

# Evaluating District and Sub-Divisional Court Management in West Bengal

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## **Abstract:-**

*The society in a democratic polity cannot be conceived without a strong and independent judicial system. India, the world's largest democracy, suffers from more than four crore pending cases across several district and taluka (sub divisional) courts at par the National Judicial Data Grid (NJDG) and such number has been raised by 13 percent only between 2019 and 2020. There are a number of judicial or legal procedural factors which contribute to the backlog that always lies in the limelight. On the other hand, the conflict and contrast between the aspiration and achievement of performance of the courts and judges are hardly measured. It is undeniable that without the development of internal management and governance, the judicial organisation cannot serve up to the expectation of the people. Accordingly, evolution of the Indian court management system as well as few marginalised arenas of the district and sub-divisional courts' management and governance have been explored under this study. Furthermore, comprehensiveness of the specific problems spotted under each domain has been empirically verified from the perspective of different stakeholders of the justice delivery system (such as judges, lawyers, academicians, administrators and litigants) within the state of West Bengal. This study reveals that an effective and efficient judicial administration prevailed in ancient India. Under this research, nearly 9 out of 10 litigants believe that courts are functioning in less than optimum level as well as interestingly in every 3 out of 4 judges disclose that they spend more time in judicial works and less in administration. The study finds that some of those problems are glaring for all the stakeholders, while few of these are stakeholder specific. The statistical analysis also supports that all the stakeholders have commonality in some of the specific problems like, length of trial of a case is uncertain; workload in court delays timely justice; court lacks policy for time bound and cost-effective justice; and courts have poor infrastructure.*

**Keywords:-** Court performance and governance, Court management, Court managers, Evolution of Indian court management, Judicial administration in ancient India, Key managerial areas of Judiciary, Obstacles for Indian trial courts.

## **I. Introduction**

*'[T]he emergence of the profession of court management may be the most significant development in judicial administration in this century.'*

- Edward B. McConnell, the administrative director of the courts of New Jersey.

In horizontally-administered organisations where the most significant services are rendered by highly skilled professionals, such as hospitals and courts, the executive component is quite widespread and accordingly the managerial aspects need to be dispersed. (McConnell, 1991). In federal court structure, the judge with assistance of clerical staffs carries out the day-to-day affairs of judicial administration like, appointment of employees, supervise spending, collection of data, manage court records and use of information technology systems etc. Specifically, lots of administrative functions are attached to the post of a chief judge of every court (like district and session judge or chief judicial magistrate) in addition to their primary duty of adjudication. The non-judicial functions of the court are not only a mere administrative practice but predominantly guided by several procedural laws (including rules and orders). Notably, though the term 'court administration' is preferred over the 'court management' in the common law system, it is often used interchangeably. However, it cannot be expected that Judges who foremostly possess the legal expertise, must have an equal administrative or managerial skill to perform several non-judicial affairs of the court. As a result, it not only creates hindrance to an efficient court management but also reduces efficiency of the judiciary to dispense swift justice (Faizan, 2017). Moreover, Indian Judiciary is lagging behind to develop new public management systems to involve objectives, indicators, assessments, bonuses, and budget as in comparison with several master countries of this field (e.g., the Netherlands, Belgium, Chile, France, England and Wales, Singapore, Spain, the USA) (Jeuland, 2018). Indeed, with the increasing backlog, shortage of judges and to segregate the core judicial function and administrative role of the judges,

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the post of court managers was introduced by the 13<sup>th</sup> Finance Commission in 2010 for every High Courts and District Courts but unfortunately the posts have been discontinued from 2015 onwards (Kaul, 2020). However, the Supreme Court remarkably felt that these posts of court managers (preferably with an MBA degree) need to be continued or appointed for every judicial district and should be regularised by the respective state governments (*All India Judges' Association v. Union of India*, 2018).

On the other hand, in light of the National Court Management System (NCMS) as introduced by the Chief Justice of India in consultation with the Union Minister of Law and Justice by 2012, it is imperative to develop a road-map which will lead to court excellence. Accordingly, a NCMS baseline report on National Framework of Court Excellence (NFCE) was published in 2013 to devise certain benchmarks and framework on minimum national common standards for court management systems at a policy level. The report further supposed to be a dynamic working document that would undergo periodic updation and revision based on the feedback received from State Court Management Systems Committees of High Courts. However, the baseline report has not been updated since its formation (Chandrashekar, *et.al*, 2019). Moreover, although the NCMS has sketched details of the field that requires getting an excellence tag, ground reality says that there is a huge gap in between the aspiration of the policy and achievement through operation. Indeed, before plunging into the process of developing the strategies for court excellence, it is vital that the problems are to be identified. It has no need to mention that without the development of internal management and governance, the judicial organisation cannot serve up to the expectation of the citizen. In the view above, specific objectives of this study are as follows:

- i. to find out the evolution of Indian court management system;
- ii. to identify the grey areas of judicial administration at district and sub-divisional courts;
- iii. to empirically examine the comprehensiveness of the area of thirst in court management from the perspective of different stakeholders of the justice delivery system.

## II. Hypothesis

The researchers have taken the following two propositions to undergo the present study:

H<sub>1</sub>= The concept of court management is entirely new to the Indian judicial organisation;

H<sub>2</sub>= There are some neglected spheres of managerial operations at district and sub-divisional courts and such grey areas of court management are inclusive to all stakeholders of the justice delivery system.

## III. Methodology

The present study is a combination of doctrinal and non-doctrinal research. Where the former involves various primary as well as secondary sources like, committee reports, seminar speeches, books, research works, articles, internet resources etc. The latter invokes the field study method for pursuing this research. It is a fact that under the hierarchical and single integrated judicial structure of India, the Supreme Court is the apex authority. The High Courts are below the Supreme Court and the district and sub-divisional courts are subject to the territorial jurisdiction of each High Courts respectively. There are certain resemblances in managerial functions of every district and sub-divisional courts which come under the supervision of a common High Court. That's why the field study method has been preferred over the survey method with an inductive reasoning approach. This study due to limited resources, has been restricted to the district and sub-divisional courts which come under the jurisdiction of Calcutta High Court and are located within the state of West Bengal.

In the view above, this study considers the purposive sampling method as a non-probability sampling design from the above universe. The selected sample consisting of Judges, Lawyers, Academicians, Administrators and Litigants represent only a few types of stakeholders who are directly or indirectly associated with the justice delivery system. As a data collection tool, self-administered questionnaires were deployed only to the targeted samples. Accordingly, a total 225 responses have been collected amongst which 39 responses came from judges, 60 from lawyers, 36 from academicians, and 30 from administrators and 60 from litigants. The appropriate statistical tools and techniques have been used to draw proper inferences from the collected data. Thereafter, the initial scores obtained through the opinion survey have been assigned with various weightage. Using the weighted scores, the Analysis of Variance (ANOVA) has been performed to identify whether the variance is significant across the opinions of the stakeholders or not. Finally, the descriptive statistics have been considered to interpret the empirical data as well as to make the tabular and diagrammatic representation.

#### IV. Evolution of Indian Court Management System

The oldest judiciary of the world is deeply rooted in the ancient history of India (Dhavan, 2016). Its existence can be traced since before the Vedic ages as dating back to Neolithic age (7000BC to 3300BC) as evident from various ancient manuscripts like- The *Vedas*, *Smrithis*, *Upanishads*, *Arthasatra*, *Dharmaśāstra*, *Nītiśāstra* and through works of several writers namely, Narada, Brihaspathi, Manu, Bhrigu etc. As per *Katyayana Smrithi*, the hierarchy of courts was graded into the six following categories (in ascending order): (a) *Kula* (family councils), (b) *Shreni* (councils of trade or profession), (c) *Gana* (assembly of village), (d) *Adhikrita* (court appointed by the king), (e) *Sasita* (kings court), (f) *Nripa* (king himself). Litigants had also the liberty to engage any lawyer of their choice who was known as *Niyogi* (Kumar, 2013). The courts were guided by the following four principles of- *Dharma* (sacred law), *Vyavahāra* (evidence), *Charitrai* (history), and *Rājasāsana* (edicts of king) (Veya, 2017; Yadav, 2019). During the Gupta periods, the court of higher appeal was presided over by the King in assistance with the *Mahadandanayaka* (a judge as well as an army general) and *Mahakshapatalika* (record keepers) (Sathiya, 2016). As per John W. Spellman, the judicial system of ancient India was more advanced than today's world (Saikia, 2020). Thereafter a number of foreign invasions drastically abolished the originality of Indian judicial system that prevailed prior to the Islamic attacks and even at present it has failed to retrieve from the British colonial legal system.

In Indian primitive society, the concept of management was deeply embedded with ethics, values and self-management which pre-served in several religious scriptures like the *Bhagavad Geeta*, *Rāmāyana*, *Mahabharat* etc. and often travelled one generation to another in *Guru-Shishya* tradition. Nevertheless, lots of brilliant, skilled, efficient and effective managers or creators of managers were also found at that time such as Krishna-Arjuna, Chanakya-Vikramaditya, and so on. Unfortunately, the western management techniques have predominated the Indian society since the British colonisation and this irony will definitely take the country downward if not rectified (Jain, n.d.). Now the formal education of management has become an integral part of every organisation and the concept is ever changing with the concurrent socio-economic conditions and human needs. Primarily, management was a subject matter of art and statecraft but with the advent of industrial revolution, it has transformed into science and became a discipline which includes economics, psychology, political science, sociology, statistics, anthropology etc. The core knowledge of the management discipline is the synthesis of various disciplines and integration of new values created the modern definition of management (Sharma, 2005). Basically, there are six major functions of management such as (a) planning, (b) organising, (c) staffing, (d) leading, (e) controlling, and (f) motivation (Rajendran, 2010). In the scientific era with the emergence of new technologies, the demand for productivity and efficiency has also been increased and Frederick Taylor said that the primary objective of the management is to increase efficiency and reduce cost (DiFrancesco and Berman, 2000). In the modern era, the term management signifies the function of getting things done through others (Koontz and O'Donnell, 1955). However, management in the 21<sup>st</sup> century is going to confront a huge number of challenges due to the growing wave of technology, the impact of artificial intelligence, the evolving nature of globalisation and so on (Lloyd and Aho, 2020).

In a strict sense, the formal origin of court management tracked back to the United States and evolved with the objectives to separate the administrative functions of the judiciary from the clutches of the government executive and to strengthen judicial independence during the 1900s. (Re, 2012). On the other hand, the study of evolution of court management in India has some historical limitations due to various reasons. First of all, the ancient judicial system in India was mostly guided by the integrated values, norms, customary rules with the command of Dharma and people at that time were more duty centric and justice was delivered in a socialistic view. Secondly, the journey of management starts from nowhere to everywhere and now becomes a subject domain of almost every discipline and as such the humanistic and accepted equity along with righteousness transformed into efficient and effective organisation that was even pre-existed in the ancient Indian times. Finally, India had faced many foreign invasions that on many occasions destroyed the literature and cultural resources and made it difficult for the post generation to get a magnified and insider view of the ancient judicial organisation. Per contra, while keeping in view the available resources, integrated value system, knowledge and wisdom of the ancient Indian society, it is not correct to hold that administration of judicial organisation or court management in ancient India was suffered from mismanagement or any crisis of court excellence (like quality, responsiveness, and timeliness) was found or questioned at any point of time.

Even in the modern age, the journey of Indian Judiciary witnessed from feudal to democratic and from colonial to free society (Heller, 2000) but the managerial affairs of the courts have never been formalised during that period. Moreover, the court being constitutionally insulated felt safe in working in the uncompetitive environment. The growth of population, the advancement in education, information communication technology, infrastructural development, new legislations and economic development of other sectors left the court far behind to serve the need of the hour. Consequently, a vacuum was created in the legal minds, so as to how to deal with the inherent problem of the court. How to measure and manage the huge backlog and arrear of the judiciary? What can be the possible solutions to upgrade the procedural aspect of the court? Are the courts of the country meeting the standardised need of the litigants? Do courts ever measure the satisfaction index of the court users? Does the court really need to be managed? Ultimately, after a lot

of discussions at the highest level and after considering various government reports for judicial reform, it was decided that India must adopt some measures to make the courts more responsive to deliver quality and timely justice. Hence in the year 2012, the National Court Management Authority (NCMA) has been created and National Court Management System (NCMS) has come into existence with an objective to eradicate such issues but unfortunately it is yet to be operated. Even prior to that back in 2010, the Indian government felt the need to introduce the post of court managers for every high court and district court throughout the country but it has been discontinued since 2015 due to various reasons.

### V. Identifying Marginalised Areas along with Specific Problems of Trial Court Management

This section explores seven neglected managerial areas (as refereed under column II of Table 1) for the trial courts i.e., the district and sub-divisional courts (hereinafter referred as ‘Court’ in short) which have been recognised based on an intensive literature review, through discussion with few experienced stakeholders (like Judges, lawyers, academicians, litigants etc.) and by implicating the prudent sense of ground reality of this domain. Accordingly, a set of ten specific problems statements (as refereed under column III Table 1) have been discovered while considering unique features of each marginalised managerial spheres of the judicial organisation. The identified problem statements i.e., the variables have been grouped under the predetermined grey managerial areas and categorically presented through Table 1 below which is yet to be tested empirically.

These particular statements in the form of questionnaires on a five-point scale (Likert scale) have been distributed among the respondents to collect the field data therefrom. Notably, based on the nature and intensity of each distinct managerial areas and their respective problem statements, the last four problems statements (as categorised under the last three managerial domains) excluded the respondent group of litigants only.

**Table 1:** List of problem parameters identified for the district and sub-divisional level courts and involved problem statements of the Questionnaires

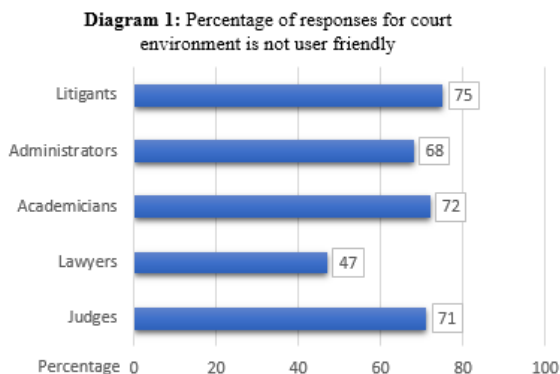
(I) Sl. No.	(II) Grey Managerial areas	(III) Specific Problem Statements of the Questionnaires
<i>Common for all Judges, Lawyers, Academicians, Administrators and Litigants</i>		
1.	Physical Environment and Infrastructure	Problem 1.1: Court environment is not user friendly; <i>and</i>
		Problem 1.2: Court has poor infrastructure.
2.	Time Management	Problem 2.1: Court lacks policy in delivering timely judgments; <i>and</i>
		Problem 2.2: Length of trial of a case is uncertain.
3.	Performance Management	Problem 3: Courts function less than optimum level.
4.	User Orientation	Problem 4: Litigants get confused finding trial court rooms at the first instance.
<i>Only for Judges, Lawyers, Academicians and Administrators</i>		
5.	Distribution of Workload	Problem 5.1: Judges spend more time in judicial work and less time in administrative functions; <i>and</i>
		Problem 5.2: Workload in court delays timely justice.
6.	Managerial Skills and Functions	Problem 6: Some judges lack leadership quality.
7.	Workplace of Choice	Problem 7: Best talents hardly join the Judiciary.

### VI. Analysing the Identified Managerial Problems of Indian Judicial System

In this section, the empirically collected data have been categorised for each group of respondents and their concern responses have been segregated in respect of every particular problem statement. The filtered data thereafter graphically represented under the different diagrams and significantly placed corresponding to the heads of every identified grey managerial area and their specific problems respectively. The Analysis of Variance (ANOVA) has also been performed to identify whether the variance is significant across the opinions of the stakeholders or not. If significant variance is observed, then it can be concluded that problems are not comprehensive, hence not that acute. On the other hand, a non-significant variance will lead to the inference that problems are the same for all stakeholders, hence alarming for the entire system. Finally, the problem statements have been ranked on the basis of the mean values and have been presented in Table 3.

**1. Physical Environment and Infrastructure:**

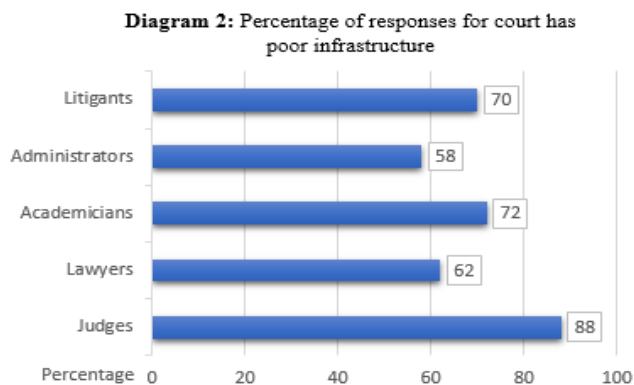
**Problem 1.1:** Court environment is not user friendly;



71 percent of the Judges of the trial court, 47 percent of the Lawyers, 72 percent of the Academicians, 68 percent of the Administrators and 75 percent of the Litigants have agreed to the statement. Overall 67 percent of the total respondents have agreed to the problem (as referred in Diagram 1).

**Problem 1.2:** Court has poor infrastructure;

88 percent of the Judges of the trial court, 62 percent of the Lawyers, 72 percent of the Academicians, 58 percent of the Administrators and 70 percent of the Litigants had agreed to the statement. Overall, 70 percent of the total respondents have agreed to the problem (as referred in Diagram 2).



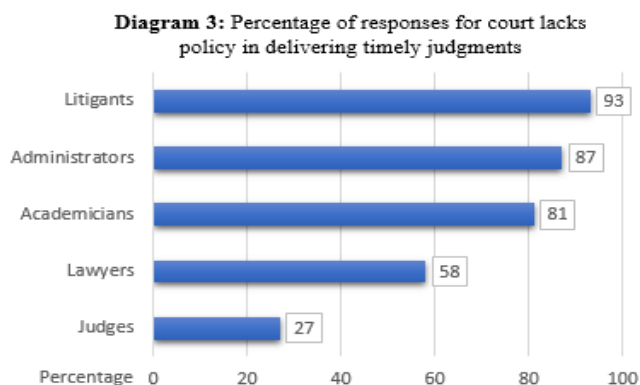
**Table 2.1:** Analysis of variance for the Impact of Physical Environment and Infrastructure

	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	6878.300	4	1719.575	211.066	.000
Within Groups	1792.362	220	8.147		
Total	8670.662	224			

The above result of ANOVA has shown that the perception and interpretation of the aforementioned problems are not consistent across the stakeholders. Therefore, these problems are not comprehensive in nature, hence not an acute problem per se.

**2. Time Management:**

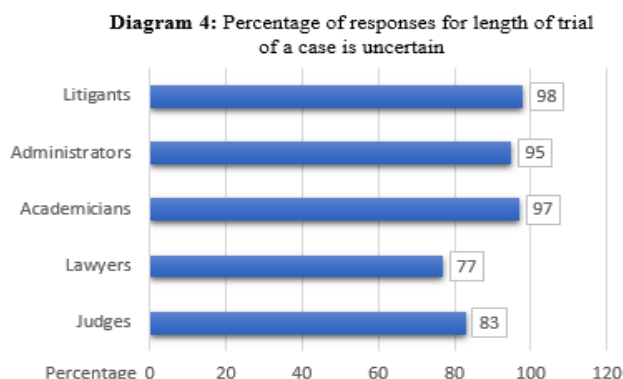
**Problem 2.1:** Court lacks policy in delivering timely judgments;



27 percent of the Judges of the trial court, 58 percent of the Lawyers, 81 percent of the Academicians, 87 percent of the Administrators and 93 percent of the Litigants have agreed to the statement. Overall 69 percent of the total respondents have agreed to the problem (as referred in Diagram 3).

**Problem 2.2:** Length of trial of a case is uncertain;

83 percent of the Judges of the trial court, 77 percent of the Lawyers, 97 percent of the Academicians, 95 percent of the Administrators and 98 percent of the Litigants have agreed to the statement. Overall 90 percent of the total respondents have agreed to the problem (as referred in Diagram 4).



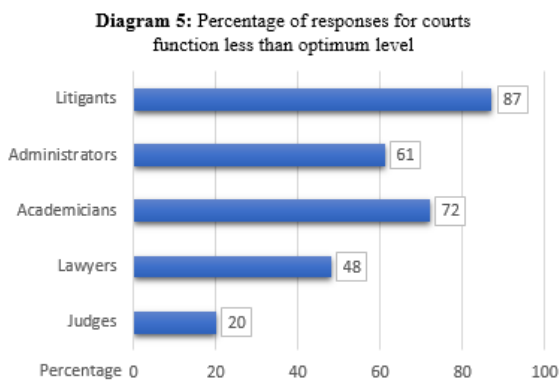
**Table 2.2:** Analysis of variance for the Impact of Time Management

	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	7721.787	4	1930.447	228.378	.000
Within Groups	1859.631	220	8.453		
Total	9581.418	224			

The foregoing result of ANOVA has shown that the perception and interpretation of the preceding problems are not consistent across the stakeholders. Therefore, these problems are not comprehensive in nature, hence not an acute problem for the system.

**3. Performance Management:**

**Problem 3:** Courts function less than optimum level;



20 percent of the Judges of the trial court, 48 percent of the Lawyers, 72 percent of the Academicians, 61 percent of the Administrators and 87 percent of the Litigants have agreed to the statement. Overall 57 percent of the total respondents have agreed to the problem (as referred in Diagram 5).

**Table 2.3:** Analysis of variance for Impact of Performance Management

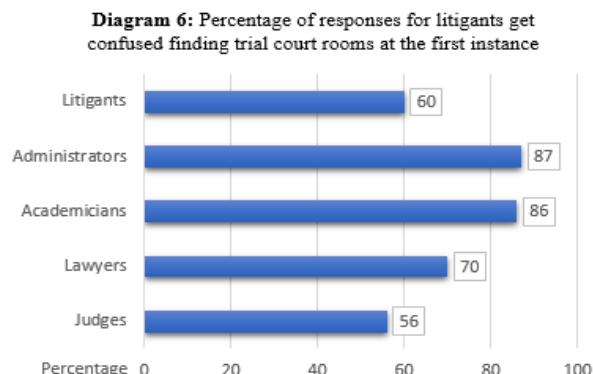
	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	10707.550	4	2676.887	517.450	.000
Within Groups	1138.110	220	5.173		
Total	11845.660	224			

The preceding result of ANOVA has shown that the perception and interpretation of this problem is not consistent across the stakeholders. Therefore, the problem is not comprehensive in nature, hence not an acute problem for the system.

**4. User Orientation:**

**Problem 4:** Litigants get confused finding trial court rooms at the first instance;

56 percent of the Judges of the trial court, 70 percent of the Lawyers, 86 percent of the Academicians, 87 percent of the Administrators and 60 percent of the Litigants have agreed to the statement. Overall 72 percent of the total respondents have agreed to the problem (as referred in Diagram 6).



**Table 2.4:** Analysis of variance for Impact of User Orientation

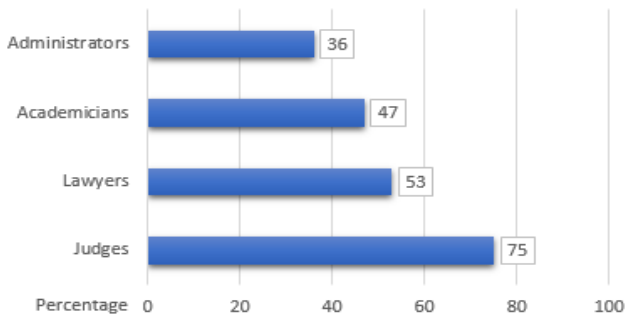
	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	6574.627	4	1643.657	145.902	.000
Within Groups	2478.413	220	11.266		
Total	9053.040	224			

The above result of ANOVA has shown that the perception and interpretation of the aforesaid problem is not consistent across the stakeholders. Therefore, the problem is not comprehensive in nature, hence not an acute problem for the system.

**5. Distribution of Workload:**

**Problem 5.1:** Judges spend more time in judicial work and less time in administrative functions;

**Diagram 7:** Percentage of responses for judges spend more time in judicial work and less time in administrative functions

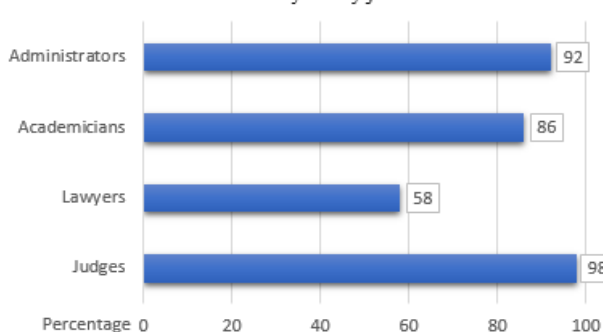


75 percent of the Judges, 53 percent lawyers, 47 percent academicians and 36 percent administrators have agreed to the problem. The average agreement is 53 percent which is much on the higher side (as referred in Diagram 7).

**Problem 5.2:** Workload in court delay timely justice;

98 percent of the Judges, 58 percent lawyers, 86 percent academicians and 92 percent administrators have agreed to the problem. The average agreement is 83 percent which is much on the higher side (as referred in Diagram 8).

**Diagram 8:** Percentage of responses for workload in court delay timely justice



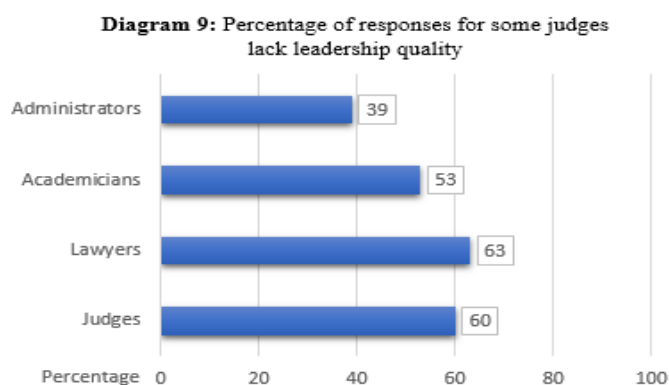
**Table 2.5:** Analysis of variance for Impact of Distribution of Workload

	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	10612.319	4	2653.080	655.861	.000
Within Groups	889.941	220	4.045		
Total	11502.260	224			

The aforementioned result of ANOVA has shown that the perception and interpretation of the above problem is not consistent across the stakeholders. Therefore, the problem is not comprehensive in nature, hence not an acute problem for the system.

**6. Managerial Skills and Functions:**

**Problem 6:** Some judges lack leadership quality;



60 percent of the Judges, 63 percent lawyers, 53 percent academicians and 39 percent administrators have agreed to the problem. The average agreement is 54 percent. A big chunk of 60 percent of the judges believe that they lack leadership qualities. It is alarming (as referred to in Diagram 9).

**Table 2.6:** Analysis of variance for Impact of Managerial Skills and Functions

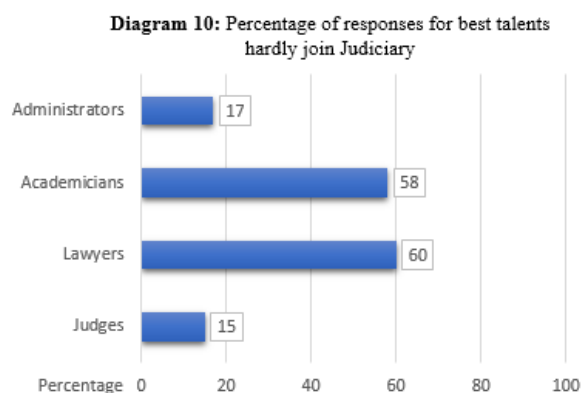
	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	8607.548	4	2151.887	426.047	.000
Within Groups	1111.181	220	5.051		
Total	9718.729	224			

The preceding result of ANOVA has shown that the perception and interpretation of this above problem is not consistent across the stakeholders. Therefore, the problem is not comprehensive in nature, hence not an acute problem for the system.

**7. Workplace of Choice:**

**Problem 7:** Best talents hardly join the Judiciary;

15 percent of the Judges, 60 percent lawyers, 58 percent academicians and only 17 percent administrators have agreed to the problem. The average agreement is 37 percent which is negligible. Interestingly, there is a huge gap in perception in between the Judges and the Lawyers. 60 percent Lawyers believe that judiciary is dearth of talents (as referred in Diagram 10).



**Table 2.7:** Analysis of variance for Impact of Workplace of choice

	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	7504.866	4	1876.216	161.870	.000
Within Groups	2549.997	220	11.591		
Total	10054.862	224			



The above result of ANOVA with respect to the problem- workplace of choice has shown that the perception and interpretation of this problem is not consistent across the stakeholders. Therefore, the problem is not comprehensive in nature, hence not an acute problem for the system.

**Findings:**

The identified managerial problems of district and sub-divisional courts though are not inclusive for the entire stakeholders of the justice delivery system, the responses of each stakeholders group reflect the image of Indian judiciary as persists in their minds which need an immediate intervention and definite solutions thereof. In view of the above responses, few crucial and alarming facts have been highlighted herein below:

- (a) Overall, 3 out of 4 litigants believe that Court environment is not user friendly and the fact even supported by more than 70 percent of judges;
- (b) In every 9 out of 10 people of the society are overwhelmed and uncertain about the length of a court case;
- (c) All over nearly 9 out of 10 litigants believe that courts are functioning in less than optimum level;
- (d) Interestingly each 3 out of 4 judges disclose that they spend more time in judicial works and less in administration;
- (e) Almost 98 percent of the judges agreed to the fact that the delay in timely justice is caused by the excessive workload upon them;
- (f) Majority of judges in 3:2 reveals they have a lack of leadership quality.

**Table 3:** Higher to lower ranking of all problems based on their glaring and acceptability across the stakeholders

(I) Sl. No.	(II) Problem Statements	(III) Intensity Ranking
2.2	Length of trial of a case is uncertain.	1
5.2	Workload in court delays timely justice.	2
4.	Litigants get confused finding trial court rooms at the first instance.	3
1.2	Court has poor infrastructure.	4
2.1	Court lacks policy in delivering timely judgments.	5
6.	Some judges lack leadership quality.	6
1.1	Court environment is not user friendly	7
5.1	Judges spend more time in judicial work and less time in administrative functions.	8
3.	Courts function less than optimum level.	9
7.	Best talents hardly join the Judiciary.	10

**VII. Concluding Report**

There is no doubt that neither the judicial system nor the concept of management is a newborn topic to India; rather ancient Indian society had made a number of great legal philosophers and managerial gurus whose notions are still equally relevant in the contemporary era. It is also evident that ancient Indian judiciary was more advanced than today's world. Even the primary guiding principles of ancient Indian society like ethics, morality and values which later on have been transformed into the modern concepts of management such as efficacy and efficiency which were certainly prevalent to the ancient judicial administration of the country. Thus, in absence of any contrary view supported by justifiable evidence, it is now established that the concept of court management was well known to the ancient judicial organisations in India, though at present it has been suppressed over the period of time due to several foreign invasions and too much westernisation of the country. In view of the above discussion, the first hypothesis of this study (H<sub>1</sub>) now becomes discarded as not proven. Finally, there is an urgent need of the hour to decolonise the Indian judicial organisation for its awaited revival and Indianisation to cope up with unique requirements of the land.

The result of the statistical analysis in this research clearly suggests that the court related problems are apparent and specific to certain groups of stakeholders only. There is no doubt that various problems definitely exist in the judiciary at the district and sub-division level. However, the intensity of impact of such problems on all stakeholders are not the same. Accordingly, the second hypothesis (H<sub>2</sub>) of the research has failed to be proved. This lack of comprehensiveness of problems can be attributed to few control variables like lack of awareness of the problems, degree of interests involved, nature of interests (direct or indirect), diverse socio-economic pattern of litigants etc. A further diagnostic attempt to draw a causal relationship between the stated problems and stakeholders' opinion involving such control variables may be helpful. Moreover, involving even larger sample size at the stakeholder group level may lead to more prominent statistical

inference. Last but not the least, the study advocates for the following sudden changes into the present Judicial organisation of the country:

- (i) The court users' satisfaction needs to be measured in order to have a better understanding about the expectations of the users, and ultimately have a better understanding about the deliverables.
- (ii) The court being people centric and a service provider should have a comprehensive Human Resource Management (HRM) policy. The human resources, i.e., the knowledge, skills and attitudes of the employees of the courts are the main assets. HRM policy focusing on the growth and development of the employees is essential.
- (iii) The individual Court is to frame its own strategy as per the factors that influence the court internally. The presiding officer of the court must adopt SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis.
- (iv) The court must face competition within the districts and amongst the districts.

So far, the specialised agency for the court management i.e., the post of court managers is concerned, it is never to forget that the dominance of court managers in the judicial branch of the government not only make it unworkable but it become unconstitutional due to its unwarranted interference over the independence of judges. Nevertheless, it is pertinent to quote the words of Professor R. Dale Lefever in this regard which reads:

*'Judges have the organizational power but lack the operational knowledge, and the court managers have the knowledge but lack the power. The team approach merges these strengths.'*

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