



## India Justice Report 2022

**For Prelims:** Indian judiciary, Case clearance rates, High Courts and Lower Courts.

**For Mains:** India Justice Report 2022.

### Why in News?

According to the India Justice Report (IJR) 2022, Karnataka has achieved the **top rank among the 18 large and mid-sized states in delivery of justice** with populations over one crore.

- Tamil Nadu has ranked in the second position; Telangana third; and Uttar Pradesh is at rank 18 which is the lowest.

### What is IJR?

- The IJR is an initiative of **Tata Trusts in collaboration with Centre for Social Justice**, Common Cause and Commonwealth Human Rights Initiative among others.
- It was first published in 2019.
- It **assesses the performance of states in terms of justice delivery**, by considering several parameters such as **police, judiciary, prisons, and legal aid** to assess the overall performance of each state.

### What are the Key Highlights of the Report related to Judiciary?

- **Ranking of Justice Delivery:**
  - The list of 7 Small States with a population less than one crore each, was topped by Sikkim which was ranked second in 2020.
  - Sikkim has been followed by Arunachal Pradesh and Tripura. The State of **Goa is at rank Seven which is the lowest.**
- **Shortage of Judges:**
  - The **Indian judiciary** is facing a severe shortage of judges and infrastructure, leading to rising pendency, increasing caseloads, and declining case clearance rates (CCR) in lower courts.
    - As of December 2022, the High Courts were functioning with only 778 judges against a sanctioned strength of 1,108 judges.
- **Pendency:**
  - The number of cases pending per judge is rising in most states over the last five years, while the sanctioned strength has remained the same.
    - The average pendency **in High Courts is highest in Uttar Pradesh (11.34 years) and West Bengal (9.9 years)**, while it is lowest in Tripura (1 year), Sikkim (1.9 years), and Meghalaya (2.1 years).
- **Increased Caseload:**
  - The caseload per judge has steadily increased, with the caseload per judge increasing in 22 states and Union Territories between 2018 and 2022.

▪ **Case Clearance Rate:**

- The CCR in High Courts improved by six percentage points (88.5% to 94.6%) between 2018-19 and 2022 but declined by 3.6 points in lower courts (93% to 89.4%).
- High Courts are increasingly clearing more cases annually than subordinate courts.
  - In 2018-19, only four High Courts had a CCR of 100% or more. In 2022, this more than double to 12 High Courts.

▪ **Court Halls:**

- Nationally, the number of court halls appears sufficient for the number of actual judges, but space **will become a problem if all the sanctioned posts are filled.**
- In August 2022, there were 21,014 court halls for the 24,631 sanctioned judges' posts, a shortfall of 14.7%.

# National Deficits



## Judiciary

**Judge vacancy**

No court works with a full complement of judges except the High Court of Sikkim and the district courts in Chandigarh.

**SC/ST/OBC**

At the district court level **no state/UT could fully meet** all its Scheduled Castes, Scheduled Tribes and Other Backward Classes quotas. Data on SC/ST/OBC judges is not available for High Courts.

**Case Clearance Rate**

Among the 18 large and mid-sized states, **only Kerala could achieve case clearance rates of 100 per cent** and more at both High Court and subordinate court levels.

▪ **Recommendations:**

- The shortage of judges and infrastructure is a significant concern for the Indian judiciary, leading to a rise in pendency and declining CCR in lower courts. The government needs to address this issue by **filling the vacant judge posts, providing adequate infrastructure**, and taking measures to improve the efficiency of the judicial system.
- There is a need for better police training and infrastructure, reducing overcrowding in prisons, and improving the speed and efficiency of the judicial system.
- There should be greater **attention to be paid to the needs of victims of crime**, including improving access to legal aid and victim compensation schemes.
- By addressing these challenges, **India can move closer to achieving a more equitable and effective criminal justice system.**

### What are Other Findings?

# National Deficits



## Police

### SC/ST/OBCs

Every state has statutorily mandated quotas for SC, ST and OBC. In the police, **only Karnataka** has been able to fulfil these reservations.

### Women

**Not a single state/UT** meets their own reserved quotas for women in police.

### Rural-Urban Divide

In 19 states/UTs **urban police stations** serve greater populations than their rural counterparts.

Kerala's urban police stations serve ten times the population of a rural one and Gujarat's four times.



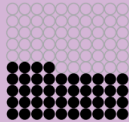
## SHRC

### 33,312

Total number of pending cases across all 25 State Human Rights Commissions in March 2021

### 44%

National average vacancy across 25 SHRCs



## CCTVs

### Compliance of Supreme Court judgment on installation of CCTVs

**Only Arunachal Pradesh** reports having CCTV cameras in all 14 spots (as directed by the apex court) in all its 24 police stations. Only 8 states/UTs (Andaman & Nicobar Islands, Arunachal Pradesh, Kerala, Ladakh, Tripura, Karnataka, Delhi, Goa) reported having night vision-equipped CCTVs.



## Legal Aid

### 9,417

The reduction in the number of Legal services clinics dropping to 4,742 (2022) from 14,159 (2020)

### ₹7,322 crore

The total value of settlement by National Lok Adalats between 2021-2022



## Prisons

**32** states where share of undertrials is more than 60%

**24** states/UTs that provided education to less than 5% inmates during 2021

**5** states that didn't provide any vocational training to inmates in 2021

Source: TH

PDF Reference URL: <https://www.drishtias.com/printpdf/india-justice-report-2022>