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Complexities in The Indian Judiciary: Does India Need a Judicial Reform?

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ABSTRACT

The judicial system in India has ancient roots, with texts like the Dharmashastra and Arthashastra providing early legal frameworks. However, the modern judicial system began to take shape during British colonial rule. But, given the millions of cases pending in the nation today, it is clear that the judiciary urgently needs more judges. Often, the court's decisions reflect and influence societal values and norms. However, other issues within the Indian judicial system have been causing concern, particularly regarding the public's faith and trust in the judiciary. This underscores the necessity for judicial reform within the nation. This paper will discuss the key issues associated with the modern-day judiciary system, which highlight the need for judicial reform or every judicial system bears the responsibility of delivering high-quality decisions in a timely manner, ensuring fairness and transparency for public scrutiny. The Indian judicial system is now dealing with a massive backlog of cases, which is causing delays in the delivery of justice services. This study uses a framework that was developed to identify and prioritise elements that impact judicial performance in the situation of Indian courts. The study involved the development of the framework. A discussion of the most important aspects that influence the effective performance of judicial tasks is included in the research.

I. INTRODUCTION

The judicial system in India has ancient roots, with texts like the Dharmashastra and Arthashastra providing early legal frameworks. However, the modern judicial system began to take shape during British colonial rule. It is a testament to the nation's commitment to preserving justice, equality, and the rule of law that the Supreme Court of India has maintained its position as the highest judicial authority in the country ever since the country gained its independence.

It was established under Article 124 of the Constitution of India that the Supreme Court of India was founded. It was meant to occupy the position of the Federal Court of India in line with the Government of India Act, 1935, which was passed during the time period of colonial rule in India. According to the Constitution of India, the Indian Supreme Court is comprised of the

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Chief Justice of India (CJI) and no more than 34 justices. The number of judges is increased on a regular basis by the Constitution in order to satisfy the ever-increasing demand for justice. The major responsibility of the Supreme Court is to provide interpretations of the Constitution and to reach decisions on disagreements between the union and the states or between the states themselves. In addition, the Supreme Court has the ability to hear appeals from lower courts, which helps to ensure that the law is interpreted in the same manner across the whole country. As a result of the fact that its rulings are binding on all other courts in India, the court is regarded as the highest authority in the hierarchy of the legal system. It is essential to have an awareness of how the judgements of the Supreme Court affect social justice, equality, and inclusion in order to have a proper appreciation for the role that the Supreme Court plays in the evolution of society³.

The Supreme Court overturned the National Judicial Appointments Commission (NJAC), a previously offered option, in 2015. This decision reaffirmed the need for judicial independence while also drawing attention to the conflict that exists between the several institutions of government. Thus, the Supreme Court continues to evolve, adapting to new challenges and societal changes⁴.

II. PAST COMPLEXITIES AND EVOLUTION OF JUDICIARY

The historical evolution of courts and the judicial system in India, from its modifications in the pre-independence colonial era to the post-independence modifications and the present system, demonstrates the nation's commitment to the judicial system and the delivery of justice. Furthermore, the Indian judicial system was plagued by several issues, some of which persist to this day. Issues naturally arise, prompting past reforms aimed at enhancing the effectiveness of the judiciary. Currently, the issue of pending cases is impacting the faith and trust of a significant portion of the nation's population. This gradually raises the need for modification in the judicial system or legal engineering.

The judicial system in India has undergone numerous modifications. There were mayor's courts before the establishment of Supreme Courts in the presidency towns, which was a significant development in the colonial judicial system. Designed to serve as the highest judicial authorities within their respective jurisdictions, the Supreme Courts at the presidency towns provided a

³ History, India, available at: <https://citysessions.dcourts.gov.in/about-department/history/> (last visited Oct 27, 2024).

⁴ Commissions and Omissions Appointments of Judges, India, available at: <https://www.scobserver.in/journal/commissions-and-omissions-appointments-of-judges/> (last visited Oct 26, 2024).

more structured and formalized judicial process. During the colonial era, the Supreme Courts handled a wide range of cases, from civil and criminal affairs to naval affairs and administration issues. They continued to play a crucial role in the administration of justice. The establishment of these courts initiated judicial review in India, granting them the authority to scrutinize the actions of the colonial administration⁵. Later on, the Government of India Act of 1935, which is also considered a pivotal moment in the development of India's judicial system, was the catalyst for its formation. It introduced significant reforms, including the establishment of the Federal Court of India, which began functioning in 1937. As time went on, it became abundantly obvious that the transition from the Federal Court to the Supreme Court of India was a significant turning point in the annals of the history of the legal system in India. Following India's attainment of independence on August 15, 1947, and the subsequent promulgation of the Constitution on January 26, 1950, it became abundantly clear that a supreme judicial body could be required. In the years that followed the founding of the Supreme Court of India as the highest legal authority in the country, the Federal Court was eventually succeeded by the Supreme Court⁶.

The issue and challenges associated with the judicial system are not new or strange facts. The Supreme Court's journey from the colonial judicial system to its present-day form reflects the dynamic nature of India's legal and constitutional framework. In the past, the judiciary made minimal modifications to address other issues. In recent years, the Supreme Court has embraced technological advancements to improve its efficiency and accessibility. The introduction of e-filing, virtual hearings, and the digitization of records has streamlined judicial processes and made the court more accessible to the public. Conversely, the COVID-19 pandemic expedited the execution of these reforms, enabling the court to conduct sessions through videoconferencing and guarantee the uninterrupted delivery of justice. Successfully, these technological advancements have proven to be more instrumental in reducing delays and improving the overall efficiency of the judicial system. The Supreme Court's commitment to adapting to contemporary challenges and ensuring timely and effective justice delivery is evident in its efforts to modernize its operations. The use of technology has also enhanced transparency and accountability, allowing greater public access to court proceedings and judgments. The Supreme Court's embrace of technology is a testament to its progressive approach and its dedication to upholding the principles of justice and fairness.

⁵ Supra note 4.

⁶ Government of India Act 1935, India, *available at*: <https://www.constitutionofindia.net/historical-constitution/government-of-india-act-1935/> (last visited Oct 27, 2024).

Regrettably, much like today, the early years of the judiciary faced numerous challenges, particularly in establishing the court's authority and garnering public trust, both of which were crucial concerns. On the other hand, the historical evolution of the Supreme Court of India is a manifestation of the nation's devotion to the building of a powerful and independent judicial system. This dedication has been shown throughout the nation's history. Over the course of its history, from its origins as a colonial institution to its present status as the highest judicial authority in the nation, the Supreme Court of India has played a pivotal role in the upholding of the rule of law, the safeguarding of fundamental rights, and the development of India's legal and social structures. As the court continues to evolve and adapt to new challenges, its foundational principles of independence, impartiality, and justice remain paramount.

Additionally, the country's court continues to grapple with a significant backlog of cases, a persistent legacy that originates from the Federal Court and the colonial judicial system. The backlog also posed a challenge to the timely delivery of justice, necessitating the court to devise strategies to manage and expedite the processing of cases. Despite these challenges, the Supreme Court succeeded in establishing its credibility and authority through a series of landmark judgments. Also, the deep study of the modern-day issues associated with the supreme court of the nation helps in the identification of the core concern affecting other lower courts and the entire judiciary. For this reason, this article will delve into the issues pertaining to the apex court itself, aiming to provide a comprehensive understanding of the complexities within the Indian judiciary system.

III. ONGOING ISSUES ASSOCIATED WITH THE SUPREME COURT OF INDIA

The procedure for the appointment of judges is problematic since there is a lack of openness and transparency in the selection procedure. A transparent and accountable process for the selection of judges need to be carried out by the commission or committee that is responsible for the recruitment of judges in order to preserve the independence of the judicial system. Judicial nominations are made using the collegium system, which is used by both the Supreme Court and the High Court. The government has attempted to replace this system with the National Judicial Appointment Commission (99th CAA, 2014) in order to increase openness and accountability in the judicial system; however, this endeavour has been unsuccessful. A decision by the Supreme Court ruled that the National Judicial Appointment Bill (2014, violated the Constitution⁷). Therefore, the issue remains unresolved and holds significant importance for

⁷ Constitutional Law and Philosophy, India, *available at*: <https://indconlawphil.wordpress.com/tag/njac/page/2/> (last visited Oct 27, 2024).

the judicial system. In order to ensure transparency and obligation in the appointment of judges and to eliminate potential disputes between the government and the judiciary, the NJAC bill of 2014 was approved and constructed the 99th amendment to the Constitution. This amendment was enacted in order to ensure that such conflicts are avoided. In compliance with Article 124 A of the Constitution of India from 1949, the National Justice Advisory Council (NJAC) is comprised of six members: the Chief Justice of India (CJI), two senior Supreme Court judges, the Union Minister of Law and Justice, and two distinguished individuals, one of whom is a member of the Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities, or Women. In accordance with the provisions of Article 124 B of the Constitution of India, which was passed in 1949, the department is tasked with the responsibility of appointing and transferring judges to both the Supreme Court and the High Court. In accordance with the provisions of Article 124 C of the Constitution of India, the members of parliament are the individuals who are accountable for managing the nomination process. In spite of this, the Supreme Court has decided that the NJAC violates the provisions of the Constitution because it undermines the separation of powers and the rule of law. In light of this, it is of the utmost importance to establish a suitable procedure for the nomination of judges.

An insufficient amount of proper management is one of the numerous elements that contribute to the excessive delay in the resolution of cases. Court management, which includes judges, court administrators, and other individuals, is one of these variables. Many strategies and procedures have proven to be effective in reducing the waiting time for cases in the courts, thereby saving valuable court time. The FI-FO approach, which stands for first in, first out, is necessary. This method ensures that cases are heard in the order of priority, including case turnaround time, old cases, new cases, session trial, bail application, execution case, remand orders, part-heard cases, and so on. The FI-FO system prioritizes hearing older cases first. It is vital to transfer administrative authority to the court manager in order to facilitate efficient court administration. This provides the court manager with the ability to make prompt choices about the enhancement of facilities and the modernization of the courts.

The Chief Justice of India and the Union Minister of Law and Justice collaborated on the development of the National Court Management System (NCMS) with the intention of providing an efficient solution to the challenges that the Indian judicial system is now experiencing. The NCMS will largely focus on resolving problems that occur throughout the process of policy implementation. Along with the National System of Judicial Statistics (NSJS), which serves as a unified national platform for ensuring the integrity of legal information, the National Court Management System (NCMS) encompasses the National Framework of Court

Excellence (NFCE), which establishes the efficiency of tribunals with regard to the factors of effectiveness, responsiveness, and rapidity by means of an evaluation of the performance norms. The NSJS is a single national platform that is responsible for the maintenance of judicial data. The National System of Judicial Statistics (NSJS) is mandated to maintain a record of real-time data on cases and conduct a study of judicial components such as quality, timeliness, and efficiency, among other aspects, across all courts, categories of cases, cost of adjudication, quality and productivity cases, budget and financial resources, and so on⁸.

In its 229th report, the Law Commission highlighted the need of decentralising the Supreme Court by expressing the reason that impoverished litigants experienced logistical challenges while commuting to Delhi. This was the reason why the Law Commission stated the need for decentralisation. In addition, there were many reasons, like good quality lawyers won't get a chance to appear in the Supreme Court of India, monopoly of advocates increases in Delhi, unethical practices of advocates increasing, multiplication of cost to litigants in terms of travel and hotel expenditure, etc. There are many benefits of decentralisation of the Supreme Court; primarily, it reduced the burden over the Supreme Court. From the time it was established in 1951 until 2021, the number of cases that are now pending before the Supreme Court has increased from 960 to 67,898. If the Supreme Court allows their sitting in different cities, then good quality advocates will get a chance to appear, train mediators would be provided to reduce the burden of cases over the judiciary in all parts of India, geographical concentration of cases would be reduced, and poor people would get access to justice from different corners of India efficiently and speedily⁹.

However, the justices of the Supreme Court, in the course of their pronouncement of judgement, have made reference to the viewpoints of elites, or the presence of elite intellectual influence on the judges' minds may be seen in the judgement and judicial comments¹⁰.

This attitude, held by a select group of highly intelligent individuals, poses a danger to the independent intellectual thinking method of Supreme Court justices and, ultimately, to the independence of the Indian judiciary. Debates have also centred on the Chief Justice of India's unrestricted and unguided authority to create and distribute issues. There are several problems in the Indian Judiciary like judicial backlog, judicial pendency, judicial delay, judicial vacancy,

⁸ National Court Management, India, *available at*: <https://www.sci.gov.in/national-court-management/> (last visited Oct 27, 2024).

⁹ Supreme Court and High Court, India, *available at*: https://lawcommissionofindia.nic.in/cat_supreme_court_and_high_court/ (last visited Oct 27, 2024).

¹⁰ Supreme Court Judgments, India, *available at*: https://main.sci.gov.in/supremecourt/2018/12405/12405_2018_Judgement_06-Jul-2018.pdf (last visited Oct 27, 2024).

judge's ratio, judicial case/court management, judicial time, judicial/judgement writing, judicial integrity, and judicial honesty¹¹. However, people often criticised the Supreme Court for hearing the matters of CAA, Habeas Corpus, right to internet access, and transparency in electoral bonds but not hearing the quintessential matter of migrant workers. Also, some judgements are delivered by the Supreme Court of India and outline fierce scrutiny, political pressure, and a divided court.

It has also been argued that the higher judiciary in India lacks professional diversity. Since the inception of SC and in the first four decades, only one CJI was appointed from the subordinate judiciary. Currently, there are two CJIs who have been appointed. According to the constitutional framework, three individuals of professional backgrounds are eligible to appoint SC judges—high court judges, practicing advocates, and a distinguished jurist. But in reality, to date, no jurist has been appointed as an SC judge. The percentage of judges in SC appointed from HC cadre is 96.76% and 3.24% for the rest of the appointees. The most important point is that judicial officers rarely become SC judges or HC Chief Justices. The judicial process has become biased and compromised the integrity due to professional homogeneity in the bench.

More than sixty lakh cases are still outstanding throughout the nation's high courts, according to information that was released by the National Judicial Data Grid (NJDG), which is a dataset that aggregates information from the different judicial organisations of the country¹². During the course of the discussion on a judicial vacancy, it has been noticed that there are 900 seats available in various high courts around the nation, out of which 250 are still empty. A total of 162 courts in Tamil Nadu are operating without any staff. Similarly, when discussing the issue of the ratio of judges to population, it's important to note that the Law Commission recommended 107 judges for every million people in 2000 and 50 judges for every million people in 1992. Currently, there are 15.4 sanctioned judges for every million people. Both the Chief Minister and the Chief Justice attended a recent meeting where they agreed to increase the ratio of 30 judges to one million people in the population. When measured against the goal that was established by the legislation commission, this is a shockingly low number¹³.

¹¹ Judicial Independence: Is It Threatened?, India, *available at*: <https://tnsja.tn.gov.in/article/Judicial%20Independence%20JSVJ.pdf> (last visited Oct 27, 2024).

¹² Court Data, India, *available at*: <https://www.scobserver.in/journal/high-court-vacancies-remain-unaddressed-only-three-out-of-25-functioning-at-full-strength/>

¹³ Challenges facing the Indian Judiciary – Identification and Resolution, India, *available at*: <https://www.tnsja.tn.gov.in/article/Challenges%20to%20the%20Indian%20Judiciary%20-%20Ranjan%20Gogoi.pdf> . (last visited Oct 28, 2024).

IV. PENDENCY OF CASES/ CASE LOAD IN THE INDIAN COURTS

More over half a million cases are now pending in courts throughout the nation, according to the National Judicial Data Grid, as of July 25, 2023. People from all throughout the nation reported these incidents. Almost a quarter of these applicants had been on the waiting list for almost five years¹⁴.

The post-independence period, when India adopted a more comprehensive legal system to address its socio-economic challenges, is the origin of the backlog. The statistics present a stark reality. There has been a consistent rise in the number of cases that are now pending before the Supreme Court of India, according to the official figures. As an example, the number of cases that were still pending in the year 2000 was around fifteen thousand, but by the year 2010, that number had climbed to more than thirty thousand. This number had increased to about 60,000 outstanding cases by the time 2019 came to a close, demonstrating that there is a considerable issue in the process of case disposal¹⁵.

When 2021 rolled around, the total number of cases that were still outstanding in the Indian courts was roughly 3 crore. By 2024, that number had climbed to nearly 4.499 crore¹⁶. In addition, as of the year 2024, the Supreme Court of India has a total of sixty-five million and three hundred fifty-five hundred and fifty-one cases that are still outstanding. The high courts and the Supreme Court are in a far better position than the district and inferior courts. The Madras High Court is responsible for 5 lakhs of cases, whereas Tamil Nadu and Pondicherry are responsible for 12.5 lakhs. For the purpose of discussing the issue of court delay, under the assumption that no appeals are filed in the meantime, it was estimated that it would take four hundred years to clear the backlog of criminal appeals. Additionally, around 2.68 crores of cases are now being heard by district and subordinate courts throughout the country. The following is a table that has been categorised, and it contains a statement of the total number of cases that are still pending throughout the nation¹⁷.

Undoubtedly, the largest issue facing the Indian judiciary is the numerous pending cases. However, despite the country's widespread trust in the Indian judiciary and its judges, recent events have shaken this trust. Therefore, experts argue that the judiciary must implement corrective measures to address the public's lack of trust in the judiciary. Often issues of

¹⁴ M. Gupta, "Factors affecting efficient discharge of judicial functions: Insights from Indian courts" 91 *Socio-Economic Planning Sciences* 10755 (2024).

¹⁵ Annual Reports, Supreme Court, India, available at: <https://doj.gov.in/annual-reports/> (last visited Oct 28, 2024).

¹⁶ National Judicial Data Grid, India, https://njdg.ecourts.gov.in/njdg_v3/ (last visited Oct 28, 2024).

¹⁷ National Judicial Data Grid, India, https://njdg.ecourts.gov.in/hcnjdg_v2/ (last visited Oct 28, 2024).

imbalance are discussed in terms of gender, caste, religion, etc., but the issue of professional diversity and the monopoly of lawyer judges is ignored. While other accounts claim that the overall number of ongoing cases in the country is significantly higher and that some of these cases have been waiting for more than thirty years with no resolution. More than five crore cases are now being heard by a variety of courts, including district courts, high courts, and the Supreme Court, according to an article published in the Hindu newspaper. It was also revealed in the same poll that around 62,000 of the cases that are now being heard in the high courts of India are older than thirty years¹⁸.

The NJDG is a flagship initiative of the e-Committee that allows for the tracking of ongoing cases throughout the nation. This project ensures openness in the operation of the judicial system by making this information accessible to the general public. As of the 23rd of May, 2021, the NJDG database has information on 3,31,22,502 cases that are now pending before the District and Taluk Courts¹⁹. The Ministry of Legal Affairs has reported that the e-Committee should be responsible for inputting the reasons for the delay to ensure a prompt resolution. As of May 29, 2021, the e-Committee has filed delay grounds in 97,99,896 cases, out of the 2,34,97,361 cases that remain outstanding nationwide and have been pending for more than two years. The NJDG public site contains all the aforementioned information. All courts are able to make use of it in order to properly track, manage, and monitor the delays. For instance, currently, the Supreme Court has imposed a stay on 1,891 cases under the District Court's jurisdiction.

Conversely, a recent empirical study on the Indian judiciary across districts reveals an inverse relationship between economic factors like a rise in per capita GDP or a rise in household asset ownership and the number of unresolved cases over a decade. Another crucial factor that emerges during the examination of judicial pendency is employment. Districts with a higher working population percentage tend to have a lower percentage of cases pending for more than ten years, as well as a lower percentage of criminal cases. Conversely, these districts exhibit a significantly higher proportion of outstanding lawsuits filed by older individuals. Furthermore, it's worth noting that districts with a higher proportion of working women also tend to have a higher proportion of cases initiated by women²⁰.

¹⁸ The Hindu, "Nearly 62,000 of cases pending in high courts are over 30 years old" *The Hindu*, Sept. 07, 2024.

¹⁹ Indian Judiciary Annual Report 2021-2022, India, available at: <https://cdnbbsr.s3waas.gov.in/s3ec0490f1f4972d133619a60c30f3559e/uploads/2024/07/2020-2021pdf.pdf> (last visited Oct 28, 2024).

²⁰ V. Aithala, "Justice Delayed: A District-Wise Empirical Study on Indian Judiciary" 12 *Journal of Indian Law and Society* 106 (2021).

It should be possible for the courts to have the ability to pronounce rulings within time periods that are predictable without sacrificing on the procedures that are important and required for each individual case. As a matter of fact, delayed verdicts are not sufficient to justify the time and money that parties spend seeking remedies in court. The rise in litigation due to societal complexities and enhanced legal awareness among citizens further burdens the courts. While many courts in India still lack adequate physical infrastructure and administrative staff, which hampers the efficiency of case handling. The Economic Survey of India 2018-19 emphasised the fact that insufficient judicial infrastructure is a key barrier to the timely administration of justice. The nature of legal disputes, especially civil cases, tends to extend the duration for which a case remains in the system. Complex cases, especially those involving property or commercial disputes, can go on for years. The Indian judicial process involves several procedural formalities that often lead to delays. Studies have shown that frequent adjournments and lengthy procedures are common reasons for pendency. Also, the slow adoption of technology in judicial processes contributes to delays. The e-Courts Mission Mode Project was initiated to address this, yet its implementation has been uneven across various state²¹.

V. CONCLUSION

The judicial systems of various countries are distinguished by a wide range of variations, which include judicial independence, political control, legal culture, the amount of work that judges are required to do, and the laws and procedures that form the basis of these countries' judicial systems. In diverse ways, the performance of the court is affected by a variety of elements that vary from place to region. Because of this, it is not feasible to simply generalise changes in the legal system from one country to another; interventions that are helpful for one judicial system could not be successful for another. A nation's judicial system need to be able to resolve issues in a timely manner while following to the processes that are proper. Cases are processed at a snail's pace because the Indian legal system is dealing with an overwhelming number of litigation, which causes the system to be overwhelmed. There is an imminent need for extensive adjustments to be implemented in order to enhance the efficiency of the judicial system. It is feasible to investigate the backlog-reduction tactics used by other court systems; nevertheless, it is very improbable that this would provide the same outcomes. Establishing policy interventions that are in agreement with this is something that is required.

(A) Recommendations

The use of electronic payment connection should be increased for the purpose of facilitating the

²¹ Supra note 15.

online payment of court fees, fines, penalties, and judicial deposits. Now that citizens can use this site to make payments online, they no longer need to use stamps, checks, or cash to complete their transactions. Given the demonstrated effectiveness and efficiency of internet utilisation, online procedures, and digitalization in court administration, it is necessary to increase these numbers to mitigate issues associated with the judicial system.

On the other hand, one of the most prevalent reasons for cases that are still waiting is that there are not enough judges to match the demand for their services. For this reason, specialists often advocate for increasing the authority of the judicial system in order to resolve the backlog of cases. The acceleration of judicial appointments, the streamlining of the recruitment process, the construction of temporary courts, and the involvement of retired judges on an ad hoc basis are some of the actions that may be implemented to increase the number of judges. Other potential solutions include the establishment of temporary courts. On the other hand, it is conceivable that expanding the number of judges alone would not provide the outcomes that are wanted, which will need other adjustments.

Adopting methods that enhance case processes is one way in which judges and staff may have a more active part in the process. It is necessary to address the many difficulties that are involved with technology changes in order to ensure that they are successfully implemented. Detailed processes may be defined for situations that are particularly complicated, and judges might prioritize these cases in order to cut down on unnecessary delays. In addition, the problems that are related to the Indian court may be resolved with the assistance of a judicial reform.

VI. BIBLIOGRAPHY

(A) Journals

- M. Gupta, “Factors affecting efficient discharge of judicial functions: Insights from Indian courts” 91 *Socio-Economic Planning Sciences* 10755 (2024).
- V. Aithala, “Justice Delayed: A District-Wise Empirical Study on Indian Judiciary” 12 *Journal of Indian Law and Society* 106 (2021).

(B) Newspaper

- The Hindu, “Nearly 62,000 of cases pending in high courts are over 30 years old” *The Hindu*, Sept. 07, 2024.

(C) Websites

- Annual Reports, Supreme Court, India, available at: <https://doj.gov.in/annual-reports/> (last visited Oct 28, 2024).
- Challenges facing the Indian Judiciary – Identification and Resolution, India, available at: <https://www.tnsja.tn.gov.in/article/Challenges%20to%20the%20Indian%20Judiciary%20-%20Ranjan%20Gogoi.pdf> . (last visited Oct 28, 2024).
- Commissions and Omissions Appointments of Judges, India, available at: <https://www.scobserver.in/journal/commissions-and-omissions-appointments-of-judges/> (last visited Oct 26, 2024).
- Constitutional Law and Philosophy, India, available at: <https://indconlawphil.wordpress.com/tag/njac/page/2/> (last visited Oct 27, 2024).
- Court Data, India, available at: <https://www.scobserver.in/journal/high-court-vacancies-remain-unaddressed-only-three-out-of-25-functioning-at-full-strength/#:~:text=Vacancies%20at%20the%20High%20Courts%20have%20remained%20the%20same%20in,pending%20across%20the%20High%20Courts.>(last visited Oct 28, 2024).
- Government of India Act 1935, India, available at: <https://www.constitutionofindia.net/historical-constitution/government-of-india-act-1935/> (last visited Oct 27, 2024).
- History, India, available at: <https://citysessions.dcourts.gov.in/about-department/history/> (last visited Oct 27, 2024).

- Indian Judiciary Annual Report 2021-2022, India, available at: <https://cdnbbsr.s3waas.gov.in/s3ec0490f1f4972d133619a60c30f3559e/uploads/2024/07/2020-2021pdf.pdf> (last visited Oct 28, 2024).
- Judicial Independence: Is It Threatened?, India, available at: <https://tnsja.tn.gov.in/article/Judicial%20Independence%20JSVJ.pdf> (last visited Oct 27, 2024).
- National Court Management, India, available at: <https://www.sci.gov.in/national-court-management/> (last visited Oct 27, 2024).
- National Judicial Data Grid, India, https://njdg.ecourts.gov.in/hcnjdg_v2/ (last visited Oct 28, 2024).
- National Judicial Data Grid, India, https://njdg.ecourts.gov.in/njdg_v3/ (last visited Oct 28, 2024).
- Supreme Court and High Court, India, available at: https://lawcommissionofindia.nic.in/cat_supreme_court_and_high_court/ (last visited Oct 27, 2024).
- Supreme Court Judgments, India, available at: https://main.sci.gov.in/supremecourt/2018/12405/12405_2018_Judgement_06-Jul-2018.pdf (last visited Oct 27, 2024).
- The Indian Judicial System, India, available at: https://www.allahabadhighcourt.in/event/TheIndianJudicialSystem_SSDhavan.html (last visited Oct 26, 2024).
