



KAMARAJ IAS ACADEMY
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CALIBERATING INDIA'S JUDICIAL SYSTEM

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Introduction

Supreme Court recently cut its case pendency by 4.83% in 100 days through targeted reforms. Despite this progress, delays remain a major issue throughout the judiciary. This improvement highlights the need for data-driven solutions to address case backlogs and ensure timely justice across India.

Challenges impeding the effectiveness of Indian judiciary

1. Huge Pendency of Cases

- Over **5.2 crore cases** are pending across Indian courts as per National Judicial Data Grid, 2024. High Courts alone have more than **60 lakh pending cases**, leading to inordinate delays.
- Example: In the **Unnao rape case**, trial completion took years despite SC monitoring.

2. Judicial Vacancies

- Around **30% of High Court judges' posts** remain vacant as of 2024). This leads to case backlogs and slower delivery of justice.
- Example: Allahabad HC functioning with **less than sanctioned strength**, creating pressure on judges.

3. Delays in Judicial Appointments

- The tussle between the **Collegium system** and the Government over judicial appointments hampers efficiency.
- Example: Delay in appointing Justice S. Muralidhar as Chief Justice of Madras HC (2023) highlighted executive–judiciary friction.

4. Lack of Accessibility

- Justice remains costly and urban-centric, excluding weaker sections.
- Example: Tribals in remote Jharkhand and NE states often lack access to courts or legal aid despite NALSA schemes.

5. Infrastructure Deficit

- District courts lack basic facilities like adequate courtrooms, digital connectivity, and libraries.
- Example: e-Courts Phase III (2023) rollout is still uneven—many rural courts lack video-conferencing capacity.

6. Judicial Corruption & Accountability Concerns

- Allegations of corruption erode trust in judiciary.
- Example: In 2023, **Justice S. N. Shukla of Allahabad HC** faced impeachment proceedings over corruption charges.

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7. Adjournment Culture & Procedural Delays

- Frequent adjournments, lengthy oral arguments, and complex procedures delay trials.
- Example: In the **Ayodhya land dispute**, arguments spanned over **a decade** before final SC verdict in 2019.

8. Lack of Judicial Diversity

- Representation of **women, Dalits, tribals, and minorities** is minimal in higher judiciary.
- Example: As of 2025, only **4 women judges in SC** out of 34.
- Example: Justice B.V. Nagarathna likely to become **first woman CJI in 2027**, showing slow progress.

Judicial reforms undertaken to tackle the challenges

1. Substantive Legal Reforms

- **Bharatiya Nyaya Sanhita (BNS), Bharatiya Nagarik Suraksha Sanhita (BNSS), and Bharatiya Sakshya Adhiniyam (BSA), 2023.** Replacing IPC, CrPC, and Evidence Act, these modernise substantive and procedural law with provisions for digital evidence, time-bound trials, and victim-centric justice.

2. Digital Transformation of Judiciary

- **e-Courts Mission Mode Project (Phase I, II, and ongoing Phase III)**
- Promotes e-filing, e-payment, virtual hearings, and online cause lists. Phase III focuses on cloud-based storage of case records and universal e-Sewa Kendras.
- **SUPACE (Supreme Court Portal for Assistance in Court's Efficiency)**
- An AI-driven tool to assist judges in research and analysis of large volumes of case material.

3. Judicial Infrastructure Development

- **Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary**
- Supports construction of courtrooms, residential units for judges, and digital infrastructure at district and subordinate levels.
- **Gram Nyayalayas Act, 2008**
- Provides for rural courts to improve access to justice in villages.

4. Specialised & Fast-Track Courts

- **Fast Track Special Courts (FTSCs) Scheme**
- Set up for speedy disposal of rape and POCSO cases.
- **Commercial Courts Act, 2015**
- Provides for specialised courts for commercial disputes to improve ease of doing business.
- **Family Courts Act, 1984**
- Strengthens institution of family courts for faster resolution of matrimonial disputes.

5. Alternate Dispute Resolution (ADR) Mechanisms

- **Lok Adalats under Legal Services Authorities Act, 1987**
- Resolve disputes through compromise at national, state, and district levels.
- **Mediation Centres under Mediation Act, 2023**
- Institutionalises mediation as a formal and legally binding process.
- **Arbitration and Conciliation (Amendment) Acts**
- Encourage arbitration as a cost-effective alternative to litigation

6. Legal Aid and Access to Justice

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- **National Legal Services Authority (NALSA)**
- Provides free legal aid to the poor, marginalised, and vulnerable sections.
- **Tele-Law Scheme under the Ministry of Law & Justice**
- Connects citizens with legal service providers via Common Service Centres (CSCs).
- **Nyaya Bandh(Pro Bono Legal Services) Programme**
- Encourages advocates to voluntarily provide legal aid.

7. Tribunal Reforms

- **Tribunals Reforms Act, 2021**
- Rationalises tribunals by merging redundant ones, standardises service conditions, and reduces executive interference.
- Strengthens efficiency in bodies like **NCLT/NCLAT** for insolvency and company matters.

Need of the Hour for Judicial Reforms in India

1Time-bound Justice Delivery

o“Justice delayed is justice denied” remains a reality with huge pendency. Strict timelines for investigation, trial, and appeals must be enforced.

2Transparent & Merit-based Appointments

oFilling judicial vacancies swiftly through a reformed, transparent, and accountable system is essential to maintain credibility and efficiency.

3Harnessing Technology

oFull integration of e-Courts, AI-based case management, and virtual hearings can drastically reduce delays and improve accessibility, especially in rural areas.

4Strengthening Lower Judiciary

oAs the “first point of contact” for citizens, district and subordinate courts need more infrastructure, financial autonomy, and trained judges.

5Inclusive & Diverse Judiciary

oGreater representation of women, marginalised communities, and regional voices in higher judiciary is necessary to reflect the social fabric of India.

6Institutionalising Alternate Dispute Resolution (ADR)

oMaking mediation, arbitration, and Lok Adalats mainstream will ease court burdens while promoting participatory justice.

7Accountability Mechanisms

oJudicial independence must be balanced with accountability through internal ethics codes, transparent transfers, and performance evaluation.

8People-Centric Access to Justice

oLegal aid schemes like **NALSA, Tele-Law, and Nyaya Bandhu** must be expanded so that the poor, illiterate, and rural citizens can access justice without barriers.

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Conclusion

The Indian judiciary has stood as the guardian of the Constitution and protector of fundamental rights, yet its credibility today rests on how swiftly and fairly it can respond to citizens' needs. Reforms in laws, infrastructure, technology, and appointments are important steps, but they must be implemented with urgency and sincerity. A judiciary that is independent yet accountable, modern yet accessible, and efficient yet humane is the true need of the hour. Ultimately, a vibrant democracy depends on a judicial system that ensures justice is not only done, but is seen to be done in time, making the Constitution a truly living document.