

Social Science

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(Social and Political Life) (Chapter - 4) (Judiciary)

(Class - 8)

Question 1:

You read that one of the main functions of the judiciary is 'upholding the law and Enforcing Fundamental Rights'. Why do you think an independent judiciary is necessary to carry out this important function?

Answer 1:

An independent judiciary is necessary to carry out the function of 'upholding the law and enforcing Fundamental Rights'. Anyone can approach the courts if they believe that their rights have been violated. If any law passed by the Parliament violates anyone's Fundamental Rights, the judiciary has power to declare such law null and void.

Question 2:

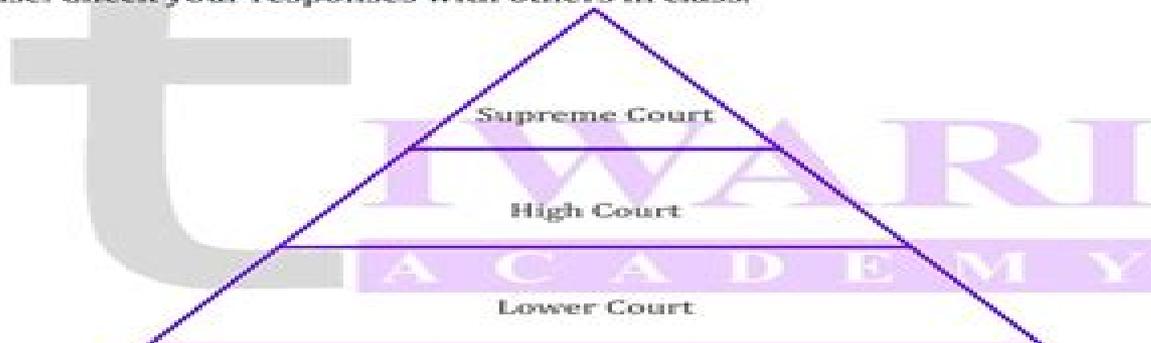
Re-read the list of Fundamental Rights provided in Chapter 1. How do you think the Right to Constitutional Remedies connects to the idea of judicial review?

Answer 2:

The Right to Constitutional Remedies connects to the idea of judicial review in its capacity of protecting the rights of an individual against the working of the State legislature or executive. The Right to Constitutional Remedies allows citizens to move the court if they think that any of their Fundamental Rights are being violated by the State administration. Judicial review implies invalidation of legislative or executive action if it is seen to violate Fundamental Rights. Hence, the Right to Constitutional Remedies and judicial review are inter-connected because the latter is practiced when a Fundamental Right is violated by the State. In this case, a higher court can repeal the judgments of a lower court based on its own investigation.

Question 3:

In the following illustration, fill in each tier with the judgments given by the various courts in the Sudha Goel case. Check your responses with others in class.



Answer 3:

- Lower Court (Trial Court): Laxman, his mother Shakuntala and his brother-in-law Subhash Chandra were sentenced to death
- High Court: Laxman, Shakuntala and Subhash Chandra were acquitted.
- Supreme Court: Laxman, Shakuntala were given life imprisonment while Subhash Chandra was acquitted for lack of sufficient evidence.

Class 8 Social Science Guide Ncert Civics

**Gita Duggal, Joyita Chakrabarti, Mary
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