
4. Supreme Court (SC)

Why in News?

- The Supreme Court (SC) has recently suggested a State-specific approach to setting up special courts for speedy trial of legislators.

Highlights

- The SC had ordered that special courts be set up across the country to fast-track the long-pending trials of lawmakers.
- Following this, 12 special courts were set up across 11 States exclusively to try sitting MPs and MLAs.
- In September 2020, an SC-appointed amicus curiae (friend of the court), in his two reports, highlighted that despite the best efforts by the court to constitute special courts for trying cases against legislators, close to 4,442 criminal cases involving 2,556 sitting members of Parliament (MP) and members of legislative assemblies (MLAs) are pending.
- These cases have now crossed the 5,000-mark, with 400 of them concerning heinous offences.
- Special jurisdiction is the Courts' jurisdiction over certain types of cases such as bankruptcy, claims against the government, probate, family matters, immigration, and customs, or limitations on courts' authority to try cases involving maximum amounts of money or value. Special jurisdiction is also known as limited jurisdiction.
- Special Courts only hear cases in a very narrow jurisdiction and the judges serve for a specific term, while the constitutional court's main authority is to rule on whether laws that are challenged are unconstitutional, Example-whether they conflict with constitutionally established rights and freedoms