



# National Judicial Infrastructure Authority of India

## Why in News

Recently, the [Chief Justice of India](#) proposed creation of a **National Judicial Infrastructure Authority of India (NJIAI)**.

## Key Points

### ▪ NJIAI:

#### ◦ About:

- The proposed NJIAI could **work as a central agency with each State** having its own State Judicial Infrastructure Authority, much like the [National Legal Services Authority \(NALSA\) model](#).
  - NALSA was constituted to **establish a nationwide uniform network** for providing free and competent legal services to the weaker sections of the society.
- NJIAI will **take control of the budgeting and infrastructure development** of subordinate courts in the country.
- The proposed **NJIAI should be placed under the [Supreme Court of India](#)** unlike NALSA which is serviced by the **Ministry of Law and Justice**.
- It will **not suggest any major policy change** but will **give complete freedom to HCs** to come up with projects to strengthen ground-level courts.

#### ◦ Members:

- In the NJIAI there could be a **few High Court judges as members**, and some central government officials because the centre must also know where the funds are being utilised.
- Similarly, in the **State Judicial Infrastructure Authority**, in addition to the Chief Justice of the respective High Court and a nominated judge, four to five district court judges and state government officials could be members.

### ▪ Need of NJIAI:

#### ◦ To Manage the Funds:

- Of a total of Rs. 981.98 crore sanctioned in 2019-20 under the [Centrally Sponsored Scheme \(CSS\)](#) to the States and Union Territories for development of infrastructure in the courts, only Rs. 84.9 crore was utilised by a combined five States, rendering the remaining 91.36% funds unused.
  - The issue has been **plaguing the Indian judiciary for nearly three decades** when the CSS was introduced in 1993-94.

#### ◦ Manage Rising Number of Litigations:

- The Indian judiciary's infrastructure **has not kept pace with the sheer number**

**of litigations** instituted every year.

- A point cemented by the fact that the **total sanctioned strength of judicial officers in the country** is 24,280, but the number of court halls available is just 20,143, including 620 rented halls.
- **Greater Autonomy:**
  - The improvement and maintenance of judicial infrastructure is **still being carried out in an ad-hoc and unplanned manner.**
  - The need for “**financial autonomy of the judiciary**” and creation of the NJIAI that will **work as a central agency with a degree of autonomy.**
- **Reasons Behind Infrastructural Lag:**
  - **Lack of Funds:**
    - To develop judicial infrastructure, **funds are extended by the central government and states** under the **Centrally-Sponsored Scheme** for Development of Judiciary Infrastructure, which **began in 1993** and was extended for another five years in July 2021.
    - However, **states do not come forward with their share of funds** and consequently, money allocated under the scheme is often left unspent with them and lapses.
  - **Use of Funds for Non-Judicial Purposes:**
    - In some cases, they claimed, **states have also transferred part of the fund for non-judicial purposes.**
    - Even in the judiciary, particularly trial courts, nobody is willing to take responsibility to execute infrastructure projects.

## Issues of Judiciary in India

- The **judge-population ratio** in the country is **not very appreciable.**
  - While for the other countries, the ratio is about 50-70 judges per million people, in India it is 20 judges per million heads.
- It is only since the **pandemic** that the **court proceedings** have started to take place **virtually** too, earlier the role of technology in the judiciary was not much larger.
- The posts in the judiciary **are not filled up as expeditiously as required.**
  - The **process of judicial appointment is delayed** due to delay in recommendations by the **collegium** for the higher judiciary.
  - Delay in recruitment made by the state commission/high courts for lower judiciary is also a cause of the **poor judicial system.**
- **Frequent adjournments** are granted by the courts to the advocates which leads to unnecessary delays in justice.

## Way Forward

- The courts in India **had repeatedly upheld the rights and freedoms of individuals and** stood up **whenever individuals or society were at the receiving end of executive excesses.**
- If we want a different outcome from the judicial system, we cannot continue to work in these circumstances.
- Institutionalising the mechanism for augmenting and **creating state-of-the-art judicial infrastructure** is the best gift that we can think of giving to our people and our country in

this [75<sup>th</sup> year of our Independence](#).

- The CSS Scheme will **increase the availability of well-equipped Court Halls and Residential Accommodations** for Judges/Judicial Officers of District and Subordinate Courts all over the country.
- Setting up of **digital computer rooms will also improve digital capabilities** and give impetus to the digitization initiation being pursued as a part of India's [Digital India vision](#).

[Source: TH](#)

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