**STRENGTHENING LEGAL SERVICES &JUDICIAL SERVICES SYSTEM**

GLORY OF THE JUDICIARY

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MANUSMRITI, ARTHASHASTRA BY KAUTILYA AND QURAN REFER TO LAW, HON’BLE JUDGES, COURTS AND THE LEARNED ADVOCATES. “The profession of law is called a Noble profession. Its nobility has to be preserved, protected and promoted. An Institution cannot survive in its name or on its past glory alone. The Glory and Greatness of an Institution rests upon the performance with grace and dignity. The profession of Law being Noble and Honourable one, it has to continue its meaningful, useful and purposeful performance inspire by keeping in view the High and Rich traditions consistent with its grace, Dignity, utility, Reputation and the Prestige in the Society,”Observed by Hon’ble Sri Justice SHIVARAJ V. PATIL.,of Hon’ble Supreme Court of India, (as he then was) IN SATISH KUMAR SHARMA VS. BAR COUNCIL OF H.P( AIR 2001 SC 509).

As a matter of fact the Bar is the mother of the Bench. The popular version about the relationship of the Bar and the Bench is regarded as both being the “Wheels of the chariot of Justice”. Generally, Court are considered as Temple of Justice where Prasadam is given in the form of end product of “Justice”. He ought to remember that he is not himself an author of his deeds. He is only an actor who has to play his role conforming himself to the will of the God. According to Islam, such surrender is the supreme act of religion. While the essence of Christian daily prayer is- “Thy will be done, O Lord”. A Judge would always feel and proclaim that all that he had or he does is to carry out the will of the God.

“Believing in God has more to do with heart than with the head. God always gives His best to those who leave choice to Him. God understands our prayers even when we cant find the words to say them. In reality, we see God every day, we just don’t recognize Him. When your life is filled with the desire to see God in every day life, something magical happens………. ordinary life becomes extraordinary.”

THE GLORY OF THE JUDICIARY: The CONCEPT OF JUDGESHIP IN GITA: According to Shrimad Bhagvad Gita, a Judge is a person bestowed with ‘excellence’. A judge ought to be bestowed with the sense of complete detachment and humility. He ought to remember that he is not himself an author of his deeds. A Judge would always feel and proclaim that all that he had or he does is to carry out the will of the God.

Hon’ble Sri Justice P.SATHASIVAM , the then Hon’ble Chief Justice, Supreme Court of India, in O.P.SHARMA 7 OTHERS S. HIGH COURT OF PUNJAB & HARYANA ((2011) 6 SUPREME COURT CASES 86) observed “The role and status of lawyers is accounted as extremely vital . They were considered intellectuals amongst the elites of the country and social activities amongst the downtrodden. These include the names of galaxy of lawyers like Mahatma Gandhiji , Motilal Nehru, Jawarharlal Nehru,Bhulabhai Desai, C.Rajagopalachari, Dr Rajendra Prasad and Dr. B.R.Ambedkar, to name a few. Lawyers are the Officers of the Court in the Administration of Justice.

IN ALL INDIA JUDGES ASSOCIATION VS UNION OF INDIA (1992 AIR 165), Hon’ble Sri Justice P.B.Sawant, Judge, Hon’ble Supreme Court of India has held that Rendering justice is a difficult job. Unless the judicial officer has a reasonably worry free mental condition, it would be difficult to expect unsoiled justice from his hands.

By 2020 an estimate of 90% of Lawyers in India will have Office Online. We can get potential Clients online. The Lawyers have showing their credentials on the Web largest Lawyers Directory. The benefits of Prepaid Legal Service Online are the customers/Clients receive many benefits including document review and preparation, general telephone advice and Online and offline consultations which is the best plan. What is your question of legal issues. Even disputes like quarrels over the Property lines can be resolves easily with prepaid legal service Plan. How the plan works such as planning and advising about Family Law, Bankruptcy, Medical negligence, motor accident negligence and employment issues etc., The prepaid legal services online assist those who want questions of law answered without engaging An Advocate since the Lawyer drafts many types of documents and the lawyer performs the service through Online.

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 STRENGTHENING JUSTICE DELIVERY SYSTEM: The justice delivery system will be considered to be satisfactory when it renders speedy, fair and efficient justice at a reasonable and affordable cost which results in maintenance of rule of law. To achieve this goal, it is not sufficient to merely improve the performance of judges but a parallel effort should be made : (i) to reform the legal profession; (ii) to improve legal education.

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STRENTHENING JUSTICE DELIVERY SYSTEM:

The law declared by the Supreme Court is binding on all courts in India and the legal position enunciated by the State High Court is binding on all the courts in the respective States under Article 141 of the Constitution of India.

Large number of acquittals in criminal cases is mainly due to three reasons. The first is the criminal procedure which is tailored to give effect to the doctrine that “Let hundred guilty go unpunished but not one innocent should be wrongly punished” is constantly misused by defense lawyers. The second is the lacunae in investigation (by the police) and in prosecution (by the prosecuting agency). Recording of complaints/first information is delayed. Many a time, cases are not even registered. Material documents are fabricated, tampered, interpolated. Cognizable offences are discreetly converted into non-cognizable offences. Search and seizures are tailor-made. Third degree methods are used to extract false confessions. The third is delay. When there is delay witnesses forget; witnesses die; witnesses are threatened, or witnesses are bought and either their mouths are shut or they are made to turn hostile. As a result, majority of contested criminal trials result in the acquittal of the accused, by giving benefit of doubt, on the ground that guilt has not been proved beyond reasonable doubt. Emboldened by the lack of convictions, slowly and steadily, more and more commit crimes as they believe that they can get away with the crime, creating a crime ridden society. Unfortunately, the blame for the high percentage of acquittals (almost 75% in contested criminal trials) is placed at the doorsteps of the Judiciary.

During the Hon’ble Chief Justices Conference at New. Delhi in April 2016, the Conference has Resolved that The Chief Justices must adopt proactive steps to :

1. Identify the infrastructural needs of the State Judiciary by developing suitable five year and annual action plans for the future;
2. Ensure the completion of under construction projects pending for three or more years on a mission mode basis;
3. Ensure timely completion of projects for the construction of court complexes and residential accommodation, particularly for Judges in the District Judiciary;
4. Constitute a Committee of three Judges of the High Court of which Chief Secretary and the Secretaries of the Departments of Finance, Public works and Law be co-opted as Members to closely monitor the timely completion of projects and to facilitate a proper coordination between the officials at the district level and the decision-making authorities of the State.

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Part B: Creation of new posts/ revision of cadre strength at all levels along with supporting staff.

Having reviewed the data emanating from the State Judiciaries in regard to

1. Sanction and creation of new posts;
2. Revision of cadre strength at all levels;
3. Availability of supporting staff with requisite infrastructure;
4. Position of vacancies of Judges and of supporting staff in State judiciaries; and
5. Recruitment at the induction level of judicial Magistrates by the High Courts themselves in some States and through Public Service Commissions in others,.

The justice delivery system will be considered to be satisfactory when it renders speedy, fair and efficient justice at a reasonable and affordable cost which results in maintenance of rule of law, securing human rights and ensuring constitutional good governance. To achieve this goal, it is not sufficient to merely improve the performance of judges but a parallel effort should be made : (i) to reform the legal profession; (ii) to improve legal education; and (iii) to ensure that better laws are made and bad laws are repealed.

***DIGITALIZATION AND GLOBALISATION: DIGITALIZATION IS TO ENSURE THAT GOVERNMENT SERVICES AND PROFESSIONAL SERVICES ARE MADE AVAILABLE TO CITIZENS ELECTRONICALLY BY ONLINE INFRACSTRUCTURE AND BY INCREASING INTERNET CONNECTIVITY OR BY MAKING THE COUNTRY DIGITALLY EMPOWERED IN THE FIELD OF TECHNOLOGY. GLOBALIZATION HAS BECOME A WORD SO COMMON IN OUR EVERY DAY VERNACULAR THAT WE HARDLY TAKE INTO ACCOUNT WHAT IT MEANS OR WHAT CAUSED IT. TO A LARGE DEGREE, THE INTERNET AND TECHNOLOGY ADVANCES HAVE ACCELERATED OVER THE MARKETS AND OUR LIVES BEING INTERNATIONALLY BOUND TOGETHER. THAT IS TO SAY, WE ARE ALL CONNECTED. THE GOOD NEWS IS THAT TECHNOLOGY IS HELPING US TOWARDS HAVING MORE EFFICIENT CITIES , BUT WE HAVE TO GO A LONG WAY TO REACH TOTAL SUCCES***

“Justice delayed is justice denied’ is popularly known and oft repeated maxim. There is two distinct part of this article, one is the obligation to provide justice to the ‘We, The People …’ and the next is to deny it by delaying it.. So far the first part is concerned the socio-economic scenario prevailing in the Country leaves no room for doubt that the people entitled to getting justice for their day to day problems faced by them being human beings. Article 247 of the Constitution provides for establishment of any additional Courts through legislation for better administration of Law made by Parliament but the Government did not take any steps till date. Despite 120th Report of the Law Commission recommending the increase of strength of Judges from 10.5 to 50 Judges per million population, nothing has been achieved. IN ALL INDIA JUDGES ASSOCIATION VS. UNION OF INDIA (AIR 2002 SC 1752), the Hon’ble Supreme Court has directed an increase in the Judges strength from the existing 10.5 per 10 lakh people to 50 Judges per 10 lakh people. (Constitutional Obligation to Dispense Justice :Denial of Justice by Delay)(AIR 2014 August 138).

**Justice is the quest of man and sense of injustice breeds contempt to system and finally to rebellion. For peaceful social society justice is must. All the stakeholders i.e., judges, the learned Advocates, Government, Police officials, and staff members to strive unitedly with cooperation and coordination to secure justice to its seekers**.

SATAYAMEVA JAYETHER- MERA BHARATH MAHAAN- JAIHIND