

Organization and Jurisdiction of Supreme Court-Judicial Review

Organization of the Supreme Court

1. **Composition:**
 - The Supreme Court consists of the Chief Justice of India and a maximum of 34 other judges.
 - Judges are appointed by the President of India, based on the advice of the Prime Minister and the Council of Ministers, often following the recommendations of a collegium system.
2. **Tenure:**
 - The retirement age for Supreme Court judges is 65 years.
3. **Location:**
 - The Supreme Court is located in New Delhi.

Jurisdiction of the Supreme Court

The Supreme Court has several types of jurisdiction:

1. **Original Jurisdiction:**
 - The Supreme Court has the authority to hear cases directly, without them going through lower courts, in specific matters like:
 - Disputes between different states or between the center and states.
 - Cases involving the enforcement of fundamental rights under Article 32 of the Constitution.
2. **Appellate Jurisdiction:**
 - It hears appeals against judgments from lower courts, including:
 - High Courts in civil and criminal matters.
 - The Supreme Court can choose to hear cases based on special leave petitions under Article 136, even if they are not ordinarily appealable.
3. **Advisory Jurisdiction:**
 - Under Article 143, the President can seek the Supreme Court's opinion on questions of law or fact, which the Court can provide in an advisory capacity.
4. **Constitutional Jurisdiction:**
 - The Supreme Court interprets the Constitution and can declare laws unconstitutional if they violate the Constitution.

Judicial Review

1. **Definition:**
 - Judicial review is the power of the Supreme Court to examine the constitutionality of legislative acts and executive orders.
2. **Scope:**
 - The Supreme Court can invalidate any law or executive action that is found to be in violation of the Constitution.

3. **Importance:**

- Ensures the supremacy of the Constitution.
- Protects fundamental rights.
- Maintains the balance of power among the legislative, executive, and judicial branches.

4. **Judicial Activism vs. Judicial Restraint:**

- Judicial activism refers to a proactive role taken by the Court in interpreting laws and upholding rights, often leading to broader interpretations.
- Judicial restraint emphasizes limited intervention, respecting the roles of the legislature and executive.

The Supreme Court of India plays a crucial role in upholding the Constitution, protecting fundamental rights, and ensuring justice. Its organization and diverse jurisdictions, combined with the power of judicial review, establish it as the guardian of the Constitution and the rule of law in the country.