# Reforms for India’s District Courts

*Mains Syllabus: GS II - Structure, organization and functioning of the Executive and the Judiciary.*

## Why in the News?

Recently a book on judicial reform “Tareekh Pe Justice: Reforms for India’s District Courts (Simon & Schuster)” by Prashant Reddy T. and Chitrakshi Jain was released.

## What are the significances of district and lower courts?

- District and lower courts are indispensable for delivering justice at the grassroots, maintaining the rule of law, and ensuring the judicial system functions efficiently and equitably across India.
- **First point of justice** - District and lower courts are the first and often the only point of contact for most Indian litigants.
- **Backbone of the judiciary** – They adjudicate the vast majority of civil and criminal cases across the country.
- District courts manage a substantial caseload, approximately 1.13 million cases daily.
- **Decentralized justice delivery** - These courts make justice more accessible and affordable for ordinary citizens, especially those in rural and remote areas.
- **Constitutional recognition and independence** - The independence of district judges is constitutionally protected, and the Supreme Court has emphasized their importance, rejecting the term "subordinate judiciary" to highlight their vital constitutional role.

## What are the issues in lower judicial system?

- **Dilapidated facilities** - Over 40% of district and subordinate courts lack basic facilities such as modern computers, reliable internet, and video-conferencing equipment.
- Poor infrastructure is a major bottleneck affecting court efficiency and access to justice
- **Burgeoning case backlogs** - A significant backlog exists, with approximately 4.14 to 4.5 crore (41-45 million) cases pending in district and subordinate courts across India.
- Some cases have been pending for over 30 years, severely delaying justice delivery.
- **Shortage of judicial personnel** - Around 30% of judicial posts in district and subordinate courts remain vacant.
- **Procedural delays** - Frequent adjournments, stay orders from higher courts, and difficulties in securing witness presence cause additional delays.
- **Threat of retribution** - Former Chief Justice of India D.Y. Chandrachud said that

district judges operate under the looming threat of retribution, acutely aware that delivering a verdict perceived as unpalatable to the ruling dispensation could invite disciplinary proceedings.

- **Culture of opacity** - Lack of transparency and accountability in its functioning leads to concerns about public trust and the integrity of the system.
- **Data unreliability** - National Judicial Data Grid (NJDG) disclaimer states that the data displayed is for informational purposes and should not be considered legal evidence.
- It also states that data may contain errors or omissions due to various reasons, including data transmission issues.

## What are the reforms required?

- Meaningful judicial reforms must begin at the level of the district courts.
- Jury trials can be reintroduced to foster civic engagement.
- Procedural law can be strengthened in ensuring fairness and predictability in adjudication.
- Re-engineering court procedures will simplify court procedures, improve case management, and reduce delays in case disposal.
- Improving court infrastructure, including better facilities for courtrooms and judicial staff, is crucial.
- Expanding the use of virtual courts for certain types of cases (like traffic violations) can reduce the need for physical court appearances.

## Reference

The Hindu | Reimagining access to justice and rectifying systemic barriers

For Mains practice question, click here

