

VALEDICTORY ADDRESS
OF
HON'BLE SHRI DIPAK MISRA
THE CHIEF JUSTICE OF INDIA
FOR
NATIONAL CONFERENCE ON 'INITIATIVES TO REDUCE
PENDENCY AND DELAYS IN JUDICIAL SYSTEM'
JULY 28, 2018

Hon'ble Shri Justice Ranjan Gogoi, my esteemed peers from the Supreme Court, Hon'ble Shri Justice Madan B. Lokur and Hon'ble Shri Justice Kurian Joseph, Hon'ble Chief Justices of various High Courts, Prof. (Dr.) N.R. Madhava Menon, Prof. (Dr.) M.P. Singh, Prof. (Dr.) Manoj Kumar Sinha, Director, Indian Law Institute, Hon'ble Judges from the High Courts and other delegates, Members of the Registry of the Supreme Court of India, Friends from the electronic and print media, Ladies and Gentlemen.

The basic and fundamental right of access to justice, in the most fundamental sense, has been the core foundational purpose of this National Conference. All of us were required to reflect on certain aspects, especially our efforts towards

reducing pendency and delays in the judicial system. I was present in the first session and I have carefully perused the summary of the other technical sessions. The discussions and deliberations have been quite instructive. The broad points that have been discussed relate to:-

Exploring the possibility of utilizing Court Managers;

Chief Justice of the High Courts to study the aspects of Court and Case Management so that the same can be institutionalized;

Grouping of cases and introduction of a hybrid system where old cases are given priority and at the same time, new cases don't go into arrears;

Utilizing of the tool of case management to deal with infructuous and non-alive cases;

Dealing promptly with cases in which a stay has been granted by the High Courts.

Laying focus on the grass root level, introduction of best practices in ADR system and emphasis on

technological aspects was part of the discussion that took place in the Sessions today.

The purpose was to share good practices and absorb them with a sense of objectivity. As I gather, there has been sharing. I may note that sharing of ideas is the moot factor of belonging. And here belonging means to be a part of great judicial fraternity with the avowed aim of speedy dispensation of quality justice. The discussions have ranged from the concept of 'case and court management system', 'methods of promoting Alternative Dispute Resolution', 'greater use of technology to endeavour to plug the gaps in justice delivery' by taking immediate appropriate measures of identifying the cases which need urgent attention and quick disposal. Many learned Chief Justices have spoken about the innovative steps they have undertaken. The effort and the consequent result deserve to be appreciated.

I have also perused the strategy of reducing pendency in a phase wise manner especially pertaining to old cases and simultaneous dealing with litigations which are more than five years old. This is one of the very successful schemes to handle pendency and delays. It also brings with itself inherent checks

and balances so that our judicial officers especially in the subordinate judiciary can execute the delay and pendency reduction scheme effectively in a time bound manner and be accountable for their work. This would not only help us in addressing the singular issue of delay and pendency but will enable us to set standards for judicial discipline *vis-à-vis* timely disposal of allocated cases. Separate standards are being worked out to assess the quality of judicial work. I am sure that the same will further enhance working at the subordinate judiciary level.

I must say that E-Committee of the Supreme Court has been one of the most successful steps taken by the Indian judiciary. Since its creation way back in 2004, we have come a long way. It has led to computerization of the courts in India and fruitfully accentuated on technological communication and other management related issues.

The deliberation in this conference has substantially focused on strengthening the promotion of methods of ADR for facilitating timely settlement of disputes and that too in a cost effective manner. However, I may add a caution, that never impose your views on mediation or settlement in Lok-Adalat

and judicial settlement. We should never send a wrong message. I would like to say - be enthusiastic but never be obsessed. Perseverance and enthusiasm are to be distinguished from obsession with an idea.

The court congestion and delays do require a modern and progressive approach where every Judge takes the burden of judicial leadership and managerial skills of his court and the cases before him. That will help the system in promptitude and I am certain, we will see the effective result.

A compilation of thoughts, ideas and suggestions that have generated in all the sessions shall be prepared and circulated to all High Courts so that they can be followed pragmatically having due focus on the ground reality.

I hope this national conference will help us improve upon our strategies, our plans, our focus, our targets, our energies and above all, our commitment towards the judicial system, its growth and strengthening of the same.

Thank you.