

2013

LOK SABHA REPLIES

**BUDGET SESSION, 2013 [13th
SESSION OF the 15th LOK
SABHA][21st February, 2013
to 10th May,2013]**

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

LOK SABHA

**STARRED QUESTION NO. *142
TO BE ANSWERED ON THURSDAY, THE 07TH March, 2013**

Pending Cases in Courts

*142. SHRI A.VENKATA RAMI REDDY:
SHRI SURENDRA SINGH NAGAR:

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

- (a) the number of cases pending for disposal in the Supreme Court and each of the High Court across the country as on 31 January, 2013;
- (b) the present strength of judges in the Supreme Court and the various High Courts in the country as on date and the number of vacancies of judges in these courts; and
- (c) the steps taken by the Government to fill up the vacancies of judges and to expedite the disposal of pending cases before the courts?

**ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)**

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

STATEMENT REFERRED IN REPLY TO PARTS (a) to (c) OF LOK SABHA STARRED QUESTION NO. *142 FOR ANSWER ON 07TH MARCH 2013.

The data on pendency of cases is maintained by the Supreme Court and High Courts. As per the information obtained from website of Supreme Court, 66,569 cases were pending in the Supreme Court as on 31.01.2013. Out of the 66,569 matters, 21,862 matters are up to one year old and are, thus, not in arrears.

A Statement showing number of pending cases in High Courts as on 31.3.2012 is at *Annex I*. This is based on the information in Court News, published by the Supreme Court.

A Statement showing sanctioned strength, working strength and vacancies of Judges in Supreme Court and High Courts is at *Annex II*.

As per the Memorandum of Procedure, initiation of proposals for appointment of Judges of a High Court rests with the Chief Justice of the concerned High Court and for appointment of a Judge in the Supreme Court, it rests with the Chief Justice of India. The Government is periodically reminding the Chief Justices of the High Courts to initiate proposals in time for filling up the existing vacancies as well as the vacancies anticipated in the next six months in the High Courts. The filling up of vacancies in the High Courts is a continuous consultative process among the Constitutional authorities. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep on arising on account of retirement, resignation or elevation of Judges.

The disposal of pending cases in High Courts and Supreme Court is within the domain of judiciary. However, with a view to assist judiciary in addressing the problem of pendency of cases, the Government has set up a National Mission for Justice Delivery and Legal Reforms in August 2011. The Mission has 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 coordinated approach for phased liquidation of arrears and pendency in judicial administration which *inter alia*, involve better infrastructure for courts including computerisation, 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.

Pending Cases In the High Courts as on 31.3.2012

Sl. No	Name of the High Court	Number of Pending cases
1	Allahabad	1008533
2	Andhra Pradesh	199229
3	Bombay	362948
4	Calcutta	350260
5	Delhi	63012
6	Gujarat	79529
7	Gauhati	51899
8	Himachal Pradesh	48743
9	Jammu & Kashmir	85298
10	Karnataka	171463
11	Kerala	123437
12	Madras	483848
13	Madhya Pradesh	235150
14	Orissa	307528
15	Patna	115329
16	Punjab & Haryana	243733
17	Rajasthan	279577
18	Sikkim	69
19	Uttarakhand	20507
20	Chhattisgarh	52264
21	Jharkhand	58511
	Total	4340867

Annex-II

Statement showing the Approved strength, Working Strength and Vacancies of Judges In the Supreme Court of India and the High Courts (As on 01.03.2013)

Sl. No.	Name of the Court	Approved Strength			Working Strength			Vacancies as per Approved Strength		
		Pmt.	Addl.	Total	Pmt.	Addl.	Total	Pmt.	Addl.	Total
A.	Supreme Court of India	31			26			5		
B.	High Court									
1	Allahabad	76	84	160	56	32	88	20	52	72
2	Andhra Pradesh	#32	17	49	27	02	29	05	15	20
3	Bombay	48	27	75	45	07	52	03	20	23
4	Calcutta	45	13	58	38	02	40	07	11	18
5	Chhattisgarh	#07	11	18	06	06	12	01	05	06
6	Delhi	29	19	48	24	11	35	05	08	13
7	Gauhati	17	07	24	16	06	22	01	01	02
8	Gujarat	29	13	42	21	08	29	08	05	13
9	Himachal Pradesh	#08	03	11	08	03	11	-	-	-
10	Jammu & Kashmir	09	05	14	07	-	07	02	05	07
11	Jharkhand	10	10	20	09	02	11	01	08	09
12	Karnataka *	#34	16	50	32	04	36	02	12	14
13	Kerala	27	11	38	25	08	33	02	03	05
14	Madhya Pradesh	32	11	43	28	04	32	04	07	11
15	Madras *	#43	17	60	40	08	48	03	09	12
16	Orissa	17	05	22	13	-	13	04	05	09
17	Patna	29	14	43	26	09	35	03	05	08
18	Punjab & Haryana	38	30	68	32	11	43	06	19	25
19	Rajasthan	32	08	40	22	09	31	10	-01	9
20	Sikkim *	03	0	03	01	0	01	02	-	02
21	Uttarakhand	09	0	09	09	0	09	-	-	-
Total		574	321	895	485	132	617	89	189	278

* Acting Chief Justice

Temporary conversion of post

M. Cell

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

**LOK SABHA
STARRED QUESTION NO. 148**

TO BE ANSWERED ON THURSDAY, THE 7TH MARCH, 2013

Fast Track Courts for Sexual Offences

***+148. SHRI RAMASHANKER RAJBHAR:
SHRI GOPINATH MUNDE:**

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

- (a) the number of cases of sexual offences pending in various High Courts and subordinate courts, State/UT-wise;**
- (b) whether the Government is contemplating to set up fast track courts in the country for quick disposal of cases of sexual offences and crimes against women;**
- (c) if so, the details thereof and the progress made so far in setting up of these courts, State/UT-wise;**
- (d) whether the Government has received any suggestions from the States and social organisations in this regard and if so, the details thereof and the action taken thereon; and**
- (e) the other steps taken/being taken by the Government in pursuance of the recommendations of Justice J.S.Verma Panel on the issue?**

**A N S W E R
MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)**

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

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 148 FOR 7/3/2013 REGARDING FAST TRACK COURTS FOR SEXUAL OFFENCES

(a): Statement at Annex I give the number of rape cases pending in the High Courts and Supreme Court. The Statement at Annex II gives similar information in respect of district/subordinate courts for three years starting from 2009 to 2011.

(b) &(c): The Government has requested the Chief Justice of the High Courts to constitute the Fast Track Courts for speedy trial of pending rape cases in district/subordinate courts having a high pendency. The Government has also requested them to monitor the progress of the cases to ensure their timely disposal. Progress made in setting-up of Fast Track Courts for disposal of rape cases is at Annex-III.

(d)&(e): Government has received suggestions from various quarters for speedy disposal of cases of sexual offences by establishing Fast Track Courts, for prevention of crimes against women, holding trials without adjournment, in-camera trials in such cases as well as for sensitization of judiciary on gender issues. Provisions have already been made in the Code of Criminal Procedure for conduct of trial on a day-to-day basis and in-camera trial in cases of sexual assault. It is also provided therein that in-camera trial shall as far as practicable, be conducted by a women judge/magistrate. Not only that, recording of the statement of the victim shall be conducted at her residence or any place of her choice, and, as far as practicable by a woman police officer in the presence of her parents/guardian, or near relatives or social worker of the locality. Government has requested the Chief Justices of all the High Courts to impress upon the district Judges to adhere to these provisions in trial of cases involving heinous crimes such as rape.

Similar suggestions were also made to the Justice Verma Committee which was set up in the aftermath of Delhi gang rape case. The Committee has since submitted its Report to the Government. Based on the recommendations by the Committee, Government has promulgated Criminal Law (Amendment) Ordinance 2013 by which amendments/additions have been made to provisions in the Indian Penal Code under Sections 354A to 354D, 375, 376, 376A to 376E, Code of Criminal Procedure (Cr.PC) under Sections 154, 160, 161, 198B, 273, 327 and First Schedule and Indian Evidence Act under Sections 53A, 114A, 119 and 146.

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Regarding gender sensitization of judiciary, National Judicial Academy and State Judicial Academies have been conducting training programmes on gender justice and violence against women. Government has requested the National Judicial Academy to increase the frequency of such programmes and include field visits and interactions with survivors of violence. Government has separately requested the State Judicial Academies to use the funds provided under the 13th Finance Commission Award to also enrich their training programmes.

Annex-I

STATEMENT REFERRED TO IN REPLY TO PART (a) OF LOK SABHA STARRED
Q.No.148 for 7/3/2013 regarding Fast Track Courts for sexual offences

Statement of Pending Rape Cases in Supreme Court and High Courts; and Rape Cases disposed of by Supreme Court and High Courts during last three years.

		Number of Cases relating to sexual harassment, kidnapping & abduction as on 19.11.2012.	Number of Cases relating to sexual harassment, kidnapping & abduction disposed from the year 2009 to 11 th November, 2012.
Supreme Court of India		325	713
Sr. No.	Name of High Court	Number of pending Rape Cases as on 30 th September, 2012.	Number of Rape Cases disposed from 01 st October, 2009 to 30 th September, 2012 (three years).
1.	Allahabad	8215	39
2.	Madhya Pradesh	3758	628
3.	Punjab & Haryana	2717	536
4.	Chhattisgarh	1533	246
5.	Orissa	1080	159
6.	Rajasthan	1164	83
7.	Bombay	1009	239
8.	Delhi*	924	1135
9.	Jharkhand	822	39
10.	Patna	797	106
11.	Kerala	420	295
12.	Andhra Pradesh	269	57
13.	Karnataka**	243	4522
14.	Gujarat***	230	147
15.	Madras	179	35
16.	Himachal Pradesh	177	418
17.	Gauhati	174	55
18.	Jammu & Kashmir	28	12
19.	Calcutta	27	14
20.	Uttarakhand	26	5
21.	Sikkim	0	2

*The cases include all the categories of cases namely, Bail application, Criminal Appeal, Criminal Leave Petition, Criminal Revision, Criminal Writ Petition, Death Sentence Reference, and Criminal Misc. Cases relating to offence of rape pending in Delhi High Court.

**This includes CrI.A, CrI.RP, & CrI.P U/s 438, 439 & 482 of Cr. P.C.

***Tentative Number of matters pertaining to Kidnapping, Abduction & Sexual Offences (Section 354, 363 to 374, 376 & 377 of the Indian Penal Code, 1860).

STATEMENT REFERRED TO IN REPLY TO PART (a) OF LOK SABHA STARRED Q.No.148 for 7/3/2013 regarding Fast Track Courts for sexual offences

CASES FOR TRIAL AT BEGINNING OF THE YEAR(CFT), CASES WITHDRAWN(CW), CASES IN WHICH TRIALS COMPLETED(CTC) AND CASES PENDING TRIAL AT THE END OF THE YEAR(CPT) UNDER RAPE YEAR 2009, 2010 and 2011

2009						2010						2011					
Sr	State	CFT	CW	CTC	CPT	Sr	State	CFT	CW	CTC	CPT	Sr	State	CFT	CW	CTC	CPT
1	Maharashtra	12812	4	953	11855	1	Maharashtra	13313	11	1048	12254	1	West Bengal	13718	0	686	13032
2	West Bengal	11381	2	861	10518	2	West Bengal	12384	15	655	11714	2	Maharashtra	13819	9	1012	12798
3	Madhya Pradesh	10083	8	2278	7797	3	Madhya Pradesh	10886	27	2751	8108	3	Madhya Pradesh	11331	34	3507	7790
4	Uttar Pradesh	5719	0	1353	4366	4	Assam	5335	44	526	4765	4	Assam	5777	15	769	4993
5	Assam	4771	47	499	4225	5	Uttar Pradesh	5537	0	1392	4145	5	Odisha	5176	0	639	4537
6	Odisha	4352	0	673	3679	6	Odisha	4805	0	666	4139	6	Kerala	4521	0	201	4320
7	Bihar	4361	2	738	3621	7	Kerala	4071	0	256	3815	7	Uttar Pradesh	5725	0	1447	4278
8	Chhattisgarh	4377	1	831	3545	8	Chhattisgarh	4487	2	825	3660	8	Chhattisgarh	4687	37	886	3764
9	Kerala	3764	1	336	3427	9	Bihar	4154	0	873	3281	9	Bihar	4101	1	847	3253
10	Gujarat	2725	2	183	2540	10	Rajasthan	3502	16	656	2830	10	Rajasthan	3949	37	785	3127
11	Rajasthan	3150	14	606	2530	11	Gujarat	2931	2	187	2742	11	Gujarat	3151	5	211	2935
12	Andhra Pradesh	3377	4	967	2406	12	Andhra Pradesh	3616	6	1031	2579	12	Andhra Pradesh	3794	5	1007	2782
13	Jharkhand	2340	23	722	1595	13	Jharkhand	2300	17	596	1687	13	Jharkhand	2279	10	474	1795
14	Tamil Nadu	1856	7	406	1443	14	Tamil Nadu	1930	1	432	1497	14	Tamil Nadu	1973	3	353	1617
15	Karnataka	1522	10	342	1170	15	Karnataka	1682	1	350	1331	15	Karnataka	1864	1	374	1489
16	Jammu & Kashmir	1173	6	206	961	16	Haryana	1479	0	456	1023	16	Jammu & Kashmir	1225	4	169	1052
17	Haryana	1364	0	475	889	17	Jammu & Kashmir	1138	1	143	994	17	Haryana	1555	0	578	977
18	Tripura	677	2	96	579	18	Tripura	764	1	112	651	18	Tripura	889	0	202	687
19	Punjab	963	0	465	498	19	Arunachal Pradesh	517	2	6	509	19	Meghalaya	564	0	20	544
20	Arunachal Pradesh	488	0	5	483	20	Meghalaya	494	2	9	483	20	Arunachal Pradesh	547	0	23	524
21	Himachal Pradesh	564	0	118	446	21	Himachal Pradesh	585	1	110	474	21	Himachal Pradesh	617	1	130	486
22	Meghalaya	437	0	23	414	22	Punjab	947	0	490	457	22	Punjab	883	3	427	453
23	Uttarakhand	333	0	94	239	23	Uttarakhand	343	0	111	232	23	Uttarakhand	330	0	88	242
24	Mizoram	156	0	66	90	24	Mizoram	184	0	87	97	24	Mizoram	165	0	57	108
25	Manipur	62	0	0	62	25	Sikkim	89	0	3	86	25	Goa	111	0	14	97
26	Goa	86	0	25	61	26	Goa	105	0	27	78	26	Sikkim	98	0	20	78
27	Sikkim	76	1	17	58	27	Manipur	66	0	3	63	27	Manipur	68	0	1	67
28	Nagaland	47	0	11	36	28	Nagaland	49	0	19	30	28	Nagaland	50	1	19	30
	Total	83016	134	13349	69533		Total	87693	149	13820	73724		Total	92967	166	14946	77855

**Statement referred to in reply to parts (b & c) of Lok Sabha Starred Q.No. 148 for
7/3/2013 regarding Fast Track Courts for sexual offences**

Sl. No.	Name of the State	Number of FTCs proposed to be set up for trial of rape cases	No. of FTCs set up so far for trial of rape cases along-with the copies of the notifications issued for setting up of these courts
1	2	3	4
1	Andhra Pradesh	23	As of now, no FTCs are set up for trial of rape cases. However, the High Court of Andhra Pradesh has earmarked 27 existing courts for trial of such cases.
2	Chhattisgarh	16	16
3	Delhi	5	5
4	Gujarat	A Committee comprising two Hon'ble Judges of Gujarat High Court has been constituted on 15/1/13 to consider the issues relating to setting up Fast Track Courts for trial of the pending rape cases and the same is under consideration.	-
5	Jharkhand	Under consideration before Hon'ble Court.	09 Courts of the District & Additional Sessions Judges/Additional Judicial Commissioner have been designated as the Fast Track Courts for trial of rape cases in the judgements of Ranchi, Bokaro, Dhanbad, Deoghar, Garhwa, Gumla, Hazaribath, Jamshedpur and Sahebganj.
6	J&K	8	J&K High Court earmarked the five existing Courts in the State for trial of rape case.
7	Madhya Pradesh	No. However from amongst existing cadre strength, one of the Additional Sessions Judges of 9 places (Betul, Bhopal, Chhindwara, Indore, Jabalpur, Raisen, Rewa & Satna) have been designated for trial of offences related to the rape, gang rape & rape with murder.	52 Additional posts of district Judge shall be created for the purpose and if these posts are created High Court may consider designation of one Additional Sessions Judge, for trial of offences related to rape, gang-rape & rape with murder. High Court has issued effective instructions to all the Sessions Judges in the State of M.P. for expeditious disposal of cases related to the offences of rape, gang-rape & rape with murder.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

LOK SABHA

UNSTARRED QUESTION NO. 1657

TO BE ANSWERED ON THURSDAY, THE 07.03.2013

Strength of ST Judges in Courts

1657. SHRIMATI JAYSHREEBEN PATEL:

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

- (a) the sanctioned strength and vacancy of judges in the Supreme Court and High Courts of the country;
- (b) the number of judges from Scheduled Tribe (ST) community in Supreme Court and High Courts at present;
- (c) whether members of ST community are not appointed as judges in Supreme Court and High Courts and if so, the reasons therefor;
- (d) whether even after 65 years of independence, not a single judge from ST community, which constitute 8.2 per cent of the population of the country has been appointed in the Supreme Court;
- (e) if so, the details thereof;
- (f) whether the Union Government plans to look into this aspect to enhance the presence of ST community; and
- (g) if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(DR. ASHWANI KUMAR)

- (a) : A Statement showing the sanctioned strength, working strength and vacancy of judges in High Courts and the Supreme Court of India as on 01.03.2013, is at Annex.
- (b) to (g): Appointment of Judges of the Supreme Court and High Courts is made under Articles 124 and 217 of the Constitution of India respectively, which do not provide for reservation for any caste or class of persons. As such, no caste or class-wise data of Judges or vacancies is maintained. The Government has, however, requested the

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Chief Justices of the High Courts to send proposals for appointment of Judges from suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and from amongst women.

Annex

Annex referred to in reply to part (a) of Lok Sabha Unstarred Question No.1657.
for answer on 07.03.2013

Sl. No.	Name of the Court	Sanctioned Strength as on 01.03.2013	Working Strength as on 01.03.2013	Vacancy of Judges as on 01.03.2013
A.	Supreme Court of India	31	26	5
B.	High Courts			
1	Allahabad	160	88	72
2	Andhra Pradesh	49	29	20
3	Bombay	75	52	23
4	Calcutta	58	40	18
5	Chhattisgarh	18	12	06
6	Delhi	48	35	13
7	Gauhati	24	22	02
8	Gujarat	42	29	13
9	Himachal Pradesh	11	11	-
10	Jammu & Kashmir	14	07	07
11	Jharkhand	20	11	09
12	Karnataka	50	36	14
13	Kerala	38	33	05
14	Madhya Pradesh	43	32	11
15	Madras	60	48	12
16	Orissa	22	13	09
17	Patna	43	35	08
18	Punjab & Haryana	68	43	25
19	Rajasthan	40	31	9
20	Sikkim	03	01	02
21	Uttarakhand	09	09	-
Total		895	617	278

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

JR Desk

**LOK SABHA
UNSTARRED QUESTION NO. 1680**

TO BE ANSWERED ON THURSDAY, THE 7TH MARCH, 2013

Setting up of Courts

**1680. SHRI R. THAMARASELVAN:
DR. NILESH N. RANE:**

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

- (a) whether the Government proposes to set up a large number of courts across the country;**
- (b) if so, the details thereof;**
- (c) the total funds allocated for this purpose during the last three years; and**
- (d) the cost ratio likely to be shared by the Union Government and State Governments for setting up of new courts?**

**A N S W E R
MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)**

(a) to (d): Setting up of Courts in subordinate judiciary is primarily the responsibility of the State Governments. The Central Government has been assisting the State Governments by providing funds for infrastructure development and computerization of the subordinate judiciary. Statement at Annex gives details of the amount released by the Central Government under different schemes for this purpose.

Further, in pursuance of the judgement of the Supreme Court in the case of the Brij Mohan Lal & Others Vs. Union of India & Others given on 19.04.2012, Government has decided to provide funds on a matching basis for 10% additional positions of Judges to be created in the State Judicial Services. This assistance will be made available up to 31.03.2015.

The Advisory Council of the National Mission for Justice Delivery and Legal Reforms in the Department of Justice, has resolved on 15-05-2012 that number of Judges in the subordinate judiciary may be doubled in the next five (5) years. Chief Justice of India has also recently written to the Chief Justices of High Courts to persuade the State Governments for doubling the existing number of Courts in the subordinate judiciary and for providing the infrastructure and ministerial staff for them.

Annex**Statement referred to in reply to parts (a) to (d) of Lok Sabha Unstarred Question No. 1680 for 7/3/2013 regarding Setting up of Courts****(Rs. in crore)**

Sl. No.	Name of the Scheme	Funds released by Central Government during the year		
		2010-11	2011-12	2012-13 (upto Feb. 2013)
1	Centrally Sponsored Scheme for Development of Infrastructural Facilities for Judiciary	142.74	595.74	693.21
2	Assistance to the State Govt. for establishment of Gram Nyayalayas	7.45	4.46	3.94
3	Computerisation of district and subordinate courts	119.896	90.00	83.51
4	13 th Finance Commission Award	1000.00	269.06	156.17

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

LOK SABHA
UNSTARRED QUESTION NO.1683

TO BE ANSWERED ON 07.03.2013

Impeachment Motion Process

1683. SHRI SANJAY BRIJKISHOR LAL NIRUPAM:

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

- (a) whether the Government is considering a relook at the law which prevents a judge from resigning till any impeachment motion process is completed; and
- (b) if so, the details thereof and if not, the reasons therefor?

ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) to (b) The removal of Judges by impeachment is governed by Article 124(4) read with proviso (b) to Article 124(2) and proviso (b) to Article 217 (1) of the Constitution. The Judges (Inquiry) Act, 1968 lays down the procedure for the removal of Judges of High Courts and the Supreme Court for proved misbehaviour or incapacity, by way of address of the Houses of Parliament to President.

The Government has initiated various judicial reforms. One of them is the 'Judicial Standards and Accountability Bill', which is presently under discussion in the Parliament. The Bill has a provision which stipulates that, in a case where an inquiry or investigation against the Judge has been initiated and such Judge demits office or resigns during such inquiry, the inquiry or investigation may be continued if the misbehaviour is serious in nature and requires to be investigated. Based on the finding of inquiry, the Central Government may take further action in the matter under the relevant Law for the time being in force. The Bill further provides that the Central Government may make rules, in consultation with the Chief Justice of India, to carry out the provisions of the Act.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

**LOK SABHA
UNSTARRED QUESTION NO.1704
TO BE ANSWERED ON 07.03.2013**

OBC vacancies

1704. SHRI SAMEER BHUJBAL:

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

- (a) whether there are vacancies of judges belonging to Other Backward Classes (OBCs) to be filled in Supreme Court and High Courts;
- (b) if so, the reasons therefor;
- (c) the number of judges belonging to OBCs working in Supreme Court and High Courts of the country;
- (d) whether the Government is contemplating to provide reservation to OBCs in Supreme Court and High Courts as per recommendation of Mandal Commission; and
- (e) if not, the reasons therefor?

**ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)**

(a) to (e): Appointment of Judges of the Supreme Court and High Courts are made under Articles 124 and 217 of the Constitution of India respectively, which do not provide for reservation for any caste or class of persons. As such, no caste or class-wise data of Judges or vacancies is maintained. The Government has, however, requested the Chief Justices of the High Courts to send proposals for appointment of Judges from suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and from amongst women.

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

NM

LOK SABHA

UNSTARRED QUESTION NO. 1748
TO BE ANSWERED ON THURSDAY, THE 07TH MARCH, 2013

Rape cases

1748. SHRI YASHVIR SINGH:
SHRI RADHA MOHAN SINGH:

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

- (a) whether there is huge pendency of cases related to rape, molestation and other crimes related to women in the country;
- (b) if so, the details thereof, State / UT-wise; and
- (c) the steps being taken by the Government in this regard?

ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) and (b): As per the information available on the web-site of National Crime Record Bureau, the State-wise number of rape cases pending trial in the last three years (2009-2011), is given in the Statement at *Annex*.

(c): The Government has requested the Chief Justice of the High Courts to constitute the fast track courts for speedy trial of pending rape cases in district / subordinate courts having a high pendency. The Government has also requested them to monitor the progress of the cases to ensure their timely disposal. The Chief Justice of India in a separate communication has requested the Chief Justices of High Courts to establish fast track courts and man them by officers from amongst the existing judicial officers to avoid delay. Having done it, they may pursue the matter with the State Government / Union Territory with promptitude to increase the number of posts both of the judicial officers as well as of the support staff and infrastructure.

Separately, Government has requested the Chief Ministers of the States to provide support to the High Courts in establishment of the fast track courts by using 10% additional positions of judges approved by the Central Government on a matching share basis, at the district / subordinate level, following the direction of the Supreme Court in the case of Brij Mohan Lal Vs. Union of India.

Statement referred to in reply to Part (a) of Lok Sabha Unstarred Question No. 1748 for 07.03.2013 regarding Rape Cases

Annex

CASES FOR TRIAL AT BEGINNING OF THE YEAR (CFT), CASES WITHDRAWN (CW), CASES IN WHICH TRIALS COMPLETED (CTC) AND CASES PENDING TRIAL AT THE END OF THE YEAR (CPT) UNDER RAPE YEAR 2009, 2010 and 2011

2009						2010						2011					
Sl. No.	State	CFT	CW	CTC	CPT	Sl. No.	State	CFT	CW	CTC	CPT	Sl. No.	State	CFT	CW	CTC	CPT
1	Maharashtra	12812	4	953	11855	1	Maharashtra	13313	11	1048	12254	1	West Bengal	13718	0	686	13032
2	West Bengal	11381	2	861	10518	2	West Bengal	12384	15	655	11714	2	Maharashtra	13819	9	1012	12798
3	Madhya Pradesh	10083	8	2278	7797	3	Madhya Pradesh	10886	27	2751	8108	3	Madhya Pradesh	11331	34	3507	7790
4	Uttar Pradesh	5719	0	1353	4366	4	Assam	5335	44	526	4765	4	Assam	5777	15	769	4993
5	Assam	4771	47	499	4225	5	Uttar Pradesh	5537	0	1392	4145	5	Odisha	5176	0	639	4537
6	Odisha	4352	0	673	3679	6	Odisha	4805	0	666	4139	6	Kerala	4521	0	201	4320
7	Bihar	4361	2	738	3621	7	Kerala	4071	0	256	3815	7	Uttar Pradesh	5725	0	1447	4278
8	Chhattisgarh	4377	1	831	3545	8	Chhattisgarh	4487	2	825	3660	8	Chhattisgarh	4687	37	886	3764
9	Kerala	3764	1	336	3427	9	Bihar	4154	0	873	3281	9	Bihar	4101	1	847	3253
10	Gujarat	2725	2	183	2540	10	Rajasthan	3502	16	656	2830	10	Rajasthan	3949	37	785	3127
11	Rajasthan	3150	14	606	2530	11	Gujarat	2931	2	187	2742	11	Gujarat	3151	5	211	2935
12	Andhra Pradesh	3377	4	967	2406	12	Andhra Pradesh	3616	6	1031	2579	12	Andhra Pradesh	3794	5	1007	2782
13	Jharkhand	2340	23	722	1595	13	Jharkhand	2300	17	596	1687	13	Jharkhand	2279	10	474	1795
14	Tamil Nadu	1856	7	406	1443	14	Tamil Nadu	1930	1	432	1497	14	Tamil Nadu	1973	3	353	1617
15	Karnataka	1522	10	342	1170	15	Karnataka	1682	1	350	1331	15	Karnataka	1864	1	374	1489
16	Jammu & Kashmir	1173	6	206	961	16	Haryana	1479	0	456	1023	16	Jammu & Kashmir	1225	4	169	1052
17	Haryana	1364	0	475	889	17	Jammu & Kashmir	1138	1	143	994	17	Haryana	1555	0	578	977
18	Tripura	677	2	96	579	18	Tripura	764	1	112	651	18	Tripura	889	0	202	687
19	Punjab	963	0	465	498	19	Arunachal Pradesh	517	2	6	509	19	Meghalaya	564	0	20	544
20	Arunachal Pradesh	488	0	5	483	20	Meghalaya	494	2	9	483	20	Arunachal Pradesh	547	0	23	524
21	Himachal Pradesh	564	0	118	446	21	Himachal Pradesh	585	1	110	474	21	Himachal Pradesh	617	1	130	486
22	Meghalaya	437	0	23	414	22	Punjab	947	0	490	457	22	Punjab	883	3	427	453
23	Uttarakhand	333	0	94	239	23	Uttarakhand	343	0	111	232	23	Uttarakhand	330	0	88	242
24	Mizoram	156	0	66	90	24	Mizoram	184	0	87	97	24	Mizoram	165	0	57	108
25	Manipur	62	0	0	62	25	Sikkim	89	0	3	86	25	Goa	111	0	14	97
26	Goa	86	0	25	61	26	Goa	105	0	27	78	26	Sikkim	98	0	20	78
27	Sikkim	76	1	17	58	27	Manipur	66	0	3	63	27	Manipur	68	0	1	67
28	Nagaland	47	0	11	36	28	Nagaland	49	0	19	30	28	Nagaland	50	1	19	30
	Total	83016	134	13349	69533		Total	87693	149	13820	73724		Total	92967	166	14946	77855

M. Cell

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

**LOK SABHA
UNSTARRED QUESTION NO. 1763**

TO BE ANSWERED ON THURSDAY, THE 7TH MARCH, 2013

Women Court

+1763. SHRI BHUDEO CHOUDHARY:

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

- (a) whether the Government is considering to set up women courts in the country;**
- (b) if so, the details thereof, State/UT-wise; and**
- (c) if not, the reasons therefor?**

**A N S W E R
MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)**

(a)to(c) The Courts at subordinate level are set up by the State Governments in consultation with the respective High Court. It is for the State Governments then to decide and establish courts including women courts looking to their needs. Recently, a Committee under the Chairmanship of Justice J.S.Verma, former Chief Justice of India, appointed in the aftermath of Delhi gangrape has, inter-alia, recommended that cases of rape and sexual assault should be tried by women prosecutors, and, to the extent possible, by women judges.

Details regarding the women courts are not maintained. However, 212 Family Courts have been established in the States. State-wise details may be seen at Annex. As per Section 4(4)(b) of the Family Courts Act, 1984, preference is given to women in selecting persons for appointment as judges.

Annex**STATEMENT REFERRED TO IN REPLY TO LOK SABHA UNSTARRED QUESTION
NO. 1763 FOR 7/3/2013 REGARDING WOMEN COURT****NUMBER OF FAMILY COURTS FUNCTIONAL AS REPORTED BY THE
CONCERNED HIGH COURT/STATE GOVERNMENT**

S.No.	Name of the state	Number of Family Courts functional in the State	Remarks
1	Andhra Pradesh	27	
2.	Assam	2	
3	Bihar	30	
4	Chhattisgarh	19	
5.	Delhi	5	
6	Gujarat	9	
7	Jharkhand	8	
8	Karnataka	10	
9	Kerala	16	Urgent steps are being taken by the State Government for Setting up of 12 additional Family Courts
10	Madhya Pradesh	15	
11	Maharashtra	22	
12	Manipur	1	
13	Mizoram	1	Four family courts notified
14	Nagaland	2	
15	Orissa	5	Additional Seven Family courts notified.
16	Pondicherry	1	
17	Rajasthan	6	Additional seven family courts notified.
18	Sikkim	1	
19	Tamil Nadu	6	
20	Tripura	3	
21	Uttar Pradesh	15	
22	Uttarakhand	7	
23	West Bengal	2	
Total		212	

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GOVERNMENT OF INDIA
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(DEPARTMENT OF JUSTICE)

LOK SABHA
UNSTARRED QUESTION NO. 1790
TO BE ANSWERED ON THURSDAY, THE 07TH MARCH, 2013

Corruption Cases

1790. SHRI RUDRA MADHAB RAY:

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

- (a) the details of corruption cases pending in various courts against high profile persons in the country during the last three years and the current year, State / UT-wise;
- (b) whether the Government proposes to ban on their contesting or representing people in any capacity;
- (c) if not, the reasons therefor and response of the Government thereto;
- (d) whether the Government is considering to enact laws to expedite and fix time frame to probe the corruption charges against high profile persons; and
- (e) if so, the details thereof and if not, the reasons therefor?

ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) to (e) : As per Law Commission of India, the definition of the term 'influential (high profile) persons' is not feasible as not only those holding public office or former such persons, but even their close associates may wield influence to impact probes and trials. As such specific data of corruption cases pending in courts cannot be relatable to 'high profile' persons. As regards ban on their contesting or representing people, there is presently a provision under sub - section 1 of the Section 8 of the Representation of People Act, 1951, which provides that a person convicted of certain offences specified therein, which *inter-alia* include offences under Prevention of Corruption Act, 1988, shall be disqualified for being Member of Parliament and State Legislature where the convicted person is sentenced to (i) only fine, for a period of six years from the date of such conviction (ii) imprisonment, from the date of such conviction and shall continue to be disqualified for a further period of six years since his release. Issues pertaining to improvements in the justice delivery system including ensuring affordable and expeditious disposal of cases are constantly engaging the attention of Government. Government remains committed to ensuring probity and transparency in governance.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

LOK SABHA
UNSTARRED QUESTION NO.1811

TO BE ANSWERED ON 07.03.2013

Appointment of Judges

1811. SHRI N.S.V. CHITTHAN:
SHRI B.B. PATIL:
SHRI EKNATH M.GAIKWAD:
SHRI ANAND PRAKASH PARANJPE:
SHRI DHRUVA NARAYANA:

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

- (a) whether any lack of transparency and accountability in the procedure and selection of judges for their appointment in various courts in the country have come to the notice of the Government;
- (b) if so, the details thereof including the existing procedure/system for selection of judges for the various courts;
- (c) whether the Government proposes to review/change the existing system of selection of judges to make it more transparent and accountable;
- (d) if so, the details thereof; and
- (e) the steps taken by the Government in this regard and the time by which revised system is likely to be implemented?

ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) to (e) Presently, appointment of Judges to High Courts and Supreme Court is based on a Memorandum of Procedure for Appointment of Judges of Supreme Court and High Courts prepared in 1998. Representations have been made by various agencies and expert bodies to review/change the present procedure of appointment of judges. It is generally felt that the present procedure of appointment needs to be reviewed in the light of past experience.

The proposal to have an alternative arrangement through a constitutional amendment is under consideration. But no time frame can be specified as amendment to the Constitution is a time consuming process.

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

M. Cell

LOK SABHA
UNSTARRED QUESTION NO. 1816

TO BE ANSWERED ON THURSDAY, THE 7TH MARCH, 2013

Fast Track Courts

+1816. SHRI PASHUPATI NATH SINGH:
SHRI ASADUDDIN OWAISI:
SHRI VARUN GANDHI:
SHRI SURESH KUMAR SHETKAR:
SHRI SYED SHAHNAWAZ HUSSAIN:
SHRI VIJAY BAHADUR SINGH:
SHRI E.G.SUGAVANAM:
SHRI MODUGULA VENUGOPALA REDDY:

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

- (a) The extent to which the Fast Track Courts helped for rapid justice delivery in the country including the details of fast track courts that were functioning in various States/UTs and the number of cases disposed off and the number of cases pending in those courts, State/UT-wise;
- (b) The total funds allocated for such courts during the period from 2009 to 2011, year and State/UT-wise;
- (c) whether the Government had discontinued the fast track courts scheme since March, 2011;
- (d) If so, the details thereof and the reasons therefor; and
- (e) whether the Government proposes to reconsider its decision in this matter and if so, the details thereof and if not, the reasons therefor?

ANSWER
MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)

- (a) Of the 38.98 lakh cases allotted to the Fast Track Courts 32.9 lakh cases were disposed off by them between 2000-2011. A

Statement giving number of Fast Track Courts functioning, cases disposed off by them and number of cases pending State-wise, is at Annex-I.

(b) State-wise central grants released for fast track courts during the period 2009-2011 is at Annex-II.

(c)&(d) The creation of Fast Track Courts was supported by the 11th Finance Commission as a one-time measure to reduce the pendency of the Sessions cases. These were later continued by the Central Government for another 5 years upto 31st March, 2010. It was extended for another year to ensure smooth transition. Central funding has not been given beyond 31.3.2011.

1192 Fast Track courts were reported functional as on 31.03.2011. There is no bar on State Governments to continue these courts from their own funds.

(e) In its Judgment in the case of Brij Mohan Lal and others versus Union of India and others given on 19.04.2012, Supreme Court has directed the States that they may decide to either bring the Fast Track Courts Scheme started in year 2000 following the Award of 11th Finance Commission, to an end or to continue the same on a permanent basis. The Court has also directed that 10% additional posts be created in the subordinate judiciary for which funding requirement would be provided by the Central and State Governments on a matching basis. The Central Government has decided to provide funds on a matching basis upto 31.03.2015 from the 13th Finance Commission Award, for salaries of additional positions of Judges created in the subordinate Judiciary. The State Governments and Chief Justices of High Courts have been requested that they may utilise these positions for creation of Fast Track Courts also.

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*e Courts
(Shri Deep Kishu,
Consultant)*

LOK SABHA
UNSTARRED QUESTION NO. 2788
(TO BE ANSWERED ON 14.03.2013)

e-COURT

+ 2788. SHRI SYED SHAHNAWAZ HUSSAIN:

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

(a) whether the Ministry is implementing e-Courts related projects including video conferencing for upgradation of communication and information technology infrastructure of Supreme Court and High Courts in the country; and

(b) If so, the details thereof along with the funds spent in Andhra Pradesh for this purpose so far, State/UT-wise ?

ANSWER
MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)

(a) & (b): Government is implementing eCourts Integrated Mission Mode Project which envisages ICT enablement of 14,249 district and subordinate courts in the country, and upgradation of ICT infrastructure at the Supreme Court and all the High Courts. ICT enablement includes installation of computer hardware, local area network (LAN), application software, and provisions for internet connectivity. All these are undertaken and provided for, after the site has been made ready and civil work completed. As on 31st January 2013, 12,030

district & subordinate courts have been computerized in the Country. Statewise details are at Annex-1.

The ICT upgradation in High Court includes provision for rack servers, slim clients, touch screen kiosks, scanners, printers, UPS systems & local area network. Under the ICT upgradation of High Court of Andhra Pradesh, ₹ 2.27 crores has been utilised.

As for video conferencing, five of the High Courts, namely Rajasthan, Calcutta, Jammu & Kashmir, Himachal Pradesh & Gauhati have this facility. For Sikkim High Court, it has been approved by the Government. For district court complexes, video conferencing has been approved for 500 complexes, on a pilot basis.

Annex-I

eCourts Integrated Mission Mode Project (as on 31.1.2013)

S.No.	High Court	Approved number of Courts in the Project	Number of Courts Computerised	% Completion
1	Allahabad	2053	1918	93.42
2	Andhra Pradesh	937	652	69.58
3	Bombay	1843	1980	107.43
4	Calcutta	759	770	101.45
5	Chhattisgarh	313	182	58.15
6	Delhi	303	0	0.00
7	Gauhati	378	377	99.74
8	Gujarat	800	822	102.75
9	Jammu & Kashmir	172	131	76.16
10	Jharkhand	532	350	65.79
11	Karnataka	773	629	81.37
12	Kerala	402	348	86.57
13	Madhya Pradesh	1018	1052	103.34
14	Madras	779	536	68.81
15	Orissa	399	411	103.01
16	Patna	1060	156	14.72
17	Punjab & Haryana	589	673	114.26
18	Rajasthan	789	766	97.08
19	Himachal Pradesh	108	100	92.59
20	Sikkim	10	10	100.00
21	Uttarakhand	232	167	71.98
Total		14249	12030	84.43

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

**LOK SABHA
UNSTARRED QUESTION NO. 2853
TO BE ANSWERED ON THURSDAY, THE 14TH MARCH, 2013**

Pending Court Cases

2853. SHRI SANJAY DHOTRE:
SHRI A. GANESHAMURTHI:
SHRI ANAND PRAKASH PARANJPE:
SHRI B. B. PATIL:
SHRI BHARTRUHARI MAHTAB:
SHRI EKNATH M. GAIKWAD:

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

- (a) whether the study conducted by the Supreme Court supported National Court Management System has put the country to have 15 crore pending cases by 2040 but the strength of the judges will only be 75000;
- (b) if so, the details of the study;
- (c) whether the Government is considering speedy appointment of judges so as to expeditiously reduce the number of pending cases;
- (d) if so, the details thereof; and
- (e) the other steps taken / being taken / proposed to be taken by the Union Government to speed up disposal of pending cases and to cope up with the anticipated increase in number of cases in the future?

**ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)**

(a) & (b) : Yes, Madam; the Policy and Action Plan of National Court Management System released by the Hon'ble Chief Justice of India does contain a statement to this effect. But this is an estimation and is based on the assumption that with the increase in literacy and economic wealth, filing of cases would increase manifold in the country.

(c) to (e): There are nearly 2.7 crores cases pending in the subordinate judiciary, and nearly 43 lakh cases pending in the High Courts as on 31.03.2012. Since the administrative control of the subordinate judiciary in the States is with the High Courts and State Governments, Central Government has been impressing upon them for timely filling of vacancies. The Supreme Court has also in its judgement in C.A.No. 1867 of 2006 (Arising out of SLP (C) No. 22523 of 2005) in the matter of Malik Mazhar Sultan & Another Vs U.P. Public Service Commission & Others, directed the States / UTs to adhere to the time schedule for timely filling of vacancies. For the High Courts, Central Government has been reminding the Chief Justices from time to time for timely initiation of the proposals.

Although the disposal of pending cases in the Courts is within the domain of the judiciary, Government has been assisting them (judiciary) through a variety of measures. These include funding support for infrastructure development for the subordinate judiciary and computerization of the Courts, etc. Besides, Government has set up a National Mission for Justice Delivery and Legal Reforms for following a coordinated approach for phased liquidation of arrears and pendency in the judicial administration. The Mission has devised an integrated strategy which *inter-alia* includes better infrastructure for courts including computerisation, 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.

GOVERNMENT OF INDIA
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JK Desk

LOK SABHA
UNSTARRED QUESTION NO. 2879

TO BE ANSWERED ON THURSDAY 14TH MARCH, 2013

Judicial Reform

+2879. SHRI LALJI TANDON:
SHRI ARJUN RAY:
SHRI GOPINATH MUNDE:
SHRI JAI PRAKASH AGARWAL:
SHRIMATI MEENA SINGH:

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

- (a) whether the Government has provided special assistance to the States for carrying out judicial reforms and modernisation and infrastructural development of Lower Courts/High Courts during the last three years;
- (b) if so, the details thereof, State/UT- wise;
- (c) the details of works proposed to be done out of the said assistance;
- (d) whether the Union Government proposes to increase the financial assistance during the current Five Year Plan; and
- (e) if so, the details thereof ?

ANSWER

**MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)**

(a) to (c): Government has been providing assistance to States through several schemes/programmes for modernisation, infrastructural development and for carrying out judicial reforms. The details of this, are as under:

(i) A Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for the Judiciary has been under implementation since 1993-1994. Under the Scheme, Central Government augments the resources of State Governments for improving the physical infrastructure of the Courts as well as for

Cont...2/-

meeting the housing needs of judicial officers. The ratio of Central assistance under the scheme has been altered from 50:50 to 75:25 and the Scheme has been modified to cover only district and subordinate courts, from 2011-12 onwards. For North-Eastern States, it is 90:10 and has been in force w.e.f. 2010-11. The State/UT-wise details of funds released under CSS during the last three years is at Annex A.

The modified Centrally Sponsored Scheme does not cover High Court buildings for which Central assistance is provided to States directly by Planning Commission as one time Additional Central Assistance (ACA) in the ratio of 30:70 (Centre/State). Under this, Government has approved Additional Central Assistance (ACA) of Rs. 41.50 crore for construction of High Court Judicature building at Jodhpur during 2010-2011 and Rs. 231.31 crore for construction of building of Lucknow Bench of Allahabad High Court during the current financial year.

(ii) The Gram Nyayalayas Act, 2008 has been enacted for establishment of Gram Nyayalayas at the grass root level for providing access to justice to citizens at their doorstep. The Act has come into force w.e.f. 2nd October, 2009. The Central Government is providing assistance to States towards non-recurring expenses for setting up of Gram Nyayalayas subject to a ceiling of Rs. 18.00 lakhs per Gram Nyayalaya. The Central Government also provides assistance towards recurring expenses for running these Gram Nyayalayas subject to a ceiling of Rs. 3.20 lakhs per Gram Nyayalaya per year for the first three years. 172 Gram Nyayalayas have been notified already. State-wise details of Gram Nyayalayas have started functioning. State-wise details of funds released under Gram Nyayalayas in the last three years is at Annex B.

(iii) On the recommendations of 13th Finance Commission, Government has sanctioned Rs. 5000 crore as grants to the States for 5 years between 2010-15 for undertaking various initiatives

Cont...3/-

- 3 -

such as increasing the number of court working hours using the existing infrastructure by holding morning/evening/shift courts; support to Lok Adalats to reduce the pressure on regular courts; additional funds to State Legal Services Authorities to enable them to provide legal aid to the marginalized and empower them to access justice; promoting the Alternative Dispute Resolution (ADR) mechanism to resolve disputes outside the court system. Rs. 1425.23 crore has been released to the States on this account between 2010-11 and February, 2013.

(iv) Central Government has been fully funding the computerization of courts both at the subordinate level as well as higher levels under the eCourts Projects. The estimated cost of computerization is Rs. 935 crores. Already, Rs. 571.806 crore have been spent under the Project.

(d) & (e): Government has increased allocation under various schemes/ programmes of Department of Justice in the 12th Five Year Plan to Rs. 5802 crore compared to Rs. 1470 crore in the 11th Five Year Plan. Scheme/programme-wise fund allocated for the 12th Plan are as under:

Sl. No.	Scheme	12 th Plan Allocation (Rs. in crore)
1	Gram Nyayalayas	100.00
2	National Mission for Justice Delivery and Legal Reforms:	25.00
	I. National Mission-Action Plan Implementation	4867.00
	II. Mission Mode programme for development of infrastructure facilities for subordinate judiciary.	130.00
	III. Setting up of Model Courts	25.00
	IV. Action Research and Studies on Judicial Reforms.	600.00
3	Computerization of District & Subordinate	30.00
4	Access to Justice- Govt. of India	25.00
5	Access to Justice Externally Aided (UNDP)	5802.00
	Total	

Annex-A**Assistance provided to the State Governments under Centrally Sponsored Scheme for Infrastructure Facilities for subordinate Judiciary in the last three years**

(Rs. in lakh)

States	2009-10	2010-11	2011-12	Total
Andhra Pradesh	1276.00	0.00	1888.00	3164.00
Arunachal Pradesh	0.00	0.00	972.00	972.00
Assam	1440.00	500.00	2890.00	4830.00
Bihar	0.00	0.00	0.00	0.00
Chhattisgarh	905.00	400.00	2097.00	3402.00
Goa	0.00	0.00	172.00	172.00
Gujarat	881.00	0.00	0.00	881.00
Haryana	554.00	1320.00	2138.00	4012.00
Himachal Pradesh	425.00	547.00	0.00	972.00
Jammu & Kashmir	708.00	140.00	1035.00	1883.00
Jharkhand	692.00	0.00	0.00	692.00
Karnataka	1714.00	500.00	2961.00	5175.00
Kerala	217.00	606.00	1169.00	1992.00
Madhya Pradesh	112.00	1738.20	4403.00	6253.20
Maharashtra	1890.00	1458.52	12915.00	16263.52
Manipur	0.00	209.71	0.00	209.71
Meghalaya	40.00	200.00	0.00	240.00
Mizoram	128.00	155.00	0.00	283.00
Nagaland	845.00	415.29	169.00	1429.29
Orissa	800.00	723.00	2416.00	3939.00
Punjab	0.00	0.00	0.00	0.00
Rajasthan	0.00	70.00	1172.00	1242.00
Sikkim	0.00	220.00	0.00	220.00
Tamilnadu	356.00	0.00	0.00	356.00
Tripura	147.00	100.00	0.00	247.00
Uttarakhand	451.00	688.20	0.00	1139.20
UttarPradesh	2008.62	2858.00	15659.00	20525.62
West Bengal	0.00	425.35	2518.00	2943.35
Total	15589.62	13274.27	54574.00	83437.89
A&N Islands	0.00	0.00	500.00	500.00
Chandigarh	1480.00	400.00	500.00	2380.00
Dadra & Nagar Havelli	0.00	0.00	500.00	500.00
Daman & Diu	0.00	0.00	0.00	0.00
Delhi	0.00	0.00	2250.00	2250.00
Lakshadweep	0.00	0.00	0.00	0.00
Pondicherry	500.00	600.00	1250.00	2350.00
Total	1980.00	1000.00	5000.00	7980.00
Grand Total	17569.62	14274.27	59574.00	91417.89

Annex-B

**Central Grants released to States for under Gram Nyayalayas Act,
2008 from 2009-10 to 2011-12**

Sl. No	Name of the state	2009-10	2010-11	2011-12	Grand Total
	1	2	3	4	5
1	Madhya Pradesh	632.00	745.40	156.80	1534.20
2	Rajasthan	567.00	0.00	144.00	711.00
3	Orissa	15.80	0.00	110.60	126.40
4	Maharashtra	132.60	0.00	9.60	142.20
5	Karnataka	0.00	0.00	25.20	25.20
	Total	1347.40	745.40	446.20	2539.00

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

LOK SABHA
UNSTARRED QUESTION NO.2914

TO BE ANSWERED ON 14.03.2013

National Judicial Standards and Accountability Bill

2914. DR. P. VENUGOPAL:

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

- (a) the present status of National Judicial Standards and Accountability Bill ;
- (b) whether the Government is considering to make further amendments to the Bill; and
- (c) if so, the details thereof?

ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) to (c) The Judicial Standards and Accountability Bill, was passed by the Lok Sabha on 29.03.2012. This is pending for consideration in the Rajya Sabha. In the meanwhile, few official amendments have been proposed which would be moved when the Bill is taken up for discussion in the Rajya Sabha.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

LOK SABHA
UNSTARRED QUESTION NO.2945

TO BE ANSWERED ON 14.03.2013

High Court Benches

.2945. SHRI KAMAL KISHOR "COMMANDO":

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

- (a) whether various State Governments have submitted proposals for establishment of High Court benches in their respective States particularly in Bahraich in Uttar Pradesh;
- (b) if so, the details thereof;
- (c) the time by which the said benches are likely to be established; and
- (d) the steps taken by the Government thereon?

ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) to (d) Four proposals for establishing Benches of High Courts have been received from the State Governments. The status of these proposals is as under:

(i) Proposal received from the State Government of Karnataka for establishing two Permanent Benches of Karnataka High Court at Dharwad and Gulbarga has the consent both of the State Government and Chief Justice of the Karnataka High Court. This has been processed for seeking approval of the President on the advice of the Union Cabinet.

...2/-

(ii) Proposal received from the State Government of West Bengal for establishment of Circuit Bench of the Calcutta High Court at Jalpaiguri has the consent both of the State Government and Chief Justice of the Calcutta High Court. This has been processed pending the communication from Calcutta High Court which has been requested to indicate the date of operationalization of the Circuit Bench.

(iii) Proposal received from the State Government of Kerala for setting up a Bench of Kerala High Court at Thiruvananthapuram, has not been agreed to by the Chief Justice of the High Court of Kerala.

(iv) Proposal received from the State Government of Himachal Pradesh for establishment of a Bench of Himachal Pradesh High Court at Dharamsala, has not been agreed to by the Chief Justice of the High Court of Himachal Pradesh.

Setting up of Benches of a High Court is considered by the Government of India after receipt of a complete proposal from the State Government, which has to have the consent of the Chief Justice of the concerned High Court and the Governor of the State. No proposal has been received from the Government of Uttar Pradesh to establish a Bench of Allahabad High Court at Bahraich.

MM

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

**LOK SABHA
UNSTARRED QUESTION NO. 2964
TO BE ANSWERED ON THURSDAY, THE 14TH MARCH, 2013**

Pending Cases

2964. DR. SANJEEV GANESH NAIK:
SHRI JAGADANAND SINGH:
SHRIMATI SUMITRA MAHAJAN:
SHRI DHARMENDRA YADAV:
SHRI VIRENDRA KUMAR:
SHRI NAVEEN JINDAL:
SHRI GANESH SINGH:
SHRI ANANDRAO ADSUL:
SHRI RAKESH SINGH:
SHRI SANJAY DINA PATIL:
SHRI ADHALRAO PATIL SHIVAJI:
SHRI MADHU GOUD YASKHI:
SHRI GAJANAN D. BABAR:
SHRI JAGDISH THAKOR:
SHRI SOMEN MITRA:
SHRI GM. SIDDESHWARA:
SHRI MANICKA TAGORE:

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

- (a) whether the Prime Minister of India has expressed concern over the huge pendency of cases in courts especially in trial courts;
- (b) if so, the steps taken by the Union Government to work with the judiciary and other stakeholders to build a strong effective justice delivery system;
- (c) whether there is a need to adopt alternative dispute resolution mechanism which include lok adalats, fast track courts, rural courts, etc.
- (d) if so, the steps taken / proposed to be taken by the Union Government in this regard;
- (e) whether standards of the legal profession is falling over the year and if so, the steps taken by the Union Government to maintain standards of the legal profession; and
- (f) the other steps proposed to be taken for the speedy disposal of huge pendency of cases in various courts in the country?

**ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)**

(a) to (f) : Yes, Madam. The Prime Minister in his address in the Joint Conference of Chief Ministers and Chief Justices held on 16th August, 2009, had expressed concern.

Though the disposal of pending cases in Courts is within the domain of judiciary, Government has, with a view to assist judiciary in addressing the problem of pendency of cases, set up a National Mission for Justice Delivery and Legal Reforms with 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 coordinated approach for phased liquidation of arrears and pendency in judicial administration which *inter alia*, involve better infrastructure for courts including computerisation, 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 apex judiciary under the leadership of Chief Justice of India, has joined in the endeavour of Government for judicial reforms by setting up of National Court Management System (NCMS) to address issues not only of case and court management but also setting standards for measuring performance of the courts and a national system of judicial statistics in the country. The Chief Justice of India has also written to State Chief Justices for taking up with State Governments and for persuading them to double the existing number of courts in the subordinate judiciary with a view to reduce pendency of cases.

On the recommendations of 13th Finance Commission, Government has sanctioned Rs. 5000 crore as grants to the States for 5 years between 2010-15 for undertaking various initiatives such as increasing the number of court working hours using the existing infrastructure by holding morning / evening / shift courts; enhancing support to Lok Adalats to reduce the pressure on regular courts; providing additional funds to State Legal Services Authorities to enable them to provide legal aid to the marginalized and empower them to access justice; promoting Alternative Dispute Resolution (ADR) mechanism to resolve part of the disputes outside the court system.

The standards of Legal Profession are within the purview of Bar Council of India under Advocates Act, 1961. The Government is in regular interaction with Bar Council of India for improving the standards of Legal Education. The Vision Statement issued by Bar Council of India, *inter-alia* states that the reforms shall focus on expansion, inclusion and excellence to enable more students to access affordable and quality legal education.

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

LOK SABHA
UNSTARRED QUESTION NO. 2968
TO BE ANSWERED ON THURSDAY, THE 14TH MARCH, 2013

Cases Registered in Courts

+ 2968. SHRI (CAPT.) JAI NARAIAN PRASAD NISHAD:
SHRI PURNMASI RAM:

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

- (a) the number of criminal cases registered in all the courts during the last three years, State / UT-wise;
- (b) the number of cases out of them pertaining to corruption, State / UT-wise; and
- (c) the steps being taken / proposed to be taken by the Union Government to resolve the cases early?

ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) to (c) : The data on criminal and civil cases registered in courts is maintained by the Supreme Court and High Courts. As per the information obtained from website of Supreme Court, State / UT-wise details of criminal cases registered in subordinate courts during last three years (2009-11), are given in the Statement at *Annex -I*.

State-wise details of cases pending trial under Prevention of Corruption Act registered by Central Bureau of Investigation (CBI) in the last three calendar years and current year upto 31.01.2013, are given in the Statement at *Annex-II*.

46 Courts of Special Judge & 10 Courts of Special Magistrates have been established exclusively and are functioning for trial of CBI cases all over the country. The Central Government has decided to set up 71 additional Special Courts in different States based on the recommendations of the Chief Justice of India. Out of these, 66 Courts have started functioning. Along with, CBI has set up 10 Sub-Directorate of Prosecution across the country to monitor the under trial cases effectively i.e. from filing of charge-sheet to their disposal.

Criminal cases registered in the subordinate courts during 2009, 2010 and 2011

Sr. No.	State/Ut's	2009	2010	2011
1.	Andhra Pradesh	335575	313800	319083
2.	Arunachal Pradesh	1917	6927	6674
3.	Assam	156620	193893	192460
4.	Bihar	309315	311314	301345
5.	Chhattisgarh	202851	174730	130895
6.	Goa	20848	19038	19269
7.	Gujarat	980295	955383	850226
8.	Haryana	260873	286320	409838
9.	Himachal Pradesh	129571	159913	164522
10.	Jammu & Kashmir	186322	195893	237796
11.	Jharkhand	99396	98103	101750
12.	Karnataka	705092	759837	642982
13.	Kerala	847797	879064	807510
14.	Madhya Pradesh	1168764	1031877	962665
15.	Maharashtra	1396474	1684530	1521723
16.	Manipur	8522	10606	11312
17.	Meghalaya	6372	3161	2140
18.	Mizoram	3179	11188	7048
19.	Nagaland	1039	1299	1409
20.	Orissa	218407	272559	304540
21.	Punjab	303605	344344	454622
22.	Rajasthan	856038	785590	959122
23.	Sikkim	954	1159	1337
24.	Tamil Nadu	698114	797317	669013
25.	Tripura	105625	117066	143331
26.	Uttar Pradesh	2417891	2567618	2230412
27.	Uttarakhand	159842	195390	161311
28.	West Bengal and A & N Island	911692	932406	957156
29.	Chandigarh	95180	114845	121859
30.	D & N Haveli	678	1351	1424
31.	Daman & Diu	775	596	766
32.	Delhi	217064	513118	920753
33.	Lakshadweep	97	55	162
34.	Pondicherry	16951	18624	26779
Total		12823735	13758914	13643234

Annex-II

State-wise and year-wise details of Pending trial Prevention of Corruption Act Court cases registered by Central Bureau of Investigation (CBI) during the last three years and current year i.e. as on 31.12.2010, 31.12.2011, 31.12.2012 & 31.01.2013 (upto 31.1.2013).

State/Ut's	As on 31.12.2010	As on 31.12.2011	As on 31.12.2012	As on 31.01.2013
A & N Island	3	3	28	28
Andhra Pradesh	422	416	425	425
Arunachal Pradesh	11	9	9	9
Assam	180	197	189	189
Bihar	285	276	307	307
Chandigarh	53	52	44	44
Chhattisgarh	43	45	51	51
D & N Haveli	2	2	0	0
Daman & Diu	7	6	1	6
Goa	37	46	47	47
Gujarat	415	412	413	413
Haryana	61	62	50	67
Himachal Pradesh	26	14	12	12
Jammu & Kashmir	117	132	138	138
Jharkhand	474	450	442	442
Karnataka	274	247	188	187
Kerala	182	183	188	188
Lakshadweep	0	0	0	0
Madhya Pradesh	177	195	209	211
Maharashtra	850	901	744	736
Manipur	11	14	13	13
Meghalaya	9	8	8	8
Mizoram	5	4	8	8
Nagaland	5	5	5	8
NCT of Delhi	1253	1135	966	950
Orissa	232	237	242	242
Pondicherry	23	21	28	24
Punjab	92	87	68	65
Rajasthan	303	313	300	280
Sikkim	6	6	2	3
Tamil Nadu	473	505	479	474
Tripura	0	0	0	0
Uttar Pradesh	503	477	594	594
Uttarakhand	43	54	64	64
West Bengal	662	664	661	661
Total	7239	7178	6923	6894

Annex-A

Assistance provided to the State Governments under Centrally Sponsored Scheme for Infrastructure Facilities for subordinate Judiciary in the last three years

(Rs. in lakh)

States	2009-10	2010-11	2011-12	Total
Andhra Pradesh	1276.00	0.00	1888.00	3164.00
Arunachal Pradesh	0.00	0.00	972.00	972.00
Assam	1440.00	500.00	2890.00	4830.00
Bihar	0.00	0.00	0.00	0.00
Chhattisgarh	905.00	400.00	2097.00	3402.00
Goa	0.00	0.00	172.00	172.00
Gujarat	881.00	0.00	0.00	881.00
Haryana	554.00	1320.00	2138.00	4012.00
Himachal Pradesh	425.00	547.00	0.00	972.00
Jammu & Kashmir	708.00	140.00	1035.00	1883.00
Jharkhand	692.00	0.00	0.00	692.00
Karnataka	1714.00	500.00	2961.00	5175.00
Kerala	217.00	606.00	1169.00	1992.00
Madhya Pradesh	112.00	1738.20	4403.00	6253.20
Maharashtra	1890.00	1458.52	12915.00	16263.52
Manipur	0.00	209.71	0.00	209.71
Meghalaya	40.00	200.00	0.00	240.00
Mizoram	128.00	155.00	0.00	283.00
Nagaland	845.00	415.29	169.00	1429.29
Orissa	800.00	723.00	2416.00	3939.00
Punjab	0.00	0.00	0.00	0.00
Rajasthan	0.00	70.00	1172.00	1242.00
Sikkim	0.00	220.00	0.00	220.00
Tamilnadu	356.00	0.00	0.00	356.00
Tripura	147.00	100.00	0.00	247.00
Uttarakhand	451.00	688.20	0.00	1139.20
Uttar Pradesh	2008.62	2858.00	15659.00	20525.62
West Bengal	0.00	425.35	2518.00	2943.35
Total	15589.62	13274.27	54574.00	83437.89
A&N Islands	0.00	0.00	500.00	500.00
Chandigarh	1480.00	400.00	500.00	2380.00
Dadra & Nagar Haveli	0.00	0.00	500.00	500.00
Daman & Diu	0.00	0.00	0.00	0.00
Delhi	0.00	0.00	2250.00	2250.00
Lakshadweep	0.00	0.00	0.00	0.00
Pondicherry	500.00	600.00	1250.00	2350.00
Total	1980.00	1000.00	5000.00	7980.00
Grand Total	17569.62	14274.27	59574.00	91417.89

Annex-B

**Central Grants released to States for under Gram Nyayalayas Act,
2008 from 2009-10 to 2011-12**

(Rs. in lakh)

Sl. No	Name of the state	2009-10	2010-11	2011-12	Grand Total
	1	2	3	4	5
1	Madhya Pradesh	632.00	745.40	156.80	1534.20
2	Rajasthan	567.00	0.00	144.00	711.00
3	Orissa	15.80	0.00	110.60	126.40
4	Maharashtra	132.60	0.00	9.60	142.20
5	Karnataka	0.00	0.00	25.20	25.20
	Total	1347.40	745.40	446.20	2539.00

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Justice Sec.

LOK SABHA

UNSTARRED QUESTION NO.3926

TO BE ANSWERED ON THURSDAY, THE 21st MARCH, 2013

Children's Bench in Courts

3926. SHRI P. VISWANATHAN:

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

- (a) whether there is a proposal to constitute Children's Benches across the country in various courts;
- (b) if so, the details thereof, State/UT-wise; and
- (c) the time by which they are likely to be constituted?

ANSWER

MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)

(a) to (c) : As per Section 4(1) of the Juvenile Justice (Care and Protection of Children) Act, 2000, State Government is required to constitute one or more Juvenile Justice Boards for a district or a group of districts for adjudication and disposition of matters relating to juveniles in conflict with law under the Act. As per information available, State Governments/UTs have constituted 608 Juvenile Justice Boards across the country in 660 Districts. State/UT-wise details are given in the Statement annexed.

M + Cell

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

**LOK SABHA
UNSTARRED QUESTION NO. 3942**

TO BE ANSWERED ON THURSDAY, THE 21ST MARCH, 2013

Fast Track Court for Accident Cases

+3942. SHRI GORAKHNATH PANDEY:

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

- (a) whether fast track courts are being set up for accident cases as well;**
- (b) if so, the details thereof and by when; and**
- (c) if not, the reasons therefor?**

**A N S W E R
MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)**

(a) to (c): The information is being collected and the same will be laid on the Table of the House.

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

Desk Side

LOK SABHA

UNSTARRED QUESTION NO. 4838

TO BE ANSWERED ON THURSDAY, THE 25.04.2013

National Judicial Commission

**4838. SHRI MODUGULA VENUGOPALA REDDY:
SHRI S.S. RAMASUBBU:**

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

- (a) whether the Government is aware of the long pending demand for setting up of a National Judicial Commission;
- (b) if so, the details along with the action taken by the Government; and
- (c) the time by which the said Commission is likely to be set up?

ANSWER

MINISTER OF LAW AND JUSTICE

(DR. ASHWANI KUMAR)

(a) to (c) : The appointment of Judges to High Courts and Supreme Court is based on a Memorandum of Procedure for Appointment of Judges of Supreme Court and High Courts prepared in 1998 pursuant to the Supreme Court Judgement of October 6, 1993 read with their Advisory Opinion of October 28, 1998. Representations have been made by various agencies and expert bodies to review/change the present procedure of appointment of judges. Based on the suggestions received, there is a proposal to establish a broad based Judicial Appointments Commission. However, no decision has been taken by the Government so far.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

JR Desk

LOK SABHA
UNSTARRED QUESTION NO.4880

TO BE ANSWERED ON THURSDAY 25TH APRIL, 2013

Mobile Courts

+ 4880. SHRI YASHBANT N.S. LAGURI:

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

(a) whether the Union Government has taken any action to set up mobile courts in backward areas in Odisha;

(b) if so, the details thereof along with the names of the locations where such courts are located; and

(c) if not, the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(DR. ASHWANI KUMAR)

(a) to (c): Under the provisions of the Constitution, primary responsibility for establishment of subordinate courts in the States, rests with the respective State Government. As per information received from the State Government, no exclusive mobile courts have been set up in backward areas of Odisha. However, State Government has set up eight Gram Nyayalayas which are holding mobile courts in remote areas within their jurisdiction in terms of Section 9(1) of the Gram Nyayalayas Act, 2008. These Gram Nyayalayas are located at eight places, namely, Puri, Lakhanpur, Rajnagar, Junagarh, Sankhemundi, Similiguda, Ghasipura and Kolnara.

NM

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

LOK SABHA
UNSTARRED QUESTION NO. 4902
TO BE ANSWERED ON THURSDAY, THE 25TH APRIL, 2013

Mission Mode Programme for Disposal of cases

4902. SHRI AHIR VIKRAMBHAI ARJANBHAI MAADAM:

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

- (a) whether the Union Government has launched any mission mode programme for early disposal of cases;
- (b) if so, the details thereof and the progress made in effective implementation of the programme, State-wise;
- (c) whether there is any action plan for maximum use in Hindi and regional languages for the success of Gram Nyayalayas; and
- (d) if so, the details thereof ?

ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) & (b): The disposal of pending cases in Courts is within the domain of judiciary. The Government has set up a National Mission for Justice Delivery and Legal Reforms in August, 2011 to achieve twin goals of (i) increasing access by reducing delays and arrears; and (ii) enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing five strategic initiatives: (i) outlining policy and legislative changes (ii) re-engineering of procedures and court processes (iii) focussing on Human Resource Development, (iv) leveraging Information and Communication Technology & tools for better justice delivery and (v) Improving Infrastructure. The Mission has adopted a coordinated approach for phased liquidation of arrears and pendency in judicial administration which, *inter-alia*, involve better infrastructure for courts including computerisation, 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.

In the short span since it has come into existence, the Mission has taken several steps in each of the five strategic areas. Constitution Amendment Bill for raising the retirement age of High Court Judges is before the Parliament. A comprehensive proposal has been formulated for constitution of All India Judicial Service (AIJS). All the 28 States have formulated their Litigation Policies with a view to reduce the Governmental litigation. An Inter-Ministerial Group (IMG) constituted to suggest necessary amendments to the Negotiable Instruments (NI) Act along with other policy and administrative measures to check increasing litigation relating to cheque bounce cases, has recommended measures including procedural and legislative changes to reduce number of cheque bounce cases.

An important aspect of the judicial reforms relates to re-engineering court procedures and court processes for early disposal of cases. A comprehensive scheme of National Court Management Systems (NCMS) has been formulated and notified by Hon'ble Supreme Court of India. Under the NCMS, a National Framework of Court Excellence (NFCE) has been prepared, which shall set measurable standards of performance for courts addressing the issues of quality, responsiveness and timeliness.

With a view to enhancing resources of the State Governments, Government has increased the central share by revising the funding pattern from 50:50 to 75:25 (for States other than North Eastern States) under modified Centrally Sponsored Scheme for development of infrastructure facilities for the judiciary from the year 2011-12 onwards. The funding pattern for North-Eastern States has been kept as 90:10 with effect from 2010-11. Central assistance amounting to over Rs. 2,549 crore has been released to States / Union Territories since the inception of the Scheme. Out of this, over Rs. 708 crore has been released in 2012-13. Besides, Rs.2,800 crore has been sanctioned by States / Union Territories for construction of Court buildings and residential quarters of Judges between July 2010 and September 2012. Construction of 234 courts buildings and 254 residential quarters was completed during the period.

The Government of India had launched a pendency reduction drive from July 2011 to December, 2011. As per feedback received from various High Courts, total

pendency was reduced by over 8 lakh cases, out of which about 1.36 lakh cases belonged to the senior citizens, disabled, minors and marginalized sections of society. The pendency of civil and criminal cases in subordinate courts has come down to 2,68,51,766 as on 31.03.2012 in comparison to pendency of 2,75,48,070 one year before i.e. as on 31.03.2011. State-wise pending cases in the subordinate courts as on 31.03.2011 and as on 31.03.2012 are given in the Statement **Annexed**.

(c) & (d): Under Section 29 of the Gram Nyayalayas Act 2008, proceedings before the Gram Nyayalaya and its judgment can, as far as practicable, be conducted in one of the official languages of the State other than the English language.

M-Cell

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
(DEPARTMENT OF JUSTICE)
L O K S A B H A
UNSTARRED QUESTION NO. 4930**

TO BE ANSWERED ON THURSDAY, THE 25TH APRIL, 2013

Women Judges

**+4930. SHRI BALIRAM JADHAV:
DR. SANJEEV GANESH NAIK:
SHRI SANJAY DINA PATIL:**

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

- (a) whether Fast Track Courts have been set up in the States in which women judges have also been appointed to hear the cases of crimes and harassment related to women on fast track basis;**
- (b) if so, the details thereof along with the number of women judges in various Courts, State-wise;**
- (c) whether the Union Government will ensure that other States also set up such Fast Track Courts; and**
- (d) if so, the details thereof?**

**A N S W E R
MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)**

(a)to(d) The Courts at subordinate level are set up by the State Governments in consultation with the respective High Court. Government has requested the Chief Justices of all the High Courts and all the Chief Ministers to set-up Fast Track Courts for concluding trial in rape cases. It is for the State Governments to decide and establish Fast Track Courts including Courts with women judges looking to their availability and requirement. As per information available, as on December 2012, 796 fast track courts have been functioning in 18 States.

Details regarding the women judges are not maintained. However, 212 Family Courts have been established in the States. As per Section 4(4)(b) of the Family Courts Act, 1984, preference is given to women in selecting persons for appointment as judges.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

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LOK SABHA

UNSTARRED QUESTION NO. 4942

TO BE ANSWERED ON THURSDAY, THE 25TH APRIL, 2013

Constitution of Committee for women in SC

4942, SHRI TARACHAND BHAGORA

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

- (a) Whether the Hon'ble Supreme Court (SC) is likely to set up a grievance committee and redressal mechanism as envisaged in the Vishaka judgement to redress the complaint by any person who has been subjected to any form of sexual harassment in the workplace in the entire precincts of the Supreme Court; and
- (b) If so, the details thereof?

ANSWER

MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)

(a) & (b) The Complaints Committee constituted in 2007 in the Supreme Court by the Registry to prevent sexual harassment against women in pursuance of the directions of the Supreme Court in Vishaka and Ors vs. State of Rajasthan and Ors. has been reconstituted vide order dated 21.03.2013 in the Writ Petition (C) No. 162 of 2013 (Binu Tamta & Anr. vs. High Court of Delhi & Ors).

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

**LOK SABHA
UNSTARRED QUESTION NO. 4946
(TO BE ANSWERED ON 25.04.2013)**

Justice Delivery System

**4946. SHRI BASUDEB ACHARIA:
SHRIMATI ANNU TANDON:**

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

- (a) whether the Government is contemplating any plan of action to address people's grievances against the slow paced justice delivery system in the country;**
- (b) if so, the details thereof;**
- (c) if not, the reasons therefor;**
- (d) whether the Government is considering allowing e-petitions and e-filing of cases as part of an effort to speed up judicial processes and to modernise judicial system through digital technology; and**
- (e) if so, the details thereof?**

**ANSWER
MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)**

(a) to (c): The disposal of pending cases in Courts is within the domain of Judiciary. The Government has set up a National Mission for Justice Delivery and Legal Reforms in August, 2011 to achieve twin goals of (i) increasing access by reducing delays and arrears; and (ii) enhancing accountability through

structural changes and by setting performance standards and capacities. The Mission has been pursuing five strategic initiatives: (i) outlining policy and legislative changes (ii) re-engineering of procedures and court processes (iii) focussing on Human Resource Development, (iv) leveraging Information and Communication Technology & tools for better justice delivery and (v) Improving Infrastructure. The Mission has adopted a coordinated approach for phased liquidation of arrears and pendency in judicial administration which, *inter-alia*, involve better infrastructure for courts including computerisation, 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.

In the short span since it has come into existence, the Mission has taken several steps. An Inter-Ministerial Group (IMG) constituted to suggest necessary amendments to the Negotiable Instruments (NI) Act along with other policy and administrative measures to check increasing litigation relating to cheque bounce cases, has recommended measures including procedural and legislative changes to reduce number of cheque bounce cases. An important aspect of the judicial reforms relates to re-engineering court procedures and court processes for early disposal of cases. A comprehensive scheme of National Court Management Systems (NCMS) has been formulated and notified by Hon'ble Supreme Court of India. Under the NCMS, a National Framework of Court

Excellence (NFCE) has been prepared, which shall set measurable standards of performance for courts addressing the issues of quality, responsiveness and timeliness. With a view to enhancing resources of the State Governments, Government has increased the central share by revising the funding pattern from 50:50 to 75:25 (for States other than North Eastern States) under modified Centrally Sponsored Scheme for development of Infrastructure facilities for the Judiciary from the year 2011-12 onwards. The funding pattern for North-Eastern States has been kept as 90:10 with effect from 2010-11. The Government of India had launched a pendency reduction drive from July 2011 to December, 2011. As per feedback received from various High Courts, total pendency was reduced by over 6 lakh cases, out of which about 1.36 lakh cases belonged to the senior citizens, disabled, minors and marginalized sections of society. The pendency of civil and criminal cases in subordinate courts has come down to 2,68,51,766 as on 31.03.2012 in comparison to pendency of 2,75,48,070 one year before i.e. as on 31.03.2011.

(d) & (e): The Government is implementing the eCourts Integrated Mission Mode Project for computerisation of 14,249 District & Subordinate Courts and for upgradation of ICT infrastructure in Supreme Court and High Courts. As on 31st March 2013, 12,233 district & subordinate courts have been computerized.

The Project envisages delivery of a number of services such as filing and registration of cases, generation of automated

causelists, uploading of judgments etc. Some of these services are already being delivered to the citizens in different courts. Allowing e-petitions and e-filing of cases has not as yet been provided for in the ongoing eCourts Mission Mode Project.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

**LOK SABHA
UNSTARRED QUESTION NO.4978**

TO BE ANSWERED ON 25.04.2013

Bench of High Courts

4978. SHRI MAHENDRA KUMAR ROY:

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

- (a) the present position of establishment of Circuit Branch of Calcutta High Court at Jalpaiguri, West Bengal;
- (b) whether it will be opened in the Zilla Parishad Bungalow and if so, the details thereof and the reasons therefor;
- (c) whether construction of a new building has been started to accommodate the circuit Branch; and
- (d) if so, the details thereof and the funds sanctioned by the Union Government therefor?

ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) to (d) : A group of five (5) Judges of the Calcutta High Court has visited Jalpaiguri to assess the adequacy of infrastructure both temporary as well as permanent, for starting the Circuit Bench. Their assessment has been that the temporary infrastructure made ready by the State Government, is not adequate to take care even of the minimum number of Judges and their staff required for the Circuit Bench. The residential facilities are also inadequate even for the sanctioned number of staff let alone the actual required number.

As for the construction of new permanent building for the Circuit Bench, boundary wall alone has been constructed. The work for the main court building and residential bungalows for Judges, has not commenced. The Bench will be established after receiving confirmation from the Calcutta High Court as to the availability of necessary infrastructure for operationalising the Bench.

The funds for the Circuit Bench would be provided by the State Government of West Bengal.

M. Cell

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

**LOK SABHA
UNSTARRED QUESTION NO. 5007**

TO BE ANSWERED ON THURSDAY, THE 25TH APRIL, 2013

Fast Track Courts

**+5007. SHRI JEETENDRA SINGH BUNDELA
SHRI A.T.NANA PATIL:
DR. MAHENDRASINH P. CHAUHAN:
SHRI SIVASAMI C.:
SHRI P.T. THOMAS:**

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

- (a) the number of Fast Track Courts functioning in the country as on December, 2012, State-wise;**
- (b) whether a demand for reconstitution of Fast Track Courts was made during the recent conference of Chief Ministers and Chief Justices;**
- (c) If so, the details thereof including the States which have made the said demand;**
- (d) whether the Government proposes to grant financial assistance to the States for the said purpose; and**
- (e) if so, the details thereof?**

**A N S W E R
MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)**

- (a) As per information received from the Registries of the High Courts/ State Governments, the number of Fast Track Courts functioning in the country is at Annex.**
- (b)&(c) In the Conference of Chief Ministers and Chief Justices of High Courts held on 7/4/2013, establishment of Fast Track Courts was discussed and It was decided that the State Governments shall, in consultation with the Chief Justices**

of the respective High Courts, take immediate steps to establish a number of Fast Track Courts relating to offences against women, children, differently-abled persons, senior citizens and marginalized sections of society. It was also decided that the State Governments shall provide adequate funds for the purpose of creating and continuing the Fast Track Courts.

(d)&(e) Government has approved making available upto Rs. 80 crore per annum on a matching basis upto 31/3/2015 from out of the amount allocated (Rs. 500 crore per annum) for morning/evening/shift courts in the 13th Finance Commission Award for Judiciary, for meeting the expenditure on 10% additional positions of judges to be created in the State Judicial Services in pursuance of the judgement of the Supreme Court in Brij Mohan Lal case.

**STATEMENT REFERRED TO IN REPLY TO PART (a) OF LOK SABHA UNSTARRED
QUESTION NO. 5007 ON 25/4/2013**

The number of Fast Track Courts functioning as on December, 2012.

Sl. No.	Name of the state	No. of FTCS functioning as on December 2012
1	2	3
1	Andhra Pradesh	108
2	Arunachal Pradesh	3
3	Assam *	20
4	Bihar	183
5	Goa	4
6	Haryana	7
7	Himachal Pradesh	9
8	Karnataka	93
9	Kerala	38
10	Maharashtra	100
11	Manipur *	2
12	Meghalaya	3
13	Mizoram	2
14	Nagaland *	2
15	Odisha	35
16	Punjab	15
17	Uttarakhand **	22
18	West Bengal	150
	Total	796

* - Information upto 10/12

** - information upto 6/12

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

LOK SABHA

UNSTARRED QUESTION NO. 5008

TO BE ANSWERED ON THURSDAY, THE 25.04.2013

Appointment Process of Judges

+5008. SHRI HARSH VARDHAN:
DR. KIRODI LAL MEENA:
DR. M. THAMBIDURAI:
SHRI P.L. PUNIA:
SHRI R. THAMARASELVAN:

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

- (a) whether the Government proposes to bring a comprehensive bill to amend the appointment process of judges and deal with the complaints of corruption against judges;
- (b) if so, the details thereof; and
- (c) if not, the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(DR. ASHWANI KUMAR)

(a) to (c) : The appointment of Judges to High Courts and Supreme Court is based on a Memorandum of Procedure for Appointment of Judges of Supreme Court and High Courts prepared in 1998 pursuant to the Supreme Court Judgement of October 6, 1993 read with their Advisory Opinion of October 28, 1998. Representations have been made by various agencies and expert bodies to review/change the present procedure of appointment of judges. Based on the suggestions received, there is a proposal to establish a broad based Judicial Appointments Commission. However, no decision has been taken by the Government so far.

At present, as per the 'in-house mechanism' of higher judiciary, the Chief Justice of India (CJI) 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 (CJHs) are competent to receive complaints against the conduct of the Judges

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of their courts. Further, the Government has moved a Bill called the Judicial Standards and Accountability Bill, which provides for a comprehensive mechanism for handling complaints made by citizens on grounds of alleged misbehavior and incapacity against judges of the Supreme Court and High Courts and for taking action against those found guilty after investigation. The Bill also lays down judicial standards and makes it incumbent on the Judges to declare their assets/liabilities.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Justice-I

LOK SABHA

UNSTARRED QUESTION NO.5019

TO BE ANSWERED ON THURSDAY, THE 25th APRIL, 2013

Facilities for Quasi Judicial Bodies

5019. SHRI ASADUDDIN OWAISI:

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

(a) whether the Supreme Court has made any remarks that the Union Government is not providing facilities to courts and quasi judicial bodies;

(b) if so, the details thereof;

(c) whether the Government has failed to bring uniformity in service conditions and infrastructural facilities for Chairperson, Presidents, Members of Tribunals and quasi judicial bodies in spite of assurances given to the courts in this regard;

(d) if so, the reasons therefor; and

(e) the steps taken or being taken by the Government to provide these facilities to these bodies?

ANSWER

MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)

(a) to (e) : In pursuance of the judgments of the Supreme Court of India in L. Chandra Kumar's case (AIR 1997 S.C. 1125 to 1155) and Civil Appeal No.3067 of 2004 – Union of India vs R. Gandhi, a proposal to bring all Tribunals under the administrative control of a single nodal agency and having uniformity of appointments and service conditions has been considered and inter-ministerial consultations held. There was, however, no consensus possible.

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The Apex Court in the Writ Petition (Civil) No.120/2012 – Rajiv Garg vs. UOI has also been hearing a related matter where the Court passed an order that decision may be taken on the uniformity of tenure, uniformity/parity of age of retirement and uniformity of conditions of service of judicial members and chairmen of tribunals operating at the national level, including uniformity in the matter of provision of government accommodation. Since consensus in this respect has remained elusive in the past, Government has constituted a Group of Ministers (GoM) on 13.03.2013. The GoM will consider and examine all issues relating to uniformity of retirement age, conditions relating to the tenure of appointment/re-appointment and provisions concerning residential and office accommodation for quasi-judicial/regulatory bodies/tribunals, etc. manned by the sitting/retired Judges of the Supreme Court/High Courts keeping in view all related aspects including the issues that have arisen in different cases before the Supreme Court and functions entrusted to such bodies.

M. Cell

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
(DEPARTMENT OF JUSTICE)
L O K S A B H A
STARRED QUESTION NO. 517**

TO BE ANSWERED ON THURSDAY, THE 2ND MAY, 2013

Judicial Reforms

***517. SHRI ASADUDDIN OWAISI:
DR. M. JAGANNATH:**

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

- (a) whether any meeting of Chief Ministers and Chief Justices of the High Courts was held recently in New Delhi to discuss judicial reforms in the country;**
- (b) if so, the details thereof including the issues discussed and the decisions taken thereon;**
- (c) the steps taken/proposed to be taken by the Union Government on the decisions taken during the meeting;**
- (d) whether the Government proposes to allocate more funds to the States for establishing courts and appointment of judges in the country; and**
- (e) if so, the details thereof?**

**A N S W E R
MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)**

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

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 517 FOR 2/5/2013 REGARDING JUDICIAL REFORMS

(a)to(e): Yes, Madam; A Conference of Chief Ministers of States and Chief Justices of High Courts was held on 7th April, 2013 in New Delhi. Issues discussed included steps required to reduce pendency of cases in courts, their speedy trial including through setting up of Fat Track Courts and morning/evening/ shift/holiday/ special courts, sensitisation of judiciary on gender issues, computerization of courts including the establishment of a National Judicial Data Grid, All India Judicial Service, filling up of vacancies in Courts, development of infrastructure of courts, strengthening of Legal Aid Services, Alternate Dispute Redress mechanism and Juvenile Justice System etc.

The Conference has made a number of decisions. It has been resolved that the State Governments would, in consultation with the respective High Courts, take steps to establish Fat Track Courts for handling cases involving offences against women, children, differently disabled persons, senior citizens and marginalized sections of society and would provide funds for this purpose. In order to narrow down judge-population ratio, the State Governments in consultation with Chief Justices will take requisite steps for creation of new posts of judicial officers at all levels with support staff and requisite infrastructure. It would take urgent steps to fill vacancies in the subordinate courts.

It has been left to the State Governments and the High Courts to decide on the establishment of Gram Nyayalayas, wherever feasible as well as consider establishment and continuation of morning/evening/ shift/holiday/ special courts after taking into account geographical and other conditions. It has also been decided that the formation of All India Judicial Service needs further deliberation and consideration.

Central Government will continue to provide funds for infrastructure development of the subordinate judiciary, for which a provision of Rs.4,867 crore has been made in the 12th Five Year Plan. The Government is fully funding the eCourts Mission Mode Project under which 14,249 District and subordinate Courts are being computerized by 31st March 2014, out of which 12,233 courts have already been computerized by 31st March, 2013.

Government has also approved making available upto Rs. 80 crore per annum on a matching basis upto 31/3/2015 from out of the amount allocated (Rs. 500 crore per annum) for morning/evening/shift courts in the 13th Finance Commission Award for judiciary, for meeting the expenditure on 10% additional positions of judges to be created in the State Judicial Services in pursuance of the judgement of the Supreme Court in Brij Mohan Lal case.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

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LOK SABHA
UNSTARRED QUESTION NO.5757

TO BE ANSWERED ON THURSDAY 2ND MAY, 2013

Shortage of Courts and Judges

+ 5757. KUMARI SAROJ PANDEY:

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

- (a) whether acute shortage of lower courts and judges in the country at present - due to which delivery of justice is delayed to public and they have to face several difficulties; and
- (b) if so, the plan chalked out by the Union Government to deal with this problem so that courts may be set up in adequate number and benefits of speedy justice may be delivered to public?

ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) & (b): Backlog and pendency of cases in courts is a major problem affecting dispensation of timely justice. The pendency in courts is not declining because filing of cases is either equal or more than the disposal. Since shortage of judges is one of the reasons affecting disposal, Government has decided in May, 2012 that number of judges in the subordinate judiciary needs to be doubled in five years. This decision has been endorsed by the judiciary and Hon'ble the Chief Justice of India has written to the Chief Justices of High Courts in February, 2013 to take it up with the State Governments so that the annual outlay by States on subordinate judiciary is increased. Lately, the Conference of Chief Ministers and Chief Justices of High Courts held on 07th April, 2013, has also resolved that in order to improve the judge-population ratio, State Governments in consultation with the Chief Justices of respective High Courts will take requisite steps for creation of new post of judicial officers at all levels with support staff and requisite infrastructure. The Central Government on its part has committed to continue financial support to States for infrastructure and computerization of subordinate courts.

M. cell

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
(DEPARTMENT OF JUSTICE)
L O K S A B H A
UNSTARRED QUESTION NO. 5808**

TO BE ANSWERED ON THURSDAY, THE 2ND MAY, 2013

Rape Cases

**5808. SHRI SOMEN MITRA:
SHRI JAGADANAND SINGH:
SHRI S.R. JEYADURAI:
SHRI BADRUDDIN AJMAL:
SHRI D.B.CHANDRE GOWDA:**

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

- (a) whether the Government is aware that a large number of rape cases are pending in Apex Court and other lower courts;**
- (b) if so, the details thereof, court-wise along with the reaction of the Government thereto and the reasons therefor; and**
- (c) the details of other steps taken/being taken by the Government for speedy trial of the aforesaid pending cases?**

**A N S W E R
MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)**

(a)to(c): Information is being collected and will be laid on the Table of the House.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO.5841

TO BE ANSWERED ON THURSDAY 2ND MAY, 2013

Gram Nyayalayas

5841. SHRI NITYANANDA PRADHAN:
SHRI DHARMENDRA YADAV:
SHRI ANANDRAO ADSUL:
SHRIMATI KAMLA DEVI PATLE:
SHRI ADHALRAO PATIL SHIVAJI:
SHRI MADHU GOUD YASKHI:
SHRI GAJANAN D.BABAR:

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

- (a) whether the Government has any proposal to set up Gram Nyayalayas to deliver speedy, effective and affordable justice at the doorsteps of the people and to reduce the pendency of cases;
- (b) if so, the details and present status thereof;
- (c) whether the Union Government had requested the States for speedy implementation of the Gram Nyayalaya Act;
- (d) if so, the details of the demands of States for implementation of the Gram Nyayalaya Act, State/UT-wise and the action taken by the Union Government thereon;
- (e) the Central assistance provided to each State and UT for setting up of Gram Nyayalaya, during the last three years and the current year; and
- (f) the time by which the Gram Nyayalayas' are likely to be made functional in all the States?

ANSWER

MINISTER OF LAW AND JUSTICE

(DR. ASHWANI KUMAR)

(a) to (f) : The Gram Nyayalayas Act, 2008 provides for establishment of Gram Nyayalayas at intermediate Panchayat level to improve access to justice for the common man. The Act has come into force with effect from 2nd October, 2009.

Contd...2/-

In terms of Section 3(1) of the Gram Nyayalayas Act, 2008, it is for the State Governments to establish Gram Nyayalayas in consultation with the respective High Courts. As per information available, 172 Gram Nyayalayas have been notified by nine State Governments of which 152 Gram Nyayalayas have become operational. State-wise progress of setting up of Gram Nyayalayas and amounts provided during the last three years to the States for meeting non-recurring as well as recurring expenditure is as under:

(Rs. in lakh)

Sl. No.	State	Gram Nyayalayas notified	Gram Nyayalayas operational	2010-11	2011-12	2012-13
1	Madhya Pradesh	89	89	745.40	156.80	0.0
2	Rajasthan	45	45	0.0	144.00	243.0
3	Orissa	14	8	0.0	110.60	0.0
4	Karnataka	2	0	0.0	25.20	0.0
5	Maharashtra	10	10	0.0	9.6	15.8
6	Jharkhand	6	0	0.0	0.0	75.60
7	Goa	2	0	0.0	0.0	25.20
8	Punjab	2	0	0.0	0.0	25.20
9	Haryana	2	0	0.0	0.0	25.20
	Total	172	152	745.40	446.20	410.0

No amount has been released so far under Gram Nyayalayas Scheme during the current financial year (2013-14).

Central Government has been making regular requests to the Chief Ministers of States and Chief Justices of High Courts for establishment of Gram Nyayalayas in the respective States. The issues affecting the implementation of the Gram Nyayalayas Act were recently discussed in the Conference of Chief Justices of the High Courts and Chief Ministers of the States on 7th April, 2013. While the States of Karnataka, Kerala, Odisha, Maharashtra, West Bengal and

Contd...3/-

Uttar Pradesh supported establishment of Gram Nyayalayas, States of Gujarat, Assam, Haryana, Madhya Pradesh and Jammu & Kashmir were of the view that the Scheme would not make much impact in their States. The States of Karnataka and Andhra Pradesh were of the view that the jurisdiction of the Gram Nyayalayas overlap the jurisdiction of the regular Courts. It has inter-alia been decided by the Conference that the State Governments and High Courts should decide the question of establishment of Gram Nyayalayas, wherever feasible, taking into account their local problems. In the context of the decision to double the number of courts in the country at the subordinate level, regular Courts be set up at each Taluka, if not already set up, and in which case establishment or continuation of Gram Nyayalaya will have to be factored in, on a need basis.

M. cell

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
(DEPARTMENT OF JUSTICE)
L O K S A B H A
UNSTARRED QUESTION NO. 5846**

TO BE ANSWERED ON THURSDAY, THE 2ND MAY, 2013

Fast Track Court for Children and Senior Citizens

5846. SHRI R. THAMARASELVAN:

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

- (a) whether the Government is considering to set up fast track courts for children and senior citizens;**
- (b) If so, the details thereof;**
- (c) the time by which these courts are likely to be set up; and**
- (d) If not, the reasons therefor?**

**A N S W E R
MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)**

(a)to(d): The Conference of Chief Ministers and Chief Justices of High Courts held on 7/4/2013 has resolved that the State Governments would, in consultation with the Chief Justice of the respective High Court, take steps to establish Fast Track Courts for handling cases involving offences against women, children, differently-abled persons, senior citizens and marginalized sections of society. It has further resolved that State Governments would provide funds for this purpose.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

LOK SABHA
UNSTARRED QUESTION NO.5861

TO BE ANSWERED ON 02.05.2013

Benches of High Courts

5861.DR. THOKCHOM MEINYA:
SHRI E.G. SUGAVANAM:

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

- (a) whether there is any proposal to set up High Court for every State;
- (b) if so, the details thereof and if not, the reasons therefor;
- (c) the number of Judges appointed to the recently set-up High Courts of Manipur and Tripura respectively;
- (d) whether there is any criteria for deciding the number of Judges for a High Court; and
- (e) if so, the details thereof?

ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) & (b) : Article 214 of the Constitution provides that there shall be a High Court for each State. There are currently 28 States in the country and 24 High Courts, details of which are given at Annex. As may be seen, States of Punjab and Haryana have a common High Court at Chandigarh while Bombay High Court has jurisdiction over the States of Maharashtra and Goa.

Three North-Eastern States, namely, Arunachal Pradesh, Mizoram and Nagaland do not have a High Court because infrastructure for High Courts is not ready.

...2/-

(c) to (e) : Against the sanctioned strength of 04 Permanent Judges (including Chief Justice) each for both the High Courts of Manipur and Tripura, 01 Permanent Judge and Chief Justice have been appointed in Manipur High Court and 03 Permanent Judges and Chief Justice have been appointed in the High Court of Tripura.

The strength of Judges for the High Courts of Manipur and Tripura has been determined by the Government in consultation with the Supreme Court of India. While determining the Judges strength for these High Courts, factors such as, statistical data of institution, disposal and pendency of cases in the erstwhile Benches of Gauhati High Court at Manipur and Tripura, have been duly considered.

Annex referred to in reply to part (a) & (b) of Lok Sabha Unstarred Question No.5861 to be answered on 02.05.2013

**NAME OF HIGH COURTS, THEIR PRINCIPAL SEATS,
BENCHES AND THEIR JURISDICTION**

Sl. No.	High Court	Principal Seat	Jurisdiction
1	Allahabad	Allahabad	Uttar Pradesh
2	Andhra Pradesh	Hyderabad	Andhra Pradesh
3	Bombay	Mumbai	Maharashtra; Goa; Daman & Diu; Dadra & Nagar Haveli;
4	Calcutta	Kolkata	West Bengal & Andaman & Nicobar Islands
5	Chattisgarh	Bilaspur	Chattisgarh
6	Delhi	New Delhi	NCT of Delhi
7	Gauhati	Guwahati	Assam, Nagaland, Mizoram, & Arunachal Pradesh.
8	Gujarat	Sola (Ahmedabad)	Gujarat
9	Himachal Pradesh	Shimla	Himachal Pradesh
10	Jammu & Kashmir	Jammu & Srinagar	Jammu & Kashmir
11	Jharkhand	Ranchi	Jharkhand
12	Karnataka	Bangalore	Karnataka
13	Kerala	Kochi	Kerala & Lakshadweep Islands
14	Madhya Pradesh	Jabalpur	Madhya Pradesh
15	Madras	Chennai	Tamil Nadu & Pondicherry
16	Orissa	Cuttack	Orissa
17	Patna	Patna	Bihar
18	Punjab & Haryana	Chandigarh	Punjab, Haryana & Chandigarh
19	Rajasthan	Jodhpur	Rajasthan
20	Sikkim	Gangtok	Sikkim
21	Uttarakhand	Nainital	Uttarakhand
22	Manipur	Imphal	Manipur
23	Meghalaya	Shillong	Meghalaya
24	Tripura	Agartala	Tripura

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

JR. Desk

LOK SABHA
UNSTARRED QUESTION NO.5865

TO BE ANSWERED ON THURSDAY 2ND MAY, 2013

Lack of basic facilities in Court Room

5865. SHRI RUDRA MADHAB RAY:

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

(a) whether it is a fact that there is a shortage of sufficient place and basic facilities in court room causing delay in timely providing justice; and

(b) if so, the details thereof and the steps proposed by the Government to provide better facilities for judicial staff in the Court cases?

ANSWER

**MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)**

(a) & (b): Inadequacy of judicial infrastructure is one of the factors affecting timely delivery of justice. Development of judicial infrastructure in the subordinate courts is the primary responsibility of State Governments. In order to augment their resources, a Centrally Sponsored Scheme (CSS) for development of infrastructural facilities for judiciary has been in operation since 1993-94. Under the Scheme, central grants were provided on a matching sharing basis prior to its modification in 2011. Since then, Central Government has increased its share by revising the funding pattern from 50:50 to 75:25 (for States

Contd.../2-

other than North Eastern States) under modified CSS for development of infrastructure facilities for the judiciary with effect from 2011-12 onwards. The funding pattern for North-Eastern States has been kept as 90:10 w.e.f 2010-11. The modified Centrally Sponsored Scheme covers subordinate courts only.

Prior to revision of the scheme, Rs. 1245 crore was released to States/UTs from 1993-94 to 2010-11. After revision of the scheme, Rs. 1303 crore has been released during last two years (Rs. 595 crore in 2011-12 and Rs. 708 crore in 2012-13). Details of funds released to States/UTs upto 2012-13 are at **Annex**.

The matter relating to infrastructure development of judiciary is monitored by Hon'ble Supreme Court in the case of All India Judges Association. In the recent Conference of Chief Justices of High Courts held at New Delhi it has been decided that monitoring mechanism of district and state committees created under All India Judges Association case be made a permanent feature and that the Chief Justices of High Courts should actively utilize the said mechanism for ensuring timely proposals having standard approved building plans for creation, furnishing, maintenance and development of infrastructure of Court buildings and residences.

STATEMENT GIVING GRANTS RELEASED UNDER CENTRALLY SPONSORED SCHEME FOR INFRASTRUCTURAL FACILITIES FOR JUDICIARY

(Rs. in lakh)

Name of the State	Release from 1993-94 to 2010-11	Release in 2011-12	Release in 2012-13	Total release from 1993-94 to 2012-13
Andhra Pradesh	7683.45	1888.00	6393.00	15964.45
Bihar	4036.37	0.00	1524.00	5560.37
Chhattisgarh	2907.47	2097.00	0.00	5004.47
Goa	627.93	172.00	0.00	799.93
Gujarat	5371.42	0.00	9893.00	15264.42
Haryana	3516.42	2138.00	0.00	5654.42
Himachal Pradesh	1507.00	0.00	0.00	1507.00
Jammu & Kashmir	1687.60	1035.00	2572.00	5294.60
Jharkhand	1906.52	0.00	1500.00	3406.52
Karnataka	6536.85	2961.00	7610.00	17107.85
Kerala	3419.30	1169.00	1499.00	6087.30
Madhya Pradesh	6382.04	4403.00	2046.00	12831.04
Maharashtra	11131.62	12915.00	5920.24	29966.86
Orissa	5074.27	2416.00	1534.00	9024.27
Punjab	2677.92	0.00	7902.00	10579.92
Rajasthan	4188.51	1172.00	1042.00	6402.51
Tamilnadu	5835.46	0.00	1953.00	7788.46
Uttarakhand	1635.35	0.00	829.76	2465.11
UttarPradesh	17542.57	15659.00	9398.00	42599.57
West Bengal	6435.46	2518.00	0.00	8953.46
Total (A)	100103.53	50543.00	61616.00	212262.53
NE States				
Arunachal Pradesh	441.44	972.00	750.00	2163.44
Assam	5926.40	2890.00	2954.90	11771.30
Manipur	641.71	0.00	0.00	641.71
Meghalaya	297.00	0.00	0.00	297.00
Mizoram	1099.95	0.00	704.78	1804.73
Nagaland	3860.64	169.00	750.00	4779.64
Sikkim	1278.05	0.00	549.50	1827.55
Tripura	1097.25	0.00	1495.60	2592.85
Total (B)	14642.44	4031.00	7204.78	25878.22
UTs				
A&N Islands	395.55	500.00	0.00	895.55
Chandigarh	3400.95	500.00	0.00	3900.95
Dadra & Nagar Haveli	206.25	500.00	0.00	706.25
Daman & Diu	190.00	0.00	0.00	190.00
Delhi	3647.08	2250.00	2000.00	7897.08
Lakshadweep	51.25	0.00	0.00	51.25
Pondicherry	1896.88	1250.00	0.00	3146.88
Total (C)	9789.96	5000.00	2000.00	16789.96
Grand Total (A+B+C)	124535.93	59574.00	70820.78	254930.71

ANNEXURE TO IN REPLY TO PART (c) OF LOK SABHA UNSTARRED
QUESTION NO. 5869 FOR 2ND MAY, 2013

ANNEXURE - I

Sl. No	State/UT	Number of Deletions (Deceased Electors)
1	Andhra Pradesh	55981
2	Arunachal Pradesh	4422
3	Assam	3134
4	Bihar	569123
5	Chhattisgarh	149272
6	Goa	2339
7	Gujarat	80945
8	Haryana	25994
9	Himachal Pradesh	14786
10	Jammu and Kashmir	47742
11	Jharkhand	160791
12	Karnataka	173460
13	Kerala	138752
14	Madhya Pradesh	119913
15	Maharashtra	848538
16	Manipur	8437
17	Meghalaya	3800
18	Mizoram	5742
19	Nagaland	7120
20	Odisha	93228
21	Punjab	85903
22	Rajasthan	108819
23	Sikkim	1084
24	Tamil Nadu	546361
25	Tripura	18425
26	Uttarakhand	33375
27	Uttar Pradesh	113030
28	West Bengal	231734
29	Andaman & Nicobar Islands	0
30	Chandigarh (UT)	0
31	Daman and Diu	644
32	Dadra and Nagar Haveli	0
33	NCT of Delhi	2134
34	Lakshadweep	173
35	Puducherry	8152
	Country Total	3662333

**ANNEXURE TO IN REPLY TO PART (d) OF LOK SABHA UNSTARRED
QUESTION NO. 5869 FOR 2ND MAY, 2013**

ANNEXURE-

1. Appointment of BLO in each polling station for field verification.
2. Appointment of Booth Level Agents (BLAs)/Booth Level Volunteers to increase participation of local people in revision process.
3. The draft rolls are displayed at designated locations for information of the local people and inviting claims and objections.
4. Special campaign drives are done on specified days, which are normally holidays, for the general public.
5. A copy of draft roll and final roll is given to recognized political parties free of cost.
6. The roll is also read out in specially convened meetings of RWAs/Ward Sabha/Gram Sabha/municipal boards.
7. Draft roll and final rolls are put in public domain on the website of the CEO of the concerned state.
8. The Commission has developed Electoral Roll Monitoring System (ERMS) and Public Grievance Redressal System (PGRS) for monitoring of the electoral roll and complaints related to voter registration.
9. Celebrating 25th January (the Election Commission Foundation Day), as the National Voters Day every year.
10. Lists of dead persons are obtained from Registrars of Births and Deaths two times in a year and names of dead voters are deleted by the ERO of the AC concerned.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

LOK SABHA
UNSTARRED QUESTION NO.5912

TO BE ANSWERED ON THURSDAY, THE 02.05.2013

All India Judicial Services

5912. SHRI E.G. SUGAVANAM:
SHRI C.R. PATIL:

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

- (a) whether the Government has any proposal to set up All India Judicial Services on the lines of IAS and IPS;
- (b) if so, the details thereof including the time by which said Judicial Service is likely to be set up;
- (c) if not, the reasons therefor;
- (d) whether the proposal would help in bringing talent to higher judiciary; and
- (e) if so, the details thereof and the steps proposed to be taken thereon?

ANSWER

MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) to (e) : The Constitution was amended in 1977 to provide for an All India Judicial Service (AIJS) under Article 312 of the Constitution. There has been overwhelming support in favour of AIJS by the Law Commission in its Reports, the First National Judicial Pay Commission, Committee on Centre State Relations and Department Related Parliamentary Standing Committee. However, consensus on having AIJS has not been possible in the consultations held with the State Governments and the High Courts. The proposal was placed for consideration in the Conference of Chief Ministers of the States and Chief Justices of the High Courts held on 07th April, 2013. It has been decided that further consultation on the matter would be required with States and High Courts.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

PMU
LOK SABHA
UNSTARRED QUESTION NO.5913
TO BE ANSWERED ON 02.05.2013

E-Court

5913. SHRI P.K. BIJU:

SHRI NAVEEN JINDAL:

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

- the present status of E-Court Project for computerisation of district & subordinate courts in the country;
- the amount allocated, released and utilised for this project during the last three years along with the number of courts that have benefited under scheme, State and year-wise; and
- the time by which the said project is likely to be completed, State-wise?

ANSWER
MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a) to (c) : eCourts Integrated Mission Mode Project envisages computerization of 14,249 district and subordinate courts by 31st March 2014. As on 31st March 2013, 12,233 district & subordinate courts have been computerised. Balance 2,016 district and subordinate courts are proposed to be computerised by 31st March, 2014 subject to the sites being made ready in time.

The amount allocated, released and utilised in the last three years is as under:

(Rs. in Crores)				
Financial Year	Budget Estimate	Amount Released	Amount Spent	Courts Computerised
2010-11	120.00	119.896	136.60	5,244

(Rs. in Crores)				
Financial Year	Budget Estimate	Amount Released	Amount Spent	Courts Computerised
2011-12	297.00	90.00	132.21	3,093
2012-13	233.66	83.51	86.29	2,600

High Court wise details of the number of courts which have been computerised under the scheme are at Annex.

Annex

Computerisation Status: as on 31st March 2013.

Sl. No.	High Court	No. of Courts	
		Approved for computerisation	Computerised
1	Allahabad	2,053	1,914
2	Andhra Pradesh	937	652
3	Bombay	1,843	1981
4	Calcutta	759	770
5	Chhattisgarh	313	182
6	Delhi*	303	0
7	Gauhati	378	381
8	Gujarat	800	880
9	Jammu & Kashmir	172	131
10	Jharkhand	532	450
11	Karnataka	773	629
12	Kerala	402	348
13	Madhya Pradesh	1,018	1,052
14	Madras	779	539
15	Orissa	399	411
16	Patna	1,060	156
17	Punjab & Haryana	589	676
18	Rajasthan	789	786
19	Himachal Pradesh	108	100
20	Sikkim	10	10
21	Uttarakhand	232	185
	Total	14,249	12,233

*Courts computerised through other projects, not through eCourts.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 5916

TO BE ANSWERED ON THURSDAY, THE 2ND MAY, 2013

EVENING COURTS

5916. SHRI P.C.GADDIGOUDAR

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

- (a) whether evening courts in Karnataka and other states have worked successfully and Government proposes to extend the same to all States and if so, the details thereof;
- (b) whether proper infrastructure is available for proper functioning of these courts and if so, the details thereof; and
- (c) the funds allocation and utilization in this regard by the Union Government for the last two years and the current year, State/UT-wise?

ANSWER

MINISTER OF LAW AND JUSTICE

(DR. ASHWANI KUMAR)

(a) to (c) : On the recommendation of Thirteenth Finance Commission (FC-XIII), Government has allocated Rs. 2500 Crores for a period of five years (2010-15.) to State Governments including Government of Karnataka for morning/evening/shift/special judicial magistrate courts using the existing infrastructure to try petty cases and, thus, clear the backlog of cases and relieve pressure on judicial time. As per the information received from the State Governments, 1145 morning/evening/shift/special judicial magistrate courts have been setup in the country. As per the information given by the High Court of Karnataka no evening courts have been established in the Karnataka State.

Details of the funds released under Thirteenth Finance Commission for morning/evening/shift/special judicial magistrate courts to States during the last three years as well as their utilization in last three years are at Annex- I & II. Main reasons for lower utilisation of funds are:

- i. resistance to such courts from the Bar associations;
- ii. geographical and local constraints, particularly in North-Eastern and other States; and
- iii. non-availability of retired Judicial officers of appropriate status for manning these courts

Annex - I

Details of release of funds to States for Setting up of morning/evening/shift/special
judicial magistrate courts

(Rs. in Crores)

Sl. No.	State	Total Allocation	Released 2010-11	Released 2011-12	Released 2012-13
1	Andhra Pradesh	145.18	29.04	14.52	
2	Arunachal Pradesh	53.15	10.63		
3	Assam	45.31	9.06		
4	Bihar	214.32	42.86	21.43	
5	Chhattisgarh	54.56	10.91		
6	Goa	7.68	1.54		
7	Gujarat	161.17	32.23		16.12
8	Haryana	61.61	12.32	6.16	
9	Himachal	19.75	3.95	1.98	1.98
10	Jammu & Kashmir	32.61	6.52		3.26
11	Jharkhand	82.62	16.52		
12	Karnataka	136.71	27.34	13.67	
13	Kerala	67.42	13.48	6.74	
14	Madhya Pradesh	204.91	40.98	20.49	
15	Maharashtra	297.57	59.51	29.76	
16	Manipur	5.33	1.07		
17	Meghalaya	1.57	0.31		
18	Mizoram	6.27	1.25	0.63	
19	Nagaland	4.23	0.85		
20	Orissa	83.25	16.65	8.33	
21	Punjab	54.25	10.85		5.43
22	Rajasthan	129.34	25.87	12.93	
23	Sikkim	2.04	0.41		
24	Tamil Nadu	123.54	24.71		
25	Tripura	12.54	2.51		1.25
26	Uttar Pradesh	340.84	68.17	34.08	
27	Uttarakhand	42.8	8.56		4.28
28	West Bengal	109.43	21.89	10.94	
	All States Total	2500.00	500.00	181.66	32.31

Details of Utilization of funds to States for Setting up of morning/evening/shift/special judicial magistrate courts

(Rs.in Crores)

Sl. No.	State	Total Released till date	Utilization 2010-11	Utilization 2011-12	Utilization 2012-13
1	Andhra Pradesh	43.55	-	-	-
2	Arunachal Pradesh	10.63	-	-	-
3	Assam	9.06	0.08	-	-
4	Bihar	64.3	0.01	-	-
5	Chhattisgarh	10.91	-	-	-
6	Goa	1.54	-	-	-
7	Gujarat	48.35	-	-	-
8	Haryana	18.48	0.15	0.75	0.48
9	Himachal	7.9	-	0.03	-
10	Jammu & Kashmir	9.78	-	-	-
11	Jharkhand	16.52	-	-	-
12	Karnataka	41.01	-	-	-
13	Kerala	20.23	0.00	0.29	-
14	Madhya Pradesh	61.47	-	-	-
15	Maharashtra	89.27	2.70	5.24	2.19
16	Manipur	1.07	1.07	0.06	-
17	Meghalaya	0.31	-	-	-
18	Mizoram	1.88	-	-	-
19	Nagaland	0.85	-	-	-
20	Orissa	24.98	0.85	-	-
21	Punjab	16.28	0.15	-	-
22	Rajasthan	38.8	-	-	-
23	Sikkim	0.41	-	-	-
24	Tamil Nadu	24.71	0.05	0.09	0.40
25	Tripura	3.76	0.11	0.05	0.02
26	Uttar Pradesh	102.25	-	-	-
27	Uttarakhand	12.84	-	0.15	-
28	West Bengal	32.83	-	-	-
	All States Total	713.97	5.17	6.66	3.10

- Indicates information not received from the States.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Justice Sec.

LOK SABHA

UNSTARRED QUESTION NO.5922

TO BE ANSWERED ON THURSDAY, THE 2nd MAY, 2013

Number of Tribunals

5922. SHRI G.M. SIDDESHWARA:

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

- (a) the number of tribunals/appellate tribunals established so far in the country;
- (b) the total number out of them under the Ministry of Law and Justice;
- (c) whether the Government has any proposal to bring all the aforesaid tribunals/appellate tribunals under the Ministry of Law and Justice; and
- (d) if so, the details thereof?

ANSWER

MINISTER OF LAW & JUSTICE
(DR. ASHWANI KUMAR)

(a) & (b) : As per the information available, 62 Tribunals/Authorities have been established in the country, including two under the Ministry of Law and Justice.

(c) & (d) : In pursuance of the judgments of the Supreme Court of India in L. Chandra Kumar's case (AIR 1997 S.C. 1125 to 1155) and Civil Appeal No.3067 of 2004 – Union of India vs. R. Gandhi, proposal to bring all Tribunals under the administrative control of a single nodal agency has been considered and inter-ministerial consultations held. However, there was no consensus possible. Since consensus has remained elusive, Government has now constituted a Group of Ministers (GoM) on 13.03.2013 to consider and examine the issues involved.

Shri Y.P. (Consulvent)

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 5934

TO BE ANSWERED ON THURSDAY, THE 2ND MAY, 2013

COURT MANAGERS

5934. SHRI S.PAKKIRAPPA:

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

- (a) whether the Government is contemplating to appoint the Court Managers in order to help judges in completing cases, related primary formalities with a view to ensure early settlement of cases;
- (b) if so, the details thereof; and
- (c) the extent to which the appointment of Court Managers would benefit the common man and reduce the heavy backlog of pending cases in various courts?

ANSWER

MINISTER OF LAW AND JUSTICE

(DR. ASHWANI KUMAR)

(a) & (b) : With a view to enhance the efficiency of court management and resultant improvement in case disposal, Government has allocated Rs. 300 Crore to the States for creation of posts of professionally qualified Court Managers, on the recommendation of 13th Finance Commission. One court manager would be provided to assist judges in each Judicial District, two in each High Court and one for each Bench of the High Court.

(c): The Court Managers would provide support to judges and assist them in performing their administrative duties. This would allow more time to judges for performing the judicial functions and would thus, enable disposal of pending cases, to the benefit of the litigants.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

JR Desk

LOK SABHA
UNSTARRED QUESTION NO.5939

TO BE ANSWERED ON THURSDAY 2ND MAY, 2013

Allocation for Judiciary

5939. SHRI SURESH KALMADI:

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

(a) the details of the budgetary allocation for judiciary in the country during each of the last three years and the current year;

(b) whether the budget allocated for the judiciary is adequate and if not the reasons therefor;

(c) whether the Government has any proposal to increase the budget allocation for judiciary particularly in view of the need for evolving an appropriate technology to enable accessible and speedy justice;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE
(DR. ASHWANI KUMAR)

(a): The primary responsibility for providing budgetary allocation for subordinate judiciary rests with the respective State Government. The Central Government has been augmenting the resources of the State Governments in this regard inter-alia through Plan

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Schemes for infrastructure development and e-Courts Mission Mode Project. The details of budgetary allocations made for judiciary under the Plan Schemes being implemented by the Department of Justice in the last three years and current year are given at **Annex**.

(b) to (c): The Chief Justice of India has written in February, 2013 to the Chief Justices of High Courts in the context of doubling the number of subordinate courts, to take up the matter with the State Governments so that outlay by them (State Governments) for the judiciary is increased. This has been reiterated in the recent Conference of Chief Ministers and Chief Justices held at New Delhi on 7th April, 2013.

Against the budgetary allocation of Rs. 1487 crore in the 11th Five Year Plan, approved outlay of Department of Justice for the 12th Five Year Plan is Rs. 5802 crore, which is nearly three times higher than before.

ANNEX

Details of budgetary allocation and funds released by Department of Justice for Judiciary under Plan Schemes during the last three years and the allocation for the current year.

(As on 30/04/2013)

(Rs. in crores)

Sl. No.	Year	Budget Estimate (B.E.)	Actual release
1.	2010-11	280.00	277.41
2.	2011-12	1000.00	691.60
3.	2012-13	1050.00	798.26
4.	2013-14	1103.00	----