

**Government of India
Ministry of Law & Justice
Department of Justice**

LIST OF TOPICS FOR ACTION RESEARCH AND STUDIES ON JUDICIAL REFORMS

The proposals under Action Research and Studies on Judicial Reforms will be considered by the Project Sanctioning Committee only on this list of topics. The prospective Agencies should adhere to this indicative list of topics only. It must be noted that only a single project, at a time, will be allotted to the selected Agency.

The list of topics, as revised on 28th February 2023, is as follows:

1. Reducing Pendency

Sl. No.	Proposed Topics
1	To study the feasibility of integrating the process for execution of decrees with that of the process for award of judgment and decree to increase the pace for the final settlement of the list. ¹
2	To study the infirmities in respect of integrating new generation legislation with the existing institutional structures for prosecution and adjudication to prevent duplication and to prevent ambiguities in jurisdiction
3	To study on improving the effectiveness of the prosecution system in criminal courts for effective delivery of justice
4	To study the feasibility of introducing multiple shifts in the lower judiciary using services of adjunct judges or otherwise to improve efficiency in disposal of cases
5	To study on identifying the bottlenecks in the reporting and filling of vacancies in the judiciary and to suggest suitable remedial measures ²
6	Empirical research on the cases pending for more than 20/30 years across courts to highlight and document the reasons for such long delays in the disposal of such cases including physical verification of case records vis-à-vis NJDG data.
7	Comparative Study/Statistical analysis of case disposal timelines /case clearance rate with a view to suggest best practices for all levels of judiciary.
8	Evolving technology-driven framework for monitoring case institution and disposal trends in courts to set standards for justice delivery.

¹Current Ongoing Project” To identify the Reasons for delay in disposal of cases and evaluate Capacity gap to manage the pendency of cases in District & Subordinate Courts of Delhi” by Delhi Judicial Academy.

² **INPUTS OF APPOINTMENT DIVISION :**

pendency of cases in courts is not only due to shortage of judges in High Courts but also due to various factors i.e. (i) Increasing number of state and central legislation, (ii) accumulation of first appeals, (iii) continuation of ordinary civil jurisdiction in some of the High Courts, (iv) Appeals against orders of quasi-judicial forums going to High Courts, (v) Number of revisions/appeals, (vi) Frequent adjournments, (vii) Indiscriminate use of writ jurisdiction and (viii) Lack of adequate arrangement to monitor, track and bunching of cases for hearing, (ix) Long vacations in the Courts and (x) assigning works of administrative nature to Judges.

9	Action Research study to introduce alternate trial model for timely disposal of cases.
10	Action Research study to introduce Bench Books for Civil Courts for uniformity in procedure with a view to pendency reduction

2. Reforms in Procedural Laws

Sl. No.	Proposed Topics
11	Devising measures to promote the effectiveness and efficiency of Criminal Justice System in all its fields, i.e. investigation, prosecution and trial ;
12	Study on major bottlenecks in procedural laws affecting expeditious conclusion of criminal trials and measures needed to remove such bottlenecks.
13	Review of the impact of scheme of 'Plea Bargaining' in Criminal Justice System including jail reform, its constraints and challenges and to suggest measures for their effective implementation. ³
14	An assessment of the existing witness protection schemes; their impact and changes required.
15	Measuring the impact of 2013 amendments in Criminal Law.
16	Study of Victims of different categories of crime and their experience with the adjudication process.
17	Inter State comparison of adjudication of civil and criminal cases
18	An Empirical Study of Implementation of 'Arrest Law' in select cases

3. Use of ICT for Judicial Reforms

Sl. No.	Proposed Topics
19	Assessing the need for legal reform associated with the use of ICT for delivery of justice.
20	Assessing the possibility and challenges of the use of social media and mobile technology for judicial awareness.
21	Analyzing the impact of computerization of courts and audio-video recording of court proceedings on perception about privacy and data security. This project will be subject to approval of e-Committee of the Supreme Court of India.
22	Study to recommend policies for improving the adoption and utilization of ICT in the judicial system.
23	"Paperless courts" : To study the feasibility of replacing paper documentation whenever possible without affecting delivery of justice to speed up the justice delivery process
24	Comprehensive study on functioning of e-filing introduced in India

³Current Ongoing Project "Access to Justice through Plea Bargaining as an alternative model to traditional Criminal Trial in India: A case study of select Indian States "by University School of Law & Legal Studies.

25	A study on the effectiveness of hearings held over Video Conferencing. The study should also cover the features which the VC software should have so as to make the hearings more effective
26	Effectiveness of Trials being Conducted using VC Mode : Whether Courts are able to conduct effective cross examination etc using VC mode.

4. Fast-Track Courts

Sl. No.	Proposed Topics
27	Efficacy of DoJ Fast Track Court Scheme in relation to under-trials
28	An Impact Assessment of Fast Track Courts in India.
29	Effectiveness of Fast Track Courts in checking incidences of sexual offences
30	A comparative study of the cases heard and disposed by the FTSC in the best and worst performing states .The study should pin point the best practices being followed so that they can be used by the slower states to improve their performance
31	Effectiveness of Fast Track Special Courts vis a vis regular Courts in handling cases of Rape & POCSO Act.

5. Commercial Courts

Sl. No.	Proposed Topics
32	Effectiveness of the Commercial Courts Act, 2015 as amended, in reducing the time taken to enforce Contracts in India ; ⁴
33	Bottlenecks faced in implementation of and achieving objectives of the Commercial Courts Act, 2015 as amended. ⁵
34	Study on functioning of Dedicated Commercial Courts in country & suggestions for improvement special focus on commercial courts in Delhi and Mumbai.
35	Study on functioning of Dedicated Commercial Courts in country & suggestions for improvement; special focus on states such as TamilNadu, Andhra Pradesh, Madhya Pradesh, Uttar Pradesh, Rajasthan. ⁶

⁴Current Ongoing Project“*Impact Assessment of Commercial Courts Act, 2015 with reference to Commercial litigations pending in State of Bihar & Jharkhand*” by Chanakya National Law University, Patna

⁵Current Ongoing Project“*The Commercial Court Guide (India) 2021*” by National Law University Delhi.

⁶Current Ongoing Project “*A Study on Functioning of Commercial Courts in the Southern Region of India for Improving Ease of Doing Business*” by DamodaramSanjivayya National Law University, Visakhapatnam.

6. Enforcement of Decrees

Sl. No.	Proposed Topics
36	Time and Motion study on Enforcement of Decrees and ways to reduce judicial delays
37	A study on cases where enforcement of decrees contributes to delay

7. Access to Justice

Sl. No.	Proposed Topics
38	Role of Pro-bono lawyering in ensuring Access to Justice ⁷
39	Assess and identify thematic areas of intervention and partnerships to be taken up by Department of Justice with concerned stakeholders and drawing an Action Plan harmonizing DISHA with 2030 Agenda Goal 16 on Access to Justice. ⁸
40	<u>Access to Justice and Rights of Litigants in District and Subordinate Courts</u> ⁹ - Litigants are the people whose needs should be catered primarily as the Courts owe their existence to them. A study may be conducted to ascertain as to which of the following facilities are available to the litigants in lower Courts and what their condition is. For this purpose, some of the large Court complexes may be researched upon. 1.Digital infrastructure – Court websites, eCourts and mobile applications 2.Availability of Judicial Service Centre in judicial complex, its functioning, quality of digital display of information and knowledge and behavior of person manning the 3.Availability and upkeep of toilets 4.How friendly is the assess points for the differently abled persons. 5.Drinking water, lighting inside the complex 6.Waiting areas for the litigants with seating arrangements 6.Entry and exit points need to be well managed. 7.Provision of signage, maps, directions etc. 8.Security inside the complex. 9.Availability of chambers for lawyers. 10.Elevators and ramps
41	Effectiveness of legal advice and consultation through Tele-Law and recommendations for improvement."

⁷Current Ongoing Project "Role of Pro-Bono Lawyering in Ensuring Access to Justice: A Study with Special Reference to State of Himachal Pradesh, Haryana, Punjab, Union Territory of Chandigarh and Union Territory of Jammu and Kashmir" by Himachal Pradesh National Law University.

⁸Current Ongoing Project "A Field Study to Evaluate the Efficacy of Access to Justice for Under Trials in Selective Prisons in the Specific States" by National Law University, Delhi.

⁹Current Ongoing Project "Empirical study to evaluate the delivery of justice through improved infrastructure" by National Law University, Delhi.

8. Miscellaneous

Sl. No.	Proposed Topics
42	To study the use of sentencing power by various courts in the criminal hierarchy to identify the impediments in the exercise of sentencing jurisdiction
43	Insolvency and Bankruptcy Code
44	Crimes Against Women
45	Children in Conflict with the Law
46	Human Trafficking
