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# PATH TO JUSTICE: NAVIGATING JUDICIAL REFORMS AND TECHNOLOGICAL INNOVATION IN INDIA'S LEGAL SYSTEM

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## I. ABSTRACT

*"Justice delayed is Justice denied."*

The justice delivery system in India has always been contrasting in terms of handling large caseloads, delayed justice delivery, and restricted access. In the recent past, there has been an understanding of the importance of enhancing not only the overall judicial systems but also involving technological solutions to the problems. In this paper, the author analyses the judicial reforms and technology in Indian legal systems and what impact the changes have had. The paper also evaluates the implementing reforms in judicial systems for improvement of justice delivery, especially through the efficiency of justice delivery expected out of projects like eCourts that seek to computerize the judicial systems as well as the National Judicial Data Grid (NJDG). This paper examines the role of another developed system, called the Case Information System (CIS), that effectively organizes the case regime and increases the productivity of judicial proceedings. The use of those technological tools is considered against the general background of global trends, with comparisons to other experiences of digitalization initiatives in other countries. It could be seen that this research is a call for how technological innovation, can radically annul traditional concepts and realities of justice in India. This is true, but it maintains that these reforms must be done alongside the consideration of matters regarding data privacy, cybersecurity, and, importantly, the accessibility of justice for everyone, especially minorities. Using the existing data on judicial reforms and Digitalization of the Indian legal fraternity, this

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conceptual paper shall try to unfold how exactly the Indian Justice delivery system is adapting to the dynamic world. The study contributes to the knowledge useful for the policymakers, lawyers, and academics who follow the changes in the context of the Indian judiciaries.

## **II. Keywords**

Judicial Reforms, Technological innovation, Access to justice, Case delays, Legal system, eCourts, India

## **III. INTRODUCTION**

Judicial reform refers to changes or improvements made to the legal system, including the court system, laws, and procedures. These reforms aim to increase the justice system's efficiency, transparency, and effectiveness, ensuring that it upholds the rule of law and provides fair and timely justice to all citizens. Judicial reforms may involve changes to laws and regulations governing the legal system, the structure and organization of the court system, the appointment and training of judges, the procedures and rules of evidence used in trials, and the use of technology to improve court operations.

India has one of the largest and complex Judicial Systems in the world which plays a crucial role in upholding the rule of law and justice. However, like any other judicial system, this system also has its drawbacks like numerous backlog cases, inefficiencies, and inaccessibility. Comprehending these problems, the government and judiciary to modernize the legal system have introduced a series of reforms. The integration of technology in legal systems, which is at the center of these efforts promises to transform the way justice is administered.

Leading projects like the eCourts mission mode project, under the National eGovernance plan, is rooted in the philosophy of access and inclusion. The e-Courts aim to offer maximum ease of justice by moving towards digital, online, and paperless courts through digitization of the entire court records including legacy records, and by bringing in universalization of e-filing/e-payments

through saturation of all court complexes with e-Sewa Kendras.<sup>2</sup> Similarly, digitalization initiatives like Court Information Systems (CIS) and judgment Search Portals (eSCR) improve court management and provide easy access to case details.

This research paper explores the journey of these judicial reforms and technology's role in increasing access to justice and its administration. It intends to analyze the effectiveness of these initiatives as well as the need for additional changes in the current scenario. The paper also analyses the impact of reforms on the judicial landscape. The present paper focuses on contributing to the ongoing discussion of judicial modernization in India by providing a deep understanding of judicial reforms.

#### **IV. RESEARCH OBJECTIVES:**

1. To analyze the effectiveness of current judicial reforms, especially focusing on technology integration.
2. To analyze the need and challenges in successfully implementing technology in the judicial system.
3. To analyze possible similarities and differences between the Indian judicial reforms as well as the advances in technological implementation with those of other countries

#### **V. RESEARCH QUESTIONS:**

1. To what extent have the current judicial reforms, especially technological changes, addressed procedural delays?
2. What key factors drive the continuous need for judicial reforms?
3. What are the main judicial reforms implemented in the past?

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<sup>2</sup> eCourts MMP, Department of Justice.

## **VI. RESEARCH HYPOTHESIS:-**

1. The integration of technology in the Indian legal system, through initiatives like the eCourts project, has led to a significant improvement in the efficiency and accessibility of the justice delivery system.
2. The lack of adequate infrastructure, digital literacy, and data security measures are major barriers to the successful implementation and adoption of technological innovations in the Indian legal system.
3. The experiences of other countries in judicial reforms and technological integration, particularly those with similar legal systems and socio-economic contexts, offer valuable insights and best practices that can be adapted to the Indian context.

## **VII. RESEARCH METHODOLOGY:-**

This paper utilizes a strictly doctrinal research approach. Doctrinal research, known as library-based research, primarily involves the study and analysis of legal statutes, case law, and academic writings. This method is ideal for exploring the theoretical and conceptual dimensions of law. It systematically presents legal doctrines and principles. In doctrinal research, primary sources include statutory materials, judicial decisions, and authoritative literature. Secondary sources like commentaries, articles, and legal summaries are also essential. The research process entails identifying, gathering, and critically evaluating these sources. The goal is to form logical conclusions and provide insights into the legal questions being studied. This paper aims to deliver a thorough and unified view of the legal structure relevant to the topic addressed.

## **VIII. LITERATURE REVIEW:-**

The paper refers to the crucial aspect of judicial reforms and technological progress in judicial systems. It refers to several journal articles as well as official websites for government initiatives for technology implementation related to the topic. The paper analyzes in depth several landmark judgments that

highlight the importance of judicial reforms. These include *Anita Kushwaha vs Pushpa Sadan*(2016), *Hussainara Khatoon vs. State of Bihar*(1979), and *S.P. Gupta vs Union of India*(1982) among others. The case laws establish the importance of reforms to enhance access to justice.

The literature reviewed in the paper provides a comprehensive overview of various aspects of judicial reform and technology in the judicial system. It mainly highlights the historical journey of reforms, the need for such milestone reforms as well as the digitalization initiatives and barriers to them. It acknowledges the need for careful consideration of data privacy, cybersecurity, and equitable access while integrating technology into the legal system. The paper highlights the need for continuous evaluation and refinement of reforms to ensure that justice remains accessible to all, particularly marginalized communities.

## **IX. THE HISTORICAL JOURNEY OF JUDICIAL REFORMS IN INDIA:**

India's Judicial system often called 'the backbone of its democracy' has historically evolved with several changes. The development of the Indian judiciary can be understood from colonial rules, that the British introduced courts in India to provide justice based on English law. The changes incorporated in the system over the last decades corresponded to socio-political transformation in India and a range of requirements of the democratic state. After independence the judiciary has been making steady progress in the process of reform to improve its functioning concerning the opportunities to access justice, reducing the time needed for the process, and increasing transparency within the system. The judicial system rooted in the colonial era has grown increasingly complex and has been burdened by case delays for decades. These delays reduce the public trust in the system and limit the fundamental right to a speedy trial as included in Article 21 of the Indian constitution.

The standard methods that involved paper filings, manual documentation, and face-to-face hearings have given rise to inefficiencies, and accessibility issues. Challenges like this mainly impact marginalized communities, as they encounter barriers when seeking legal aid. For instance, those awaiting trials who constitute half of the prison population, often serve years behind bars as a result of postponed trials. Judicial reforms implemented in the past aimed at combating such issues have a vivid success rate. However, the advancements in technology have brought about new opportunities for bringing changes in the judiciary.

The expansion of Information and Communication Technology especially in the eCourts Project and the Case Information System has greatly met these challenges. All these technological developments are designed to bring out efficiency, reduce the duration of cases, and enhance the delivery of justice. However, to be able to effectively employ the above-mentioned technologies, issues related to infrastructural challenges and the digital divide, as well as the issues related to confidentiality and integrity of the legal data should be addressed.

## **X. SOME KEY JUDICIAL REFORMS:-**

### **1. Establishment of the Supreme Court**

The foundation of the Supreme Court of India was established in 1950 immediately after the implementation of the Constitution of India over the Federal Court of India. This apex court has a major duty of protecting the Constitution and the rights of the citizen as enshrined in the Constitution.

### **2. National Mission for Justice Delivery and Legal Reforms (2011)**

It was launched with the objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes.

- a. Development of infrastructure facilities for the judiciary(1993-94): As of July 2022, Rs. 9,13.21 crores have been released since the inception of the Scheme to improve judicial infrastructure.
- b. Filling up vacant positions in the judiciary: From 2014 to 2022, 46 judges were appointed to the Supreme Court, and 769 new judges were appointed to the High Courts.

### **3. Introduction of Lok Adalats and ADR mechanisms**

Besides this to handle and minimize the pending cases and for the proper distribution of justice the concept of Lok Adalats and some other ADR were introduced. They offer a relatively simple, accessible, and flexible way of solving disputes thereby relieving the conventional courts and encouraging compromise. ADR mechanisms were discovered in the Indian constitution, under Article 14 and Article 21 equal protection under the law and the right the life and personal liberty respectively. Mediation and arbitration as forms of ADR that the government has been advocating for the settlement of disputes out of the court. This helps to relieve the pressure on the courts and is an efficient and less costly way of solving conflicts The ADR procedures are also available through the website to enhance the use of technology in solving conflicts.<sup>3</sup>

### **4. Utilising Information and Communication Technology (ICT)**

1. **Virtual court system**: In the virtual court system, regular court proceedings are conducted virtually through videoconferencing.
2. **National Judicial Data Grid (NJDG)**: Under NJDG, lawyers and litigants can access status information of cases and orders/judgments.
3. **National Service and Tracking of Electronic Processes (NSTEP)**: It provides technology-enabled processes for serving and issuing summons.

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<sup>3</sup> Judicial Reforms, ForumIAS

4. **Secure, Scalable & Sugamya Website as a Service (S3WAAS):** A new divyang-friendly website for eCommittee, based on the S3WaaS platform is live in 13 regional languages including English & Hindi. All other court websites are being upgraded from the existing system to the S3WAAS platform which is secure, scalable, and accessible. Content published on the website is accessible so that even Divyang users will be able to access the information using assistive technologies.<sup>4</sup>
5. **Virtual Justice Clock:** It is an initiative to exhibit vital statistics like case details, pendency, case disposed, etc., of the justice delivery system at the Court level.

## 5. Digitalization of courts and the eCourts project

The beginning of the twenty-first century saw the introduction of the call for computerization within the judiciary through the eCourts project was launched in 2005. Measures that were undertaken included computerization of records, electronic filing of cases, and the adoption of CIS which was intended to enhance the judiciary's operations. The historical evolution of judicial reforms undertaken in India is a chronicle of evolution in relations between the judiciary, legislature, and executive.

## XI. THE NEED FOR JUDICIAL REFORMS

It is an undisputed fact that the Indian justice delivery system has become crippled to such an extent that it is shaking public trust and faith in the judiciary.<sup>5</sup> Despite the efforts to facilitate the smooth delivery of justice through the implementation of various reforms in the past, the need for additional reforms to strengthen the judiciary further continues in today's context. Several reasons drive the need for such reforms, judicial delays and the huge case pendency rate being one of them.

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<sup>4</sup> Secure, Scalable & Sugamya Website as a Service (S3WAAS), Department of Justice

<sup>5</sup> Judicial Arrears and Backlog: A Call for Empirical Evidence-Based Judicial Reforms

## 1) Case backlogs and delays

The country's economy is growing rapidly, technology is reshaping more than a billion lives and national leaders are striving for global power, but India seems to have few answers for the ever-deepening court backlogs that deprive citizens of their rights and hamper business activity. More than 50 million cases pending across the country, according to the [National Judicial Data Grid](#) a pileup that has doubled over the past two decades. At the current pace, it would take more than 300 years to clear India's docket.<sup>6</sup> The tale of [Binod Paswan](#), who witnessed the massacre of 58 Dalits 26 years ago and is still awaiting justice, illustrates the systemic failures within India's judiciary.<sup>7</sup>

## 2) Infrastructure inadequacies

India has one of the world's lowest ratios of judges to population, with just 21 per million people, compared with about 150 in the United States. For decades, India's leaders and courts have set a target of 50 judges per million people. However, there has been no significant growth in funding to recruit more judges, enhance the infrastructure of the courts, and adopt technology into handling the procedures as other aspects are viewed as more significant.<sup>8</sup> While the Union and State Governments have combined efforts to increase the expenditure on the judiciary by 53% from 2016-17 to 2018-19 financing of the judiciary is mostly done by the State Governments by contributing about 92% of the funds. The Union Government has even spent a smaller fraction, only 8% of its expenditure on judiciaries as against the combined national spend on judiciaries than many of the individual states like Uttar Pradesh (16.2%) and Maharashtra (9.2%).

## 3) Procedural Delays

Lengthy and complex legal procedures can contribute to case backlogs. Procedural rules, including filing requirements, documentation, and

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<sup>6</sup> 'A Lifelong Nightmare': Seeking Justice in India's Overwhelmed Courts

<sup>7</sup> India's Judicial Crisis, The Diplomat

<sup>8</sup> 'A Lifelong Nightmare': Seeking Justice in India's Overwhelmed Courts

formalities, can cause delays at various stages of the legal process. Frequent adjournments, multiple hearings, and time-consuming processes can also extend the duration of cases. According to NJDG, admission constitutes 68.37%, 37.58% of Orders, 21.86% of Hearings, and 8.53% of final hearings are stages of pending cases in High Courts.<sup>9</sup>

## **XII. INTRODUCTION OF TECHNOLOGICAL ADVANCEMENTS IN THE JUDICIARY:**

The present Chief Justice of India in his speech has underlined the role of technology as an area instrumental in achieving improved, objective, transparent, and optimal goals in the sphere of public governance. Speaking on the occasion Chief Justice Chandrachud noted that “it is far better to select a strategy where technology is deployed to reform the existing systems periodically by using technology”<sup>10</sup> Several measures were announced to increase the court's functioning and make justice easily accessible.

### **a) Ecourts project**

The eCourts project has been initiated by the Indian judiciary as one of the most necessary steps towards reform. Under the broader strategy of the national e-governance plan, it was initiated in 2005. The e-Courts project was started by proving the concept of the National Policy and Action Plan on ICT in the Indian Judiciary. The vision was the enablement of ICT in Indian courts. The project was implemented in 3 phases in high courts and subordinate courts in the country. The e-Court project has enhanced the affordability and deliverability of our judiciary system in a very competent manner. Due to the digitization of records, the details of the case have become easier for the litigants, lawyers, and the public. The implementation of e-filing and e-payment has brought surety to procedural facets and compressed the time and cost linked with the filing of cases. Technology in the form of video

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<sup>9</sup> The mounting backlog of cases: a barrier to justice, <https://theamikusqraie.com/the-mounting-backlog-of-cases-a-barrier-to-justice/>

<sup>10</sup> PTI, “CJI Chandrachud Bats for Internet-Enabled Courtrooms in the Country” Deccan Herald (March 1, 2023)

conferencing facilities for conducting cases has helped to hasten the process of trial, particularly in remote regions of the country and offloading the judge's caseload.

### **b) Case Information System**

Case information system also known as CIS is a giant move under the initiative of the e-committee to make the Indian judiciary more transparent and more litigant friendly. The CIS versions are available in high courts and district courts. The whole idea behind this software is that the litigant should be able to view the daily status of his case, view the orders of the case, the hearing date of his case, the progress of the case on any particular date, etc online from any part of the world. The High Court of J&K has successfully implemented CIS. The Data is also replicated to the National Judicial Data Grid, to enable the Public, Litigants, and Advocates to avail of the services from the e-courts website.<sup>11</sup>

### **c) E-filing**

An e-filing system (version 1.0) has been rolled out for the electronic filing of legal papers. This allows the lawyers to access and upload documents related to the cases from any location 24X7 which makes coming to the court for filing of papers unnecessary. The new e-filing 3.0 Portal was inaugurated on 9th April 2021. In the new version, a new tab is provided which allows Advocates and litigants to record their oath with in-system video recording while uploading documents. The new version has also provided a new dashboard including the options of my partners, Case Filing, Vakalatnama, pleading, e-payments, applications, and portfolio. To promote eFiling, all Central & State Government departments including the PSUs have been requested to use e-filing in all commercial disputes coming up in the commercial courts.<sup>12</sup>

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<sup>11</sup> e-committee, Supreme Court of India

<sup>12</sup> Efiling, Department of Justice

#### **d) AI in Indian courts**

Artificial Intelligence (AI) is increasingly being recognized for its potential to transform judicial processes in India. AI tools can assist judges and lawyers in various tasks, such as legal research, case management, and decision-making. Supreme Court Vidhik Anuvaad Software (SUVAS) is an official application based on Artificial Intelligence (AI) that has been released by the Supreme Court of India to translate legal documents and orders written in English into nine vernacular languages. Also, the Supreme Court Portal for Assistance in Court's Efficiency (SUPACE) was recently launched by the Supreme Court of India as a tool that collects relevant facts and laws and makes them available to a judge. It will yield outcomes customized to the specific requirements of the case and the way the judge thinks. The use of Artificial Intelligence in courts is a great solution to bring down the pendency of cases and also to ensure a speedy justice delivery system.

### **XIII. LEGAL FRAMEWORK REGARDING ACCESS TO JUSTICE:-**

Justice is a constitutional mandate.<sup>13</sup> In its preamble the constitution of India, 1950 established a goal "to secure all citizens of India." Access to effective and timely justice is a key aspect of achieving this vision. Although the constitution of India provides justice in its preamble, the real fabric of justice and equity can be traced if we analyze the corresponding Article of the Indian constitution which includes Article 14, Article 21, Article 142, Article 323A, and Article 323B.

#### **a. Right to equality under Article 14**

The article states that "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India." This principle is important for ensuring equal access to justice for everyone. The constitution bench of the Supreme Court of India in the case of Anita Kushwaha vs Pushpa Sadan<sup>14</sup> held that access to justice was a basic right that could not be denied or diluted by any

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<sup>13</sup> Justice Sinha SB. Judicial Reform in Justice Delivery System. (2004) 4 SCC (Jour) 35.

<sup>14</sup> Anita Kushwaha vs Pushpa Sadan(2016)

kind of interference or hindrance. Apart from Article 21, access to justice can be said to be a part of the guarantee contained in Article 14 as well.

### **b. Right to speedy trial under Article 21**

According to the Article, “No person shall be deprived of his life or personal liberty except according to procedure established by law.” It Guarantees the right to life and liberty, which includes the right to a fair trial and access to legal aid. In the case of *Hussainara Khatoon v. State of Bihar*<sup>15</sup>, the Hon’ble Supreme Court of India has declared that speedy trial is an enshrined part of Article 21. It held that the right to free legal services is, therefore, clearly an essential ingredient of 'reasonable, fair and just, procedure for a person accused of an offense and it must be held implicit in the guarantee of Article 21.

### **c. Free legal aid under Article 39A**

The Article states that “The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

### **d. Article 324 A, 323 B (Part-XIVA of the Constitution of India)**

The 42nd constitutional amendment is the draconian constitutional act of the Indian parliament that leads to the incorporation of a mini-constitution into the entire fabric of our constitutionalism and its judicial feather. It includes a separate part of the constitution of India which is recognized and renowned as Part XIVA. This part stipulated and incorporated a new dimension to the judicial mechanism of the Indian Justice Delivery System. This new dimension is the path of the tribunals, under which, parliament may by law, provide for the adjudication or trial by administrative tribunals of disputes and complaints regarding the subject concern

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<sup>15</sup>*Hussainara Khatoon & Ors vs Home Secretary, State Of Bihar, Patna 1980 (1) SCC 98*

can form administrative tribunals. This ultimately leads to a reduction the judicial stress and its complexities.<sup>16</sup>

#### **XIV. CASE LAWS:-**

##### **1) S.P. Gupta vs Union of India(1982)<sup>17</sup>**

The landmark judgment is known as the judges' transfer case or first judge case. In the case, the petitioners requested that the Union of India disclose correspondence between the Chief Justice of India, the Chief Justice of Delhi, and the Law Minister regarding the appointment and transfer of judges. The Supreme Court rejected the government's claim for protection against disclosure, ruling that disclosure should only be withheld if it conflicts with public policy or negatively impacts public interest. The court reasoned that the appointment and transfer of judges is a matter of great public interest. The Supreme Court held that the opinion of the Chief Justice of India (CJI) does not have primacy over that of the executive when it comes to the appointment of judges. It is a crucial judgment in the matter of appointment of judges and judicial independence.

##### **2) State of Maharashtra vs Dr. Praful. B. Desai<sup>18</sup>**

It is a significant case in Indian legal history that dealt with the possibility of using video conferencing to record testimonies of witnesses in criminal trials. The case emerged when Dr. Praful Desai practicing oncology was accused of medical negligence. A key witness in this case was unable to testify due to being in the States. The Supreme Court of India declared that the kind of testimony given by video conferencing is permissible and as valid as traditional face-to-face 'testimony.' This judgment led to the possibility of modernizing the court procedures in India and thereby, making it possible to incorporate technology in the judicial system.

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<sup>16</sup> Om Krishna, Sourav Karmakar, Anshul Saxena. Structural Reforms for Overcoming Delays in Justice Delivery. *Journal of Constitutional Law and Jurisprudence*. 2018; 1(1): 32–41p.

<sup>17</sup> S.P. Gupta vs Union Of India & Anr on 30 December, 1981

<sup>18</sup> The State Of Maharashtra vs Dr. Praful B. Desai on 1 April 2003

## **XV. BARRIERS TO IMPLEMENTING JUDICIAL REFORMS:-**

Even if technological innovations hold great power to transform India's legal system, it is necessary to consider the challenges associated with it. Some of the major challenges include digital literacy, digital divide, ethical considerations, privacy concerns, etc.

### **i. Inadequate Infrastructure**

While many courts especially in the rural areas might have applied for a new technological system, the majority of them have no infrastructure necessities for those improvements. These include inadequate information technology infrastructure, old-generation computers, and no qualified technical personnel. It becomes very challenging to introduce and enforce such measures of e-filing, online case management, or even video conferencing of court sessions where these basic elements are not in place.

### **ii. Digital Literacy**

Another crucial problem is the digital illiteracy of court staff, lawyers, and a significant part of the population. There is some truth in this statement as even in the developed urban centers where the backbone infrastructure is well established, there is inadequate training to enhance the tools that enable efficient use of technology in the judiciary. To be effective, legal education is obliged to prepare judges, lawyers, and other employees involved in court work not only as users of new technologies but as those who have proper knowledge of how these tools can and ought to change legal practice and courtroom procedures.

### **iii. Digital divide**

The majority of the people in India do not own computers let alone the internet or Smartphones. This leads to the emergence of digital inequality, in which minority groups, those dwelling in rural regions, and those who cannot afford to pay for an internet connection are unable to access online court services.

#### **iv. Data security**

the digitalization of courts raises concerns about data privacy and security. Preserving the confidentiality of the records is not easy, given the increasing complexity of cyber activities. Courts are therefore required to exercise high security measures such as encryption and admission to secure the information. However, such a level of security is costly through investments in technology and the necessary human resources.

#### **v. Resistance to change**

now, that the various arms of the judiciary are adopting new technologies in their respective operations, they always encounter lots of challenges from the traditional lawyers, the clerks in the various courts, and even some of the judges and magistrates. There are several causes for such resistance to change including – fear of the unknown, resistance to new technology, and concerns about legal practice, etc. Thus, change management strategies should be implemented properly to overcome the resistance. Education through awareness as well as staff development initiatives may ensure that legal practitioners and other staff within the courts appreciate and understand the applicability of new technologies. Stakeholders can even resist technological reforms, and engaging them in the planning and execution of such reforms will also minimize opposition because the stakeholders' concerns will be heard.

### **XVI. COMPARATIVE ANALYSIS WITH LEGAL PRACTICES:-**

Many committees formed by the Government have offered suggestions for judicial reforms. However effective practical implementation of those changes has always been a subject of controversy. Therefore, the Indian judicial system requires recommendations that are readily implementable and have demonstrably proven effective in other jurisdictions. This analysis focuses on specific areas where existing loopholes in the Indian judicial system have been addressed in other jurisdictions. These areas include reforms in procedural law, infrastructure development, and technology in legal systems in other countries.

### **i. Reforms in procedural law**

The problem lies in the procedural laws that have been in place since 1908, which have not undergone significant changes. A committee was set up by the Indian government in 2000 to check judicial delay and reforms, but these recommendations have not been implemented. In countries like the Netherlands, judicial reforms in procedural law have led to major changes, such as the introduction of KortGeeding, a short process where claims are summoned and evidence is presented. This has resulted in faster proceedings and a reduction in judicial delay. The introduction of dispute tribunals in New Zealand in 1986 has also led to a reduction in judicial delay. In countries like Japan and Peru, simplifying procedural laws has helped solve judicial delays.

### **ii. Judgeship gap**

With the Judge-Population ratio of 18 Judges per million, as of 31.12.2015, the Indian judiciary is understaffed in comparison with other countries. The US judiciary, at the state trial courts level alone, in 2011, had a Judge-Population ratio of approximately 102 per million (2011 population 311.7 million). Australia with a population of 22.68 million in 2012 commanded a Judge Population ratio of approximately 48 judges per million. England and Wales, with 3,238 Judges in their courts as of 01-04 2015 and a population of 57.4 million in 2014 had a Judge-Population ratio of 56 Judges per million. China can be the best-suited neighbor to compare with in population index; in China, 1,360 million population in 2013, had nearly 2,00,000 judges in 2011 commanding a Judge-Population ratio of 147 Judges per million. This statistical data indicates the need for the judges in Indian judiciary.

### **iii. Digitalization of judiciary in other countries**

The United States is among the first countries to integrate technology into its judicial system, by implementing case management/Electronic Case Files (CM/ECF) system and Artificial Intelligence (AI) tools for legal research and analysis. However, issues like data privacy, cybersecurity, and potential biases

in AI algorithms must be taken into consideration. The UK has also made remarkable progress in integrating technology into its judiciary, implementing the Courts and Tribunals (Online Procedure) Act 2019, and embracing video conferencing and e-filing systems. Singapore, a global leader in judicial reforms and legal technology adoption, has implemented the Integrated Electronic Litigation System (eLitigation) and pioneered the use of AI and data analytics in its judiciary. AI tools are used in intellectual property cases, streamlined decision-making processes, and Online Dispute Resolution mechanisms, offering a faster and more cost-effective alternative to traditional court proceedings. However, challenges such as ensuring digital literacy among court users and addressing concerns about exclusion remain. As India is also implementing technology in the judiciary, the analysis of digitalization in these countries assists in understanding the possible challenges. By taking notes from these countries India can refine its approach towards the adoption of technology to address these challenges effectively.<sup>19</sup>

## **XVII. SOME SUGGESTIONS FOR THE PATH FORWARD:-**

### **1) Prioritize Funding and Infrastructure**

More funding will be required to increase the benches of judges, better the court structures, and install better electronics. This should be followed by a good plan to utilize resources so that there is an effective use of resources available in the organization

### **2) Streamline Procedural Laws**

There is a clear inefficiency of the procedural laws in force now that date back to 1908. Reduction of case backlogs is possible by developing less complex processes, by implementing time-bound approaches, and by applying options for the settlement of disputes.

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<sup>19</sup> Om Krishna, Sourav Karmakar, Anshul Saxena. Structural Reforms for Overcoming Delays in Justice Delivery. *Journal of Constitutional Law and Jurisprudence*. 2018; 1(1): 32–41p.

### **3) Case management**

Effective case management can help reduce delays in the disposal of cases. The courts should develop a robust case management system that tracks the progress of cases, identifies cases that require priority attention, and sets realistic deadlines for the disposal of cases.

### **4) Promote Digital Literacy**

Specific initiatives aimed at improving persons involved in the court's processes, including litigants, legal professionals, and employees, digital competence must be addressed. This will guarantee everyone the ability to use all the available tools supported by digital space.

### **5) Increase in the number of courts**

The number of courts should be increased to ensure that the judicial system can handle the volume of cases. The establishment of additional courts can help reduce the backlog of cases and increase the efficiency of the judicial system.<sup>6</sup> Time-bound disposal of cases: The time-bound disposal of cases can help reduce the backlog of cases. The government should set realistic timelines for the disposal of cases and ensure that the courts adhere to these timelines.

### **6) Learn from Global Best Practices**

India also should pursue cooperation with other jurisdictions that implemented judicial reform and IT integration at their level, using their experience in the Indian conditions.

Through these, it is possible to bring improvement in various facets of India's current judicial system to make it as efficient and responsive to the needs of the entire populace. This should not only enhance the role of law in four ways but also progress towards a fairer society as well.

## **XVIII. CONCLUSION: -**

Indian judicial system though has a very rich legacy but has various critical issues concerning cases piled up, inadequate infrastructure, and restricted

access. These challenges affect the timely delivery of justice hence reducing the pace of justice delivery with this, the community's trust is low, and economic development is stalled. However, there is a lot of hope for transformation through technology measures such as the eCourts project, the Case Information System, and the National Judicial Data Grid. For these reasons, it has been evident that these advancements enhanced efficiency, transparency, and Access to justice paving the way for a more modern judiciary. Despite such reforms remaining noble, they would still need constant observation of social justice in the distribution of technology especially to disadvantaged groups. Some measures must be implemented such as reducing the digital divide, offering digital skills, and cybersecurity to help provide the best of these innovations.

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