



SUPREME COURT OF INDIA

Junior Court Assistant

OBJECTIVE TYPE TEST (MULTIPLE CHOICE QUESTIONS)

- ❖ GENERAL ENGLISH ❖ GENERAL APTITUDE
 - ❖ GENERAL KNOWLEDGE
 - ❖ JUDICIARY IN THE CONSTITUTION OF INDIA
 - ❖ SUPREME COURT RULES, 2013
 - ❖ SUPREME COURT OFFICERS AND SERVANTS
(CONDITIONS OF SERVICE AND CONDUCT) RULES, 1961
 - ❖ COMPUTER KNOWLEDGE
-

WRITTEN TEST (DESCRIPTIVE) (IN ENGLISH LANGUAGE)

COMPREHENSION PASSAGE,
PRECIS WRITING AND ESSAY WRITING

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SUPREME COURT OF INDIA

JUNIOR COURT ASSISTANT

SCHEME OF EXAMINATION:

The eligible candidates will have to appear in the tests in the following subject:-

1.	Objective Type Question paper with multiple choice answers containing 100 questions (consisting of 50 General English questions including comprehension, 25 General Aptitude questions and 25 General Knowledge questions)	1½ hours
2.	Objective Type Computer Knowledge Test (25 questions)	
3.	Typing (English) test on Computer with minimum speed 35 w.p.m. (mistakes allowed upto 3% of total words to be typed)	10 minutes
4.	Descriptive Test (in English Language) consisting of Comprehension passage, Precis Writing and Essay Writing	2 hours

The candidates who qualify in the Objective Type Written Test and Objective Type Computer Knowledge Test will only be called for Typing Speed Test on Computer and Descriptive Test and those who qualify the said tests will be required to appear for an Interview before an Interview Board and qualify the Interview by securing minimum qualifying marks.



PROVISIONS RELATING TO THE JUDICIARY IN THE CONSTITUTION OF INDIA

Introduction

The judiciary is the organ of the State that decides disputes by applying law. In a constitutional democracy it must also ensure that every organ of the State, including the legislatures, stays within constitutional limits. The Indian judiciary adjudicates disputes between citizens, between citizens and the State, and between governments; interprets the Constitution and statutes (the Supreme Court's interpretation binding all courts under Article 141); protects Fundamental Rights through writs (Articles 32 and 226); guards the federal balance (Article 131); and reviews laws and executive action. The higher courts also advise the President (Article 143) and supervise subordinate courts (Articles 227 and 235).

Independence, Rule of Law and Constitutional Supremacy

Judicial independence means that judges decide according to law, free from pressure by the executive, the legislature or private interests. It has an individual aspect (tenure, assured salary, immunity for judicial acts) and an institutional aspect (courts' control over their administration, staff and procedure). Impartiality is the duty to have no interest in the outcome and to treat every party fairly.

The rule of law means that law, not the will of any person, governs the State and binds officials and citizens alike. *Constitutional supremacy* means that the Constitution is the highest law: unlike the British Parliament, the Indian Parliament is a creature of a written Constitution, so a law violating Fundamental Rights is void (Article 13) and even the amending power cannot destroy the basic structure.

Separation of Powers and Checks and Balances

India has no rigid separation of powers: the executive is responsible to the legislature, and functions overlap (the President makes ordinances under Article 123; courts frame procedural rules). The Constitution secures a functional separation in which no organ may usurp another's essential functions; in *Indira Nehru Gandhi v. Raj Narain* (1975) Parliament was held unable itself to decide an election dispute, a judicial function. The organs also check one another: the President appoints judges, Parliament fixes their salaries and may remove them, and courts review legislative and executive action. Article 50 directs separation of the judiciary from the executive in the public services of the State.

Judicial Review, Rights and Accountability

Judicial review is the power of a court to examine whether a law or executive act conforms to the Constitution and to declare it invalid if it does not. In India

it rests on express provisions such as Articles 13, 32, 226 and 227 and is part of the basic structure (*L. Chandra Kumar v. Union of India*, 1997). Through it, courts protect Fundamental Rights, maintain the Union-State division of powers and keep administrative bodies within the law.

Independence is not immunity: judges are accountable through reasoned judgments in open court, appeal and review, the removal procedure and internal mechanisms of the higher judiciary.

The Integrated Judicial System

Although India is a federation, it has a single hierarchy of courts applying both Union and State laws, unlike the parallel federal and State courts of the United States.

The three levels of the judiciary

Level	Constitutional basis	Principal role
Supreme Court	Part V, Chapter IV (Articles 124–147)	Final appellate court; Article 32 writs; federal disputes (Article 131); advisory opinions (Article 143)
High Courts	Part VI, Chapter V (Articles 214–231)	Highest court of the State; Article 226 writs; superintendence (Article 227)
Subordinate courts	Part VI, Chapter VI (Articles 233–237)	Trial of civil and criminal cases under High Court control (Article 235)

Constitutional Framework of the Judiciary

Location of the Provisions

The judicial provisions are spread across the Constitution. The Supreme Court is in Part V (The Union), Chapter IV, "The Union Judiciary" (Articles 124–147). The High Courts are in Part VI (The States), Chapter V, "The High Courts in the States" (Articles 214–231; Article 232 was omitted by the Seventh Amendment, 1956). The subordinate courts are in Part VI, Chapter VI, "Subordinate Courts" (Articles 233–237). The placement reflects federal design, the Supreme Court being an organ of the Union and the High Courts institutions of the States, although all form one system.

Direct and Indirect Provisions

Provisions that directly govern judicial institutions create the courts, define their jurisdiction or regulate the service of judges: Articles 124–147, 214–231 and 233–237. Within them, the most important are Article 124 (composition and appointment), Articles 129 and 215 (courts of record), Articles 131–136 (jurisdiction), Articles 141 and 142 (binding law and complete justice), Article 143 (advisory jurisdiction), Articles 217 and 222 (appointment and transfer of High Court judges), Articles 226 and 227 (writ and supervisory powers) and Articles 233–235 (subordinate judiciary). Each is examined in the following units.

Other provisions indirectly support judicial independence or access to justice. Article 32, itself a Fundamental Right, guarantees the right to move the Supreme Court. Article 39A, inserted by the Forty second Amendment, 1976, directs the State to secure equal justice and free legal aid. Article 50 requires separation of the judiciary from the executive. Articles 121 and 211 prevent legislatures from discussing the conduct of judges. Articles 112(3)(d) and 202(3)(d) charge judges' salaries on the Consolidated Funds. Articles 39A and 50 are Directive Principles, not enforceable in courts (Article 37), although courts use them to interpret rights.

NOTE ON LEGAL POSITION

"Subordinate courts" describes position in the judicial hierarchy and the control of the High Court under Article 235. It does not mean subordination to the executive; the purpose of Chapter VI is to keep these courts under judicial control.

The Supreme Court of India — Articles 124–147

The Supreme Court was inaugurated on 28 January 1950. It succeeded the Federal Court established under the Government of India Act, 1935, and replaced the Privy Council as India's final court of appeal.

Establishment and Composition (Article 124)

Article 124 — Establishment and constitution of the Supreme Court

Clause (1) establishes a Supreme Court of a Chief Justice of India and, until Parliament by law prescribes a larger number, not more than seven other judges. Clause (2) provides for appointment by the President by warrant under his hand and seal and tenure until sixty-five; clause (3) prescribes qualifications; clauses (4)–(5) deal with removal; clause (6) with the oath; and clause (7) with postretirement practice.

The number of other judges is fixed by the Supreme Court (Number of Judges) Act, 1956. Its 2019 amendment fixed it at thirty-three (total thirty-four). The Supreme Court (Number of Judges) Amendment Act, 2026 (assented to on 11 August 2026, replacing an ordinance of 16 May 2026 and effective from that date) raised it to thirty-seven, so the sanctioned strength is now

thirty-eight including the Chief Justice of India. Increases are made by ordinary law, not by constitutional amendment.

Appointment: Under Article 124(2), judges are appointed by the President "after consultation with" such Supreme Court and High Court judges as he deems necessary, the Chief Justice of India being always consulted for other judges. The collegium is a judicial gloss on this text (Unit IV).

Qualifications (Article 124(3)): A citizen of India who (a) has been a High Court judge for five years, (b)

has been a High Court advocate for ten years, or (c) is, in the President's opinion, a distinguished jurist. No minimum age is prescribed.

Tenure, oath and salaries. A judge holds office until 65; clause (2A), inserted by the Fifteenth Amendment, 1963, lets Parliament provide how a judge's age is determined. A judge may resign by writing to the President. The oath is made before the President or a person appointed by him, in the form in the Third Schedule (Article 124(6)). Under Article 125, as amended by the Fifty-fourth Amendment, 1986, salaries are determined by Parliament by law (at present Rs. 2,80,000 per month for the Chief Justice and Rs. 2,50,000 for other judges, under the 1958 Salaries Act as amended in 2018). Allowances and rights to leave and pension cannot be varied to a judge's disadvantage after appointment (Article 125(2)), except that salaries may be reduced during a Financial Emergency (Article 360(4)). Salaries are charged on the Consolidated Fund of India (Article 112(3)(d)) and are not voted on.

Post-retirement practice (Article 124(7)): A retired Supreme Court judge cannot plead or act in any court or before any authority in India. The bar is on practice, not on holding public office.

Acting, Ad Hoc and Retired Judges (Articles 126–128) and Seat (Article 130)

Under **Article 126**, when the office of Chief Justice is vacant or the Chief Justice is unable to act, the President appoints one of the other judges to perform the duties (acting Chief Justice).

Under **Article 127**, if a quorum of permanent judges is not available, the Chief Justice of India may, with the previous consent of the President and after consulting the Chief Justice of the High Court concerned, request in writing a High Court judge duly qualified for the Supreme Court to attend as an ad hoc judge; the judge must give this attendance priority and has all the powers of a Supreme Court judge while attending.

Under **Article 128**, the Chief Justice of India, with the previous consent of the President, may request a retired judge of the Supreme Court, or a retired High Court judge duly qualified for appointment to the Supreme Court (added by the Fifteenth Amendment), to sit and act as a Supreme Court judge. The person's consent is required; he receives allowances fixed by the President but is not otherwise deemed a judge.

Article 130 provides that the Court sits in Delhi or at such other place or places as the Chief Justice may, with the approval of the President, appoint.

Jurisdiction of the Supreme Court

Jurisdiction is the legal authority of a court to hear and decide a matter. The Supreme Court's jurisdiction is original, appellate, writ (Article 32), advisory (Article 143), review (Article 137) and transfer (Article 139A).

Article 131 — Original jurisdiction

Subject to the Constitution, the Supreme Court has original jurisdiction, to the exclusion of every other court, in any dispute (a) between the Government of India and one or more States; (b) between the Government of India and any State or States on one side and one or more other States on the other; or (c) between two or more States, if the dispute involves a question of law or fact on which the existence or extent of a legal right depends. The proviso excludes disputes arising out of pre-Constitution treaties, agreements, covenants, engagements, sanads and similar instruments.

Only governments may be parties, and the dispute must concern a legal right, not a political disagreement. Inter-State water disputes may be excluded under Article 262.

ILLUSTRATION

State A claims that a Union order unlawfully withholds a statutory grant due to it; it may sue the Union under Article 131. A private contractor affected by the same order cannot; it must use Article 226, or Article 32 if a Fundamental Right is infringed.

Appeals on certificate (Articles 132–134A): Article 132 allows an appeal from any final High Court judgment, civil, criminal or other, certified under Article 134A as involving a *substantial question of law* as to the *interpretation of the Constitution*. Article 133 allows a civil appeal if the High Court certifies that the case involves a substantial question of law of general importance that needs to be decided by the Supreme Court; the Thirtieth Amendment, 1972 removed the earlier money-value test, and clause (3) bars appeals from a single judge unless Parliament provides otherwise. Article 134 allows a criminal appeal where the High Court (a) has on appeal reversed an acquittal and sentenced the accused to death, (b) has withdrawn a case for trial to itself and sentenced the accused to death, or (c) certifies the case as fit for appeal; Parliament has enlarged this jurisdiction by the Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Act, 1970. Article 134A (Forty-fourth Amendment, 1978) requires the High Court to decide on a certificate on its own motion or on an oral application made immediately after judgment. Article 135 continues the Federal Court's jurisdiction in matters not covered by Articles 133 and 134.

Special leave (Article 136): The Court may, in its discretion, grant special leave to appeal from any judgment, decree, determination, sentence or order in any cause or matter passed by any court or tribunal in India, except a court or tribunal constituted by or under a law relating to the Armed Forces. Special leave is a discretion, not a right of appeal, exercised sparingly where a substantial question of law or grave injustice is shown (Orders XXI and XXII of the Supreme Court Rules, 2013).

Review (Article 137): Subject to parliamentary law and rules under Article 145, the Court may review its own judgments or orders. Review is not a rehearing; it corrects errors apparent on the record and similar limited grounds. Under Order XLVII of the 2013 Rules, a review petition is ordinarily filed within thirty days and decided by circulation without oral hearing unless the Court directs otherwise.

Enlargement and ancillary powers (Articles 138–140): Parliament may enlarge jurisdiction on Union List matters (Article 138(1)) or, by special Union-State agreement under a parliamentary law, on any matter (Article 138(2)); may empower the Court to issue writs for purposes other than Fundamental Rights (Article 139); and may confer supplemental powers (Article 140).

Transfer of cases (Article 139A): Inserted by the Forty-second Amendment and amended by the Forty-fourth, it allows the Supreme Court, where cases involving the same or substantially the same questions of law of general importance are pending before it and one or more High Courts, or before two or more High Courts, to withdraw them to itself on its own motion or on application by the Attorney-General or a party (clause (1)). It may also transfer any case from one High Court to another in the interests of justice (clause (2)).

Court of Record, Binding Law and Complete Justice

Article 129: makes the Supreme Court a court of record with all the powers of such a court, including power to punish for contempt of itself. A court of record is one whose proceedings are preserved as permanent records of evidentiary value that cannot be questioned in any court. The Contempt of Courts Act, 1971 regulates procedure, but the power under Article 129 is constitutional and cannot be taken away by statute.

Article 141 — Law declared by Supreme Court to be binding on all courts

The law declared by the Supreme Court shall be binding on all courts within the territory of India.

What binds is the ratio decidendi, the principle necessary for the decision; *obiter dicta* (incidental observations) are persuasive. The Supreme Court itself is not bound by its earlier decisions (Bengal Immunity Co. v. State of Bihar, 1955) and may overrule them through a larger Bench.

Article 142 — Enforcement of decrees and orders; orders as to discovery, etc.

Clause (1) empowers the Court to pass any decree or order necessary for doing complete justice in any cause or matter pending before it, enforceable throughout India. Clause (2) gives it, subject to parliamentary law, power to secure attendance of persons, discovery of documents and punishment of contempt.

Article 142 lets the Court mould relief where ordinary law is inadequate; in *Shilpa Sailesh v. Varun Sreenivasan* (2023) a Constitution Bench used it to dissolve marriages on the ground of irretrievable breakdown. But it supplements and cannot supplant substantive law (*Supreme Court Bar Association v. Union of India*, 1998).

Advisory Jurisdiction (Article 143)

Article 143 — Power of President to consult Supreme Court

Under clause (1), where a question of law or fact of public importance has arisen or is likely to arise, the President may refer it to the Court, which may report its opinion after such hearing as it thinks fit. Under clause (2), the President may refer a dispute of the kind excluded by the proviso to Article 131, and the Court shall report its opinion.

The President acts on ministerial advice. Under clause (1) the Court may decline to answer, as it did with the Ayodhya reference in *M. Ismail Faruqui v. Union of India* (1994). Notable references include *In re Delhi Laws Act* (1951), *In re Berubari Union* (1960), the Third Judges Case (1998) and Special Reference No. 1 of 2025, in which a five-judge Bench opined on 20 November 2025 that courts cannot impose fixed time-lines on Governors and the President for acting on State Bills and that “deemed assent” is not consistent with the constitutional scheme.

NOTE ON LEGAL POSITION — ARTICLE 141 AND ARTICLE 143

An Article 143 opinion is not a judgment between parties and does not bind the President. In *St. Xavier's College v. State of Gujarat* (1974) the Court said it carries great weight but does not bind as law declared in a contested case does; other observations differ, and the point is not conclusively settled, though courts follow such opinions with great respect. In the Cauvery reference (1991) the Court held that Article 143 cannot be used to review a judgment already given between parties; that is possible only under Article 137.

Articles 144–147

Article 144 requires all civil and judicial authorities to act in aid of the Supreme Court. Under Article 145, the Court makes rules of practice and procedure with the President's approval; the Supreme Court Rules, 2013 came into force on 19 August 2014. Article 146 vests appointment of the Court's officers and servants

in the Chief Justice; rules on their pay need the President's approval, and administrative expenses are charged on the Consolidated Fund of India. Article 147 extends “interpretation of this Constitution” to include the Government of India Act, 1935 and the Indian Independence Act, 1947.

Constitution Benches and Procedure

Under Article 145(3), at least five judges must sit to decide a substantial question of law as to the interpretation of the Constitution or to hear an Article 143 reference; such a Bench is a Constitution Bench. Under the proviso, a smaller Bench hearing an appeal (other than under Article 132) that finds such a question must refer it to a Bench of at least five and decide the appeal accordingly. Larger Benches are formed to reconsider earlier decisions, since a Bench is bound by the decisions of larger Benches.

Article 145(4) requires judgments to be delivered in open court. Under Article 145(5), a judgment requires the concurrence of a majority of the judges present, but a judge may deliver a dissenting judgment. A judge agreeing with the result for different reasons writes a concurring opinion. Only the majority reasoning is “law declared” under Article 141.

Review, Curative Petitions and the Rules

A *curative petition*, not mentioned in the Constitution, was recognised by a Constitution Bench in *Rupa Ashok Hurra v. Ashok Hurra* (2002) to prevent abuse of process or gross miscarriage of justice after dismissal of review, as where a party was not heard or a judge failed to disclose a connection giving rise to apprehension of bias. Under Order XLVIII of the 2013 Rules, a Senior Advocate must certify the petition; it must state that its grounds were raised in the review petition dismissed by circulation; and it is circulated first to the three senior-most judges and the judges who passed the judgment, being listed only if a majority so decide.

The Constitution creates jurisdiction; the Rules (for example Order XXXVIII on Article 32 petitions and Order XLII on Article 143 references) only regulate its exercise and cannot enlarge or curtail it.

EXAMINATION FOCUS

- ▶ Strength: originally CJI + 7; 34 under the 2019 Act; 38 (including the CJI) from 16 May 2026.
- ▶ Article 126: acting CJI; 127: ad hoc judges; 128: retired judges.
- ▶ Article 134A (certificate): 44th Amendment; Article 139A (transfer): 42nd Amendment.
- ▶ Article 143(1): Court “may” report; 143(2): “shall” report. Constitution Bench: at least five judges.

Appointment, Tenure, Independence and Removal of Judges

The Constitutional Text on Appointment

The President appoints judges, but only after consultation: under Article 124(2) with such judges as

he deems necessary and always with the Chief Justice of India; under Article 217(1) with the Chief Justice of India, the Governor and the Chief Justice of the High Court; and, for transfers under Article 222, with the Chief Justice of India. The text does not say whose view prevails. The Judges Cases filled that gap.

Evolution of the Collegium System

In the **First Judges Case**, *S.P. Gupta v. Union of India* (1981), a seven-judge Bench held that "consultation" does not mean "concurrence": the views of the judicial functionaries must be considered, but the final decision lies with the Union Government. The same case liberalised locus standi (the right to approach a court), giving impetus to public interest litigation.

In the **Second Judges Case**, *Supreme Court Advocates-on-Record Association v. Union of India* (1993), a nine-judge Bench by majority overruled *S.P. Gupta* on this point. It gave primacy to the opinion of the Chief Justice of India, formed collectively with the two senior-most judges, and held that the senior-most judge considered fit should be appointed Chief Justice.

In the **Third Judges Case**, *In re Special Reference No. 1 of 1998*, a nine-judge Bench gave a unanimous advisory opinion on 28 October 1998. The Chief Justice must consult a collegium of the four senior-most puisne judges for Supreme Court appointments and for transfers of High Court judges (together with the Chief Justices of the High Courts concerned in transfers), and of the two senior-most judges for appointments of High Court judges. Recommendations made without this consultation do not bind the Government.

The steps for processing appointments are in a Memorandum of Procedure (MoP), an administrative document prepared after the Third Judges Case; a revised MoP has been under discussion since 2015.

NOTE ON LEGAL POSITION — TEXT VERSUS JUDICIAL DEVELOPMENT

The word "collegium" does not occur in Article 124, 217 or 222. The collegium is the Supreme Court's interpretation of the word "consultation" in the Second and Third Judges Cases, reaffirmed when the NJAC was struck down in 2015.

The NJAC and the Fourth Judges Case

The Constitution (Ninety-ninth Amendment) Act, 2014 and the National Judicial Appointments Commission Act, 2014 came into force on 13 April 2015. The amendment inserted Articles 124A–124C and amended Articles 124, 127, 128, 217, 222, 224, 224A and 231 so that appointments and transfers would be made on the recommendation of an NJAC comprising the Chief Justice of India (Chairperson), the two next senior-most judges, the Union Law Minister and two eminent persons chosen by a committee of the Prime Minister, the Chief Justice and the Leader of the Opposition (or of the largest

opposition party) in the Lok Sabha. Under the NJAC Act, any two members could block a recommendation.

In the **Fourth Judges Case**, *Supreme Court Advocates-on-Record Association v. Union of India*, decided on 16 October 2015, a five-judge Constitution Bench by a majority of 4:1 (Justice J. Chelameswar dissenting) declared the Ninety-ninth Amendment and the NJAC Act unconstitutional and void. The majority held that primacy of the judiciary in appointments is integral to judicial independence, a basic feature of the Constitution; that the NJAC, in which the judicial members could be outvoted and the Law Minister participated, did not secure it; and that the pre-amendment provisions, including the collegium system, would operate. A later order of 16 December 2015 called for a supplemented MoP.

NOTE ON LEGAL POSITION — STATUS OF THE NINETY-NINTH AMENDMENT

Although validly enacted and notified, the Ninety-ninth Amendment has been declared void and has no legal effect. Appointments continue under the pre-2015 wording of Articles 124(2), 217(1) and 222(1) as interpreted in the Second and Third Judges Cases. Some printed texts reproduce the amended words with a footnote recording the 2015 judgment and must be read with that footnote.

Safeguards of Independence

Independence is secured by security of tenure (removal only by Parliament for proved mis-behaviour or incapacity); *financial security* (salaries fixed by law, not variable to a judge's disadvantage except under Article 360(4), and charged on the Consolidated Fund along with the courts' administrative expenses under Articles 146(3) and 229(3)); freedom from legislative criticism (Articles 121 and 211); *institutional autonomy* (contempt powers under Articles 129 and 215, rule-making under Article 145, control over staff under Articles 146 and 229); *protected jurisdiction* (Parliament may enlarge but not, by ordinary law, curtail jurisdiction such as that under Articles 32 and 136); and the *bar on post-retirement practice* (Articles 124(7) and 220).

Appointment, Transfer, Resignation, Retirement and Removal

Appointment is the President's act under Article 124(2) or 217(1). Transfer applies only to High Court judges (Article 222); in *Union of India v. Sankalchand Himatlal Sheth* (1977) the Court held that the judge's consent is not required but consultation with the Chief Justice of India must be full and effective and the transfer must be in the public interest, not punitive. *Resignation* is voluntary, by writing addressed to the President; in *Union of India v. Gopal Chandra Misra* (1978) the Court held that no acceptance is needed and that a resignation intended to take effect from a future date may be withdrawn before that date. *Retirement* is automatic; removal is the only involuntary termination.

Removal of Judges

Article 124(4) and (5) — Removal of a judge of the Supreme Court

A judge shall not be removed except by an order of the President passed after an address by each House of Parliament, supported by a majority of the total membership of that House and by a majority of not less than two-thirds of the members present and voting, has been presented to the President in the same session for removal on the ground of *proved mis-behaviour or incapacity*. Parliament may by law regulate the procedure for the address and for investigation and proof of mis-behaviour or incapacity.

Article 218 applies these clauses to High Court judges. The Constitution uses “impeachment” only for the President (Article 61), though removal of judges is popularly so called. *Misbehaviour* means wilful misconduct, corruption or lack of integrity; incapacity means physical or mental inability; both must be proved in the statutory inquiry.

The procedure is in the **Judges (Inquiry) Act, 1968**, which remains in force. A notice of motion must be signed by at least 100 Lok Sabha or 50 Rajya Sabha members. The Speaker or Chairman may admit or refuse it. If admitted, a three-member committee is formed: a Supreme Court judge (who may be the Chief Justice of India), a High Court Chief Justice and a distinguished jurist (jointly constituted if notices are given in both Houses on the same day). If the committee exonerates the judge, the motion is dropped; if it finds mis-behaviour or incapacity, the motion is taken up, and if each House adopts it by the special majority, an address is presented to the President in the same session for an order of removal. In *Sub-Committee on Judicial Accountability v. Union of India* (1991), the Court held that an admitted motion does not lapse on dissolution of the Lok Sabha.

No judge has so far been removed. A motion against *Justice V. Ramaswami of the Supreme Court* failed in the Lok Sabha in 1993; *Justice Soumitra Sen* of the Calcutta High Court resigned in 2011 after the Rajya Sabha adopted a motion against him. In 2025, a motion was admitted in the Lok Sabha against *Justice Yashwant Varma* of the Allahabad High Court and an inquiry committee was constituted under the 1968 Act; the judge resigned in April 2026, and the committee submitted its report to the Speaker in May 2026.

The *in-house procedure* of 1999 for complaints against judges is not a substitute for removal, which only Parliament can effect. In *K. Veeraswami v. Union of India* (1991), the Court held that judges of the higher judiciary are “public servants” under the Prevention of Corruption Act, 1947, but directed that no criminal case be registered against such a judge without first consulting the Chief Justice of India.

EXAMINATION FOCUS

- ▶ Removal: “proved misbehaviour or incapacity”; in each House, a majority of total membership and two-thirds of those present and voting, in the same session.
- ▶ Notice: 100 Lok Sabha or 50 Rajya Sabha members; three-member inquiry committee (Judges (Inquiry) Act, 1968).
- ▶ NJAC struck down on 16 October 2015 by 4:1; Justice Chelameswar dissented.

High Courts — Articles 214–231

The High Court is the highest court of a State. The oldest, at Calcutta, Bombay and Madras, date from the Indian High Courts Act, 1861. There are at present twenty-five High Courts; some serve more than one State or Union territory.

Constitution and Status (Articles 214–216)

Article 214 provides that there shall be a High Court for each State. **Article 215** makes every High Court a court of record with power to punish for contempt of itself (and, under the Contempt of Courts Act, 1971, of its subordinate courts). Under **Article 216**, each High Court has a Chief Justice and such other judges as the President deems necessary; the Constitution fixes no number.

Judges of the High Court (Articles 217–224A)

Article 217 — Appointment and conditions of the office of a Judge of a High Court

A judge is appointed by the President by warrant under his hand and seal after consultation with the Chief Justice of India, the Governor of the State and, for a judge other than the Chief Justice, the Chief Justice of the High Court. The judge holds office until the age of sixty-two (additional and acting judges as provided in Article 224). A judge may resign by writing to the President, may be removed in the manner provided in Article 124(4), and vacates office on appointment to the Supreme Court or on transfer to another High Court.

The Fifteenth Amendment, 1963 raised the age from 60 to 62 and inserted clause (3): disputes about a judge’s age are decided finally by the President after consulting the Chief Justice of India. Under Article 217(2), a citizen qualifies with ten years in a *judicial office* in India or ten years as an advocate of a *High Court*. There is no “distinguished jurist” category; a sub-clause to that effect inserted in 1976 was omitted by the Forty-fourth Amendment, 1978.

Article 218 applies Article 124(4) and (5) (removal) to High Court judges. **Article 219** requires the oath to be made before the Governor or a person appointed by him. **Article 220**, as substituted by the Seventh Amendment, bars a person who has held office as a permanent High Court judge from pleading or acting in any court or before any authority in India except the Supreme Court and the other High Courts. **Article 221** leaves salaries

to parliamentary law and protects them from adverse variation; salaries are charged on the State's Consolidated Fund, pensions on that of India.

Article 222 empowers the President, after consulting the Chief Justice of India, to transfer a judge between High Courts, with a compensatory allowance (clause (2)).

Article 223 provides for an acting Chief Justice appointed by the President. **Article 224** allows the President to appoint additional judges for up to two years for a temporary increase in business or arrears, and acting judges in place of absent judges; none may continue beyond 62. **Article 224A** (Fifteenth Amendment) lets the Chief Justice of a High Court, with the President's previous consent, request a retired judge of any High Court to sit and act as a judge.

Jurisdiction (Articles 225–228)

Article 225 preserves the jurisdiction of existing High Courts, including original jurisdiction, subject to the Constitution and laws of the appropriate legislature; a proviso added by the Forty-fourth Amendment removed old restrictions on original jurisdiction in revenue matters.

Article 226 — Power of High Courts to issue certain writs

Every High Court may issue, throughout the territories in relation to which it exercises jurisdiction, to any person or authority, including in appropriate cases any Government, directions, orders or writs, including habeas corpus, mandamus, prohibition, quo warranto and certiorari, *for the enforcement of any of the rights conferred by Part III and for any other purpose*. Under clause (2), the power may be exercised by the High Court within whose territory the cause of action arises wholly or in part. Clause (3) provides that an ex parte interim order stands vacated if an application to vacate it is not disposed of within two weeks. Clause (4) says the power is not in derogation of Article 32(2).

The words "for any other purpose" extend Article 226 to legal rights generally. The remedy is discretionary: High Courts ordinarily decline to interfere where an adequate alternative remedy exists, delay is unexplained or disputed facts need a trial, though these are rules of self-restraint, not absolute bars.

Article 227 gives every High Court superintendence over all courts and tribunals in its territory, except Armed Forces courts and tribunals (clause (4)), including power to call for returns and make general rules. It keeps them within jurisdiction; it is not an appeal for correcting mere errors.

Article 228 requires a High Court that is satisfied that a case pending in a subordinate court involves a substantial question of law as to the interpretation of the Constitution, necessary for disposing of the case, to withdraw the case; it may decide the case itself or decide the question and return the case.

Administration and Territorial Jurisdiction (Articles 229–231)

Under **Article 229**, the Chief Justice appoints the High Court's officers and servants, pay rules need the Governor's approval, and administrative expenses are charged on the State's Consolidated Fund. **Article 230** empowers Parliament by law to extend the jurisdiction of a High Court to, or exclude it from, a Union territory. **Article 231** empowers Parliament by law to establish a common High Court for two or more States, or for two or more States and a Union territory.

The Five Writs

A *writ* is a formal order of a superior court commanding a person or authority to do or refrain from doing something. Articles 32 and 226 name five writs, but courts may issue any appropriate direction or order.

The five constitutional writs

Writ	Meaning	Purpose	Key limitation
Habeas corpus	"You may have the body"	Produce a detained person and release him if detention is unlawful	Not where detention is under a lawful order of a competent court
Mandamus	"We command"	Compel a public authority to perform a public legal duty	Not against the President or a Governor personally (Article 361), private persons, or to enforce purely private contracts
Prohibition	"To forbid"	Stop a court or tribunal from exceeding jurisdiction in pending proceedings	Only against judicial or quasi-judicial bodies, before decision
Certiorari	"To be certified"	Quash a decision made without or in excess of jurisdiction, in breach of natural justice or with error apparent on the record	Corrective, not appellate
Quo warranto	"By what authority"	Require the holder of a public office to show legal authority	Only for substantive public offices created by statute or Constitution

ILLUSTRATION

- (a) X is held in police custody for four days without production before a magistrate; his brother may seek *habeas corpus* on his behalf.
- (b) A municipality refuses to decide a licence application it is statutorily bound to decide; the applicant may seek *mandamus*.
- (c) A tribunal hears a dispute outside its jurisdiction; *prohibition* lies before decision and certiorari after.
- (d) Y holds a statutory public office without the required qualification; *quo warranto* lies.

Article 32 and Article 226 Compared

Article 32 is itself a Fundamental Right and enforces only Fundamental Rights throughout India; Article 226 lies outside Part III, extends to “any other purpose” and is territorially limited (Table).

EXAMINATION FOCUS

- ▶ High Court judges retire at 62 (Fifteenth Amendment, 1963); oath before the Governor (Article 219).
- ▶ Retired permanent HC judges may practise in the Supreme Court and other High Courts (Article 220); retired SC judges cannot practise anywhere in India (Article 124(7)).
- ▶ Article 227 superintendence covers tribunals but not Armed Forces courts and tribunals.

Subordinate Judiciary — Articles 233–237

Chapter VI of Part VI insulates the district, civil, sessions and magistrates’ courts from executive control by placing them under the High Court.

District Judges (Articles 233 and 233A)

Article 233 — Appointment of district judges

Appointments of persons to be, and the posting and promotion of, district judges are made by the Governor of the State in consultation with the High Court (clause (1)). A person not already in the service of the Union or the State is eligible only if he or she has been an advocate or pleader for at least seven years and is recommended by the High Court (clause (2)).

District judges thus come by promotion from the judicial service or by direct recruitment from the Bar. *Chandra Mohan v. State of Uttar Pradesh* (1966) held consultation with the High Court mandatory and invalidated appointments from other sources. The Twentieth Amendment, 1966 then inserted **Article 233A**, validating earlier appointments, postings, promotions and transfers of district judges not made in accordance with Articles 233 or 235, and the judgments they had delivered.

In *Rejanish K.V. v. K. Deepa* (9 October 2025), a Constitution Bench held that judicial officers with a

combined seven years as advocate and judicial officer may compete for Bar-quota district judge posts, overruling *Dheeraj Mor* (2020); it set a minimum age of 35 and applied the ruling prospectively.

Other Judicial Service and High Court Control (Articles 234–235)

Article 234 provides that appointments of persons other than district judges to the judicial service of a State are made by the Governor in accordance with rules made by him after consultation with the State Public Service Commission and the High Court. Entry-level eligibility has been the subject of recent Supreme Court directions; the latest State rules should be consulted.

Article 235 — Control over subordinate courts

Control over district courts and courts subordinate to them, including the posting and promotion of, and grant of leave to, persons belonging to the judicial service of a State and holding any post inferior to that of district judge, is vested in the High Court. This does not take away any right of appeal under the law regulating conditions of service, or authorise the High Court to deal with such a person otherwise than in accordance with that law.

“Control” includes disciplinary jurisdiction (*State of West Bengal v. Nripendra Nath Bagchi*, 1966); the Governor passes any order of dismissal only on the High Court’s recommendation.

Definitions and Magistrates (Articles 236–237)

Article 236 defines “district judge” to include city civil court judges, additional, joint and assistant district judges, the chief judge of a small cause court, chief presidency magistrates and sessions judges of all grades; “judicial service” means a service consisting exclusively of persons intended to fill the post of district judge and other civil judicial posts inferior to it. **Article 237** allows the Governor, by public notification, to apply the Chapter to any class of magistrates.

Under the *Bharatiya Nagarik Suraksha Sanhita*, 2023 (in force from 1 July 2024, replacing the Code of Criminal Procedure, 1973), Judicial Magistrates belong to the judicial service under High Court control and try criminal cases, while Executive Magistrates (such as District Magistrates) are appointed by the State Government for executive functions like maintaining public order. This division gives effect to Article 50.

Independence of the Subordinate Judiciary

Article 312, as amended by the Forty-second Amendment, permits an All-India Judicial Service, but not for posts inferior to district judge; no such service has yet been created.

ENGLISH LANGUAGE: COMPREHENSION, PRECIS WRITING AND ESSAY WRITING

Unit I: Reading Comprehension

Meaning and Purpose of Reading Comprehension

Reading comprehension is the ability to understand, interpret, analyse and evaluate written material. It is more than recognising words and sentences. A reader who comprehends a passage can say what it states, what it implies, why the writer has written it, how the argument is built, and whether the reasoning is sound. In a court office, this skill is used every day: an assistant who reads a circular, an order or a petition must grasp not only its words but also its purpose and its consequences.

A comprehension test is designed to separate genuine understanding from mechanical matching. A careless candidate searches the passage for words that also appear in the question and copies the sentence around them. The examiner anticipates this. Questions are often worded differently from the passage, ask for the reason behind a statement rather than the statement itself, or require the candidate to connect two paragraphs. The test rewards the reader who has followed the writer's thought, not the reader who has found matching words.

Levels of Comprehension

It is useful to think of comprehension at three levels, each building on the one below it.

Literal comprehension is the understanding of what the passage explicitly states: facts, names, sequences, definitions and directly stated reasons. Questions at this level begin *with what, when, who or according to the passage*. The answer is present in the text, though it may be phrased differently.

Inferential comprehension is the ability to understand what the passage implies but does not state. If a writer says that a reform "has finally begun to reach those it was meant to serve", the reader can infer that it did not reach them earlier. Inference is a reasonable conclusion drawn from the text; it is not a guess, and it is not outside knowledge.

Critical comprehension is the evaluation of the passage: judging whether the evidence supports the conclusion, recognising the writer's assumptions and attitude, distinguishing fact from opinion, and noticing what has been left unsaid. Critical reading does not mean disagreeing with the writer; it means assessing the writer's reasoning on its own terms.

Elements of a Passage the Examiner Expects You to Notice

The central idea. Every well-written passage has one controlling idea to which all paragraphs contribute. It may be stated in the first or last sentence, or it may have to be assembled from several sentences. Ask: *If the writer could keep only one sentence, which idea would it express?*

The author's purpose. Writers inform, explain, argue, warn, criticise, compare or recommend. Purpose is revealed by the kind of statements the writer makes. A passage that ends with "therefore, the law must be amended" is persuasive, even if most of it is explanatory.

Tone and attitude. Tone is the writer's manner of expression; attitude is the writer's position towards the subject. Tone is shown by word choice: *alarming, welcome, so-called, merely, admittedly*. Useful tone words include objective, analytical, critical, appreciative, cautionary, sceptical, ironic, optimistic and urgent. Avoid extreme labels such as *furiously* or *despairing* unless the language clearly supports them.

Fact and opinion. A fact can be verified ("The Constitution came into force on 26 January 1950"). An opinion expresses a judgement ("It was the most important day in the nation's history"). Words such as *should, best, unfortunately* and *clearly* often signal opinion.

Argument and evidence. An argument consists of a claim supported by reasons or examples. Identify the claim first, then ask what the writer offers in its support: an example, a comparison, a principle, an authority or a consequence.

Assumptions and conclusions. An assumption is an unstated idea that the argument takes for granted. If a writer argues that "putting court records online will make justice more accessible", the writer assumes that litigants can use online records. A conclusion is the point the argument arrives at, frequently introduced by *therefore, thus, hence* or *it follows that*.

Vocabulary in context. A word's dictionary meanings are many; its meaning in the passage is one. "The committee *entertained* the petition" does not mean the committee amused it.

Reference words and logical relationships. Pronouns (*it, they, this, such*) and phrases like *the former, the latter* and *these measures* point back to earlier ideas. Connectives show relationships: *however* and *yet* signal contrast;

because, since and *as a result* signal cause and effect; *for instance* introduces an example; *moreover* adds a point; *in short* summarises.

A Systematic Method for Reading a Passage

The following method works because it moves from the whole to the parts and then back to the whole, so that each answer is checked against the passage's overall meaning.

1. **Read the passage once for overall purpose.** Do not stop at difficult words. Ask what the passage is about and why it was written.
2. **Identify the central argument or theme.** Put it into one sentence of your own.
3. **Recognise paragraph-level ideas.** Note in the margin, in two or three words, what each paragraph does: "defines", "gives example", "objection", "answer to objection".
4. **Mark signal words.** Underline contrast (*but, however*), cause and effect (*because, therefore*), examples (*for instance*) and conclusions (*thus, hence*). These are the joints of the argument.
5. **Read each question carefully.** Notice what it asks: a fact, a reason, a meaning, a tone, a conclusion. Notice qualifiers such as *according to the writer, mainly, not* and *except*.
6. **Return to the relevant part of the passage.** Never answer from memory of a first reading.
7. **Eliminate unsupported answers.** Where choices are given, reject those that go beyond the passage, contradict it, or are true but irrelevant to the question.
8. **Check consistency.** Your answer must agree with the passage's central idea and with your other answers.

Skimming, Scanning and Close Reading

Skimming is rapid reading to grasp the general sense. It is useful for the first reading, to see the structure and topic of the passage. **Scanning** is searching for a specific item: a date, a name, a term. It is useful for direct factual questions once you know the passage's layout.

Neither technique replaces close reading. Complex passages contain qualifications (*usually, in most cases, not entirely*), concessions (*although, admittedly*) and reversals (*yet, on the contrary*) that skimming misses. Many wrong answers come from reading the first half of a sentence and ignoring the "but" in its second half. Use skimming to orient yourself, scanning to locate, and close reading to answer.

Types of Comprehension Questions

- (a) **Main idea and suitable title.** The main idea must cover the whole passage, not one paragraph. A good title is short, specific and faithful: neither so broad that it could fit a dozen passages ("Law") nor so

narrow that it captures only one example ("The Case of the Delayed Pension"). *Common mistake:* choosing the topic of the first paragraph.

- (b) **Direct factual questions.** Locate the relevant sentence and answer in your own words. *Common mistake:* copying a long sentence that contains the answer along with irrelevant material.
- (c) **Inference questions.** Ask what must be true if the passage is true. A sound inference follows from the text; it is not merely consistent with it. *Common mistake:* choosing an answer that is reasonable in real life but not supported by the passage.
- (d) **Vocabulary in context, synonyms and antonyms.** Substitute your answer into the sentence. If the sentence still makes sense and keeps its meaning, the answer is right. *Common mistake:* giving the most common meaning of the word instead of its meaning in the passage.
- (e) **Tone and attitude.** Base your answer on specific words and phrases, and be ready to quote them. *Common mistake:* confusing the tone of a view the writer reports with the writer's own tone.
- (f) **Purpose of a paragraph.** Ask what the paragraph does in the argument: introduce, define, illustrate, concede, refute, conclude. *Common mistake:* summarising the paragraph's content instead of stating its function.
- (g) **Cause and effect.** Identify the cause, the effect and the link between them. *Common mistake:* reversing the direction, or treating two things that occur together as cause and effect when the passage does not.
- (h) **Statement-based questions.** Test each statement separately against the passage. *Common mistake:* accepting a statement because most of it is correct.
- (i) **True, False or Not Stated.** "True" means the passage says or necessarily implies it; "False" means the passage contradicts it; "Not Stated" means the passage neither confirms nor contradicts it. *Common mistake:* marking a statement False merely because it is not mentioned.
- (j) **Logical conclusions.** A valid conclusion follows from the passage without adding new premises. *Common mistake:* choosing the most sweeping conclusion.
- (k) **Figurative expressions.** Explain what the metaphor or idiom means in plain words in that context. "Justice must not be a locked room" means justice must be accessible to all. *Common mistake:* explaining the literal image instead of its meaning.

Writing Answers in a Descriptive Test

In a descriptive paper, the answer itself is evaluated as a piece of writing. Answer in complete sentences, in your own words, and only as much as the question requires.

Begin with the direct answer, then add the supporting reason from the passage if the question asks *why* or *how*. Quote a word or a short phrase only when the question asks about specific language. Where a question asks for a meaning, give a word or phrase of the same part of speech: the meaning of an adjective should be an adjective.

Answer pattern: Direct answer → brief support from the passage → stop. A three-line accurate answer earns more credit than a ten-line answer that wanders.

Solved Practice Passages

The passages below are original and graded from easier to more demanding. They are practice material on themes suitable for educated candidates and are not predictions of examination questions. Attempt each passage before reading the answers.

Passage 1 : The Rule of Law

The phrase “rule of law” is used so often that its meaning is easily lost. At its simplest, it means that a country is governed by laws rather than by the wishes of individuals. No official, however senior, may act merely because he wishes to; he must be able to point to a law that permits the action. Equally, no person is above the law, and every person is entitled to its protection.

The rule of law also requires that laws be known in advance. A citizen cannot be expected to obey a rule that was never published, or one that is applied to conduct that took place before the rule existed. For the same reason, laws must be reasonably clear. A vague rule gives officials the freedom to decide cases according to their own preferences, which is exactly what the rule of law is meant to prevent.

Finally, the rule of law depends on institutions. Laws that cannot be enforced, or that are enforced only against the weak, remain words on paper. Independent courts, honest officials and an informed public turn those words into a living guarantee.

Questions

1. What, according to the passage, is the simplest meaning of the rule of law?
2. Why must laws be published and reasonably clear? Give two reasons from the passage.
3. What is the danger of a vague rule?
4. Explain the expression “remain words on paper”.
5. What is the purpose of the third paragraph?
6. Give the meaning of the word “guarantee” as used in the passage.

Answers and explanations

1. It means that a country is governed by laws and not by the wishes of individuals. (*Literal; stated in the first paragraph. Note that the answer is not “no one is above the*

law”, which is a consequence of the simple meaning rather than the meaning itself.)

2. Laws must be published because a citizen cannot obey a rule he does not know of, and they must not be applied to conduct that occurred before they existed. They must be clear because a vague rule allows officials to decide according to their own preferences. (*Literal, drawn from the second paragraph.*)
3. A vague rule allows officials to act on personal preference, which brings back the very rule of individuals that the rule of law seeks to replace. (*Inferential: the passage links the second paragraph back to the first.*)
4. It means that the laws exist in form but have no real effect in people’s lives. (*Figurative expression.*)
5. It shows that the rule of law needs working institutions in addition to good laws; it moves the discussion from the qualities of laws to the means of enforcing them. (*Function of a paragraph, not a summary.*)
6. An assurance or protection that can be relied upon. (*Vocabulary in context; a commercial “warranty” would be the wrong sense.*)

Passage 2: Title to Be Supplied by the Candidate

For many citizens, the greatest obstacle to justice is not an unjust law but the distance between them and the court. The distance is sometimes physical: a farmer may have to travel a full day to reach the court where his case is listed, only to find that it has been adjourned. More often, the distance is financial and social. Lawyers’ fees, the cost of documents and the loss of a day’s wages can make a just claim too expensive to pursue.

Language adds a further barrier. Proceedings and records in an unfamiliar language leave a litigant dependent on others to tell him what has happened in his own case. A person who cannot follow his case cannot be said to participate in it.

Legal aid, simplified procedures, local dispute-resolution forums and the translation of court records into regional languages are therefore not acts of charity. They are part of what it means for a legal system to be fair. A right that cannot be enforced without wealth is, for the poor, no right at all.

Questions

1. Suggest a suitable title for the passage and justify it.
2. Name the three kinds of “distance” the passage identifies.
3. Why, according to the writer, does language matter in a court case?
4. “Legal aid ... are therefore not acts of charity.” What does the writer mean?

5. State whether the following are True, False or Not Stated:

- (a) Most citizens find unjust laws the greatest obstacle to justice.
- (b) The writer believes that legal aid should be free for every citizen.
- (c) A litigant who cannot understand proceedings cannot truly take part in them.

6. Give the antonym of "unfamiliar" as used in the passage.

Answers and explanations

1. "Barriers to Access to Justice" (or "Bridging the Distance to Justice"). The passage is about the physical, financial, social and linguistic obstacles that keep citizens from the courts, and the measures that remove them. *"Unjust Laws" would be wrong; the passage says these are not the main obstacle.*
2. Physical, financial and social distance. (*Language is presented separately as "a further barrier".*)
3. If proceedings are in a language the litigant does not understand, he depends on others to learn what is happening and cannot genuinely participate in his own case.
4. The writer means that these measures are duties of a fair legal system, required by justice itself, rather than favours given out of kindness.
5. (a) False: the passage says the greatest obstacle is "not an unjust law".
(b) Not Stated: the passage supports legal aid but says nothing about making it free for everyone.
(c) True: "A person who cannot follow his case cannot be said to participate in it."
6. Familiar (or "known").

Passage 3: Judicial Independence

It is sometimes argued that judges, being unelected, should defer to the elected branches of government on every question of importance. The argument has a democratic appeal, but it misunderstands the purpose of a court. A constitution places certain rights and limits beyond the reach of temporary majorities. Someone must decide, in a particular dispute, whether those limits have been crossed. If that decision were left to the very authority whose action is challenged, the limits would be no more than advice.

Judicial independence is the condition that makes such decisions credible. It requires security of tenure, so that a judge need not fear removal for an unpopular ruling; protection of salary, so that pressure cannot be applied through the purse; and freedom from instruction, so that no outside authority may tell a judge how to

decide. These protections are not privileges of the judge. They belong to the litigant, who is entitled to a decision reached on the law and the evidence alone.

Independence does not, however, mean the absence of accountability. Judges give reasons in public, their decisions may be corrected on appeal, and their conduct is subject to ethical standards. A court that is independent but opaque would soon lose the public confidence on which its authority finally rests.

Questions

1. What view does the writer reject in the first paragraph, and on what ground?
2. Why would constitutional limits become "no more than advice" in the situation the writer describes?
3. List the three protections of judicial independence mentioned, and state the purpose of each.
4. "These protections are not privileges of the judge." Whose interest do they serve, according to the writer?
5. What is the function of the last paragraph?
6. Which of the following best describes the writer's tone?
(a) indignant
(b) reasoned and persuasive
(c) neutral and indifferent
(d) sarcastic. Explain.
7. What assumption underlies the final sentence of the passage?

Answers and explanations

1. The writer rejects the view that unelected judges should always defer to the elected branches, because it misunderstands the court's role of enforcing constitutional limits that protect rights against temporary majorities.
2. Because the authority whose action is challenged would be judging its own case; it would naturally tend to uphold its own action, so the limits could not be enforced against it.
3. Security of tenure, so that a judge does not fear removal for an unpopular ruling; protection of salary, so that pressure cannot be applied financially; and freedom from instruction, so that no outside authority dictates the decision.
4. The litigant's, because the litigant is entitled to a decision based only on law and evidence.
5. It anticipates a possible objection (that independence means freedom from scrutiny) and qualifies the argument by showing how independence coexists with accountability.
6. (b). The writer states an opposing view fairly ("has a democratic appeal"), answers it with reasons and