

2021

LOK SABHA REPLIES

**MONSOON SESSION, 2021
[6th SESSION OF 17th LOK
SABHA][19th July, 2021 to
13th August, 2021]. The
House adjourned sine die on
11th August, 2021.**

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A2J/LAP

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA
STARRED QUESTION NO. *122
TO BE ANSWERED ON WEDNESDAY, 28th JULY, 2021.

Lok Adalats

*122. DR. SANJAY JAISWAL:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government has proposed to set up more Lok Adalats in the country to clear pending cases in High Courts and Lower Courts;
- (b) if so, the details thereof along with the number of Lok Adalats presently functioning in various States;
- (c) the number of cases cleared by the Lok Adalats during the last three years, State-wise; and
- (d) the extent to which it has reduced the number of pending cases in High Courts and Lower Courts?

ANSWER

MINISTER OF LAW & JUSTICE
(SHRI KIREN RIJJU)

(a) to (d): A Statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF
LOK SABHA STARRED QUESTION NO. *122 FOR ANSWER ON
28.07.2021 REGARDING 'LOK ADALATS'.**

(a) to (c) Lok Adalat is an important Alternative Disputes Resolution Mechanism available to common people. It is a forum where the disputes/cases pending in the court of law or at pre-litigation stage are settled/compromised amicably. Under the Legal Services Authorities (LSA) Act, 1987, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court. In order to reduce the pendency of cases in courts and also to settle the disputes at pre-litigation stage, Lok Adalats are organized by Legal Services Institutions at such intervals as it deems fit. Lok Adalat is not a permanent establishment. However, as per Section 19 of the LSA Act, Lok Adalats are organized by Legal Services Institutions as per requirement. National Lok Adalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date.

In addition, Section 22B of the LSA Act also provides for establishment of Permanent Lok Adalat by every State Authority to deal with cases of public utility services at pre-litigation stage. 356 Permanent Lok Adalats are functioning in various States & UTs. State-wise Permanent Lok Adalats and cases settled is at Annexure-A. State-wise cases settled (both at pre-litigative

stage and pending cases) by State Lok Adalats and National Lok Adalats during the last three years is at Annexure B and C respectively.

To facilitate access to justice during COVID times, the Legal Services Authorities have ingeniously integrated technology into conventional methods of justice delivery and moved Lok Adalat to the Virtual Platform on 27.06.2020. From June, 2020 to May, 2021, more than 4.42 lakh cases have been disposed of by these E-Lok Adalats.

(d) State-wise details of cases disposed of (both Pre-litigative and pending cases of High Courts and Lower courts) in State Lok Adalats and National Lok Adalats are at Annexure B and C respectively.

**Statement as referred to in reply to the Lok Sabha Starred Question No. 122 for 28.07.2021 raised by
Dr. Sanjay Jaiswal - Lok Adalats**

**A Statement containing the information of cases settled by Permanent Lok Adalats (Public Utility Services)
during the last three calendar years viz. 2018 to 2020 and the current year 2021 (upto May)**

S. No	SLSA	PLAs Functioning	2018	2019	2020	2021 (upto May)
1	Andaman & Nicobar Islands	0	0	0	0	0
2	Andhra Pradesh	9	1966	1317	980	839
3	Arunachal Pradesh	0	0	0	0	0
4	Assam	11	99	34	5	19
5	Bihar	9	422	521	301	82
6	Chhattisgarh	5	151	67	37	25
7	Dadra & Nagar Haveli	0	0	0	0	0
8	Daman & Diu	0	0	0	0	0
9	Delhi	3	17262	14376	11854	8898
10	Goa	2	109	57	0	30
11	Gujarat	4	553	110	10	105
12	Haryana	21	39585	37213	16191	5029
13	Himachal Pradesh	4	69	95	21	8
14	Jammu & Kashmir	0	0	0	0	0
15	Jharkhand	24	3215	8649	3137	1009
16	Karnataka	6	4841	4547	4635	1293
17	Kerala	3	629	298	310	103
18	Lakshadweep	0	0	0	0	0
19	Madhya Pradesh	50	2936	378	264	146
20	Maharashtra	4	5567	2848	610	110
21	Manipur	0	0	0	0	0
22	Meghalaya	0	0	0	0	0
23	Mizoram	2	0	0	0	0
24	Nagaland	0	0	0	0	0
25	Odisha	22	1195	1424	1434	650
26	Puducherry	0	0	0	0	0
27	Punjab	22	11699	6723	3818	2593
28	Rajasthan	35	4257	4095	1411	643
29	Sikkim	0	0	0	0	0
30	Tamil Nadu	32	0	20	52	79
31	Telangana	6	5091	2128	1591	525
32	Tripura	6	173	177	31	0
33	Chandigarh	1	1779	514	130	113
34	Uttar Pradesh	71	2447	1007	393	265
35	Uttarakhand	4	104	282	260	363
36	West Bengal	0	0	0	0	0
37	Ladakh	0	0	0	0	0
	Grand Total	356	104149	86880	47475	22927

Note: Ladakh Legal Services Authority was constituted in the month of February, 2021.

**Statement as referred to in reply to the Lok Sabha Starred Question No. 122 for 28.07.2021 raised by
Dr. Sanjay Jaiswal - Lok Adalats**

**A Statement containing the disposal of cases settled in State Lok Adalats during the last three calendar years viz.
2018 to 2020 and the current year 2021 (upto May)**

S.No.	Name of the State Authority	2018		2019		2020		2021 (upto May)	
		Disposal of Pre-litigation cases	Disposal of Pending cases	Disposal of Pre-litigation cases	Disposal of Pending cases	Disposal of Pre-litigation cases	Disposal of Pending cases	Disposal of Pre-litigation cases	Disposal of Pending cases
1	Andaman & Nicobar Islands	75	0	99	191	84	6	0	0
2	Andhra Pradesh	2740	11490	2057	10357	783	22994	859	10878
3	Arunachal Pradesh	15	15	74	49	13	12	0	0
4	Assam	1942	76649	741	40631	112	144	0	0
5	Bihar	2121	208	1035	154	211	113	75	22
6	Chhattisgarh	396	5045	690	3234	1	2436	13	1192
7	Dadra & Nagar Haveli	0	0	2	3	0	0	0	0
8	Daman & Diu	0	0	0	0	0	0	0	0
9	Delhi	2556	0	15882	2333	1642	19329	4445	171058
10	Goa	43	209	51	32	0	1	65	712
11	Gujarat	2071	15273	1364	22560	1145	15922	2365	6727
12	Haryana	0	146409	0	134509	3627	48453	0	31639
13	Himachal Pradesh	102	69813	0	80117	1814	9557	0	114
14	Jammu & Kashmir	3692	6667	2191	14402	1208	4720	1058	4162
15	Jharkhand	3304	8499	2562	7393	71009	11257	1770	3938
16	Karnataka	7425	87419	2957	48142	7668	126440	47	2618
17	Kerala	26974	5986	20025	5014	5309	1235	2964	1139
18	Lakshadweep	201	0	2	0	0	0	0	0
19	Madhya Pradesh	530	3391	1088	8049	695	11172	265	4977
20	Maharashtra	14	809	1302	6786	2	134	0	511
21	Manipur	28	0	0	0	14	7	0	0
22	Meghalaya	86	90	0	0	0	0	0	0
23	Mizoram	403	59	383	119	126	72	31	49
24	Nagaland	0	0	0	0	0	0	0	0
25	Odisha	98	137329	29	53615	173	13026	0	0
26	Puducherry	723	261	786	180	169	159	29	216
27	Punjab	6494	22282	364	5884	0	396	0	0
28	Rajasthan	3155	9634	1293	6150	4609	30522	64	648
29	Sikkim	533	293	428	137	211	46	39	37
30	Tamil Nadu	9776	7662	8775	7863	4298	8295	2581	3581
31	Telangana	3481	9621	5651	8071	3655	18787	1862	3396
32	Tripura	272	55902	723	31653	940	40	152	6239
33	Chandigarh	82	1	30	0	7	0	14	0
34	Uttar Pradesh	16249	25824	1889	4710	36	62336	31884	6778
35	Uttarakhand	4	10545	26	27495	217	3487	0	3693
36	West Bengal	510776	34217	9667	12660	2654	15263	789	3716
37	Ladakh	0	0	0	0	0	0	0	0
	Grand Total	606361	751602	82166	542493	112432	426361	51371	268040

Note: Ladakh Legal Services Authority was constituted in the month of February, 2021.

Statement as referred to in reply to the Lok Sabha Starred Question No. 122 for 28.07.2021 raised by

Dr. Sanjay Jaiswal - Lok Adalats

Statement containing the information of cases settled in National Lok Adalats during the year viz, 2018, 2019, 2020 and 2021 (upto July,21).

S.No.	Name of the State Authority	2018		2019		2020		2021 (upto July)	
		Disposal of Pre-litigation Cases	Disposal of Pending Cases	Disposal of Pre-litigation Cases	Disposal of Pending Cases	Disposal of Pre-litigation Cases	Disposal of Pending Cases	Disposal of Pre-litigation Cases	Disposal of Pending Cases
1	Andaman & Nicobar Islands	0	0	0	0	84	164	32	873
2	Andhra Pradesh	28996	66021	8224	89191	1504	36392	1551	33284
3	Arunachal Pradesh	947	391	399	189	34	70	171	138
4	Assam	19841	11351	16434	5162	9100	3088	8131	3275
5	Bihar	151050	19933	144071	20913	59246	7205	31091	8593
6	Chandigarh	326	11457	907	10281	18	2551	23	2259
7	Chhattisgarh	36340	34022	20762	36886	5507	18957	20620	16657
8	Dadra & Nagar Haveli	10	160	1860	161	1657	111	0	52
9	Daman & Diu	37	70	198	51	0	31	0	57
10	Delhi	12022	63524	28065	43312	9095	73911	12	26312
11	Goa	1438	1266	456	1109	122	229	6	211
12	Gujarat	41818	95287	43469	149681	12882	28702	24345	278697
13	Haryana	32984	58157	40633	62665	12906	17392	10153	29004
14	Himachal Pradesh	4943	15355	10695	14737	3023	2948	6758	6828
15	Jammu & Kashmir	19312	40018	8944	23233	2613	10645	10126	18115
16	Jharkhand	47385	24673	33098	16130	33205	19947	29180	18151
17	Karnataka	14830	85127	32020	249829	20870	313811	19113	313823
18	Kerala	66208	39805	83528	45201	10959	4051	4380	28312
19	Lakshadweep	103	0	1	3	8	0	0	0
20	Madhya Pradesh	191949	118620	157676	76757	78344	30021	76654	32119
21	Maharashtra	660134	148491	334306	94070	161993	53844	0	0
22	Manipur	1600	89	1917	77	176	28	266	37
23	Meghalaya	447	489	409	286	178	125	255	170
24	Mizoram	1056	20	470	25	179	39	252	44
25	Nagaland	2061	267	829	144	224	27	129	5
26	Odisha	13371	27917	13394	29803	5447	12882	2649	10892
27	Puducherry	670	4075	872	3322	163	1575	18	2343
28	Punjab	37627	74144	20307	68709	5524	27004	5060	35502
29	Rajasthan	47754	117867	49890	169208	23378	79682	12700	63438
30	Sikkim	141	92	115	50	21	9	26	21
31	Tamil Nadu	106217	369536	29909	310685	7191	81628	2457	47082
32	Telangana	45114	43021	56241	54597	21984	25576	18129	78799
33	Tripura	2526	319	3112	242	225	157	47	62
34	Uttarakhand	7851	26636	9113	16945	2792	5296	890	4356
35	Uttar Pradesh	1656280	1068336	1498268	986137	766688	404334	738240	478533
36	West Bengal	19250	43387	25891	36999	7595	21001	0	0
37	Ladakh	0	0	0	0	0	0	29	464
	Grand Total	3272638	2609923	2676483	2616790	1264935	1283433	1023493	1538508

Note: Ladakh Legal Services Authority was constituted in the month of February, 2021

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE**

NM

LOK SABHA

UNSTARRED QUESTION No. †1396

TO BE ANSWERED ON WEDNESDAY, THE 28TH JULY, 2021

Constitution of courts

†1396. **SHRI RAM KRIPAL YADAV:**
SHRI SUBRAT PATHAK:
SHRI SATYADEV PACHAURI:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Government proposes to formulate any plan to set up courts at the village level so as to develop accessible justice system for the rural people and strengthen gram panchayats through it and if so, the details thereof;

(b) the total number of rural/village courts set up in the country during each of the last two years and the current year along with those which have started functioning especially in Uttar Pradesh, Madhya Pradesh, Rajasthan and Uttarakhand; and

(c) whether the Government has assessed the viability of these rural/village courts and if so, the details thereof?

ANSWER

**MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)**

(a) to (c): To provide access to justice to the citizen at their door steps, the Central Government has enacted the Gram Nyayalayas Act, 2008. It provides for establishment of Gram Nyayalayas at intermediate panchayat level. The State Governments are responsible for establishing Gram Nyayalayas in consultation with the respective High Courts. However, the Act does not make setting up of

Gram Nyayalayas mandatory. The issues affecting operationalization of the Gram Nyayalayas were discussed in the Conference of Chief Justices of High Courts and Chief Ministers where it was decided that the State Governments and High Courts should decide the question of setting up of Gram Nyayalayas wherever feasible, taking into account the local issues and situation. However some of the challenges related to efficient functioning of Gram Nyayalayas are overlap of jurisdiction with regular courts, shortage of First Class Magistrates to man Gram Nyayalayas, need of a cadre of Gram Nyayadhikaris and their training, awareness amongst stakeholders and need for mobile courts etc.

As per information made available by State Governments / High Courts, while the State Government of Uttarakhand has not notified any Gram Nyayalaya, 455 Gram Nyayalayas have been notified so far by 13 States including the States of Uttar Pradesh, Madhya Pradesh and Rajasthan. State-wise details of the Gram Nyayalayas notified and operationalised by the State Governments, are as under:

Sl. No.	State	Gram Nyayalayas Notified	Gram Nyayalayas Functional
1	Madhya Pradesh	89	89
2	Rajasthan	45	45
3	Karnataka	2	2
4	Odisha	23	18
5	Maharashtra	36	23
6	Jharkhand	6	1
7	Goa	2	0
8	Punjab	9	2
9	Haryana	3	2
10	Uttar Pradesh	113	14
11	Kerala	30	30
12	Andhra Pradesh	42	0

13	Telangana	55	0
	Total	455	226

A third party evaluation of the scheme was done by NITI Aayog which had recommended the continuance of Gram Nyayalayas. The Central Government has been encouraging the States to set up Gram Nyayalayas by providing non-recurring and recurring financial assistance.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. +1438
TO BE ANSWERED ON WEDNESDAY, THE 28TH JULY, 2021

DISPOSAL OF COURT CASES

+1438. SHRI MAHABALI SINGH:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the courts in India take more time in disposal of cases in comparison to the developed countries of the world;
- (b) if so, the details thereof and the reasons therefor;
- (c) the average time being taken by the Supreme Court, High Courts, District Courts and Subordinate Courts in the disposal of civil and criminal cases; and
- (d) whether any assessment has been made regarding the time taken for the disposal of cases in America, England, Japan, France and other European countries and if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (d): Courts in various countries operate in different environment on account of difference in availability of infrastructure, use of technology, number of judicial officers per million of population (judge-population ratio), docket ratio (population case filing ratio), provisions of substantive laws and procedures in courts etc. Time taken for disposal of cases in India vis-à-vis developed countries cannot be practically compared. The Government does not maintain data on average time taken for disposal of cases in courts. However, data available on the National Judicial Data Grid on the time taken to disposal of cases in respect of High Courts and District and Subordinate Judiciary as on 23.07.2021 is at *Annexure.*

ANNEXURE**STATEMENT REFERRED TO IN REPLY TO LOK SABHA UNSTARRED QUESTION NO. +1438 FOR ANSWER ON 28.07.2021 REGARDING DISPOSAL OF COURT CASES.****Time to Disposition of Cases (as on 23.07.2021)**

Time Taken	High Courts		District and Subordinate Courts	
	Civil	Criminal	Civil	Criminal
Within 1 year	160,129 (45.67 %)	196,589 (65.94 %)	376,898 (37.60 %)	3,591,099 (75.44 %)
1-2 year	73,660 (21.01 %)	73,518 (24.66 %)	223,499 (22.30 %)	433,371 (9.10 %)
2-3 year	29,649 (8.46 %)	10,855 (3.64 %)	128,576 (12.83 %)	235,868 (4.95 %)
3-4 year	18,171 (5.18 %)	4,894 (1.64 %)	78,503 (7.83 %)	146,616 (3.08 %)
4-5 year	13,913 (3.97 %)	3,017 (1.01 %)	50,290 (5.02 %)	92,377 (1.94 %)
5-6 year	10,428 (2.97 %)	1,635 (0.55 %)	40,483 (4.04 %)	76,392 (1.60 %)
6-7 year	7,507 (2.14 %)	1,577 (0.53 %)	27,526 (2.75 %)	46,778 (0.98 %)
7-8 year	6,340 (1.81 %)	895 (0.30 %)	18,635 (1.86 %)	31,448 (0.66 %)
8-9 year	5,955 (1.70 %)	833 (0.28 %)	13,275 (1.32 %)	22,358 (0.47 %)
9-10 year	4,871 (1.39 %)	559 (0.19 %)	9,710 (0.97 %)	15,389 (0.32 %)
10-11 year	4,612 (1.32 %)	503 (0.17 %)	6,985 (0.70 %)	11,386 (0.24 %)
11-12 year	3,371 (0.96 %)	295 (0.10 %)	5,285 (0.53 %)	9,426 (0.20 %)
12-13 year	2,489 (0.71 %)	228 (0.08 %)	3,858 (0.38 %)	7,486 (0.16 %)
13-14 year	1,998 (0.57 %)	199 (0.07 %)	2,872 (0.29 %)	5,855 (0.12 %)
14-15 year	1,982 (0.57 %)	1,111 (0.37 %)	2,062 (0.21 %)	5,037 (0.11 %)
15-16 year	1,182 (0.34 %)	356 (0.12 %)	1,748 (0.17 %)	4,110 (0.09 %)
16-17 year	1,151 (0.33 %)	259 (0.09 %)	1,610 (0.16 %)	3,436 (0.07 %)
17-18 year	889 (0.25 %)	115 (0.04 %)	1,157 (0.12 %)	2,761 (0.06 %)
18-19 year	593 (0.17 %)	102 (0.03 %)	1,095 (0.11 %)	2,700 (0.06 %)
19-20 year	386 (0.11 %)	116 (0.04 %)	839 (0.08 %)	2,253 (0.05 %)
20-21 year	398 (0.11 %)	38 (0.01 %)	798 (0.08 %)	1,957 (0.04 %)
More than 21 Years	981 (0.28 %)	425 (0.14 %)	6,697 (0.67 %)	12,337 (0.26 %)

Source: National Judicial Data Grid

eCourts

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)**

**LOK SABHA
UNSTARRED QUESTION No. †1446
TO BE ANSWERED ON WEDNESDAY, THE 28th JULY, 2021**

Court Cases Disposed Through Digital System

†1446. SHRI CHUNNI LAL SAHU:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the number of court cases disposed of through the digital system during the lockdown of 2020-21 in the country; State/UT-wise;
- (b) the present status of the disposal of general and less important court cases; and
- (c) whether the Government is working on some special plan for disposing of the same; and
- (d) if so, the details thereof?

ANSWER

**MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJLU)**

(a) to (d): Between March 2020 and June 2021, the District Courts heard a total of 74,15,989 cases using the digital system. The case disposal status by digital and physical hearing is however not separately maintained. During the same period, a total of 97,21,491 cases were disposed of in all States/UTs by digital and physical hearing. The State/UT wise position is placed at Annexure I.

Disposal of cases is within the domain of the judiciary. However, the Union Government is committed to speedy disposal of cases and reduction in pendency of cases to improve access to justice in line with the mandate under Article 39A of the Constitution. The National Mission for Justice Delivery and Legal Reforms, established by the Union Government, has adopted many strategic initiatives, including improving infrastructure for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases.

Annexure I

Statement referred to in reply of part (a) of Lok Sabha Unstarred Question No. 1446 for 28/07/2021 regarding cases disposed of in all States/UTs.

Sr. no	State	Total
1	Uttar Pradesh	1919222
2	Maharashtra	697044
3	Bihar	317546
4	West Bengal	291292
5	Rajasthan	567151
6	Gujarat	555898
7	Karnataka	1239746
8	Kerala	439637
9	Madhya Pradesh	513909
10	Odisha	139202
11	Tamil Nadu	919338
12	Haryana	280593
13	Delhi	233910
14	Punjab	365706
15	Telangana	161720
16	Andhra Pradesh	171205
17	Jharkhand	209906
18	Assam	82084
19	Himachal Pradesh	229240
20	Chhattisgarh	106295
21	Uttarakhand	111687
22	UT of Jammu and Kashmir & Ladakh	100139
23	Goa	6591
24	Chandigarh	10671
25	Puducherry	3535
26	Tripura	24411
27	Meghalaya	4342
28	Manipur	9956
29	Mizoram	2924
30	Dadar & Nagar Haveli at Silvassa	1319
31	Diu and Daman	1431
32	Nagaland	334
33	Sikkim	2831
34	Ladakh	676
Total		97,21,491

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

Appointment DVM

LOK SABHA

UNSTARRED QUESTION NO.1545

TO BE ANSWERED ON WEDNESDAY, THE 28.07.2021

Change of Court Jurisdiction

**1545. SHRI ANTO ANTONY:
SHRI RAJMOHAN UNNITHAN:
SHRI HIBI EDEN:**

Will the Minister of **LAW AND JUSTICE** be pleased to state:

- (a) whether the Government's attention is drawn to a proposal by the Lakshadweep Administration to transfer the legal jurisdiction from Kerala High Court to the Karnataka High Court and if so, the details thereof;
- (b) the reason behind this move and the response of the Government in this regard;
- (c) whether measures are taken to reduce the financial expenses and to increase the ease of the citizens of Lakshadweep to approach the Karnataka High Court if the jurisdiction is changed; and
- (d) if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a): At present, there is no proposal received from Lakshadweep Administration to transfer the legal jurisdiction from Kerala High Court to Karnataka High Court.

(b) to (d): Does not arise in view of reply at (a) above.

Appointment D/W

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO.1581

TO BE ANSWERED ON WEDNESDAY, THE 28.07.2021

Sanctioned Strength of Judges

†1581. SHRI HAJI FAZLUR REHMAN:

Will the Minister of **LAW AND JUSTICE** be pleased to state:

- (a) the sanctioned strength of judges in the Supreme Court and various High Courts in the country at present, court-wise;
- (b) the total number of male and female judges in Supreme Court and various High Courts at present and the number out of them belonging to minority community and Scheduled Castes/Scheduled Tribes; and
- (c) the details of the number of vacancies of judges in the Supreme Court and various High Courts?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (c) : A Statement showing sanctioned strength of Judges, number of male & female Judges and vacancies in the Supreme Court and High Courts as on 20.07.2021 is at **Annexure.**

Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. Hence no class/category wise data is maintained centrally. However, the Government has been requesting the Chief Justices of High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and Women to ensure social diversity in appointment of Judges in High Courts.

Annexure

Statement referred to in reply to parts (a) to (c) of Unstarred Question No. 1581 to be answered in Lok Sabha on 28.07.2021 regarding 'Sanctioned Strength of Judges' by Shri Haji Fazlur Rehman

(Position as on 20.07.2021)

Sl. No.	Name of the Court	Sanctioned Strength	Working Strength			Vacancies
			Male Judges	Female Judges	Total	
A.	Supreme Court of India	34	25	01	26	08
B.	High Court					
1	Allahabad	160	87	07	94	66
2	Andhra Pradesh	37	16	03	19	18
3	Bombay	94	55	08	63	31
4	Calcutta	72	27	04	31	41
5	Chhattisgarh	22	12	02	14	08
6	Delhi	60	24	06	30	30
7	Gauhati	24	19	01	20	04
8	Gujarat	52	23	05	28	24
9	Himachal Pradesh	13	09	01	10	03
10	J & K and Ladakh	17	10	01	11	06
11	Jharkhand	25	14	01	15	10
12	Karnataka	62	41	06	47	15
13	Kerala	47	33	04	37	10
14	Madhya Pradesh	53	26	03	29	24
15	Madras	75	45	13	58	17
16	Manipur	05	05	0	05	0
17	Meghalaya	04	04	0	04	0
18	Orissa	27	12	01	13	14
19	Patna	53	19	0	19	34
20	Punjab & Haryana	85	39	07	46	39
21	Rajasthan	50	22	01	23	27
22	Sikkim	03	02	01	03	0
23	Telangana	42	12	02	14	28
24	Tripura	05	04	0	04	01
25	Uttarakhand	11	07	0	07	04
	Total	1098	567	77	644	454

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO.1597
TO BE ANSWERED ON WEDNESDAY, THE 28TH JULY, 2021

PENDING COURT CASES

1597. SHRI SATYADEV PACHAURI:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the details pendency of criminal, civil, etc. cases in the lower courts, fast track courts, and High court of Allahabad including its Lucknow Bench;
- (b) whether the impact of COVID-19 pandemic has increased the numbers of cases in the above courts;
- (c) if so, the details thereof; and
- (d) the details of remedial measures taken by the Government to reduce the pendency of court cases?

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)

(a): The details of pendency of criminal and civil cases in Allahabad High Court including Lucknow Bench, Subordinate Courts and Fast Track Courts as on 30.06.2021 are as under:-

Sl. No.	Courts	Civil	Criminal
1	Allahabad High Court including Lucknow Bench	5,68,987	4,51,406
2	Subordinate courts of Allahabad High Court	18,41,155	73,94,155
3	Fast Track Courts of Uttar Pradesh		5,43,081

(b)& (c): The position of cases since COVID-19 pandemic in respect of these courts in as follows:-

S. No.	Courts	Pendency as on 01.03.2020	Institution During Period from 01.03.2020 to 30.06.2021	Disposal During Period from 01.03.2020 to 30.06.2021	Pendency as on 30.06.2021
1	High Court of Judicature at Allahabad	9,43,672	2,74,412	1,97,691	10,20,393
2	District Courts of Uttar Pradesh	78,98,125	40,84,054	27,41,095	92,35,310*

*There is discrepancy of 5774 cases in the pendency as on 30.06.2021 because of an incident of fire occurred in the month of January, 2021 in the vicinity of Ballia District Court due to which large number of files were lost, which are under process of identification & reconstruction.

S. No.	Courts	Pendency as on 01.03.2020	Pendency as on 30.06.2021
1	Fast Track Courts of Uttar Pradesh	3,97,816	5,43,081

(d): National Mission for Justice Delivery and Legal Reforms was set up in August, 2011 with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia*, involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

The major steps taken during the last six years under various initiatives are as follows:

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs. 8,644.00 crores have been released since the inception

of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 20,218 as on 22.07.2021 and number of residential units has increased from 10,211 as on 30.06.2014 to 17,815 as on 22.07.2021 under this scheme. In addition, 2,693 court halls and 1,852 residential units are under construction.

- (ii) Leveraging Information and Communication Technology (ICT) for improved justice delivery: Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased from 13,672 (in 2014) to 18,735 as on 01.07.2021, registering an increase of 5,063. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). As on 01.07.2021, litigants can access case status of over 18.77 crore cases and 14.61 crore order/judgements pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. With a view to handle the COVID- 19 challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-SewaKendras at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgements/orders, court/case related information and e-filing facilities. Rs. 5.01 crore has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual

hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for e-filing in various court complexes.

Twelve Virtual Courts have been set up at Delhi (2 courts), Faridabad (Haryana), Pune & Nagpur (Maharashtra) Kochi (Kerala), Chennai (Tamil Nadu), Guwahati (Assam) and Bengaluru (Karnataka) to try traffic offences. As on 12.07.2021, these courts have handled 75 lakh cases and realised Rs.160.05 crore in fines.

Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Since Covid lockdown started, the District courts heard 74,15,989 cases while the High Court heard 40,43,300 cases (totalling to 1.14 crore) till 30.06.2021 using video conferencing only. The Supreme Court had 96,239 hearings since the lockdown period upto 09.07.2021.

- (iii) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 01.03.2021, 35 Judges were appointed in Supreme Court. 602 new Judges were appointed and 551 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1098 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
22.07.2021	24,368	19,236

Filling up of vacancies in Subordinate judiciary falls within the domain of the State Governments and High Courts concerned.

- (iv) Reduction in Pendency through / follow up by Arrears Committees: In pursuance of resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts.

Further Communications have been addressed by Minister of Law & Justice to Chief Justices of High Courts and to Chief Ministers on 20.06.2014 and 14.08.2018 drawing their attention to cases pending for more than five years and to take up pendency reduction campaign.

- (v) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory pre-institution mediation and settlement of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines.
- (vi) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements. As on 30.04.2021, 870 Fast Track Courts are functional for heinous crimes, crimes against women and children etc. To fast track criminal

cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi). Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme for setting up of 842 FTSCs including 363 'exclusive POCSO Courts'. Rs.140 crore was released in the financial year 2019-20 and Rs. 160.00 crore has been released during the financial year 2020-21 for the scheme. Rs. 39.77 crore has been released till June 2021 for Financial Year 2021-22. 640 FTSCs are functional including 338 exclusive POCSO Courts, which disposed 50484 cases as on 31.05.2021.

- (vii) In addition, to reduce pendency and unclogging of the courts the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.

Further Allahabad High Court has informed that following the advisory on Covid-19 protocol issued by the Government, a committee of Hon'ble Judges was constituted for prevention and remedial measures to combat impending threat of Corona Virus. Complying with the direction of Hon'ble Chief Justice and the Committee, several measures were taken by the High Court Administration. Some of the Guideline & Modalities, which were issued and steps taken during the Covid-19 pandemic in the Allahabad High Court are as follows.

- i. Guideline & Modalities dated 16.03.2020 were issued, under which only urgent matters were directed to be listed, personal presence of parties was exempted, dress code of the counsel and employees were declared to be suspended and litigants' entry in court premises was restricted.

- ii. As per order dated 30th May 2020, Stamp Reporter Section was directed to not withhold any fresh cases due to any defect.
- iii. On 06.06.2020 an email id was introduced enabling the counsels to join the court proceeding through Video Conferencing. These facilities were extended by establishing cubicles at different locations in High Court premises for On-site facility and by earmarking different cyber cafes as E-sewa Kendras.
- iv. Keeping in view the convenience of advocates and litigants, two software, namely, Jitsi Meet Software and Cisco WebEx software have been introduced for virtual hearing.
- v. Maximum efforts have been made for promotion of E-mode filing and hearing through video conferencing.
- vi. Directions were issued to all the District Judges regarding preference of the cases for listing immediately on re-opening of Subordinate Courts. The type of cases identified for immediate disposal is as under:-

Name of the Court	Type of Cases
In the courts of District Judges/Addl. District Judges including FTC	Civil Appeal, Civil Revision, Criminal Appeal, Criminal Revision, Cases of Final Argument Stage, Under Trial cases
In the Courts of CJM/ACJM/JM and other related courts	Petty Cases, U/s 320, 256, 257, 258, 203, 394 of CrPC, Committal Cases & Under Trial Cases.
In the Courts of Civil Judge(SD)/(JD) and Family Courts	Compromise U/O 23R(3), Withdrawl U/O 23R(1), Succession Cases & Final Argument Stage
Cases identified for immediate Disposal	Cases U/S 156(3) of CrPC & Cases of Final Reports.

In addition, petty criminal cases U/s 188 IPC and under the M.V. Act registered during lock down period, where challan/police report is filed, were also to be taken/disposed off on priority basis.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO.1600
TO BE ANSWERED ON WEDNESDAY, THE 28TH JULY, 2021

SHORTAGE OF JUDGES

1600. SHRI BENNY BEHANAN:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government has made any assessment regarding the shortage of judges and vacant posts in the courts of the country and if so, the details thereof, State-wise;
- (b) whether the process of recruitment has started against the said vacancies during the last three years and if so, the details thereof, State-wise; and
- (c) whether any assessment is made regarding the number of such vacant posts in Kerala and if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) & (b): As per the Memorandum of Procedure, for the appointment of Judges of High Courts, the Chief Justice of the High Court is required to initiate the proposals in consultation with two senior-most Judges from amongst the eligible candidates from the Bar and concerned State Judicial Service six months prior to the occurrence of vacancies.

Filling up of vacancies in the High Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities both at the State

and Centre level. Every effort is made to expedite the process of appointment of Judges following the due procedure. A statement showing the vacancy position and appointments made during last 03 calendar years in respect of Supreme Court of India and High Courts is at *Annexure-I*.

Under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vest with the concerned High Court. Further, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the constitution, the respective State Government, in consultation with the High Court, frames the Rules and Regulations regarding the issue of appointment, promotion, reservations and retirement of Judicial Officers in the State Judicial Service. Hence, in so far as recruitment of judicial officers in the States is concerned, respective High Courts do it in certain States, whereas the High Courts do it in consultation with the State Public Service Commissions in other States.

The Union Government does not have a role under the Constitution in the selection and appointment of judicial officers in District/ subordinate judiciary. The Supreme Court, in its orders of 04th January, 2007 in Malik Mazhar case, has devised a process and time frame to be followed for the filling up of vacancies in subordinate judiciary which stipulates that the process for recruitment of judges in the subordinate courts would commence on 31st March of a calendar year and end by 31st October of the same year. The Supreme Court has permitted State Governments / High Courts for variations in the time schedule in case of any difficulty based on the peculiar geographical and climatic conditions in the State or other relevant conditions.

Further, in compliance of the above directions of the Supreme Court, Department of Justice forwarded a copy of the Malik Mazhar judgement to Registrars General of all High Courts for necessary action. Department of Justice is writing from time to time to Registrars General of all High Courts to expedite the filling up of vacancies in subordinate judiciary mandated by Malik Mazhar case. A statement showing the sanctioned strength, working strength and vacancy position of Judicial Officers, State-wise, is at *Annexure-II*.

(c): The approved Judge strength of the Kerala High Court as on date is 47. Presently, 37 Judges (including 4 Judges from other High Courts) are functioning in the Kerala High Court. Thus a total of 10 vacancies is existing in Kerala High Court. As per the information made available by High Courts on MIS portal of Department of Justice, as against the sanctioned strength of 541 Judicial Officers in Kerala, there are 464 Judicial Officers in position and 77 vacancies as on date.

Annexure-I**STATEMENT REFERRED TO IN REPLY TO PARTS (A) & (B) OF LOK SABHA UNSTARRED QUESTION NO. 1600 FOR ANSWER ON 28.07.2021 REGARDING SHORTAGE OF JUDGES**

Sl. No.	Name of Court	Vacancies of Judges as on 20.07.2021	Appointments made during the calendar years		
			2018	2019	2020
A.	Supreme Court of India	08	08	10	-
B.	High Court				
1	Allahabad	66	28	10	04
2	Andhra Pradesh	18	-	02	07
3	Bombay	31	04	11	04
4	Calcutta	41	11	06	01
5	Chhattisgarh	08	04	-	-
6	Delhi	30	05	04	-
7	Gauhati	04	02	04	-
8	Gujarat	24	04	03	07
9	Himachal Pradesh	03	-	02	-
10	J & K and Ladakh	06	02	-	05
11	Jharkhand	10	03	02	-
12	Karnataka	15	12	10	10
13	Kerala	10	04	01	06
14	Madhya Pradesh	24	08	02	-
15	Madras	17	08	01	10
16	Manipur	0	-	-	01
17	Meghalaya	0	01	01	-
18	Orissa	14	01	01	02
19	Patna	34	-	04	-
20	Punjab & Haryana	39	07	10	01
21	Rajasthan	27	-	03	06
22	Sikkim	0	-	-	-
23	Telangana	28	-	03	01
24	Tripura	01	01	-	01
25	Uttarakhand	04	03	01	-
Total		454	108	81	66

STATEMENT REFERRED TO REPLY TO PART (A) & (B) OF LOK SABHA UNSTARRED QUESTION NO. 1600 FOR ANSWER ON 17.03.2021 REGARDING SHORTAGE OF JUDGES

Sl No	States & Uts	2018			2019			2020			2021 (As on 31.07.2021)		
		Sanctioned Strength	Working Strength	Vacancy	Sanctioned Strength	Working Strength	Vacancy	Sanctioned Strength	Working Strength	Vacancy	Sanctioned Strength	Working Strength	Vacancy
1	Andaman and Nicobar	11	11	0	0	13	-13	0	13	-13	0	13	-13
2	Andhra Pradesh	494	445	49	597	529	68	607	510	97	607	494	113
3	Arunachal Pradesh	30	25	5	41	27	14	41	32	9	41	32	9
4	Assam	430	383	47	441	412	29	466	412	54	467	410	57
5	Bihar	1845	1205	640	1925	1149	776	1936	1433	503	1936	1403	533
6	Chandigarh	30	30	0	30	29	1	30	26	4	30	27	3
7	Chhattisgarh	452	397	55	468	394	74	481	387	94	482	419	63
8	D & N Haveli	3	3	0	3	3	0	3	2	1	3	2	1
9	Daman & Diu	4	4	0	4	3	1	4	4	0	4	4	0
10	Delhi	799	541	258	799	681	118	799	649	150	862	679	183
11	Goa	50	42	8	50	43	7	50	40	10	50	40	10
12	Gujarat	1506	1150	356	1521	1185	336	1521	1152	369	1523	1138	385
13	Haryana	651	489	162	772	475	297	772	493	279	772	488	284
14	Himachal Pradesh	159	149	10	175	153	22	175	161	14	175	161	14
15	Jammu and Kashmir	310	224	86	290	232	58	296	255	41	296	251	45
16	Jharkhand	676	460	216	677	461	216	675	544	131	675	530	145
17	Karnataka	2614	2181	433	1345	1106	239	1357	1071	286	1328	1062	266
18	Kerala	496	433	63	536	457	79	538	470	68	541	464	77
19	Ladakh	0	0	0	0	0	0	16	8	8	16	9	7
20	Lakshadweep	3	3	0	3	3	0	3	3	0	3	2	1
21	Madhya Pradesh	1872	1361	511	2021	1620	401	2021	1610	411	2021	1586	435
22	Maharashtra	2011	1844	167	2189	1942	247	2190	1940	250	2190	1940	250
23	Manipur	55	40	15	55	39	16	54	36	18	59	43	16
24	Meghalaya	97	39	58	97	49	48	97	49	48	97	49	48
25	Mizoram	67	46	21	64	46	18	64	43	21	64	43	21
26	Nagaland	33	26	7	33	25	8	33	26	7	33	26	7

27	Odisha	911	753	156	919	770	149	950	756	194	957	749	208
28	Puducherry	26	19	7	26	11	15	26	11	15	26	11	15
29	Punjab	674	530	144	675	579	96	692	593	99	692	589	103
30	Rajasthan	1337	1108	229	1428	1121	307	1489	1292	197	1540	1283	257
31	Sikkim	23	19	4	25	19	6	25	20	5	25	20	5
32	Tamil Nadu	1143	905	238	1255	1080	175	1298	1049	249	1312	1041	271
33	Telangana	493	445	48	413	334	79	474	378	96	474	378	96
34	Tripura	115	75	40	120	96	24	120	97	23	121	97	24
35	Uttar Pradesh	3225	2037	1188	3416	2578	838	3634	2581	1053	3634	2581	1053
36	Uttarakhand	293	234	59	294	228	66	297	255	42	298	254	44
37	West Bengal	1013	938	75	1014	918	96	1014	918	96	1014	918	96
	TOTAL	23951	18596	5355	23721	18810	4911	24247	19319	4928	24368	19236	5132

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO 2531

TO BE ANSWERED ON WEDNESDAY, THE 4th AUGUST, 2021

Delay in Judicial Verdict

†2531. SHRI RAMESH CHANDER KAUSHIK:
SHRI DILIP SAIKIA:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether due to corona pandemic judicial verdicts are getting inordinately delayed in the country due to which the undertrials are not getting proper justice;
- (b) if so, the details thereof;
- (c) whether the Government has formulated any scheme to tackle this situation; and
- (d) if so, the details thereof?

ANSWER

**MINISTER OF LAW & JUSTICE
(SHRI KIREN RIJJU)**

- (a) to (d) Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no role in disposal of cases in courts. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. After announcement of nation-wide lockdown, directions have been issued from time to time by the respective High Courts to the Subordinate Courts under their administrative jurisdiction for hearing of urgent civil and criminal matters in virtual or physical mode depending on local conditions. Most High Courts have further advised district and subordinate courts that where there is no shut down/lockdown, they may, as

far as possible, resume normal functioning by virtual/physical mode and take up all kind of cases, including those pertaining to under-trial prisoners.

In wake of threat of spreading of Covid-19 virus, particularly, in overcrowded prisons, the State Governments and UT Administrations have constituted High Powered Committees (HPCs) comprising of Executive Chairman of the State Legal Services Authority (SLSA), the Principal Secretary (Home/Prison), Director General of Prison(s). National Legal Services Authority (NALSA) has requested all State Legal Services Authorities (SLSAs) to effectively render assistance to High Powered Committees for identification and facilitation in releasing Undertrial Prisoners/Convicts either on interim bail or on parole. During lockdown from March to May 2020, a total number of 58,797 undertrial prisoners and 20,972 convicts were released on interim bail/parole on recommendations of HPC or through efforts of Legal Services Authorities.

NALSA through SLSAs has also directed all District Legal Services Committees (DLSAs) to convene Undertrial Review Committee (UTRC) Meetings on weekly/monthly basis as per NALSA protocol. During 2020-21, 10,961 UTRC meetings were held and 13,983 inmates were released pursuant to UTRCs recommendations. Further, more than 2,515 meetings of UTRCs were held in across the country during May, 2021 to 15th July 2021. 20,593 bail applications were filed on the recommendations of UTRCs and consequently, 9,237 prisoners were released.

NALSA has issued a Protocol for Early Access to Justice at Pre-Arrest, Arrest and Remand Stage for providing assistance to suspects and accused at Pre-Arrest, Arrest and Remand Stage. As per data compiled by NALSA during January 2020 to March 2021, legal assistance was provided to 5,840 suspects/accused at pre-arrest stage pursuant to which 1,871 suspects/accused

were not arrested by the police. Further, assistance was provided to 6,510 arrestees at police stations before producing them in courts. Moreover, during the same period, 1,04,015 persons were provided legal assistance at remand stage and 46,735 bail applications were filed wherein bail was granted in 25,894 such matters.

NALSA have also directed to identify all such convicts who have become eligible or are on the verge of becoming eligible for getting remission for early release and to provide necessary legal assistance to them. 92,593 prisoners including 70,382 Under Trial Prisoners have been released after emergence of the second wave of Covid-19.

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO.2562
TO BE ANSWERED ON WEDNESDAY, THE 04th AUGUST, 2021

POST OF JUDGES LYING VACANT

2562. SHRI JAYADEV GALLA:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the number of posts of judges lying vacant in District Courts of Andhra Pradesh at present and time since when they are lying vacant, district-wise;
- (b) the number of cases pending in the above district courts during the last five years, year-wise and district-wise and the reasons for such backlog pendency;
- (c) whether the Government is persuading State Governments to fill the vacancies; and
- (d) the timeline by when these vacancies is likely to be filled?

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)

(a): Details of number of posts of judges lying vacant at present and time since when they are lying vacant in respect of District Courts of Andhra Pradesh as provided by the High Court of Andhra Pradesh is enclosed at *Annexure-I*.

(b): Details of number of cases pending District-wise during the last five years, year-wise as provided by High Court of Andhra Pradesh is enclosed at *Annexure-II*. Time taken for disposal of a case depends on several factors such as category of case (civil or criminal), complexity of facts involved, nature of evidence, co-operation of stakeholders viz. bar, investigation agencies, witnesses and litigants besides the availability of physical infrastructure, supporting court staff and applicable rules of procedure. There are several factors which may lead to delay in disposal of cases. These, inter-alia, include vacancies of judges, frequent adjournments, lack of adequate arrangement to monitor, track and bunch cases for hearing etc.

(c) & (d): Under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vest with the concerned High Court. Further, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the constitution, the respective State Government, in consultation with the High Court, frames the Rules and Regulations regarding the issue of appointment, promotion, reservations and retirement of Judicial Officers in the State Judicial Service. Hence, in so far as recruitment of judicial officers in the States is concerned, respective High Courts do it in certain States, whereas the High Courts do it in consultation with the State Public Service Commissions in other States.

The Union Government does not have a role under the Constitution in the selection and appointment of judicial officers in District/ subordinate judiciary. The Supreme Court, in its orders of 04th January, 2007 in Malik Mazhar case, has devised a process and time frame to be followed for the filling up of vacancies in subordinate judiciary which stipulates that the process for recruitment of judges in the subordinate courts would commence on 31st March of a calendar year and end by 31st October of the same year. The Supreme Court has permitted State Governments / High Courts for variations in the time schedule in case of any difficulty based on the peculiar geographical and climatic conditions in the State or other relevant conditions.

Further, in compliance of the above directions of the Supreme Court, Department of Justice forwarded a copy of the Malik Mazhar judgement to Registrars General of all High Courts for necessary action. Department of Justice is writing from time to time to Registrars General of all High Courts to expedite the filling up of vacancies in subordinate judiciary mandated by Malik Mazhar case.

In September, 2016, Union Minister of Law & Justice wrote to the Chief Ministers of States and the Chief Justices of High Courts to enhance the cadre strength of the District and Subordinate Courts and provide physical infrastructure to the State judiciary. The same was reiterated in May, 2017. In August, 2018, in the context of

increasing pendency of cases, the Union Minister of Law & Justice has written to all Chief Justices of High Courts including High Court of Andhra Pradesh to monitor the status of the vacancies regularly and to ensure proper coordination with the State Public Service Commission to fill up vacant posts as per time schedule prescribed by the Hon'ble Supreme Court in the Malik Mazhar Sultan case. The filling up of vacancies is also being monitored by the Supreme Court in a *suo-motu* Writ Petition (Civil) No. 2 of 2018.

Annexure-I**STATEMENT REFERRED TO IN REPLY TO PART (A) OF LOK SABHA UNSTARRED QUESTION NO. 2562 FOR ANSWER ON 04.08.2021 REGARDING POST OF JUDGES LYING VACANT**

Sl No.	Name of the District	Sanctioned Strength	Working Strength	Vacancy	Date from when Vacant
1	Anantapur	8	7	1	Chairman Industrial Tribunal –curr-POLC, Ananthapuramu from 26.03.2020
2	Chittoor	13	9	4	VI ADJ, Chittoor from July, 2021 POSCO Court, from 01.01.2021 X ADJ, Tirupati, from July, 2021 VII ADJ, Madanapalli, from 01.09.2020
3	Cuddapah	8	6	2	I ADJ, Kadapa, from 02.07.2020 VII ADJ (Women) Court, Kadapa, - Date Nil-
4	East Godavari	13	7	6	POSCO Court, Kakinada, from February, 2021 Special Judge for SCs and STs Act, Rajamahendravaram from July, 2021 Judge, Family Court, Rajamahendravaram from July, 2021 V ADJ, Rajamahendravaram from 01.01.2020 VIII ADJ, Rajamahendravaram, from 01.07.2021 VI ADJ, Kakinada, from 01.06.2021
5	Guntur	12	7	5	III ADJ, Guntur, from 26.08.2020 Judge, Family Court, Guntur, from July, 2021 POSCO Court, Guntur, from 02.10.2019 X ADJ, Gurazala, from 12.09.2019 V ADJ, Guntur, from July, 2021
6	Krishna	21	11	10	I ADJ, Machilipatnam, from June 2020 VI ADJ, Machilipatnam, from 01.08.2020 SPE and ACB Court, Vijayawada, from February, 2021 XIV ADJ, Vijayawada, from 10.07.2020 Co-Operative Tribunal, Vijayawada from 01.02.2018 POSCO Court, Vijayawada, from 02.10.2019 VII ADJ, Vijayawada, from June 2020 Special Court for Trial of Criminal Cases relating to elected MPs and MLAs, Vijayawada from 07.03.2018 Special Court for Protection of depositors of financial establishment

					Act, 1999, Vijayawada from 15.12.2016 XVI ADJ, Nandigama, from July, 2021
7	Kurnool	9	7	2	I ADJ, Kurnool, from July, 2021 VII ADJ (Women) Court, Kurnool - Date Nil-
8	Nellore	10	8	2	VII ADJ (Women) Court, Nellore, from July, 2021 POSCO Court, Nellore, from 02.10.2019
9	Prakasam	7	4	3	Family Court, Ongole from July, 2021 II ADJ, Ongole from 19.09.2019 POSCO Court, Ongole, from 02.10.2019
10	Srikakulam	7	4	3	I ADJ, Srikakulam from 24.06.2020 Special Court for SCs and STs Act, Srikakulam, from 01.03.2021 V ADJ, Lakshmipeta from 01.02.2014
11	Visakhapatnam	21	14	7	III ADJ, Visakhapatnam 08.07.2020 Family Court from 31.08.2020 I and III Addl. CBI, from May, 2018 VAT Appellate Tribunal, from 11.04.2018 VII ADJ, 07.07.2020 XIII ADJ, from July, 2021
12	Vizianagaram	6	4	2	Special Court for SCs and STs, Vizianagaram from 01.06.2021 V ADJ, Vizianagaram from 06.03.2021
13	West Godavari	11	6	5	Chairman LRAT-cum- II ADJ, Eluru, from 01.06.2021 Judge, Family Court, from 10.10.2020 Special Court for SCs and STs Act, from 10.07.2020 V ADJ, Eluru, from 01.01.2019 X ADJ, Narsapur, from July, 2020
Total		146	94	52	

Annexure-II**STATEMENT REFERRED TO IN REPLY TO PART (B) OF LOK SABHA UNSTARRED QUESTION NO. 2562 FOR ANSWER ON 04.08.2021 REGARDING POST OF JUDGES LYING VACANT****Number of pending cases year wise and district wise**

Sl No.	Name of the District	2016	2017	2018	2019	2020	2021 (as on 30.06.2021)
1	Anantapur	4577	5952	6568	6370	5973	6568
2	Chittoor	9289	9472	8978	9024	9190	9839
3	Cuddapah	5665	5891	5708	6306	7611	8260
4	East Godavari	9197	10622	11294	12652	13954	15789
5	Guntur	9844	11566	12994	14618	14106	15649
6	Krishna	13444	14731	15331	16095	18201	19945
7	Kurnool	6484	8023	8703	9124	7993	8547
8	Nellore	6819	6691	6608	7191	7687	8613
9	Prakasam	4370	5189	6513	7125	7842	7923
10	Srikakulam	2586	2524	2188	2274	2880	3374
11	Visakhapatnam	17711	18522	20492	20432	21564	22385
12	Vizianagaram	2384	2641	2467	2947	3120	3241
13	West Godavari	7350	8117	8892	10380	10459	11081

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**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

**UNSTARRED QUESTION NO.2569
TO BE ANSWERED ON WEDNESDAY, THE 04th AUGUST, 2021**

PENDING COURT CASES

2569. SHRI ARVIND DHARMAPURI:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government maintains a record of the number of cases pending in the courts situated in India;**
- (b) if so, the details thereof, States/UTs wise;**
- (c) whether the Government, on its part, is taking steps to faster the delivery of justice in India; and**
- (d) if so, the details thereof?**

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) & (b): The information on pending cases as available on National Judicial Data Grid (NJDG) in respect of High Courts and Subordinate Courts, State/UTs-wise, is enclosed at *Annexure-I & Annexure-II* respectively. The total number of cases pending in the Hon'ble Supreme Court is 69,212 as on 02.07.2021.

(c) & (d): Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no role in disposal of cases in courts. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary. National Mission for Justice Delivery and Legal Reforms was set up in August, 2011 with the twin objectives of increasing access by reducing delays and arrears in the

system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia*, involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

The major steps taken during the last six years under various initiatives are as follows:

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs. 8,644.00 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 20,218 as on 22.07.2021 and number of residential units has increased from 10,211 as on 30.06.2014 to 17,815 as on 22.07.2021 under this scheme. In addition, 2,693 court halls and 1,852 residential units are under construction. The Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary has been extended till 2025-26 at a total cost of Rs. 9000 crores, out of which Central share will be Rs. 5307 crores. Besides, construction of Court Halls and Residential Units, it would also cover construction of Lawyer's Halls, Toilet Complexes and Digital Computer Rooms.
- (ii) Leveraging Information and Communication Technology (ICT) for improved justice delivery: Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased from 13,672 (in 2014) to 18,735 as on 01.07.2021, registering an increase of 5,063. New and user-friendly version of Case Information Software has been developed and deployed at all the

computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). As on 01.07.2021, litigants can access case status of over 18.77 crore cases and 14.61 crore order/judgements pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. With a view to handle the COVID- 19 challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-SewaKendras at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgements/orders, court/case related information and e-filing facilities. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for e-filing in various court complexes.

Twelve Virtual Courts have been set up at Delhi (2 courts), Faridabad (Haryana), Pune & Nagpur (Maharashtra) Kochi (Kerala), Chennai (Tamil Nadu), Guwahati (Assam) and Bengaluru (Karnataka) to try traffic offences. As on 12.07.2021, these courts have handled 75 lakh cases and realised Rs.160.05 crore in fines.

Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Since Covid lockdown started, the District courts heard 74,15,989 cases while the High Court heard 40,43,300 cases (totalling to 1.14 crore) till 30.06.2021 using video conferencing only. The Supreme Court had 96,239 hearings since the lockdown period upto 09.07.2021.

- (iii) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 01.03.2021, 35 Judges were appointed in Supreme Court. 602 new Judges were appointed and 551 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1098 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
29.07.2021	24,368	19,259

Filling up of vacancies in Subordinate judiciary falls within the domain of the State Governments and High Courts concerned.

- (iv) Reduction in Pendency through / follow up by Arrears Committees: In pursuance of resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts.

Further Communications have been addressed by Minister of Law & Justice to Chief Justices of High Courts and to Chief Ministers on 20.06.2014 and 14.08.2018 drawing their attention to cases pending for more than five years and to take up pendency reduction campaign.

- (v) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory pre-institution mediation and settlement of commercial disputes. Amendment to the Arbitration and

Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines.

- (vi) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements. As on 30.04.2021, 870 Fast Track Courts are functional for heinous crimes, crimes against women and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi). Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme for setting up of 842 FTSCs including 363 'exclusive POCSO Courts'. Rs.140 crore was released in the financial year 2019-20 and Rs. 160.00 crore has been released during the financial year 2020-21 for the scheme. Rs. 39.77 crore has been released till June 2021 for Financial Year 2021-22. 640 FTSCs are functional including 338 exclusive POCSO Courts, which disposed 50484 cases as on 31.05.2021.
- (vii) In addition, to reduce pendency and unclogging of the courts the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.

STATEMENT REFERRED TO IN REPLY TO PARTS (A) & (B) OF LOK SABHA UNSTARRED QUESTION NO. 2569 FOR ANSWER ON 04.08.2021 REGARDING PENDING COURT CASES

Sl.No.	High Court Name	Pendency as on 29.07.2021
1.	Allahabad High Court	799139
2.	Bombay High Court	559314
3.	Calcutta High Court	268476
4.	Gauhati High Court	53570
5.	High Court for state of Telangana	247976
6.	High Court of Andhra Pradesh	215093
7.	High Court of Chhattisgarh	77840
8.	High Court of Delhi	101658
9.	High Court of Gujarat	151022
10.	High Court of Himachal Pradesh	79832
11.	High Court for Jammu & Kashmir and Ladakh	53462
12.	High Court of Jharkhand	86229
13.	High Court of Karnataka	283240
14.	High Court of Kerala	221248
15.	High Court of Madhya Pradesh	404250
16.	High Court of Manipur	4685
17.	High Court of Meghalaya	1382
18.	High Court of Punjab & Haryana	698588
19.	High Court of Rajasthan	554343
20.	High Court of Sikkim	221
21.	High Court of Tripura	1508
22.	High Court of Uttarakhand	40814
23.	Madras High Court	582599
24.	Orissa High Court	175710
25.	Patna High Court	214433
	Total	5876632

Source: National Judicial Data Grid.

Annexure-II**STATEMENT REFERRED TO IN REPLY TO PARTS (A) & (B) OF LOK SABHA UNSTARRED QUESTION NO. 2569 FOR ANSWER ON 04.08.2021 REGARDING PENDING COURT CASES**

Sl.No.	State/UT	Pendency as on 29.07.2021
1.	Andhra Pradesh	7,10,627
2.	Arunachal Pradesh*	---
3.	Assam	3,78,101
4.	Bihar	33,15,499
5.	Chandigarh	64,397
6.	Chhattisgarh	3,58,540
7.	Delhi	10,48,718
8.	Diu and Daman	2,994
9.	DNH at Silvasa	3,591
10.	Goa	59,998
11.	Gujarat	20,38,575
12.	Haryana	12,27,281
13.	Himachal Pradesh	4,51,778
14.	Jammu and Kashmir	2,45,039
15.	Jharkhand	4,78,545
16.	Karnataka	19,49,413
17.	Kerala	19,89,297
18.	Ladakh	833
19.	Lakshadweep*	---
20.	Madhya Pradesh	17,55,610
21.	Maharashtra	49,20,820
22.	Manipur	11,916
23.	Meghalaya	10,823
24.	Mizoram	4,961
25.	Nagaland	2,489
26.	Odisha	14,62,304
27.	Puducherry	34,456
28.	Punjab	9,18,667
29.	Rajasthan	19,62,887
30.	Sikkim	1,853
31.	Tamil Nadu	12,95,249
32.	Telangana	7,51,958
33.	Tripura	41,680
34.	Uttar Pradesh	90,65,145
35.	Uttarakhand	2,84,535
36.	Andaman and Nicobar*	---
37.	West Bengal	24,82,373
	Total	3,93,30,952

Source: National Judicial Data Grid.

*Data in respect of Andaman & Nicobar Island, Lakshadweep and Arunachal Pradesh are not available on the web-portal of National Judicial Data Grid (NJDG).

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

Appointment DUN

LOK SABHA

UNSTARRED QUESTION NO.2570

TO BE ANSWERED ON WEDNESDAY, THE 04.08.2021

Splitting of Supreme Court

2570. DR. G. RANJITH REDDY:

Will the Minister of **LAW AND JUSTICE** be pleased to state:

- (a) whether three Law Commissions (11th, 10th and 18th) have recommended for splitting of Supreme Court into Constitutional Court and Court of Appeal at Delhi and later one each in four parts of the country;
- (b) if so, the reasons for delay in implementing this recommendation;
- (c) the details of hurdles that the Ministry is facing and the manner in which it is planning to overcome them;
- (d) whether there have been demands and that 18th Law Commission has recommended setting up of a Southern Bench of Supreme Court at Hyderabad since it is centrally located; and
- (e) if so, the details of the action taken by the Government in this regard?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (e) : Article 130 of the Constitution of India provides that the Supreme Court shall sit in Delhi or in such other place or places as the Chief Justice of India may, with the approval of the President, from time to time, appoint.

The Eleventh Law Commission in its 125th Report titled "The Supreme Court – A Fresh Look", submitted in 1988, reiterated the recommendations made by Tenth Law Commission in its 95th Report for splitting the Supreme Court into two namely (i) Constitutional Court at Delhi and (ii) Court of appeal or Federal Court sitting in North, South, East, West and Central India. The Eighteenth Law Commission in its 229th Report had also suggested that a Constitutional Bench be set up at Delhi and four Cassation Benches be set up in the Northern region at Delhi, Southern region at Chennai/Hyderabad, Eastern region at Kolkata and Western region at Mumbai.

The matter was referred to the Chief Justice of India, who has informed that after consideration of the matter, the Full Court in its meeting held on 18th February, 2010, found no justification for setting up of benches of the Supreme Court outside Delhi.

In Writ Petition WP(C) No. 36/2016 on establishment of National Court of Appeal, the Supreme Court vide its judgment dated 13.07.2016 deemed it proper to refer the aforementioned issue to Constitutional Bench for authoritative pronouncement. The matter is sub-judice in the Supreme Court.

Justice II

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
LOK SABHA
UNSTARRED QUESTION NO.2571
TO BE ANSWERED ON WEDNESDAY, THE 4th AUGUST, 2021

Fast Track Courts

2571. SHRI SUNIL DATTATRAY TATKARE:

DR. NISHIKANT DUBEY:

SHRI SANGANNA AMARAPPA:

SHRIMATI SUPRIYA SULE:

SHRI MANICKAM TAGORE B:

DR. AMOL RAMSING KOLHE:

DR. DNV SENTHILKUMAR. S.:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the aims and objectives envisaged under the scheme of Fast Track Courts alongwith its present status;
- (b) the criteria fixed for setting up of Fast Track Court (FTC) in the country along with the number of FTCs constituted and functioning including Jharkhand and Karnataka;
- (c) the achievements made by these courts including number of cases transferred and disposed of during the last three years and current year along with the number of cases pending in these Courts at present;

Contd...

- (d) the total funds allocated and spent for such courts during the said period, state-wise;
- (e) whether the funds being provided to FTCs are not adequate to meet the recurring and non-recurring expenditure being incurred by such courts and if so, the steps taken by the Government in this regard;
- (f) whether some States have been providing support to FTCs from their own resources ever since the central support was discontinued and if so, the details thereof, State-wise; and
- (g) whether the Government proposes to set up more FTCs in the country and if so, the details thereof and if not, the reasons therefor, State/UT-wise?

A N S W E R
MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)

(a) to (g) The aim and objective of setting up Fast Track Courts (FTCs) is for fast tracking the disposal of cases of heinous crimes; civil cases involving senior citizens, women, children, disabled and litigants affected with HIV-AIDS and other terminal ailments and civil disputes involving land acquisitions and property/rent disputes pending for more than five years.

Setting up of FTCs and its functioning fall within the domain of the respective State Governments in consultation with the respective High Courts. FTCs were created during 11th Finance Commission for disposal of long pending cases based

Contd...

on the findings of a study that one such court disposes up to 168 cases in a year. Central funding has been discontinued after 31.03.2015. Subsequently, 14th Finance Commission had recommended that the number of FTCs to be established should be 10% of the sanctioned strength of Judicial Officers of the State. The 14th Finance Commission had recommended the setting up of 1800 FTCs during 2015-2020 and had urged State Governments to utilize enhanced fiscal space available through tax devolution (32% to 42%) for this purpose. The details of funds allocated by State/UT Governments and their expenditure on these courts from 14th Finance Commission period onwards is not maintained at Central Government level. Presently, there are 956 functional FTCs including Jharkhand and Karnataka. The number of FTCs proposed and functional in the country including Jharkhand and Karnataka is given at **Annexure-I**. Information on the number of cases disposed of during the last three years and current year along with the number of cases pending in these FTCs, as made available by the various High Courts is given at **Annexure-II**.

ANNEXURE-I

**LOK SABHA UNSTARRED QUESTION NO.2571 TO BE ANSWERED ON
4.8 2021**

**NO. OF FTCs PROPOSED & FUNCTIONAL IN THE COUNTRY
(STATE / UT -WISE)**

S.No	Name of the State	No. of FTCs proposed	No. of FTCs Functional (May, 2021)
1.	Andhra Pradesh	47	21
2.	Telangana	37	34
3.	Assam	36	15
4.	Arunachal Pradesh	0	0
5.	Mizoram	07	2
6.	Nagaland	03	1
7.	Bihar	147	33
8.	Chhattisgarh	28	23
9.	Gujarat	174	35
10.	Himachal Pradesh	13	0
11.	Jammu & Kashmir	21	7
12.	Jharkhand	50	41
13.	Karnataka	95	16
14.	Kerala, Lakshadweep	41	28
15.	Madhya Pradesh	133	0
16.	Maharashtra, D&N, Daman & Diu	204	114
17.	Goa	05	3
18.	Manipur	03	6
19.	Meghalaya	04	0
20.	Orissa	63	0
21.	Punjab	50	7
22.	Chandigarh	02	0

Contd...

23.	Haryana	48	6
24.	Rajasthan	93	0
25.	Sikkim	01	2
26.	Tamil Nadu, Puducherry	89	74
27.	Tripura	09	11
28.	Uttar Pradesh	212	372
29.	Uttarakhand	28	4
30.	West Bengal, A&N Islands	94	88
31.	Delhi	63	13
	Total	1800	956

ANNEXURE-II**LOK SABHA UNSTARRED QUESTION NO.2571 TO BE ANSWERED ON****4.8 2021****INFORMATION ON THE NUMBER OF CASES DISPOSED OF DURING THE LAST THREE YEARS AND CURRENT YEAR ALONG WITH THE NUMBER OF PENDING CASES IN FTCs**

S.No	State/UT	No. of cases disposed in 2018	No. of cases disposed in 2019	No. of cases in disposed 2020	No. of cases disposed 2021 (up to May 2021)	Pending Cases (As on 31.05.2021)
1.	Andhra Pradesh	3949	427	26	26	6153
2.	Assam	2314	1319	302	328	8744
3.	Mizoram	215	79	13	8	201
4.	Nagaland	8	0	1	1	30
5.	Bihar	11525	1789	184	350	12252
6.	Chhattisgarh	3862	996	194	175	6829
7.	Delhi	638	226	21	4	4638
8.	Goa	0	0	0	11934	1836
9.	Maharashtra	160641	29779	5119	3039	163112
10.	Gujarat	0	0	35	22	5682
11.	Haryana	768	162	1	3	724
12.	Punjab	0	0	23	13	431
13.	J&K	0	20	0	62	2261

Contd...

14.	Jharkhand	1946	430	14	4	5986
15.	Karnataka	0	0	44	44	3346
16.	Kerala	0	0	101	24	6477
17.	Manipur	190	19	10	1	435
18.	Sikkim	19	8	0	0	20
19.	Tamil Nadu	14911	688	2811	83	94252
20.	Tripura	1423	38	18	7	1560
21.	Uttar Pradesh	234182	71034	7083	2638	526704
22.	Uttarakhand	562	83	14	10	664
23.	West Bengal	16358	3071	708	102	58955
24.	Telangana	1694	4942	178	87	12200
	Total	455205	115110	16900	18965	923492

Appointment DUN

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO.2597

TO BE ANSWERED ON WEDNESDAY, THE 04.08.2021

Upgradation of High Court

2597. SHRI TOKHEHO YEPTHOMI:

Will the Minister of **LAW AND JUSTICE** be pleased to state:

- (a) whether there is any proposal to upgrade full fledged High Court in Nagaland; and
- (b) if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (b) : The Chief Minister of Nagaland vide letter dated 25.06.2021 has requested for setting up of a High Court for the State of Nagaland. Setting up of a High Court for the State of Nagaland will require an amendment of North-Eastern Areas (Reorganisation) Act, 1971. At present, no complete proposal for setting up of High Court for the State of Nagaland is pending with this Department.

NM

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

**UNSTARRED QUESTION NO.2599
TO BE ANSWERED ON WEDNESDAY, THE 04th AUGUST, 2021**

PENDING COURT CASES

2599. SHRI SANGANNA AMARAPPA:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether Government is having data of all cases pending in the subordinate courts of Karnataka State;**
- (b) if so, the details thereof and the reasons for such huge pendency;**
- (c) whether poor infrastructure is one of the main reasons and if so, the details thereof along with the efforts made by the Government so far to improve the infrastructure of subordinate courts in the State of Karnataka;**
- (d) the details of the other measures proposed to be initiated by the Government to speed up disposal of cases in subordinate courts in the country; and**
- (e) whether the Government is considering to agree to the just and old demand of a High Court bench in Uttar Pradesh and if so, the details thereof?**

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJU)

(a) & (b): As per information available on National Judicial Data Grid (NJDG) as on 30.07.2021, 19,59,565 cases are pending in subordinate courts of Karnataka. Time taken for disposal of a case depends on several factors such as category of case (civil or criminal), complexity of facts involved, nature of evidence, co-operation of stakeholders viz. bar, investigation agencies, witnesses and litigants besides the availability of physical infrastructure, supporting court staff and applicable rules of procedure. There are several factors which may lead to delay in disposal of cases. These, inter-alia, include vacancies of judges, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing.

(c): It is the primary responsibility of the State Governments to provide Judicial Infrastructure / Court Rooms for High Courts and District / Subordinate Courts. The Union Government has been implementing a Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in order to augment the resources of State Governments, in association with the States / UT Governments. The scheme is being implemented since 1993-94. The Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary has been extended till 2025-26 at a total cost of Rs. 9000 crores, out of which Central share will be Rs. 5307 crores. Besides, construction of Court Halls and Residential Units, it would also cover construction of Lawyer's Halls, Toilet Complexes and Digital Computer Rooms. It covers the construction of court halls and court complexes and residential accommodations of judicial officers of District and Subordinate Judiciary. As on date, Rs. 720.49 crore has been sanctioned to State Government of Karnataka. As per information available 1,198 court halls and 1,114 residential units are available in the State of Karnataka.

(d): Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no role in disposal of cases in courts. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary. National Mission for Justice Delivery and Legal Reforms was set up in August, 2011 with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia*, involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the

areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

The major steps taken during the last six years under various initiatives are as follows:

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts:
As on date, Rs. 8,644.00 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 20,218 as on 22.07.2021 and number of residential units has increased from 10,211 as on 30.06.2014 to 17,815 as on 22.07.2021 under this scheme. In addition, 2,693 court halls and 1,852 residential units are under construction. The Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary has been extended till 2025-26 at a total cost of Rs. 9000 crores, out of which Central share will be Rs. 5307 crores. Besides, construction of Court Halls and Residential Units, it would also cover construction of Lawyer's Halls, Toilet Complexes and Digital Computer Rooms.

- (ii) Leveraging Information and Communication Technology (ICT) for improved justice delivery: Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased from 13,672 (in 2014) to 18,735 as on 01.07.2021, registering an increase of 5,063. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). As on 01.07.2021, litigants can access case status of over 18.77 crore cases and 14.61 crore order/judgements pertaining to these courts.

eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. With a view to handle the COVID- 19 challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-SewaKendras at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgements/orders, court/case related information and e-filing facilities. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for e-filing in various court complexes.

Twelve Virtual Courts have been set up at Delhi (2 courts), Faridabad (Haryana), Pune & Nagpur (Maharashtra) Kochi (Kerala), Chennai (Tamil Nadu), Guwahati (Assam) and Bengaluru (Karnataka) to try traffic offences. As on 12.07.2021, these courts have handled 75 lakh cases and realised Rs.160.05 crore in fines.

Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Since Covid lockdown started, the District courts heard 74,15,989 cases while the High Court heard 40,43,300 cases (totalling to 1.14 crore) till 30.06.2021 using video conferencing only. The Supreme Court had 96,239 hearings since the lockdown period upto 09.07.2021.

- (iii) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 01.03.2021, 35 Judges were appointed in Supreme Court. 602 new Judges were appointed and 551 Additional Judges were

made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1098 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
29.07.2021	24,368	19,259

Filling up of vacancies in Subordinate judiciary falls within the domain of the State Governments and High Courts concerned.

- (iv) Reduction in Pendency through / follow up by Arrears Committees: In pursuance of resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts.

Further Communications have been addressed by Minister of Law & Justice to Chief Justices of High Courts and to Chief Ministers on 20.06.2014 and 14.08.2018 drawing their attention to cases pending for more than five years and to take up pendency reduction campaign.

- (v) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory pre-institution mediation and settlement of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines.

(vi) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements. As on 30.04.2021, 870 Fast Track Courts are functional for heinous crimes, crimes against women and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi). Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme for setting up of 842 FTSCs including 363 'exclusive POCSO Courts'. Rs.140 crore was released in the financial year 2019-20 and Rs. 160.00 crore has been released during the financial year 2020-21 for the scheme. Rs. 39.77 crore has been released till June 2021 for Financial Year 2021-22. 640 FTSCs are functional including 338 exclusive POCSO Courts, which disposed 50484 cases as on 31.05.2021.

(vii) In addition, to reduce pendency and unclogging of the courts the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.

(e): It is informed that High Court Benches, at a place other than its Principal seat are established in accordance with the recommendations made by the Jaswant Singh

Commission and judgment pronounced by the Apex Court in W.P.(C) No. 379 of 2000 and after due consideration of a complete proposal from the State Government incorporating readiness to provide infrastructure and meet the expenditure, along with the consent of the Chief Justice of the concerned High Court and the consent of the Governor of the concerned State. At present, no complete proposal regarding setting up of Bench(es) of Allahabad High Court is pending with the Government

Appointment Dvt

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

**LOK SABHA
UNSTARRED QUESTION NO.2646**

TO BE ANSWERED ON WEDNESDAY, THE 04.08.2021

Recommendations of High Court and Supreme Court

†2646. SHRI SADASHIV KISAN LOKHANDE:

Will the Minister of **LAW AND JUSTICE** be pleased to state:

- (a) whether the Government has received any suggestions and recommendations on various issues from High Courts and Supreme Court of the country during the last three years till date;
- (b) if so, the details thereof; and
- (c) the action taken or proposed to be taken by the Government in this regard?

**ANSWER
MINISTER OF LAW AND JUSTICE**

(SHRI KIREN RIJJU)

(a) to (c): The suggestions and recommendations received from High Courts and the Supreme Court mainly relate to judicial appointments. During the last 3 years i.e. 2018, 2019, 2020, the Supreme Court Collegium (SCC) made 18 recommendations for appointment of Judges in the Supreme Court and all of them were appointed.

In the last 3 years i.e. 2018, 2019, 2020, the High Court Collegiums (HCC) made 505 recommendations for appointment as Judges in the High Courts, out of which 209 names recommended by SCC were appointed as High Court Judges in

various High Courts, 153 names were rejected by SCC and remitted to High Courts. In addition to the remaining 143 names, 94 fresh proposals have been received from HCC in 2021, which are under various stages of processing with Government and SCC. Filling up of vacancies in the High Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary requiring consultation and approval from various constitutional authorities both at state and central level.

Justice II

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA
UNSTARRED QUESTION NO. 2648
TO BE ANSWERED ON WEDNESDAY, THE 4th August, 2021
Family Courts

†2648. Shri Ashok Kumar Rawat:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government has started family courts in each district of every State; and
(b) if so, the details thereof ?

A N S W E R
MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)

(a & b): The Family Courts Act, 1984 provides for establishment of Family Courts. These courts are set up by the State Governments in consultation with the concerned High Courts as per their need and resources. Family Courts have not been started in all districts of the country. Presently 751 Family Courts are functional in the country as per information made available by High Courts. The State/UT wise details is placed at **Annexure**.

Annexure Referred in Reply to Lok Sabha Unstarred Question No.

2648 for 04/08/2021

Status of Functional Family Courts (State/UT wise)

S.NO.	NAME OF THE STATE / UT	No. of Functional Family Courts (May-2021)
1	Andhra Pradesh*	16
2	Assam	7
3	Arunachal Pradesh	0
4	Mizoram	0
5	Nagaland*	2
6	Bihar	39
7	Chhattisgarh	26
8	Delhi	21
9	Goa	0
10	Maharashtra	40
11	Gujarat	34
12	Haryana	31
13	Punjab	32
14	Chandigarh	0
15	Himachal Pradesh	3
16	Jammu & Kashmir	0
17	Jharkhand	25
18	Karnataka	38
19	Kerala	28
20	Lakshadweep	0
21	Madhya Pradesh	47
22	Manipur	4
23	Meghalaya	0
24	Odisha	32
25	Rajasthan	47
26	Sikkim	6
27	Tamil Nadu	39
28	Puducherry	2
29	Tripura	7
30	Uttar Pradesh	189

Contd...

31	Uttarakhand	18
32	West Bengal	2
33	A&N Islands	NA
34	Telangana	16
35	Diu & Daman	0
36	Dadra & Nagar Haveli	0
37	Ladakh	NA
	Total	751

* Andhra Pradesh and Nagaland data available up to 30.09.2020

NA – Not Available

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. †2653
TO BE ANSWERED ON WEDNESDAY, THE 04th AUGUST, 2021

PENDING COURT CASES

†2653. SHRI MALOOK NAGAR:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the policy framed by the Government to clear the backlog of higher number of pending cases in the country as compared to the world;
- (b) whether the Government propose to formulate any policy to address the major reasons of pendency cases in the country like shortage of courts in India, lesser number of sanctioned posts of judges and filling up the vacant posts etc. ;
- (c) the various steps being taken by the Government to check corruption in judiciary; and
- (d) whether the Government propose to formulate any policy with regard to framing of strict laws or to bring some substantial changes into the earlier laws in order to strictly check the increasing gruesome crimes and to maintain law and order situation in the country?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) & (b): Disposal of cases pending in various courts is within the domain of judiciary. Timely disposal of cases in courts depends on several factors which, *inter-alia*, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures.

In the case of *Imtiyaz Ahmed versus State of Uttar Pradesh and others*, the Supreme Court had asked the Law Commission of India to evolve a method for

scientific assessment of the number of additional courts required to clear the backlog of cases. In 245th Report (2014), the Law Commission observed that filing of cases *per capita* varies substantially across geographical units as filings are associated with economic and social conditions of the population. As such the Law Commission did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. The Law Commission found the “*Rate of Disposal*” method i.e. to calculate the number of additional judges required to clear the backlog of cases as well as to ensure that new backlog is not created to be more pragmatic and useful.

In August 2014, the Supreme Court asked the National Court Management System Committee (NCMS Committee) to examine the recommendations made by the Law Commission and to furnish its recommendations in this regard. NCMS Committee submitted its report to the Supreme Court in March, 2016. The report, *inter-alia*, observes that in the long term, the judge strength of the subordinate courts will have to be assessed by a scientific method to determine the total number of “*Judicial Hours*” required for disposing of the case load of each court. In the interim, the Committee has proposed a “*weighted*” disposal approach i.e. disposal weighted by the nature and complexity of cases in local conditions.

As per the direction of the Hon’ble Supreme Court in its Order dated 02.01.2017, the Department of Justice has forwarded a copy of interim report of the NCMS Committee to all the State Governments and High Courts to enable them to take follow up action to determine the required strength of district and subordinate judiciary.

The cadre strength of Judges in Supreme Court was raised from 30 to 33 excluding the Chief Justice of India in the year 2019 and in the High Courts from 906 to 1098 from the year 2014 to 2021. The cadre strength of Judges in District and Subordinate Courts has increased from 19,518 in 2014 to 24,365 in July, 2021. The new courts at District and below District / Subordinate (Tehsil / Taluka) level are

established by the respective State Governments in consultation with the concerned High Courts, as per their need and resources. Central Government has no role in the matter. In Malik Mazhar case, the Supreme Court, through a judicial order has devised a process and time-frame for filling up vacancies in the Subordinate Judiciary in a time bound manner.

The Union Government is committed to speedy disposal of cases and reduction in pendency of cases to improve access to justice in line with the mandate under Article 39A of the Constitution. The National Mission for Justice Delivery and Legal Reforms, established by the Union Government, has adopted many strategic initiatives, including improving infrastructure for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases etc.

(c): The issue of checking corruption in the judiciary is to be addressed by the judiciary itself, as it is an independent organ under the Indian Constitution. Accountability in higher judiciary is maintained through "*in-house procedure*", adopted by the Supreme Court in Full Court meeting held on 7th May, 1997. As per the "*In-house procedure*", Chief Justice of India is competent to receive complaints against the conduct of the Judges of the Supreme Court and the Chief Justices of the High Courts. Similarly, the Chief Justices of the High Courts are competent to receive complaints against the conduct of High Court Judges. Further, as per Article 235 of the Constitution of India, the control over District Courts and Courts subordinate thereto vests in the High Court.

Complaints and representations regarding allegation of corruption received are dealt with by the Chief Justice of India or to the Chief Justice of the concerned High Court, as the case may be, for appropriate action. Similarly, complaints/

representations against member of Subordinate Judiciary received are forwarded to the Registrar General of the concerned High Court, for appropriate action.

(d): Existing criminal laws have adequate provisions to check various kind of crimes and maintain law and order. However, amendments to criminal law is a continuous process.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)

eCourts

LOK SABHA
UNSTARRED QUESTION No. 2696
TO BE ANSWERED ON WEDNESDAY, THE 4th AUGUST, 2021

E-Court Project

2696. DR. VISHNU PRASAD M.K.:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government proposes to implement the e-Court project in the country with a view to upgrading information and communication technology infrastructure in various courts including High Court and District Courts;
- (b) if so, the details thereof and the funds spent so far;
- (c) the time by which all the courts will be connected with video conferencing;
- (d) the total number of cases pending in Supreme Court of India and High Court of Tamilnadu; and
- (e) the steps taken by the Government to clear the pending cases in a time bound manner?

ANSWER
MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)

(a) to (c): Yes, Sir. The Government is implementing the e-Courts Mission Mode Project for Information and Communication Technology (ICT)

enablement of District and Subordinate Courts across the country in association with the eCommittee of the Supreme Court of India. The eCourts Mission Mode Project Phase-II commenced its implementation in 2015. So far, 18,735 District and Subordinate Courts have been computerized. Out of 2992 court complexes Wide Area Network connectivity has been provided to 2945 court complexes. Against the financial outlay of Rs.1670 crores for eCourts Phase-II, the Government has so far released a sum of Rs. 1582.11 crore for implementation of the project.

With the computerization of 18,735 District and Subordinate Courts and ICT enablement under the eCourts Project Phase-II, several services have been provided to litigants, lawyers and Judiciary which facilitate expeditious delivery of judicial services. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres eCourts Mobile App, email service, SMS push & SMS pull services and touch screen based Information Kiosks. National Judicial Data Grid (NJDG) for District & Subordinate Courts, created as an online platform under the Project, provides information relating to judicial proceedings/decisions of computerized District and Subordinate courts of the country. Currently, all stakeholders including Judicial Officers can access case status information in respect of over 18.77 crore pending and disposed cases and more than 14.61 crore orders / judgments pertaining to these computerized courts on the NJDG. Video Conferencing facility has been enabled between 3240 court complexes & 1272 corresponding jails.

One video conference equipment each has been provided to all Court Complexes including Taluk Level Court Complexes in rural areas under the Phase II of the e-Courts Project for virtual hearings. To further augment the Video Conferencing (VC) infrastructure, the eCommittee of the Supreme Court has approved VC equipment to be provided to 14,443 court rooms in those court complexes for which funds to the tune of Rs.28.88 crore has been released. During the pandemic period the High Courts heard 40,43,300 cases, while District and Subordinate Courts heard 74,15,981 cases over Video Conferencing up to 30/06/2021.

(d): As on 02.07.2021, a total number of 69,212 cases are pending in Hon'ble Supreme Court of India. As on 28.07.2021, as per data available on NJDG, total number of cases pending in Madras High Court are 5,82,903.

(e) : Disposal of cases pending in courts is within the domain of Judiciary. Though Government has no role in disposal of cases in courts, the Central Government is committed to speedy disposal of cases and reduction in pendency. Further to reduce the burden of court cases, the National Mission for Justice Delivery and Legal Reforms has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia*, involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure and setting up of Fast Track Courts for quick disposal of cases, use of Alternative Dispute Resolution mechanism and emphasis on human resource development.

Appointment DVN

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO.2707

TO BE ANSWERED ON WEDNESDAY, THE 04.08.2021

Allocation of Cases on Selective Basis

2707. SHRI MAHABALI SINGH:

Will the Minister of **LAW AND JUSTICE** be pleased to state:

- (a) whether the Government has paid attention to a press conference organised by four senior judges of the Supreme Court in which the Chief Justice of India (CJI) was charged with allotting the cases to the judges of his choice on selective basis, etc.;
- (b) if so, the details thereof; and
- (c) the reaction of the Government to the issues raised in the letter addressed to the Chief Justice of India prior to this incident which was released to the press?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJU)

(a) to (c) : The Government has not received any information from the Judiciary in this regard. Judiciary being an independent organ under the Indian Constitution is capable of handling its internal matters. The Government is committed to the independence of Judiciary and does not and should not intervene in its functioning.

NM

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

**UNSTARRED QUESTION NO.2738
TO BE ANSWERED ON WEDNESDAY, THE 04th AUGUST, 2021**

PENDING COURT CASES

2738. SHRI ANUBHAV MOHANTY:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether there are millions of cases pending for years in lower and subordinate courts;**
- (b) if so, the details of number of cases pending and their duration;**
- (c) whether the Government has taken any major step to effectively reduce the pendency of cases in the lower/subordinate courts; and**
- (d) if so, the details thereof?**

ANSWER

**MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)**

(a) & (b): As per the information available on National Judicial Data Grid (NJDG), as on 30.07.2021 a total of 3,93,21,607 cases are pending in the lower and subordinate courts with following duration:-

Duration	Civil cases	Criminal cases	Total
0 to 1 Years	3094805(29.45%)	8613473(29.9%)	11708278(29.78%)
1 to 3 Years	3371449(32.08%)	8560192(29.71%)	11931641(30.34%)
3 to 5 Years	1687366(16.05%)	4601417(15.97%)	6288783(15.99%)
5 to 10 Years	1644638(15.65%)	4440725(15.41%)	6085363(15.48%)
10 to 20 Years	557716(5.31%)	2160080(7.5%)	2717796(6.91%)
20 to 30 Years	116615(1.24%)	371130(1.24%)	487745(1.24%)
Above 30 Years	37423(0.36%)	64578(0.22%)	102001(0.26%)
Total	10510012	28811595	39321607

(c) & (d): Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the

respective courts. Government has no role in disposal of cases in courts. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary. National Mission for Justice Delivery and Legal Reforms was set up in August, 2011 with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia*, involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

The major steps taken during the last six years under various initiatives are as follows:

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts:
As on date, Rs. 8,644.00 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 20,218 as on 22.07.2021 and number of residential units has increased from 10,211 as on 30.06.2014 to 17,815 as on 22.07.2021 under this scheme. In addition, 2,693 court halls and 1,852 residential units are under construction. The Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary has been extended till 2025-26 at a total cost of Rs. 9000 crores, out of which Central share will be Rs. 5307 crores. Besides, construction of Court Halls and Residential Units, it would also cover construction of Lawyer's Halls, Toilet Complexes and Digital Computer Rooms.

(ii) Leveraging Information and Communication Technology (ICT) for improved justice delivery: Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased from 13,672 (in 2014) to 18,735 as on 01.07.2021, registering an increase of 5,063. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). As on 01.07.2021, litigants can access case status of over 18.77 crore cases and 14.61 crore order/judgements pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. With a view to handle the COVID- 19 challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-SewaKendras at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgements/orders, court/case related information and e-filing facilities. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for e-filing in various court complexes.

Twelve Virtual Courts have been set up at Delhi (2 courts), Faridabad (Haryana), Pune & Nagpur (Maharashtra) Kochi (Kerala), Chennai (Tamil Nadu), Guwahati (Assam) and Bengaluru (Karnataka) to try traffic offences. As on 12.07.2021, these courts have handled 75 lakh cases and realised Rs.160.05 crore in fines.

Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Since Covid lockdown started, the District courts heard 74,15,989 cases while the High Court heard 40,43,300 cases (totalling to 1.14 crore) till 30.06.2021 using video conferencing only. The Supreme Court had 96,239 hearings since the lockdown period upto 09.07.2021.

- (iii) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 01.03.2021, 35 Judges were appointed in Supreme Court. 602 new Judges were appointed and 551 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1098 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
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Filling up of vacancies in Subordinate judiciary falls within the domain of the State Governments and High Courts concerned.

- (iv) Reduction in Pendency through / follow up by Arrears Committees: In pursuance of resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts.

Further Communications have been addressed by Minister of Law & Justice to Chief Justices of High Courts and to Chief Ministers on 20.06.2014 and 14.08.2018 drawing their attention to cases pending for more than five years and to take up pendency reduction campaign.

- (v) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory pre-institution mediation and settlement of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines.
- (vi) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements. As on 30.04.2021, 870 Fast Track Courts are functional for heinous crimes, crimes against women and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi). Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme for setting up of 842 FTSCs including 363 'exclusive POCSO Courts'. Rs.140 crore was released in the financial year 2019-20 and Rs. 160.00 crore has been released during the financial year 2020-21 for the scheme. Rs. 39.77 crore has been released till June 2021 for Financial Year 2021-22. 640 FTSCs are functional

including 338 exclusive POCSO Courts, which disposed 50484 cases as on 31.05.2021.

- (vii) In addition, to reduce pendency and unclogging of the courts the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

**UNSTARRED QUESTION NO.2754
TO BE ANSWERED ON WEDNESDAY, THE 04th AUGUST, 2021**

JUSTICE DELIVERY SYSTEM

2754. SHRI SURESH PUJARI:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether there is any proposal to strengthen the Justice Delivery System in India for early disposal of pending cases piled up in different High Courts of India and to ensure that justice is delivered at the door steps of the poor litigants and that too without delay and if so, the details thereof;**
- (b) if so, whether the Government will consider establishment of the Permanent Bench of Odisha High Court in Western Odisha in pursuance of the recommendation of Justice Jaswant Singh Commission Report; and**
- (c) whether the Government will take up the matter with the State Government and the Hon'ble Chief Justice of Odisha High Court and in consultation with the stake holders to come to a consensus to pave the way for establishment of permanent bench in Western Odisha and if so, the details thereof?**

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a): Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no role in disposal of cases in courts. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary. National Mission for Justice Delivery and Legal Reforms was set up in August, 2011 with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting

performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia*, involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

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Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). As on 01.07.2021, litigants can access case status of over 18.77 crore cases and 14.61 crore order/judgements pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. With a view to handle the COVID- 19 challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-SewaKendras at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgements/orders, court/case related information and e-filing facilities. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for e-filing in various court complexes.

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Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines.

- (vi) Lok Adalats are one of the Alternative Disputes Resolution mechanism u/s 89 of C.P.C. Lok Adalat has been given statutory status under the Legal Services Authorities Act 1987 recognizing its efficacy as an expeditious, less costly and speedier system of administration of justice by which Justice Delivery System is strengthened in the country. As per section 19 of the said Act, the Lok Adalat has jurisdiction to take up any case which is pending before any court or any matter of dispute between the parties which has yet not been brought to the court. Lok Adalat take up civil matters and all criminal compoundable matters, whether pending in a court or at the pre-litigative stage.

Lok Adalats are held at National and State levels. National Lok Adalats are held on single day in all the Courts and Tribunals of the country on dates decided by NALSA in the beginning of each calendar year. State Legal Services Authorities also organize Lok Adalats from time to time as per the local circumstances and requirements.

In the period of turbulence caused by the Covid pandemic, Legal Services Authorities appropriately responded by creatively adapting to the new normal and moving Lok Adalat to the virtual platform. E- Lok Adalat is a process to settle disputes, combining technology and alternative dispute resolution (“ADR”) mechanisms which offers a faster, transparent and accessible option.

Although, these Lok Adalats take up both pending and pre-litigative matters, the focus is on reducing the pendency in the courts by taking up more matters actually pending in the High courts and also lower courts. Lok adalats are organised at District and Taluk levels, including Talukas of remote and far flung areas also. To promote Lok Adalat, a provision is made to refund/reimburse court fee paid by party (ies). Parties can appear and put up their case without any representative.

(vii) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements. As on 30.04.2021, 870 Fast Track Courts are functional for heinous crimes, crimes against women and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi). Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme for setting up of 842 FTSCs including 363 'exclusive POCSO Courts'. Rs.140 crore was released in the financial year 2019-20 and Rs. 160.00 crore has been released during the financial year 2020-21 for the scheme. Rs. 39.77 crore has been released till June 2021 for Financial Year 2021-22. 640 FTSCs are functional including 338 exclusive POCSO Courts, which disposed 50484 cases as on 31.05.2021.

(viii) In addition, to reduce pendency and unclogging of the courts the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.

(b) & (c): High Court Benches, at a place other than its Principal seat, are established in accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P.(C) No. 379 of 2000 and after due

consideration of a complete proposal from the State Government incorporating readiness to provide infrastructure and meet the expenditure, along with the consent of the Chief Justice of the concerned High Court and the consent of the Governor of the concerned State.

The State Government of Odisha has requested for setting up of Orissa High Court Bench in Western and Southern region of Odisha. The Central Government has requested the State Government of Odisha to work out details of proposed Bench including its location in consultation with High Court of Orissa. At present no complete proposal regarding setting up of bench(es) of Orissa High Court is pending with the Government.
