CHAPTER - I

INTRODUCTION
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Justice has always been the highest ideal of mankind. It has been dormant urge behind all social upheavals and revolutions. The most interesting thing has been that all those who want to change the old order, and those who defend the old order, and those who, with neutral voice, advocate peace at any cost, do so in the name of justice. Justice provides motivation for the most sublime sacrifices as well as for the worst deed\(^1\).

Justice under various names governs the world, nature and humanity, science and conscience, logic and morals, political economy, politics, history, literature and art. Whatever name may be given to 'justice', it is the most primitive in the human soul, most fundamental in society and most sacred among ideas. It is the essence of religions and the sum total of reason, the secret object of faith and of knowledge. Nothing can be imagined more universal, more strong and more complete than justice. Justice is founded on what the majority of right thinking people regard fair\(^2\).

Traditional concept of "access to justice" as understood by man in the street, is the access to the courts of law. For a common man the courts represent the very essence of justice. For him, the court system is an ideal and practical forum for the administration of justice, both civil and criminal, where legal rights and duties are determined and enforced. The ordinary courts are seen as part of the machinery of government, in which the judges exercise judicial power and authority with dignity, integrity and impartiality. Access to courts is considered as the basic mode for the adjudication of legal disputes and conflicts.\(^3\) Lord Diplock in Attorney General Vs Times News Paper Ltd\(^4\), observed;

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\(^1\) V.R. Krishna Iyer; Indian Social Justice in Crisis, (1983) p 16

\(^2\) Perelman Chain; Justice, law and arrangement (1980), p 16

\(^3\) P.C. Juneja: Equal Access to Justice (1998) p 17

\(^4\) (1974) AC 273 at 307
“My Lords, in any society, it is a function of government to maintain courts of law to which its citizens can have access for the impartial decision of disputes as to their legal rights and obligations towards one another individually and towards the state as representing society as a whole. The provision of such a system for the administration of justice by courts of Law and the maintenance of public confidence in it, are essential if citizens are to live together in peaceful association with one another.”

The modern state is under a duty to provide judicial and non-judicial dispute resolution machineries to which every citizen or group of citizens should have access on equal basis, for resolution of their legal dispute or non-legal complaints. Poverty, ignorance, inertia or distance should not act as barrier to access.

The founding fathers of our Constitution placed "Justice" at the highest pedestal and the Preamble to our Constitution significantly noticed Justice higher than the other principles i.e. Liberty, Equality and Fraternity. Again, the Preamble clearly demonstrates the precedence to social and economic justice over political justice. People turn to the judiciary in quest of justice. The Constitution lays down the structure and defines, delimits and demarcates the role and functions of every organ of the State including the judiciary and establishes norms for their inter-relationships, checks and balances. Independence of judiciary is essential to the rule of law.

The Present Study focuses on the functional aspects of 58 years of judicial system in India, its achievements and failures. It begins with a brief resume to provide a historical background to Indian Legal System. For the purpose of this study, the development of Judicial system in India has been divided into four distinct periods:

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5 P.C. Juneja; Equal Access to Justice (1998) p 21
6 Justice KG Balakrishnan; Efficient Functioning Of India's Justice Delivery System (2007) 4 SCC J p 13
1. The Ancient period,
2. The Muslim period,
3. The British period and
4. The Post-Independence Period.

1.1 THE ANCIENT PERIOD:

In Ancient India great importance was given to administration of justice. It was considered to be one of the most important and obligatory functions of the King.

The analysis of various works of Indian Jurists available on the topic reveals that the king was regarded as the fountain-head of justice. The king’s court was to be situated in a capital city and in the royal palace. The king’s court was the court of original jurisdiction in all cases of vital importance and was also the highest court of appeal. In the process of administering justice, the king was advised and assisted by learned Brahmins, the Chief Justice and other judges, ministers, elders, and representatives of the trading community. Next to the king was the Court of Chief Justice (Pradivaka). The court, presided over by a Chief Justice, had a board of Judges to assist him. The qualifications of judges and other officers of the court were prescribed. Appointment of experts as assessors to assist the court on technical questions, whenever necessary, was provided for. Laws of procedure and of evidence were laid down. A code of conduct for judges and others concerned in the administration of justice and provisions for punishment of officers committing offences in the course of the administration of justice had also been provided. After making a detailed survey of the Hindu judicial system and the historical evidence available, Sir S. Varadachariar concludes:

"Whenever and wherever and so far as circumstances permitted, attempts were all along being made in Hindu India to administer justice broadly on the lines indicated in the law books."

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7 M.Ramajois, P.V. Kane, Mayne, H.R. Khanna, Sir S. Vardachariar
8 P.V. Kane: History of Dharmastra Volume III p 242
9 Maynes: Hindu law and usage p 10
10 The Hindu Judicial system (1946) p-258; The 14th Report of the law commission, vol. 1, p-26
1.2 THE MUSLIM PERIOD:
This period also known as the Medieval Period marks the beginning of a new era in Indian legal history. The judicial system of India during this period may be studied under two separate heads.

- The Sultanate of Delhi
- The Mughal period.

Judicial System during the Sultanate Period:
Administration of Justice was the primary function of the Sultan. The chronicles provide a wealth of information on the king’s responsibility for upholding and maintaining the Shariah\(^{11}\). The Muslim canon law was applied to the Muslim population only while the non-Muslims were exempted from it. Thus, two types of laws were recognized viz. Tashrii and Ghair Tashrii law\(^{12}\). In matters like inheritance, sale or transfer of property or Hindu marriage etc., presumably the customary laws of the Hindus were followed. The policy of the Delhi sultanate was minimal interference with the social affairs of the Zimmis. However, in cases of crimes, which constituted offence in every law, the same law was applicable to both the Muslims and the non-Muslims\(^{13}\).

During the Sultanate period, the Hindu chiefs were allowed to retain their principalities where the established legal system was not touched. In villages, the ancient system of local self government was not disturbed and the village panchayats were left to carry on their traditional functions so long as they did not clash with the jurisdiction of the Qazis. The village headman i.e. muqaddam acted as both committing and trial magistrate while dealing with criminal cases\(^{14}\).

During Medieval times, the Sultan was the supreme authority for administering justice in his kingdom. He had the original as well as

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\(^{11}\) The Shariah is the basic, divine Personal Law in Muslim countries. A.B.M Habibullah – The Foundation of Muslim Rules in India 3rd Edition p 226

\(^{12}\) Baillie: Digest of Muhammedan law, p 174

\(^{13}\) Husain: Administration of Justice in Muslim India p 15

\(^{14}\) A.B.M. Habibullah, the Foundation of Muslim Rule in India Chapter XIII 3rd Edition, p 226.
appellate jurisdiction\textsuperscript{15}. Justice was administered by him in three capacities\textsuperscript{16}:

Diwan-e-Qaza (Arbitrator)
Diwan-e-Mazalim (Head of bureaucracy)
Diwan-e-Siyasat (Commander-in-chief of forces) (to deal with the cases of rebel & High treason.)
The courts were required to seek his (Sultan's) prior approval before awarding the capital punishment.\textsuperscript{17}

A systematic classification and gradation of courts existed in the capital, the Provinces, the Districts, the Parganas, and the villages\textsuperscript{18}.

The Mughal Period

Nothing like modern legislation or a written code of laws existed in the Mughal period. The only notable exceptions to this norm were Jahagir's twelve ordinances and Fatawa-i-Alamgiri\textsuperscript{19}, The Judges chiefly followed the Quranic injunctions or precepts, the fatwas or previous interpretations of the holy law by eminent jurists and the qanunvas or ordinances of the emperors. They did not ordinarily disregard customary laws and sometimes followed principles of equity. Above all, the emperor's interpretation prevailed provided it did not run contrary to the sacred laws\textsuperscript{20}.

The Mughal Emperors regarded speedy administration of Justice as one of their important duties and their officers did not enjoy any special protection in this respect. Akbar said, "If I were guilty of an unjust act, I would rise in judgment against myself. What shall I say then of my sons, 

\textsuperscript{15} Ibid
\textsuperscript{16} UB Singh; Administrative system in India (Vedic Age to 1947) (1998) p 90
\textsuperscript{17} Ibid
\textsuperscript{19} A digest of Muslim laws prepared under Aurangzeb’s supervision
\textsuperscript{20} Dr. Gokulesh Sharma (Add Civil Judge): Judicial and Administrative System during Mughal Empire: AIR 1997 Journal p 59.
my kindred and others. The Mughal Emperors of India prided themselves on their love for equity and regarded administration of Justice as an important duty, which a sovereign could not afford to neglect. The love for justice of the emperors like Jahagir, Shah Jahan and Aurangzeb is well known. Though access to the emperor, wading through all kinds of official obstruction, was not very easy, but two Mughal Emperors Akbar and Jahangir, granted to their subjects the right of direct petitioning The latter allowed a Chain of Justice (with bells) to be hung outside his palace to enable the petitioners to bring their grievances to the notice of the Emperor.

The Qazi-ul-Qazat or the Chief Qazi was the principle judicial officer in the realm. He appointed Qazis in each provincial capital, who made investigations into, and tried civil as well as criminal cases of both the Hindus, and the Muslims; the Muftis expounded the Muslim law, and the Mir Adils drew up and pronounced judgments. The Qazis were expected to be just, honest and impartial, to hold trials in the presence of the parties and in court and they were not supposed to accept presents from the people whom they served, nor to attend entertainments given by anybody.

The villagers settled their differences through panchayats or through the arbitration of an impartial umpire or by resort to force. The Sadr-us-Sudar exercised supervision over the lands granted by the Emperor or Princes to pious men, scholars, and monks and tried cases relating to them. Below Sadr-us-Sudar was a local Sadr in every province. Above the urban and provincial courts was the Emperor himself who, as the Khalifa of the age, was also the fountain-head of Justice and the final court of appeal. Sometimes he acted as a court of first instance too. The courts had the power to impose fine and inflict severe punishments like amputation, mutilation and whipping. However, the consent of Emperor

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was necessary in awarding the capital punishment. There was no regular jail system but the prisoners were confined in forts22.

1.3 THE BRITISH PERIOD

The British came to India initially as traders under the banner of ‘The East India Company’. Queen Elizabeth granted a charter in 1600 to the company for the purpose of carrying out trade in India and East Indies. It empowered the company to make laws, ordinances etc. for the good governance of the company and its servants and to punish its servants for breaches of its laws and rules, by fines, imprisonment and amercements but it could not enact laws which prescribed capital punishments. However, fines etc. to be imposed had to be reasonable and not contrary or repugnant to the laws, statute or customs of England, which meant the company was not allowed to make any fundamental deviation from the English legal principles23.

The charter of 1600 AD was renewed in 1609 AD by James-I. Subsequently the charters of the years 1615, 1623 and 1635 were granted to the company. Not many changes were brought about by these charters except that the 1623 charter provided that besides fine and imprisonment, death sentence could also be imposed by the company in cases of mutiny, murder or other felony after a jury trial.24

The few salient features of the Indian Legal History during the British period were;

The Englishmen realized the importance of having a sound judicial system in the territories falling under their sway. They, therefore, started on the task of evolving a judicial system practically from the very outset

23 M.P. Jain’s Outline of Indian Legal History; S.S. Shelwant’s Legal and Constitutional History of India 2003 p 2. H.V. Sreenivasa Murthy’s History of India Part II, p 123
of their administrative career. The administrative responsibility devolved on them first with respect to the three Presidency Towns of Madras, Bombay and Calcutta which were founded by them to facilitate their trade and commerce. To begin with, an elementary judicial system was improvised there. Manned by non-lawyers, mainly traders and merchants, the early courts were too much under the control of the executive. Because of the Englishman's natural partiality for his own law, these courts were enjoined to administer the English law, but for long this requirement remained merely on paper for the non-lawyer judges had no idea of any law, much less of the complicated body of the English law, and, therefore, in reality, justice was largely discretionary depending upon the notions of equity and fairplay entertained by the presiding judge. The British period thus opens with an extremely elementary and an executive-ridden judicial system in the Presidency Towns.

The major break through in this situation occurred, when the Supreme Court was established at Calcutta in 1774. It was a court of the English law, consisted of professional English lawyer-judges and was aided by an English bar. Not only was the court separate and independent of, it even controlled, the executive and thus was introduced into India the concept of justiciability of administrative action. It constituted a bold experiment to control the government through the judiciary, but it did not prove a success because of the positive hostility and resistance shown by the executive towards the court and also because of somewhat less restrained behavior on the part of the judges themselves. The experiment of judicial control of the executive was rather premature in the then prevailing situation. Consequently, powers of the court were curtailed vis-à-vis the executive in 1781 and then the two organs, the Executive and the Supreme Court, settled down side by side. A similar system was introduced in the other Presidency Towns of Madras and Bombay.

Side by side with the above, there was another development of great consequence. In 1772, the Company took upon itself the responsibility to
administer the Bengal Province, and, therefore, along with an administrative and revenue system, the judicial system known as adalat system was also established. The early adalat system was extremely elementary. The adalats were manned by civil servants untrained in law: adalats and executive were not differentiated but were too much identified; the function of administration of justice was dumped on administrative officers who treated it as a secondary function. In course of time, however, the adalat system came under the reforming hand of many administrators, like Cornwallis, Wellesley and Bentinck. It was made more effective to meet the demands made on it by the people; separation was effected between the executive and the diwani adalats (civil courts), though administration of criminal justice never really became free of the executive control. Also, while in the earlier stages, the adalats consisted of the English judges only, in course of time, more and more Indians came to be associated with them. The adalat system was introduced in other territories as and when acquired.

A notable feature of the Indian judicial system before 1862 was the existence of two parallel systems of courts – the Supreme Courts in the Presidency Towns, and the Adalats in the territory, known as the 'Mofussil,' outside the Presidency Towns. There existed many points of difference between the two systems. The Presidency Towns were founded by the British and were sought to be given a distinctive British character form the very beginning. The judicial system there was developed primarily to cater to needs of the Englishmen residing there. On the other hand, in the mofussil, the preponderant population was Indian, and the British administrators, Warren Hastings in particular, very well realized that it would not work if an alien system was imposed on them. Attempts were, therefore, made to develop a simple judicial system designed to meet the needs of the people by administering the indigenous laws of the Hindus and the Muslims. The adalat system maintained this characteristic throughout the course of its existence. The disparate judicial systems in the Presidency Towns and the mofussil existed till 1862, when they were sought to be unified through the
establishment of the High Courts under the Indian High Courts Act, 1861, The Indian High Courts Act, 1911, The Government of India Act, 1919 and The Government of India Act, 1935. Provisions were also made for an appeal to the federal court from any judgment, decree of the High Court. So far as administrative control over the High Courts was concerned, they were under the control of the provincial government. The 1935 Act also ensured the independence of the judiciary from any executive interference or political pressure (a provision we now have after independence) by providing that salaries, allowances and pensions of the judges of the High Courts was to be fixed by His Majesty on their appointment.

The Government of India Act, 1935 replaced the unitary system with a federal system. The provinces were given somewhat autonomous character and they began to be treated on a federal basis. This necessitated the creation of a federal court, an independent court, to decide future disputes between the units. In pursuance of this, a federal court was set up at Delhi in 1937.

Another notable development in the evolution of the judiciary during the British times was the emergence of the Privy Council as an ultimate court of appeal. The Privy Council was also known as King-in-Council or as it later came to be known ‘the Judicial Committee of the Privy Council’. It acted as the highest court of appeal from the courts in India for about two centuries from 1726 to October 1949.

In 1949 the Constituent Assembly decided to grant full autonomy to the Indian judiciary. In anticipation of India attaining the status of a full republic in 1950, the last link with the Privy Council was severed in 1949 and the jurisdiction of the Federal Court and the Privy Council was inherited by the Supreme Court of India.

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25 Section 209 of GOI Act, 1935
1.4 THE POST INDEPENDENCE PERIOD

The constitution of India came into force on 26th January 1950. The composition, powers and functions of all the three organs of the Government i.e. The Executive, The legislature and The Judiciary are laid down in the constitution. The main function of the
- Legislature is to make laws.
- Executive is to implement and execute laws.
- Judiciary is to interpret the laws and to administer justice.

In any country, the Judiciary plays the important role of interpreting and applying the law and adjudicating upon controversies between one citizen and another and between a citizen and the state. In a federation, the judiciary has another meaningful assignment, namely, to decide controversies between the constituent states inter-se as well as between the centre and the state.

It is the function of the courts to maintain rule of law in the country and to assure that the government runs according to law. In a country with a written constitution, courts have the additional function of safeguarding the supremacy of the Constitution by interpreting and applying its provisions and keeping all authorities within the constitutional framework.26

In India, in addition to the above, the judiciary also has performed the significant function of protecting and enforcing the fundamental rights of the people guaranteed to them under the constitution.

A notable feature of the constitution of India is that it accords a dignified and crucial position to the judiciary.

A well-ordered and well-regulated judicial machinery has been introduced in the country with the Supreme Court at the apex. It is vested with original, Appellate and Advisory Jurisdiction in constitutional, Civil, Criminal and other matters.27

26 MP Jain; Indian Constitutional Law (2006), p-191
27 Chapter IV and part V of the constitution contains provisions relating to union Judiciary
Next in hierarchy of the courts are the High Courts. The High Courts are vested with original and Appellate Jurisdiction in constitutional, civil and criminal matters. High courts have the power of superintendence and control over all the court and Tribunal within its territorial Jurisdiction.

The constitution of India also provides for sub-ordinate courts. They function at district level under the over all super- intendance and control of High court of the State. These courts includes the Court of District and Sessions Judge Court of Judicial Magistrate Ist class.

Court of Judicial Magistrate IInd class.

Although the Indian constitution is federal in nature yet India has a unified system of courts. The Supreme Court, the High Courts and the lower Courts constitute a single, unified judiciary having jurisdiction over all cases arising under any law whether enacted by the parliament or a state legislature.

Panchayats: Part IV of the constitution embodies the Directive Principle of State Policy. Article 40 lays down that state shall take steps to organize village panchayats and endow them such powers and authority as may be necessary to enable them to function as a unit of self government. The Panchayats had been discharging judicial functions since ancient times. They deal with petty civil and criminal matters through informal and simple procedure with an endeavour to make conciliation or compromise between the parties under disputes.

Besides these regular courts, there exist alternative (judicial) forums like the Consumer Courts, Central Administrative Tribunal (CAT), Sale Tax Tribunal, Railway Tribunal, Income Tax Tribunal, Family Courts Since it is not possible to discuss all the forums, therefore, in this study only the Consumer Courts, Alternative Dispute Resolution Forums (ADRS) and, fast track courts will be discussed.

28 Chapter V and Part VI of constitution contains provisions regarding the High Courts. There are 21 High courts in India.

29 Chapter VI under part VI of the constitution. In Metropolitan areas they are known as Metropolitan courts.
Of late, keeping in view the huge pendency in the regular courts and also the need to provide speedy justice to the litigants, Fast Track Courts have also been established. These Courts are presided over by a person who is a retired District Judge or additional District Judge. There is a provision for the establishment of 1734 Fast Track Courts out of which 1370 have started functioning in the different states.\(^{30}\)

To enable the courts to discharge their multi-faceted functions effectively, it is extremely important that courts enjoy independence. Therefore, independence of judiciary becomes a basic creed in democratic society.

In fashioning the provisions related to the Judiciary, (at the time of drafting of the constitution of India) the greatest importance was attached to making the Judiciary independent and impartial. So far as the appointment of Judges\(^{31}\) is concerned, in terms of the Supreme Court decision in the Supreme Court Advocates on Record vs. Union of India\(^{32}\), there prevails judicial supremacy in the matter of appointment of judges.

The salaries, allowances and pensions of Judges of Supreme court and that of High courts are charged upon the Consolidated Fund of India and Consolidated Fund of States respectively and cannot be altered to their disadvantage after their appointment.\(^{33}\)

Again, the judges of the Supreme Court and the High Courts have the security of tenure. They cannot be removed from office except by an order of the President and that too only on the ground of proved

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\(^{30}\) These courts were established on the recommendation of 11th finance commission. The initial scheme of fast track courts was to end the year 2005 Government of India has extended it to the year 2010 providing central support to the states

Dr. Manmohan Singh: Administration of Justice on fast track (2007) 4 SCC J, p-11

\(^{31}\) Discussed in detail in chapter 3 of this thesis

\(^{32}\) 1993 (4) SCC 441

\(^{33}\) Article 112 & 202 of the constitution of India
misbehaviour or incapacity, supported by a resolution adopted by a majority of total membership of each House of Parliament and also by a majority of not less than 2/3 of the members of the House present and voting\textsuperscript{34}. Parliament may, however, regulate the procedure for presentation of the address and for investigation and proof of the misbehaviour or incapacity of a Judge.\textsuperscript{35}

Again, Neither in the Parliament nor in the State Legislature, a discussion can take place with respect to the conduct of a Judge of the Supreme Court or High Court for anything done by him in discharge of his duties\textsuperscript{36} Except that in parliament it may be done when a judge is being impeached.

The Supreme Court and the High Court have the power to punish any person for its contempt. This power is the sine qua non for maintaining independence and impartiality of the Judiciary.\textsuperscript{37}

Article 50 directs the state to initiate steps to separate the Executive from the Judiciary. The constitution accords a place of pride to the Judiciary by conferring on it the power of judicial review of Legislative and Executive actions.

Admittedly, the Executive, the Legislature and the Judiciary are three basic organs of the state. In the present scenario when the Executive has become insensitive to the people’s sentiments, emotions and human rights and the Legislatures have failed to legislate as per the changing needs of the society, the

\begin{itemize}
  \item Articles 124(4) & 217 (1) (b) of the constitution of India
  \item Clause (5) of Article 124; The Parliament enacted The Judges (Inquiry) Act 1968, in the exercise of the power conferred by Article 124 (5)
  \item Article 121 & Article 211 provides that no discussion shall take place in parliament with respect to conduct of any judge of the Supreme Court or of a High court in the discharge of his duties except upon a motion for presenting an address to the President for the removal of Judges as hereinafter provided.
  \item Article 129 and Article 215 of the constitution,Discussed in detail in chapter 3 of this thesis
\end{itemize}

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only hope of citizens lies with the Judiciary. In fact, the Judiciary\textsuperscript{38} has tried its level best to serve the people and save the democracy.\textsuperscript{39}

1.5 OBJECTIVES
The primary objectives of the study are: Firstly, to make an assessment as to the contribution of the Judiciary in achieving the objectives enshrined in the Constitution through progressive and liberal interpretation of various provisions of the Constitution.

Secondly, to identify the deficiencies which have crept into the present day legal system.

And thirdly, to suggest remedial measures to make Justice Delivery System more efficient within the existing framework.

1.6 METHODOLOGY OF RESEARCH
Primarily, the study is theoretical and doctrinaire with some empirical inputs in the form of response collection. Lawyers, Judges, Law Teachers, Social Activists and other citizens have been interviewed on the basis of a prepared Questionnaire to elicit their views regarding the efficacy of Justice Delivery System in India.

1.7 RESEARCH HYPOTHESIS
Inspite of many institutional and functional problems with the present judicial system, the Judiciary has been trying to secure justice to the people and the Supreme Court of India has made an important and effective contribution in this regard since its inception.

1.8 PLAN OF STUDY
The present work is divided into SEVEN CHAPTERS which are as under:

\textsuperscript{38} Especially, the higher Judiciary
\textsuperscript{39} Discussed in detail in chapter 4 of this thesis at page no. 26; under the heading protection of democratic character
CHAPTER I deals with the objectives of the study, methodology of research, research hypothesis and the plan of study.

CHAPER II deals with the historical background of Justice Delivery System in India during the Ancient, the Muslim and the British times.

Chapter III is devoted to the analysis of Infrastructure functioning and Jurisdiction of the Supreme Court, High Courts and the Subordinate Courts. Besides, these Courts other judicial forums like Consumer Courts, Lok Adalats and fast track are also discussed. There are certain other important issues relating to judiciary like the appointment of judges, removal of judges, and transfer of judges they are also discussed in this chapter.

Chapter IV focuses on the functional aspects of 58 years of ‘Justice Delivery System in India’. In this chapter, an assessment has been made as to the contribution of the Judiciary especially, the Supreme Court in achieving the objectives enshrined in the Constitution through progressive and liberal interpretation of the various provisions of the Constitution.

A survey of working of about half a century of Indian Judicial System reveal that this system which had worked smoothly and satisfactorily for centuries has failed to deliver Justice expeditiously (There is a well known saying that justice delayed is justice denied.) With 30 million cases pending in various courts and an average time span of 15 years to get the dispute resolved through court system the system can hardly be described as satisfactory. Besides Legal delays, there are certain other challenges before Indian Judiciary for instance; there is a challenge of Expensive Justice, Administration of criminal Justice appears to be at the Cross Roads and Corruption in Judiciary and Non-Accountability of Judges. Therefore, an attempt is made in Chapter V to highlight these issues and to suggest remedial measures for improving the System.
Chapter-VI is devoted to an empirical assessment of Justice Delivery System in India in the form of response collection. Responses have been drawn from amongst Judges, Law Teacher, Lawyers, and the General Public.

On the basis of the study, certain conclusions are drawn and suggestions are made to improve the existing Judicial System and to make this organ of the state more effective and purposeful in the last chapter.