Twitter Thread by Bar & Bench

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Tata Trusts launches 2nd edition of the "India Justice Report"

Justice Madan Lokur, former Supreme Court Judge to give a special address.

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#IndiaJusticeReport2020: Srinath N, Tata Trusts renders opening remarks.

Chief Editor of the Report, Maya Daruwala gives an overview of the report.

Druwala says the aim of the report was to assess the capacity of each State to deliver Justice.

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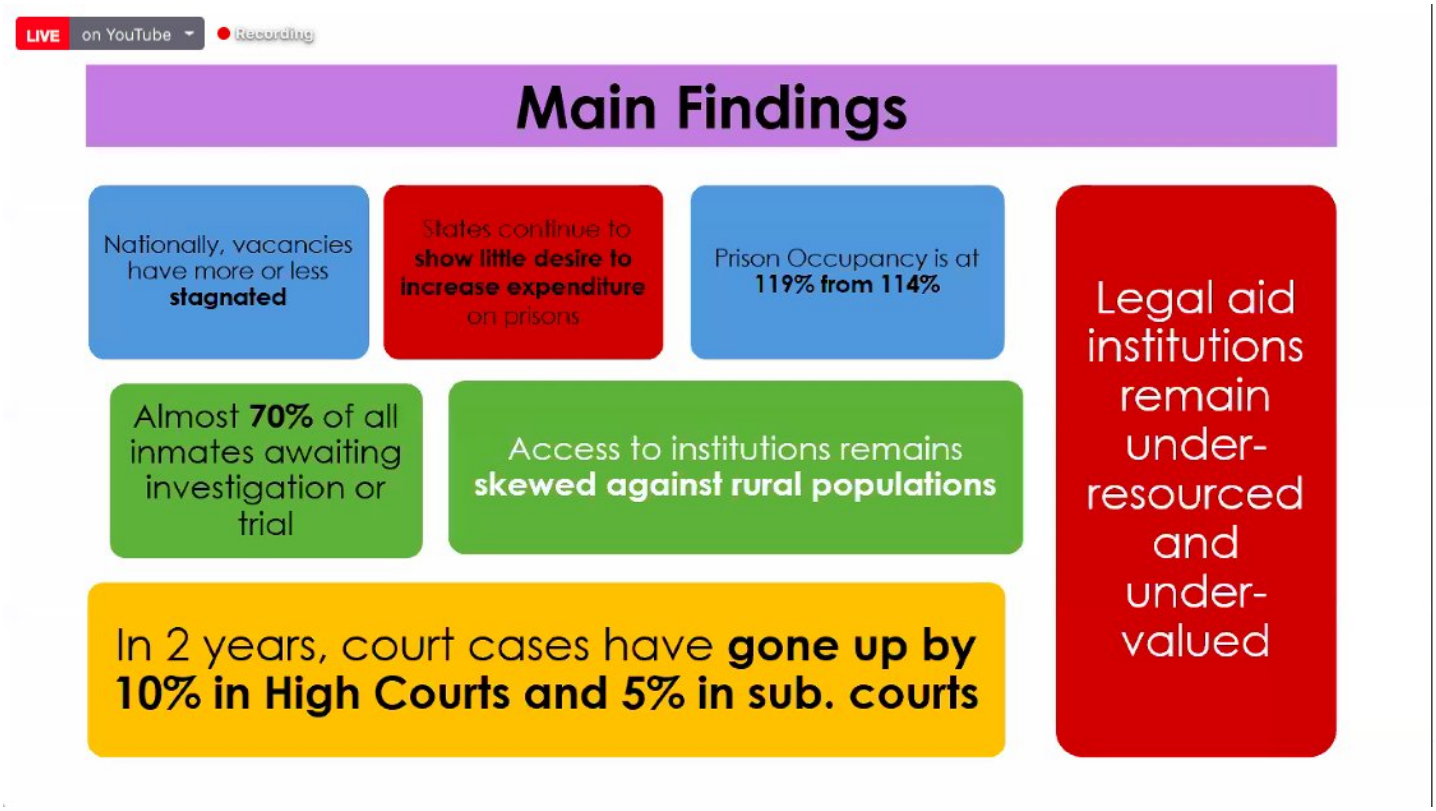
#IndiaJusticeReport2020: The launch event is also being streamed live on YouTube:

https://t.co/1DHOwh14xc

#IndiaJusticeReport2020 -

Maja Daruwala: We found that in most areas - vacancies, number of undertrials, overburdening of courts etc. - they remained very much as they are.

Only 30% of prisoners were convicts, the study showed, Daruwala points out, among other findings.



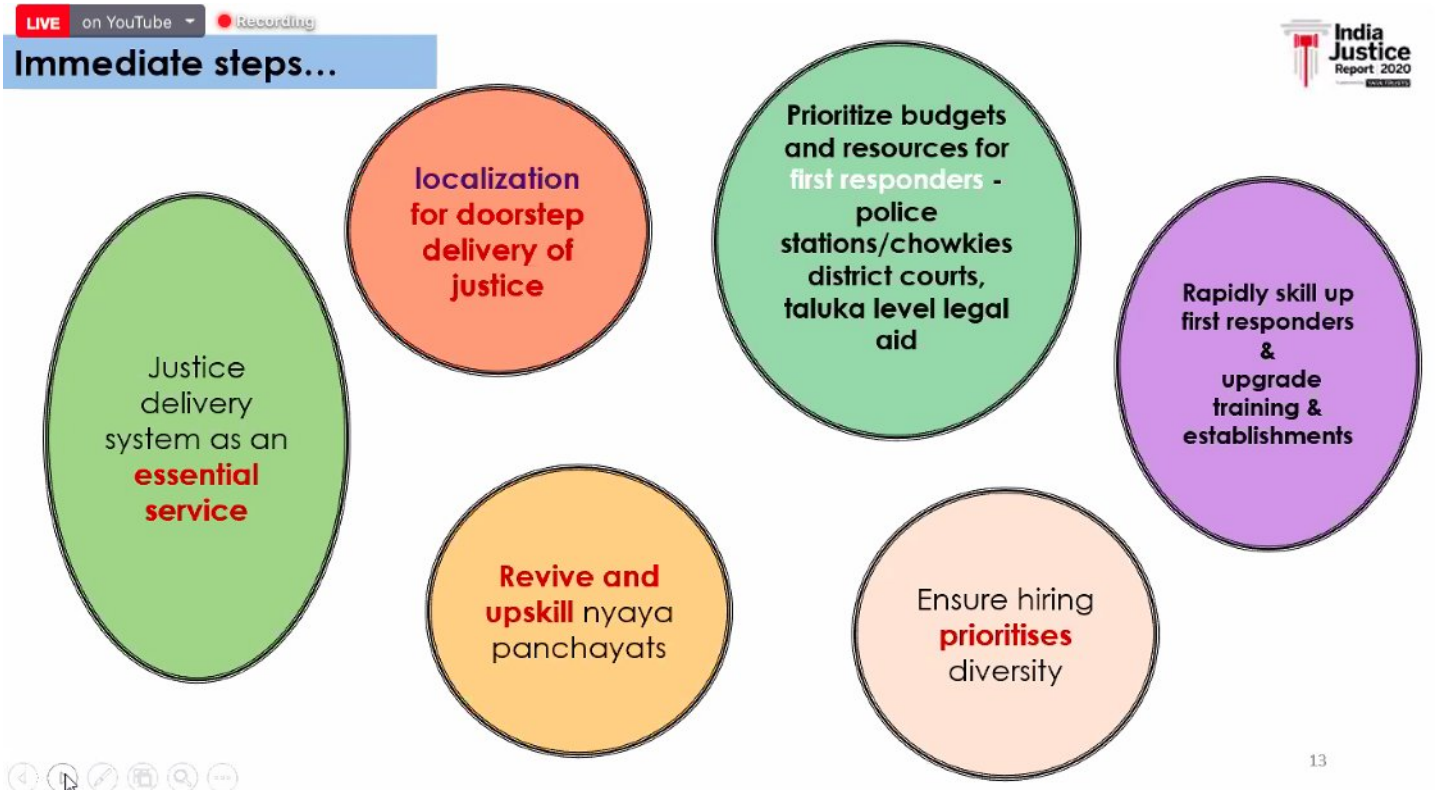
Last year the report had been confined to broad suggestions, but this year specific suggestions have been made since there has been a pandemic, Daruwala says.

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Justice delivery system must become an essential service like food, education etc.

It must be localised and doorstep delivery of justice must be prioritised. And this can be done without much money, Daruwala says.

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Justice delivery is not a pity plea. It is a right and there is a manifest duty to deliver it: Maja Daruwala concludes her remarks.

Valay Singh invites Justice Madan Lokur to speak.

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It is a call for action. It sets out a road map for both the States and the High Courts: Justice Madan Lokur on the #IndiaJusticeReport2020



Data indicates certain strengths & weaknesses, that is where ranking comes in... for eg, report says that Maharashtra has a robust legal system but a weak police pillar...Karnataka has a robust police pillar but its legal aid system is weak: Justice Lokur

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Justice Lokur further notes that the report indicates that Punjab has a strong judicial pillar but a weak prison pillar. Rajasthan has a strong prison pillar but a weak judicial pillar

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Rankings do not indicate that a particular State is the best... significance of the information is that it tells us where there is a call for action. For eg, Maharashtra will have to concentrate on police pillar, Karnataka will have to strengthen legal aid system: Justice Lokur

Referring to the 42% vacancies in judicial posts, Justice Lokur asks: Why are there so many vacancies?

33% of High Court judge posts are lying vacant. That is a huge amount. Why is that? Can we not do something about it?: Justice Lokur

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Pandemic has taught us that we have to give importance to certain things. Health, Justice delivery - we have to give importance, Justice Lokur says.

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We need to have a cost-benefit analysis for what we are doing: Justice Lokur

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In filling judicial vacancies, diversity is important, but so is merit, Justice Lokur says.

On All India Judicial Service, Justice Lokur says: It might be an answer, I don't know... so I don't want to talk about it. But it's a thought.

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Justice Lokur says that there has to be planned budgeting: We need to have realistic and planned budgets.

Only 20% of the budget given was spent by the judiciary in five years, he notes.

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We don't plan our budgets. We don't know how to spend the money: Justice Lokur.

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Following a social audit, it was found that 50% of cases with the Supreme Court Legal Service committee were dead. Either the parties were dead or they hired private lawyers, or there were other reasons, Justice Lokur notes.

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Social audits are important in whatever we do - judiciary, police, prosections, prisons. Are we spending enough on the prisoners?: Justice Lokur

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On court managers, Justice Lokur notes: That was thought of in 13th finance commission, but given up. Why? Is it because it didn't work, or people were told about it... why?

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Justice Lokur speaks about the importance of Infrastructure.

If you have a court that is dingy, no one would like to work in it. (Referring to a @Vidhi_India report) Many court complexes did not have toilets: Justice Lokur

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On case pendency, Justice Lokur notes that fingers were "close to the panic button" when it was over 2 crores some years back.

Now the fingers are very much on the panic button and pandemic has not helped: Justice Lokur

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The number (of case pendency) is going to go up. How are we going to tackle all this?: Justice Lokur

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Technology, case management, training -all this will have to be put into action. But where are we going to put it into action? That is where the #IndiaJusticeReport comes in: Justice Lokur

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Efforts should be to make justice, whether through the police, legal aid, judiciary, prison administration becomes reality, Justice Lokur says, as he concludes his remarks.

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#IndiaJusticeReport

After the virtual launch of the #IndiaJusticeReport2020, Dr Rajiv Kumar, Vice-Chairman of NITI Ayog speaks.

Dr Kumar speaks on how the report aims to improve rankings while recognising that one size does not fit all.

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Each state has its own peculiarities and problems which require their own distinctive way of handling it, Dr Rajiv Kumar says.

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Dr Rajiv Kumar says that the overall scores, leave a lot to be desired. He adds that he hopes the States would take the report seriously.

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Dr Kumar suggests that in the next report, information should be given on where India stand vis a vis the best international practices.

It is important to compare it to peers as well, in addition to comparing with our past performance, Dr Kumar says.

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We haven't done very well on the rankings... within the "ease of doing business", in enforcement of contracts, we rank 163/190. As an economist..., with that kind of unpredictability, lag in contracts, the investment climate is totally vitiated: Dr Kumar

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Enforcement of contract is the bedrock of a working investment economy. We at @NITIAayog would be keen to improve this aspect of our judicial system: Dr Kumar

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Without this (enforcement of contract) everything suffers, the economy, the employment, we lose a lot in terms of GDP... this is something we need to focus on very sharply...: Dr Rajiv Kumar

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Dr Rajiv Kumar refers to the "widespread cynicism of judiciary in our country"

We need to attack this cynicism: Dr Kumar observes.

He adds that the #IndiaJusticeReport2020 aids by throwing light on the judicial system, by demystifying and making it part of the public discourse

Dr Kumar says that there was a meeting held recently with Justice Sikri, Justice Chandrachud, Venugopal during which it was agreed that the e-Judiciary would engage with @NITIAayog

I look forward to that because I feel a lot can be achieved here: Dr Kumar

Referring to how infrastructure is lacking, particularly in lower courts, Dr Kumar says that @NITIAayog is willing to work with anyone to see how such issues can be solved.

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Dr Rajiv Kumar also says there should be decriminalisation of minor offences.

That will ensure lower imprisonment population and help clear clutter in our system as we go forward: Dr Kumar

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In response to a suggestion made to translate the #IndiaJusticeReport2020 should be translated to languages other than English, Valay Singh informs that the report is being translated to six other languages.

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When I was going through the #IndiaJusticeReport2020, I was shocked to read that only 60% of jails have video conferencing units.

I sent a message... saying that we had provided (money) for 100%... what has happened to all these units? : Justice Lokur.

Justice Lokur recounts that he was informed that the while money was given to HC, States to purchase VC units, many did not do this.

I'm talking about money given in 2017-18 latest. So for three years, if not more, many of these jails have not purchased the units: Justice Lokur

With courtrooms.... every court in the country has a computer system. the computers obviously come with a built-in camera. Virtual courts can be there in every court. but there is a problem of bandwidth, connectivity: Justice Lokur

These are problems that exist on the ground. we have to tackle them somehow: Justice Lokur

Having VC units in jails will not help if courts do not have it (and vice versa), Justice Lokur adds.

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Question asked views on judgment today denying bail to #MunawarFaruqui as well as the #BombayHighCourt's recent judgments on POCSO Act

(Read more on Bombay HC judgment:)

https://t.co/NeuDk7s5U9

Justice Lokur, in answering, focuses on the Bombay High Court judgments

These decisions and some others also... I believe the same judge has given another decision which is bad, if not worse: Justice Lokur

(Read more on verdict referred to:)

https://t.co/keOyj8LQLV

You have judicial academies. what are the judicial academies doing? Attorney General had said all the judges have to go through gender sensitisation training, but shouldn't the academies be doing that?: Justice Lokur

(Read more:)

https://t.co/cV0vqgHPiR

Justice Lokur notes that the Judge who delivered the two #POCSO Act judgments of the #BombayHighCourt was a deputy director in the judicial academy.

Now I wonder what kind of judicial education she imparted: Justice Lokur

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There is a lot that can be done in terms of imparting justice through the judicial academy...but that's the importance of social audit.. that's where social audits come in: Justice Lokur says

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Justice Lokur refers to the social audit carried out on the Supreme Court Legal Service committee where it was found that SLPs were not filed for 12-14 yrs.

For some, life imprisonment is 12 years. These persons have undergone life imprisonment but not filed SLP: Justice Lokur

Transparency is very important and it can only come with a social audit: Justice Lokur

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Whenever there is a judgment of this kind, it is disillusioning, but the #IndiaJusticeReport2020
shows that one judgment is not indicative of the system.

Rather, it shows where systemic changes can be made, Arghya Sengupta weighs in, referring to the #BombayHighCourt verdicts.

Answering a question, Justice Lokur notes that the North-East States may have to be treated differently for the purpose of the report.

For instance, he notes that in Mizoram the addition of judges had led to judges not having much work.

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In Manipur, I have met a lawyer who said he only has two cases. One has got compromised, and the other is going to get compromised so "I don't have any work", Justice Lokur recounts.

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Another lady lawyer, Justice Lokur recounts, said that she takes legal aid cases and that "I am the only lawyer here."

"Who appears for the other side?", Justice Lokur says he asked.

"She said, I appear for the other side", Justice Lokur narrates

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Maja Daruwala terms the #BombayHighCourt #POCSO judgment as an "absolutely uninformed and biased judgment of someone who is putting forward her point of view rather than what is Constitutionally required to be said in a court of law."

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Daruwala: How does that happen? It happens because nobody has paid attention to her training, or overseen her as she climbed the ladder.. When she comes down to it she doesn't have the tools required except to provide a judgment of what she sees as being what should be.

Daruwala says that the blueprint of the way forward should be dynamic, aim to fix the low hanging fruit and create tension within the system.

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The system is now too cozy, Daruwala adds, because there is very little accountability when there is a policeman, judge or prison officer who is wrong.

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The event comes to a close after the vote of thanks by Niyati Singh, who also thanks trustee collaborators: Centre for Social Justice, Common Cause, CHRI, DAKSH, Prayas, Vidhi.

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Author of POCSO judgment was a Deputy Director at Judicial Academy: Justice Madan Lokur

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https://t.co/AEkfnyXkCo