

## Strengthening Justice Delivery System Initiatives by the Government of India

Department of Justice  
30<sup>th</sup> January 2015

### Elements to be addressed to strengthen justice delivery

- Process related reform for optimum court and case management
- Physical infrastructure for adequate and litigant friendly court complexes
- Technical infrastructure for leveraging ICT enablement
- Manpower planning, role definition, evaluation and accountability of human resource managing court and its sub-systems

### Gaps

- **Access to Justice incomplete**
  - Only 180 Gram Nyayalayas notified
  - Family Courts not established in all districts
  - No High Courts in three NE States
  - Bifurcation of High Courts of Punjab/Haryana, Telengana/ AP
  - High Court benches in large States
- **Despite large number of appointments, persisting manpower gaps**
  - Appointments not commensurate with retirements
  - Delay in submission of proposals by High Courts
  - Delays in recruitment to the State Judicial Services
  - 34% vacancy in High Courts; 23% vacancy in Subordinate Courts
- **Pendency Reduced, but pace of reduction slow**
  - Over 3 crore cases still pending

### Gaps

- **Infrastructure gaps not met, despite enhanced financial assistance**
  - Need to implement Court Development Plans
  - Need to have:
    - litigant friendly and disabled friendly court complexes.
    - Vulnerable witness deposition centres
- **Most courts computerised, but service delivery limited**
  - Need to use ICT enablement for court and case management
  - Need for timely and complete data entry
  - Need to cover balance and new/upcoming Courts
- **Process Reforms**
  - Supreme Court Rules 2013 notified
  - Need for Process reforms in High Courts/District Courts

## Initiatives by Government of India

Appointments, Legislation, Policies

- National Judicial Appointments Commission for the Higher Judiciary
- High Court Judges' strength increased
- High Court Chief Justices addressed to expedite proposals for appointment of Judges
- Chief Justices addressed to expedite recruitment against vacancies in State Judicial Services
- Amendments to Negotiable Instruments Act, Arbitration and Conciliation Act and Motor Vehicles Act underway
- State Litigation Policies notified by all States; National Litigation Policy pending approval

## Initiatives by Government of India

Infrastructure and ICT enablement

- Infrastructure for Court Complexes in last three years
  - Constructed/Upgraded - over 500
  - Residential Buildings Constructed - over 300
  - Rs 3000 crore released to States in the last four years
  - 150 court complexes under construction
- ICT Enablement:
  - 13323 district and subordinate courts computerized
  - NJDG has data of 4 crore decided and pending cases in about 12000 courts
  - PDA for process service, SMS facility, Cloud computing, information kiosks etc. planned in next Phase of eCourts Project

## Initiatives by Government of India

13<sup>th</sup> Finance Commission Award

1. Increase court working hours – morning/evening courts
2. Lok Adalats to reduce the pressure on regular courts
3. Enhance legal aid to the marginalized through LSAs
4. Establish ADR Centres in Districts, train mediators
5. Renovation of heritage court buildings
6. Build capacity of judicial officers, public prosecutors
7. Support creation of State Judicial Academies
8. Appoint Court Managers

## Initiatives by Government of India

14<sup>th</sup> Finance Commission: DoJ Proposal

- Pendency Reduction: Establishment of
  - i. Additional courts (373)
  - ii. Fast Track Courts (1800)
  - iii. Family Courts (235)
- Litigant friendly court complexes (2800)
- Technical support for ICT enabled courts
- Support for scanning and digitization of court records
- Enhancing Access to Justice
  - i) Legal Aid Clinics
  - ii) Lok Adalats
  - iii) ADR Centers
- Training and capacity building

## Initiatives by Government of India

National Mission on Justice Delivery and Legal Reforms

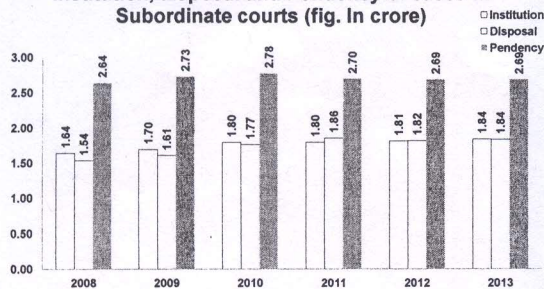
- Pursuing two broad goals
  - Increasing access to justice by reducing delays and arrears
  - Enhancing accountability through structural changes and by setting performance standards and improving capacities
- But persisting challenges remain
  - Bar reforms
  - Inadequate investment on Judiciary by States
  - Lack of reforms in criminal investigation and prosecution machinery

## Initiatives by Government of India

A2J, Model Courts, Research Work

- Two Access to Justice Projects:
  - Central India: Training PLVs, Lawyers
  - NE and J&K: Training and research work
- Model Courts to set examples of
  - efficient, fair and just courts
  - with time bound trial and quality judgments/orders
  - citizen-friendly, sensitive to the needs of vulnerable sections
  - efficient mechanism for redressal of citizens' grievances
- Technical Support and Research Work on:
  - Facilitating the early release of Under Trial Prisoners
  - Bench book for subordinate judiciary
  - Case Compendium on Speedy Trial
  - Concept Paper on Introducing Pre-trial Hearing
  - Discussion paper on Performance Standards for Judges
  - A Study to Review the Court Managers Scheme
  - Monitoring the implementation of State Litigation Policies

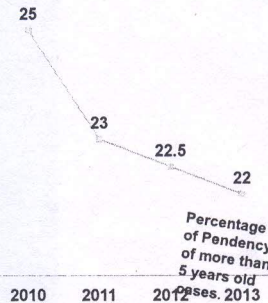
Institution, disposal and Pendency of cases in Subordinate courts (fig. In crore)



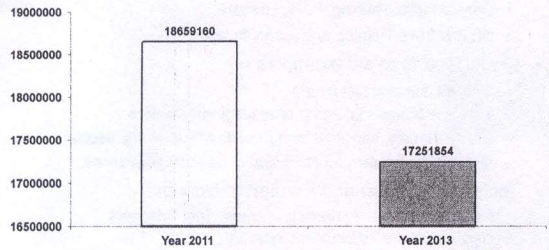
Figures for the year 2013 are provisional.

- Trend of increasing pendency in Subordinate Courts reversed since 2011; Overall decrease from 2.78 crore in 2010 to 2.69 crore in 2013

% pendency of cases which are over 5 Years old in Subordinate Courts



### Pendency of cases in subordinate Courts excluding 0-1 year old cases



Thank You