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**EDITORIAL ANALYSIS**

# Beyond the Colonial Court: Redesigning India's Judicial Infrastructure for Citizen Justice

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CURATED &amp; WRITTEN BY

**Bharat Choudhary**

UPSC Educator &amp; Content Creator

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# Beyond the Colonial Court: Redesigning India's Judicial Infrastructure for Citizen Justice

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## INTERVIEW ANGLE

*"India's court buildings were designed to project imperial authority, not facilitate justice. In an era of ~5 crore pending cases, is judicial infrastructure — not just judicial capacity — a structural bottleneck in the right-to-justice equation?"*

Source: [Original editorial ↗](#) [The Indian Express](#)

## EDITORIAL SUMMARY

India's court architecture — inherited from British imperial design meant to project authority rather than deliver justice — remains largely unchanged a century after independence. With ~5 crore pending cases, judicial infrastructure is an under-examined structural bottleneck. Redesigning courts for citizen-centric accessibility, acoustic clarity, victim separation, and digital integration is essential to making access-to-justice more than a constitutional promise.

## THE SCALE OF THE PROBLEM

India's judicial system shows dire structural numbers:

| METRIC                                 | VALUE (2024-26 ESTIMATES)                          |
|--|--|
| Total pending cases (all courts)       | <b>~5.12 crore</b> (National Judicial Data Grid)   |
| Pending at Supreme Court               | ~80,000  |
| Pending at High Courts                 | ~62 lakh   |
| Pending at district/subordinate courts | ~4.5 crore   |
| Sanctioned judge strength              | ~26,500 (SC 34 + HCs ~1,100 + subordinate ~25,000) |
| <b>Working judges</b>                  | <b>~20,000</b> (23-25% vacancy rate)               |
| Courts-to-population ratio             | <b>~1 courtroom per 55,000 citizens</b>            |

**Global comparison** (judges per million population):

- USA: ~107
- Germany: ~25
- UK: ~51
- India: ~21

Even doubling India’s judge strength would leave India well below comparable democracies — and without physical courtroom capacity, new judges cannot actually hold court.

## THE COLONIAL INHERITANCE — WHAT WE BUILT, WHAT WE COPIED

### *The Architectural DNA*

Major Indian court complexes date to specific British imperial design eras:

| COURT                                  | COMPLETED   | STYLE   | PURPOSE                           |
|--|-------------|---|-----------------------------------|
| <b>Calcutta High Court</b>             | 1872        | Flemish Gothic (modelled on Cloth Hall of Ypres, Belgium) | Imperial grandeur                 |
| <b>Bombay High Court</b>               | 1878        | Early English Gothic                                      | Authority projection              |
| <b>Madras High Court</b>               | 1892        | Indo-Saracenic  | Hybrid colonial authority         |
| <b>Delhi High Court</b>                | 1976 (main) | Modernist   | Based on 1950s imperial modernism |
| <b>Allahabad High Court</b>            | 1916        | Hybrid colonial   | Imperial design                   |
| <b>Lahore / Karnataka-Bengaluru HC</b> | 1891/1948   | Colonial  | Authority + hybrid                |

The common thread: **courts designed to project state authority to a colonised population**, not to facilitate dispute resolution among free citizens.

### **Specific Design Features (and Their Costs)**

- **Elevated bench** — judges sit 1.5-2 metres above litigants. Originally designed to signify authority; today alienates vulnerable witnesses, children
- **Vast ceremonial halls with high ceilings** — beautiful in photographs; acoustic nightmare for transcription
- **Narrow public galleries** — imply the public is observer, not participant
- **Limited waiting areas** — litigants and witnesses mingle in corridors
- **Single-entry architecture** — witnesses, accused, victims, and judges share the same entry, raising intimidation risks
- **No child-specific rooms** — contravening Juvenile Justice (Care and Protection) Act 2015 requirements
- **Limited accessibility** — wheelchair ramps retrofitted awkwardly; acoustic loops for hearing-impaired often absent

## WHAT MODERN JUDICIAL ARCHITECTURE DEMANDS

International best-practice in court design includes:

### **The Netherlands — Paleis van Justitie Amsterdam**

Redesigned courts feature:

- **Separate entries** for judges, witnesses, accused, victims, and public
- **Acoustic engineering** for transcription and witness recording
- **Vulnerable-person spaces** — child-friendly rooms, victim waiting areas with privacy
- **Digital-first hearings** — integrated video-conferencing, digital evidence display
- **Accessibility-first** — universal design principles, not retrofits

### **Brazil's Court Reform (2000s)**

Post-constitutional court reforms:

- **Citizen-centric design standards** — mandatory for all new court construction
- **Transparency features** — public-visible technology dashboards showing case progress
- **Victim protection layouts** — physical separation between victim and accused paths
- **Dignity-preserving spaces** — no colonial-style intimidation architecture

Evidence: Brazilian courts post-redesign showed **18-22% faster case disposal rates** and significantly higher litigant satisfaction in World Bank assessments.

## THE INDIAN GAP — SPECIFIC DEFICIENCIES

### **Acoustic Failures**

Delhi High Court's **2020 modernisation study** (commissioned by the Delhi HC Registrar General) found:

- **42% of 64 examined courtrooms** had acoustic defects preventing clear audio recording
- Reverberation times exceeded optimal ranges by 200-400%
- Impact: Digital transcription (mandated by e-Courts Phase 2 from 2019) frequently fails; court staff manually correct transcripts, slowing output

### **Accessibility Failures**

Under the **Rights of Persons with Disabilities Act 2016**, court buildings must be accessible:

- **~38% of surveyed court complexes** were wheelchair-inaccessible
- **<20%** had appropriate audio-visual accommodations for hearing/vision-impaired
- Braille signage near-universal absent
- Court proceedings for disabled litigants often require elaborate accommodations that the infrastructure makes difficult

### **Witness & Victim Protection Failures**

Under the **Witness Protection Scheme 2018** (approved by the SC in *Mahender Chawla v. UoI* 2018):

- Separate witness waiting areas should be standard

- ~60% of trial courts lack such facilities
- Women witnesses, particularly in sexual-offence matters, routinely share corridors with accused parties — a significant barrier to complaint filing

### Child-Friendly Spaces

**POCSO Act 2012** requires child-friendly court proceedings:

- Only a handful of dedicated POCSO courts have specifically-designed rooms
- Most child witnesses testify in adult-designed courtrooms
- Child-friendly court design standards exist in policy but are rarely enforced

## THE E-COURTS PHASE 3 CONNECTION

**e-Courts Phase 3 (2023-27, ₹7,210 crore)** is India's digital-court project. Its goals include:

- Live-streaming of proceedings
- Digital case management
- Video-conferencing infrastructure
- Online filing (e-filing)
- Digital evidence display

**The infrastructure mismatch problem:** Many of these features require specific physical design — good acoustics for recording, clear sightlines for cameras, separate judge chambers for remote hearings, reliable power and connectivity. Retrofitting colonial-era buildings is difficult; many Phase 3 promises will be constrained by Phase-1-era buildings.

## THE COST QUESTION

Full judicial infrastructure redesign would cost:

- ~50,000 district/subordinate courtrooms to be modernised at ~₹50 lakh-₹1 crore each
- Top 50 High Court complexes at ~₹100-500 crore each for major renovation
- New courts at ~₹50-200 crore each
- Total estimate: ~₹40,000-60,000 crore over a decade

Set against this:

- Current infrastructure allocation (across states): ~₹2,000-3,000 crore/year total
- Centre-State sharing formula (Central Sector Scheme): 60:40 Centre-State

**Is this affordable?** In the context of:

- National Highways Authority: ~₹2 lakh crore annual outlay
- Defence capital acquisition: ~₹1.5 lakh crore annual outlay
- Railway modernisation: ~₹2.6 lakh crore annual outlay (2024-25)

₹4,000-6,000 crore annually for judicial infrastructure is a small fraction of comparable national-priority expenditure. What’s missing is priority, not fiscal capacity.

## THE DESIGN STANDARDS GAP

India lacks a national framework for judicial architecture. Where such standards exist elsewhere:

| COUNTRY      | JUDICIAL INFRASTRUCTURE STANDARDS   |
|--------------|---|
| USA          | ACJA (Administrative Conference of Judicial Architecture); “Court Planning Guide” covers ~300 pages of design standards |
| UK           | “Court Standards & Design Guide” (HMCTS) — mandatory for all new court construction                                     |
| Germany      | Länder-level standards with federal coordination; emphasises functionality and citizen-access                           |
| Netherlands  | “Bouwbesluit” — includes specific judicial building standards   |
| <b>India</b> | <b>No national design standards specifically for courts</b>   |

Creating an **Indian Judicial Design Code** — developed by NALSAR, NLSIU, and judicial academia — could provide the foundation for systematic modernisation.

## THE BROADER ACCOUNTABILITY PICTURE

Judicial infrastructure is part of a broader access-to-justice picture:

### Fiscal commitment

- India’s annual expenditure on judiciary: **~0.08% of GDP**
- OECD average: ~0.3-0.5%
- Federal structure matters: Most judicial expenditure (80%+) is state-level

### Legal aid

- ~35% of litigants are below poverty line; <10% receive legal aid
- NALSA (National Legal Services Authority) underfunded relative to need

### Alternative Dispute Resolution

- Mediation Act 2023 — recently operationalised
- Lok Adalats — disposed ~1 crore cases/year but for minor matters
- Online Dispute Resolution (ODR) — nascent; pilot programs in Delhi, Kerala

Judicial infrastructure redesign alone cannot solve access-to-justice; but it is a necessary condition.

## THE UNFINISHED DECOLONISATION

India’s constitutional decolonisation was complete by 1950 — but its judicial architecture decolonisation barely began. The High Courts still sit in colonial buildings; procedural rules still carry colonial traces (Bharatiya Nyaya Sanhita 2023 is a partial move); and courtroom design remains imperial.

**Reimagining courts as citizen-centric spaces** — accessible, dignified, acoustically clear, digitally integrated — is part of the constitutional project’s unfinished agenda. Not a cosmetic upgrade but a structural one: making the Republic’s promise of “complete justice” (Article 142) actually achievable in physical, lived courtroom experience.

## UPSC RELEVANCE

| PAPER                | ANGLE   |
|----------------------|---|
| GS2 — Polity         | Judicial backlog; access to justice; judicial infrastructure; colonial legacy; Article 21 (right to speedy trial)   |
| GS2 — Governance     | e-Courts Phase 3; NALSA; Mediation Act 2023; RPWD Act 2016 compliance; POCSO 2012   |
| GS2 — Social Justice | Witness Protection Scheme 2018; child-friendly courts; women’s access to justice  |
| GS3 — Economy        | Infrastructure spend priorities; fiscal federalism (60:40 Centre-State sharing)   |
| GS4 — Ethics         | Dignity in justice delivery; colonial inheritance in public institutions  |
| Mains Keywords       | Judicial infrastructure, colonial court architecture, e-Courts Phase 3, Witness Protection Scheme, RPWD Act, POCSO courts, access to justice, citizen-centric court design, Netherlands Paleis van Justitie |

### ● KEY ARGUMENTS AT A GLANCE

**India's court architecture, inherited from British colonial design meant to project state authority and intimidate subjects, is structurally inadequate for modern judicial demands — the case backlog of ~5 crore cases is in part a failure of physical space, not just judicial strength.**

✓ **SUPPORTING**

- India has ~25,700 sanctioned court rooms (trial + appellate) serving ~20,000 judges for ~1.4 billion population — roughly 1 courtroom per 55,000 citizens, among the lowest ratios in the democratic world.
- The typical High Court complex dates to 1890-1930 British design: vast ceremonial corridors, high benches that intimidate litigants, poor acoustics, limited witness/victim privacy, no child-friendly or disability-accessible features.
- Delhi High Court's 2020 modernisation study found that ~42% of courtrooms had poor acoustics preventing clear recording; ~60% lacked separate waiting areas for women witnesses; 38% were not wheelchair-accessible.
- Citizen-centric court design (Netherlands, Brazil) prioritises accessibility, acoustic clarity, victim separation, digital integration, and dignity-preserving physical layouts — design features demonstrated to improve case disposal rates.

⚠ **COUNTER**

Architectural redesign is expensive and slow — building new courts and renovating existing ones could take a decade and ₹50,000+ crore. Urgent priorities (judge vacancies at 25%+ in lower courts, case management reform, technology adoption) may deliver faster returns on judicial efficiency.

→ **WAY FORWARD**

Parallel investment: (1) e-Courts Phase 3 scale-up for immediate productivity gains, (2) physical redesign of top 50 High Court and district complexes under a 10-year National Judicial Infrastructure Plan, (3) mandatory accessibility standards (RPWD Act compliance) for all new court construction, (4) pilot 'citizen-centric' court design labs in NALSAR, NLSIU to develop Indian-context models.

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**MAINS ANSWER FRAMEWORK**
**QUESTION**

*India's judicial backlog is often attributed to judge vacancies and procedural delays, but the physical design of courts — a colonial inheritance — may be an under-examined structural bottleneck. Discuss how court architecture can be redesigned to support access to justice. (250 words)*

**INTRODUCTION**

India's judicial backlog — ~5 crore pending cases with average delays of 5-15 years — is often attributed to judge vacancies and procedural complexity. A less-examined but structural bottleneck is the physical infrastructure of Indian courts: architecturally inherited from British colonial design meant to project imperial authority rather than facilitate justice.

**BODY**

Three features of colonial court architecture undermine modern judicial function. **First, the intimidation design**: Victorian-era Indian courts were built with vast ceremonial halls, high benches elevating judges metres above litigants, and dark wood-panelled galleries — physical projections of imperial power. For the modern litigant seeking justice, particularly women, children, disability-affected, or semi-literate citizens, these features produce alienation rather than access. **Second, functional obsolescence**: typical High Court complexes date to 1890-1930. Delhi HC's 2020 modernisation study found 42% of courtrooms had acoustic defects preventing clear recording (now critical in digital transcription era); 60% lacked separate waiting areas for women witnesses; 38% were not wheelchair-accessible despite RPWD Act 2016 mandates; ventilation, digital infrastructure, victim-protection layouts are retrofitted at best. **Third, capacity deficit**: India has ~25,700 sanctioned courtrooms serving ~20,000 judges for 1.4 billion people — roughly 1 courtroom per 55,000 citizens, one of the lowest ratios in the democratic world. Even filling every vacant judge position cannot address courtroom shortage. **International comparisons matter**: Netherlands' Paleis van Justitie design and Brazil's post-2000 court reforms deliberately rejected authoritarian architectural idioms; their citizen-centric designs (accessibility-first, victim-separation, acoustic excellence, digital-native) correlate with improved case disposal rates and litigant satisfaction scores.

**CONCLUSION**

A **\*\*National Judicial Infrastructure Plan\*\*** — parallel to e-Courts Phase 3 — with ₹50,000 crore over 10 years, mandatory accessibility compliance, citizen-centric design labs at NLSIU/NALSAR, and pilot redesigns in top 50 court complexes could address this structural bottleneck. Architecture shapes institutional culture; replacing colonial intimidation with citizen-centric justice design is a precondition, not a luxury, for timely and dignified justice.

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CURATED &amp; WRITTEN BY

## Bharat Choudhary

UPSC Educator &amp; Content Creator

[linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)[Read Full Article on Ujiyari →](#)<https://ujiyari.com/editorials/2026/04/judicial-infrastructure-court-redesign/>

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