

**ADDRESS BY THE PRESIDENT OF INDIA,
SHRI RAM NATH KOVIND
AT THE NATIONAL CONFERENCE ORGANISED BY THE SUPREME
COURT ADVOCATES-ON-RECORD ASSOCIATION (SCAORA)**

New Delhi, September 1, 2018

1. I am happy to be here to inaugurate the National Conference being organised by the Supreme Court Advocates on Record Association. As a former member of the legal fraternity and of this Association, this is a home-coming for me. Advocates-on-Record have a proud tradition. As per the Rules of the Supreme Court, they are the only legal professionals entitled to act and plead on behalf of a litigant before the Supreme Court of India. They attain this distinction by virtue of professional competence and passing an examination. In that sense, the Supreme Court Advocates on Record Association is taking forward a fine legacy of assisting the cause of justice in our country.
2. This Conference has two themes. The first is “Technology, Training and Infrastructure: Key to Speedy Justice” and the second, “Changing Face of Legal Education in India”. Both these subjects are very important by themselves as well as for quick and efficient delivery of legal services, verdicts and justice to our fellow citizens – especially to the poorer and middle classes, and the traditionally weaker sections of society.
3. India’s judiciary is respected across the world as an upholder of justice for the defenceless. It is also true that our judges are overburdened by the sheer volume of cases. As a consequence, the Indian legal system is marked by long delays. As I understand, there is a backlog of 3.3 crore cases in various courts of the country. Of these, 2.84 crore cases are in the subordinate courts. Another 43 lakh are in the High Courts and about 58,000 in the Supreme Court.
4. There are many reasons for such delays. There are infrastructure gaps and considerable vacancies, particularly in subordinate courts. There is a culture of seeking adjournments as a norm rather than an exception.

New thinking is gradually taking place on frequent adjournments. I have been told that the judiciary is making sincere efforts to curb this practice. I am confident that the members of the entire legal fraternity will resolve not to seek adjournments except in absolutely unavoidable circumstances.

5. It has been observed that various governments and government agencies themselves are party to many cases of litigation. I must commend the government of India for making a sincere effort to reduce this number. Several remedial measures have been taken in recent times. For example, the government has enhanced the threshold for filing appeals in tax disputes in various tribunals and courts. In the Supreme Court, the threshold has gone up from Rs 25 lakh to Rs 1 crore. The government has also decided to withdraw many pending appeals.
6. The government has piloted the Enactment of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act 2015. This aims at efficient and fair disposal of complex commercial disputes, especially of high value. It eases business procedures. Further amendments have been made to this Act in 2018. They will benefit small investors involved in disputes of even three lakh rupees.
7. There has been a conscious rationalisation of tribunals. 36 identified tribunals have been merged to form 18 tribunals. This prevents overlapping of jurisdictions and provides greater clarity in ensuring early solutions and justice to aggrieved parties. These are only some of the measures that the government has taken. There are so many more.
8. Technology can be a great enabler of justice. A start was made in 2016 with the opening of India's first e-court in the High Court of Hyderabad. Since then, the idea of e-courts has spread elsewhere. The setting up of such e-courts requires centralised electronic filing, digitalisation of documents, adoption of a document management system, creation of e-filing and e-payment gateways, as well as the use of hardware and software in the disposal of cases. I am happy that this concept is gaining ground, and I appreciate the judiciary for taking a lead here. Innovations such as evening courts and family courts, and the

concerted effort made in delivery of speedy, fast-track judgements in cases of sexual crimes against women, are also noteworthy.

9. On the pathway of the government's Digital India initiative, the Legal Information Management and Briefing System (or LIMBS) has been introduced as an online mechanism to monitor and streamline court cases, and to reduce the government's own litigation. LIMBS attempts to bring all stakeholders – from Ministries to advocates to claimants and others – on the same platform. This will check delays and financial costs. So far 2.6 lakh court cases have been placed on this platform. The digitalisation of the Income Tax Appellate Tribunal and the online system for notary certificates too are worthy of appreciating.

Ladies and Gentlemen

10. The subject of legal education is linked closely to technology adoption and efficient justice delivery. Appropriate use of infrastructure calls for training of all those who are part of the system – be they judges, lawyers or administrators. Strides have been made in improving training for judicial officers. Judicial academies have been set up in almost all states, complemented by the National Judicial Academy in Bhopal.
11. The process of training advocates has a long history in our country, and has evolved in response to the times. After Independence, the first step at reforming the structure of legal education was taken with the enactment of the Advocates Act 1961. The Bar Council of India was established as the primary institution to supervise and conduct legal education in India.
12. The second stage of reforms came in the mid-1980s. It was felt that a multi-disciplinary and integrated approach was required for rounded legal education. This resulted in the setting up of deemed universities where, over a period of five years, a wide range of subjects are taught to prospective lawyers. These are not limited to law, but also cover the social sciences and aspects of natural sciences.
13. The establishment of the deemed universities anticipated the emerging legal landscape. Demands from our advocates and legal professionals have changed dramatically in recent decades. As the Indian economy

has opened up, business and trade law and technology law have come to acquire a new salience and specialisation. The study of these has added lustre to our legal education.

14. Now we need to raise the bar once more. The traditional law faculties in public universities provide the backbone of the legal fraternity in India. Their rejuvenation, including access to greater funding from private and innovative sources, should be a common endeavour. When it comes to private law schools of a certain stature, the Bar Council of India could consider providing greater autonomy – perhaps recognising them in the manner of “institutes of eminence”.
15. With those words, I once again wish this Conference and its participants, and wish the Supreme Court Advocates on Record Association, all the very best. It is for you to ensure that your deliberations, in some manner, help bring efficient and affordable justice closer to the weakest and most vulnerable among our fellow citizens. Let that be the test of your success.

Thank you

Jai Hind!