



## 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 [14<sup>th</sup> 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 \(NJAI\)](#) 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)**

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