



CURRENT AFFAIRS



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"THE FIRST DOOR OF JUSTICE: OVERCOMING STRUGGLES IN THE LOWER JUDICIARY"

This article covers "Daily Current Affairs" and topic details of the District Judiciary and related issues.

Syllabus mapping:

GS-3: Polity- The organization, envisaged role, and actual working of the subordinate judiciary.

For Prelims:

What is the Lower judiciary, constitutional provisions, district Judge appointment, other judicial officers, and organization of the lower judiciary?

For Mains:

What are the features of the lower judiciary, issues grappled to the lower Judiciary, steps taken by the government to improve the performance, and way forward to make the lower judiciary as face of the judicial system in India?

Why in the News?

President of India Graces Valedictory Session of National Conference of District Judiciary. President Droupadi Murmu attended the closing session of the National Conference of District Judiciary, organized by the Supreme Court of India. During the event, she unveiled the Supreme Court's new flag and insignia. In her address at the valedictory session of the National Conference of District Judiciary, President Droupadi Murmu highlighted both the progress and ongoing challenges facing the judiciary at the district level. She acknowledged recent improvements in infrastructure, facilities, training, and human resources for district courts but emphasized that more work is needed to fully address these areas.



What is the Lower Judiciary/ First door of the Judiciary?

Definition: The lower judiciary refers to the network of courts that operate below the High Courts and Supreme Court in India, including District Courts and Subordinate Courts such as Magistrate Courts and Civil Judge Courts. These courts handle the bulk of cases involving civil disputes, criminal offenses, family matters, and other legal issues, serving as the first point of contact for litigants and playing a crucial role in the initial adjudication of legal matters.

Constitutional Provisions:

Constitutional Provisions for the Lower Judiciary: Articles 233 to 237 (Part six).

Structure and Jurisdiction of Subordinate Courts: The structure, jurisdiction, and names of subordinate courts are determined by individual states, leading to some variation across states. However, the general organization is as follows:

1. District Judge: The highest judicial authority in the district, serving both as the District Judge (for civil cases) and the Sessions Judge (for criminal cases).

Jurisdiction:

a. Civil: The District Judge handles civil matters and exercises original and appellate jurisdiction.

b. Criminal: As the Sessions Judge, he hears criminal cases and can impose any sentence, including life imprisonment and the death penalty.

Powers: The District Judge has judicial and administrative powers and supervises all subordinate courts in the district. Appeals against his decisions are made to the High Court.

2. Court of Subordinate Judge and Chief Judicial Magistrate:

a. Civil Side: The Court of Subordinate Judges handles civil cases and has unlimited pecuniary jurisdiction.

b. Criminal Side: The Chief Judicial Magistrate deals with criminal cases punishable by imprisonment up to seven years.

3. Court of Munsiff and Court of Judicial Magistrate:

Court of Munsiff: The Court of Munsiff, which has limited jurisdiction, decides on civil cases involving small pecuniary amounts.

Court of Judicial Magistrate: The Court of Judicial Magistrate handles criminal cases punishable by imprisonment up to three years.

4. Metropolitan Courts:

Civil Side: In metropolitan cities, City Civil Courts, led by Chief Judges, deal with civil matters.

Criminal Side: Courts of Metropolitan Magistrates handle criminal cases.

5. Small Causes Courts:

Function: These courts, found in some states and presidential towns, handle civil cases of small value in a summary manner.

Appeals: Their decisions are final, but the High Court has revisionary powers.

6. Panchayat Courts:

Function: Panchayat Courts, also known as Nyaya Panchayat, Gram Kutchery, Adalati Panchayat, or Panchayat Adalat, deal with petty civil and criminal cases at the local level.



SIGNIFICANCE OF THE LOWER JUDICIARY:

1. The foundation of the Legal System: The lower judiciary, consisting of district and subordinate courts, is the bedrock of the legal system. According to the CJI, the lower judiciary serves as the initial point of contact for most individuals seeking justice, handling a vast array of cases ranging from civil disputes to criminal offenses. Scholars like Upendra Baxi emphasize that these courts are essential in ensuring that justice is accessible at the grassroots level, providing the primary interface between the legal system and the public.

2. Accessibility to Justice: Lower courts ensure that justice is accessible to ordinary citizens by being present in various districts, thus avoiding the need for long-distance travel to higher courts. Scholars like Upendra Baxi emphasize that these courts are essential in ensuring that justice is accessible at the grassroots level, providing the primary interface between the legal system and the public.

3. Case Management: These courts handle the majority of the judicial caseload, including both routine and complex cases. Their effective management of cases is vital for maintaining the smooth operation of the judicial system. The Malimath Committee Report underscores the importance of efficient case processing at the lower court level to manage the overwhelming volume of cases and ensure timely justice.

4. Public Confidence and Trust: Effective functioning of the lower judiciary is essential for maintaining public trust in the legal system. When lower courts operate efficiently, they reinforce confidence in the justice system, promoting a sense of fairness and accountability. The 14th Law Commission Report highlights that public trust in the judiciary is closely linked to the efficiency and integrity of lower courts.

5. Judicial Independence and Integrity: Ensuring the independence of the lower judiciary is crucial for fair adjudication. These courts must operate free from external influences to uphold justice impartially and maintain the integrity of the judicial process. The Bangalore Principles of Judicial Conduct emphasize the importance of judicial independence and integrity at all levels of the judiciary, including the lower courts.

6. Implementation of Legal Reforms: Lower courts are instrumental in implementing legal reforms and new legislation. Their adaptation to changes in laws and procedures is crucial for the effective administration of justice. The Law Commission of India has frequently recommended reforms to modernize lower courts, recognizing their role in the successful realization of legislative changes and legal innovations.

Issues faced by the LOWER JUDICIARY:

The lower judiciary, comprising district courts and subordinate courts, is often described as the "first door of justice" due to its critical role in providing access to justice for the majority of the population. However, this vital segment of the judicial system faces numerous challenges:

1. Case Pendency: Overall Case Pendency: Approximately 4.5 crore (45 million) cases are pending across various courts in India. Moreover, there is a significant portion of the backlog in lower courts, including district and subordinate courts.

2. Vacancies: Around 30% of judicial posts in the district and subordinate courts are vacant as of 2023. In District Judges, Approximately 300 out of 1,200 sanctioned positions are vacant while in Subordinate Courts about 1,500 out of 5,000 total posts are unfilled.

3. Infrastructure Lacking: Over 40% of district and subordinate courts lack proper facilities such as modern computers and reliable internet.

Courtrooms and Equipment: Many courts are missing basic amenities and technological tools needed for efficient case management and record-keeping.

4. Women Representation: Judicial Representation: Women make up about 30% of the judicial workforce in lower courts. Women in lower courts face challenges such as work-life balance issues, societal biases, and fewer opportunities for career advancement compared to their male counterparts.

5. Under Trials: Undertrial Statistics: Approximately 70% of the prison population consists of undertrials, totaling over 3 lakh (300,000) individuals. Many undertrials remain in custody for extended periods, often exceeding the maximum sentence they would receive if convicted, due to delays and backlogs.

6. Resource Allocation: Financial and human resources for lower courts are often inadequate, including limited support staff, access to legal research tools, and effective case management systems.

7. Access to Justice for Marginalized Groups: The lower judiciary struggles to effectively serve marginalized and economically disadvantaged groups. These individuals often face barriers in accessing justice due to the distance of courts, procedural complexities, and financial constraints.

8. Corruption and Interference: Corrupt practices at the Bar and interference at the clerical level undermine the integrity of the judicial process and the pursuit of justice.

9. Outdated Laws: Many existing laws are over a century old and have become obsolete. These laws need to be repealed or amended to remain relevant and effective.

Recent government Initiatives /Policies to make the lower judiciary more effective:

1. Modernization and Accessibility of Justice

Judicial Modernization: Recognizes efforts to modernize courts and make justice more accessible.

National Conference: Notes the significance of the National Conference of the District Judiciary in addressing key issues such as case management and human resources.

Judicial Wellness: Commends the focus on Judicial Wellness to promote health and well-being in the judiciary.

2. Investment in Judicial Infrastructure

Financial Investment: Details the investment of nearly 8,000 crore rupees in judicial infrastructure over the past decade.

Infrastructure Developments: Mentions the construction of over 7,500 court halls and 11,000 residential units for judges.

3. Technological Advancements

e-Courts Project: Highlights the third phase of the e-Courts Project, which includes creating a unified technology platform.

Emerging Technologies: Discusses the use of AI and Optical Character Recognition to enhance case management and predict future litigations.

4. Legal Reforms

Bharatiya Nyaya Sanhita: Introduces significant changes in the legal framework, including the abolition of colonial-era laws and the recognition of electronic records as evidence.

Training and Awareness: Urges training for district judiciary personnel and public education on new legal frameworks.

5. Addressing Women's and Children's Safety

Fast-Track Courts: Supports the establishment of fast-track special courts and deposition centers for key witnesses.

District Monitoring Committees: Advocates for active District Monitoring Committees to coordinate efforts and ensure swift justice in cases of atrocities against women and children.

6. Lok Adalats and Alternative Dispute Resolution (ADR) Mechanisms: Lok Adalats and ADR mechanisms are implemented to alleviate the burden on traditional courts by offering alternative dispute resolution options. Regular Lok Adalats and the promotion of mediation and arbitration provide efficient ways to resolve disputes outside the conventional court system.

7. National Judicial Data Grid (NJDG): The National Judicial Data Grid (NJDG) aims to centralize case data across courts to improve management and resource allocation. It offers real-time updates on case status, pendency, and disposal rates, facilitating better oversight and case management.

Various measures to improve the performance of the Lower judiciary:

1. Improving Infrastructure and Resources: Modernize court facilities and technology, as recommended by the Law Commission and scholars like Upendra Baxi. The U.S. Federal Judiciary's infrastructure program offers a model for upgrading resources.

2. Filling Judicial Vacancies: Address the shortage of judges by expediting recruitment, as suggested by the Law Commission and Justice J.S. Verma. Germany's structured recruitment process can guide India's efforts.

3. Enhancing Case Management: Implement advanced case management systems to handle high caseloads, as per the High-Level Committee and Marc Galanter. Singapore's e-litigation system serves as a useful example.

Promoting Judicial Independence: Safeguard judicial independence by protecting judges from external pressures, as highlighted by the Bangalore Principles and Professor Richard Ekins. Canada's transparent appointment process is a good reference.

4. Local Justice System Proposal: Reflecting on the Constitution's delegation of powers to local Panchayats and Municipalities, the President proposed considering a similar local justice system. She suggested that providing justice in local languages and conditions could bring justice closer to the people.

5. Need for Coordinated Efforts: The President stressed the need for coordinated efforts between the judiciary, government, and police to tackle issues related to evidence and witnesses. She highlighted that some judicial decisions, particularly in heinous crimes, are delayed, causing a loss of public faith in the judicial process.

6. Access to Justice for Marginalized Groups: The President, expressed concern about the difficulties faced by poor people, especially those from rural areas, who often endure injustice due to the mental and financial strain of engaging with the judicial system. She called for measures to alleviate these challenges and to address the culture of adjournments. Australia's legal aid system can serve as a model for improving access.

7. Focus on Children and Juveniles: The President highlighted the need for better support for children of incarcerated women and juvenile delinquents. She advocated for improvements in their health, education, mental health, and legal aid, emphasizing their future potential and the need for targeted interventions.

8. Implementing Technological Innovations: Advance the e-Courts project and digitalize court processes, supported by the Supreme Court e-Committee. Estonia's digital court system offers a template for modernization.

9. Training and Capacity Building: Invest in regular training for judges and staff, as advised by the Law Commission and Justice M. N. Venkatachaliah. The UK's continuous professional development programs are a useful benchmark.

10. Addressing Corruption and Ethical Issues: Enforce strict anti-corruption measures and ethical standards, as recommended by the Law Commission and Professor Debasree Chakraborty. Hong Kong's anti-corruption framework can guide reforms.

11. Reforming Outdated Laws: Update and codify outdated laws to reflect modern needs, as suggested by the Law Commission and Justice S. Muralidhar. New Zealand's approach to regular legal reform can be a model for India.

CONCLUSION:

The journey toward a 'Viksit Bharat' and a 'Naya Bharat' is deeply intertwined with the modernization of our District Judiciary. As we embrace recent reforms and work towards a more efficient and robust lower judiciary, our collective efforts will pave the way for a justice system that is both accessible and effective. The commitment to this vision not only strengthens the foundation of our legal system but also upholds the

values of justice and fairness that define our democracy. Together, we can realize the dream of a Developed India by 2047, ensuring that every citizen's right to justice is fully honored.

PRELIMS QUESTION:

Q. With reference to the lower judiciary in India, Consider the following statement:

1. A District Judge is also known as a Session judge when he/she Presides over civil cases.
2. The district judge cannot impose capital punishment.
3. The District judge is the head of the district administration in that district.

How many of the above-given statements are correct?

- A. Only one
- B. Only two
- C. All three
- D. None

ANSWER: D

MAINS QUESTION:

How can the implementation of frequent Lok Adalats and alternative dispute resolution mechanisms be optimized to manage the case backlog and expedite the resolution of cases in lower courts?

(150 words 10 marks)

INDIA SEMICONDUCTOR MISSION (ISM)

Why in the news:

Cabinet Approves New Semiconductor Unit in India: Approval: The Union Cabinet, led by Prime Minister Narendra Modi, has approved the proposal for Kaynes Semicon Pvt Ltd to establish a semiconductor unit in Sanand, Gujarat.



What is the Semicon India Programme

The Union Cabinet approved the Semicon India programme in 2021 with a total financial outlay of INR 76,000 crore. This comprehensive initiative aims to develop a robust and sustainable semiconductor and display ecosystem in India.

Organization: ISM operates as an independent Business Division within the Digital India Corporation, ensuring focused and autonomous execution of its goals.

Objectives

The Semicon India program is designed to provide attractive incentive support to companies and consortia involved in various sectors, including:

- 1. Silicon Semiconductor Fabs:** Facilities for producing silicon-based semiconductor chips.
- 2. Display Fabs:** Production units for display technologies like TFT LCD and AMOLED.
- 3. Compound Semiconductors / Silicon Photonics / Sensors:** Advanced fabs for specialized semiconductor materials and sensors.
- 4. Semiconductor Packaging (ATMP / OSAT):** Facilities for assembling, testing, marking, and packaging semiconductors.
- 5. Semiconductor Design:** Support for the development and design of semiconductor chips and systems.

Key Features

The program aims to boost semiconductor and display manufacturing by facilitating:

Capital Support: Financial incentives to encourage investment in semiconductor and display fabs.

Technological Collaborations: Partnerships and collaborations to advance technological capabilities and innovations within the sector.

Leadership: The mission is spearheaded by global experts from the semiconductor and display sectors, providing high-level guidance and expertise.

Role: ISM serves as the central authority for the strategic and efficient implementation of the Program for Development of Semiconductor and Display Ecosystem.

Coordination: The mission works in close collaboration with various government ministries, departments, agencies, industry stakeholders, and academic institutions to ensure a cohesive and effective deployment of semiconductor initiatives.

Consultation: ISM integrates inputs from diverse stakeholders to refine strategies and facilitate the smooth advancement of semiconductor and display manufacturing projects.

India Semiconductor Mission (ISM) Core Strategies

Strategy: Formulating a comprehensive, long-term strategy for semiconductor and display manufacturing and design. This involves consultation with government bodies, industry leaders, and academia to develop and implement effective policies and frameworks.

Supply Chain: Facilitating the adoption of secure electronics by ensuring a reliable supply chain for semiconductors and displays. This includes managing raw materials, specialty chemicals, gases, and manufacturing equipment to support robust and secure production processes.

Design & Start-up: Supporting the growth of the Indian semiconductor design industry through Electronic Design Automation (EDA) tools, foundry services, and mechanisms tailored for early-stage start-ups. This aims to foster innovation and expansion within the sector.

Intellectual Property: Promoting the generation of indigenous Intellectual Property (IP) and incentivizing the transfer of technologies (ToT). This strategy enhances the country's technological capabilities and fosters innovation within the semiconductor industry.

Partnership: Facilitating collaborations and partnerships with national and international agencies, industries, and institutions. This approach is aimed at driving collaborative research, commercialization, and skill development to strengthen the semiconductor ecosystem.

[Munde Dhananjay Navnath](#)

UNION MINISTER INAUGURATES ASSOCHAM ENVIRONMENT CONFERENCE

SYLLABUS MAPPING:

GS-3 -Environment:Union Minister Inaugurates ASSOCHAM Environment Conference

FOR PRELIMS:

Which Union Minister recently inaugurated the ASSOCHAM Environment Conference, and what key issues were highlighted during the inauguration?

FOR MAINS:

Discuss the significance of the ASSOCHAM Environment Conference and identify the Union Minister who inaugurated the event.

RECENT CONTEXT:

Union minister of state for Environment, Forest and Climate Change, Kirti Vardhan Singh inaugurated the ASSOCHAM Environment and Carbon Conference in New Delhi. The conference theme is “Fostering a collaborative ecosystem for achieving net zero by 2070.” The government aims to achieve net zero emissions by 2070 and fulfill the Vikshit Bharat 2047 vision. He highlighted the success of the Jal Jeevan Mission in solving water crises for rural farmers. The government supports industries and stakeholders in addressing environmental issues.

OVERVIEW OF THE ASSOCHAM ENVIRONMENT CONFERENCE

The ASSOCHAM Environment Conference is a prominent event in India’s environmental calendar, bringing together policymakers, industry leaders, environmental experts, and civil society to discuss pressing environmental issues and sustainable practices. The conference typically covers a wide range of topics, including climate change, pollution control, waste management, and the promotion of green technologies.

THE PRIMARY OBJECTIVES OF THE CONFERENCE ARE TO:

- **Facilitate Multistakeholder Dialogue:** Provide a platform for dialogue between government bodies, industry, and non-governmental organizations to discuss environmental issues and solutions.
- **Promote Sustainable Business Practices:** Encourage businesses to adopt practices that minimize environmental impact and contribute to sustainable development.
- **Influence Environmental Policy:** Offer recommendations and insights that can guide the formulation and implementation of effective environmental policies.
- **Raise Awareness:** Enhance public understanding of environmental issues and the importance of sustainability through informative sessions and discussions.

THE ROLE OF THE UNION MINISTER

The inauguration of the ASSOCHAM Environment Conference by a Union Minister underscores the government's commitment to environmental issues. The Union Minister's presence is symbolic of the importance the government places on the discussions held at the conference. The specific minister who inaugurated the event, often holding a portfolio related to environment or climate change, plays a crucial role in setting the tone for the conference.

THE UNION MINISTER'S SPEECH AT THE INAUGURATION TYPICALLY HIGHLIGHTS:

1. **Facilitate Multistakeholder Dialogue:** Provide a platform for dialogue between government bodies, industry, and non-governmental organizations to discuss environmental issues and solutions.
2. **Promote Sustainable Business Practices:** Encourage businesses to adopt practices that minimize environmental impact and contribute to sustainable development.
3. **Influence Environmental Policy:** Offer recommendations and insights that can guide the formulation and implementation of effective environmental policies.
4. **Raise Awareness:** Enhance public understanding of environmental issues and the importance of sustainability through informative sessions and discussions.

KEY ISSUES HIGHLIGHTED

During the inauguration of the ASSOCHAM Environment Conference, several key issues are often highlighted:

1. **Climate Change:** The impact of climate change on various sectors, including agriculture, water resources, and human health, is a central theme. Discussions may focus on strategies to mitigate climate change effects and adapt to its impacts.
2. **Pollution Control:** Addressing air, water, and soil pollution is a critical concern. The conference may explore policies and technologies for reducing emissions, managing waste, and improving pollution control measures.
3. **Sustainable Development:** The conference often emphasizes the need for sustainable development practices that balance economic growth with environmental conservation. Topics might include green technologies, renewable energy, and sustainable resource management.
4. **Policy Frameworks:** The role of effective policy frameworks in achieving environmental goals is a recurring theme. The conference may provide recommendations for strengthening environmental regulations and enhancing enforcement mechanisms.

IMPLICATIONS FOR ENVIRONMENTAL POLICY

The inauguration of the ASSOCHAM Environment Conference and the discussions that follow have several important implications for environmental policy:

1. **Shaping Policy Formulation:** The insights and recommendations emerging from the conference can influence the development of new policies or the revision of existing ones. Policymakers can use these inputs to address emerging environmental challenges and improve regulatory frameworks.
2. **Fostering Public-Private Partnerships:** The conference highlights the importance of collaboration between the public and private sectors. Engaging businesses in environmental discussions can lead to the development of innovative solutions and practices that contribute to sustainability.
3. **Aligning with International Commitments:** The conference often addresses India's commitments under international environmental agreements, such as the Paris Agreement. Aligning national policies with global standards is crucial for achieving international climate and environmental goals.

4. **Enhancing Public Awareness:** By raising awareness about environmental issues, the conference can drive public support for environmental initiatives. Increased awareness can lead to greater adoption of sustainable practices among individuals and businesses.

CASE STUDIES AND SUCCESS STORIES

1. **Green Technologies:** Earlier conferences have promoted the adoption of green technologies and renewable energy initiatives. These advancements have played a crucial role in reducing India's carbon footprint and transitioning to a more sustainable energy system.
2. **Policy Innovations:** Recommendations from past conferences have contributed to the development of new policies and regulations. For instance, enhanced waste management practices and stricter pollution control measures have been implemented based on insights gained from previous conferences.
3. **Public Awareness Campaigns:** The conference has also been instrumental in launching public awareness campaigns on environmental issues. These campaigns have educated the public on topics such as recycling, energy conservation, and pollution reduction.

CHALLENGES AND AREAS FOR IMPROVEMENT

1. **Effective Implementation:** Translating conference recommendations into actionable policies and practices can be challenging. Successful implementation requires effective coordination among stakeholders, adequate resources, and sustained commitment.
2. **Comprehensive Coverage:** The broad range of topics covered at the conference means that some issues may receive less attention. Prioritizing and addressing the most pressing environmental challenges is crucial for achieving meaningful outcomes.
3. **Inclusive Participation:** Ensuring that all relevant stakeholders, including marginalized communities and small businesses, are actively involved is essential for developing comprehensive and equitable environmental solutions.

FUTURE DIRECTIONS

Looking ahead, the ASSOCHAM Environment Conference can continue to play a vital role in advancing environmental sustainability. Future conferences could focus on:

1. **Innovative Solutions:** Exploring new technologies and approaches for addressing environmental challenges, such as advanced pollution control methods and sustainable agriculture practices.
2. **Global Collaboration:** Strengthening collaboration with international organizations and other countries to address global environmental issues and align with international agreements.
3. **Enhanced Stakeholder Engagement:** Increasing participation from a diverse range of stakeholders, including local communities, small businesses, and academia, to ensure that all perspectives are considered.

CONCLUSION:

The inauguration of the ASSOCHAM Environment Conference by a Union Minister highlights the importance of collaborative efforts in addressing environmental challenges and promoting sustainable development. The conference serves as a vital platform for dialogue, policy formulation, and the advancement of sustainable practices. As India continues to grapple with environmental issues, such events play a crucial role in shaping the future of environmental policy and fostering a more sustainable and resilient society.



PRELIMS QUESTION:

Q. Which Union Minister recently inaugurated the ASSOCHAM Environment Conference?

- A) Union Minister for Environment, Forest, and Climate Change
- B) Union Minister for Commerce and Industry
- C) Union Minister for Agriculture and Farmers' Welfare
- D) Union Minister for Science and Technology

Answer: (A)

MAINS QUESTION:

Q. Discuss the significance of the recent ASSOCHAM Environment Conference inaugurated by the Union Minister. How do such conferences contribute to shaping environmental policy and promoting sustainable development in India? (150)

[Ritik singh](#)