

## A VISION STATEMENT FOR THE INDIAN JUDICIARY

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### I. Introduction

The Indian judiciary across its various tiers appears to be in a cycle of delay, arrears, and pendency.\* Pendency of cases across the Supreme Court, High Courts, and the subordinate judiciary runs into startling numbers,\* lack of infrastructure for judges and litigants in the subordinate judiciary is persistent,\* and vacancies among judges in the subordinate courts\* have been a source of constant concern. The various tiers of the Indian judiciary need consistent planning and a vision for the foreseeable future to address the compelling issues which currently plague it.

Planning, as a concept, pervades the functioning of every sector. Late Mr. Edward B. McConnell, who was President Emeritus of the National Center for State Courts (United States of America), pointed out that there are five major components of a good planning process – responsibility for planning specifically assigned to some individual or group; the process involving, directly or indirectly, all of those who will be affected by the resulting plan; the results of the process articulated in a written plan that is simple and easily understood; the plan being broadly disseminated and explained to all who will be affected by it; and provision for periodic review of the plan both to determine progress as well as revision necessitated by changing conditions.\* Judiciaries across the world have also come to recognise the importance of planning while meeting their goals, which is evident in the preparation of vision statements by several countries.

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<sup>2</sup> Yashomati Ghosh, 'Indian Judiciary: An Analysis of the Cyclic Syndrome of Delay, Arrears and Pendency' (2017) 5(1) Asian Journal of Legal Education 21-39.

<sup>3</sup> Vivek Kaul, 'Why pending court cases have been going up', *LiveMint* (11 February 2019) <<https://www.livemint.com/news/india/why-pending-court-cases-have-been-going-up-1549859010699.html>> accessed 3 December 2019.

<sup>4</sup> 'Backlog, lack of infrastructure need quick resolution', *The Hindu* (26 November 2019) <<https://www.thehindu.com/news/national/backlog-lack-of-infrastructure-need-quick-resolution-cji-bobde/article30089973.ece>> accessed 3 December 2019.

<sup>5</sup> Amulya Ashwathappa, 'Should the Central Selection Mechanism for the Appointment of Subordinate Court Judges be Implemented?' *DAKSH* (30 May 2019) <<https://dakshindia.org/should-central-selection-mechanism-for-the-appointment-of-subordinate-courts-judges-should-be-implemented/>> accessed 3 December 2019.

<sup>6</sup> Edward B. McConnell, 'Planning for the State and Federal Courts' (November 1992) 78(8) *Virginia Law Review* 1849, 1850.

This paper brings to the fore the need for vision statements for the judiciary in India. Vision statements, by whichever name called, are not meant only for setting aspirational goals for the judiciary. As will be discussed in this paper, these statements lay down granular details about what targets the judiciary needs to achieve in a specific time frame, and how. Vision statements should also be mindful of how targets are arrived at. What the judiciary needs to achieve in the future (or near future) should be informed by the progress made in the past, and must address the most imminent and foreseeable needs. To that end, vision statements look both into the past as well as the future.

A vision statement gives certainty to and institutionalises the policy priorities of the judiciary. Leadership in the Indian judiciary is transient, by design. At the Supreme Court level, tenure of the Chief Justice ranges from as little as 4 months to as long as 18 months. High Court Chief Justices are in office for about 2 to 2.5 years. Principal District Judges may be in-charge of a particular district for about 2 years. Frequent changes in leadership are often accompanied with change in the goals which the judiciary wants to pursue. A vision that has been formulated after sufficient internal deliberation within a group of senior judges would ensure consistency in objectives being pursued, and resources flowing to achieving these objectives, and would hold concerned persons accountable for implementation.

Vision statements for the judiciary, known by a variety of names, are prevalent in several other jurisdictions. While a single vision statement may encompass all tiers of the judiciary in some countries, in others, separate vision statements are drafted for different tiers. This paper surveys the vision statements for the judiciaries in Australia, South Africa, and the United States of America ('USA'), and culls out crucial aspects from them which can inform a vision statement for India's judiciary. Constraints of space preclude a tier-wise discussion of what can form part of a vision statement, but broad principles that should inform vision statements for the judiciary in India are provided in Part III of this paper. It concludes with the thought that meticulous planning by means of measurable goals and enforceable timelines, can improve the performance of all tiers of the judiciary in India.

## **II. Visions for judiciaries in other jurisdictions**

Vision statements for other jurisdictions that have been discussed in this paper, viz., Australia, South Africa, and the USA are an exercise in medium-term planning. The vision statements analysed in this paper for Australia is for a period of four years (2016-2020), and five years for South Africa (2015-2020). The 2015 Strategic Plan for the Federal Judiciary in the USA is an update over the Strategic Plan of 2010. While the vision statement is a document laying down the goals and objectives of the judiciary, it operates in the interest of other stakeholders as well. Broadly, vision statements cater to

both stakeholders within the judiciary and outside of it. A comparative analysis of vision statements presents a clear focus on three aspects:

- an obligation of the concerned authority to devise such vision statements;
- precise goals to be achieved; and
- metrics for measuring performance of the judiciary in achieving those goals.

The question of enforceability becomes interesting when one studies the Australian example where Section 35 of the Public Governance, Performance and Accountability Act 2013 mandates the preparation of corporate plans for Commonwealth entities. Clause (1) (a) of Section 35 mandates that the accountable authority of a Commonwealth entity must prepare a corporate plan for the entity.\* As part of this obligation, the Chief Executive Officer of the Federal Court of Australia (who is the concerned accountable authority) prepares a four-year Corporate Plan which outlines the strategic direction, challenges, and priorities for the following courts:

- the Federal Court of Australia;
- the Family Court of Australia;
- the Federal Circuit Court of Australia;
- the National Native Title Tribunal; and
- the Federal Court Corporate Services.

The Corporate Plan for each of these courts encompasses three aspects, viz., goals, performance measures, and strategies and priorities. Evidently, the Australian Corporate Plan approaches the judiciary through its various tiers and then sets specific targets to be achieved. For instance, for the Family Court of Australia,\* the Corporate Plan identifies the cohort of first instance cases and appeals as its focus areas for the next four years.\* The Plan also strategically prioritises judicial guidelines in relation to family violence, and working with Corporate Services to leverage technology for enhancing the experience of court users.\* For these priority areas, the Corporate Plan has neatly laid

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<sup>7</sup> Public Governance, Performance and Accountability Act 2013, s 35(1)(a) <<https://www.legislation.gov.au/Details/C2013A00123>> accessed 1 December 2019.

<sup>8</sup> The Family Court of Australia assists Australians to resolve their most complex legal family disputes. See, Family Court of Australia, ‘About the Court’ <<http://www.familycourt.gov.au/wps/wcm/connect/fcoaweb/about/>> accessed 1 December 2019.

<sup>9</sup> Federal Court of Australia, *Corporate Plan: 2016-2020* (Federal Court of Australia 2016) <[http://www.fedcourt.gov.au/\\_data/assets/pdf\\_file/0019/29026/Corporate\\_Plan\\_2016-2020.pdf](http://www.fedcourt.gov.au/_data/assets/pdf_file/0019/29026/Corporate_Plan_2016-2020.pdf)> accessed 1 December 2019 (‘Corporate Plan, Australia’).

<sup>10</sup> Corporate Plan, Australia (n 8) 16.

down deliverables and timelines. For instance, for enhancing judicial guidelines for family violence, and for maximising the use of registrars in courts, the Plan provides for the following:\*

Objective or Project	Tactics	Target
Enhance judicial guidelines for family violence	<ul style="list-style-type: none"> <li>Develop guidelines for judges dealing with cases involving cross-examination of vulnerable witnesses by an alleged perpetrator</li> </ul>	July 2017
Family violence risk screening for interim s11F assessment* interviews	<ul style="list-style-type: none"> <li>Review the family violence risk screening process</li> <li>Roll out the revised tool nationally</li> </ul>	June 2017
Evaluate guidelines and processes that will maximise the use of registrars in matters	<ul style="list-style-type: none"> <li>Continual enhancement to the role of registrars to ensure maximum judicial support</li> </ul>	June 2017

The Plan should be commended for setting out clear deadlines for each of their deliverables. The most reassuring part of the Corporate Plan published by the Federal Court of Australia is the aspect of ‘Performance Measures’ which lays down parameters to measure the success of the Plan for each of the courts. The success of the Plan, with respect to timely completion of cases by the Family Court of Australia, is to be measured by achieving of a clearance rate of 100%, delivering of 75% of judgments within a time period of three months, and conclusion of 75% of the pending cases to be less than 12 months old.\* This sits in contrast with resolutions of the Joint Conference of Chief Ministers of the States and Chief Justices of the High Courts, organised periodically by the Department of Justice in India, which do not mention any timelines for achieving the goals the Conference passes resolutions

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<sup>11</sup> Corporate Plan, Australia (n 8) 17.

<sup>12</sup> In parenting proceedings, a court may order one or more parties to attend an appointment(s) with a family consultant and direct them to arrange for a child to attend such an appointment. After the appointment, the family consultant makes a report to the Court, which provides the Court a snapshot of the issues between the parties. These reports are called s11F reports. See, ‘4 things to know about Family Reports’ *Corney and Lind Lawyers* <<https://www.corneyandlind.com.au/resource-centre/brisbane-family-lawyer/4-things-to-know-about-family-reports/>> accessed 2 December 2019.

<sup>13</sup> Corporate Plan, Australia (n 8) 16.

on. The vague nature of implementation of the resolutions made at these Conferences is discussed later in this paper.

South Africa also boasts of a Strategic Plan which, broadly, aims at improving the efficiency and effectiveness of administration of the courts.\* In South Africa, however, the Plan is a part of a tripartite arrangement which also includes the Annual Performance Plan, and the budget and structure, all of which together form part of the institutional framework for an operational Office of the Chief Justice.\* Part B of the Strategic Plan lays down Strategic Objectives for three aspects (which are called ‘Programmes’), viz., Administration (of the Office of the Chief Justice as a National Department), Judicial Support and Court Administration, and Judicial Education and Research. For each of these programmes, the Strategic Plan has objectives, indicators, and annual targets. An illustration of one such strategic plan (for the Finance Administration sub-programme) is as follows:\*

- *Strategic Objective:* Render financial, supply chain, and asset management services to the Judiciary and the Department
- *Objective Statement:* Ensure 100% compliance with the Public Finance Management Act, 1999 (PFMA) and other prescripts by producing 12 financial performance reports per annum, and processing 100% of received invoices within 30 days
- *Justification:* This objective will ensure efficient and effective utilisation of financial resources, and enable the department to be transparent and accountable.

In the interest of being comprehensive, the Plan also contains a section on Risk Management. Devising a plan for risk management emanates from a statutory obligation on all Accounting Authorities,\* under the Public Finance Management Act, 1999, to maintain effective, efficient, and transparent systems of financial and risk management, and internal control.\* In this case, the Accounting Authority is the OCJ which has established a unit for Internal Audit and Risk Management for effective and efficient risk management.

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<sup>14</sup> Office of the Chief Justice, *Strategic Plan: 2015/16-2019-20* (Republic of South Africa 2015) <<https://www.judiciary.org.za/index.php/documents/strategic-plan>> accessed 1 December 2019 (‘Strategic Plan, South Africa’).

<sup>15</sup> The Office of the Chief Justice is a National Department in the Republic of South Africa which provides support to the Judiciary to ensure effective and efficient court administration services. See, *The South African Judiciary* <<https://nationalgovernment.co.za/units/view/28/office-of-the-chief-justice-ocj>> accessed 1 December 2019.

<sup>16</sup> Strategic Plan, South Africa (n 13) 19.

<sup>17</sup> Public Finance Management Act, 1999, s 49 provides that every public entity must have an authority which must be accountable for the purposes of the Act.

<sup>18</sup> Public Finance Management Act, 1999, s 51(1)(a)(i).

The purpose of the risk management unit is to anticipate risks that might potentially arise while meeting a certain programme objective, and the suitable mitigation intervention to counter that risk. For instance, the potential (and foreseeable) risk for meeting the programme objectives of judicial education and research, and intervening steps for mitigating such risk, are as follows:\*

Programme: Judicial Education and Research	Risks	Mitigation Intervention
Provides education programmes to judicial officers, including policy development and research services for the optimal administration of justice	Inadequate capacity to provide training to the judicial officers	<ul style="list-style-type: none"> <li>• Develop e-Learning system</li> <li>• Partnership with relevant stakeholders</li> </ul>

The part on risk management is essential for anticipating what risks can hamper the implementation of a strategic plan for the judiciary. It is worthy of emulation in a vision statement for India so as to ensure that plans, which may not be implementable, are not drafted for any level of judiciary. In India, the most imminent risks with respect to implementation of any vision statement is the lack of manpower and infrastructure (technological and physical). These are red flags which need to be considered at the outset while setting out targets for the judiciary in any given time frame.

Strategic visions for the judiciary are also in place in the US. There is no statutory obligation, at least in as many words, on any authority to prepare a vision statement for the judiciary. Title 28, Section 331 of the United States Code, though, does provide that the Judicial Conference of the United States (‘Judicial Conference’) shall make a comprehensive survey of the condition of business in the courts in the US, submit suggestions and recommendations to the various courts to promote uniformity of management procedures and the expeditious conduct of court business, and carry on a continuous study of the operation and effect of the general rules of practice and procedure in use as prescribed by the Supreme Court for the other courts of the US.\* The Judicial Conference, the national policy-making body for the federal courts, prepared a Strategic Plan for the Federal Judiciary in 2015, thereby updating the Plan which was devised in 2010. The Plan aims to be a consistent mix of aspirational goals along with targets borne by empirical analysis. In brief, the Plan aims to do the following:

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<sup>19</sup> Strategic Plan, South Africa (n 13) 31.

<sup>20</sup> United States Code, Title 28, Section 331 <<https://www.law.cornell.edu/uscode/text/28/331>> accessed 4 December 2019.

‘This plan anticipates a future in which the federal judiciary is noteworthy for its accessibility, timeliness, and efficiency, attracts to judicial service the nation’s finest legal talent, is an employer of choice for highly qualified executives and support staff, works effectively with the other branches of government, and enjoys the people’s trust and confidence.’\*

The strategies of the Plan are organised around seven key issues, viz., providing justice, effective and efficient management of public resources, the judiciary workforce of the future, harnessing technology’s potential, enhancing access to the judicial process, judiciary’s relationship with other branches of the government, and enhancing public understanding, trust and confidence. For each issue, the Plan lays down specific strategies. For instance, insofar as a workforce for the judiciary is concerned, the Plan primarily concerns itself with attracting, developing, and retaining a highly competent and diverse complement of judges and staff.\* To address this issue, the Plan proposes two strategies:

- *Strategy 1: Support a lifetime of service for federal judges* – The strategy proposes that judges be supported throughout their careers, and they continue handling cases as long as they are willing and able to do so. The strategy also emphasises the importance of education, training, and orientation programmes to meet the needs of judges.\*
- *Strategy 2: Recruit, develop, and retain highly competent staff while defining the judiciary’s future workforce requirements* – The strategy also recognises the importance of the judiciary being an attractive employer. It proposes that the judiciary address ongoing changes including an increase in the amount of work that can be performed away from the office, shifting career options, and changes in how staff communicate and interact.\* Also, the judiciary should ensure a sufficient internal supply of qualified candidates, for which a meaningful leadership and executive development training programme (which provides for

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<sup>21</sup> Judicial Conference of the United States, *Strategic Plan for the Federal Judiciary: September 2015* (Administrative Office of the US Courts 2015) <[https://www.uscourts.gov/sites/default/files/federaljudiciary\\_2015strategicplan.pdf](https://www.uscourts.gov/sites/default/files/federaljudiciary_2015strategicplan.pdf)> accessed 1 December 2019 (‘Strategic Plan, USA’).

<sup>22</sup> Strategic Plan, USA (n 20) 3.

<sup>23</sup> Strategic Plan, USA (n 20) 9.

<sup>24</sup> Strategic Plan, USA (n 20) 9.

the option of relocation of executives) should be created. This is also to widen the pool of qualified internal applicants.\*

### **III. A Vision Statement for the Indian Judiciary**

#### **a. Previous attempts at a vision for the Indian Judiciary**

Even a cursory glance at the vision statements for judiciaries in other jurisdictions reveals that they are holistic in their approach – they target stakeholders both inside the courts and outside of them, and also consider aspects of risk management and potential roadblocks that might hamper their implementation. The only attempt at a vision statement in India was in 2009, when the National Consultation for Strengthening the Judiciary towards Reducing Pendency and Delays adopted a Vision Statement for the Judiciary (‘Vision Statement’). The Vision Statement was said to have captured the imagination of the functionaries, comprehending the essential elements of the idea of timely justice.\* The Vision Statement focussed on two major goals – *first*, increasing access by reducing delay and arrears in the system, and *second*, enhancing accountability through structural changes and setting performance standards and capacities.\*

While the Vision Statement of 2009 covered a wide expanse of goals and recommendations, it fell short of laying down enforceable timelines, and means of achieving targets or parameters for measuring performance. For instance, the Vision Statement identifies cases under certain statutes and areas of law as ‘bottlenecks’, for their ability to clog the dockets of magisterial and specialised courts. Some of the bottlenecks identified by the Vision Statement are matrimonial cases, cases under the Prevention of Corruption Act, 1988, petty cases such as traffic *challans*, and motor accident claims.\* The Vision Statement recommends that fast track procedures be evolved to deal with cases earmarked as bottlenecks. The Statement sets a deadline of 31 December 2011 for liquidating the arrears of such cases as on 1 January 2009. While this recommendation is made in the right spirit, the Vision Statement does not provide any insights into monitoring the performance of these fast track procedures, or any evidence-based analysis into the number of fast track courts that would be required to address the existing arrears of such cases. This was a recurring theme in the Vision Statement of 2009 – while it encompassed most areas of judicial reform which need imminent attention, it did not

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<sup>25</sup> Strategic Plan, USA (n 20) 9.

<sup>26</sup> National Consultation for Strengthening the Judiciary towards Reducing Pendency and Delays, *Vision Statement* (Ministry of Law and Justice 2009) para 4 (‘Vision Statement 2009’).

<sup>27</sup> Vision Statement 2009 (n 25) para 5.

<sup>28</sup> Vision Statement 2009 (n 25) 6.



go into granular details regarding implementation. This is an important aspect that future vision statements should be mindful of.

In addition to the above, the periodic Joint Conference of Chief Ministers of the States and Chief Justices of the High Courts ('CM-CJ Conference') culminates with a list of resolutions which are, essentially, in the nature of goals to be achieved by all levels of the judiciary. The CM-CJ Conference is a platform for the executive and judiciary to deliberate on the state of the judicial system and the steps to be taken for its efficient functioning. The expanse of the Conference is wide, and in its preceding editions, solutions for all levels of the judiciary have been mulled.

DAKSH analysed the recommendations made in the CM-CJ Conferences over the last 10 years (in 2009, 2013, 2015, and 2016) and the analysis reveals that resolutions have been made repeatedly on certain subject-matters.\* Recommendations pertaining to establishment of new courts, improvement of infrastructure in High Courts as well as subordinate courts, strengthening the legal aid system, increasing strength of judges in High Courts as well as subordinate courts, training of judicial officers, and reforming IT processes, have been made several times since 2009. Some of these resolutions have repeated themselves, while others remain conspicuous by their absence e.g. reforms to the criminal justice system. The two aspects pertaining to these recommendations which have largely evaded the CM-CJ Conferences are – *first*, the monitoring of implementation of these recommendations, and *second*, risk monitoring.

**a. A vision for the future – the 'what' and the 'how'**

As mentioned earlier in this paper, a workable vision statement should be mindful of the obligation of the concerned authority to draft a vision statement for the judiciary, the precise goals to be achieved, and parameters to measure performance of the judiciary towards achieving these goals. A vision statement for the judiciary in India should also target these three aspects, which are discussed in some detail in this part. A vision statement should also mull the following aspects:

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<sup>29</sup> DAKSH, *Note on Agenda for the Joint Conference of Chief Ministers of States and Chief Justices of the High Courts* (DAKSH 2019) <[https://dakshindia.org/wp-content/uploads/2019/08/Note\\_CM\\_CJ-Conference\\_2019-converted.pdf](https://dakshindia.org/wp-content/uploads/2019/08/Note_CM_CJ-Conference_2019-converted.pdf)> accessed 4 December 2019.



For a vision statement to work as desired, it is important that actionables be identified and are mindful of the following aspects:

- Subject-matter (or focus area) of the actionable (such as trends in listing of cases to be heard in a day, implementing case-flow management rules, adoption of technology);
- Targets which need to be met with regard to the identified subject-matter (deriving the optimum number of cases that can be heard in a single day, drafting sound and implementable rules for case-flow management, step-by-step introduction of technology in courtroom procedures);
- Timelines within which the above targets should be met (setting timeframes for deliverables for each quarter, and for the end of the financial year);
- Concerned authority/authorities who/which will be responsible for meeting these targets (the judicial as well as administrative authority/authorities who have to sign off on a particular actionable need to be specified in the vision statement);
- Performance measures or parameters which will evaluate how well/to what extent the targets have been met;
- Potential risks which can hamper the meeting of these targets (for instance, delays caused in ushering in new processes attributable to costs, bureaucratic inefficiencies, and stakeholder resistance).

There is a statutory obligation in Australia for preparation of a Corporate Plan for several tiers of the judiciary. More than anything else, this obligation ensures that the necessary step of drafting such a plan is undertaken. In India, there is no statutory obligation on the Department of Justice (Ministry of

Law and Justice), or the office of the Chief Justice of India to draft such a vision statement. Neither is there an obligation at the state level on the High Courts. While there is no counterpart for the Australian Public Governance, Performance and Accountability Act 2013 in India, such an enforceable obligation can be incorporated on concerned authorities under the Constitution of India. The Constitution can have an obligation on the Supreme Court, High Courts, as well as other concerned authorities to draft five-year vision statements for the Supreme Court, High Courts, and the subordinate judiciary. However, the lack of such a mandate does not hamper the judiciary from preparing a vision statement. As a starting point, the following authorities, in consultation with each other, can be made responsible for drafting vision statements for different tiers of the judiciary:

<b>Court/Tiers of judiciary</b>	<b>Authorities responsible drafting a Vision Statement</b>
Supreme Court	Office of the Chief Justice of India + Department of Law and Justice
High Court	Office of the Chief Justice of the High Court + State-specific Department of Justice
Subordinate judiciary	Principal District Judge + Administrative-in-charge Judge of the High Court + State-specific Department of Justice

For a vision statement, the next step is to identify goals/targets to be achieved, and measures to monitor performance. A rather incisive way to approach the question of how vision statements should be drafted are by means of evidence-based analysis. An interesting example of this exercise is a Vision Document for the subordinate judiciary in Tripura, prepared at the behest of the former Chief Justice of the High Court of Tripura, Mr. Justice Ajay Rastogi.\* The Vision Document proceeds district-wise, and assesses the number of pending cases, sanctioned strength of judges in each district, and court infrastructure in each district. The document also mulls the need for setting up new Family Courts and Commercial Courts in individual districts in Tripura based on the number of such pending disputes therein. The Document also covers aspects pertaining to Alternative Dispute Resolution ('ADR') and takes stock of the number of cases referred to mechanisms of ADR between 2008 and 2013.

The Vision Document for Tripura is an important step towards informing the goals and targets which should be set out in such a vision. Empirical analysis is essential for identifying the nature of

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<sup>30</sup> High Court of Tripura, *Tripura Judiciary: A Road Map for the Future* (May 2018) <<http://thc.nic.in/VisionDocument-2018.pdf>> accessed 1 December 2019.

interventions which are required for meeting certain goals and targets set for the judiciary. Empirical analysis in the nature of DAKSH's Zero Pendency Courts Project\* that was undertaken along with the Delhi High Court can inform an important discussion on the reforms required in the subordinate judiciary. As part of the methodology, DAKSH's research team tracked and recorded hearing durations and reasons of adjournment in cases from two types of courts – *first*, 11 designated Pilot Courts with no backlog or arrears, and *second*, Reference Courts (with regular workload) in same jurisdictions. The functioning of these two kinds of courts was then compared. The Zero Pendency Courts Project revealed that subordinate courts in Delhi need an additional 43 judges of certain cadres to dispose all pending cases in one year.\* Data-driven inputs like these are crucial for setting targets on filling vacancies on the bench for the subordinate judiciary.

Further, based on the data and analyses of this project, the primary causes of delay were identified as consistent absence of witnesses, adjournments sought by counsels as well as parties, and delays in service of summons.\* Such pilot projects can be conducted in other subordinate courts in the country as well so as to gain perspectives on how cases progress, their life-cycle, which cases take the longest to conclude, and which parties are responsible for delaying the progress of cases.\*

Taking a cue from these recommendations, and the Zero Pendency Courts Project at large, it would be beneficial if High Courts undertake pilot projects to initiate evidence-based reforms. Pilot projects can be useful in several areas of study, such as implementation of case-flow management, process re-engineering, using predictive tools in court management, and scientific calculation of required strength of judicial and non-judicial staff.

#### **IV. Conclusion**

To address the pressing concerns pertaining to the judiciary, there is an urgent need for the various tiers to devise and draft their respective vision statements. The most important benefit of putting in place a vision statement and mechanisms for tracking progress against them is restoring trust of the

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<sup>31</sup> Between 2017 and 2019, DAKSH worked with the Delhi High Court on the Zero Pendency Courts Pilot Project. The aim of this project was to identify causes of delay in disposal of cases, and develop norms for disposal timelines based on the subject-matter of cases.

<sup>32</sup> *Zero Pendency Courts Project: Final Report on the Pilot Project by High Court of Delhi* (DAKSH-Delhi High Court 2019) <[http://dakshindia.org/wp-content/uploads/2019/05/PublicNotice\\_3MRRIN3QTHN.pdf](http://dakshindia.org/wp-content/uploads/2019/05/PublicNotice_3MRRIN3QTHN.pdf)> accessed 1 December 2019 ('ZPC Project Report').

<sup>33</sup> ZPC Project Report (n 30).

<sup>34</sup> ZPC Project Report (n 30).

citizens in the judiciary. It signals to the society that the judiciary is mindful of systemic changes required to improve justice delivery beyond the transactional case-by-case justice dispensation. A statutory obligation mandating the concerned authorities to devise a vision statement would be beneficial in the long run. Even in the absence of such a statutory obligation, concerned authorities can embark upon the task of drafting vision statements. The Indian judiciary needs a precise vision, with measurable targets to achieve within a specified timeframe. Most importantly, the judiciary requires a mechanism for regular reporting of progress made with respect to the targets to be achieved. The discourse around judicial reforms is brimming with recommendations but not with enough thought being given to implementation thereof. The time is ripe for the Indian judiciary to have a holistic vision and benefit from the experience of other jurisdictions in this regard.