

**Inaugural Address**  
**All India District Judges Conference, Kachchh**

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Chief Justice of India

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1 Good morning- my distinguished colleagues from the bench, Justice Sanjiv Khanna, Justice Surya Kant, and Justice Bela Trivedi; Justice Sunita Agarwal, Chief Justice, High Court of Gujarat, Judges of the High Court of Gujarat, Members of the District Judiciary from across the country, who have joined us in person and virtual mode, and all the hon'ble dignitaries present here. नमस्ते (namaste).

2 Today is an extraordinary day for me. This is because I am present among the judicial officers of the district judiciary from across the country. The district judiciary forms the backbone of our legal system. By organizing this Conference, we celebrate the commitment and the role of our district judiciary. At the same time, we have gathered here to listen directly from judicial officers about what affects the working of the district judiciary and how can we improve it. After all, solutions to large problems emerge through direct conversations with the stakeholders. I

believe that judges of the district judiciary, having worked in the system all their life, can offer unique perspectives to the issues confronting us.

3 As we embark on this endeavour, it is fitting that we find ourselves nestled in the heart of Gujarat's cultural fabric, amidst the vibrant district of Kachchh. Now, you all might wonder, what significance does this cultural immersion hold for us, as judicial officers entrusted with the solemn responsibility of upholding justice? Well, let us reflect on the parallels between the ethos of Kachchh and the challenges we encounter in our professional lives. Just as the artisans of this region meticulously weave together threads to create a masterpiece, so too we navigate the complexities of the legal landscape with diligence and precision.

4 Each one of us, individually and collectively, has volumes to learn from various perspectives and, most importantly, from each other. All we need is the humility to recognize this vast scope for learning and create platforms for such an exchange. This Conference aims to promote introspective discourse and constructive dialogue, fostering an environment where ideas can flourish and solutions can be sought.

5 To facilitate this exchange, we have organized three sessions, each delving into critical aspects of our judicial system. The first session will focus on the role of the district judiciary as the first responder of the

judicial domain. Here, we will explore the challenges and responsibilities that come with this pivotal position, emphasizing the need for proactive and efficient judicial intervention. The second session will address the crucial issue of infrastructure and resources, with a focus on improving the work culture within our courts. As custodians of justice, it is incumbent upon us to ensure that our judicial machinery operates smoothly and efficiently, with adequate resources to support our endeavours. The third and final session will delve into the transformative power of technology in judicial processes.

6 As we draw our attention towards the overarching concerns that confront our judiciary, it is imperative to delve into a comprehensive exploration of the challenges that beckon our focus and necessitate a united and determined response. Let me set the groundwork for our discussion.

7 Needless to emphasize, the district judiciary assumes an indispensable role within the legal framework of our society. The district judiciary serves as the primary interface between the justice system and the local communities it serves. However, the district judiciary needs to constantly reflect and evolve its working, so that the faith of citizens is maintained.

8 When a common citizen interacts with the district judiciary, several key issues may impact their experience and access to justice. One of the foremost challenges is the development of adequate infrastructure to support the needs of the district judiciary and the citizens it serves. Infrastructure encompasses physical facilities such as courthouses, courtrooms, and administrative offices. Many districts face shortages of such facilities, leading to overcrowded courtrooms, insufficient space for legal proceedings, and delays in case hearings. Citizens may encounter long wait times and difficulties navigating congested court premises, hindering their access to timely justice. Therefore, our focus must be on developing adequate infrastructure, which could accommodate not only the current composition of the district judiciary, but is also modern in its facilities, as well as cognizant of the emerging challenges.

9 While the infrastructure aspect will be solved by the collective efforts of high courts and the state governments with necessary inputs from the district judges, certain issues are within the control of the district judiciary and can be solved at a local level. One of the major issues is that of "*adjournment culture*." This practice, characterized by repeated requests for delays in proceedings, has far-reaching implications for the efficiency and integrity of our legal system. This culture of adjournments

can effectively suspend time within a case, prolonging the agony of litigants and perpetuating the cycle of backlog.<sup>1</sup>

10 In today's times, common citizens feel that adjournment has become a part of the judicial system. This perception is disheartening, as adjournments, which were never intended to be commonplace, have now become normalized within the judicial process. Judges therefore have to be conscious of this fact, because while even one adjournment might look like a routine affair, it can have severe ramifications for the litigants. Consider, for instance, the plight of a farmer entangled in a property dispute—a scenario all too common. Often, the outcome of the legal battle never comes to light during the farmer's lifetime. Instead, the burden falls upon their legal heirs, who find themselves embroiled in protracted legal proceedings long after their loved one's passing. We should not wait for our citizens to die for their case to be decided by a court of law.

Imagine a victim of sexual assault whose case remains unresolved in the courts for several years. Isn't this a clear violation of their fundamental right to access justice? The concept of access to justice should extend beyond mere access to the courts; it should also guarantee that citizens receive timely judgments from courts of law.

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<sup>1</sup> **Gayathri v. M. Girish**, AIR 2016 SC 3559.

11 Courts nationwide are grappling with a significant backlog and an alarming level of pending cases. This backlog and pendency of cases present a formidable challenge to the efficient administration of justice and the timely resolution of legal disputes. Addressing the backlog and pendency of cases requires a multi-faceted approach encompassing systemic reforms, procedural enhancements, and the deployment of technological solutions. Efforts to streamline court procedures, expedite case disposal, and promote alternative dispute resolution mechanisms can help alleviate the burden on the judicial system. This is where the role of district judges becomes crucial.

12 There is also a rising apprehension that district courts are increasingly reluctant to entertain matters concerning personal liberty. The longstanding principle that "bail is the rule, jail is the exception" seems to be losing ground, as evidenced by the growing number of cases reaching High Courts and the Supreme Court as appeals against the rejection of bail by trial courts. This trend warrants a thorough re-evaluation. I want to hear from our district judges why this trend is emerging across the country.

13 I would also like to emphasize the critical importance of inclusivity and diversity within our judiciary. It is heartening to note that strides have been made towards achieving greater gender representation, with women now constituting 36.3% of the working strength of the district

judiciary. Furthermore, recent recruitment trends indicate a positive shift, with more than 50% of selected candidates in the last Civil Judge (Junior Division) recruitment exam being women in 14 out of the 16 states examined. However, while progress has been made in terms of gender representation, there remains a pressing need to ensure that our judicial institutions are truly inclusive and accommodating for all. It is concerning to note that despite the presence of female judges, amenities and facilities catering to their specific needs are sorely lacking. Shockingly, only 6.7% of toilets in District Court complexes have facilities for sanitary napkin vending machines and are female-friendly.<sup>2</sup>

Similarly, the availability of childcare rooms or facilities is limited, with only 13.1% of District Court complexes offering such provisions. With this, we are inadvertently placing an additional burden on women, hindering their ability to participate seamlessly in the professional arena. These gaps in our infrastructure are not just physical; they represent symbolic barriers that obstruct the potential of women in the judiciary. Recognizing that childbearing and childcare are significant life choices, the absence of adequate facilities not only places an undue burden on women but also signals a profound deficit in our commitment to providing an inclusive and supportive workplace.

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<sup>2</sup> Statistics found in the Report on “State of the Judiciary” by Centre for Research and Planning, Supreme Court of India.

14 The staggering vacancy rates for the seats reserved for Scheduled Castes and Scheduled Tribes, constituting 66.3% of the total unfilled posts, highlight the urgent need for proactive recruitment strategies.<sup>3</sup> Additionally, the vacancy of support staff, at 27%, underscores the importance of addressing staffing needs alongside judicial officer recruitment.

15 Furthermore, inclusivity does not merely mean the presence of a diverse set of people. It also reflects a culture. Quite often, judgments coming from district courts use gender-stereotypical language, which denigrates the dignity of women. Our judges in the district judiciary must be conscious of the language they use in court proceedings and judgments. After all, language holds immense power and influence within the realm of law and justice. The words used by judges not only reflect norms and attitudes but also shape perceptions and outcomes. When judgments employ gender-stereotypical language or perpetuate biases, they perpetuate systemic inequalities and contribute to the marginalization of women within the legal system.

At the same time, the persistence of regressive terminology and outdated designations, such as 'Subordinate Court Staff' and 'Jamadar,' in certain states' service rules reflects a colonial mindset that must be

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<sup>3</sup> Statistics found in the Report on “State of the Judiciary” by Centre for Research and Planning, Supreme Court of India.



rectified. Embracing modern categorizations is essential to fostering a workplace culture that is inclusive and equitable for all employees.

16 I also emphasize that ensuring adequate judicial infrastructure is not merely about physical structures. Technological advancements can facilitate court processes. The evolution of judicial infrastructure must also include developing technological infrastructure. Technology is not a privilege reserved for the elite; it is a tool for all those for whom the delivery of justice is intended. Just as sunshine is said to be the best disinfectant, I believe that technology is the best tool at our disposal to eliminate the inefficiency and opacity surrounding judicial processes.

We must tap into the full potential of technology to overcome the procedural barriers to justice. In pursuit of this goal, the e-Courts Project has been initiated, aiming to provide qualitative and speedy justice through efficient court management. This project recognizes the essential correlation between judicial infrastructure and the quality and speedy dispensation of justice. By leveraging technology and digital solutions, we can streamline court procedures, reduce delays, and enhance transparency in our legal system.

17 However, as we embrace technology, we must ensure our systems are not only efficient but also accessible and inclusive. We must leave no one behind in our pursuit of justice. Accessibility should extend

beyond urban centers and reach remote areas, ensuring that every citizen, regardless of their location or socio-economic status, can access the justice system. Moreover, inclusivity requires us to consider the diverse needs of all stakeholders, including litigants, witnesses, and legal professionals. Technology should be harnessed to provide alternative modes of court processes, such as video conferencing and online filings, making it easier for individuals to participate in legal proceedings without physical barriers.

18 A cause for concern arises from the fact that only 57.4% of courtrooms in the district judiciary have VC-enabled computers on the judge's dais, as per data submitted by judicial officers on iJuris. This deficiency in digital infrastructure raises questions about the effectiveness of virtual court proceedings and impedes the goal of providing efficient and accessible justice.

19 Now, as we are talking about the realm of technology, I would like to address another contemporary challenge – the influence of social media. In recent times, there has been a noticeable increase in judges facing criticisms and commentary on social media platforms. And let me tell you, I have had my fair share of scrutiny too! Even if I say just a single word on the bench, it seems to get reported faster than a speeding bullet. But, should we, judges, be unduly affected by this? The role of a

judge is to dispense justice impartially, without being swayed by external pressures or public opinions.

20 The Supreme Court of India, in coordination with the High Courts, is making active efforts to remedy the problems faced by the district judiciary. Last year, the Court launched a handbook on combating gender stereotypes, and a report on infrastructure, vacancies, and ICT enablement of the judiciary. Digital SCR and e-SCR now allow district court judges to find precedents even without paying a subscription fee to a private publisher. Through platforms such as NJDG, JustIS and i-Juris, the district judges can monitor the progress of their work on a real-time basis.

21 As I conclude, I emphasize that nothing is impossible if all of us work together to find effective solutions. In this collective endeavour, the district judiciary plays a crucial role as the first responder. At the Supreme Court, we can only create schemes and policies, but it is your push, along with the administration that changes the ground reality. We are here not only to dispense justice but also to engage in a continuous process of introspection and improvement.

Your inputs and insights are invaluable in shaping the evolution of our legal system. As we gather here for this conference, I urge everyone to contribute systemic inputs and avoid placing individual grievances. Let

this platform be a space for constructive dialogue, where ideas are exchanged, and solutions are forged. Together, we can strengthen the pillars of justice and ensure that the legal system remains a beacon of fairness, equality, and accessibility for all.

Thank you!