



Revolutionizing India's Judicial System

The editorial is based on "[Streamlining Case Management at the Supreme Court: A Successful Approach to Reducing Pendency](#)," published in the Indian Express on 20/08/2025. It highlights the SC's success in reducing its case backlog by 4.83%; however, challenges persist in India's judiciary, with case pendency still a significant concern across various courts.

For Prelims: [Indian Judiciary](#), [Supreme Court](#), [High Courts](#), [Judicial Review](#), [Fundamental Rights](#), [Collegium System](#), [National Judicial Appointment Commission \(NJAC\)](#), [National Legal Services Authority \(NALSA\)](#), [e-Courts Project](#)

For Mains: Indian Justice System: Related Challenges & Way Forward

The [Supreme Court](#) has recently achieved a significant milestone by **reducing its case pendency by 4.83% in just 100 days** through a series of well-planned reforms. However, the challenges in the judiciary extend beyond the Supreme Court. The **persistent issue of "justice delayed is justice denied"** continues to affect the system, with delays still widespread at various levels of the judiciary. While this progress offers a valuable model for other judicial forums, it **highlights the need for a more systemic and data-driven approach to address the root causes** of case pendency and ensure the timely delivery of justice across India.

What Reforms have been Introduced to Improve the Justice Delivery System in India?

- **Institutional and Mission-Based Reforms:**
 - [National Mission for Justice Delivery and Legal Reforms \(2011\)](#): It was set up to improve access by reducing delays and arrears, and to enhance accountability through structural changes and performance standards.
 - **Fast Track Courts (FTCs)**: Under the aegis of the [14th Finance Commission](#), the government has established [Fast Track Courts](#) for dealing with cases of heinous crimes; cases involving senior citizens, women, children, etc.
 - As of October 2024, over 800 FTCs were operational across India.
 - **National Judicial Data Grid (NJDG)**: [NJDG](#) provides a comprehensive database of orders, judgements, and case details of District and Subordinate Courts and High Courts.
 - Currently, it **covers case details of 18,735 District and Subordinate Courts** across India.
- **Legislative Measures for Judicial Reform**: To reduce pendency and unclogging of the courts, the Government has amended various laws like the [Commercial Courts \(Amendment\) Act, 2018](#), [Criminal Laws \(Amendment\) Act, 2018](#) and the [Arbitration and Conciliation \(Amendment\) Act, 2019](#).
 - [Jan Vishwas \(Amendment of Provisions\) Act, 2023](#), decriminalised 183 provisions across **42 Central laws** under 19 ministries/departments, helping reduce the judiciary's

burden.

- **Digital Transformation of Judiciary:**

- **e-Courts:** The [e-Courts Mission Mode Project](#) aims to enhance justice delivery through digital solutions.
 - Additionally, **virtual courts and eSewa Kendras** have been made functional to bridge the digital divide by providing citizen-centric services to lawyers and litigants.
 - As of December 2024, **under the WAN Project, 99.5% of court complexes are connected**, enabling video conferencing in 3,240 courts and 1,272 jails nationwide.
- **Tele-Law and Promotion of Pro Bono Culture:** The programme was launched in 2017 to provide an effective and reliable e-interface platform **connecting disadvantaged sections** seeking legal advice via Common Service Centres (CSCs).
 - Moreover, efforts have been made to **institutionalize pro bono culture**, with a technological framework allowing advocates to register as Pro Bono Advocates on **NyayaBandhu**.
- **Alternate Dispute Resolution (ADR):** To promote [ADR](#), the Commercial Courts Act, 2015, was amended, making **Pre-institution Mediation and Settlement (PIMS)** mandatory in case of commercial disputes.
 - Additionally, an amendment to the Arbitration and Conciliation Act, 1996 has been made for **expediting the speedy resolution of disputes by prescribing timelines**.
 - [Lok Adalats](#) are an important ADR mechanism available to common people.

What are the Major Challenges Impacting the Effectiveness of the Indian Judiciary?

- **Mounting Pendency and Delayed Justice:** India's judicial system is **currently burdened with over 5 crore pending cases across courts**. In subordinate courts, more than **50% of these cases have been pending for over three years**.
 - According to data shared in the [Rajya Sabha \(2023\)](#), 1,514 cases in High Courts and 1,390 cases in subordinate and district courts have been **pending for over 50 years**.
 - This massive backlog not only denies timely justice to litigants but also erodes public faith in the judicial system.
 - This highlights that the phrase **"tareekh pe tareekh" (date after date)** has become emblematic of the chronic delays in India's judicial system.
- **Persistent Judicial Vacancies:** The [shortage of judges](#) across all levels of the judiciary continues to be a pressing concern, contributing significantly to case backlogs.
 - According to the [India Justice Report \(IJR\) 2025](#), between 2020 and 2024, pending cases in Indian courts surged nearly 20%. Despite this sharp rise, **judicial vacancies have remained persistently high**, with High Courts operating with about 33% of sanctioned posts unfilled.
 - India's **judge-to-population ratio remains among the lowest in the world**, with only 21 judges per million people.
 - This figure is less than half of the 50 judges per million benchmark **recommended by the Law Commission back in 1987** (Supreme Court Observer).
 - This shortage not only places a greater burden on the current judges but also hampers the overall judicial process.
 - The [Collegium system](#), while ensuring judicial independence, is **often criticized for its opaqueness and delays** in appointments, exacerbating the problem.
- **Infrastructure and Technological Gaps:** Despite efforts to modernize, many Indian courts still lack adequate infrastructure and technological support, hindering efficient justice delivery.
 - For the sanctioned strength of 25,081 judges in the district judiciary, there is a **shortage of 4,250 courtrooms and 6,021 residential units**.
 - In courts across India, **e-Courts initiatives struggle due to poor connectivity, untrained personnel, and inadequate infrastructure**.
 - **E-Sewa Kendras, e-filing systems, and live-streaming of proceedings** offer promising solutions, but their impact is uneven and often symbolic. **As the IJR cautions, "technology cannot be a substitute for structural reform."**

- A 2021 survey by the [CJI](#) revealed that **only 41%** of lower court complexes had studio-based video conferencing facilities, and **38% had video linkages with jails**, highlighting the technological deficiencies.
- **Lack of Judicial Accountability:** The absence of a robust mechanism for ensuring judicial accountability has been a point of concern, potentially affecting public trust in the judiciary.
 - The **current system of impeachment for removing judges is rarely used** and is seen as inadequate for addressing misconduct that falls short of impeachable offenses.
 - The proposal for a [National Judicial Appointments Commission \(NJAC\)](#) to replace the collegium system was **struck down by the Supreme Court in 2015**, leading to ongoing debates about judicial independence versus accountability.
 - Recent controversies, including the **Justice Yashwant Varma (Delhi High Court)**, have sparked increased demands for greater transparency in judicial functioning and appointments.
 - Also, a recent [RTI query](#) revealed that the **Delhi High Court refused to provide data on complaints against district judges**, citing that "no such data is maintained," raising serious concerns about accountability.
- **Barriers to Accessing Justice:** Barriers to accessing justice remain a significant issue, particularly for marginalized and economically weaker sections of society.
 - While the [Legal Services Authorities Act, 1987](#), mandates the provision of free **legal aid to economically disadvantaged individuals**, the implementation remains inconsistent. **Resource constraints, limited outreach, and procedural complexities** often impede the effective delivery of legal aid services.
 - Approximately 80% of India's population is eligible for free legal aid under the Legal Services Authorities Act, 1987. **However, only about 1% of eligible individuals access these services.**
 - Over the past decade, Indian prisons have increasingly had more undertrial prisoners.
 - As per the IJR 2025, **undertrial prisoners now make up 76% of the jail population in the country, up from 66% in 2012.**
- **Lack of Representation and Diversity in Judiciary:** The underrepresentation of diverse groups in the Indian judiciary, especially in terms of **gender, caste, and regional diversity, continues to be a significant concern.**
 - India still **awaits its first woman CJI**, with Justice B.V. Nagarathna expected to assume the role in 2027.
 - As of March 2025, the representation of women judges in the High Courts stands at only 14.27%.
 - In **8 High Courts, there is only one woman judge**, while the High Courts of Uttarakhand, Meghalaya, and Tripura **have no female judges at all.**
 - The representation of judges from the [Scheduled Castes, Scheduled Tribes, and Other Backward Classes](#) also remains low.
 - This lack of diversity not only affects the perception of the judiciary but also potentially impacts the understanding and interpretation of cases involving marginalized communities.
 - Further, the '**Uncle judge syndrome**' reflects favoritism, which erodes meritocracy and diminishes public trust in the judicial appointment process.
- **Judicial Activism and Potential Overreach:** The fine line between [judicial activism](#) and overreach continues to be a subject of debate.
 - Judicial activism has played a vital role in filling legislative gaps, as seen in the [Vishaka judgment \(1997\)](#), and in broadening the scope of fundamental rights, as in [Maneka Gandhi v. Union of India \(1978\)](#).
 - However, critics contend that it **occasionally intrudes into the legislature's domain.**
 - The **Supreme Court's ruling in the recent [Electoral Bond Scheme](#) case**, where it not only struck down the law but also issued detailed directives for the disclosure of donor information, **is a recent example that has been debated as judicial overreach.**
- **Executive Interference and Judicial Independence:** The delicate balance between judicial independence and executive oversight continues to be a contentious issue.
 - The government's **delay in clearing judicial appointments** recommended by the Supreme Court Collegium and the **selective transfer of judges have raised concerns.**
 - Also, the transfer of **Justice S. Muralidhar in 2020** is often cited as a key

example of concerns regarding the potential influence of the executive on the judiciary.

- Furthermore, the **nomination of former Chief Justice of India Ranjan Gogoi** to the Rajya Sabha has sparked debate, with some observers cautioning that such moves **may create perceptions of a “quid pro quo”** (i.e., a favour granted in return for something) and raise questions about judicial independence.

What Reforms are Needed to Enhance the Efficiency and Effectiveness of the Indian Judiciary?

- **Streamlining Case Management through Technology:** India can significantly reduce case pendency by fully implementing and expanding the e-Courts project, focusing on digitization of court records, online case filing, and **AI-assisted case management**.
 - The Singapore judiciary's success with its **Integrated Case Management System (ICMS)** serves as an excellent model.
 - The launch of the **FASTER (Fast and Secured Transmission of Electronic Records) system** by the Supreme Court for the quick transmission of bail orders is a step in the right direction.
 - Moreover, **SUVAS** and **SUPACE** are innovative AI-driven initiatives that could be further expanded to improve access to justice and to enhance court efficiency.
 - **Expanding such initiatives to all levels of courts**, coupled with comprehensive training for judicial staff and lawyers, can improve case management efficiency.
- **Promoting Alternative Dispute Resolution (ADR) Mechanisms:** Promoting and strengthening ADR mechanisms like **mediation, arbitration, and Lok Adalats** can significantly reduce the burden on formal courts.
 - **India's recent Mediation Act, 2023**, provides a statutory basis for mediation, but its implementation needs to be accelerated.
 - Establishing more mediation centers, training professional mediators, and **incentivizing ADR through tax benefits** or faster enforcement of settlements can encourage litigants to opt for these faster, less adversarial methods of dispute resolution.
- **Reforming Judicial Appointments and Vacancies:** Addressing judicial vacancies requires **simplifying the appointment process and expanding the sanctioned number of judges**.
 - There is a **need to revamp the collegium system by introducing a Judicial Appointments Commission** ensuring transparency, accountability, and broader representation across social, regional, and gender lines.
 - Additionally, the **establishment of an All India Judicial Service (AIJS) (as envisaged under Article 312)** for merit-based, uniform recruitment could also be considered.
 - Furthermore, **raising the retirement age of judges**, as implemented in the UK (to 75 for SC judges), could help retain seasoned jurists and alleviate vacancies.
- **Strengthening Legal Aid and Access to Justice:** Enhancing legal aid services is crucial for improving access to justice.
 - **India can draw inspiration from the Netherlands' system**, where every citizen is entitled to subsidized legal aid based on income levels.
 - Strengthening the **National Legal Services Authority** by increasing its funding, expanding its reach through mobile legal clinics (as seen in some Indian states), and **partnering with law schools for pro bono services** can make legal aid more accessible.
 - The introduction of the Tele-Law service, providing free legal advice through video conferencing, is a positive step that can be further expanded and publicized.
 - Specifically, **the focus should be on ensuring justice that is both social and economic in nature**, as stipulated under Articles 38 and 39 of the Indian Constitution.
- **Court Infrastructure and Resource Management:** Improving court infrastructure is crucial for efficient justice delivery.
 - Former CJI, N.V. Ramana, suggested developing a **National Judicial Infrastructure Authority of India (NJIAI)** for arranging adequate infrastructure for courts.
 - A large portion of the **funds allocated under the Centrally Sponsored Scheme (CSS)**

remains unutilized due to rigid guidelines and bureaucratic red tape. Introducing flexibility in the use of funds, as seen in the **NITI Aayog's Guidelines for Flexi-Funds**, could allow states to utilize funds for broader infrastructure needs related to the judiciary.

- Additionally, it is recommended that a **thorough audit by the CAG on the financial and material performance** of the CSS be undertaken before giving extension to the scheme.
- Focus areas should include **creating more courtrooms, improving facilities for litigants and witnesses**, and ensuring all courts have basic amenities and technology.
 - Efficient resource management, including optimal utilization of court hours and proper case scheduling, can further enhance productivity.
- **Specialized Courts and Tribunals:** Establishing more specialized courts and tribunals can expedite case resolution in specific areas of law.
 - For instance, India's **National Company Law Tribunals (NCLTs)** have shown success in resolving corporate disputes efficiently. In FY 2024, the NCLT approved 269 resolution plans, **marking a 42% increase** from 189 in FY 2023.
 - The establishment of special **POCSO courts** is another positive step.
 - Learning from **Germany's system of specialized courts for various legal domains**, India could expand this model to areas like environmental law, cyber crimes, and **intellectual property rights**, ensuring faster and more informed judgments through judges with domain expertise.
- **Enhancing Transparency and Public Engagement:** Encourage live-streaming of proceedings, issue multilingual judgments, and launch legal literacy programmes to build public trust and accessibility.
 - Implementing a transparent system of judicial performance evaluation can enhance accountability and efficiency.
 - The **United States' use of judicial performance evaluations** in many states offers a model.
- **Implementing Compassion Training for Judicial Officers:** Implementing comprehensive compassion training programs for judicial officers at all levels can significantly enhance the quality and perceived fairness of justice delivery.
 - In India, the **National Judicial Academy could incorporate mandatory compassion training** in its curriculum for judges, focusing on real-case scenarios and role-playing exercises.
 - Also, **mandatory continuing legal education for judges and lawyers** can significantly improve the quality of legal services and judicial decision-making.
 - Singapore's mandatory **Continuing Professional Development (CPD) scheme** for lawyers is an excellent model.
 - Moreover, the **Bangalore Principles of Judicial Conduct** provide a framework for ethical conduct among judges, emphasizing integrity, impartiality, and accountability.
 - Also, the **Supreme Court's new handbook**, which highlights and discourages the use of **gender-unjust language in Indian courts** marks a step in the right direction towards ensuring gender sensitivity in the judiciary.

Conclusion

Judicial reform in India must transcend institutional efforts and become a broader societal demand. As **Dr. A.P.J. Abdul Kalam** once said, **"Judiciary is the Angel and the Marshal that ensures that democracy survives. It is the guardian of civilised life, standing exalted on a pedestal the whole nation looks up to."** Therefore, reforms need to be implemented with urgency, ensuring that justice is accessible to all citizens.

Drishti Mains Question

Examine the actors contributing to case pendency in India and propose reforms to improve the efficiency and accessibility of the judicial system.

UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims

Q. With reference to the Indian judiciary, consider the following statements:

1. Any retired judge of the Supreme Court of India can be called back to sit and act as a Supreme Court judge by the Chief Justice of India with the prior permission of the President of India.
2. A High Court in India has the power to review its own judgement as the Supreme Court does.

Which of the statements given above is/are correct? (2021)

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: (c)

Mains

Q. Discuss the desirability of greater representation to women in the higher judiciary to ensure diversity, equity and inclusiveness. (2021)

Q. Critically examine the Supreme Court's judgement on 'National Judicial Appointments Commission Act, 2014' with reference to appointment of judges of higher judiciary in India. (2017)