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