

JUDICIAL PENDENCY

→ Pendency of cases major issue
CJI NV Ramana (July 2020)

'Justice delayed is justice denied'

'Process is the punishment in our criminal justice system'

- CJI NV Ramana

JUDICIAL PENDENCY

→ Judicial pendency means undecided, undetermined case by court of law. This leads to incapability of the judiciary to deliver justice on time

CONSTITUTION - Article 29A

↳ Equal justice & free legal aid

§ 616 - Peace, Justice & Strong institutions

DATA

→ 4 crore cases subordinate courts,
2.58 lakh cases in HC, 70,000 in SC
- NDBA

ISSUES

DEMAND SIDE

- 1) expansive jurisdiction
- 2) excessive govt litigation
- 3) rapid socio-economic changes
- 4) Lack of legislative impact assessment

SUPPLY SIDE

- 1) Criminal Justice system issues
- 2) shortage of judges - vacancies
- 3) Collegium system
- 4) weak infrastructure

IMPACT

- leading constitutional cases
- undertrials - HR violations
- economic implications
- judicial credibility

Increasing retirement age

- Presently

SC	- 65 yrs
HC	- 62 yrs
- Suggestion: (increase)
- Uniform retirement age

SC

Mussalman tharoon case - SC held that right to speedy trial is implicit under article 21

Judicial Infrastructure

National Judicial Infrastructure Authority (NJIA)
Lack of physical & digital infrastructure
20% trial courts complexes don't have toilet facilities for women; (16% men)
46% don't have basic medical facilities

REFORMS

- 1) All India Judicial Services
- 2) National court of appeal
- 3) Regional Benches
- 4) NJAC like mechanism
- 5) Digital courts

GLOBAL EQ:

→ USA model

Pacesetterssmall Affairs

J Rink



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