
ROLE OF SUBORDINATE COURTS IN THE PROTECTION OF HUMAN RIGHTS

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ABSTRACT

Dishonour of a cheque under section 138 of the Negotiable Instruments Act is a penal provision. The penal provisions have been in force since 1988. It has been, to some extent, a success in increasing the use and securing the credibility of cheques. Moreover, there has been rise in the number of cheque bounce cases. Currently, there are around 40 Lakh cheque bounce cases constituting 20% of total pending cases in Indian Legal System. But lately, the government believes that the provision has fulfilled its purpose and is now proposing to decriminalise the provision. We can observe that criminalization has not been that successful in the commercial mercantile industry, therefore, government seeks to decriminalise it. Thus, gathering support and opposition from every corner.

The paper discusses the laws relating to dishonour of cheque in India and a critical analysis of the nature and essence of penalization & decriminalisation of the subject in issue. The paper tries to analyse the effect of decriminalisation and subsequent recommendations. The paper finally suggests the best possible option for the issue in the Indian context.

Keywords: Dishonour of cheque, Negotiable Instrument Act, Decriminalisation

1. Introduction

1.1 Context and Relevance

The principles of human rights serve as the cornerstone of democratic societies, embodying the essential framework through which individual dignity and liberty are safeguarded. It is imperative that these rights be strengthened to advance the ideals of equality, justice, and freedom. While it is imperative to bring human rights violations to the forefront of the judiciary's attention, the significance of subordinate courts cannot be understated; they serve as the essential venues for the majority seeking justice. It is imperative that they engage in conflict resolution, facilitate mediation in specific disputes, and address constitutional claims by influencing decision-making processes at the grassroots level.

1.2 Role of Subordinate Courts

The Subordinate Courts form the foundational layer of India's judicial structure, encompassing district and sessions courts, civil courts, and magistrates. The courts bear a significant responsibility in addressing both criminal and civil matters, which directly influence critical human rights issues such as arbitrary detention, domestic violence against women, bonded labour, and the rights of prisoners. The courts have established the execution of Article 14 (equality before the law), Article 19 (freedom of speech and expression), and Article 21 (right to life and personal liberty) as enshrined in the Indian Constitution.¹ The Subordinate Courts facilitate access to meaningful legal remedies for individuals through their rulings at the grassroots level; they serve to close a significant divide between rights and justice.

1.3 Research Objective

This study seeks to conduct a thorough examination of the function of subordinate courts in the context of safeguarding human rights. The research examines the jurisdiction, challenges, and contributions of the lower judiciary; this inquiry will highlight the imperative necessity to strengthen the lower judiciary to comprehend, value, and uphold human rights.

2. Understanding Subordinate Courts

The subordinate judiciary in India is the fundamental component of the legal system. It operates

¹ Constitution of India art. 14, 19, 21.

under the supervision of the high courts and the Supreme Court of India. Their main responsibilities include the disputed administration of a wide range of civil and criminal matters, which basically embody the essence of societal organisation. These courts include district courts, sessions courts, civil courts, and magistrate courts, each of which has its unique authority for enforcing and reaffirming the fundamental principles of law and constitutional safeguards. The district and session courts are the primary institutions that uphold justice throughout India. Most civil cases are handled by the district courts, whereas the sessions courts are responsible for dealing with significant criminal cases, especially those that involve violations of human rights, such as custodial assaults, wrongful detentions, or egregious acts. Civil courts are known for dealing with violations of legal statutes that are related to property, family affairs, or contractual duties. In this way, they uphold an individual's rights in accordance with both procedural and substantive law. On the other hand, magistrate courts deal with less serious matters. Nevertheless, they are nevertheless important for deciding situations that involve violations of human rights, such as domestic violence or physical assault. Their rulings are crucial in maintaining the rule of law as outlined in the Constitution and in protecting the most vulnerable sections of society.

The subordinate court is responsible for dealing with a variety of issues or cases, which can be divided into three main categories: criminal, civil, and special jurisdiction. The legal matter at hand confirms that constitutional guarantees regarding the right to life and liberty, as stated in Article 21, must be preserved. Think about the best example: In the case of *DK Basu v. State of West Bengal*,² the subordinate courts were instructed to protect the basic rights of people in situations where they were arrested unlawfully or tortured while in custody. In civil proceedings, the lower courts try to influence the settlement in accordance with principles of fairness regarding disputes.

3. Role of Subordinate Courts in Human Rights Protection

Subordinate courts, especially in matters concerning human rights violations, represent a pivotal aspect of legal discourse; they determine and establish the framework for the reinforcement of fundamental rights, ensuring the rule of law functions effectively across various dimensions of human rights protection. This section has the potential to enhance these

² *DK Basu v. State of West Bengal*, A.I.R. 1997 S.C. 610.

threads significantly, supported by robust legislative and judicial frameworks.

3.1 The Criminal Justice Framework

Subordinate courts play a crucial role in the realm of criminal justice, serving as a vital mechanism to protect individuals from arbitrary arrests, unlawful detentions, and violations of personal safety during custody. In the case of *DK Basu v. State of West Bengal*³, the Supreme Court established guidelines aimed at providing a safeguard against custodial torture and delineating the procedures necessary for the protection of detainees' rights. Although these directives originate from the higher courts, they pertain to the lives of citizens. Each day, the lower courts are implementing various safeguards by meticulously monitoring procedural returns, evidence, and accountability regarding violations.

In yet another domain, the subordinate judiciary plays a pivotal role in safeguarding the integrity of the trial process, as this right is fundamentally enshrined in Article 21 of the Constitution of India⁴. In *Hussainara Khatoon v. State of Bihar*⁵, the Supreme Court underscored the necessity of expediting trials and placed a clear obligation on the lower judiciary to address the issue of prolonged detentions. This is achieved by guaranteeing that the accused receives a fair hearing and by commissioning reports on detention conditions, aiming to prevent serious human rights violations while simultaneously upholding constitutional safeguards.

The provision of legal aid represents a significant focus, as subordinate courts exert considerable influence within the framework of the criminal justice system. According to Section 304 of the Code of Criminal Procedure, 1973,⁶ subordinate courts are mandated to designate a legal counsellor for an accused individual lacking financial resources.

3.2 Civil Jurisdiction

In the realm of civil disputes, the subordinate courts hold the authority to adjudicate cases that have implications for human rights, whether in a direct or indirect manner. Civil courts adjudicate conflicts pertaining to property ownership, inheritance, and personal liberty, while

³ *Supra* 3

⁴ Constitution of India art. 21.

⁵ *Hussainara Khatoon v. State of Bihar*, A.I.R. 1979 S.C. 1369 (India).

⁶ Code of Criminal Procedure, No. 2 of 1974, § 304, India Code.

safeguarding fundamental constitutional rights, including Article 14⁷, which ensures equality, and Article 19⁸, which upholds freedoms. Subordinate courts engage with disputes through the lens of human rights principles, thereby achieving equitable resource distribution and safeguarding the interests of vulnerable individuals.

Within the framework of maintenance laws, subordinate courts occupy a significant role in the legal system. In the case of *Danial Latifi v. Union of India*⁹ court rendered its judgement into ensuring that divorced Muslim women are entitled to support following their iddat period, as part of its interpretation of personal laws through the lens of constitutional principles of equal treatment. Subordinate courts implement the rulings of superior jurisdictions by efficiently addressing and resolving maintenance appeals via formal hearing processes.

3.3 Cases Pertaining to Gender and the Rights of Children

The subordinate courts play a crucial role in upholding gender justice and safeguarding child rights by implementing the Protection of Women from Domestic Violence Act, 2005¹⁰, in conjunction with the Juvenile Justice (Care and Protection of Children) Act, 2015¹¹. Victims of rights violations receive immediate assistance from these courts, alongside those that adjudicate child custody, domestic violence issues, and cases of child exploitation, all while upholding legal protections.

The precedent set in *Vishaka v. State of Rajasthan*¹², where the Supreme Court issued guidelines to combat workplace sexual harassment, is often operationalized through subordinate courts. In accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013¹³, these courts implement a framework that compels workplaces to devise preventive strategies and create compensation mechanisms for those affected.

3.4 Enforcement of Labour Laws

Subordinate courts serve an essential function in upholding labour laws that guarantee both the

⁷ Constitution of India art. 14.

⁸ Constitution of India art. 19.

⁹ *Danial Latifi v. Union of India*, A.I.R. 2001 S.C. 3958 (India).

¹⁰ Protection of Women from Domestic Violence Act, No. 43 of 2005, India Code.

¹¹ Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016, India Code.

¹² *Vishaka v. State of Rajasthan*, A.I.R. 1997 S.C. 3011.

¹³ Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, No. 14 of 2013, India Code.

dignity and protection of workers' rights. The Minimum Wages Act of 1948 and the Industrial Disputes Act of 1947¹⁴ empower courts to adjudicate matters concerning unfair labour practices, wage disparities, and issues related to workplace safety.

Judicial determinations exemplified by *Bandhua Mukti Morcha v. Union of India*¹⁵, through their subordinate systems, uphold the rights of bonded labourers as delineated in this case. These courts, through their mandate, ensure that employers adhere to legal obligations while also offering recourse to workers who have been subjected to exploitation.

3.5 Rights of Incarcerated Individuals

In the landmark case of *Sunil Batra v. Delhi Administration*¹⁶, it became apparent that prisoners are afforded protection of their rights through subordinate court actions. The ruling from the Supreme Court asserts that incarceration does not strip individuals of their fundamental rights, thereby mandating humane conditions for the treatment of inmates and safeguarding against abuses within the custodial environment.

Subordinate courts uphold the fundamental rights of prisoners by conducting regular evaluations of jail conditions, performing bail reviews, and inspecting jail facilities. The Subordinate Courts address grievances related to mistreatment and violations of statutory protections under the Prisons Act of 1894,¹⁷ thereby upholding fundamental principles of justice and maintaining human dignity.

4. Difficulties Confronted by Lower Courts

The safeguarding of human rights at the grassroots level within the judicial framework is significantly reliant on subordinate courts fulfilling their fundamental roles. A variety of impediments hinder the courts from administering justice with the necessary efficiency and expediency in their proceedings. The inefficiencies present in various procedures within the criminal justice system pose significant challenges to the fulfilment of Constitutional provisions and legal mandates.

¹⁴ Minimum Wages Act, No. 11 of 1948, India Code.

¹⁵ *Bandhua Mukti Morcha v. Union of India*, A.I.R. 1984 S.C. 802 (India).

¹⁶ *Sunil Batra v. Delhi Administration*, A.I.R. 1980 S.C. 1579 (India).

¹⁷ Prisons Act, No. 9 of 1894, India Code.

4.1 Infrastructure and Resource Constraints

The deficiency of adequate infrastructure, coupled with a lack of sufficient resources, represents a significant challenge that subordinate courts must navigate. Courts operating within constrained environments and lacking proper upkeep face significant challenges in effectively conducting their proceedings. The case of the *All India Judges Association v. Union of India*¹⁸ exemplified this scenario during its assessment. The Supreme Court's opinion highlights the necessity for enhanced facilities within the judiciary to facilitate the efficient execution of legal proceedings. The ongoing functionality of subordinate courts is hindered by a lack of adequate courtroom space, compounded by the dual challenges of insufficient record storage and limited access to digital technology, which persistently disrupt their operations.

The complexity of the system increases due to the lack of trained personnel and the absence of suitable support mechanisms. The court processes encounter delays due to subordinate jurisdictions' insufficient numbers of qualified stenographers, clerks, and bailiffs.¹⁹ The gradual and uneven deployment of the e-Courts Project has resulted in significant delays, as numerous rural courts struggle to keep pace with the adoption of digital court procedures²⁰.

4.2 Backlog of Cases

The publishing court system encompasses the extensive network that plays a significant role in prolonging the duration of court cases within the Indian judicial framework. Data from the National Judicial Data Grid indicates that in 2023, over 4 crore cases were unresolved across subordinate courts²¹. The erosion of public trust is a consequence of bureaucratic delays that contravene the assurance of timely justice as enshrined in Article 21 of the Indian Constitution²².

The matter of *Hussainara Khatoon v. State of Bihar*²³, the court highlighted the plight of undertrial detainees who endured extended periods of incarceration due to delays in judicial proceedings. The prevalence of complex matters such as familial conflicts, land disputes, and criminal trials exceeds the case management capacities of subordinate courts, primarily due to

¹⁸ *All India Judges Association v. Union of India*, A.I.R. 1992 S.C. 165 (India).

¹⁹ National Judicial Data Grid, Overview of Case Pendency, <https://njdg.ecourts.gov.in> (last visited Jan. 18, 2025).

²⁰ E-Courts Project Phase II, Ministry of Law and Justice, <https://ecourts.gov.in> (last visited Jan. 18, 2025).

²¹ *Id.*

²² Constitution of India art. 21.

²³ *Supra* 5

a lack of adequate resources. The judicial struggle is becoming increasingly pronounced, as India's ratio of judges per million population stands significantly below global standards, currently at a mere 20 judges per million.²⁴

4.3 Limited Independence

Judicial independence as a constitutional principle exists but lower-level courts experience subtle pressures from both executive and judicial branches. Systematic court promotions as well as judicial transfer processes tend to follow decision paths independent of official promotion cycles. In the All India Judges' Case²⁵ judicial independence receives important recognition through understanding how lower courts remain exposed to external influences. When authorities systematically manipulate judicial processes, they both degrade legal system integrity while undermining the public's trust in the justice system.

Various independent matters pertaining to resource expenditures and court facility improvements fall outside the control of subordinate courts because of their limited financial power. State governments control the allocation of funds dedicated to subordinate courts which produces both procedural delays and fails to provide enough financial resources.

4.4 Awareness and Accessibility in the Public Sphere

Contemporary legal proceedings face major complications because the public lacks appropriate understanding of what subordinate courts do with their responsibilities. Rural habitants typically lack knowledge of their legal rights together with typical channels of redress from subordinate courts. People unfamiliar with legal pathways frequently skip passing through subordinate courts and consequently diminish these judicial bodies' usage.

Each rural community faces challenges in accessing subordinate courts because the courts maintain distant positions outside permitted service areas. Success in justice demands social and cultural navigation from collectives made up of women and youth and disadvantaged groups. Numerous disadvantaged groups experience inadequate legal assistance because of

²⁴ Law Commission of India, 120th Report on Manpower Planning in Judiciary: A Blueprint, available at <https://lawcommissionofindia.nic.in> (last visited Jan. 18, 2025).

²⁵ *Supra* 18

substantial divergences in free legal aid arrangements enacted by the Legal Services Authorities Act of 1987²⁶ throughout different geographic areas.

5. Legislative and Judicial Support

The safeguarding of human rights by lower courts is significantly bolstered by the interplay of legal structures and judicial supervision. The current legal framework delineates the operational parameters for the activities of lower courts, while higher courts play a crucial role in offering guidance to assist the subordinate judiciary in the effective realisation of human rights. The judiciary, through its dual support structure, exemplifies enhanced capability in safeguarding rights across both judicial and administrative dimensions.

5.1 Legal Frameworks Upholding Human Rights

A multitude of constitutional provisions and statutory laws empower subordinate courts to address human rights violations. The Protection of Human Rights Act, enacted in 1993, established a legal framework for the safeguarding of human rights in India, serving as its foundational basis²⁷. This legislation facilitated the establishment of the National Human Rights Commission (NHRC) and State Human Rights Commissions (SHRCs), which are vested with the authority to investigate violations of rights. Judicial bodies within subordinate courts address individual human rights cases while upholding the provisions of the Act.

The framework governing investigations and trials is delineated by the fundamental legislative document referred to as the Code of Criminal Procedure, 1973 (CrPC). Under the provisions of the CrPC, specifically Sections 190 and 200, subordinate courts are endowed with the legal authority to conduct investigations into human rights violations, which encompass unlawful detentions, custodial torture, and the abuse of power. Section 167 of the CrPC establishes a framework for judicial oversight during police custody, aimed at preventing arbitrary confinement and ensuring formal protections against unlawful detention²⁸.

Under the Domestic Violence Act 2005, magistrate courts are empowered to provide prompt support for individuals experiencing domestic abuse²⁹. The judiciary employs protective

²⁶ Legal Services Authorities Act, No. 39 of 1987, India Code.

²⁷ Protection of Human Rights Act, No. 10 of 1993, India Code.

²⁸ Code of Criminal Procedure, No. 2 of 1974, §§ 190, 200, 167, India Code.

²⁹ Domestic Violence Act, No. 43 of 2005, India Code.

orders, residence orders, and financial relief as stipulated by the Act to uphold standards of equality and dignity in their operations. Furthermore, subordinate courts have been empowered by the Juvenile Justice Act 2015 to address cases involving children, encompassing both legal infractions and issues pertaining to their protective requirements³⁰.

5.2 Judicial Oversight by Higher Courts

The Supreme Court, in conjunction with the High Courts, undertakes comprehensive oversight and guidance responsibilities concerning subordinate courts. Judicial opinions and authoritative orders facilitate the proper alignment of lower judicial decisions with constitutional principles and human rights standards.

In *Nilabati Behera v. State of Orissa*³¹ exhibited a significant oversight of judicial processes. The ruling establishes that subordinate courts possess the authority to award compensation to victims who suffer death while in police custody, as such occurrences constitute a violation of their fundamental rights. Both subordinate and higher courts drew insights from this pivotal ruling during the allocation of compensation for analogous cases as they executed their responsibility of ensuring accountability in state actions.

In the case of *DK Basu v. State of West Bengal*³², the Supreme Court delivered a comprehensive ruling that established detailed protocols aimed at preventing misconduct by law enforcement agencies. The operations of criminal trials, alongside investigative activities, have been instructed by subordinate courts to implement these established guidelines. In a similar vein, the Court, in the case of *Sheela Barse v. State of Maharashtra*³³, asserted that subordinate courts are obligated to diligently oversee the treatment of prisoners, as well as the welfare of detained children and women.

Higher courts are presented with Public Interest Litigations (PILs), resulting in directives that alter the operational framework of subordinate courts. For example, in the case of *Vishaka v. State of Rajasthan*³⁴, the Supreme Court established guidelines concerning the protection

³⁰ Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2015, India Code.

³¹ *Nilabati Behera v. State of Orissa*, A.I.R. 1993 S.C. 1960 (India).

³² *Supra* 3

³³ *Sheela Barse v. State of Maharashtra*, A.I.R. 1983 S.C. 378 (India).

³⁴ *Supra* 12

against workplace sexual harassment, which subordinate courts are required to enforce through the Sexual Harassment of Women at Workplace Act, 2013.

The Supreme Court frequently issues executive rulings to address systemic issues arising in lower courts across the nation. The High Courts have instructed subordinate courts to address cases concerning undertrial prisoners and vulnerable groups when the volume of pending cases surpasses established norms.

The codification of criminal law and the oversight of political interventions, under the aegis of higher judicial authority, serve to ensure that lower judicial entities remain committed to their responsibilities in upholding human rights. The system, while robust, necessitates continuous advancement in infrastructure investment and personnel training, alongside modifications to procedural rules, to fully realise the potential of lower courts.

6. Recommendations and Reforms

The significant function of subordinate courts in safeguarding human rights is hindered by various structural impediments that diminish their operational effectiveness. The resolution necessitates a series of reforms at both the systemic and procedural levels. This section presents a thorough array of recommendations aimed at the enhancement of subordinate courts, supported by meticulously chosen judicial decisions and relevant statutory provisions.

6.1 Advancing Judicial Infrastructure

The physical and digital infrastructure of subordinate courts necessitates immediate enhancement, as it stands as one of their essential foundational needs. A significant number of courts operate within facilities that are antiquated and congested, leading to inefficiencies in their proceedings. For example, in the case of *All India Judges' Association v. Union of India*³⁵, the Supreme Court emphasised the necessity for judges and their staff to have suitable working conditions. Investments in courtroom infrastructure in the twenty-first century, along with innovative record storage solutions and adequate facilities for participants, are essential to address these deficiencies.

³⁵ *Supra* 18

The realm of digitisation represents a significant domain of inquiry. The e-Courts Project, initiated by the Ministry of Law and Justice, endeavours to modernise court operations and records through the implementation of contemporary digital systems³⁶. In light of ongoing initiatives, numerous rural court systems persist in functioning without the necessary digital infrastructure. The initiative requires an enhancement of outreach efforts alongside the integration of virtual hearing tools to expedite case processing durations and enhance service accessibility, particularly for marginalised population segments.

6.2 Education for Jurists and Legal Practitioners

The justice system across different tiers necessitates committed educational initiatives focused on addressing human rights litigation. A considerable number of judges and lawyers exhibit a lack of comprehension regarding international human rights standards and their application within domestic cases. Judicial academies, such as the National Judicial Academy in Bhopal, ought to create dedicated units focused on human rights law that encompass significant international human rights instruments, including the Universal Declaration of Human Rights (UDHR)³⁷ and the International Covenant on Civil and Political Rights (ICCPR)³⁸.

Incorporating alternative dispute resolution mechanisms into judicial training courses is imperative, as they serve as fundamental reforms within the legal framework. Particular alternative dispute resolution techniques, such as arbitration and mediation, facilitate the efficient resolution of cases and alleviate the burden on court systems.

6.3 Mitigating Case Accumulations

Subordinate courts persistently face significant challenges related to delays in court cases, as millions of cases remain unresolved. A resolution to this issue necessitates the integration of various strategies collaborating harmoniously towards a comprehensive solution. As stated in the 120th Law Commission Report,³⁹ enhancing the number of judicial appointments will contribute to achieving a more equitable district-to-population ratio. The inclusion of

³⁶ E-Courts Project Phase II, Ministry of Law and Justice, <https://ecourts.gov.in> (last visited Jan. 18, 2025).

³⁷ Universal Declaration of Human Rights, G.A. Res. 217A, U.N. Doc. A/810 (Dec. 10, 1948).

³⁸ International Covenant on Civil and Political Rights, Dec. 19, 1966, 999 U.N.T.S. 171.

³⁹ Law Commission of India, 120th Report on Manpower Planning in Judiciary: A Blueprint, available at <https://lawcommissionofindia.nic.in> (last visited Jan. 18, 2025).

additional judges is likely to enhance the efficiency of case resolution timelines.

A variety of technological solutions present significant transformative potential to enhance judicial systems. Through the e-Courts Project, courts have established automated case management systems that enhance scheduling efficiency, enabling users to monitor progress and receive notifications to participants. Cases involving undertrial prisoners and vulnerable groups should be accorded precedence by magistrate courts, as established in the ruling of *Hussainara Khatoon v. State of Bihar*⁴⁰. The region of Bihar. The hung case management exemplifies its dual function of meeting the demands for swift justice delivery while simultaneously safeguarding the protection of human rights.

The establishment of supplementary district-level ADR centres should be pursued as a viable solution. ADR mechanisms facilitate judicial harmony by promoting amicable dispute resolution, particularly effective in the realms of labour and family law. Subordinate courts ought to encourage parties to engage in mediation or arbitration when appropriate conditions are present, thereby alleviating the backlog of cases.

6.4 Public Legal Awareness Campaigns

The populace in rural and marginalised communities, along with their subaltern counterparts, exhibit a limited comprehension of the roles and hierarchical structures of subordinate courts. Legal literacy initiatives empower individuals to navigate subordinate courts for remedies, thereby enhancing access to justice across all segments of society. The Legal Services Authorities Act of 1987⁴¹ mandates the provision of free legal aid programs by the government. The successful realisation of its implementation necessitates more robust initiatives at the grassroots level.

Collaborative alliances among the judiciary, legal aid organisations, and non-governmental entities will enhance the efficacy of existing legal access initiatives. Improved access to justice is facilitated by initiatives like mobile courts, community workshops, and legal aid clinics. Mobile courts function effectively by delivering judicial services directly to remote communities, where they adjudicate land disputes and tackle issues of domestic violence.

⁴⁰ *Supra* 5

⁴¹ Legal Services Authorities Act, No. 39 of 1987, India Code.

The connection between citizens and subordinate courts is facilitated by the extensive distribution of information regarding legal rights via mass media and digital platforms. By disseminating educational content via television screens, radio networks, and social media platforms, the public gains insight into the extent of powers and responsibilities assigned to subordinate courts.

7. Conclusion

The Indian judicial system relies heavily on subordinate courts to achieve its objective of safeguarding human rights alongside effective enforcement strategies. These prominent institutions operate at the grassroots level to address a wide array of disputes, simultaneously converting legal protections into tangible benefits for all parties involved. The courts serve to safeguard essential rights, such as equality, by means of their criminal adjudication and civil dispute resolution processes, as well as their specialised law enforcement functions, operating within the framework established by Articles 14, 19, and 21 of the Indian Constitution.

The essential role of subordinate courts within the legal framework encounters numerous challenges, stemming from insufficient infrastructure, the necessity for judicial officer training, an overwhelming backlog of cases, and prevailing public perceptions regarding the function of the courts. Enhancing the efficacy of justice delivery and safeguarding human rights within subordinate courts necessitates the resolution of prevailing critical challenges. The enhancement of the legal system depends on the integration of digital court operations, advancements in judicial structures, and the implementation of alternative dispute resolution methods to effectively address challenges.

The judicial system ought to engage in a continual assessment of court processes to discern the necessary adaptations in response to evolving societal needs. Programs focused on gender awareness, combined with training on international human rights standards for lower courts, can enhance their ability to handle sensitive cases with greater efficacy. Structured initiatives in public law education and mobile legal services, alongside enhanced systems for free legal support, enable marginalised communities to assert their rights effectively.