

Hierarchy of Courts

Administration of Justice

- **Most essential function of the State.**
- **Power exercised by the State through judiciary to enforce rights and punish wrongs.**
- **It involves two parties**
 - **Plaintiff and Defendant – in civil cases**
 - **Complainant and Accused or**
 - **Prosecution and Accused – in criminal cases**

- **Judicial Process involves**
 - **A right claimed or a wrong complained by one party against the other.**
 - **Hearing of the parties by the Court.**
 - **Judgment of the Court delivered at the end of the trial.**
 - **Execution of the operative part of the judgment.**

System of Courts in India

- **At National level – Supreme Court of India**
- **At State level – High Court**
- **At District and Subordinate level – Subordinate Courts (Civil and Criminal)**

Jurisdiction of the Supreme Court

- **Court of Record. Has power to punish for contempt. (A.129)**
- **Original Jurisdiction. (A.131)**
- **Highest Court of Appeal in the country. (A.132,133,134 & 136)**
- **Writ jurisdiction.(A.32)**
- **Advisory Jurisdiction.(A.143)**
- **Law declared by the Supreme Court binding on all Courts in India.(A.141)**

Jurisdiction of the High Court

- **Court of Record. Has power to punish for contempt. (A.215)**
- **Original Jurisdiction in civil and criminal matters in the case of some High Courts.**
- **Appellate jurisdiction in respect of criminal and civil cases decided by Subordinate courts.**
- **Revisional Jurisdiction conferred under the Civil Procedure Code and Criminal Procedure Code.**
- **Writ jurisdiction.(A.226)**
- **Administrative Jurisdiction over subordinate courts.**

Civil Courts subordinate to the High Court

- **In Cities**
 - **First Grade**
Chief Judge and
Additional Chief Judge
 - **Second Grade**
Assistant Chief Judge
or Senior Civil Judge
 - **Third Grade**
Munsif or
Junior Civil Judge
- **In Districts**
 - **First Grade**
District Judge and
Additional District
Judge
 - **Second Grade**
Assistant District Judge
or Senior Civil Judge
 - **Third Grade**
Munsif or
Junior Civil Judge

Criminal Courts Subordinate to the High Court

- **In Cities**

- Sessions Court (Sessions Judge, Addl. Sessions Judges and Asst. Sessions Judges)
- Chief Metropolitan Magistrate's Court
- Metropolitan Magistrates' Courts

- **In Districts**

- Sessions Court (Sessions Judge, Addl. Sessions Judges and Asst. Sessions Judges)
- Chief Judicial Magistrate's Court
- Judicial Magistrates of First Class.
- Judicial Magistrates of Second Class.

Sentencing Power of different Trial Courts

- **Sessions Judge and Additional Sessions Judge**
 - **Assistant Sessions Judge**
 - **Chief Judicial Magistrate
Chief Metropolitan Magistrate**
 - **Judicial Magistrate of I class
Metropolitan Magistrate**
 - **Judicial Magistrate of II class**
- **Any sentence authorized by law. But death sentence to be confirmed by the High Court**
 - **Imprisonment upto 10 years and fine authorized by law**
 - **Imprisonment upto 7 years and fine authorized by law**
 - **Imprisonment upto 3 years and fine not exceeding Rs. 10000.**
 - **Imprisonment upto 1 year and fine not exceeding Rs. 5000**

Separation of powers

- **In pursuance of the scheme of separation of executive from the judiciary (u/A 50 of the Constitution) – Two categories of Magistrates created.**
- **Judicial Magistrates – Appointed and controlled by the High Court and discharge judicial functions.**
- **Executive Magistrates – Appointed and controlled by the State Government and discharge executive functions, i.e., maintenance of law and order.**

Executive Magistracy

- For Districts

- District Magistrates
- Additional District Magistrates
- Executive Magistrates

- For Subdivision

- Sub-Divisional Magistrate
- Additional Sub-Divisional Magistrate
- Executive Magistrates

Thank You