ACCESS TO JUSTICE AND JUDICIAL DELAY: A REVIEW OF THE FUNCTIONING OF SUBORDINATE COURTS IN TELANGANA

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ABSTRACT

Access to justice is an essential component of the rule of law and a fundamental requirement for the protection of constitutional rights. In India, subordinate courts play a crucial role in delivering justice because they constitute the primary point of contact between citizens and the judicial system. However, judicial delay, increasing case pendency, inadequate judicial infrastructure, shortages of judicial personnel, procedural complexities, and difficulties in accessing legal services continue to affect the effective administration of justice. These challenges are particularly significant for economically weaker sections, women, Scheduled Castes, Scheduled Tribes, rural communities, and other disadvantaged groups who depend on the judicial system for the protection of their rights. This paper critically reviews access to justice and judicial delay in the subordinate courts of Telangana, examining the constitutional framework, institutional functioning, procedural barriers, technological developments, and legal aid mechanisms. It also considers the potential contribution of e-Courts, alternative dispute resolution, mediation, case management, and judicial appointments to improving the timely disposal of cases. The paper adopts a doctrinal and analytical research methodology based on constitutional provisions, legislation, judicial decisions, official reports, and relevant scholarly literature. It argues that speedy justice requires more than the formal availability of courts; it demands accessible institutions, effective case management, adequate resources, procedural fairness, and accountability. The paper concludes with practical recommendations for reducing avoidable delays and strengthening the accessibility, efficiency, and fairness of subordinate courts in Telangana.

Keywords: Access to Justice, Judicial Delay, Subordinate Courts, Telangana Judiciary, Case Pendency, Speedy Trial, Legal Aid, Judicial Reforms, e-Courts, Alternative Dispute Resolution.

Introduction

Access to justice is a foundational principle of a democratic society governed by the rule of law. It ensures that individuals can approach appropriate legal institutions to protect their rights, resolve disputes, obtain remedies for unlawful conduct, and challenge the exercise of public power. A judicial system can fulfil its constitutional responsibilities only when justice is not merely available in theory but is practically accessible, affordable, impartial, and delivered within a reasonable period.

In India, the subordinate judiciary occupies a central position in the administration of justice. District courts, civil courts, criminal courts, family courts, and other courts exercising jurisdiction at the district and local levels deal with a substantial proportion of litigation. They adjudicate civil disputes, criminal prosecutions, matrimonial matters, property claims, commercial disagreements, and disputes involving individual liberty and fundamental rights. Consequently, the efficiency of subordinate courts directly affects public confidence in the justice delivery system.

Judicial delay is one of the persistent challenges confronting the Indian judiciary. Delays may arise from judicial vacancies, inadequate infrastructure, procedural complications, frequent adjournments, ineffective service of summons, delayed investigations, non-appearance of parties and witnesses, insufficient coordination between institutions, and limitations in legal assistance. Although certain delays are necessary to protect due process and ensure a fair hearing, prolonged and avoidable delays may undermine the very purpose of litigation.

The problem is particularly important in Telangana, where the subordinate judiciary serves a diverse population across metropolitan Hyderabad, expanding urban centres, district headquarters, and rural areas. Differences in geographical accessibility, economic circumstances, digital literacy, legal awareness, and availability of professional legal services may influence the ability of individuals to pursue remedies effectively.

The establishment and development of judicial institutions in Telangana must therefore be assessed not only through the number of courts established or cases disposed of but also through the quality, timeliness, affordability, and fairness of judicial outcomes. The constitutional commitment to equal justice is reflected in Articles 14 and 21 of the Constitution of India. Article 14 guarantees equality before the law and equal protection of the laws, while

Article 21 protects life and personal liberty through a judicially developed framework of fair, just, and reasonable procedure. Article 39A directs the State to ensure that the legal system promotes justice on the basis of equal opportunity and provides free legal aid so that opportunities for securing justice are not denied because of economic or other disabilities. Against this background, the present paper examines the relationship between access to justice and judicial delay, with particular reference to the functioning of subordinate courts in Telangana. It evaluates existing institutional arrangements, identifies major barriers to timely adjudication, and proposes reforms to strengthen the delivery of justice.

Concept and Meaning of Access to Justice

Access to justice extends beyond the formal right to institute legal proceedings. It involves the practical ability of individuals to understand their legal rights, obtain legal advice, approach competent institutions, participate effectively in proceedings, and secure meaningful remedies. The concept has several interconnected dimensions.

Legal Accessibility: Legal accessibility concerns the availability of courts and legal institutions within a reasonable geographical distance. Individuals living in remote or poorly connected areas may face additional travel expenses, loss of wages, and difficulties attending repeated hearings. The location of courts, availability of transport, and accessibility of court buildings therefore influence the practical enjoyment of legal rights.

Economic Accessibility: Litigation may involve court fees, professional fees, travel expenses, documentation costs, and indirect losses resulting from repeated appearances. For economically disadvantaged persons, these expenses may discourage the initiation or continuation of proceedings. Article 39A and the Legal Services Authorities Act, 1987, provide an important framework for addressing such barriers through legal aid and related services.

Procedural Accessibility

Court procedures must be sufficiently understandable and efficient to enable litigants to pursue their claims. Complex procedural requirements, repeated adjournments, delays in issuing summons, difficulties obtaining records, and prolonged execution proceedings can make formal remedies practically ineffective.

Procedural accessibility does not mean eliminating safeguards. Rather, it requires simplifying

unnecessary formalities while preserving natural justice, impartial adjudication, and the rights of all parties.

Social Accessibility: Social and structural inequalities can influence access to justice. Caste discrimination, gender inequality, disability, language barriers, poverty, and limited legal awareness may prevent individuals from approaching courts or participating effectively in proceedings. For victims of offences involving vulnerable communities, access to justice may require legal representation, interpretation, protection against intimidation, and appropriate assistance throughout the proceedings.

Effective Remedies: Access to justice is incomplete when a person obtains a favourable judgment but cannot secure its implementation. Delays in executing decrees, enforcing maintenance orders, recovering compensation, or implementing judicial directions may reduce the practical value of judicial remedies. Thus, an effective justice delivery system must ensure not only access to courts but also timely adjudication and meaningful enforcement of decisions.

Review of Literature

The relationship between access to justice and judicial delay has received considerable attention in Indian constitutional jurisprudence, judicial administration, and socio-legal scholarship. The existing literature indicates that delay cannot be understood solely as a problem of insufficient judicial disposal. It is also connected with procedural design, institutional capacity, economic inequality, legal awareness, and the quality of administrative coordination.

Law Commission of India

The Law Commission of India has examined various aspects of judicial administration, court management, judicial manpower, and procedural reform in its reports. Its work on judicial delays and arrears highlights the importance of adequate judicial strength, improved court administration, procedural efficiency, and the systematic assessment of caseloads. The Law Commission's 245th Report, *Arrears and Backlog: Creating Additional Judicial (wo)manpower*, examined the problem of judicial arrears and the need to strengthen the institutional capacity of courts. The report is relevant because judicial delay must be addressed through appropriate manpower planning and administrative reforms rather than by relying

exclusively on judges to dispose of more cases.

Justice V. R. Krishna Iyer

Justice V. R. Krishna Iyer consistently emphasised the relationship between social justice, legal aid, and the effective administration of justice. His judicial philosophy recognised that formal equality before the law is insufficient when economic and social disadvantages prevent individuals from obtaining meaningful legal remedies. This approach is particularly relevant to subordinate courts because financially disadvantaged litigants often bear a disproportionate burden when proceedings are prolonged. Repeated hearings, transportation expenses, loss of wages, and uncertainty regarding outcomes may weaken their ability to pursue legitimate claims.

Access to Justice and Legal Aid

Research concerning legal aid in India demonstrates that the availability of free legal representation is an essential but incomplete component of access to justice. Effective legal aid also requires competent advocates, timely communication, legal awareness, appropriate interpretation facilities, and institutional monitoring. The Legal Services Authorities Act, 1987, establishes an important framework for providing legal services to eligible persons. However, the practical effectiveness of this framework depends on whether beneficiaries know about their entitlements and receive meaningful assistance at the appropriate stages of litigation.

Judicial Administration and Case Management

Studies of judicial administration frequently identify case scheduling, service of summons, witness attendance, adjournment practices, judicial vacancies, and administrative support as significant factors affecting case disposal. Case management is important because different categories of disputes require different approaches. A straightforward money recovery suit, a criminal prosecution involving several witnesses, a matrimonial dispute, and a complex commercial case cannot necessarily be resolved through identical procedural schedules. The literature supports differentiated case management, realistic hearing schedules, early identification of disputed issues, and the monitoring of cases that remain pending for unusually long periods.

Functioning of Subordinate Courts in Telangana

The subordinate judiciary forms the operational foundation of the judicial system in Telangana. It is responsible for adjudicating a broad range of disputes and administering justice at the district and local levels. The institutional structure includes district courts, civil and criminal courts, family courts, comamercial courts where established, and specialised courts exercising jurisdiction under particular enactments. The exact jurisdiction of each court depends on the relevant legislation, territorial limits, pecuniary jurisdiction, and applicable judicial arrangements.

District-Level Judicial Administration

District courts serve as important centres of judicial administration. In addition to exercising original and appellate jurisdiction as prescribed by law, district judicial establishments coordinate the functioning of subordinate courts within their respective jurisdictions. The effectiveness of district-level administration depends on judicial staffing, registry support, courtrooms, record management, process-serving arrangements, digital infrastructure, and coordination with police, prosecution, prisons, forensic institutions, and legal services authorities. Where these institutional arrangements function efficiently, proceedings are more likely to progress in an orderly manner. Conversely, deficiencies in one part of the system may create delays throughout the litigation process.

Urban and Rural Differences

Telangana contains both major urban centres and rural districts with differing patterns of litigation and access to legal services. Hyderabad and other expanding urban centres may experience substantial civil, commercial, matrimonial, and criminal caseloads associated with population growth and economic activity. Rural litigants may encounter different obstacles, including transportation difficulties, limited legal awareness, loss of daily income, language-related barriers, and the cost of repeated visits to court.

These differences indicate that judicial planning should be sensitive to local circumstances. Infrastructure and staffing requirements should be assessed using caseloads, geographical coverage, population needs, case complexity, and service accessibility rather than relying exclusively on uniform allocation criteria.

Specialised Courts and Special Jurisdiction

Specialised courts can improve adjudication by developing expertise in particular categories of disputes. Family courts, commercial courts, and designated special courts may help address specific procedural or substantive requirements. However, the creation of specialised courts alone does not guarantee speedy justice. Their effectiveness depends on adequate staffing, the availability of supporting personnel, suitable infrastructure, effective case allocation, and coordination with other institutions. Where specialised courts receive substantial caseloads without corresponding administrative resources, the intended benefits may be reduced.

Institutional Performance and Public Confidence

Public confidence in the judiciary depends on independence, impartiality, accessibility, and the timely resolution of disputes. When cases remain unresolved for extended periods, litigants may perceive the legal system as costly, uncertain, or ineffective.

Nevertheless, court performance should not be measured exclusively through disposal totals. A high disposal rate does not necessarily indicate that complex or long-pending cases are being resolved effectively. Similarly, an increase in pending cases does not by itself prove that judicial officers are performing inadequately, because new case filings, case complexity, vacancies, and administrative constraints also influence pendency.

A balanced evaluation should therefore examine the number of cases instituted, disposed of, and pending, together with case age, procedural stage, judicial availability, and the quality of adjudication.

Judicial Pendency and Delay: Statistical Perspective

Judicial statistics are essential for understanding the scale of case pendency and identifying areas requiring institutional intervention. In India, the National Judicial Data Grid (NJDG) provides publicly accessible information on pending and disposed cases across district and subordinate courts and High Courts. The system permits analysis by state, district, case category, procedural stage, and age of pendency. Its data are updated through information supplied by the respective courts.

Telangana's Pendency: An Illustrative Statistical Assessment

A report published by *The New Indian Express* on 7 April 2025, referring to information

submitted by the Union Ministry of Law and Justice to Parliament, reported that 9,37,881 cases were pending in Telangana's district and subordinate courts, while 2,44,532 cases were pending in the High Court at the time covered by the report. It also reported that 13,861 cases in the district and subordinate courts had remained pending for approximately ten years. These figures are historical snapshots and should not be treated as current totals for October 2026.

The figures illustrate the scale of the challenge facing the subordinate judiciary. However, they must be interpreted carefully. A total pendency figure does not reveal how many cases are ready for final hearing, awaiting evidence, affected by stays, delayed because of non-service of summons, or pending for reasons outside the immediate control of the court. For an accurate assessment of Telangana's present position, the latest available NJDG data should be extracted on a specified date and compared with historical figures from equivalent dates.

Major Causes of Judicial Delay in Subordinate Courts

Judicial delay is a multifaceted institutional problem. No single cause can adequately explain the accumulation of pending cases. Its principal causes are examined below.

Judicial Vacancies and Inadequate Manpower

The availability of sufficient judicial officers is fundamental to timely adjudication. When sanctioned judicial posts remain vacant or the number of available officers is insufficient relative to the workload, courts may struggle to provide regular hearings and resolve pending matters efficiently.

Judicial work also requires administrative assistance from court staff, stenographers, record personnel, process servers, and technical employees. Shortages in these supporting positions may affect the functioning of otherwise adequately staffed courts. The appropriate response is not merely to increase the number of judicial officers but to develop a systematic manpower plan that considers new filings, existing pendency, case complexity, geographical needs, and the time required to fill vacancies.

Frequent Adjournments

Repeated adjournments can substantially extend the duration of litigation. They may arise from the non-appearance of parties, requests by counsel, unavailable witnesses, incomplete

pleadings, delayed production of documents, or failure to complete procedural requirements.

Some adjournments are unavoidable and necessary to ensure fairness. However, repeated postponements without sufficient justification undermine procedural efficiency and increase costs for litigants. Courts should apply existing procedural safeguards consistently, record reasons for adjournments where required, and adopt realistic hearing schedules that reduce avoidable postponements.

Delays in Service of Summons and Notices

Service of summons and notices is an essential step in ensuring that parties receive an opportunity to participate in proceedings. Incomplete addresses, changes of residence, ineffective service arrangements, and delays in reporting service may prevent cases from progressing. Improved address verification, electronic service where legally authorised, effective process-serving arrangements, and timely monitoring of service reports can reduce these delays.

Digital methods should supplement, rather than automatically replace, legally required service procedures, particularly where parties lack reliable access to electronic communication.

Delays in Investigation and Prosecution

Criminal proceedings depend on effective coordination between investigating agencies, prosecutors, forensic institutions, prisons, witnesses, and courts. Delayed investigations, incomplete charge sheets, late forensic reports, non-production of witnesses, and inadequate preparation may affect the progress of criminal cases.

These problems cannot be resolved by the judiciary alone. They require administrative coordination, sufficient investigative resources, timely forensic examination, effective witness management, and accountability for avoidable delays.

Procedural Complexity

Civil and criminal proceedings involve multiple stages intended to protect substantive rights and ensure fairness. However, unnecessary procedural duplication, incomplete documentation, repeated interlocutory applications, and avoidable disputes concerning procedural compliance

may prolong litigation.

Procedural reform should focus on eliminating unnecessary repetition and improving the management of cases without removing safeguards essential to a fair hearing.

Inadequate Infrastructure

Court infrastructure includes courtrooms, waiting areas, record rooms, digital facilities, accessible buildings, consultation spaces, and facilities for witnesses and vulnerable litigants. Inadequate infrastructure can reduce the number of matters that can be heard effectively and create difficulties for court staff, advocates, and litigants. Infrastructure planning should therefore be based on projected caseloads and the functional needs of each judicial establishment.

Witness Non-Appearance and Intimidation

The absence of witnesses can delay criminal trials and, in some cases, weaken the evidentiary record. Witnesses may be unable to attend because of work commitments, travel costs, illness, fear, or difficulties receiving information about hearing dates. In sensitive cases, including those involving caste-based violence, sexual offences, or organised criminal activity, intimidation may create additional obstacles. Appropriate witness support, effective communication of hearing dates, lawful video-conferencing arrangements, and protective measures where justified can help improve attendance and preserve the fairness of proceedings.

Excessive Interlocutory Litigation

Applications seeking interim relief, amendments, procedural directions, or other interlocutory orders may be necessary to protect the rights of parties. Nevertheless, repetitive or unnecessary applications can divert judicial time from the substantive resolution of disputes. Courts should identify issues that can be resolved together, discourage abuse of process within the limits of applicable law, and ensure that interlocutory proceedings do not become an independent source of indefinite delay.

Delays in Execution of Judgments

A judgment does not always conclude the process of obtaining justice. Civil decrees,

maintenance orders, compensation awards, and other enforceable directions may require additional proceedings before the successful party receives the intended benefit. Execution-related delay is particularly significant because it can leave litigants without an effective remedy despite having obtained a favourable decision. Judicial reform should therefore address enforcement procedures as well as the time required to deliver judgments.

Administrative and Technological Limitations

Court administration requires reliable record management, accurate case information, efficient listing practices, and effective communication among institutional participants. Poor data quality, incomplete digital records, inadequate technical support, and difficulties in integrating information systems can obstruct efficient case management.

Technology can assist in identifying bottlenecks, reducing manual work, and improving transparency. However, digital tools must be supported by trained personnel, reliable infrastructure, data security, and accessible alternatives for litigants who cannot use online services.

Judicial Precedents on Speedy Justice and Access to Justice

The Supreme Court of India has developed important constitutional principles concerning speedy trial, legal aid, fair procedure, and the practical effectiveness of judicial remedies.

Khatri (II) v. State of Bihar

In *Khatri (II) v. State of Bihar*, the Supreme Court emphasised the constitutional importance of legal aid for persons who cannot afford legal representation. The decision is relevant to subordinate courts because meaningful access to justice requires more than permission to enter a courtroom. Litigants must have a fair opportunity to understand the proceedings and present their cases with appropriate legal assistance.

State of Maharashtra v. Manubhai Pragaji Vashi

In *State of Maharashtra v. Manubhai Pragaji Vashi*, the Supreme Court discussed the importance of legal education and its relationship with the constitutional commitment to legal aid. The decision reinforces the broader proposition that access to justice depends on

institutional capacity and the availability of competent legal professionals. Effective legal representation and legal services are important components of a justice delivery system that seeks to protect constitutional rights.

Hussainara Khatoon v. Home Secretary, State of Bihar

In *Hussainara Khatoon v. Home Secretary, State of Bihar*, the Supreme Court addressed the plight of undertrial prisoners who had remained in custody for prolonged periods without trial. The decision recognised speedy trial as an essential component of Article 21. It demonstrated that delay in criminal proceedings may become a constitutional concern when it undermines personal liberty and the fairness of the criminal justice process.

The judgment remains significant for subordinate courts because criminal proceedings often begin and progress at the district level. Courts and relevant authorities must remain attentive to prolonged pre-trial detention and ensure that proceedings are conducted within a reasonable time, consistent with the law.

A.R. Antulay v. R.S. Nayak

In *A.R. Antulay v. R.S. Nayak*, the Supreme Court examined the constitutional right to a speedy trial and clarified important principles governing its application. The decision recognised that the right to speedy trial extends across the different stages of criminal proceedings. It also emphasised that the assessment of delay must take account of the circumstances of the particular case rather than depend exclusively on a fixed period.

The case is important because it discourages a simplistic approach to delay. Courts must consider the nature of the proceedings, the reasons for postponement, the conduct of the parties, and the prejudice caused by prolonged litigation.

P. Ramachandra Rao v. State of Karnataka

In *P. Ramachandra Rao v. State of Karnataka*, the Supreme Court considered whether fixed time limits could be imposed judicially for concluding criminal proceedings. The Court declined to establish universal judicially prescribed time limits that would automatically terminate proceedings after a specified period. Instead, the judgment reaffirmed the importance of assessing delay in light of the constitutional guarantee and the circumstances of individual

cases.

For subordinate courts, the decision highlights the need for reasonable expedition while preserving the integrity of the judicial process and avoiding automatic outcomes that may undermine substantive justice.

Implications for Telangana's Subordinate Judiciary

These precedents establish that speedy justice and legal assistance are integral to a fair judicial system. They also demonstrate that judicial reform must balance expedition with procedural fairness. For subordinate courts in Telangana, the principles support stronger case monitoring, effective legal aid, timely consideration of bail and custody-related matters, and the reduction of avoidable delays. At the same time, courts must preserve the opportunity of every party to present evidence and arguments in accordance with law.

The central lesson is that speedy justice is not simply a matter of disposing of cases quickly. It is the timely delivery of fair, reasoned, and effective judicial remedies.

Role of Legal Aid in Improving Access to Justice

Legal aid is a vital instrument for reducing inequalities in the justice delivery system. The constitutional commitment under Article 39A is implemented through the Legal Services Authorities Act, 1987, and related schemes.

Legal Services Institutions in Telangana

Legal services institutions at the state and district levels can assist eligible persons through legal advice, representation, legal awareness programmes, Lok Adalats, and other recognised services. Their role is particularly important for persons who cannot afford professional legal assistance or face social and economic barriers in approaching courts.

Legal Awareness

A significant obstacle to access to justice is limited awareness of legal rights and available remedies. Individuals may be unaware of limitation periods, procedural requirements, legal aid entitlements, or the appropriate forum for filing a complaint. Legal awareness programmes should be conducted through educational institutions, local self-government bodies,

community organisations, legal services authorities, and other appropriate channels. Information should be provided in accessible languages and formats, with particular attention to rural communities and disadvantaged groups.

Quality of Legal Representation

The mere appointment of a legal aid advocate does not guarantee effective representation. Legal aid services should include adequate preparation, communication with clients, explanation of procedural developments, and timely assistance. Training and monitoring should focus on the quality of representation rather than relying exclusively on the number of cases assigned or disposed of.

Legal Aid Clinics and Community Outreach

Legal aid clinics can help individuals understand their rights before disputes escalate into prolonged litigation. They may also guide people towards appropriate remedies, including administrative grievance mechanisms, mediation, and other lawful dispute-resolution processes. Community-based legal services can be particularly useful in rural areas where travel costs and limited access to professional legal advice create substantial obstacles.

Strengthening Legal Aid in Telangana

Legal services institutions in Telangana should be supported through adequate staffing, training, digital communication facilities, and coordination with district judicial establishments. The effectiveness of legal aid should be assessed through indicators such as the number of eligible beneficiaries assisted, the timeliness of representation, client awareness, quality of legal advice, and the accessibility of services. Legal aid should be understood as a substantive element of the right to access justice, rather than merely an administrative scheme for providing advocates.

Technology and Digital Transformation of Subordinate Courts

Technology has emerged as an important instrument for improving the efficiency, transparency, and accessibility of the judicial system. Digital transformation can reduce administrative burdens, facilitate communication, improve record management, and provide litigants with easier access to case information. However, technology must be implemented in

a manner that preserves judicial independence, procedural fairness, privacy, and equal access.

The e-Courts Project

The e-Courts Project is a major initiative intended to modernise the Indian judiciary through information and communication technology. Its components include computerised court records, electronic case management, digital access to orders and judgments, online services, and video-conferencing facilities.

The National Judicial Data Grid provides information concerning case institution, disposal, pendency, and the age and procedural stages of pending cases. It enables judicial administrators and researchers to identify areas requiring closer attention and supports evidence-based planning.

For Telangana, effective use of these systems can help district judicial administrations monitor long-pending cases, identify delays in service of process, analyse disposal patterns, and assess workload distribution among courts.

Electronic Filing and Digital Records

Electronic filing can reduce paperwork, improve the availability of case documents, and facilitate communication between courts and advocates. Digitisation of records can also improve record retrieval and reduce the administrative difficulties associated with physical files. However, digital systems must be reliable and user-friendly. Technical failures, connectivity problems, inadequate training, and difficulties uploading documents may create new barriers if suitable assistance is unavailable. Courts should therefore maintain effective technical support and provide appropriate assistance to litigants and advocates who experience difficulties using digital platforms.

Video Conferencing

Video conferencing can facilitate certain court appearances, including proceedings involving persons in custody, witnesses located at a distance, and other situations in which remote participation is legally permissible. Its use can reduce travel costs and minimise some scheduling difficulties. Nevertheless, remote hearings should not automatically replace physical appearances in every category of case.

The suitability of video conferencing must be assessed in light of the nature of the proceeding, the requirements of evidence, the ability of participants to communicate effectively, confidentiality, and the rights of the parties.

Artificial Intelligence and Judicial Administration

Artificial intelligence may assist with administrative functions such as document classification, translation, transcription, legal research, and the identification of cases requiring administrative attention. However, judicial decision-making involves the interpretation of law, evaluation of evidence, and exercise of independent judicial judgment. AI-generated material may contain inaccuracies, incomplete information, or misleading legal references.

Accordingly, AI should be used as a supporting tool rather than a substitute for judicial reasoning. Human verification, confidentiality safeguards, data protection, transparency, and accountability are essential.

Bridging the Digital Divide

Digital justice may disadvantage litigants who lack smartphones, reliable internet access, digital literacy, or the ability to navigate online systems. In Telangana, digital transformation should therefore be accompanied by assistance facilities at court complexes, accessible public information, appropriate language support, and alternative methods of participation where necessary. The objective should be to expand access to justice rather than shift the administrative burden from courts to litigants.

Alternative Dispute Resolution and Reduction of Judicial Burden

Alternative dispute resolution (ADR) provides mechanisms through which suitable disputes can be resolved without requiring a full contested trial. Mediation, conciliation, arbitration, and Lok Adalats may reduce the burden on courts while offering parties more flexible ways of resolving disputes.

Lok Adalats: Lok Adalats operate within the statutory framework of the Legal Services Authorities Act, 1987. They facilitate the settlement of disputes through compromise and other procedures authorised by law. They can be useful in suitable civil disputes, motor accident compensation matters, matrimonial disputes, and other categories permitted by law. However,

Lok Adalats must not be used to pressure litigants into accepting settlements against their interests. Their effectiveness depends on voluntary participation, informed consent, fairness, and compliance with the applicable legal framework.

Mediation: Mediation allows parties to attempt to resolve disputes with the assistance of a neutral mediator. It may be particularly useful where the parties have an ongoing relationship, such as in family, commercial, employment, or neighbourhood disputes. The Mediation Act, 2023, provides a statutory framework for mediation in India, subject to its provisions and applicable rules.

In Telangana, suitable mediation facilities can help reduce the number of contested proceedings and promote settlements that address the practical needs of the parties. However, mediation is not appropriate for every dispute. Cases involving serious power imbalances, coercion, or matters that cannot lawfully be settled require particular care and must be handled in accordance with applicable law.

Arbitration: Arbitration is a recognised mechanism for resolving disputes through a private adjudicatory process, particularly in commercial and contractual matters. Although arbitration can reduce the need for a full trial in an appropriate case, it is not necessarily faster or less expensive in every situation. Costs, procedural complexity, enforcement proceedings, and challenges to awards may create additional burdens. Its use should therefore be assessed according to the nature of the dispute and the circumstances of the parties.

Pre-Litigation Dispute Resolution: Early dispute resolution can prevent avoidable litigation and encourage settlement before substantial legal expenses accumulate. Legal services institutions, mediation centres, and other authorised bodies can help parties understand their options and identify disputes suitable for negotiated resolution. Nevertheless, pre-litigation settlement should not obstruct access to courts where urgent relief, protection of rights, or formal adjudication is necessary.

Balancing Settlement and Adjudication: ADR should complement rather than replace the formal justice system. Courts remain indispensable for resolving contested legal questions, protecting fundamental rights, determining criminal responsibility, and providing authoritative remedies. A balanced strategy should direct suitable disputes towards ADR while ensuring that cases requiring judicial determination receive timely hearings.

Recommendations

To improve access to justice and reduce judicial delay in Telangana, the following measures are recommended.

Fill Judicial Vacancies Promptly: Judicial vacancies should be addressed through timely recruitment, appropriate appointment procedures, and systematic workforce planning. The assessment of judicial requirements should consider new filings, existing pendency, case complexity, geographical needs, and the workload of individual court establishments.

Strengthen Court Infrastructure: The State and the relevant judicial authorities should ensure that courts have adequate courtrooms, record-management facilities, accessible buildings, waiting areas, digital equipment, and supporting staff. Infrastructure planning should prioritise establishments experiencing substantial workloads and those lacking essential facilities.

Introduce Effective Case Management: Courts should adopt appropriate case-management practices, including early identification of issues, realistic hearing schedules, monitoring of procedural compliance, and timely consideration of applications. Cases should be managed according to their nature and complexity. Suitable priority should be given to matters involving personal liberty, statutory urgency, vulnerable litigants, and other legally recognised considerations.

Reduce Avoidable Adjournments: Existing procedural rules concerning adjournments should be implemented consistently. Courts should distinguish between necessary postponements and avoidable delays caused by inadequate preparation or repeated non-compliance. Where required, reasons for adjournments should be recorded and recurring problems monitored.

Improve Service of Summons: Service of summons and notices should be made more efficient through accurate address information, adequate process-serving personnel, improved tracking systems, and electronic service where legally authorised. Administrative monitoring should identify cases that remain at the service stage for prolonged periods and facilitate appropriate corrective action.

Strengthen Coordination with Investigating Agencies: Regular coordination among courts,

police, prosecution, forensic institutions, prisons, and witness-support mechanisms should be encouraged within the limits of their respective responsibilities. Delays in investigation, forensic reporting, production of witnesses, and submission of required records should be identified and addressed through lawful administrative measures.

Improve Legal Aid Services: Legal services authorities should expand legal awareness, strengthen legal aid clinics, improve the quality of representation, and provide appropriate assistance to disadvantaged litigants. Particular attention should be given to rural communities, women, persons with disabilities, economically weaker sections, and members of Scheduled Castes and Scheduled Tribes.

Strengthen Digital Infrastructure: The e-Courts Project and related digital services should be supported by reliable connectivity, updated equipment, trained staff, and effective technical assistance. Digital systems should be designed to improve transparency and reduce administrative burdens without excluding litigants who lack digital skills or resources.

Develop a District-Wise Judicial Performance Dashboard

A district-wise monitoring framework should track:

- Cases instituted, disposed of, and pending.
- Age-wise pendency, particularly cases pending for more than five and ten years.
- Judicial vacancies and the availability of supporting staff.
- Cases awaiting service, evidence, arguments, or judgment.
- Adjournments and recorded reasons for delay.
- Disposal-to-institution ratios and case clearance rates.
- Execution proceedings and enforcement of decrees.
- Access to legal aid and suitable ADR services.

The dashboard should rely on verified administrative data and be used to identify institutional needs rather than to impose unrealistic disposal targets.

Prioritise Long-Pending Cases: Long-pending cases should be reviewed periodically to identify the specific obstacles preventing their resolution. Appropriate scheduling, completion of pending procedural steps, and coordinated administrative support may help resolve cases that have remained inactive for extended periods. Such initiatives should preserve the rights of parties and avoid sacrificing fairness for numerical disposal targets.

Strengthen Witness Support: Witnesses should receive timely information about hearing dates and appropriate assistance in attending proceedings. Where necessary and legally justified, courts and relevant authorities should consider protective measures, accessible facilities, and video-conferencing arrangements. These measures are particularly important in cases involving vulnerable witnesses or risks of intimidation.

Promote Suitable ADR Mechanisms: Mediation centres and Lok Adalats should be strengthened to resolve disputes that are legally suitable for settlement. Parties should receive clear information about the nature and consequences of settlement, and their participation should remain voluntary where required by the applicable framework. cADR should not become a mechanism for compelling vulnerable parties to surrender legitimate claims.

Strengthen Legal and Judicial Research: Universities, law colleges, judicial academies, and research institutions should undertake district-level studies on judicial delay and access to justice. Research should combine official statistics with interviews, questionnaires, case-file analysis, and institutional observations where appropriate. Such studies can help distinguish between general perceptions of delay and the actual procedural stages responsible for prolonged litigation.

Improve Accountability and Transparency: Judicial administration should maintain transparent procedures for monitoring institutional performance, identifying administrative bottlenecks, and addressing service-delivery deficiencies. Accountability mechanisms must respect judicial independence and must not interfere with the impartial determination of individual cases.

Adopt a Comprehensive Justice Delivery Policy: Telangana should pursue a coordinated approach involving judicial authorities, the State Government, legal services institutions, police, prosecution, prisons, forensic institutions, and other relevant agencies. A comprehensive policy should establish measurable objectives, identify institutional

responsibilities, provide adequate resources, and periodically evaluate whether reforms are improving access to justice.

Conclusion

Access to justice is a fundamental requirement of constitutional democracy and the rule of law. The effectiveness of a judicial system depends not merely on the existence of courts or the formal recognition of legal rights but also on the ability of individuals to obtain fair and timely remedies. Subordinate courts occupy a central position in this process because they are the primary institutions responsible for resolving most ordinary civil and criminal disputes.

The review demonstrates that judicial delay is a complex institutional problem influenced by several interconnected factors, including judicial vacancies, inadequate infrastructure, procedural inefficiencies, repeated adjournments, difficulties in service of process, delays in investigation, witness non-appearance, and limitations in legal assistance. These challenges affect not only the efficiency of judicial administration but also the practical enjoyment of constitutional rights. The constitutional principles contained in Articles 14, 21, and 39A provide a strong foundation for reforms aimed at equal justice, fair procedure, speedy trial, and effective legal aid. Judicial precedents have reinforced the importance of timely adjudication while making clear that expedition must not undermine procedural fairness or the rights of the parties.

In Telangana, improving the functioning of subordinate courts requires a coordinated strategy that combines adequate judicial manpower, modern infrastructure, effective case management, reliable digital systems, quality legal aid, and appropriate alternative dispute resolution mechanisms. Judicial performance must be evaluated through a balanced set of indicators, including case age, procedural stage, disposal patterns, enforcement of judgments, and the quality of adjudication. The National Judicial Data Grid offers an important foundation for evidence-based judicial planning. However, its statistical information should be supplemented by district-level research to understand the reasons for delay and the practical difficulties experienced by litigants.

Ultimately, speedy justice should not be understood as the mechanical disposal of cases. It means the timely, fair, accessible, and effective resolution of disputes in accordance with law. A justice delivery system that protects individual liberty, provides meaningful remedies, and

treats litigants with dignity is essential to strengthening public confidence in the judiciary. By adopting sustained institutional reforms and placing the needs of litigants at the centre of judicial administration, Telangana can work towards a more accessible, efficient, and equitable system of justice.

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