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A Checklist for a New-Age Courtroom

 **INDIAN EXPRESS**

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POLITY**GS2**

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GS2

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THE LIFT LINE

A new-age courtroom is not a screen bolted onto an old process. It is a redesigned institution in which technology, judge strength and dispute resolution work together so that justice is faster, cheaper and reachable.

WHY THIS EDITORIAL MATTERS FOR YOUR EXAM

Access to justice is not an abstract ideal for a UPSC aspirant. It sits at the intersection of the **Constitution**, the **judiciary as an institution** and **service delivery to citizens**, all of which are examined in GS Paper 2. The debate over **pendency**, digital courts and dispute resolution lets you argue that reform is about institutional design and not gadgets alone, which is exactly the analytical maturity examiners reward.

This editorial also gives you a rare chance to blend statute, scheme and constitutional value in a single answer. It connects **Article 39A** on equal justice and free legal aid, the **eCourts project**, and grassroots mechanisms like **Gram Nyayalayas** and **Lok Adalats** into one coherent argument.

GS Paper 2: Structure, organisation and functioning of the judiciary; mechanisms for delivery of justice; role of alternative dispute resolution.

GS Paper 2: Government policies and interventions for development, and issues arising out of their design and implementation.

For **Prelims**, hold the specifics: India carries **over 5 crore pending cases** across all courts; the **National Judicial Data Grid (NJDG)** is the live dashboard of case data; the **eCourts Mission Mode Project is in Phase III**; the **Gram Nyayalayas Act, 2008** created village-level courts; the **Mediation Act, 2023** institutionalised mediation; and **Lok Adalats** derive from the **Legal Services Authorities Act, 1987**. **Article 39A** directs the State to secure equal justice and free legal aid.

For **Mains**, the transferable line is that pendency is a systems problem. It responds to process redesign, adequate judge strength and credible alternative dispute resolution, with digitisation as an accelerant rather than a cure by itself.

BACKGROUND AND CONTEXT

India's courts have long been described as overburdened, and the numbers bear it out. **More than 5 crore cases** are pending across the Supreme Court, the High Courts and the district judiciary, with the bulk lodged at the district and subordinate level where most citizens first meet the justice system. Delay is not a neutral inconvenience. It erodes the value of a favourable verdict, raises the real cost of litigation and pushes the poorest litigants out of the system altogether.

Successive reform waves have leaned heavily on technology. The **eCourts project**, now in **Phase III**, has funded record digitisation, e-filing, virtual hearings and the **NJDG** dashboard that makes case data public and searchable. The pandemic normalised video-conferenced hearings and proved that courts can function without every party being physically present. Yet the pendency needle has moved slowly, which is the central puzzle this editorial addresses.

THE CORE ARGUMENT / ISSUE

Digitisation is necessary but not sufficient

Uploading records and enabling e-filing speeds up parts of the workflow, but a digitised bad process is still a bad process. If listing, adjournments and case flow are not re-engineered, technology simply produces faster paperwork around the same bottlenecks. The **NJDG** makes delay visible, but visibility is diagnosis, not treatment.

Case management is the missing discipline

The reform that actually compresses timelines is **structured case management**: differentiated case tracks, tight adjournment rules, fixed timelines and active judicial control over the pace of proceedings. This is institutional design work. It changes how a court behaves, not just what tools it uses.

Capacity and access are the twin constraints

Reform fails if there are too few judges to hear cases and too many barriers for ordinary litigants. India's **judge-to-population ratio** remains low against long-standing recommendations, and **vacancies** in the subordinate judiciary persist. Access also means physical and communicational reach, from **Gram Nyayalayas** in rural areas to interfaces usable by persons with disabilities and non-English speakers.

LEVER	INSTRUMENT	WHAT IT FIXES	LIMIT IF USED ALONE
Digitisation	eCourts Phase III, e-filing, NJDG	Speed, transparency, remote access	Cannot cut pendency without process redesign
Case management	Case tracks, adjournment limits	Trial pace, predictability	Needs enough judges to bite
Capacity	Filling vacancies, raising judge strength	Throughput of the system	Slow to build, funding dependent
Alternative dispute resolution	Lok Adalats, Mediation Act 2023, Gram Nyayalayas	Diverts disputes out of courts	Weak referral culture and awareness

HOW TO THINK ABOUT THIS (ANALYTICAL FRAME)

Treat the courtroom as an **institution with inputs, a process and an output**, not as a device that can be upgraded. The input is caseload and judge strength, the process is case flow and adjournment discipline, and the output is a timely, enforceable decision. When you diagnose delay, ask which layer is failing. If the answer is process, then more screens will not help; if it is capacity, then better software will not help. This layered frame lets you avoid the common trap of treating digitisation as a synonym for reform, and it transfers to any public-service redesign question, from hospitals to land records.

THE DIAGRAM IN WORDS

Over 5 crore pending cases -> diagnose the layer (technology + process + capacity + access) -> eCourts Phase III and NJDG give speed and visibility -> case management redesigns flow -> filling judge vacancies adds throughput -> Lok Adalats, mediation and Gram Nyayalayas divert disputes -> faster, cheaper, reachable justice

WAY FORWARD

- 1 Redesign the process first.** Institutionalise structured case management with differentiated tracks, firm adjournment limits and judicial control of case pace so that digitisation accelerates a good process rather than a broken one.
- 2 Close the capacity gap.** Fill subordinate judiciary **vacancies** on a time-bound calendar and raise the **judge-to-population ratio** toward recommended levels, since throughput ultimately depends on people, not portals.
- 3 Mainstream alternative dispute resolution.** Strengthen referral to **Lok Adalats**, operationalise the **Mediation Act, 2023**, and revive **Gram Nyayalayas** so a large share of disputes settle before they clog trial courts.

- ④ **Design for the litigant.** Make interfaces usable by persons with disabilities, provide vernacular access and legal aid under **Article 39A**, so that access to justice is real for the poorest, not just the digitally equipped.

PYQ LINKAGE AND PRACTICE

UPSC has repeatedly probed judicial reform, pendency and access to justice, including questions on the role of the judiciary in governance and on mechanisms to deliver speedy justice. This editorial updates that theme to the **eCourts Phase III** and **Mediation Act, 2023** era, letting you cite current instruments rather than dated ones.

Practice question: “Reducing case pendency in India is a problem of institutional design, not merely of digitisation.” Critically examine, with reference to case management, judicial capacity and alternative dispute resolution. (250 words, 15 marks)

Sources: Indian Express, NJDG, PIB

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