

COURTS' PENDENCY CRISIS: ONE WHEEL CANNOT MOVE

Context: The article highlights concern over the high judicial pendency in India and suggests corrective measures to rectify it.

Statistics related to pendency in Indian Judiciary

- At over 47 million, India has the largest number of pending court cases in the world.
- As per the **National Judicial Data Grid (NJDG)**, 57,987 cases in Supreme Court and 49 lakh cases are pending in High Courts
- Also 2.4cr cases are pending cases in India's district courts, out of which 23 lakh (9.58%) have been pending for over 10 years, and 39 lakh (16.44%) have been pending for between 5 and 10 years.
- A **Law Commission** report in 2009 had quoted that it would require 464 years to clear the arrears with the present strength of judges.
- A 2018 paper by **NITI Aayog** said it would take more than 324 years to clear the backlog.

Court	Pendency in 2019	Pendency in 2020	Pendency in 2021	Pendency in 2022
Supreme Court	59,535 (as on December 2019)	64,426 (as on December 2020)	69,855 (as on December 2021)	70,154 (as on March 2022)
High Courts	46,84,354 (as on December 2019)	56,42,567 (as on December 2020)	56,49,068 (as on December 2021)	58,90,726 (as on March 2022)
District & Subordinate Courts	3,22,96,224 (as on December 2019)	3,66,39,436 (as on December 2020)	4,05,79,062 (as on December 2020)	4,09,85,490 (as on March 2022)

Causes of judicial pendency and solutions to reform judicial system

- **Government - the biggest litigant:** The Centre and state governments are party to 46% of the pending cases.
- **Judge strength:** As of 2021, India had 21.03 judges per million people compared to the UK with 51 and the US with 107 judges per million. Hence India needs more judges for speedy justice delivery.

- **Judicial appointments:** The tussle between the executive and the judiciary over judicial appointments must be resolved on a war footing. The **collegium system of judges** appointing other judges should be replaced with a more viable scheme.
- **Administrative burden:** The Indian judges spend majority time in scheduling hearings, deciding admission, etc., unlike in developed countries where administrative tasks of courts are supported by an external agency.
- **Frivolous litigation:** Certain categories of cases such as dishonouring of cheques or landlord-tenant disputes are voluminous and clog the system.
- **Poor judicial infrastructure:** For example, many court complexes operate from rented premises. Ex CJI N V Ramanna has remarked that a **National Judicial Infrastructure Corporation (NJIC)** should be created for the standardization and improvement of judicial infrastructure.
- **Issue of undertrials:** Around 76% of prisoners in Indian jails are undertrials, i.e., three out of four prisoners are not even convicted.
- **Frequent adjournments:** A norm needs to be formed that once a date is fixed no adjournment should be possible unless the side that requests it is willing to pay the other side's legal costs along with a substantial penalty.
- **Absenteeism of judges:** The productivity of judges should be reviewed periodically to have oversight upon absenteeism of judges.
 - Ex CJI Ranjan Gogoi had proposed a “**no leave formula**” for judges during working days of the court.

Conclusion

- Denial of ‘timely justice’ amounts to denial of ‘justice’ itself. Timely disposal of cases is essential to maintain rule of law and provide access to justice.
- Speedy trial is a part of right to life and liberty guaranteed under **Article 21** of the Constitution.
- Hence a **continuous formative assessment** to come out of the judicial pendency crisis is the key to strengthen and reinforce the justice delivery system in India.

[GOVERNMENT FORMS PANEL TO LOOK INTO MGNREGA'S EFFICACY](#)

In News:

- The Central government has constituted a committee to review the implementation of MGNREGA scheme to assess the programme's efficacy as a poverty alleviation tool.
- The committee is headed by former Rural Development secretary Amarjeet Sinha.

Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS):

- The National Rural Employment Guarantee Act (NREGA) was notified in September, 2005.
- In 2009, through an amendment, the name of the Act was changed to Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA).
- **Mandate:** To provide at least 100 days of guaranteed wage employment in a financial year to every rural household whose adult members volunteer to do **unskilled manual work**.
- The Mahatma Gandhi National Rural Employment Guarantee Scheme was created as the means to implement the Act so that the guarantee comes into effect.
- MGNREGS is a Centrally-Sponsored Scheme i.e. the scheme is jointly funded by the Central government and the State governments.
- **Concerned Ministry:** Ministry of Rural Development

Salient Features of the Scheme:

- **Legal Right to Work:**
 - The MGNREGA provides a legal guarantee for wage employment.
 - Every rural household has the right to register under MGNREGA.
 - Also, at least one-third of the beneficiaries of the scheme have to be women.
 - There are legal provisions for allowances and compensation both in cases of failure to provide work on demand and delays in payment of wages for work undertaken.
- **Demand-Driven:**
 - It is a demand-driven programme where provision of work is triggered by the demand for work by wage-seekers.
- **Decentralized mode of implementation:**
 - The State governments have powers to make rules and amend the concerned State scheme.

- Gram Panchayats (GPs) are to implement at least 50 per cent of the works in terms of cost.
- Plans and decisions regarding the nature and choice of works to be undertaken etc. are all to be made in open assemblies of the Gram Sabha and ratified by the GP.

Budget allocation

- The government's expenditure on job guarantees is among the largest social sector spends in its budgets for.
- 730 billion Indian rupees have been earmarked (\$8.94 billion) towards the jobs scheme for fiscal 2022-23
- Historic allocation of 1.1 trillion rupees was made in FY 2020-2021.

MGNREGA & COVID

- MGNREGA acted as a crucial safety net during COVID pandemic
- In the financial year 2020-21, the number of person days of work provided under the scheme rose drastically.
- In 2021-22 too, the demand for MGNREGA work remained high, and 363 crore person days of work were generated.

Criticism

- Poorer States like Uttar Pradesh, Bihar haven't been able to use the scheme optimally to alleviate poverty, while economically better-off States like Kerala use it as an asset creation tool
- The scheme has been criticised by economists like Jagdish Bhagwati and Arvind Panagariya as an "inefficient instrument of shifting income to the poor".
- While Bihar needs MGNREGA more, money cannot be denied to affluent states like Kerala because of the current structure of the programme.
- MGNREGA is slammed for the lack of tangible asset creation.

[PSLV-C54](#)

ISRO recently launched PSLV-C54 with Oceansat-3, 8 nano satellites.

- Satellites in PSLV-C54 includes EOS-06 (Oceansat-3) plus eight nano satellites (BhutanSat, 'Anand' from Pixxel, Thybolt, and Astrocast - four numbers from Spaceflight USA).

BhutanSat

- ISRO Nano Satellite-2 for Bhutan (INS-2B) spacecraft is configured with INS-2 Bus. INS-2B will have two payloads namely NanoMx and APRS-Digipeater. NanoMx is a multispectral optical imaging payload developed by Space Applications Centre (SAC).

Anand

- The Anand Nano satellite is technology demonstrator to demonstrate the capabilities and commercial applications of **miniaturized earth-observation camera for earth observation** using a microsatellite in **Low Earth Orbit**.
- This is a three-axis stabilized satellite consisting of a satbus, accommodating all subsystems like telemetry, tele-command, Electrical Power system, Attitude Determination and Control System (ADCS), on-board computers etc.

Astrocast

- Astrocast, a 3U spacecraft is a technology demonstrator satellite for the Internet of Things (IoT) as the payload. There are 4 nos. of Astrocast Satellites in this mission. These spacecraft are housed within an ISISpace QuadPack dispenser.
- The **dispenser protects the satellite from contamination**.

Thybolt

- The Thybolt is a 0.5U spacecraft bus that includes a communication payload to enable rapid technology demonstration and constellation development for multiple users.
- It also demonstrates Store-and-Forward functionality for authorized users in the amateur frequency band. The satellites shall be deployed by using Dhruva Space Orbital Deployer to perform the specific mission operations for a minimum lifetime of 1 year.

PAYMENT AGGREGATOR



The Reserve Bank of India (RBI) has asked Paytm Payments Services Limited to resubmit the application to operate as payment aggregator.

About:

- A payment aggregator **provides payment services to merchants and e-commerce sites by accepting payment instruments from customers.** As a part of this, they pool the funds received from customers and transfer them to merchants after a certain time.
- The services include facilitating integrated payment options such as transactions of **cash and cheque, and online and offline touch points, besides allowing bank transfers for merchants** without the need to set up accounts directly with the bank.

Why a licence is needed?

- In a new set of guidelines issued in March 2020, the RBI mandated that all PAs shall be authorised by it. For this, the regulator instructed non-bank companies offering PA services to apply for authorisation by June 30, 2021, which was later pushed to September 30, 2021.
- The decision on granting the licence has come after a period of assessment of the applications. The norms made it important for all payment gateways to acquire a licence to continue. The few firms authorised to operate as payment aggregators in India will come under the **direct purview of the RBI.**

CONSTITUTION DAY

PM to participate in Constitution Day celebrations in Supreme Court on 26th November.



About:

- India observes Constitution Day or Samvidhan Divas on November 26 every year in order to commemorate the adoption of the Constitution of India.
- On the occasion of the **125th birth anniversary of BR Ambedkar**, the Union Cabinet decided to celebrate November 26 as Constitution Day.

History of the Constitution Day

- The Constituent Assembly adopted the present-day Constitution on November 26, 1949 but it was decided that it will come into effect after a gap of almost two months i.e. on January 26,

1950. During this two-month break, the members of the constituent assembly thoroughly read it in order to find any mistakes.

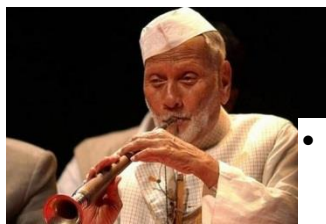
- **The Constituent Assembly met for two years, eleven months and eighteen days, a total of 166 days, before adopting the Constitution.**
- Initially, it had been written in both **English and Hindi** and had been signed by each member of the assembly.

Interesting facts about the Constitution of India

- The constitution is the **largest written constitution in the world.**
- The original copy had been **written by hand.**
- Each page of the constitution has a **gold leaf frame** while the opening page of each is adorned with some kind of artwork.
- **Beohar Rammanohar Sinha and Nandalal Bose**, who were artists from Shantiniketan, had decorated the original version of the Constitution.
- **Prem Behari Narain Raizada** was a **talented calligrapher** who had prepared the original copies of the constitution.

THE USTAD BISMILLAH KHAN YUVA PURASKAR

Sangeet Natak Akademi selects 102 artists of India for the Ustad Bismillah Khan Yuva Puraskar for the years 2019, 2020 & 2021.



About

- The Ustad Bismillah Khan Yuva Puraskar, given to artists **below the age of 40 years**, was introduced with the objective of identifying and encouraging outstanding young talents in diverse fields of performing arts and giving them national recognition early in their life.
- The Ustad Bismillah Khan Yuva Puraskar carries a purse money of Rs. 25,000/-

Ustad Bismillah Khan

- The legendary **shehnai player**, Ustad Bismillah Khan was one of India's most celebrated classical musicians.
- Bismillah Khan has been credited with taking the shehnai from the marriage mandap to the concert hall. He brought Shehnai to the center stage of Indian classical music with his concert in the Calcutta All India Music Conference in 1937.
- He was a recipient of many honors and awards. These include: **Padma Vibhushan (1980)**, **Padma Bhushan (1968)**, **Padma Shri (1961)**, Sangeet Natak Akademi Award (1956) etc.
- In 2001, Ustad Bismillah Khan became the **third classical musician to be awarded the Bharat Ratna, India's highest civilian honour.**

LACHIT BORPHUKAN

A three-day celebration of the 400th birth anniversary of the legendary Assamese general and folk hero Lachit Borphukan began in New Delhi.



About

- Borphukan has always been revered in Assam as the **warrior who defeated Mughal armies in the Battle of Saraighat in 1671.**
- He was chosen as one of the five Borphukans of the Ahom kingdom by king **Charadhwaj Singha**, and given administrative, judicial, and military responsibilities.
- Unlike the Mughals who preferred battles in the open with their massive armies, **Borphukan preferred guerrilla tactics** which provided an edge to his smaller, but fast moving and capable forces.
- Lachit Borphukan died a year after the Battle of Saraighat from a long festering illness.

The Ahom kingdom

- The Ahom kingdom had been **repeatedly attacked by the Turkic and Afghan rulers of the Delhi Sultanate and later by the Mughals.**

- The Mughal-Ahom wars had been going on since 1615-16, with the first Mughal attack on Assam with a view to capturing the region. The Ahoms had ruled major parts of Assam for nearly 600 years, between 1228 and 1826.
- From 1615 to 1639, many battles would be fought between the two, and tired of war, both sides agreed to sign a treaty after the Mughals had advanced into Assam and captured Kamrup.

The Battle of Saraighat

- The Battle of Saraighat was a naval battle fought in 1671 between the Mughal Empire and the Ahom Kingdom on the Brahmaputra river at Saraighat, now in Guwahati, Assam, India.
- **Borphukan was commander of the Ahom armies during the battle of Saraighat** –. The battle, which took place during the **Mughal emperor Aurangzeb’s reign**, was seen as a decisive Ahom victory.

NATIONAL MILK DAY

Department of Animal Husbandry to celebrate National Milk Day to commemorate 101st birth anniversary of the “Father of the White Revolution in India -Dr. Verghese Kurien”.



About:

- National Milk Day is celebrated in India on November 26 to **honour the memory of Dr Verghese Kurien**, who is fondly known as the father of the White Revolution.
- Kurien was also called the **Milkman of India** as his ideas and efforts to build a system of farmer cooperatives helped transform the country from an importer of dairy products to the world’s largest milk producer.
- For his relentless service to the dairy and farming communities, Kurien was awarded the **Ramon Magsaysay Award (1963), Padma Shri (1965), Padma Bhushan (1966), World Food Prize (1989) and Padma Vibhushan (1999)**.

Significance

- National Milk Day raises awareness about the need for milk in human lives.

- **India is the world's largest milk producer, with 22 percent of global production**, followed by the United States of America, China, Pakistan and Brazil.
 - According to the data available on the NDDDB website, milk production in India has increased from 84.4 million tonnes in 2001-02 to 121.8 million tonnes in 2010-11 and 198.4 million tonnes in 2019-20.
 - Since the 1970s, most of the expansion in milk production has been in South Asia, which is the main driver of milk production growth in the developing world.
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TILTING TRAIN

The Indian Railways plans to introduce 'tilting trains' by 2026.



About:

What is it?

- It is a **technology that enables trains to maneuver curves at increased speed**, that too on regular tracks, just like a motorcycle on a winding road.
- Vande Bharat trains, manufactured in India, will be equipped with the technology by 2025 that will improve their speed.
- Such trains are **now operational in 11 countries** - Italy, Portugal, Slovenia, Finland, Russia, the Czech Republic, the UK, Switzerland, China, Germany and Romania.

How does a tilting train work?

- When a train rounds a curve at speed, objects (and people) inside experience centrifugal force, which pushes them outwards.
 - The effect can cause luggage inside to slide, seated passengers to feel squashed and standing passengers to lose balance. These trains are **designed to counteract the effect by tilting the carriages towards the inside of the curve**, thus compensating the g-force.
 - It further explains how motion sickness can be essentially eliminated by adjusting the timing of when the cars tilt.
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