

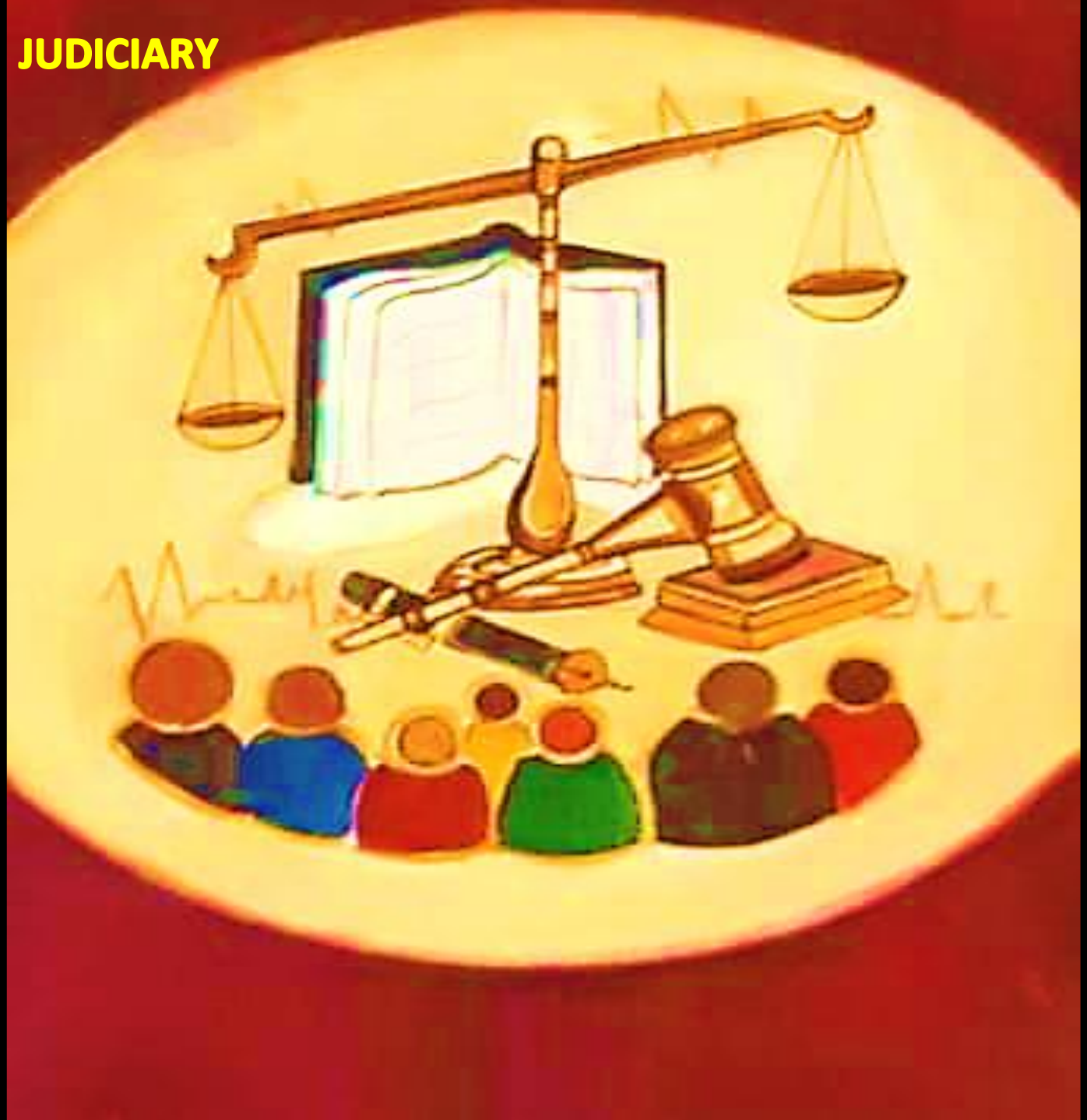
CLASS VIII

NCERT SOCIAL SCIENCE TEXT BOOK

SOCIAL AND POLITICAL LIFE – III

CHAPTER 5

JUDICIARY



K. L. INTERNATIONAL SCHOOL
(Affiliated to Central Board of Secondary Education)

ACKNOWLEDGEMENT

In the accomplishment of this Novel, the team has been bestowed with optimum support. We extend our special gratitude to the Principal, Mr. Sudhanshu Shekhar who provided us a platform to execute this idea and encouraged us to do our best.

We extend our heartfelt thanks to Mr. Sandeep Sethi (Director Education, M.S.M.S.II, Museum Trust) for providing us the golden opportunity to do this task. It's because of his prestigious mentorship that this influential novel could be created.

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PREFACE

Judiciary is a graphic novel which aims to create interest of the students in the Indian Judiciary and Fundamental Rights. In this chapter we have tried to explain the various levels of judiciary in India, different types of courts, each with varying powers depending on the tier and jurisdiction bestowed upon them.

This chapter will help the students in understanding how the Indian judiciary is independent of the executive and legislative branches of the government.

Narrated through the story of Chottu, Mr. Sandeep Roy and his family, the students will learn how to fight for the Right Against Exploitation.

This chapter will also help them understand our Fundamental Rights and Duties. They will also learn how a person can approach the High Court directly in case of violation of Fundamental Rights.

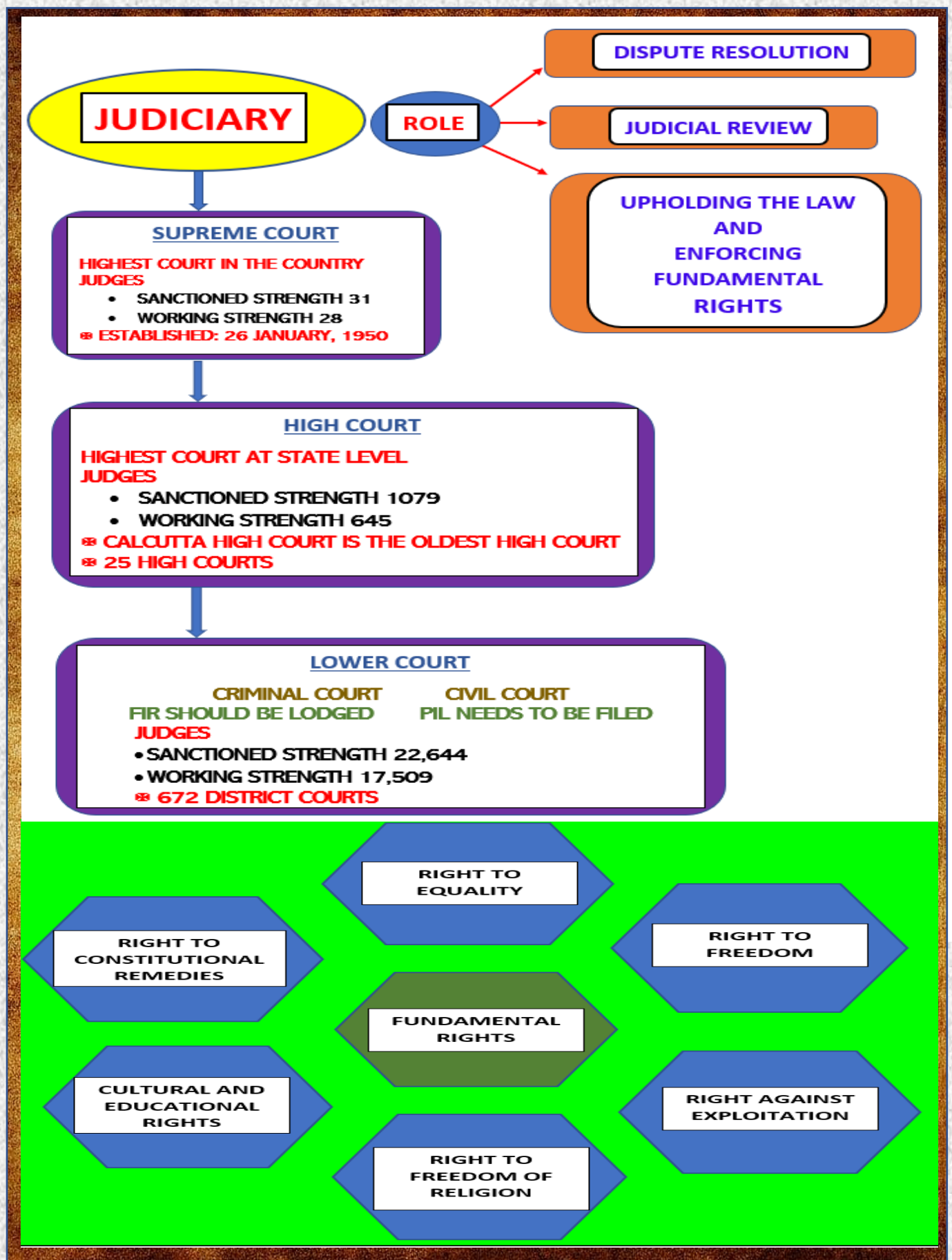
We fervently hope that our novel will be a valuable resource and an engaging text for inquisitive readers.

LEARNING OUTCOMES

The students will be able to:

- ▶ **appreciate the significant role played by Indian judiciary in upholding the principles enshrined in the Constitution.**
- ▶ **attach significance to the judicial system in upholding the rule of law.**
- ▶ **explain three different levels of courts in our country and only one apex court.**
- ▶ **understand civil laws and criminal laws with the help of case studies.**
- ▶ **recognize greatly simplified justice system and access to justice by common people through public interest litigation.**

STORY BOARD



INTRODUCTION OF CHARACTERS



Mr. Sandeep Roy
Lawyer



Mrs. Sunita Roy
Social Worker



Bhumika Roy
Student



Anay Roy
Student



Akash (Chottu)
Child worker



Rajveer
Akash's father



Mrs. Sarita Chaudhary
Judge at High Court



Mr. Gopal Singh
Prosecutor-High Court



Mr. Rajan Singh
Defence Lawyer-High Court



Mr. Narendra Rathore
Judge at Supreme Court



Mr. Amit Chauhan
Prosecutor-Supreme Court



Mrs. Aruna Gupta
Defence Lawyer-Supreme Court



Mahesh
Café owner



Rajeev
Restaurant owner



Raheem
Toy shop owner

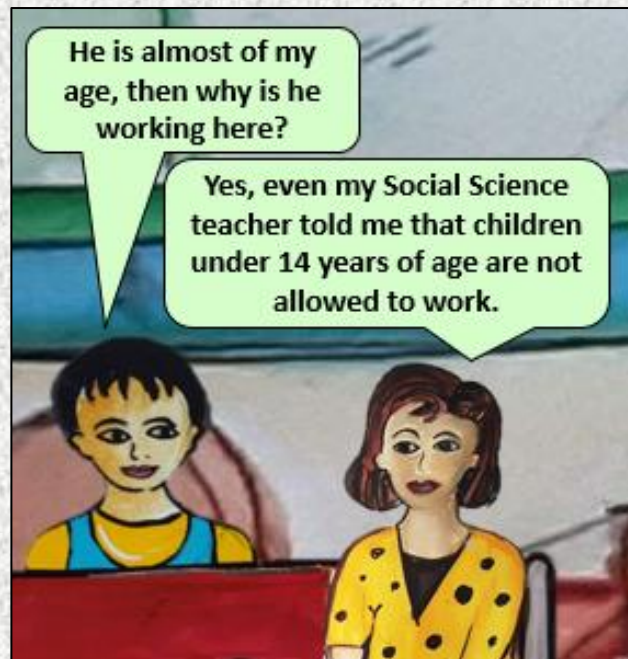


A TALE OF JUSTICE

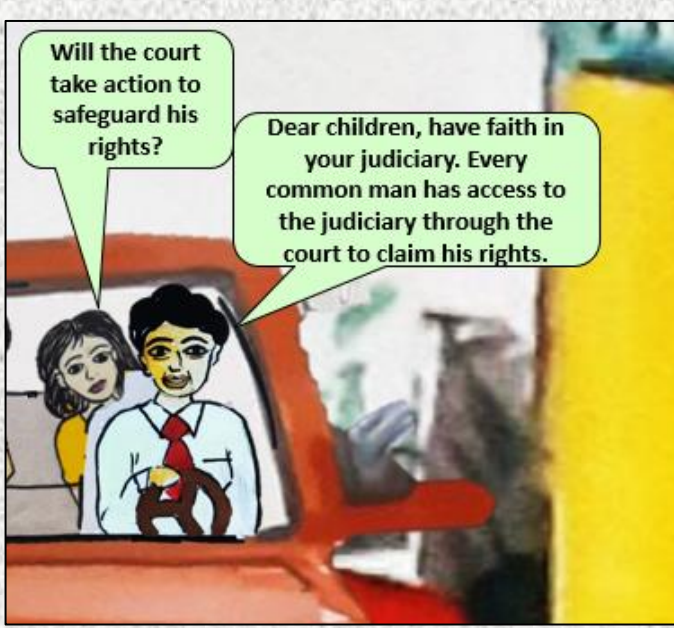
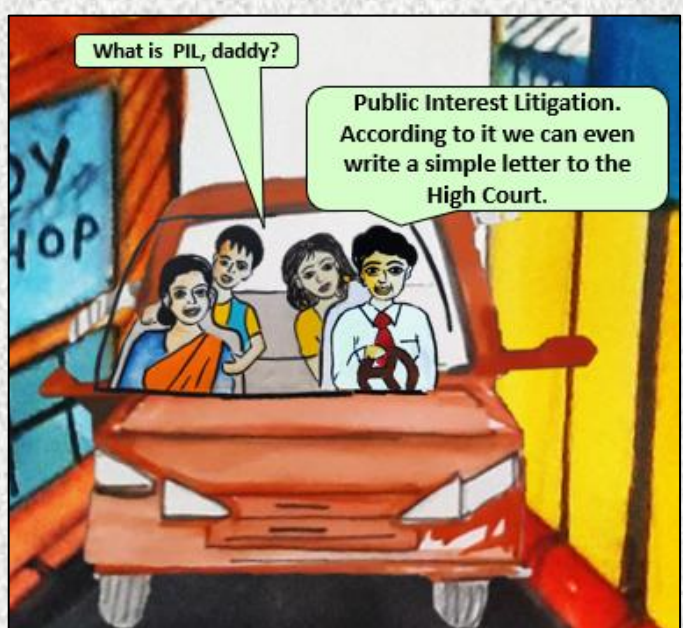
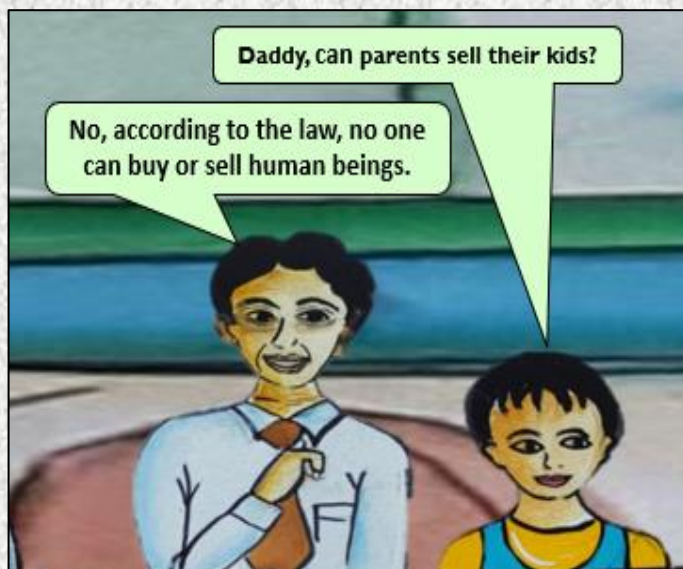


One pleasant day, the Roy family is off to a theme resort for an outing.







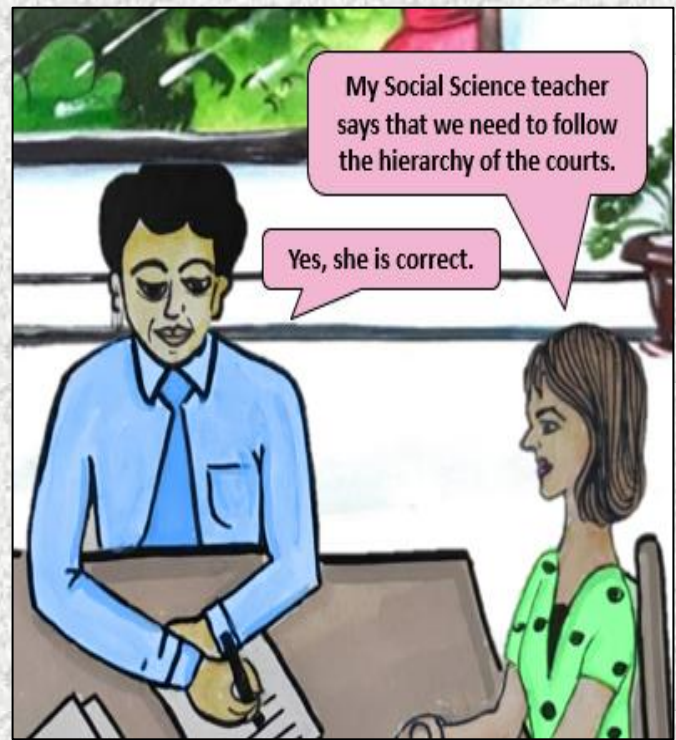


Agricultural labour got justice

Hakim Sheikh, an agricultural labourer fell from a running train and injured himself. His condition got worst as several hospitals refused to admit him. The Supreme Court gave justice to him as

Article 21 provides Fundamental Right to Life, which also includes Right to health. (Paschim Banga Khet Mazdoor Samiti vs State of West Bengal 1996)

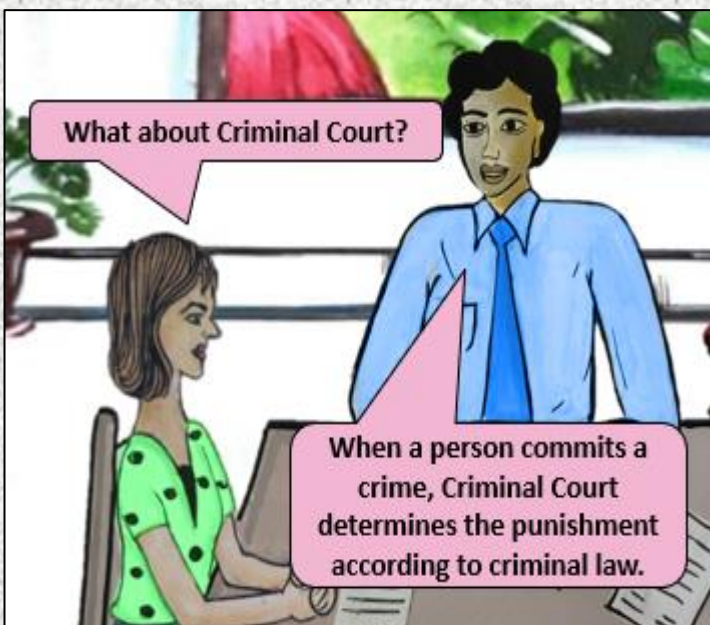
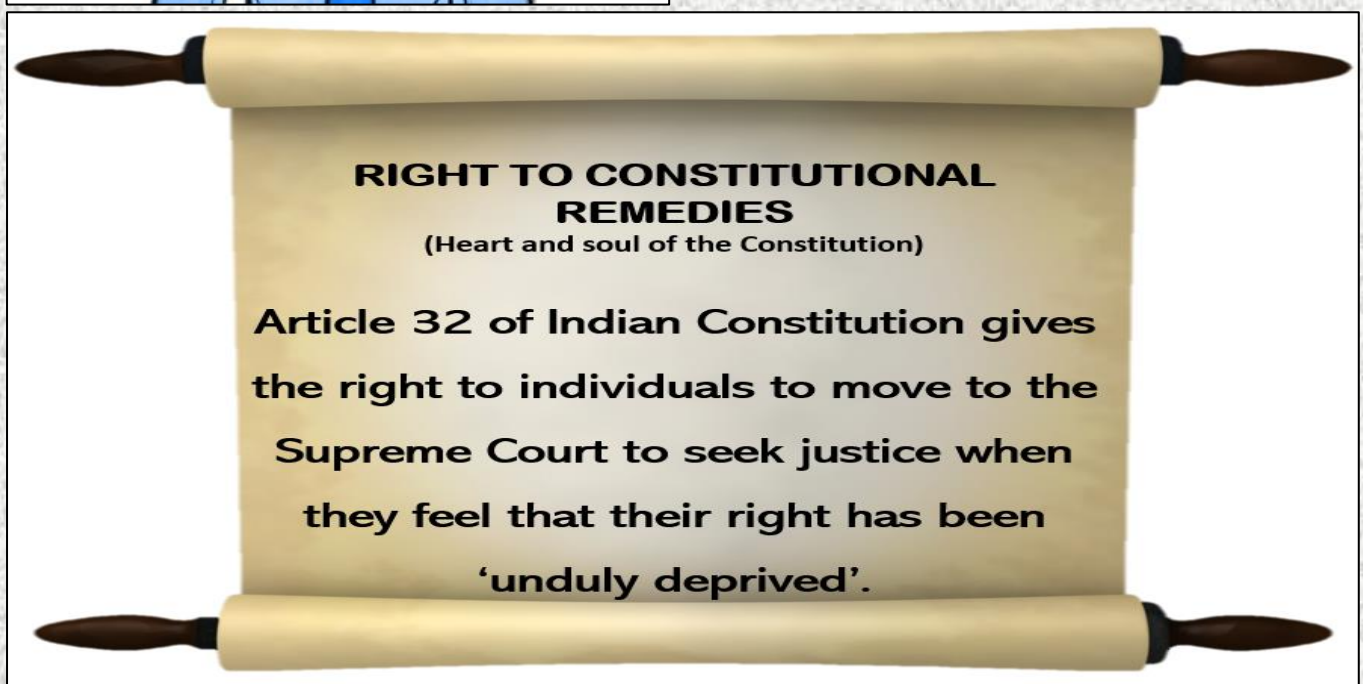
Next day in the evening, Mr. Roy is back from office. He sits down to write the PIL.



FURTHER MORE.....



- ❖ The power sharing between Legislature, Executive and Judiciary is known as Horizontal power sharing.
- ❖ The judicial review plays very important role as protector for safeguarding the rights of people.

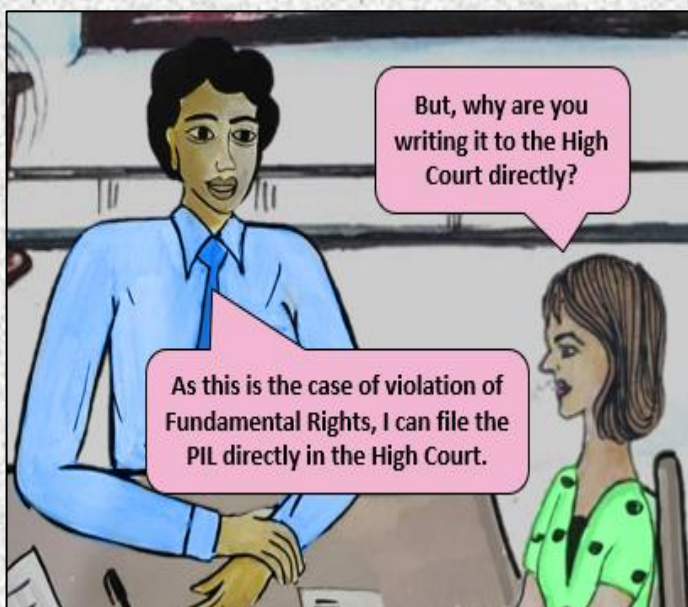


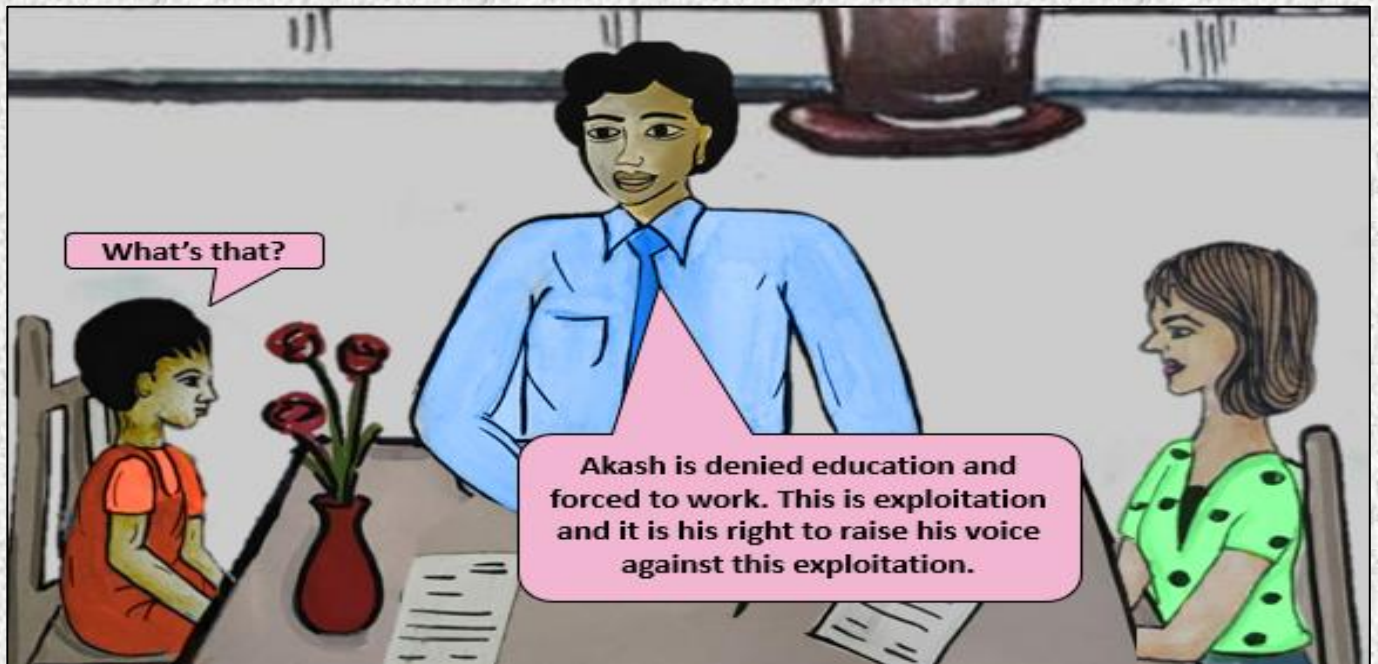
CRIMINAL LAW

1. Deals with conduct or acts that the law defines as offences. For example, theft, harassing a woman to bring more dowry, murder, etc.
2. It actually begins with the lodging of an First Information Report (FIR) with the police who investigate the crime after which a case is filed in the court.
3. If found guilty, the accused can be sent to jail and also fined.

CIVIL LAW

1. Deals with any harm or injury to rights of individuals. For example, disputes relating to sale of land, purchase of goods, rent matter, divorce cases.
2. A petition has to be filed before the relevant court by affected party only. In a rent matter, either the landlord or tenant can file a case.
3. The court gives the specific relief asked for. For instance, in a case between a landlord and a tenant, the court can order the flat to be vacated and pending rent to be paid.





LET US RECALL.....



➤ Choose the correct option

1. What does PIL stand for?

- | | |
|-------------------------------|--------------------------------|
| a. Public Interest Law | b. Party Interest Logic |
| c. Public Interest Litigation | d. Private Interest Litigation |

2. Where should a person file a petition against the violation of Right Against Exploitation?

- | | |
|------------------|---------------|
| a. Session Court | b. Lok Adalat |
| c. Panchayat | d. High Court |

3. What is the other name of the District Court?

- | | |
|------------------|-------------------|
| a. High Court | b. Consumer Court |
| c. Supreme Court | d. Session Court |

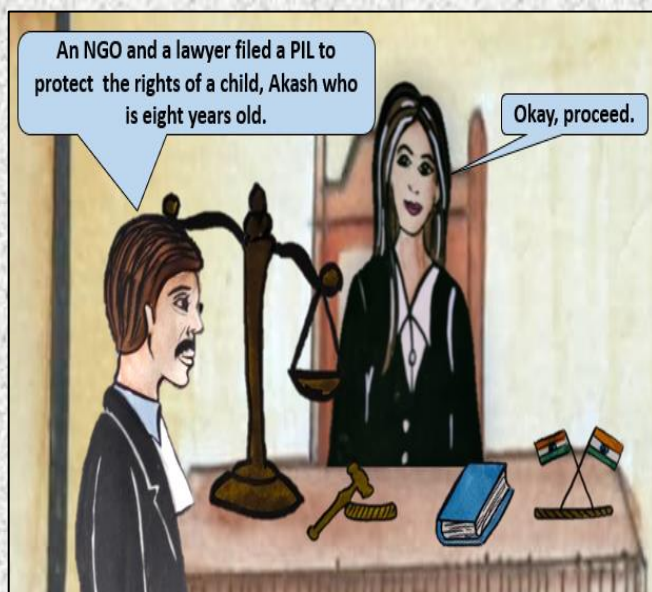
1.c 2.d 3.d

After a few weeks, at the High Court...



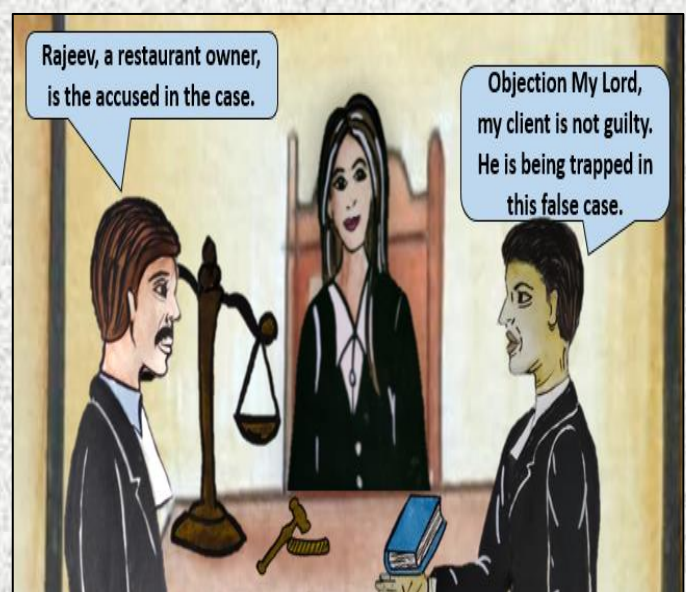
My Lord, today's case is regarding child labour and human trafficking.

Let us start the proceedings of today's case.



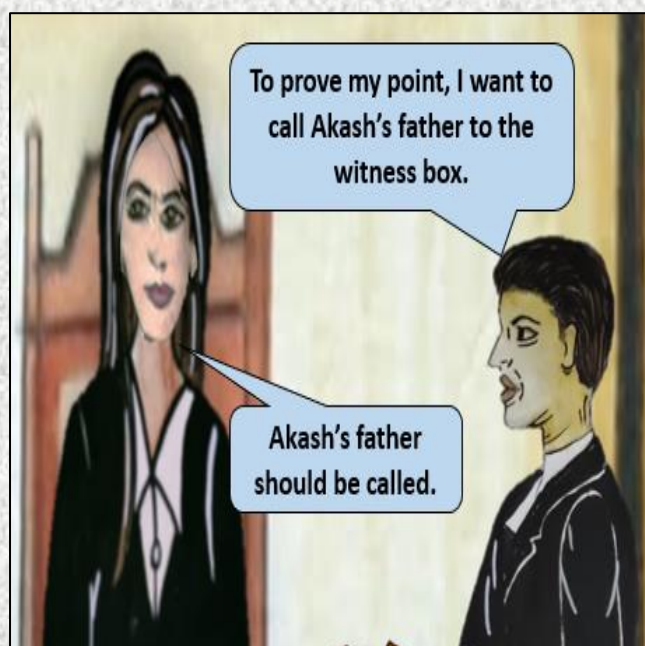
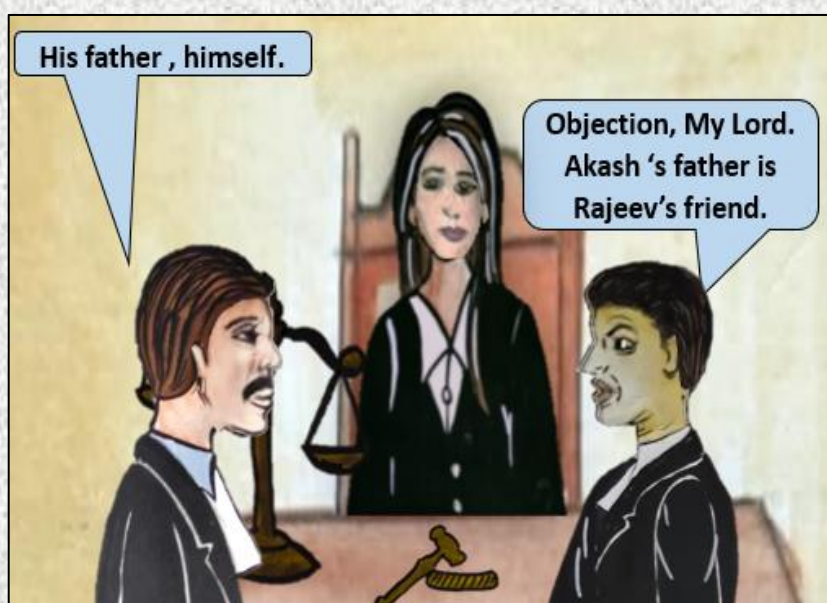
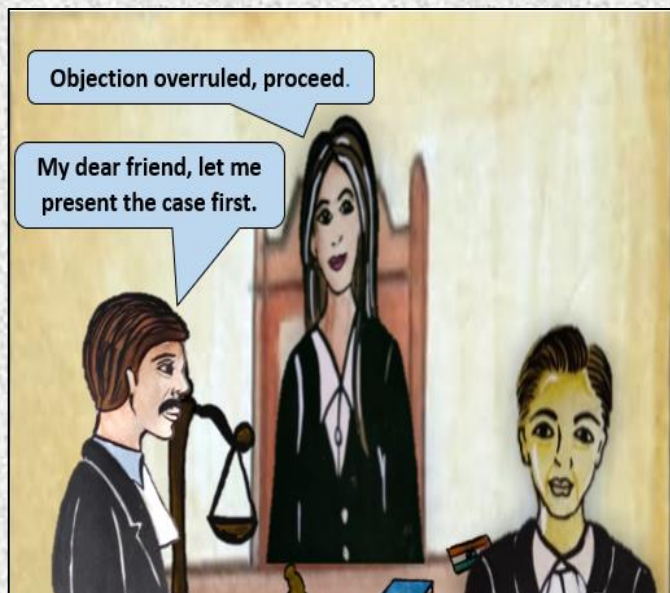
An NGO and a lawyer filed a PIL to protect the rights of a child, Akash who is eight years old.

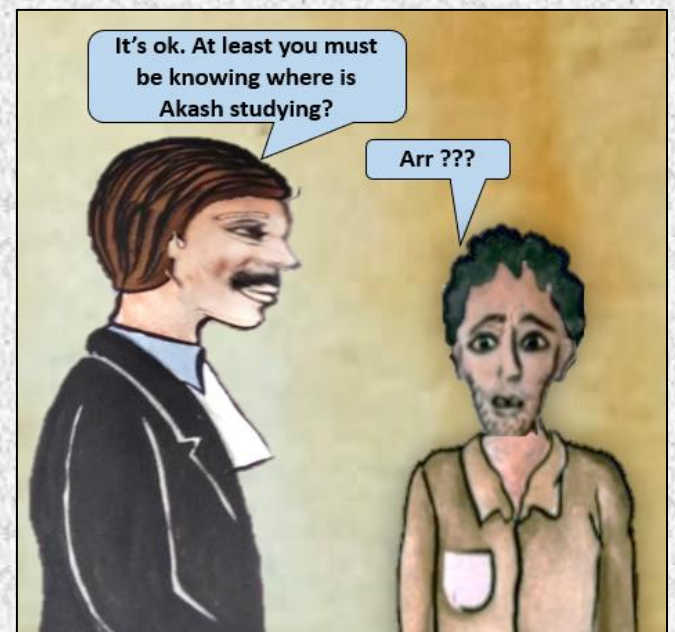
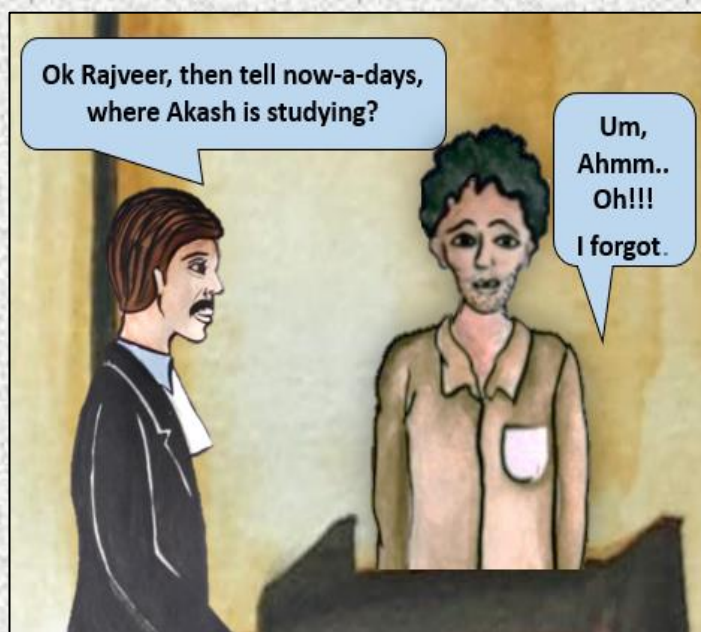
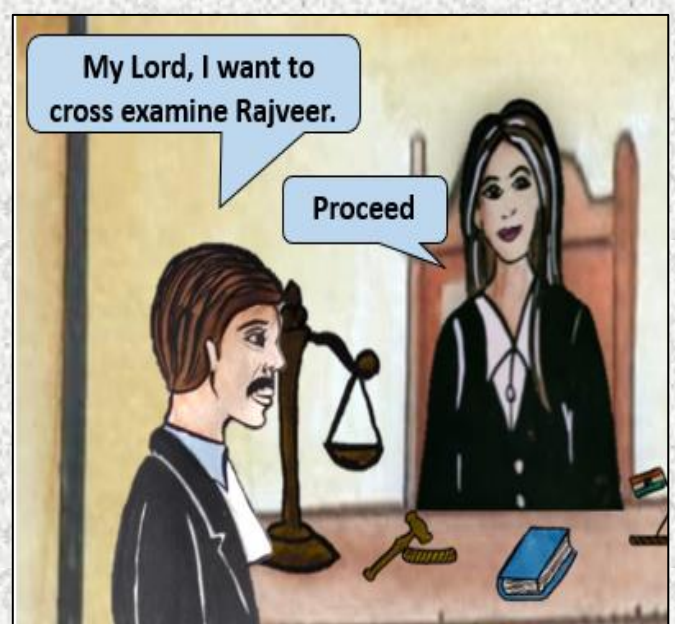
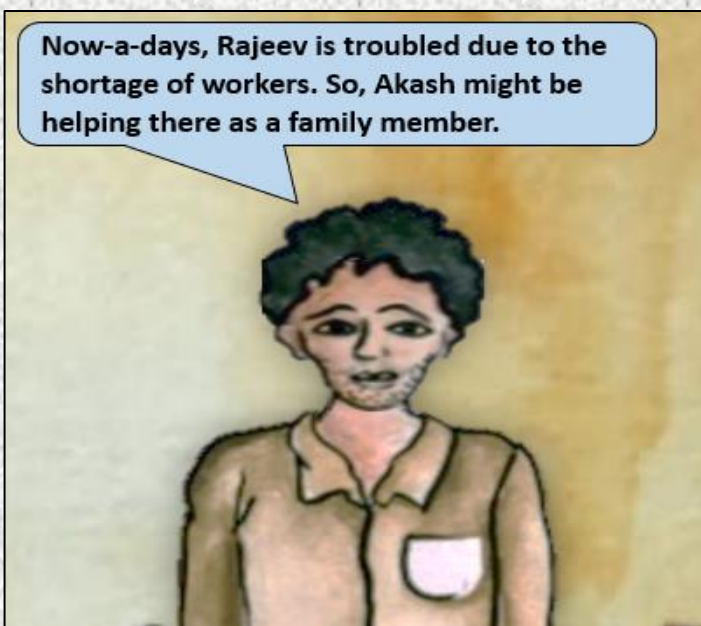
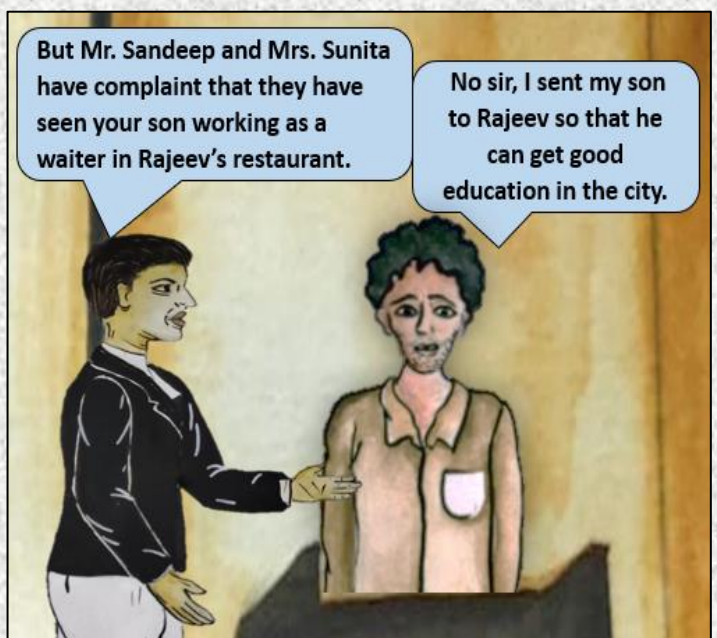
Okay, proceed.



Rajeev, a restaurant owner, is the accused in the case.

Objection My Lord, my client is not guilty. He is being trapped in this false case.



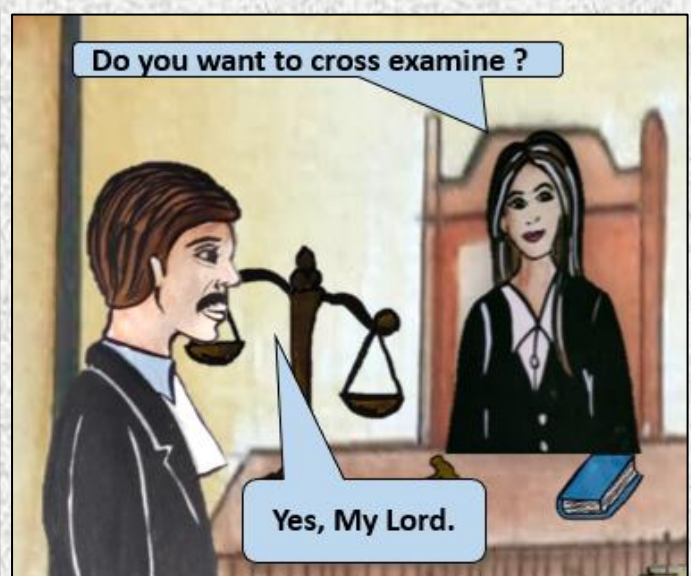


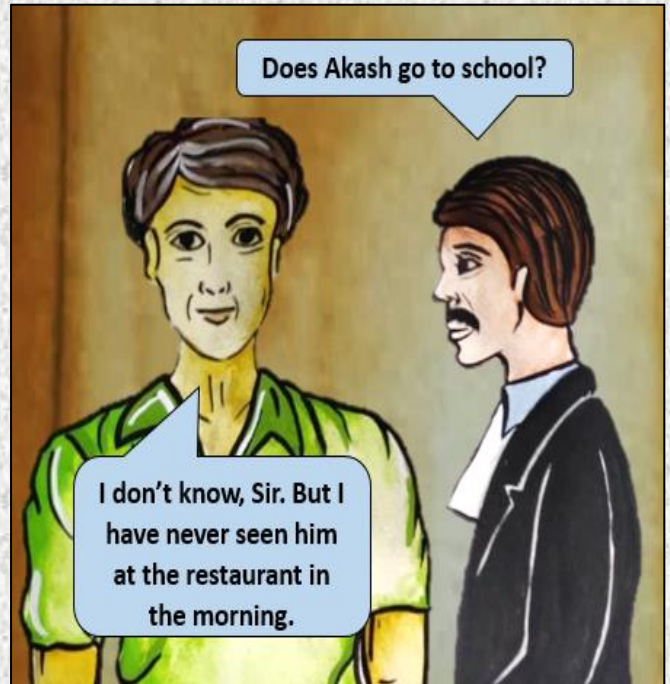


FURTHER MORE.....



- ❖ The Mid-day Meal Scheme refers to the programme introduced in all government elementary schools to provide children with cooked lunch.
- ❖ The first state to start Mid-day Meal Scheme was Tamil Nadu in 2001.
- ❖ Free uniforms and school bags are being provided to all Government schools under the provision of free and compulsory education upto the age of 14 years under the Directive principles of state policy according to Article 45.
- ❖ Article 21 of the Constitution of India secures two rights i.e. Right to Life and Right to Personal Liberty. In wider sense, it includes Right to Food, Right to Health, Right to live with Human Dignity, Right to livelihood, Right to get pollution free air etc.

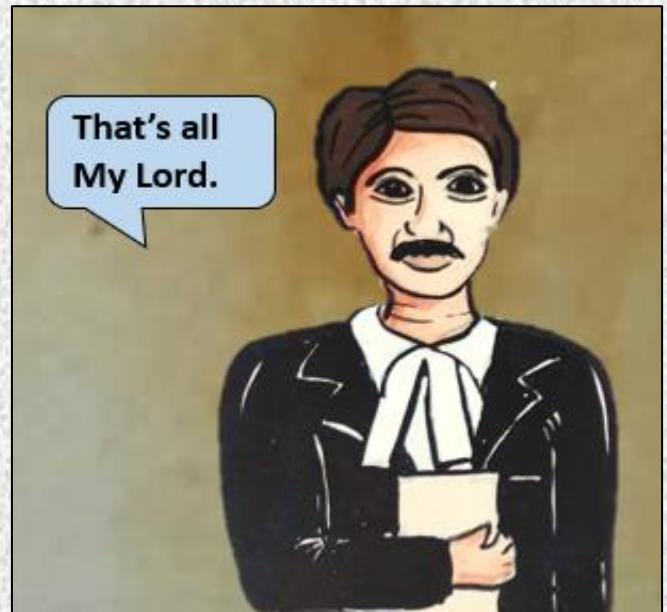
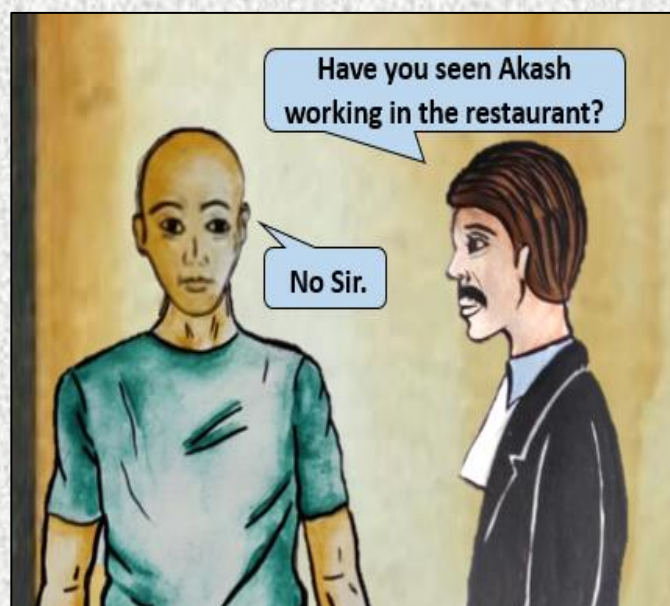
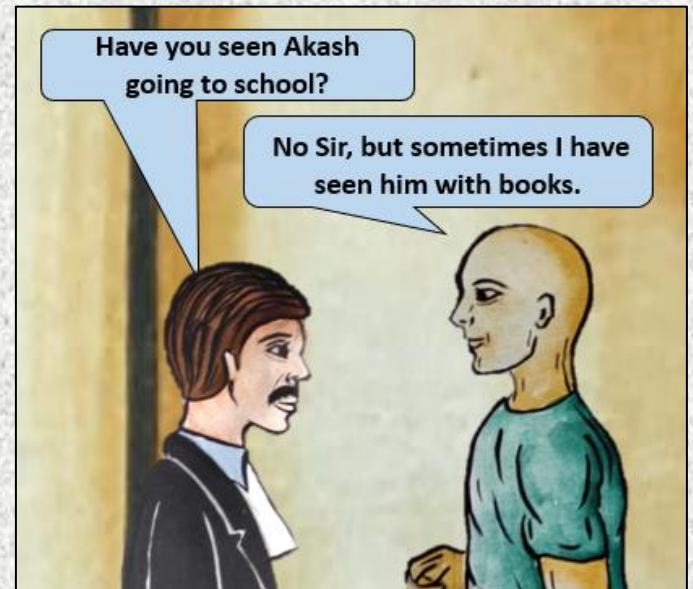
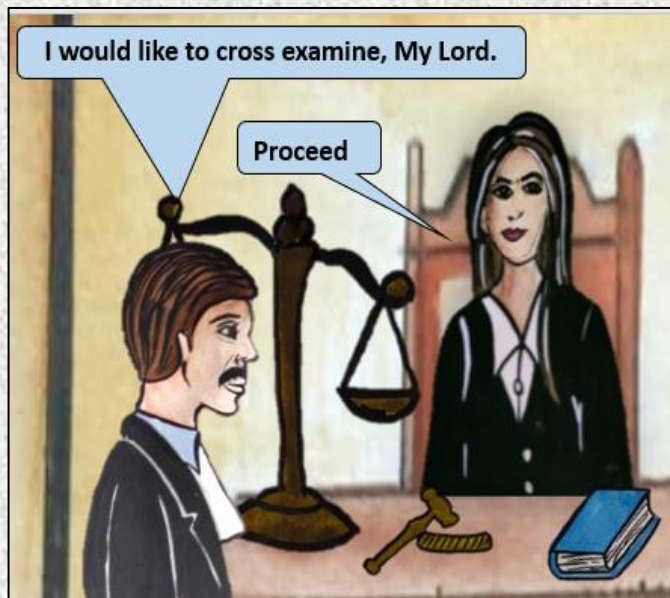
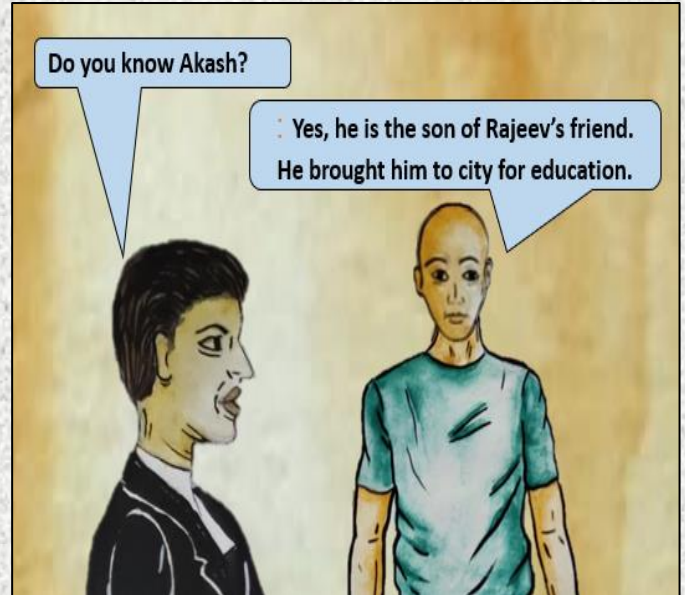
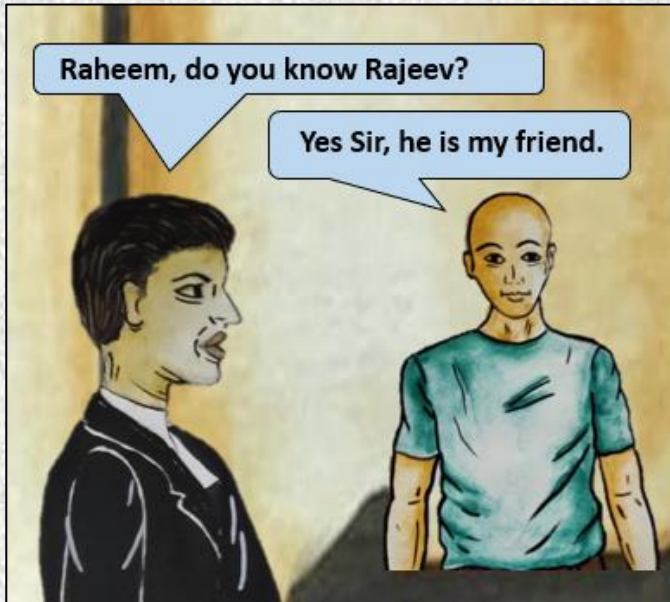


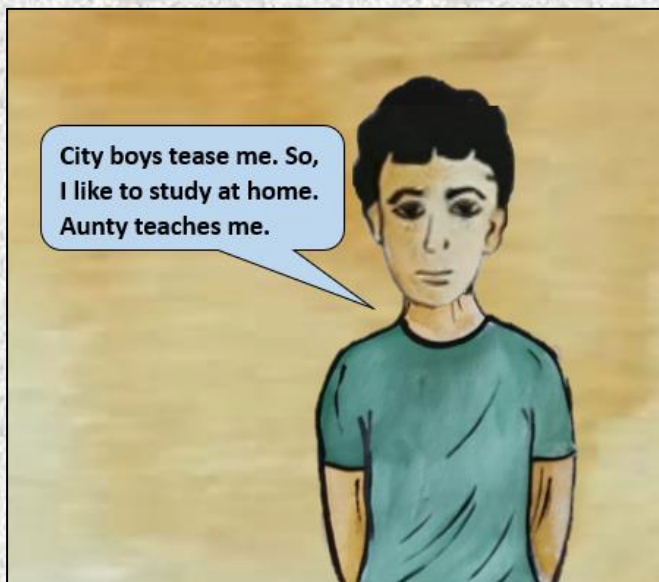
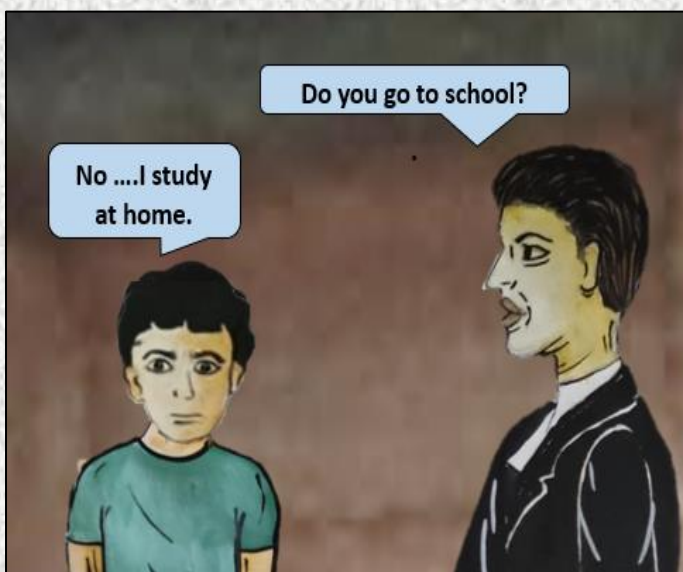
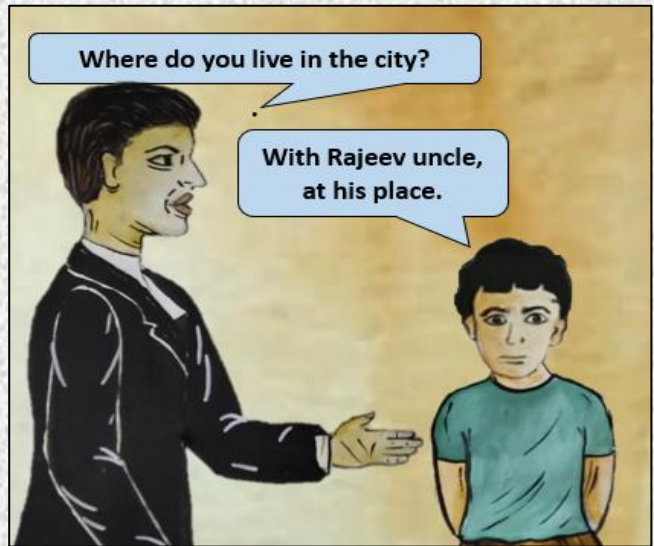
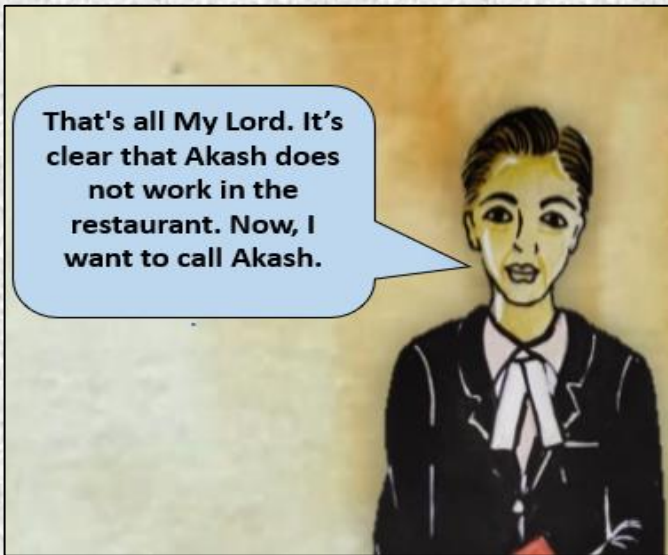


FURTHER MORE.....



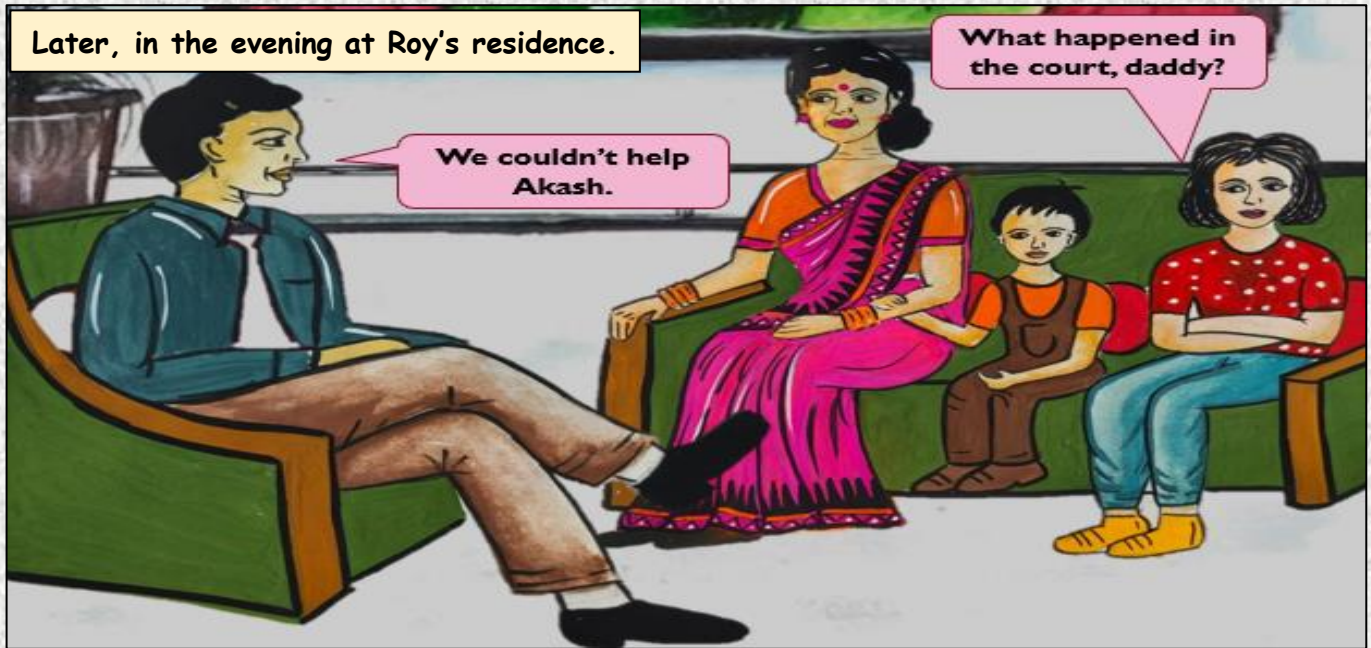
- ❖ In India, the first PIL was filed in 1976. The seed of the PIL was sown by Justice Krishna Iyer through his landmark judgement.
- ❖ Calcutta High Court is the oldest High Court in India established on 1 July 1862.





Defence Lawyer and Rajeev threatened Akash's parents and Akash. Out of fear, they didn't tell the truth in the court. In the absence of witnesses and proofs, High Court gives verdict in favour of Rajeev.

Later, in the evening at Roy's residence.





LET US RECALL.....



➤ Complete the following statements with appropriate words.

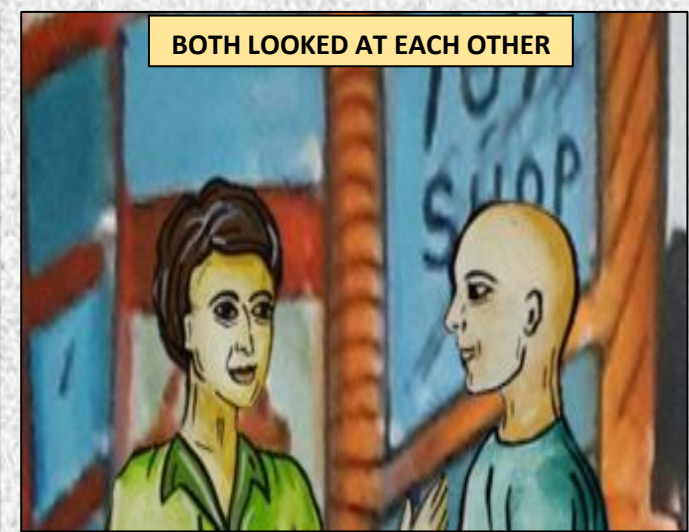
1. According to Indian Constitution, children under _____ years, are not allowed to work .
2. _____ is the highest court in Uttar Pradesh.
3. We can write a ____ to the High Court or the Supreme Court if fundamental rights are being violated.

1.14 2.High Court 3. PIL

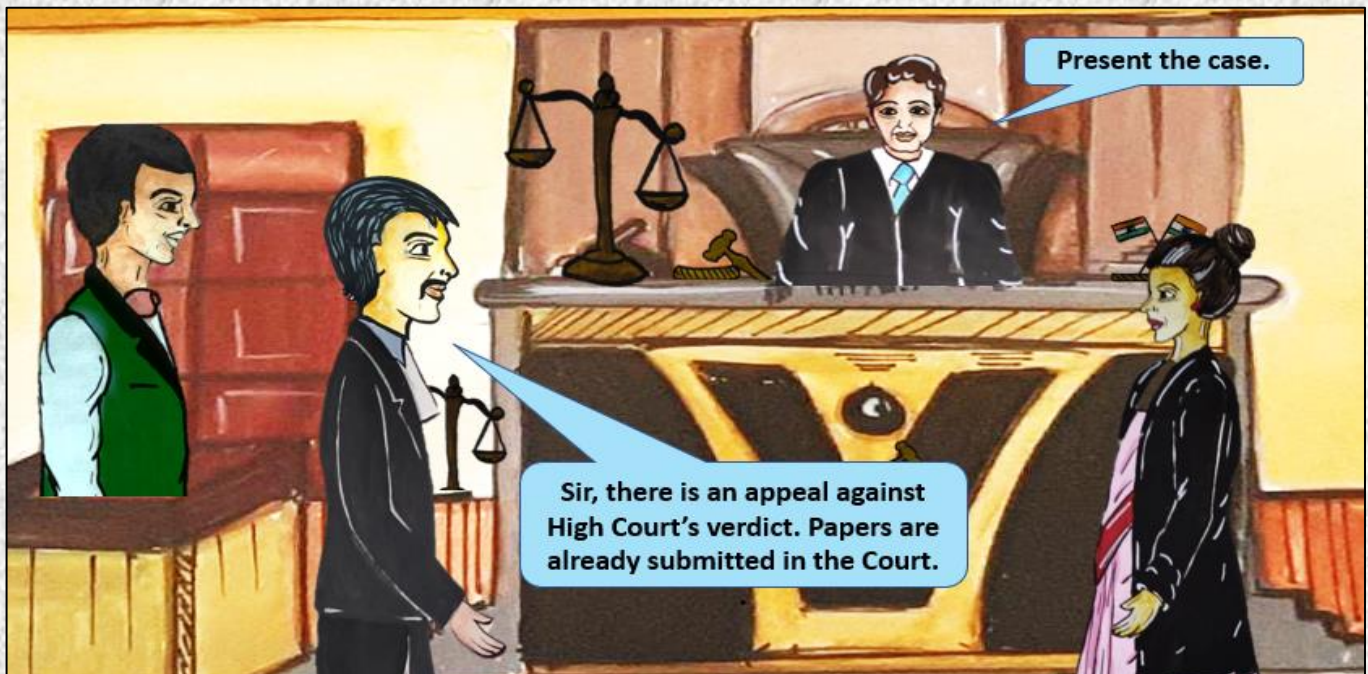
Next day, on the highway to the restaurant.

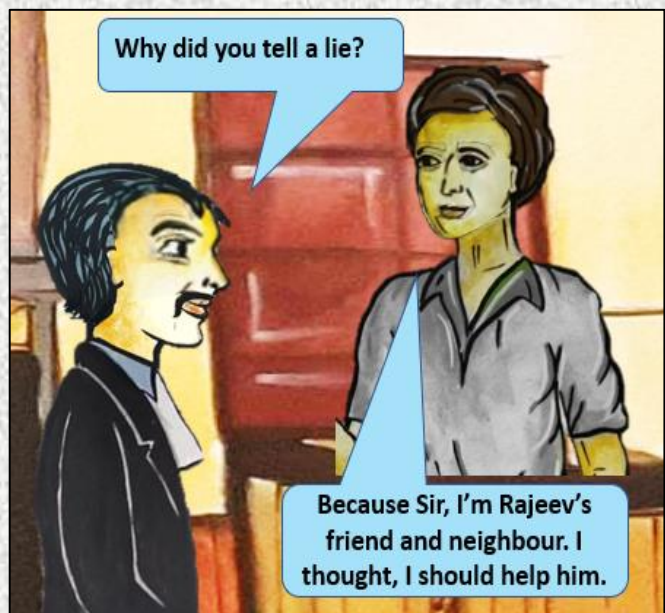






Mr. Roy leaves no stone unturned to help Akash. He appeals in the Supreme Court.
After a few months, the case proceedings take place.



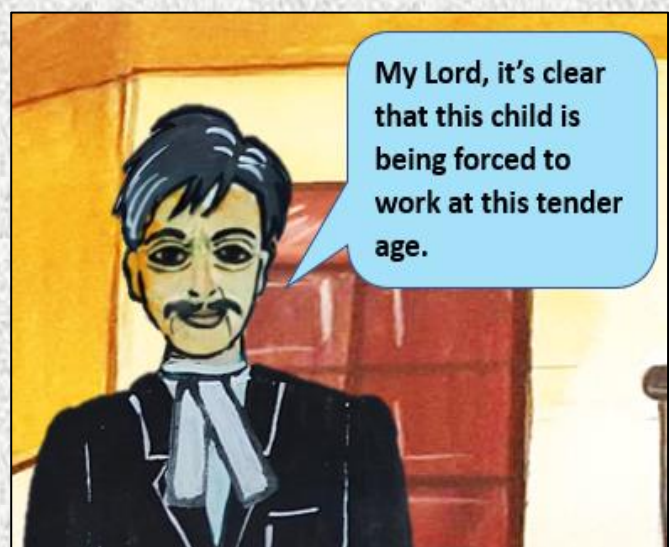
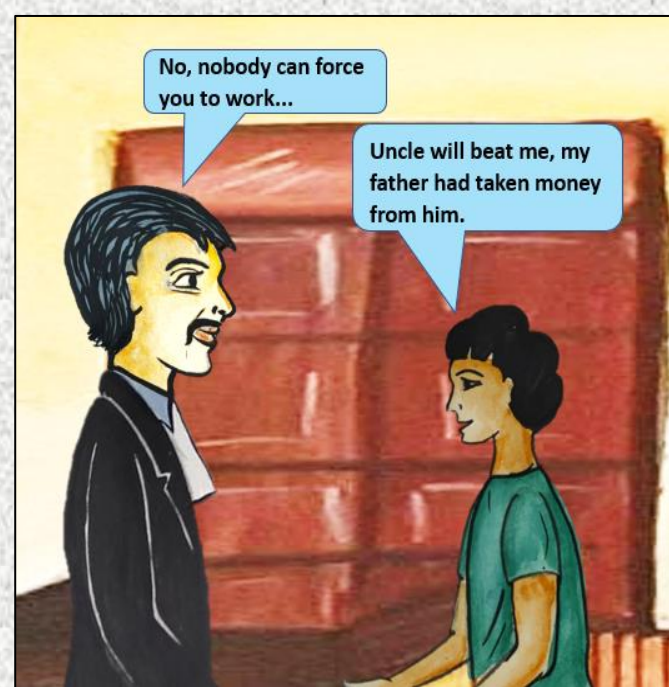




FURTHER MORE.....



❖ The first chief justice of India was honourable Justice H. J. Kania.





After two days, the Supreme Court gives the verdict in favour of Akash. Both the witnesses are fined. Akash's father is sent to jail for six months for the crime of selling his son. Rajeev is fined and imprisoned too.

FURTHER MORE.....



- ❖ President of India appoints the Chief Justice of India.
- ❖ Till date, no judge of the higher judiciary (Supreme Court and High Court) has been successfully impeached.
- ❖ Presently, honourable Sharad Arvind Bobde is the Chief Justice of India.
- ❖ The first woman Chief Justice of India was honourable Justice Leila Seth.

After a few days, at Mr. Roy's residence.

Mom, where is Akash now?

Don't worry, he is fine and has been sent to a boarding school for now.

Boarding school? Who will pay for him? He is so poor.

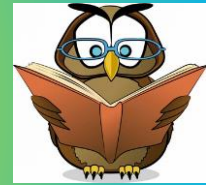
The Supreme Court had fined Rajeev and his friends. That amount will be spent on Akash's education.

Will they pay that fine?

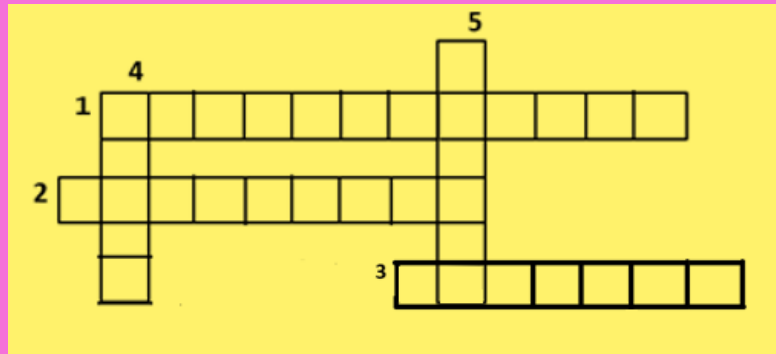
Yeah, of course they will. Fine needs to be deposited in the Court through their lawyer.



CHECK YOUR KNOWLEDGE



CROSSWORD



ACROSS

DOWN

1. To ask questions, to find out whether the person is telling the truth or not.

2. Judges and lawyers collectively are known as _____.

3. A decision on an issue of fact in any case.

4. A place where trial and other legal activities happen.

5. A person who practices law.

ACROSS
1. Cross-examine
2. Judiciary
3. Verdict
DOWN
4. Court
5. Lawyer

MATCH THE FOLLOWING

COLUMN A

1. PIL
2. CRIMINAL LAW
3. SUPREME COURT

COLUMN B

- a. FIR
- b. CHIEF JUSTICE OF INDIA
- c. HIGH COURT

1. c 2. a 3. b

CAN YOU ANSWER ?

1. What is the full form of NGO?
2. If you are not satisfied with the verdict of the High Court, what will be your next step?
3. The Supreme Court ordered Mr. Rajeev to pay compensation to Akash. Where will he deposit the money of compensation?
4. How many High Courts are there in India?
5. Where is the Supreme Court of India located?
6. When was the first PIL filed in India?
7. Who was the first Chief Justice of India?
8. Who was the first woman Chief Justice of India?
9. Which was the first state to introduce Mid-day Meal Scheme ?
10. Which two rights are secured under Article 21 ?

1. NON-Governmental Organisation 2. Appeal to the Supreme Court 3. In the Supreme Court 4. 25 5. New Delhi 6. 1976 7. Hounarable Justice H. J. Kania 8. Hounarable Justice Leila Seth 9. Tamil Nadu 10. Right to Life and Right to Personal Liberty

CASE STUDY

Keeping in mind the case of Akash, tick the sentences that are true.

1. The High Court is the highest body to appeal in the country. ☐
2. To claim against the verdict of lower Court, we can appeal to higher level. ☐
3. Decision made by the Supreme Court is binding on all other courts in India. ☐

1. * 2. ✓ 3. ✓

WORD PUZZLE

Unscramble the key words to find out terms related to judiciary.

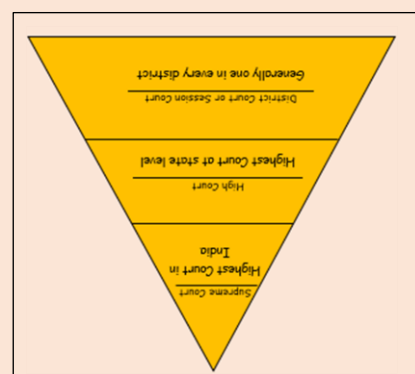
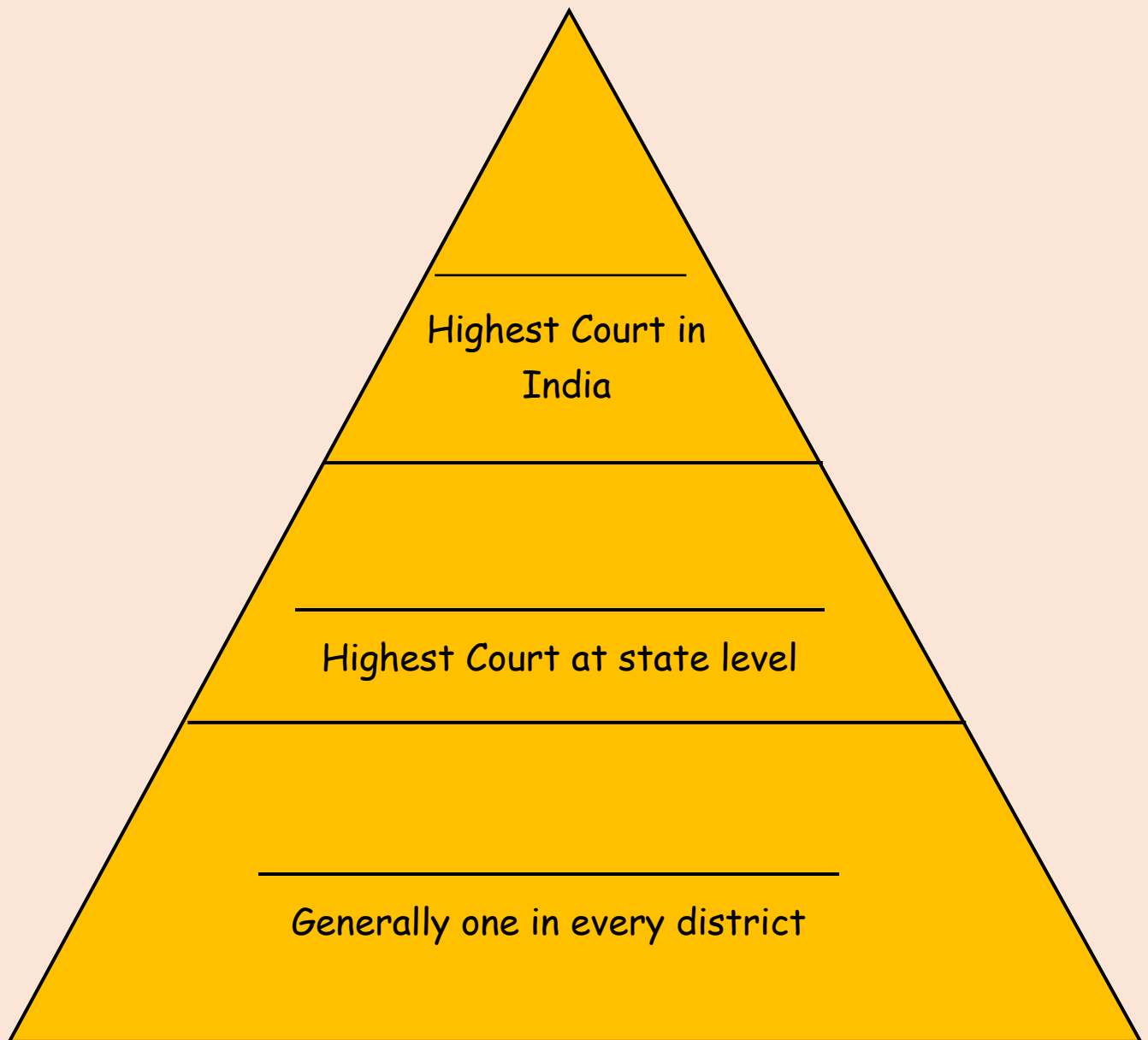
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I	A	E	U	S	Q	M	S	L	A
V	M	C	O	U	R	T	L	P	R
I	S	I	R	Z	M	J	A	T	I
L	T	C	B	I	D	V	W	Q	G
L	E	E	A	J	M	F	Y	P	H
A	R	F	K	S	Y	E	E	O	T
W	S	D	I	H	E	F	R	P	S
D	E	F	E	N	C	E	I	L	S

KEYWORDS

- | | |
|-------------|------------|
| 1. ICETSUJ | 2. OUCRT |
| 3. LLIIVACW | 4. EFDCNEE |
| 5. SEAC | 6. MIERC |
| 7. GIRHTS | 8. WAYREL |

S	L	I	E	C	N	E	F	E	D
S	P	R	F	E	H	I	D	S	W
T	O	E	E	Y	S	K	F	R	A
H	P	Y	F	M	J	A	E	E	L
G	Q	W	V	D	I	B	C	T	L
I	T	A	J	M	Z	R	I	S	I
R	P	L	T	R	U	O	C	M	V
A	L	S	M	Q	S	U	E	A	I
E	C	I	T	S	U	J	D	X	C

COMPLETE THE LEVELS OF JUDICIARY



GLOSSARY

- **JUDICIAL SYSTEM** – It is the mechanism of court that a citizen can approach when law is violated.
- **PIL** – It stands for public interest litigation. It has been devised to facilitate justice.
- **INDEPENDENT JUDICIARY** – It means that a judiciary is not under the government and does not act on its behalf.
- **VIOLATION** – It means breaking a law or encroaching someone's Fundamental Right.
- **FUNDAMENTAL RIGHTS** – Fundamental Rights are a group of rights that have been recognized by the Constitution, or have been found under due process of law.
- **TO APPEAL** – To file a petition before a higher court.
- **WITNESS** – It refers to the person who is called upon in court to give a firsthand account of what he/she has seen, heard or knows.
- **OFFENCE** – Any act that is defined by the law as a crime.
- **CROSS EXAMINE** – To question the witness carefully who has already been examined by the opposite side to determine the truth of his/her testimony.
- **EVIDENCE** – It refers to the facts or signs that make you believe that something is true.
- **VERDICT** – A decision on an issue of fact in any case.
- **ADJOURN** – To stop a meeting, a trial, etc. for a short time and start it again later.
- **PROSECUTOR** – A public official who charges somebody with a crime and tries to show that he/she is guilty in a court of law.
- **APPELLATE SYSTEM** – Having jurisdiction to review cases on appeal and to reverse decisions of lower courts.
- **DEFENCE LAWYER** - The lawyer representing the defendant.
- **JUDICIAL REVIEW** – A procedure by which a court can review an administrative action by a public body and secure a declaration, order or reward.

LAWS AND ARTICLES

- ❖ Right against exploitation in Article 23 and 24.
- ❖ The Child Labour Act (Prohibition and Regulation 2008).
- ❖ The Immoral Traffic (Prevention) Act 1956.
- ❖ Right to Approach the Supreme Court / High Court under Article 32 and 226.
- ❖ Right to Education (RTE) Act 2009 under Article 21(A).
- ❖ Right to life in Article 21.

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DISCLAIMER

All the characters, names, places and incidents in this graphic novel are fictitious. This graphic novel is just an imagination of the team members designed for a better understanding of the topic; Judiciary for the students. The story line, script and graphics are the creation of the subject experts.

SUMMARY

Through the story of Akash, here we are explaining the role of Judiciary in independent India to protect Fundamental Rights of citizens.

In India, to enforce the rule of law, we have a judicial system, which is an organ of the state.

The important functions of the judicial system are dispute resolution, judicial reviews, upholding the law and enforcing the Fundamental Rights.

The sources of law in our country are the Constitution, laws made by the Union and State Legislature.

We have a unified judiciary, with the Supreme Court at the apex. The High Court is the highest court in the state. The District judge's Court and Session Court are the highest courts in a District. The Courts below the High Court are called Subordinate Court. The decision of a superior court is binding on a lower court, while appeals can be made from a lower to a higher court.

Cases are of two types - Civil and Criminal. Civil cases involve disputes between two parties on matters such as property, inheritance and divorce. Criminal cases are filed by the government against a person (people) or accused of committing a crime. Subordinate Courts are divided into Civil and Criminal Courts.

The Supreme Court has original jurisdiction over disputes between two or more state government, and in cases related to the Constitutional validity of laws. It also exercises appellate, supervisory and advisory jurisdictions. It is a court of record.

A High Court has original jurisdiction in disputes related to violation of Fundamental Rights. It also has appellate and supervisory jurisdictions.

A PIL can be filed in a High Court or the Supreme Court by any person (body) acting in the interest of others or the society in general.

FROM THE PRINCIPAL'S DESK



Dear Readers

*'To embark on a journey towards the goal requires initiation,
To remain on that path requires determination,
To bridge the two requires commitment.'*

Today, schools across the globe are trying to decipher the best case scenario that would provide pertinent knowledge outflow to learners in a consistently changing educational set-up. This calls for deviation from the traditional chalk and talk method towards practical experiential learning. In these changing times the need of the hour is to root students firmly in an enabling constructive work ethic for their meaningful blossoming.

Graphic novel just like traditional forms of literature can be a useful tool for helping students critically examine aspects of Social Science, Science, Mathematics, Languages and Art. Hence fostering of acquisition of critical reading skills is brought about.

In modern era, graphic novels will definitely prove to be a boon not only for publication but also for the young readers. The team has tried to infuse creative work with more meaning, a greater purpose for the readers to set the mood to understand important concepts. It is a great pleasure to announce the accomplishment of this graphic novel based on Judiciary.

It has the potential to appeal to almost any reader. It is a vibrant and compelling tool for teaching. I extend a heartfelt and sincere thanks to honourable Mr. Manoj Ahuja, Chairman CBSE for providing our school the privilege of being in the league of futuristic schools. My sincere thanks to Mrs. Anita Karwal, Secretary (SE&L) and to Dr Biswajeet Saha, Director Skill Education and Training CBSE and a special vote of thanks to Mr. Sandeep Sethi (Director Education, M.S.M.S II, Museum Trust) for his perseverance and guidance.

I congratulate my entire team for putting their hard work and dedication in the making of this graphic novel. The reflection of the teachers' creativity is the epitome of the novel and will surely stir the minds of the readers and take them to the fantastic world of unalloyed joy and pleasure.

It is anticipated that this graphic novel would find acceptance and appreciation from all.

Happy Reading!

God Bless All

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