

# Subordinate Court

As is evident from the term itself, a Subordinate Court is a state-specific lower court that acts under the jurisdiction of the State High Court. The judicial process might differ with each state. There are generally many kinds of Subordinate Courts in India state-wise that handle various types of cases. These courts are either ruled upon by a District Judge or a District & Sessions Judge.

A Subordinate Court may also act upon more than one state depending on the cases and the population of every district. The final decisions taken by a District Court are further subjected to the appellate authority of the High Court. Articles 233-237 in the 6th part of the Constitution of India mention the provisions related to the Subordinate Courts.

## Types of Subordinate Courts

Each district in India has its own District-level court depending upon the number of cases and the population there. Generally, the types of Subordinate Courts are categorized into three classes based on the types of cases they look into, such as-

- Civil Courts
- Revenue Courts
- Criminal Courts

## Subordinate Court - Civil

Based on the kind of cases that the Civil Court receives, it has been given this name. We can easily say that a Civil Court looks into cases related to familial disputes, and disagreements, including landlord-tenant disputes.

A District Judge or a District Sessions Judge presides over a Civil Court and can sometimes be represented by a Sub-Judge in the small family courts.

- Civil Courts are responsible for the settlement of such family disputes.
- Generally, a Civil Court doesn't reprimand the parties involved.
- Non-criminal issues like those of property, succession, ownership, etc are dealt with by the Civil Courts that give out decisions as per the Civil Procedure Code.

## Criminal Subordinate Court

As clear by the name, a Criminal Court handles criminal cases. Such cases involve disrespect and violation of laws and therefore involve punishment. Criminal cases are generally cases of

theft, assault, murder, etc. Such cases are usually filed on behalf of the state by the police in the Court.

- Criminal Court is addressed by a Sessions Judge or a Sessions & District Judge.
- A Metropolitan Judge is also present at times under the Sessions Judge.
- The accused party is subject to severe punishment if proven guilty.
- The Criminal Court cases are settled based on the Indian Penal Code and the Criminal Procedure Code.

## Subordinate Court- Revenue

The third type of Subordinate Court is the Revenue Court. Clearly, these types of courts tackle cases related to land revenue in any state. The highest court of revenue in any district is the Board of Revenue.

- The Board of Revenue is the highest authority and only takes up the final appeals.
- Other authorized people in the Board of Revenue are the Courts of Commissioners, Collectors, Tehsildars, and Naib or Assistant Tehsildars.

## District Judge Appointment: Subordinate Courts

The appointment of a District or a Sessions Judge for a Subordinate Court is taken up by the Governor of the State along with the High Court. There are a few conditions for someone to be eligible for a District Judge which are:

- One should have been non-working in the state for a minimum period of 7 years.
- The candidate will have to be recommended by the High Court.
- He/ She should have been a pleaser or an advocate for 7 years.

## Subordinate Courts - Article 233 to 237

Part 6 of the Indian Constitution specifies the provisions relating to the Subordinate Courts in India. These provisions have been mentioned in Articles 233 to 237 of the constitution. Let's have a look at each of the Articles that deal with the Subordinate Judiciary system.

Article of the Constitution	Details
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Article 233	Related to the appointment of District Judges
Article 234	Concerns the appointment of others except for the District Judges
Article 235	Mentions about the control over the Subordinate Court
Article 236	Talks about the interpretation
Article 237	Related to the application of the provisions to Magistrates

## Functions of Subordinate Court

Based on the different types of cases being handled, a Subordinate Court has been divided into three types. All three types of courts look into three different types of categories & adopt their policy to announce final decisions.

- A Civil Court takes up civil cases that are mostly related to family disputes, landlord-tenant issues, etc. as they do not formally violate any law, therefore the court does not announce any kind of punishment here.
- A Criminal Court tackles all the cases related to serious crimes such as murder, physical assault, dacoity, etc. Since these involve violations of the law, serious penalties and punishments are announced in such cases.
- The Revenue Courts handle cases related to land revenues and act accordingly.

## Organization and Structure of Subordinate Courts

The Subordinate Judiciary in India follows a specific structure maintaining the hierarchy. The roles and responsibilities are distinguished and the mode of operation also differs in each Subordinate Court.

- The power, structure, and nomenclature of the Subordinate Court are decided upon by the concerned state.
- The top-most authority is the Supreme Court under which three different levels of civil and criminal courts are present.
- With respect to civil and criminal cases, the District Judge has the highest authority.
- While addressing criminal cases, a judge is called a Sessions Judge whereas while looking into civil cases, a judge is called a District Judge.
- A Sessions Judge has the authority to give away a death sentence or life imprisonment to a criminal.