



FACTORS INFLUENCING THE EFFICIENCY OF JUDICIARY A PUBLIC GOOD PROVISION

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Abstract

There are three pillars of Indian democracy namely, executive, legislature and judiciary. Judiciary as a pillar of democracy upholds the law. This paper aims to trace the roots of judiciary as a public good. Justice is an indicator of well-being of the economy. The judicial system has seen radical changes. The supply and demand side of judiciary has been on a rise in the last few decades.

In the paper key characteristics of a public good have been examined and it is seen that judiciary does categories as a public good. The provision of a well-functioning and efficient judicial system acts as a pedestal for smooth and continuous growth of a country.

The paper builds its findings on a primary survey where in responses show that as per public opinion efficiency was reducing in judicial system of India. The primary data is further supported by the secondary data which has been sourced from the judicial institutes itself. There are several factors which have been identified to be the leading cause of reducing efficiency in judiciary.

The paper examines these factors in detail and tries to draw a link between these factors and judicial efficiency based on secondary data. The findings of the paper reveal that judiciary is indeed a public good whose efficiency has been decreasing. It sheds light on judiciary which needs funding and attention from the government so to ensure social equality and justice in the country.

Keywords: judiciary as public good, efficiency of justice, pending litigation, lengthy court proceedings

1. INTRODUCTION

1.1 Brief

Optimal utilization of the four factors of production-land, labor, capital and entrepreneurship- are indispensable for economic growth. There is a disparity in social good and private good which are based on various characteristics. The government produces social goods where ever the private firms cannot and the provision of such a good is necessary for equity and efficiency of the public. The provision of defense, education, healthcare and judiciary are some examples. In India, economists have majorly been focusing on education and healthcare as the most necessary public good which need to be invested in. Judiciary has been overshadowed by these two sectors.

The provision of judiciary is necessary for society as its primary function is dispute resolution and access of justice for all. Apart from these functions, a judicial system is also a necessity for establishing certainty in property rights¹ and in the formation of contract laws² for trade. Judiciary is an adjudicative measure for wrong and right and consequently preventive measure against any unlawful activity that someone would indulge in.

The paper starts giving an account of how judiciary fulfils all criteria of a public good. In this paper it is shown that judiciary does satisfy the properties of public good and is indeed a public good of dire necessity. The third section of the paper is a primary analysis on what the public opinion is about the efficiency of judiciary. The findings of the analysis are in support to the paper, it seconds that efficiency in judiciary has been reducing. It further acknowledges the lack of attention paid on judicial system and highlights the need to do the inverse. The fourth section of the paper brings in light the decreasing efficiency of judicial system. It lists down the major reasons for this decrease in efficiency. In addition to this it uses the Game theory to elaborate on the issue of inefficient allocation of human resource and how it impacts judicial proceedings. It delves about the lengthy court procedure as a primary source of inefficiency. Finally there are some suggestions listed. The increased efficiency would help in development of the economy.

¹ Property-rights. (n.d.). Retrieved January 26th, 2018, from <http://www.yourdictionary.com/property-rights>

² Contract. (n.d.). Retrieved January 26th, 2018, from <http://www.yourdictionary.com/Contract>

1.2 Conceptual Background

The lack of trust in the judicial system has been on a rise in India and globally. There are several individuals and firms who are now resorting to out of court settlement as they fear litigation is not going to give efficient outcome in a given time span. With this backdrop it is now becoming highly disturbing for people who are still holding their faith in judiciary as an institution for justice and equity. The government gives out funds for smooth and proper functioning of subsidized judiciary from the tax receipts. Justice is now in the reach of a proportionately larger population, as is seen by the considerable increase in number of courts and number of cases. The role of judicial systems in determining economic performance has achieved even more consideration in recent years. (Lorizio, 2014)

Since judiciary plays such a vital role in the economy for social wellbeing and equity, it becomes imperative to look at its functioning. Once we delve deeper into judicial system in India we come to realize there are many reasons which causes efficiency to decrease in this institution. The provision of judiciary was done with the aim of upholding law - establishing property rights, ensuring obligation of contracts, finding a legal solution to problems, and welfare of general public by judicial activism and using tools such as public interest litigations (PIL), writ petitions³, suo moto action etc.

The major cause of diminishing efficiency in judiciary is the lengthy court proceedings. Another reason is vacancy in judiciary. The recent media interaction by four senior most Justices of Supreme Court of India⁴ cast clouds on the reputation of purity of judicial system and indicate how judicial machinery is being paralyzed for ulterior motives by political slacks. The sorry state is both a cause and effect of the acts by the government which has led to an unfavorable environment in judiciary. This not only reduces the efficiency but also casts shadow on the independence of judiciary in delivering justice.

³ Writ. (n.d.) *Collins Dictionary of Law*. (2006). Retrieved January 26 2018 from <https://legal-dictionary.thefreedictionary.com/writ>

⁴ Justices Jasti Chelameswar, Ranjan Gogoi, Madan B Lokur and Kurian Joseph have accused the Chief Justice of India Dipak Misra of assigning cases of "far-reaching consequences to the nation" to particular judges.

1.3 How is Judicial System a Public Good?

A public good is a good that one individual consumes without reducing its availability to another individual, and no one is excluded from using it. It is “non-rival” and “non-excludable” in nature. A public good is often provided by the government. It is financed by taxes that the government receives. Public goods are generally consumed by the entire society and have a high social benefit and a low social cost. The features of public good and how judicial system fulfils them are listed below:

1.3.1 Non Excludability

Non excludability as the word suggests, means that no one can be excluded from consuming the good. The consumption of a good is not restricted at all. Everyone has an equal right to consume the good or service.

Judiciary is a constitutional body enshrined with the function of doing justice. It is independent of the government. The number of courts in India has increases rapidly. The nature of judicial service is such that when one individual files case it does not stop the other individual to file a case. There is no rationing or restriction to the number of cases that an individual or firm can file in the court and neither is there a restriction on the total number of cases that can be filed at a specific time or place, etc. Judiciary, on the contrary the courts take a suo-moto action and encourages mass justice via PILs and writ petitions. All this indicates that if one person or firm files a case it does not reduce the opportunity for another person to file cases.

Judicial services are spread across India from a rural villages to urban metropolitan districts. The outreach of judiciary in India is vast and touches almost all horizons in some or the other way. There are gram panchayats, nyay panchayats, munsiff courts, etc in places where district courts are harder to establish or the need of courts is not felt by the government due to the smaller size of population. The very motive of this outreach is that no one is excluded from this fine grid of judicial system.

On the contrary what is seen is that in some civil cases when a plaintiff⁵(or complainant in criminal cases) files a case for some misdeed done by an individual or firm; the defendant⁶(or accused in criminal cases) can file a counter case (or counter complaint in case of accused); and vice versa. There is equal opportunity available to all individuals in the society to file and fight cases in the courtroom and no one is kept out of judicial purview.

1.3.2 Non Rivalry

Non-rivalry refers to the property of public goods which states that when the good is consumed by one individual it does not reduce the benefit that another individual will derive by consuming the good.

⁵ Plaintiff. (n.d.). Retrieved January 26th, 2018, from <http://www.yourdictionary.com/Plaintiff>

⁶ Defendant. (n.d.). Retrieved January 26th, 2018, from <http://www.yourdictionary.com/Defendant>

When one person files a complaint or a case it does not reduce the benefit another person receives by filing their case or complaint. The judicial proceedings would bring out efficient outcome for all individuals by the legal remedies available. The outcome of one person's case does not reduce the benefit the other would get by filing a case or resorting to judicial services as a remedy to their problem.

Judiciary on the contrary uses the previous judgments for reference in the cases which are under trial. It does not decrease the benefit received by one individual just because someone else in the economy too is using judicial services for their benefit. Thereby judiciary is non-rival in nature.

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1.3 Objectives

1. To elaborate on how Judiciary acts as a public good.
2. To survey and identify the factors leading to reduced efficiency in judiciary.
3. To examine the factors which reduce the efficiency of judiciary.

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1.4 Methodology

The methodology used in this paper consists of primary and secondary data analysis. The primary data is collected via a survey. The sampling method for survey used is a convenience sampling method. The data has been collected with a sample size of 100. The questionnaire has been attached as Annexure 1. The findings from the survey have been used to support the arguments made in this paper. The aim of the primary survey was to analyze how the consumers of judicial service ranked its efficiency and what they blamed for the reducing efficiency.

To measure the efficiency of judiciary extensive literature was read. The literature review helped in finding factors which influence the efficiency of judiciary. These factors have been studied in the paper in a detailed manner via secondary data. The secondary data has been attained from Department of Justice, Daksh India Organization, Ministry of Law and Justice, High Courts of India, and National Judicial Grid. The data used has been cited. The figures in this paper are all made using the data accumulated from the above mentioned sources. The data has been attached at the end of the paper. A descriptive analysis is done from the data collected. It is done in order to better understand the topic of research.



2. LITERATURE REVIEW

2.1 Review

In order to grasp what this paper is attempting to study, it is imperative to first understand what the legal jargons mean and how judiciary is interlinked with social wellbeing. For writing this paper a couple of papers on the same lines have been referred to. The information available was related to the lack of funding to judiciary, the lengthy procedures of judiciary which are a deterrent for people to file and fight cases.

The main reference for this paper is by Marilene Lorizio and Antonia Rosa Gurrieri (2013) (Lorizio, 2014). The paper is focused on the judicial systems flaws in Italy. The paper mentions how economic growth is hit by roadblocks when the judicial proceedings are time consuming. The paper has formed a link between economic agents and judicial services. It has used secondary data from Bank of Italy. It links GDP, investments and bank rate of interest with efficient judiciary. It highlights the supply side and demand side factors which lead to inefficiencies in judicial system. The paper's drawback for this research purpose is that it restricts itself to how judicial efficiency is linked with investors' behaviour.

The second paper which is primarily focused on delivery of justice in India is also one of the guiding papers for this research work. It is written by one of the most eminent economists in India, Bibek Debroy in 2008 (Debroy, 2008). Debroy has again highlighted the lengthy court procedures as a factor that needs reform. The paper uses secondary data from the various high courts and district courts of India to prove the increasing number of pending cases in India. He has further written about the various measures taken by the government in an attempt to reduce the number of pending cases. The main suggestion given in this paper apart from improving the alternate dispute resolution mechanism is that the government should increase funding for judicial system so that the number of courts in every district can increase for better handling of cases.

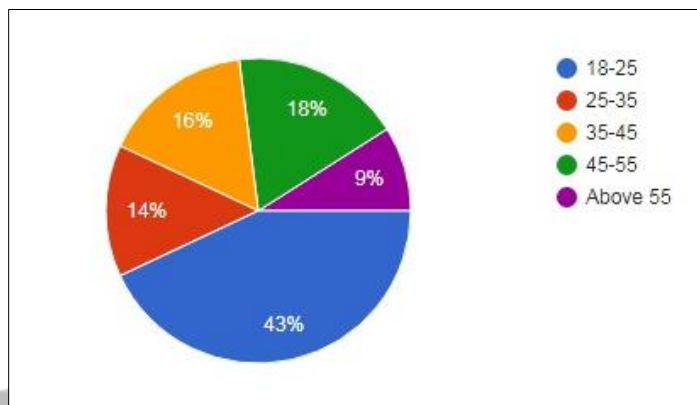
Apart from these papers several other articles in journals and periodicals and newspaper articles which have been helpful for this research work. The article by Stephen J. Ware (Ware, 2013) has talked about how subsidies by government is leading to overcrowding of judiciary. He advocates the thought that the people who are most willing to pay for it should be given a subsidy too. The use of taxes for subsidy is leading to inefficiency according to Ware. The paper also talks about the high vacancy in judiciary. However it does not list down the causes for the same. He proposes the use of arbitration in cases where it is possible so that the burden on courts is eased. Another article written by Rex E. Lee has been talked about who should bear the burden of cost of litigation (Lee, 1985). It again advocates that private law suits should not be subsidized by the tax payers' money.

3. EFFICIENCY OF JUDICIAL SYSTEM: PRIMARY ANALYSIS

The findings in this paper have been supported by a primary survey. The survey was conducted in the month of January 2018. The method used for sampling is convenience sampling which is a type of non-probability sampling. The population chosen is based in Delhi, the discretion made is also helpful for the study as Delhi has one of the highest pending cases in the entire nation. The questionnaire has been attached as Annexure 1. The survey was conducted in order to understand if people use judicial system effectively to resolve their disputes.

The respondents to the survey fall in the age group of 18 to 55 and above.

Figure 1 Age group of respondents for Primary Survey



The percentage of respondents in the age group 18-25 is 43%, in 25-35 is 14%, in 35-45 is 16%, in 45-55 is 18% and above 55 is 9%.

The questions asked in the questionnaire were open to all respondents. The questions involved knowing whether or not the respondent has filed a court case or complaint. If they have then what was the nature of the case. For deeper understanding of the trust factor in judicial proceedings the survey included a question about if the respondents apprehended or had faced problems in filing and fighting a court case.

Table 1 Response to Primary Survey

Question	Responses		
	Yes	No	Can't say
Filed a Court Case	42%	58%	-
Filed a Civil Case	81.8%	0%	-
Filed a Criminal Case	18.2%	0%	-
Apprehend/have faced problem in filing court case	69%	31%	-
Would Resolve disputes in Court	18%	58%	24%
Courts are efficient in providing timely justice	17%	81%	2%

The survey found out that 42% of the respondents had filed a court case or complaint. The respondents who had resorted to judicial services for attaining justice and equity had majorly filed civil cases. 81.8% of the respondents had filed civil cases where as only a mere 18.2% had filed criminal cases. Another arena touched by the survey was whether or not the people apprehended or had faced problems in the judicial proceedings. Strikingly 69% of the respondents had faced or apprehended that they would face problems in filing court cases.

The survey shows that people do resort to judiciary when the need arises. The common trend of the nature of the cases for which people resort to judiciary is civil cases. Also, it has managed to show how the current and potential consumers looked at judicial services for attaining justice. The high proportion of sample population was apprehensive that they would face (or have faced) problems in litigation. This is to show that the service is not very consumer friendly. The ultimate consumer may be skeptical about the services' ultimate goal.

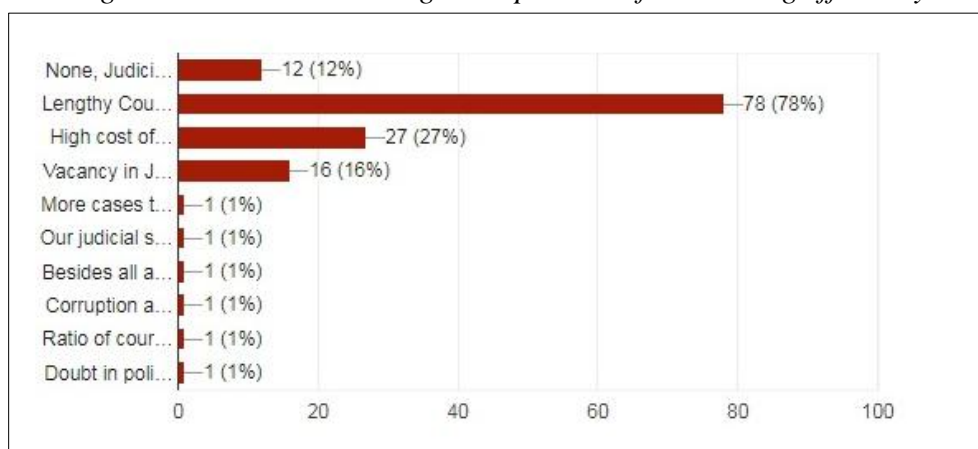
The other questions asked were completely opinion based. The survey asked the respondents to pick a method for resolving disputes. It further asked if the respondents felt that the courts were efficient at providing timely justice.

58% respondents wanted to resolve the dispute outside court and 24% were indifferent between court and outside settlement. Only 18% respondents wanted to file court cases in order to attain justice. On the efficiency of courts, in providing timely justice, only 27% respondents felt that courts were always efficient, and 2% said efficiency was present sometimes. The majority proportion of the respondents i.e., 81% felt that courts were inefficient (never efficient) at providing timely justice.

This indicates that people generally do not resort to judiciary to resolve their disputes. The case could also be that people only resort to judiciary as a means to resolve their disputes when they fail at settling outside. The responses have shown that the people do not think of judiciary as an apt mechanism for timely justice.

The final and the most important question in the survey was regarding the reasons that people felt were causing the efficiency of judicial system to decrease. The respondents were given options and they were encouraged to give out any other reason if the questionnaire failed to provide a valid reason according to them.

Figure 2 Reasons according to respondents for reducing efficiency



Only 12% respondents said that there was no reason for inefficiency in judiciary as it was always efficient. The highest proportion, 78%, of the respondents blamed the lengthy court proceedings as a deterrent in achieving full efficiency in judiciary. The next major reason as per respondents was the high cost of litigation involved in judicial proceedings. The vacancy in judiciary was also a factor which was voted for by the respondents.

The respondents have six other reasons for inefficiency. The ratio of courts and judges which forms a part of vacancy in judiciary was one of the reasons. One respondents said that the legal framework in India needed an overhaul due to the foresightedness of the law makers in the nation. Another reason was the doubt in police force and the level of corruption in the country.

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4. EFFICIENCY OF JUDICIARY: SECONDARY ANALYSIS

The biggest problem associated with the efficiency of judiciary is that there is no particular indicator to measure it. There is a high demand for justice in India. But the number of cases being filed always surpasses the number of cases being disposed. The tragedy is that it leads to a further increase in number of pending cases. To further understand the root of decreasing efficiency in judicial system the reasons have been listed in this section.

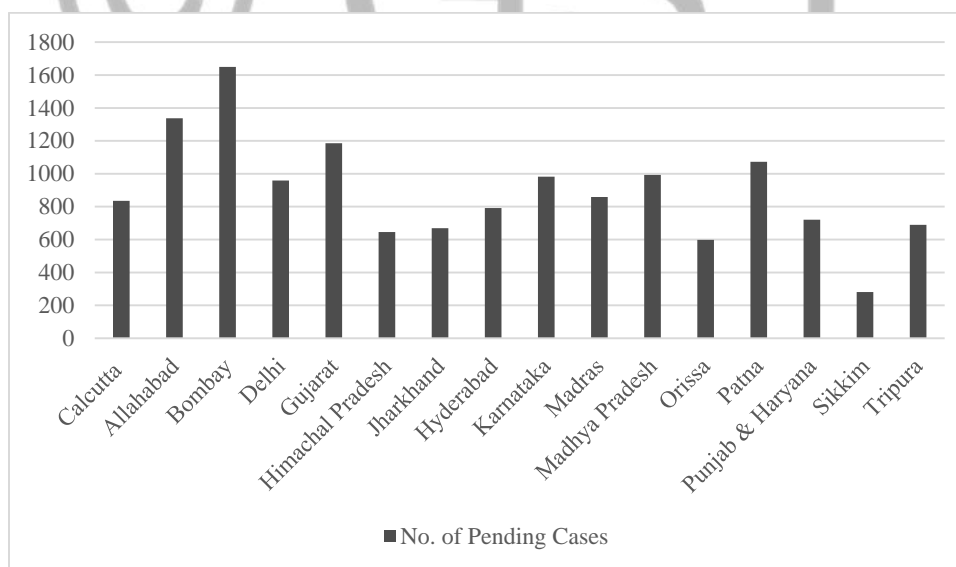
4.1 Lengthy Court Procedures

The length of court procedures in India is varied across dismissal on day one to disposal until the death of a parties involved in the case. Data from Law Commission of India shows that average time taken to decide on one case in India is three years and one month. This involves a high cost not only for the parties involved but also for the government and judges who are hearing such cases.

The slow pace of justice also hampers economic activities. According to (Lee, 1985) and (Ware, 2013) the judicial remedy should not be subsidized and should be available to those who are most willing to pay for it. This might be true for other goods and services. But in judiciary it is almost impossible as justice cannot be denied to anyone.

The length of civil as well as criminal proceedings is very long. This reduces the element of certainty associated with justice. Due to the increasing number of pending cases⁷ each year the length of court proceedings has been impacted. The length has been increasing and there is addition to the list of pending cases.

Figure 3 Average Pending Cases in High Courts in 2015



Source: Daksh India

⁷ Refer Annexure 7 to Annexure 9 in this research paper for data and exact figures on pending number of civil and criminal cases across high courts in India.

The figure given above shows that the highest number of pending cases in High Courts across India is at the Bombay High Court at 1650. The lowest is at Sikkim High Court which has 281. The average of pending cases across all High Courts in India comes out to be 892 cases. With such a high figure even for the High Court it raises doubts over the pendency issue.

The aggrieved person would find it more beneficial to settle outside court, as has been found out by the primary survey. If justice is not met in a certain time span then there is no point in attaining justice at all.

Investors also avoid resorting to courts for attaining justice in case of non-fulfillment of contractual obligations, etc. The investors would rather rescind the contracts which would lead to lesser investments and eventually lesser economic growth. Most contracts have a clause which states the provision of arbitration or mediation in case of any dispute. This is done just in order to avoid the time duration and cost associated with judicial proceedings due to the length of court proceedings.

4.2 High Cost of Litigation

Litigation is a mechanism which is used for defending or protecting one's rights. The costs involved in litigation are usually the case initiation cost⁸, discovery cost⁹, settlement cost¹⁰, pretrial motion cost¹¹, trial cost¹² and post-disposition cost¹³ (Hannaford-Agor & Waters, 2013). All the costs add up to a hefty amount that needs to be borne by the consumer (plaintiff/complainant and defendant/accused).

The basic principle in the litigation cost is demand supply principle. The higher the demand for the lawyer the more he will charge. The litigants on an average incur high opportunity cost for attending court. As per (Daksh India, 2016) the lawyers can charge anywhere between Rs. 100 to Rs. 10,000 depending on the nature of the case, and the time available to the lawyer.

⁸ Case initiation cost includes the cost associated with discussing the case with the lawyers and the lawyers' fee for drafting the first complaint.

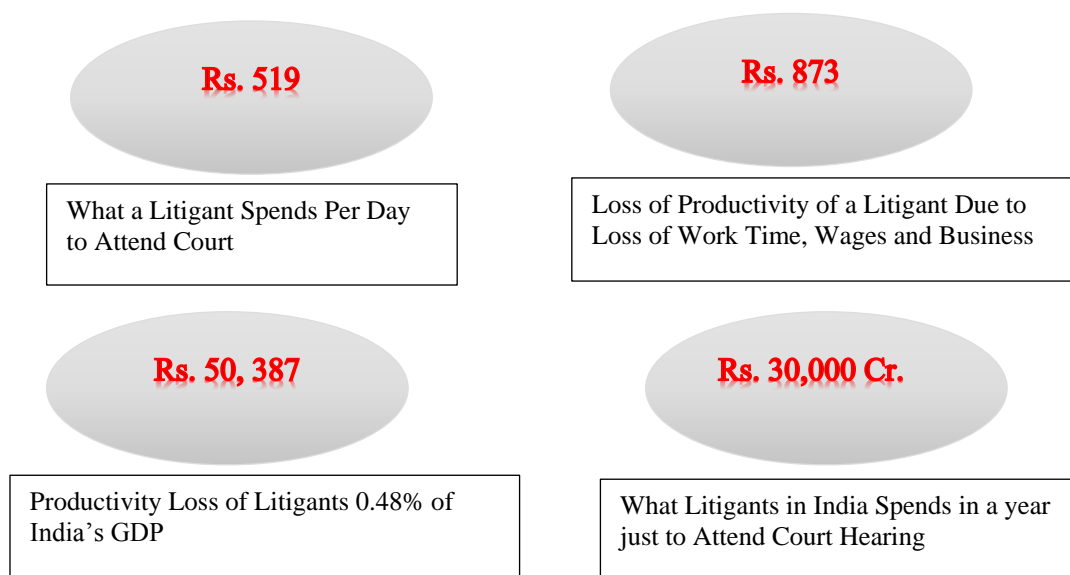
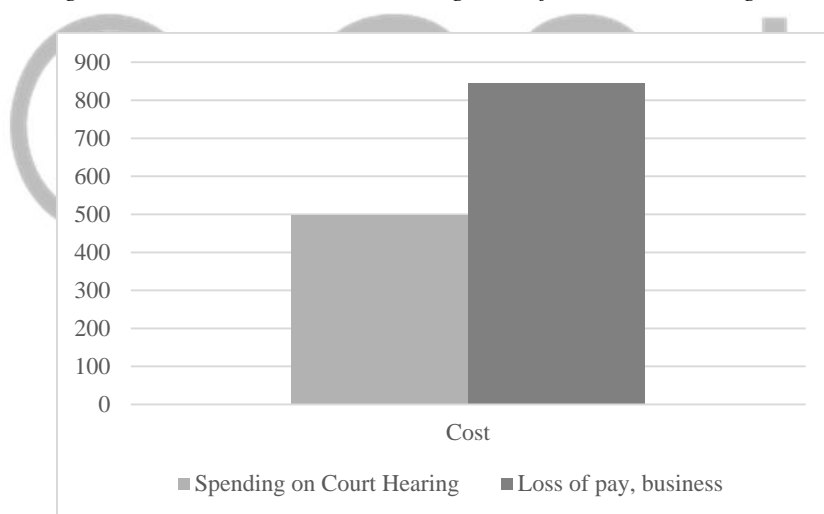
⁹ The discovery cost is involved if there are witnesses in the case and things need to be discovered.

¹⁰ Settlement cost comes in when the parties involved in the suit resort to Alternate Dispute Resolution (ADR) mechanism.

¹¹ The pretrial motion cost is a cost incurred by the lawyer for research and drafting motions for the judgment, defending motions and argument motions.

¹² The trial motion contains preparing statements for litigation, examination of witness, find and fighting facts, and finally conducting trial.

¹³ The last cost is of post-disposition, this is incurred for any appeal activity.

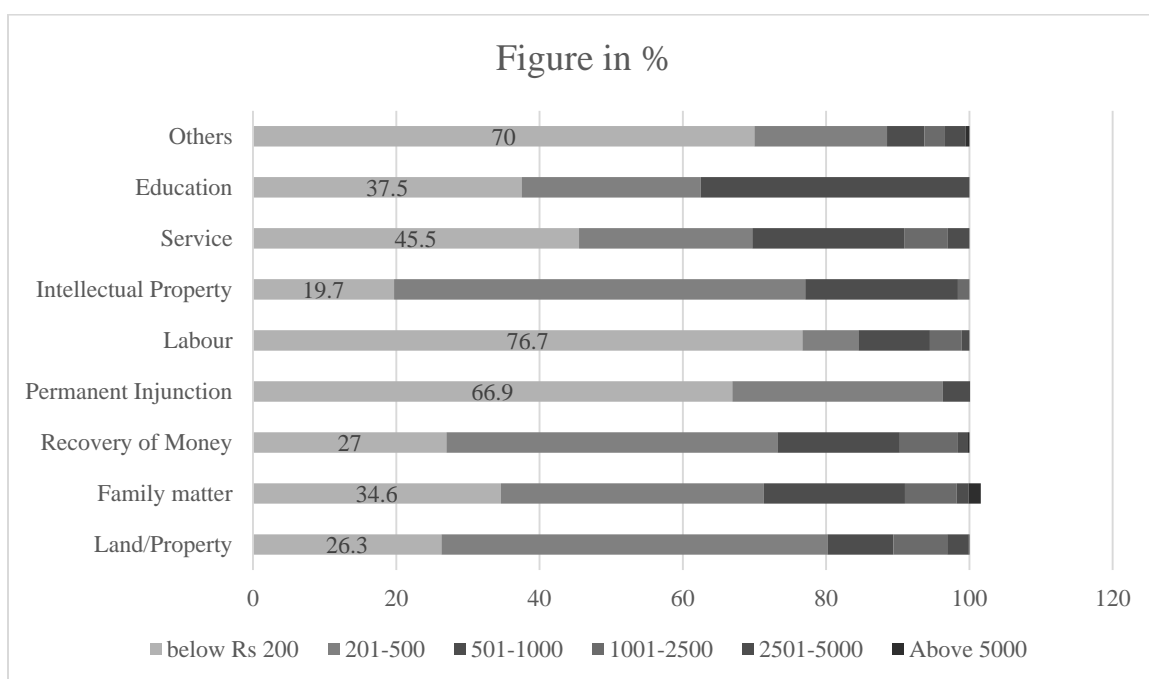
Figure 4 Cost of Litigation in India*Source: Daksh India**Figure 5 Cost Incurred and Earnings Lost for Court Hearing**Source: Daksh India*

The figures above has been sourced from (Daksh India, 2016). The litigants spends Rs. 519 per day in order to attend court. There is a loss of productivity of working people. In 2016 when the GDP according to Economic Survey was Rs. 1,04,27,701 the loss arising due to attending court proceeding was Rs. 50,053 which is 0.48% of the entire GDP (Daksh India, 2016). The average cost incurred by litigants per day is also approximately Rs. 1039 which makes it up to Rs. 30,000 crore per year. And the average wage or business loss is Rs. 50,387 crore per year which is Rs. 1740 per day. Such high cost associated with litigations only deter people to resort to litigation as a method to attain justice.

There is no benchmark set which would determine the right price of the service provided by a lawyer. It may be treated as a luxury good by some and so their willingness to pay will be impacted differently than what a person who thinks of it as a necessity good. The individuals are willing to pay more for a lawyer who has worked in the field for a longer period of time and assume that he has a hold and better understanding of cases of a particular nature. This may be taken as a separate subject under behavioral economics and how it influences the price consumers are willing to pay as lawyers' fees.

Apart from high fee to the lawyers there are other costs also associated with litigation. One of the implicit costs is the one incurred due to the length of the court proceedings. The longer the length the lesser the benefit attained by the consumer. The longer length also means that the consumer would have to incur the cost of engaging a lawyer for a higher duration. This is simply to show that higher length of court proceedings is not just a direct factor but also is an indirect factor at increasing the inefficiency in judicial services.

Figure 6 Cost Civil Litigants Expect to Incur Till the Case is decided: Income Level-wise



Source – Daksh India

The above figures show the amount that litigants expect to incur till the time their case is decided. The population has been divided into different income groups ranging from below Rs. 200, Rs.201-Rs.500, Rs.501-Rs. 1000, Rs.1001- Rs. 2500, Rs. 2501- 5000 and above Rs. 5000. The people in the income group below Rs.200 expect to incur the highest cost due to the delay in court proceedings. The least cost is incurred by the highest income group, above Rs. 5000. Also looking at the nature of case where the low income group expects to incur the highest cost is in cases associated with labor. This disparity in expectation is because the opportunity cost of attending court proceedings is high for a daily wage earner as compared to a big industrialist.

Another implicit cost could be that of the corrupt and malpractices that lawyers and some judges engage in. The main purpose of such corruption is a favorable judgment and to reduce the length, or deliberately increase the length, of the court proceeding. There are many other implicit costs which a litigant may have to incur such as the opportunity cost associated with attending the hearing at court instead of working and earning income. All these costs lead to a reduction in the efficiencies of the judiciary.

4.3 Impact on Efficiency Due to Absenteeism of Lawyers

Just like any other sector suffers from absenteeism of employees judiciary also suffers greatly due to absenteeism of lawyers from courtroom. The litigants cannot be denied to present their case or their points even when the defendants are not present. In the survey (Daksh India, 2016) the clear majority of respondents strongly felt that delay in cases was caused due to absenteeism of other party. The litigants surveyed in by Daksh showed low trust in the efficiency of judiciary for providing timely justice.

To elaborate on how absenteeism reduced efficiency the concept of game theory is used here. Let us first assume that the judge is always present in the courtroom and he is always fully productive and gives efficient outcome. The players¹⁴ that are our topic of study for game theory are lawyer of plaintiff (or complainant) and lawyer of defendant (or accused). Let the lawyer of plaintiff be player 1 denoted by Lp and the lawyer of defendant be player 2, denoted by Ld .

The strategy¹⁵ that Lp and Ld have is to either be present in court or to be absent in court. Let being present in courtroom be denoted as S_1 and being absent be S_2 . The payoff¹⁶ from being present will be efficient judicial outcome.

The game can be summarized by using a matrix as depicted below in Figure 9. Each quadrant shows a combination of strategies used by the players and the payoff from that combination. The player 1's (Lp) strategy is in the row heading and player 2's (Ld) is in the column heading. The strategies Present (S_1) and Absent (S_2) are given in the row heading as well as column heading.

¹⁴ "Each decision maker in a game is called a *player*.... A player is characterized as having the ability to choose from among a set of possible actions." (Synder & Nicholson, 2014)

¹⁵ "Each course of action open to a player during a game is called *strategy*." (Synder & Nicholson, 2014)

¹⁶ "The final return to each player at the conclusion of the game is called a *payoff*.... Payoffs can incorporate nonmonetary factors such as prestige, emotion, risk preference, and so forth" (Synder & Nicholson, 2014)

Figure 7 Game Theory

		Ld	
		Present	Absent
Lp	Present	$S_1=2, S_2=2$ Highly Efficient	$S_1=1, S_2=-1$
	Absent	$S_1=-1, S_2=1$	$S_1=0, S_2=0$ Highly Inefficient

When both L_p and L_d are present i.e., $S_1=S_2=2$, high efficiency is attained. It is the best solution to the problem of inefficiency.

When one of the lawyers is absent, i.e., when either ($S_1=-1, S_2=1$) or ($S_1=1, S_2=-1$) there is low efficiency. If L_d is absent L_p would still be given a chance to present before the court but the outcome would be not efficient as the judge will not give out a judgment based on the fact that L_d could not defend. If L_p is absent the court would not be able to take the case further even in the presence of L_d . This leads to inefficiency due to absenteeism of one of the lawyers. The court has to spend time and its resources and efficient outcome is not attained. The party has to pay the lawyer for being present in the court. In such cases only remedy available to the court is to charge a travelling fee as fine from the lawyer who is absent, that is why the payoff for the absent lawyer would be negative (-1)

When both the lawyers are absent i.e., $S_1=S_2=0$, high inefficiency prevails. In this scenario the judge cannot give out any judgment. So it is a waste of the time and resources of court. This is absolute inefficiency due to absenteeism of the lawyers.

Thereby, absenteeism on part of lawyers not only reduces the efficiency of judiciary but also increases cost incurred by other party involved and the implicit cost for judiciary such as increasing the number of pending cases, the time lost, etc.

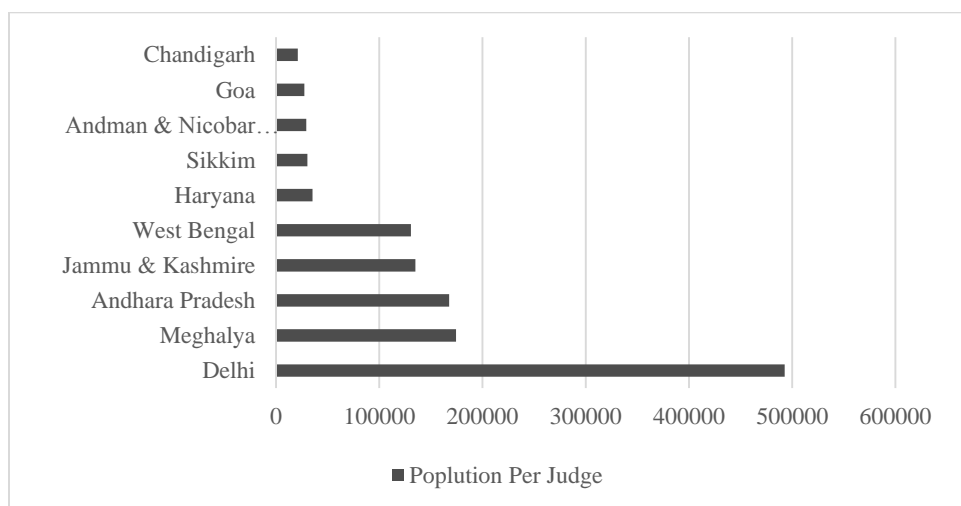
4.4 Vacancy in Judiciary

Judiciary, since inception, has seen a trend of high vacancy in judges. The Supreme Court of India has agreed and recognized the increasing vacancy in judiciary, especially lower judiciary. There are several reasons associated with such vacancy. One of the recent news article (Times of India, 2017) quoted the Supreme Court and stated that it was reviewing policies and ways in which the vacancy could be reduced. One of the reasons for such vacancy is that the exams for judicial services are not conducted at regular and frequent intervals. This leads to lack of meritorious candidates. A study by New Delhi-based Vidhi Centre for Legal Policy has found

that about 2.5 crore cases are pending in lower judiciary. The major reason for such a huge pile of pending cases, as per the report, was that 23 per cent of judicial posts in lower courts are vacant.

The burden of all the cases falls on the limited number of judges. Every day more than hundred cases are added to total whereas number of judges and number of disposals are very low and do not rise at all proportionately. When the resources employed i.e., judges are going to be limited, then the efficiency of judges is going to be negatively impacted with the increase in number of cases. There should be about 50 judges per million people (Law Commission of India, 1987), which seems a distant reality.

Figure 8 Population per Judge (by state)

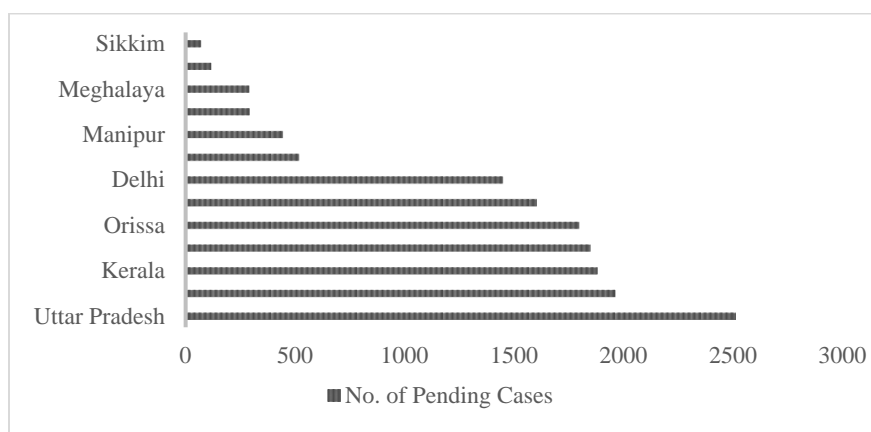


Source: National Judicial Data Grid

The population per judge has been depicted in the figure above. It is evident from the above data that the judges in Delhi have the highest population share per judge i.e., 4,92,742 people per judge. The least is in Chandigarh where the population per judge is 21,094. The state following Delhi is Andhra Pradesh, 1,67,655 people are under one judge. With such a disparity in the number of people per judge in Delhi and Andhra Pradesh, it becomes a worrisome situation for the capital of the country.

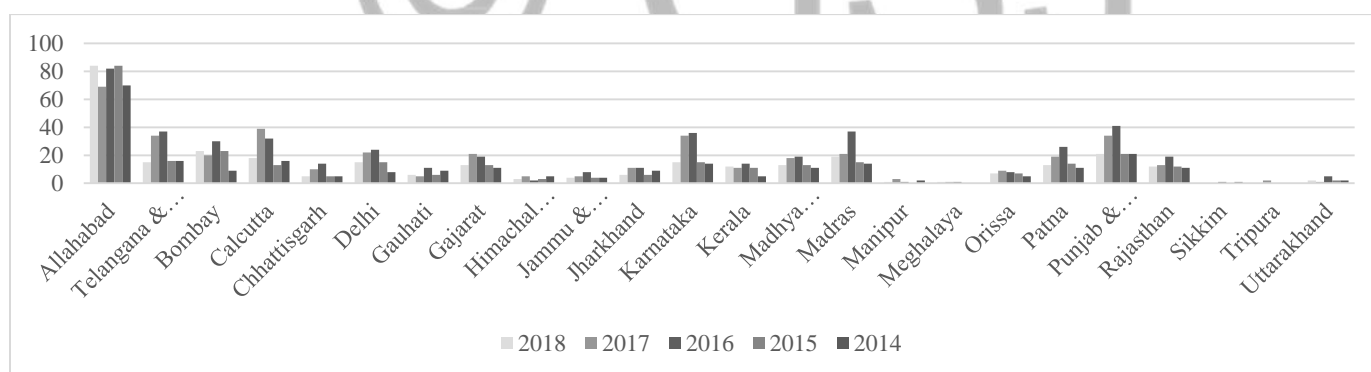
This indicates not only the vacancy in judiciary in Delhi and other states but also shows that people who undertake judiciary as a method to attain justice are proportionately higher in Delhi than the number of judges in Delhi. So the total number of judges in Delhi need to be increased.

There is high interlink between population per judge and the number of pending cases per judge. As depicted in the figure below, the number of pending cases per judge is very high in almost all states.

Figure 9 Number of Pending Cases per Judge (by State)*Source: National Judicial Data Grid*

The highest number of pending cases per judge is in Uttar Pradesh (U.P.). In U.P., 2513 cases are pending per judge on an average. The least number of pending cases per judge are 71 which is in Sikkim. If further statistics from National Judicial Data Grid are referred to, it is found that the nature of pending cases in UP is criminal. Delhi again, has a high number of pending cases per judge, 1,449.

The burden of cases falls on the limited number of judges. This leads to lower efficiency of judges and delay in judicial proceedings.

Figure 10 Vacancy of Judges in High Court*Source: DoJ*

The Vacancy of judges in High Courts is depicted in Figure 13. The highest vacancy has been recorded in Allahabad High Court. The proportion of vacancy in judiciary has always been almost constant in all states depicted above. There is only a slight change of 2-5 per cent each year, if any at all. This shows that the judicial vacancy problem has not been addressed in an effective manner

5. SUGGESTIONS FOR IMPROVING EFFICIENCY OF JUDICIAL SYSTEM

Judiciary is the key to a Pandora's Box of suffering and injustice for households and firms. Several issues which lead to diminishing efficiency in judiciary have been discussed in the previous sections. The king pin of the entire efficiency is length of court proceedings. The first step which needs to be taken is to deter the false and frivolous cases which penetrate deep into the system. The courts need to be vigilant in accepting cases once they are filed. The cases when presented in the courtroom for first hearing, need prime attention of the judge. The judges need to be well trained and knowledgeable so as to be able to distinguish between genuine cases and false cases. Another way to deter litigants is by imposing hefty fines and making stringent laws. The exemplary cost for time and resources of the court should be high. With a drop in false and frivolous cases the efficiency of courts would increase as the resources would be engaged in productive outcome achieving work.

Secondly, there needs to be a prescribed time limit within which a case needs to be disposed. The increase in time of disposal leads to decrease in utility from the outcome. India too needs to come up with laws like The US Speedy Trial Act, 1947 and give time limits according to the nature of the case. Currently in India Civil Procedure Code and Criminal Procedure Code are followed, which do not prescribe time limits. The only time limit ever mentioned in Indian law are related to time frames for certain procedures in the initial stage of filing. For instance, a reply needs to be filed within 30 days. However, if the lawyers fail to do so the limit can be extended by the judges so as to not hamper the court proceedings. When there will be a prescribed time limit, the court cases would be disposed within that and this would ultimately lead to better efficiency.

Thirdly, there needs to be reform in the judicial service exam and judges need to be incentivized. The proposal of All India Judicial Services Exam needs prime attention in order to make the judicial exam more transparent and luring to the candidates. The meritorious students who clear the test would lead to filling up the vacancy. Also, there should be uniformity in pay scale of judges and other incentives should be given to judges. This will not only increase the present judges' productivity but would also make judiciary as a lucrative career option for budding lawyers.

Fourthly, the Alternate Dispute Resolution Mechanism needs to be made more effective and general mass needs to be made more aware about ADRs. Set up of ADR would decrease cost and time and would be free from technicalities of courtroom. The grievance would be resolved outside court and efficiency of courts would be maintained.

In addition to these the court needs increased funding and the funds need to be utilized in the most effective manner. The courts could form separate wings for proper utilization of funds. The DoJ has shown that courts are inefficient at utilizing funds. Of the funds released by the Thirteenth Finance Commission, only 20 per cent of the total grant was actually utilized. Table 9 and Table 10 give a clearer insight into how much each state actually utilized out of the funds allotted to them.

6. CONCLUSION

Judiciary is a public good and is provided through the tax payer's money. Judiciary is one of the most important institutions for a strong and developing economic growth. Through this study, it has been shown that judiciary has the properties of public good i.e., it is non excludible and non-rival in nature.

Justice is in the reach of all strata in India. However, efficiency of judiciary has been on a decreasing trend. The factors which lead to decreasing efficiency of judiciary have been mentioned in the paper. The fundamental cause is lengthy court procedure. This factor is not independent but is also indirectly affected by all the other factors which decreases efficiency in judiciary. The negative relation of length of court proceedings and justice is a concern and needs prime attention.

The paper acknowledges all the steps that have been taken up by the government in order to increase the efficiency of judicial institution. However it also attempts to shed light on the fact that these steps have not been undertaken with full intention of increasing judicial efficiency. The length of court proceedings, vacancy of judges, and lesser number of ADR need to be looked into in order to increase the efficiency. There is still a long way to go for the most efficient outcome. If these suggestions are accepted in the true spirit they are surely to bring a change that will improve the efficiency of judiciary. The increased efficiency would lead to better social outcomes and faith will be restored in judiciary.

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Works Cited

- Daksh India. (2016). *Access To Justice Survey*. Retrieved January 2018, from <http://dakshindia.org/wp-content/uploads/2016/05/Daksh-access-to-justice-survey.pdf>
- Debroy, B. (2008, July 31). Justice Delivery in India- A Snapshot of Problems and Reforms. *ISAS Working Paper*.
- Hannaford-Agor, P., & Waters, N. L. (2013). *Estimating the Cost of civil Litigations*. National Center for State Courts. Court Statistics Project. Retrieved January 2018, from http://www.courtstatistics.org/~media/microsites/files/csp/data%20pdf/csph_online2.ashx
- Law Commission of India. (1987). *120th Report on Manpower Planning in Judiciary : A Blueprint*. Retrieved from <http://lawcommissionofindia.nic.in/101-169/report120.pdf>
- Lee, R. E. (1985). The American Courts as Public Goods: Who Should Pay the Costs of Litigation? *Catholic University Law Review*, 34(2). Retrieved January 2018, from <https://scholarship.law.edu/lawreview/vol34/iss2/4/>
- Lorizio, M. &. (2014, December). Efficiency of Justice and Economic Systems. *Procedia Economics and Finance*. Retrieved January 2018, from <https://www.sciencedirect.com/science/article/pii/S2212567114008843>
- Supreme Court of India. (2012). *Policy and Action Plan*.
- Synder, C., & Nicholson, W. (2014). *Microeconomic Theory Basic Principles and Extensions* (11 ed.). Cengage Learning.
- Thirteenth Finance Commission. (2015). *TFC Status As on 31st March 2015*. Department of Justice, GoI. Retrieved January 2018, from <http://doj.gov.in/sites/default/files/TFT-Award-Status-31.03.2015.pdf>
- Times of India. (2017, December 5). SC's timeframe for appointments in lower Judiciary not being followed. *Times of India*. Retrieved from <https://timesofindia.indiatimes.com/india/scs-timeframe-for-appointments-in-lower-judiciary-not-being-followed/articleshow/61923157.cms>
- Ware, S. J. (2013). Is Adjudication a Public Good? 'Overcrowded Courts' and the Private Sector Alternative of Arbitration. *SRRN*. Retrieved January 2018, from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2292107

Annexure

Annexure 1:

Survey Questions

Email address: _____

Please enter your name! _____

Question 1: What age group do you belong to?

- ☐ 18-25
- ☐ 25-35
- ☐ 35-45
- ☐ 45-55
- ☐ Above 55

Question 2: I have filed a court case (or complaint)

- ☐ Yes
- ☐ No
- ☐ Can't say

Question 3: The nature of the court case filed was civil(or complaint)

- ☐ Yes
- ☐ No
- ☐ Can't say

Question 4: The nature of the court case filed was criminal (or complaint)

- ☐ Yes
- ☐ No
- ☐ Can't say

Question 5: I have/apprehend that I will face problems while filing and fighting the court case

- ☐ Yes
- ☐ No
- ☐ Can't Say

Question 6: If need be, I would rather file and fight a court case than settle it outside court

- ☐ Yes
- ☐ No
- ☐ Can't Say

Question 7: I feel that courts are inefficient at providing justice

- ☐ Yes
- ☐ No
- ☐ Can't Say

Question 8: Which amongst the following is the best reason for inefficiency according to you?

- ☐ None, judiciary is efficient
- ☐ Lengthy Court Proceedings
- ☐ High Cost of Litigation
- ☐ High Vacancy in Judiciary
- ☐ Others _____

Annexure 2

Table 2 Statement Showing Actual Strength and Vacancies of Judges in High Court (As on 01.01.2014)

Sl. No.	High Court	Actual Strength	Vacancy	Total
1	Allahabad	90	70	160
2	Telangana & Andhara Pradesh	33	16	49
3	Bombay	66	9	75
4	Calcutta	42	16	58
5	Chhattisgarh	13	5	18
6	Delhi	40	8	48
7	Gauhati	31	9	40
8	Gajarat	15	11	26
9	Himachal Pradesh	6	5	11
10	Jammu & Kashmir	10	4	14
11	Jharkhand	11	9	20
12	Karnataka	36	14	50
13	Kerala	33	5	38
14	Madhya Pradesh	32	11	43
15	Madras	46	14	60
16	Manipur	2	2	4
17	Meghalaya	3	0	3
18	Orissa	17	5	22
19	Patna	32	11	43
20	Punjab & Haryana	47	21	68
21	Rajasthan	29	11	40
22	Sikkim	2	1	3
23	Tripura	4	0	4
24	Uttarakhand	7	2	9
	Total	647	259	906

Annexure 3

Table 3 Statement Showing Actual Strength and Vacancies of Judges in High Courts (As on 01.01.2015)

Sl. No.	Name of Court	Actual Strength	Vacancy	Total
1	Allahabad	76	84	160
2	Telangana & Andhara Pradesh	33	16	49
3	Bombay	71	23	94
4	Calcutta	45	13	58
5	Chhattisgarh	17	5	22
6	Delhi	45	15	60
7	Gauhati	18	6	24
8	Gajarat	39	13	52
9	Himachal Pradesh	10	3	13
10	Jammu & Kashmir	13	4	17
11	Jharkhand	19	6	25
12	Karnataka	47	15	62
13	Kerala	27	11	38
14	Madhya Pradesh	40	13	53
15	Madras	45	15	60
16	Manipur	4	0	4
17	Meghalaya	3	0	3
18	Orissa	20	7	27
19	Patna	29	14	43
20	Punjab & Haryana	64	21	85
21	Rajasthan	38	12	50
22	Sikkim	3	0	3
23	Tripura	4	0	4
24	Uttarakhand	9	2	11
	Total	719	298	1017

Annexure 4

Table 4 Statement Showing Actual Strength and Vacancies of Judges in High Courts (As on 01.01.2016)

Sl. No.	High Court	Actual Strength	Vacancy	Total
1	Allahabad	78	82	160
2	Telangana & Andhara Pradesh	24	37	61
3	Bombay	64	30	94
4	Calcutta	40	32	72
5	Chhattisgarh	8	14	22
6	Delhi	36	24	60
7	Gauhati	13	11	24
8	Gajarat	33	19	52
9	Himachal Pradesh	11	2	13
10	Jammu & Kashmir	9	8	17
11	Jharkhand	14	11	25
12	Karnataka	26	36	62
13	Kerala	33	14	47
14	Madhya Pradesh	34	19	53
15	Madras	38	37	75
16	Manipur	4	1	5
17	Meghalaya	3	1	4
18	Orissa	19	8	27
19	Patna	27	26	53
20	Punjab & Haryana	44	41	85
21	Rajasthan	31	19	50
22	Sikkim	2	1	3
23	Tripura	4	0	4
24	Uttarakhand	6	5	11
	Total	601	478	1079

Annexure 5

Table 5 Statement Showing Actual Strength and Vacancies of Judges in High Courts (As on 01.01.2017)

Sl. No.	High Court	Actual Strength	Vacancy	Total
1	Allahabad	91	69	160
2	Telangana & Andhara Pradesh	27	34	61
3	Bombay	74	20	94
4	Calcutta	33	39	72
5	Chhattisgarh	12	10	22
6	Delhi	38	22	60
7	Gauhati	19	5	24
8	Gajarat	31	21	52
9	Himachal Pradesh	8	5	13
10	Jammu & Kashmir	12	5	17
11	Jharkhand	14	11	25
12	Karnataka	28	34	62
13	Kerala	36	11	47
14	Madhya Pradesh	35	18	53
15	Madras	54	21	75
16	Manipur	2	3	5
17	Meghalaya	3	1	4
18	Orissa	18	9	27
19	Patna	34	19	53
20	Punjab & Haryana	51	34	85
21	Rajasthan	37	13	50
22	Sikkim	3	0	3
23	Tripura	2	2	4
24	Uttarakhand	10	1	11
	Total	672	407	1079

Annexure 6

Table 6 Statement Showing Actual Strength and Vacancies of Judges in High Courts (As on 01.01.2018)

Sl. No.	High Court	Actual Strength	Vacancy	Total
1	Allahabad	76	84	160
2	Telangana & Andhara Pradesh	46	15	61
3	Bombay	71	23	94
4	Calcutta	54	18	72
5	Chhattisgarh	17	5	22
6	Delhi	45	15	60
7	Gauhati	18	6	24
8	Gajarat	39	13	52
9	Himachal Pradesh	10	3	13
10	Jammu & Kashmir	13	4	17
11	Jharkhand	19	6	25
12	Karnataka	47	15	62
13	Kerala	35	12	47
14	Madhya Pradesh	40	13	53
15	Madras	56	19	75
16	Manipur	4	1	5
17	Meghalaya	3	1	4
18	Orissa	20	7	27
19	Patna	40	13	53
20	Punjab & Haryana	64	21	85
21	Rajasthan	38	12	50
22	Sikkim	3	0	3
23	Tripura	4	0	4
24	Uttarakhand	9	2	11
	Total	771	308	1079

Annexure 7

Table 7 Number of Pending Cases in High Courts, January 2014

S.No.	High Court	Civil Cases	Criminal	Total
1	Allahabad	655793	358353	1014146
2	Andhra Pradesh	216157	33544	249701
3	Bombay	310766	53810	364576
4	Calcutta	230697	55609	286306
5	Delhi	51464	15525	66989
6	Gujarat	61543	33759	95302
7	Gauhati	35138	7910	43048
8	Himachal Pradesh	34860	4756	39616
9	Jammu & Kashmir	95546	6610	102156
10	Karnataka	196677	17443	214120
11	Kerala	109392	36514	145906
12	Madras	228914	34655	263569
13	Madhya Pradesh	166961	91755	258716
14	Orissa	165724	36358	202082
15	Patna	81338	59652	140990
16	Punjab & Haryana	209167	70532	279699
17	Rajasthan	170222	58131	228353
18	Sikkim	68	40	108
19	Uttarakhand	16669	6436	23105
20	Chhattisgarh	28209	16868	45077
21	Jharkhand	42490	38325	80815
22	Tripura	3772	693	4465
23	Manipur	4234	140	4374
24	Meghalaya	691	47	738
All High Courts		3116492	1037465	4153957

Annexure 8

Table 8 Number of Pending Cases in High Court, January 2015

S.No.	High Court	Civil cases	Criminal cases	Total
1	Allahabad	559499	359330	918829
2	Andhra Pradesh	232061	38211	270272
3	Bombay	199902	46539	246441
4	Calcutta	181344	39938	221282
5	Delhi	52962	15822	68784
6	Gujarat	56700	30372	87072
7	Gauhati	21169	4779	25948
8	Himachal Pradesh	20924	5609	26533
9	Jammu & Kashmir	52108	4345	56453
10	Karnataka	217635	19819	237454
11	Kerala	121306	36063	157369
12	Madras	250133	34295	284428
13	Madhya Pradesh	171853	101974	273827
14	Orissa	130748	38705	169453
15	Patna	79102	49636	128738
16	Punjab & Haryana	208844	79507	288351
17	Rajasthan	182501	62365	244866
18	Sikkim	81	33	114
19	Uttarakhand	18560	8120	26680
20	Chhattisgarh	31136	18975	50111
21	Jharkhand	42570	37849	80419
22	Tripura	2485	552	3037
23	Manipur	3179	136	3315
24	Meghalaya	576	21	597
All High Courts		2837378	1032995	3870373

Annexure 9

Table 9 Number of Pending Cases in High Court, January 2018

S.No.	High Court	civil	criminal	writ	total
1	Allahabad	153699	299010	250352	703061
2	Andhra Pradesh	0	0	0	0
3	Bombay	302656	50704	110714	464074
4	Calcutta	105642	42483	84629	232754
5	Delhi	30040	18569	20916	69525
6	Gujarat	43069	32627	34113	109709
7	Gauhati	13804	10280	15654	39738
8	Himachal Pradesh	25883	6473	5599	37955
9	Jammu & Kashmir	38171	5184	0	43355
10	Karnataka	116606	30355	67106	214067
11	Kerala	79798	37634	64818	182159
12	Madras	128296	42105	144044	314343
13	Madhya Pradesh	104666	117172	88056	309894
14	Orissa	43087	42115	83380	168582
15	Patna	29286	54970	60951	145207
16	Punjab & Haryana	197695	117150	71103	385948
17	Rajasthan	84187	73185	103204	260576
18	Sikkim	55	62	98	215
19	Uttarakhand	9916	10935	16059	36910
20	Chhattisgarh	16502	23316	19818	59636
21	Jharkhand	14669	41789	1486	57944
22	Tripura	995	453	1401	2894
23	Manipur	15367	1560	0	16927
24	Meghalaya	323	34	605	962
All High courts		1554412	1058165	1244106	3856435

Annexure 10

Table 10 Allocation of Thirteenth Commission Grants (2010-2015)

(Revised)		Allocation of Thirteenth Commission Grants (2010-2015)											
Sl. No	State	Number of Sanctioned Courts	Number of Judicial Districts	Morning/ evening Courts	Lok Adalat and Legal Aid	Training of Judicial Officers	Training of Public Prosecutors	Heritage Court Buildings	State Judicial Academy	ADR Centers	Court Managers	Total	
				(Rs.crore)									
1	Andhra Pradesh	926.00	23.00	145.18	17.42	14.52	8.71	26.13	15.00	31.25	12.50	270.71	
2	Arunachal Pradesh	339.00		53.15	6.38	5.31	3.19	9.57		0.00	0.00	77.60	
3	Assam	289.00	21.00	45.31	5.44	4.53	2.72	8.16	15.00	28.53	11.41	121.10	
4	Bihar	1367.00	30.00	214.32	25.72	21.43	12.86	38.58	15.00	40.76	16.30	384.97	
5	Chhattisgarh	348.00	16.00	54.56	6.55	5.46	3.27	9.82	15.00	21.74	8.70	125.09	
6	Goa	49.00	2.00	7.68	0.92	0.77	0.46	1.38		2.72	1.09	15.02	
7	Gujarat	1028.00	26.00	161.17	19.34	16.12	9.67	29.01	15.00	35.33	14.13	299.76	
8	Haryana	393.00	18.00	61.61	7.39	6.16	3.70	11.09		24.46	9.78	124.20	
9	Himachal	126.00	11.00	19.75	2.37	1.98	1.19	3.56	15.00	14.95	5.98	64.77	
10	Jammu & Kshimer	208.00	22.00	32.61	3.91	3.26	1.96	5.87	15.00	29.89	11.96	104.46	
11	Jharkhand	527.00	22.00	82.62	9.91	8.26	4.96	14.87	15.00	29.89	11.96	177.48	
12	Karnataka	872.00	29.00	136.71	16.41	13.67	8.20	24.61	15.00	39.40	15.76	269.76	
13	Kerala	430.00	14.00	67.42	8.09	6.74	4.04	12.13	15.00	19.02	7.61	140.06	
14	Madhya Pradesh	1307.00	49.00	204.91	24.59	20.49	12.29	36.88	15.00	66.58	26.63	407.38	
15	Maharashtra	1898.00	49.00	297.57	35.71	29.76	17.85	53.56	15.00	66.58	26.63	542.65	
16	Manipur	34.00	2.00	3.68	0.64	1.52	0.87	0.96		2.83	1.09	11.59	
17	Meghalaya	10.00	1.00	1.57	0.19	0.16	0.09	0.28		1.36	0.54	4.19	
18	Mizoram	40.00	2.00	6.27	0.75	0.63	0.38	1.13		2.72	1.09	12.96	
19	Nagaland	27.00	0.00	4.23	0.51	0.42	0.25	0.76		0.00	0.00	6.18	
20	Orissa	531.00	30.00	83.25	9.99	8.32	4.99	8.98	21.00	40.76	16.30	193.61	
21	Punjab	346.00	14.00	54.25	6.51	5.42	3.25	9.76	15.00	19.02	7.61	120.83	
22	Rajasthan	825.00	34.00	129.34	15.52	12.93	7.76	23.28	15.00	46.20	18.48	268.51	
23	Sikkim	13.00	2.00	2.04	0.24	0.20	0.12	0.37	15.00	2.72	1.09	21.78	
24	Tamil Nadu	788.00	30.00	123.54	14.83	12.35	7.41	22.24	15.00	40.76	16.30	252.44	
25	Tripura	80.00	3.00	12.54	1.51	1.25	0.75	2.26		4.08	1.63	24.02	
26	Uttar Pradesh	2174.00	70.00	340.84	40.90	34.08	20.45	61.35	15.00	95.11	38.04	645.78	
27	Uttarakhand	273.00	13.00	42.80	5.14	4.28	2.57	7.70	15.00	17.66	7.07	102.22	
28	West Bengal	698.00	19.00	109.43	13.13	10.94	6.57	19.70	15.00	25.82	10.33	210.91	
	All States	15946.00	552.00	2500.00	300.00	250.00	150.00	450.00	300.00	750.00	300.00	5000.00	

Annexure 11

Table 11 State Wise, Activity Wise Release and Utilization till 31.10.2014

State wise, activity wise Release and utilization till date 31st October 2014)

RS. Crore

Sl. No	STATE	Morning / Evening / Shift Courts		Lok Adalat and Legal Aid		Training of Judicial Officers		Training of Public Prosecutors		Heritage Court Buildings		State Judicial Academy		ADR Centres / Training to		Court Managers		Total Release	Total Utilization	% of Utilization
		TR	TU	TR	TU	TR	TU	TR	TU	TR	TU	TR	TU	TR	TU	TR	TU			
1	Andhra Pradesh	43.55	42.63	6.97	5.11	4.36	1.88	2.61	3.94	10.46	8.56	4.50	0.08	9.38	7.26	3.75	2.55	85.58	72.01	84.15
2	Arunachal Pradesh	10.63	0.00	1.28	0.00	1.06	0.00	0.64	0.00	1.91	0.00	0.00	0.00	0.00	0.00	0.00	0.00	15.52	0.00	0.00
3	Assam	9.06	1.09	1.09	0.00	2.73	3.87	0.54	0.07	1.63	0.00	3.00	0.39	5.71	0.00	2.28	0.00	26.04	5.42	20.80
4	Bihar	64.30	0.00	7.72	0.00	6.43	0.00	3.86	0.00	11.57	0.00	4.50	0.00	12.23	0.00	4.89	0.00	115.49	0.00	0.00
5	Chhattisgarh	10.91	0.00	1.31	0.07	2.18	0.94	1.31	0.63	1.96	0.00	3.00	0.00	4.35	0.00	1.74	0.00	26.77	1.64	6.11
6	Goa	1.54	0.00	0.18	0.18	0.15	0.03	0.09	0.04	0.28	0.00	0.00	0.00	0.54	0.52	0.22	0.00	3.00	0.77	25.50
7	Gujarat	96.70	123.80	5.80	3.08	8.06	5.15	2.90	2.10	8.70	0.00	4.50	0.00	10.60	6.97	4.24	0.42	141.51	141.52	100.01
8	Haryana	18.48	2.75	4.44	2.87	4.92	4.13	3.70	3.63	3.33	0.00	0.00	0.00	19.56	13.45	3.91	1.91	58.34	28.74	49.27
9	Himachal	7.90	1.19	2.36	1.92	1.60	1.40	1.20	0.96	1.42	0.40	15.00	12.42	11.97	9.90	2.40	1.65	43.85	29.84	68.04
10	Jammu & Kashmir	9.78	0.85	1.56	1.56	1.31	1.30	0.78	1.20	1.76	0.00	6.00	6.00	11.96	11.96	3.59	0.00	36.75	22.87	62.24
11	Jharkhand	16.52	0.07	1.98	0.91	3.31	2.36	0.99	0.17	8.92	5.95	9.00	7.47	11.96	3.61	4.78	2.01	57.47	22.55	39.24
12	Karnataka	41.01	2.19	6.56	14.55	5.47	4.55	3.28	7.34	9.84	16.75	6.00	3.00	15.76	24.32	4.73	0.52	92.65	73.22	79.03
13	Kerala	20.23	0.41	2.43	0.78	2.70	1.93	1.62	1.03	3.64	1.32	4.50	1.61	5.71	1.35	2.28	0.01	43.10	8.44	19.58
14	Madhya Pradesh	61.47	0.00	7.38	0.96	12.29	8.72	6.15	3.49	11.06	0.00	6.00	2.80	26.63	19.01	7.99	0.26	138.98	35.25	25.36
15	Maharashtra	89.27	18.95	10.71	5.87	23.83	15.49	5.36	0.91	21.42	14.12	6.00	4.89	39.96	24.34	7.99	0.90	204.54	85.47	41.79
16	Manipur	1.07	0.06	0.64	0.60	1.12	0.70	0.66	0.41	0.58	0.38	0.00	0.00	1.68	1.11	0.22	0.00	5.96	3.26	54.71
17	Meghalaya	0.31	0.01	0.04	0.11	0.03	0.16	0.02	0.00	0.06	0.00	0.00	0.00	0.27	0.00	0.11	0.00	0.84	0.29	34.17
18	Mizoram	1.88	0.00	0.23	0.22	0.19	0.38	0.11	0.20	0.34	0.00	0.00	0.00	0.82	1.29	0.33	0.04	3.89	2.13	54.84
19	Nagaland	1.27	0.00	0.15	0.09	0.12	0.08	0.08	0.05	0.22	0.00	0.00	0.00	0.00	1.03	0.00	0.00	1.84	1.24	67.39
20	Orissa	24.98	17.23	3.00	1.63	6.65	5.63	2.00	1.17	5.99	3.00	12.00	21.00	16.30	11.40	4.89	3.94	75.81	65.00	85.74
21	Punjab	16.28	3.43	2.60	2.49	5.41	5.89	1.95	1.35	9.75	8.32	4.50	1.51	7.61	9.79	3.04	1.46	51.14	34.24	66.96
22	Rajasthan	38.80	0.00	6.20	3.86	5.18	2.73	2.33	0.31	13.98	12.78	12.00	9.00	18.48	19.38	7.40	6.10	104.37	54.16	51.89
23	Sikkim	0.41	0.00	0.10	0.06	0.04	0.00	0.07	0.05	0.07	0.00	6.00	2.70	1.62	2.60	0.22	0.00	8.53	5.41	63.42
24	Tamil Nadu	24.71	7.53	8.90	6.05	4.94	3.92	2.96	1.58	4.45	0.00	12.00	13.42	24.45	16.63	3.26	0.45	85.67	49.58	57.87
25	Tripura	3.76	0.22	0.60	0.45	0.51	0.42	0.46	0.31	1.35	0.68	0.00	0.00	2.46	2.23	0.49	0.00	9.63	4.31	44.76
26	Uttar Pradesh	102.25	2.56	12.27	2.41	20.45	14.33	12.27	8.21	30.68	18.92	9.00	9.00	38.04	21.36	11.41	4.30	236.37	81.10	34.31
27	Uttarakhand	12.84	0.35	1.54	1.05	2.57	3.71	0.77	0.05	2.31	3.08	9.00	12.00	7.06	3.75	2.12	0.00	38.22	23.99	62.77
28	West Bengal	32.83	0.00	3.94	1.64	3.28	1.44	1.97	0.80	5.91	2.91	4.50	0.93	7.75	6.84	3.10	0.00	63.28	14.56	23.02
	Total	762.75	225.32	101.97	58.53	130.90	91.14	60.69	39.99	173.60	97.17	141.00	108.23	312.85	220.11	91.37	26.53	1775.12	867.01	48.84
	% of UC		29.54		57.40		69.63		65.90		55.97		76.76		70.36		29.04			

TR = TOTAL RELEASED

TU = TOTAL UTILIZATION