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Modi: Crimes against women, children's safety serious concern, ensure swift justice

District judiciary backbone: CJI; Sibal says empower it to work without fear, favour

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Prime Minister Narendra Modi with Chief Justice of India D Y Chandrachud during the inauguration of the National Conference of District Judiciary, in New Delhi on Saturday. (Photo: PTI)

PRIME MINISTER Narendra Modi Saturday called for quick disposal of cases of crimes against women, saying “the faster the decisions are taken” in such cases, “the greater will be the assurance of safety for half the population”.

Speaking at the inaugural session of the National Conference of the District Judiciary here, the PM said: “Today, atrocities against women and protection of children are a serious concern.”

Modi’s remarks come in the backdrop of the rape and murder of a junior doctor in [Kolkata](#).

“Many strict laws have been made for the safety of women. In 2019, a plan was made for fast-track special courts. Under this, there is a provision for deposition centres for important witnesses,” he said. “The role of district monitoring committees can be important. District judge, district magistrate and superintendent of police also participate in this committee. Their role is important in coordinating between various aspects of the criminal justice system. We need to make these committees more active. The quicker the decisions in cases related to atrocities

against women, the greater will be the assurance of safety for half the population," he said.

On the occasion, Chief Justice of India D Y Chandrachud called the district judiciary the "backbone of the judiciary". "To sustain the spine of the legal system, we stop calling the district judiciary the subordinate judiciary. Seventy-five years after Independence, time has come for us to bury one more relic of the British era — the colonial mindset of subordination."

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The CJI said while the district judiciary is the first point of contact for a citizen in search of justice, data on the National Judicial Data Grid (NJDG) reveals that it "is not just the first but more often, the final point of contact for citizens". "The district judiciary is, therefore, called upon to shoulder tremendous responsibility and is aptly described as the backbone of the judiciary," he said.

The CJI also called for providing legal education in regional languages to "pave the way for the dissemination of legal knowledge to citizens in the language they understand".

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Senior Advocate and Supreme Court Bar Association president Kapil Sibal also spoke out against using the term "subordinate" for the judiciary at the level of trial and district courts. "Our trial court, district and sessions courts need to be empowered to deliver justice without fear or favour. Unless people at the bottom of the pyramid have the ability to withstand the pressure, the superstructure of the polity will not be able to deliver," he said.

Sibal said these courts “should be instilled with the confidence that their judicial pronouncements shall never be held against them and that they represent the spinal cord of the justice delivery system. They should have the flexibility and independence to deliver justice without fear or favour”.

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In a reference to recent court verdicts which underlined that “bail is the rule and jail is the exception”, Sibal said: “The fact that the trial courts and district courts are loath to grant bail in matters of some significance is itself symptomatic of the malaise that has set in. In the course of my career, I have seldom witnessed the grant of bail at that level. This is not just my experience but even the CJI has said often enough that the Courts at the highest level are burdened with matters of bail because, at the level of trial courts and district and sessions courts, bail seems to be an exception. Of course, it goes without saying that the grant of bail is dependent on the facts and circumstances of each case.”

In his speech, the PM also underlined that the Supreme Court's journey of 75 years is also a journey of India's Constitution, its values, and of India evolving as a democracy. “People of India have never shown disbelief towards the Supreme Court or the judiciary.” he said. “Judiciary is considered the guardian of our democracy,” he said.

Saying that the judiciary has upheld the spirit of justice since independence, Modi praised it for playing an important role in protecting the Constitution even during Emergency. Whenever the question of national security arose, the judiciary protected the unity and integrity of India by keeping the national interest paramount, he said.

Highlighting the crucial role of policies and laws along with infrastructural and technological advancements in the country's journey, Modi said big and important changes have been made in the legal framework for the first time since independence.

Referring to the new judicial system in the form of the Bharatiya Nyaya Sanhita, the PM said the spirit of these laws is “citizen first, dignity first and justice first”. India's

criminal laws have been freed from the colonial mindset, and “colonial laws like [sedition](#) have been repealed,” he said.

“On the one hand, strict law has been made for crimes against women and children. On the other, for the first time, a provision for community service has been made part of the punishment for minor crimes. Electronic and digital records have also been recognised as evidence under the Bharatiya Sakshya Adhiniyam. Under Bharatiya Nagarik Suraksha Sanhita, a provision has been made to send summons in electronic mode. This will also reduce the burden of pending cases on the judiciary,” Modi said.

The PM called for necessary steps to train the district judiciary in this new system, and suggested that judges and lawyers become a part of the campaign. “Our lawyers and bar associations have an important role in making the public familiar with this new system,” he added.

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Stating that about 4.5 crore cases were pending in the district courts, Modi said work has been carried out at multiple levels over the last decade to eliminate this delay in justice.

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