

# Difference between Judge and Magistrate

Magistrates and judges operate on different levels in the Indian judiciary. Judges are superior in authority, and their verdict is deemed as the final one.

Here is the difference between magistrate and judge in detail:

Magistrate	Judge
A magistrate is appointed by the state government and the high court.	A judge can only be appointed by the President of India and the Governor.
To become a magistrate, getting a law degree is not mandatory.	A law degree is mandatory to become a judge.
A magistrate's area of jurisdiction is at the state level.	A judge's area of jurisdiction is at a national level.
A magistrate does not have the authority to impose a death sentence on a guilty person.	A judge has the authority to impose a death sentence on a guilty person.
A magistrate only handles minor cases.	A judge handles complex cases.

## Magistrate Meaning

The word "Magistrate" comes from a French word that means a civil officer. The position of Magistrate was introduced by the then-governor general of India, Warren Hastings, in 1772. In the Indian judicial system, a magistrate is a minor judicial system officer who governs law in a particular region, town, or district. Here is some more information about magistrates:

- They are responsible for ruling over many cases in one day.
- They are also responsible for gear applications for adjournment.
- Magistrates decide penalties when a person pleads guilty - if a person challenges the decision, they decide whether the person is guilty.
- A magistrate does not have the same authority as a judge.
- Only the state government and the high court can appoint a magistrate.

## Types of Magistrates in India

There are four major types of magistrates: Chief judicial magistrate, Judicial Magistrate, Metropolitan magistrate, and Executive magistrate. Here are the details about them:

- Chief Judicial magistrate: A chief judicial magistrate for every district is appointed by the high court. The high court only appoints a first-class judicial magistrate as a chief judicial magistrate.
- Judicial magistrate: A judicial magistrate is governed by the Session Judge and is subordinate to the Chief Judicial magistrate.
- Metropolitan magistrate: Metropolitan magistrates are appointed for towns where the population is more than one million. These magistrates are subordinate to the chief metropolitan magistrate and report to the Session Judge.
- Executive magistrate: They are appointed by the State government for a district as a district magistrate and an additional district magistrate.

## Who is a Judge?

The word “judge” comes from the Anglo-French word “juger,” which means to shape an opinion on something. A judge is a judicial officer who administers court hearings and gives the final verdict over legal cases. They are superior to magistrates and are appointed by the President of India. Here are some of the roles and responsibilities of a judge:

- The judge sits in the supreme court for legal hearings.
- A judge can give the final verdict alone or take help from a panel of judges in a court case.
- A judge has the authority to sentence someone to death.

## Magistrate vs Judge Salary

One key difference between judge and magistrate is that the salary of a judge is more than that of a magistrate. Since judges operate on a higher level than a magistrate, they are offered a higher salary. Here are the salary details of magistrate and judge:

Salary Difference between Magistrate and Judge	
Position	Pay Scale
High Court Judge	₹80,000 (per month)
Supreme Court Judge	₹90,000 (per month)
District Judge	₹12,000 - ₹24,000 (per month)
Chief Justice	₹1,00,000
Magistrate	₹27,700 - ₹44,700

## Judge vs Magistrate - Similarities

The Judiciary system plays an important role in enforcing law across the nation and settling disputes between citizens, states, and other parties. Magistrates and Judges are the mechanisms in place through which the law is enforced and conflicts are resolved.

Both judges and magistrates have judiciary presence, but their roles differ from each other. Judges have more power than magistrates when it comes to finalising an order. However, there are also some similarities between judges and magistrates. Some of the similarities and difference between magistrate and judge are listed below:

- The authority of magistrates and judges on ruling objections, hearing cases, and finalising the outcome is the same.
- The process of appealing against a magistrate's decision is different from appealing against a judge's decision.
- Magistrates dress up like citizens, unlike judges, who wear formal garb.

