the President that:

1. A question of law or fact has arisen or is likely to arise.

2. A question is of a fact of public importance.

He may refer such question for the advisory opinion of the Court and the Court may after such hearing as it thinks fit, report to the President its opinion thereon.

Supreme Court is not bound to give advisory opinion on the matters of political significance and may refuse to do so.

The Court, however, is bound to give its advisory jurisdiction on the matters relating to disputes arising out of a treaty or agreement entered into before the commencement of the Constitution.

The advice is not binding on the President and he may accept or reject it.

Law declared by the Supreme Court is binding on all the courts in India (Article 141). But Supreme Court itself is not bound by its own decisions. Article 137 empowers Supreme Court to review its own judgment.

Under Article 139A (inserted by 44th amendment Act 1978) Supreme Court may transfer to itself cases from one or more high courts if these involve substantial question of law or that great significance. Supreme Court may transfer cases from one High Court to another in the interest of justice.

Power of Judicial Review

Judicial review is the power of the Supreme Court to examine the constitutionality of legislative enactments and executive orders of both the Central and state governments. On examination, if they are found to be violative of the Constitution (ultra-vires), they can be declared as illegal, unconstitutional and invalid (null and void) by the Supreme Court. Consequently, they cannot be enforced by the Government.

Judicial review is needed for the following reasons:

- a. To uphold the principle of the supremacy of the Constitution.
- b. To maintain federal equilibrium (balance between Centre and states).
- c. To protect the fundamental rights of the citizens.

The Supreme Court used the power of judicial review in various cases, as for example, the Golaknath case (1967), the Bank Nationalisation Case (1970), the Privy Purses Abolition case (1971), the Kesavananda Bharati case (1973), the Minerva Mills case (1980) and so on.

Though the phrase 'Judicial Review' has nowhere been used in the Constitution, the provisions of several articles explicitly confer the power of judicial review on the Supreme Court.

The constitutional validity of a legislative enactment or an executive order can be challenged in the Supreme Court on the following three grounds:

- a. it infringes the Fundamental Rights (Part III),
- b. it is outside the competence of the authority which has framed it, and
- c. it is repugnant to the constitutional provisions.

From the above, it is clear that the scope of judicial review in India is narrower than that of what exists in USA, though the American Constitution does not explicitly mention the concept

of judicial review in any of its provisions. This is because, the American Constitution provides for 'due process of law' against that of 'procedure established by law' which is contained in the Indian Constitution. The difference between the two is: 'The due process of law gives wide scope to the Supreme Court to grant protection to the rights of its citizens. It can declare laws violative of these rights void not only on substantive grounds of being unlawful, but also on procedural grounds of being unreasonable.

Our Supreme Court, while determining the constitutionality of a law, however examines only the substantive question i.e., whether the law is within the powers of the authority concerned or not. It is not expected go into the question of its reasonableness, suitability or policy implications.'

The exercise of wide power of judicial review by the American Supreme Court in the name of 'due process of law' clause has made the critics to describe it as a 'third chamber' of the Legislature, a super-legislature, the arbiter of social policy and so on. This American principle of judicial supremacy is also recognised in our constitutional system, but to a limited extent. Nor do we fully follow the British Principle of parliamentary supremacy. There are many limitations on the sovereignty of Parliament in our country, like the written character of the Constitution, the federalism with division of powers the Fundamental Rights and the judicial review. In effect, what exists in India is a synthesis of both that is, the American principle of judicial supremacy and the British principle of parliamentary supremacy.

Court of Record

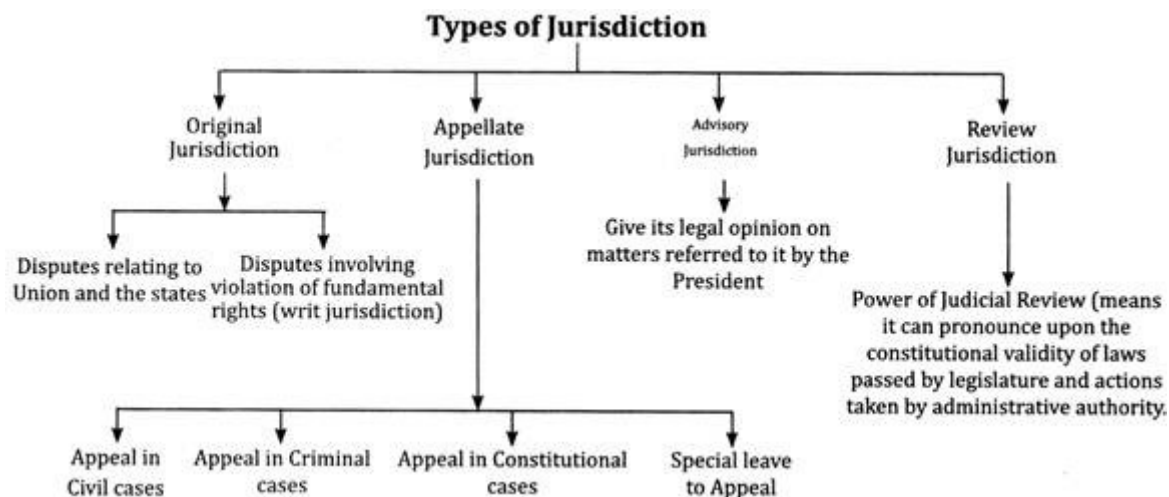
A court of record is a court whose acts and proceedings are enrolled for perpetual memory and testimony. These records are used with a high authority and their truth cannot be questioned. In Indian constitution article 129 make the Supreme Court the 'court of record'. Article 129 says: Supreme Court to be a court of record.-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. Article 215 empowers the High Courts of the states to be courts of record.

Other Powers

Besides the above, the Supreme Court has numerous other powers:

1. It decides the disputes regarding the election of the President and the Vice-President. In this regard, it has the original, exclusive and final authority.
2. It enquires into the conduct and behaviour of the chairman and members of the Union Public Service Commission on a reference made by the President. If it finds them guilty of misbehaviour, it can recommend to the President for their removal. The advice tendered by the Supreme Court in this regard is binding on the President.
3. It is authorised to withdraw the cases pending before the High Courts and dispose them by itself. It can also transfer a case or appeal pending before one High Court to another High Court.

The Supreme Court's jurisdiction and powers with respect to matters in the Union List can be enlarged by the Parliament. Further, its jurisdiction and powers with respect to other matters can be enlarged by a special agreement of the Centre and the states.



3. State Judiciary

Article 214 provides that there shall be a High Court for each state. However under Article 231 (1) Parliament can establish by law, a common High Court for two or more States or for two or more States and a UT. There are 24 High Courts in India. Out of them three are common High Courts.

Calcutta High Court Madras High Court Bombay High Court and Allahabad High Court are the oldest four High Courts in India Among the four, the Calcutta High Court is the oldest, established on 2nd July 1862.

Parliament may by law constitute a High Court for UT or declare any court in any such UT to be a High Court (Article 241). Guwahati High Court is the largest High Court in India; its territorial jurisdiction extends to seven states of the North East. Kolkata High Court has territorial jurisdiction covers Andaman and Nicobar.

Delhi has a separate high court but the other UTs come under the jurisdiction of various High Courts.

Appointment of Judges of High Court

- Article 217 provides that every judge of a high court shall be appointed by the President.
- President appoints Chief Justice of High Court after consultation with Chief Justice of India and the Governor of the state concerned. In case of appointment of other judges of the High Court he may consult the Chief Justice of High Court concerned.

- The strength of the judges of the High Courts is not the same
- In Re-Presidential Reference Case (popularly known as Appointment and Transfer of Judges Case), Supreme Court held that the Chief Justice of India should consult “a collegium of two senior most judges of the Supreme Court” for the appointment of a judge of Supreme Court or High Court.
- Further in case of transfer of High Court judges, in addition to the collegium of 4 judges of Supreme Court, the Chief Justice of India is required to consult Chief Justice of both the High Courts (one from where the judge is being transferred and the other, receiving him).
- Article 222 empowers the President after consultation with Chief Justice of India to transfer a judge from one High Court to another High Court.

Qualifications of a Judge of High Court

1. Citizen of India,
2. Have held a judicial office for at least 10 years or
3. Have been an advocate of one High Court or two or more High Courts in succession for at least 10 years.

Term of Adhoc Judge

- Until he attains the age of 62 years.
- He may resign by writing to the President.
- He may be removed by the President on the grounds of proved misbehaviour or incapacity on an address by both houses of parliament supported by the vote of 2/3rd of members present and voting in each house.
- Thus a judge of the HC can be removed in the same way as a judge of SC.

Jurisdiction of High Court

Original Jurisdiction

It means the power of a High Court to hear disputes in the first instance, not by way of appeal. It extends to the following:

- a. Matters of admiralty, will, marriage, divorce, company laws and contempt of court.
- b. Disputes relating to the election of members of Parliament and state legislatures.
- c. Regarding revenue matter or an act ordered or done in revenue collection.
- d. Enforcement of fundamental rights of citizens.

- e. Cases ordered to be transferred from a subordinate court involving the interpretation of the Constitution to its own file.
- f. The four high courts (i.e., Calcutta, Bombay, Madras and Delhi High Courts) have original civil jurisdiction in cases of higher value.

Writ Jurisdiction

Article 226 of the Constitution empowers High Court to issue writs including habeas corpus, mandamus, certiorari, prohibition and quo-warranto for enforcement of the fundamental rights of the citizens and for any other purpose.

The phrase 'for other purpose' refers to the enforcement of an ordinary legal right. The High Court can issue writs to any person, authority and government not only within its territorial jurisdiction but also outside its territorial jurisdiction if the cause of action arises within its territorial jurisdiction.

The writ jurisdiction of the High Court (under Article 226) is not exclusive but concurrent with the writ jurisdiction of the Supreme Court (under Article 32). It means, when the fundamental rights of a citizen are violated, the aggrieved party has the option of moving either the High Court or the Supreme Court directly. However, the writ jurisdiction of the High Court is wider than that of the Supreme Court. This is because, the Supreme Court can issue writs only for the enforcement of fundamental rights and not for any other purpose, that is, it does not extend to a case where the breach of an ordinary legal right is alleged."

Appellate Jurisdiction

A high court is primarily a court of appeal. It hears appeals against the judgements of subordinate courts functioning in its territorial jurisdiction. It has appellate jurisdiction in both civil and criminal matters. Hence, the appellate jurisdiction of a High Court is wider than its original jurisdiction.

Supervisory Jurisdiction

A high court has the power of superintendence over 'all courts and tribunals functioning in its territorial jurisdiction (except military courts or tribunals). Thus, it may:

- a. call for returns from them;
- b. make and issue, general rules and prescribe forms for regulating the practice and proceedings of them;
- c. prescribe forms in which books, entries and accounts are to be kept by them; and
- d. settle the fees payable to the sheriff, clerks, officers and legal practitioners of them.

This power of superintendence of a High Court is very broad because:

- i. it extends to all courts and tribunals whether they are subject to the appellate jurisdiction of the High Court or not;
- ii. it covers not only administrative superintendence but also judicial superintendence;

- iii. it is a revisional jurisdiction and
- iv. it can be suo-motu (on its own) and not necessarily on the application of a party.

However, this power does not vest the High Court with any unlimited authority over the subordinate courts and tribunals. It is an extraordinary power and hence has to be used most sparingly and only in appropriate cases. Usually, it is limited to:

- i. excess of jurisdiction,
- ii. gross violation of natural justice
- iii. error of law,
- iv. disregard to the law of superior courts,
- v. perverse findings, and
- vi. manifest injustice.

Control over Subordinate Courts

In addition to its appellate jurisdiction and supervisory jurisdiction over the subordinate courts as mentioned above, a High Court has an administrative control and other powers over them. These include the following:

- i. It is consulted by the Governor in the matters appointment, posting and promotion of district judges and in the appointments of persons in the judicial service of the state (other district judges).
- ii. It deals with the matters of posting, promotion grant of leave, transfers and discipline of members of the judicial service of the state (other than district judges).
- iii. It can withdraw a case pending in a subordinate court if it involves a substantial question of law that require the interpretation of Constitution. It can then either dispose of case itself or determine the question of law and return the case to the subordinate court with its judgement.
- iv. Its law is binding on all subordinate courts functioning within its territorial jurisdiction in same sense as the law declared by the Supreme Court is binding on all courts in India.

Power of Judicial Review

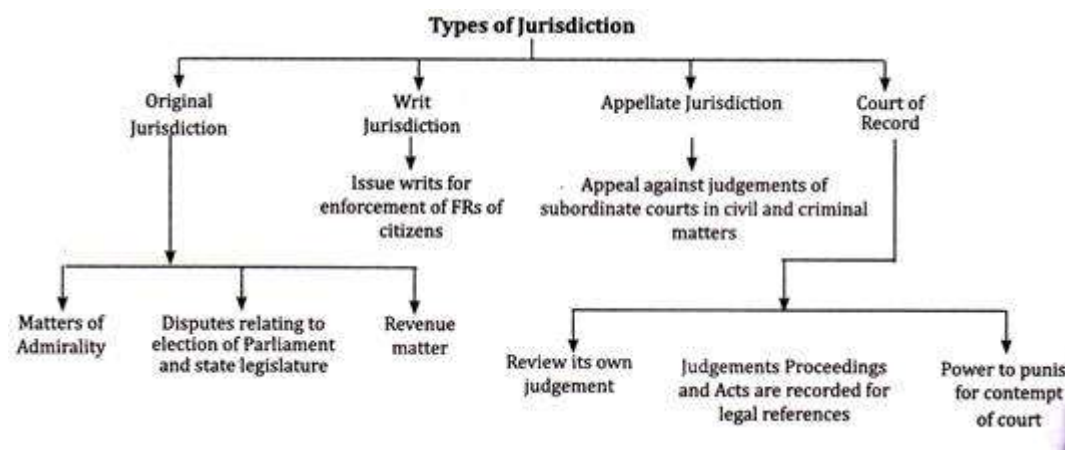
Judicial review is the power of a High Court to examine the constitutionality of legislative enactments and executive orders of both the Central and state governments. On examination, if they are found to be violative of the Constitution (ultra-vires), they can be declared as illegal, unconstitutional and invalid (null and void) by the High Court.

Though the phrase 'judicial review' has nowhere been used in the Constitution, the provisions of Articles 13 and 226 explicitly confer the power of judicial review on a High

Court. The constitutional validity of a legislative enactment or an executive order can be challenged in a High Court on the following three grounds:

- a. It infringes the fundamental rights (Part III),
- b. It is outside the competence of the authority which has framed it, and
- c. It is repugnant to the constitutional provisions.

The 42nd Amendment Act of 1976 curtailed the judicial review power of High Court. It debarred the High Court from considering the constitutional validity of any central law. However, the 43rd Amendment Act of 1977 restored the original position.



S.No.	Supreme Court	High Court
1.	This is the union court and the apex institution of the united court system.	The High Court is constituted in every State for a group of states.
2.	All the Judges of the Supreme Court, retire on attaining the age of 65 years.	The Judge of the High Court retires after attaining the age of 62 years.
3.	The Judges of the Supreme Court cannot do their practice after retirement. These are also restricted during their tenure.	The Judge of the High Court cannot do his legal practice during his tenure but we can do this after his tenure in any High Court or Supreme Court. He cannot do his legal practices in courts below High Court.
4.	The Judges of the Supreme Court cannot be transferred and cannot be promoted.	The Judges of the High Courts are transferrable to the other high courts. They can be promoted upto Judge of the Supreme Court.
5.	The Supreme Court is not bounded to obey the decisions of the High Courts or any other courts.	The High Courts are bounded to obey the decision of Supreme Court.
6.	The Supreme Court only has the power to take decisions regarding constitutions.	The High Court has no power to take decisions regarding constitution.
7.	The Chief Justice of the Supreme Court draws a salary of 100,000 Rupees per month while other Judges draw Rs. 90,000 per month.	The chief Justice of High Court draws a salary of Rs. 90,000 while other Judges draw Rs. 80,000 per month.
8.	The cases involving the interpretation of the Constitution are decided only by the Supreme Court.	The cases involving the interpretation of the Constitution are not decided by the High Court.

9.	The Supreme Court can issue writs only for the enforcement of fundamental Rights	High Court can issue writs not only for the enforcement of fundamental Rights but also for any other purpose.
10.	A remedy under Article 226 is discretionary and hence, a High Court may refuse to exercise its writ jurisdiction.	A remedy under Article 32 in itself a Fundamental Right and hence, the Supreme Court may not refuse to exercise its writ jurisdiction.

Courts under High Court

- District Courts of India
- District Munsiff Court
- Courts of Judicial Magistrate of First Class
- Courts of Judicial Magistrate of Second Class

Subordinate Courts (part VI, Articles 233 to 237)

Under the High Court there are three types of courts in the districts. They are the Civil Courts, the Criminal Courts and the Revenue Courts. The highest Civil Court in a district is that of the district judge. They have the power to try civil cases and to hear appeals. They have additional civil judges to help them. The less important cases are decided by sub-judges and munsifs.

The highest District Court to try criminal cases is that of the Sessions Judge. The criminal cases are heard by the Magistrates too. The district judge also acts as the Sessions Judge in a district. Appeal cases against the lower courts are heard by the District Courts and appeals against the decisions taken by the District Court can be made to the State High Court.

Appointment of District Judges

The appointment, posting and promotion of a District Judge is done under the Governor of the State in consultation with the High Court. The necessary qualifications for a person to be appointed as a District Judge are as follows:

- Article 233 strictly says that a person to be appointed as District Judge must not be in the service of the Central or the State Government.
- He should have been an advocate or a pleader for 7 years.
- He should be recommended by the High Court for appointment as a District Judge.

Other Local Courts

In addition to the three type of courts mentioned above, there are the Panchayati Adalats or Nyaya Panchayats which are also under the District Judge in some states. Four or Five Gram

Sabha have one such Panchayati Court. They are established to try small cases of all kinds. Under this system the cases can be decided fast and need not in value much expenditure.

The Nyaya Panchayats function in ruler areas a similar concept introduced in some urban area this is called the 'Lok Adalat'.

National Legal Services Authority

In 1987 the Legal Services Authorities Act (LSAA) was enacted by the parliament, which came into force on November 9, 1995 to establish a nationwide uniform network for providing free and Competent Legal Services to the weaker section of the society on the basis of equal opportunity. The National Legal Service Authority (NALSA) has been constituted under the legal Services Authority Act 1987 to monitor and evaluate implementation of legal aid programmes and lay down policies and principles for making legal services available under the Act.

In every state, a State Legal Services Authority and in every High Court a High Court legal services committee has been constituted. District legal services authorities and Taluka Legal Service Committees have been constituted in the district and most of the Talukas in order to give effect to the policies and directions of the NALSA and to provide free legal services to the people and conduct Lok Adalat in the states.

NALSA issues guidelines for the State Legal Services Authorities to implement, the legal aid programmes and schemes throughout the country. Primarily, the state legal services authorities, district legal service authority, Talika Legal service committee, etc. have been assigned the task of discharging the following two main functions on regular basis.

- (i) To provide free legal services to the eligible persons: and
- (ii) To organise Lok Adalats for amicable settlement disputes.

Mobile Courts

Mobile Court means a court set-up in a vehicle, which can move from one place to another, according to a well-prepaid plan and schedule. Mobile Courts will be of great relief to the rural people. It would create greater awareness about the judicial system among rural masses, cut costs for them a render justice at their doorstep. These courts should see to that hearings are not unnecessarily postponed.

The Mobile Court is equipped to receive complaints, civil and criminal applications, grant bail and remand accused to custody, issue summons, receive police reports, record evidence, pronounce and execute decrees and judgements pass sentences and can send convicts to prison. It also delivers certified copies of its orders and judgements. The Country's first mobile court was launched at Mewat district in Haryana.

Lok Adalat

It is a system of alternative dispute resolution developed in India. It roughly means People's court. They are governed by the Legal Services Authorities Act of 1987. The Award of the Lok Adalat is binding upon all the parties. Lok Adalats are given certain powers of the Civil Courts. The Lok Adalats have wide jurisdiction that means any matter falling within jurisdiction of Civil, Criminal, Revenue Courts or Tribunals are dealt by them.

Lok Adalat accepts the cases which could be settled by conciliation and in which, compromise was pending in the Regular Courts within their jurisdiction. The Lok Adalat presided over by a sitting or Retired Judicial Officer or other person of respect and legal knowledge as the Chairman with two other members, usually a lawyer and a social worker. The first Lok Adalat was held on March 14, 1982 at Junagarh in Gujarat.

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