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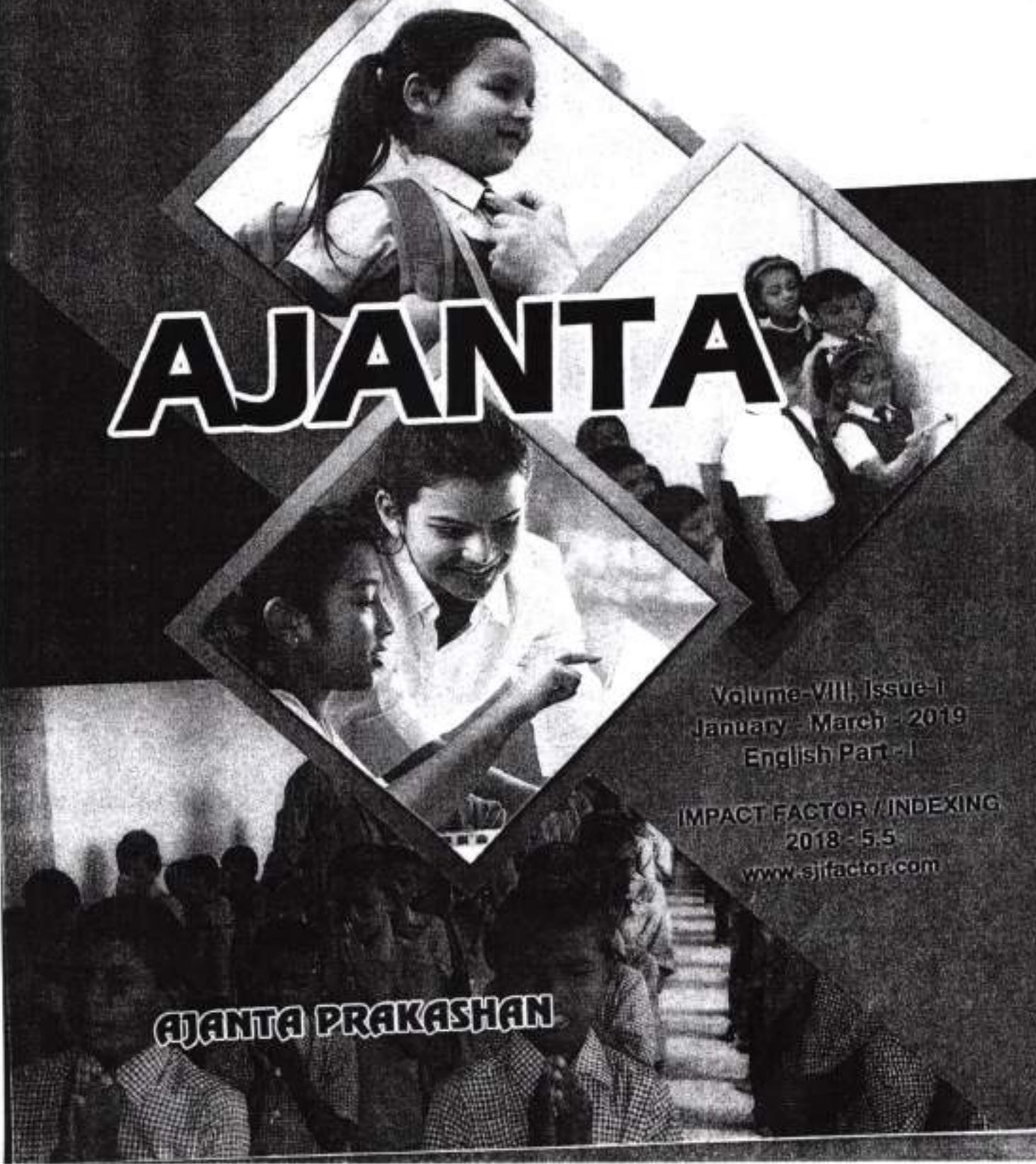
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31. Democracy and Independent Judiciary

Dr. Pratima V. Bandewar

Introduction

One of the essential characteristics of a Federal Constitution is the independence of its judicial organ. In a democratic structure, the role of judiciary is most important. The judiciary plays a crucial role and considered one of the three pillars of democracy along with the legislature and the executive and acts as a check on the other two.

India is governed by Rule of Law. Judiciary is an important part and plays an important role in protection of democracy. We have a well-developed judicial network. Courts are responsible to resolve or handle number of issues like- dispute resolution, enforcement of fundamental rights, judicial review etc.

The Constitution of India has guaranteed "justice" as one of the objectives, to the people, in the preamble itself. Therefore, to achieve this objective, judiciary in India is independent. The courts in India are not controlled by government and do not represent any political authority. The independence allows the Judiciary to ensure that there is no misuse of power.

Objectives

The present paper is undertaken to study the following objectives-

1. To analyse judicial network in India
2. To study the role of judiciary in Indian Democracy
3. To examine independence of judiciary in India

Methodology

The methodology adopted for the present study is doctrinal and historical method and data is collected from the text books, journals and commentaries relating to the topic of research.

Judicial Network in India

Along with Executive and Legislature, Judiciary is one of the pillars to uphold the democracy. Democracy is a kind of government 'of the people, for the people and by the people, wherein a strong and independent judiciary is necessary to protect and safeguard rights of common citizens and prohibit the governing agencies from exercising their power arbitrarily. Thus, judiciary becomes the most important pillar in democracy.