2021

RAJYA SABHA REPLIES

WINTER SESSION,2021 [255TH SESSION OF RAJYA SABHA] [29th November, 2021 to 23rd December, 2021. The House adjourned sine die on 22/12/2021]

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

A2J/LAP

RAJYA SABHA
UNSTARRED QUESTION NO-583
TO BE ANSWERED ON THURSDAY, THE 2ND DECEMBER, 2021

LEGAL AID TO THE POOR AND MARGINALISED SECTIONS

583.Smt. Ambika Soni:

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

(a) whether Government has any plan to render pro bono legal aid to the poor and marginalized sections of the society;

(b) if so, the details thereof and if not, the reasons therefor; and

(c) the steps taken by Government to ensure that the poor and marginalized sections get quality access to Justice?

ANSWER

MINISTER OF LAW & JUSTICE
(SHRI KIREN RIJIJU)

(a) to (c) The Legal Services Authorities (LSA) Act, 1987 provides free and competent legal services to the weaker sections of the society including beneficiaries covered under Section 12 of the Act to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities, and to organize Lok Adalats to secure that the operation of the legal system promotes justice on a basis of equal opportunities.

For this purpose, the legal services institutions have been setup from the Taluk Court level to the Supreme Court. During the period from April, 2021 to September, 2021, 3.10 lakhs persons have been provided with free legal services and 75.41 lakhs cases (pending in courts and disputes at pre-litigation stage) have been settled through Lok Adalats.

In addition, the Government has launched Nyaya Bandhu (Pro-bono Legal Services) programme to link the persons eligible to avail free legal aid under Section 12 of LSA Act, 1987 with the pro-bono lawyers. 3583 pro bono advocates have been registered under the programme and 1436 cases have been registered by the beneficiaries. Tele-law programme, being run by the Government provides legal advice to public including persons entitled for free legal aid under Section 12 of LSA Act, 1987, at pre-litigation stage by the Panel Lawyers through the Common Service Centre (CSC) at the Panchayats. Tele-law has served more than 12.5 lakh beneficiaries till date.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA NM

UNSTARRED QUESTION NO. 586
TO BE ANSWERED ON THURSDAY, THE 2ND DECEMBER, 2021

PENDENCY OF CASES BEFORE COURTS

586. SHRI DEREK O' BRIEN:

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

(a) the number of cases pending before the judiciary at each level (lower judiciary, High Courts and Supreme Court);
(b) the data on vacancy in the judiciary at each level;
(c) whether Government has taken steps to solve the issue of pendency of cases; and
(d) if so, the details thereof and, if not, the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a): The details of pendency in the judiciary is as under:-

Sl. No.	Name of Courts	Pendency as on
1	Supreme Court of India	70,038 (08.11.2021)*
2	High Courts	56,42,858 (29.11.2021)**
3	District & Subordinate Courts	3,79,42,466 (29.11.2021)**

Source
*Website of Supreme Court of India.
**National Judicial Data Grid (NJDG).

(b): The details of vacancy in the judiciary is as under:-

Sl. No.	Name of Courts	Vacancy as on
1	Supreme Court of India	01 (01.11.2021)*
2	High Courts	406 (01.11.2021)*
3	District & Subordinate Courts	5191 (29.11.2021)*

Source
*MIS Portal of Department of Justice

(c) & (d): Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no role in disposal of cases in courts. Timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. There are several other factors which may lead to delay in disposal of cases. These, inter-alia, include vacancies of judges, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary.

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

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

(i) **Improving infrastructure for Judicial Officers of District and Subordinate Courts:** As on date, Rs. 8,709.77 crores have been released since the

inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 20,565 as on 31.10.2021 and number of residential units has increased from 10,211 as on 30.06.2014 to 18,142 as on 31.10.2021 under this scheme. In addition, 2,841 court halls and 1,807 residential units are under construction. The Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary has been extended till 2025-26 at a total cost of Rs. 9000 crores, out of which Central share will be Rs. 5307 crores. Besides, construction of Court Halls and Residential Units, it would also cover construction of Lawyer's Halls, Toilet Complexes and Digital Computer Rooms.

(ii) **Leveraging Information and Communication Technology (ICT) for improved justice delivery:** Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased to 18,735 as on 01.07.2021. WAN connectivity has been provided to 98.7% of court complexes. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). As on 01.11.2021, litigants can access case status of over 19.56 crore cases and 15.72 crore order/judgements pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. With a view to handle the COVID- 19

challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-Sewa Kendras at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgements/orders, court/case related information and efiling facilities. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for efiling in various court complexes.

Fifteen Virtual Courts have been set up in 11 States/UTs viz. Delhi (2), Haryana, Tamil Nadu, Karnataka, Kerala (2), Maharashtra (2), Assam, Chhattisgarh, Jammu & Kashmir (2), Uttar Pradesh and Odisha to try traffic offences. As on 01.11.2021, these courts have handled more than 99 lakh cases and realised more than Rs.193.15 crore in fines.

Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Since Covid lockdown started, the District courts heard 1,01,77,289 cases while the High Court heard 55,24,021 cases (totalling to 1.57 crore) till 31.10.2021 using video conferencing only. The Supreme Court had 1,50,692 hearings since the lockdown period upto 29.10.2021.

(iii) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 29.11.2021, 44 Judges were appointed in Supreme Court. 688 new Judges were appointed and 583 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1098 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
29.11.2021	24,485	19,294

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

(iv) **Reduction in Pendency through / follow up by Arrears Committees:** In pursuance of Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts. In the past, Minister of Law & Justice has taken up the matter with Chief Justices of High Courts and Chief Ministers drawing their attention to cases pending for more than five years and to take up pendency reduction campaign. The Department has developed an online portal for reporting by all High Courts on the compliance of Arrears Eradication Scheme guidelines of the Malimath Committee Report.

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

(vi) **Initiatives to Fast Track Special Type of Cases:** The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution form 32% to 42% to meet such requirements. As on 31.10.2021, 914 Fast Track Courts are functional for heinous crimes, crimes against women and children etc. To fast track criminal cases involving elected

MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi). Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme for setting up of 842 FTSCs including 363 'exclusive POCSO Courts'. Rs.140 crore was released in the financial year 2019-20 and Rs. 160.00 crore has been released during the financial year 2020-21 for the scheme. 681 FTSCs are presently functional including 381 exclusive POCSO Courts, which disposed 64217 cases as on 31.10.2021. The continuation of the Scheme of FTSC has been approved for another two years (2021-23) at a total outlay of Rs. 1572.86 crore, including Rs. 971.70 crore as Central share.

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

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

A2J/LAP

RAJYA SABHA
UNSTARRED QUESTION NO-587
TO BE ANSWERED ON THE THURSDAY, THE 2nd DECEMBER, 2021

LEGAL AID CLINICS IN JAILS

587. Shri Partap Singh Bajwa:

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

(a) the number of Legal Aid Clinics in jails in the country, State-wise details thereof;

(b) the number of under-trial cases handled by Legal Aid Clinics in the country in 2019-20, 2020-21 and 2021-22, State-wise details thereof;

(c) the numbers and workings of Under Trial Review Committees, State-wise details thereof;

(d) the numbers of male and female under-trial cases in 2019-20, 2020-21 and 2021-22, State-wise details thereof; and

(e) the policy to deal with transgender under-trial cases?

ANSWER

MINISTER OF LAW & JUSTICE
(SHRI KIREN RIJIJU)

(a) and (b) A statement showing the number of Jail Legal Services Clinics in the country, State-wise as on September, 2021 and the number of persons provided legal assistance in Jails Legal Services Clinics during 2019-20, 2020-21 and 2021-22 (upto September, 2021) is at **Annexure-A**.

(c) The Under Trial Review Committees (UTRCs) have been constituted to review the cases of under-trials to keep a check on their unnecessary detention. A statement containing the number of UTRCs (State/UT-wise) is at **Annexure-B**. A statement containing the number of meetings of UTRCs held, number of Under-trial Prisoners/Convicts recommended/identified for bail/release and number of

inmates released during the years 2019, 2020 and 2021 (upto September, 2021) is at **Annexure-C**.

(d) State/UT-wise number of male and female under-trials lodged in jails as on 31.12.2019 is at **Annexure-D**. Latest published data by National Crime Records Bureau (NCRB) pertains to the year 2019.

(e) So far States/UTs of Bihar, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Karnataka, Manipur, Meghalaya, Odisha, Uttarakhand, Jammu & Kashmir and Ladakh provide free legal services to transgenders. In some State Legal Service Authorities, transgenders have also been empanelled as Para Legal Volunteers which has added to convenience of transgenders needing legal aid.

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Annexure-A

Statement as referred to in reply to Rajya Sabha Unstarred Question No. 587 for answering on 02.12.2021 raised by Shri Partap Singh Bajwa, MP - Legal Aid Clinics in Jails.

Statement showing the number of Jail Legal Services Clinics in the country as on September, 2021 and the number of persons provided legal assistance in Jail Legal Services Clinics during the years viz. 2019-20, 2020-21 and 2021-22 (upto September, 2021)

S.No	SLSA	No. of Jail Legal Services Clinics as on September, 2021	No. of persons provided Legal Assistance in Jail Legal Services Clinics		
			2019-20	2020-21	2021-22 (upto September, 21)
1	ANDAMAN & NICOBAR ISLANDS	0	0	0	0
2	ANDHRA PRADESH	82	5626	334	337
3	ARUNANCHAL PRADESH	5	64	32	40
4	ASSAM	31	2081	792	394
5	BIHAR	37	9780	9436	4835
6	CHHATISGARH	34	26597	4210	4345
7	DADRA & NAGAR HAVELI	1	0	0	0
8	DAMAN & DIU	1	0	0	0
9	DELHI	18	81609	87214	58964
10	GOA	1	555	118	57
11	GUJARAT	51	7486	887	1557
12	HARYANA	19	28981	561	1459
13	HIMACHAL PRADESH	12	4636	465	301
14	JAMMU & KASHMIR	14	933	196	244
15	JHARKHAND	29	7297	4537	2422
16	KARNATAKA	56	13371	5502	4318
17	KERALA	27	6077	1067	1008
18	LAKSHADWEEP	0	0	0	0
19	MADHYA PRADESH	123	4972	989	450
20	MAHARASHTRA	41	5919	1885	774
21	MANIPUR	2	239	102	110
22	MEGHALAYA	5	109	0	0
23	MIZORAM	6	790	328	85
24	NAGALAND	11	136	135	91
25	ODISHA	86	2822	2491	1219
26	PUDUCHERRY	4	76	105	314
27	PUNJAB	26	14833	5635	5850
28	RAJASTHAN	100	32679	4913	1832
29	SIKKIM	2	114	150	0
30	TAMIL NADU	125	2657	3727	3996
31	TELANGANA	35	6651	1290	622
32	TRIPURA	12	127	0	0
33	CHANDIGARH	1	476	382	559
34	UTTAR PRADESH	42	3391	555	187
35	UTTARAKHAND	10	3012	968	600
36	WEST BENGAL	64	23612	4031	1169
37	LADAKH	1	-	0	0
	Total	**1114**	**297708**	**143037**	**98139**

Annexure-B

Statement as referred to in reply to Rajya Sabha Unstarred Question No. 587 for answering on 02.12.2021 raised by Shri Partap Singh Bajwa, MP - Legal Aid Clinics in Jails.

Statement showing number of Under Trial Review Committees (State/UT-wise)

S. No.	STATE/UT	No. of UTRCs
1.	ANDHRA PRADESH	13
2.	ARUNACHAL PRADESH	17
3.	ASSAM	28
4.	BIHAR	37
5.	CHHATISGARH	23
6.	GOA	02
7.	GUJARAT	32
8.	HARYANA	22
9.	HIMACHAL PRADESH	11
10.	JAMMU & KASHMIR	20
11.	JHARKHAND	24
12.	KARNATAKA	30
13.	KERALA	14
14.	MADHYA PRADESH	50
15.	MAHARASHTRA	34
16.	MANIPUR	16
17.	MEGHALAYA	11
18.	MIZORAM	09
19.	NAGALAND	11
20.	ODISHA	30
21.	PUNJAB	22
22.	RAJASTHAN	36
23.	SIKKIM	04
24.	TELANGANA	10
25.	TAMIL NADU	32
26.	TRIPURA	08
27.	UTTAR PRADESH	71
28.	UTTARAKHAND	13
29.	WEST BENGAL	22
30.	A & N ISLANDS	01
31.	CHANDIGARH UT	01
32.	DADRA & NAGAR HAVELI	01
33.	DAMAN & DIU	01
34.	DELHI	11
35.	LAKSHADWEEP	01
36.	PUDUCHERRY	02
37.	LADAKH	02

Annexure-C

Statement as referred to in reply to Rajya Sabha Unstarred Question No. 587 for answering on 02.12.2021 raised by Shri Partap Singh Bajwa, MP - Legal Aid Clinics in Jails.

Statement containing the number of meetings of UTRCs held, number of Under-trial Prisoners/Convicts recommended/identified for bail/release and number of inmates released during the years 2019, 2020 and 2021 (upto September, 2021)

S.No.	STATE/UT	2019			2020			2021 (upto September,21		
		No. of meetings of UTRCs held	No. of UTPs/ Convicts recommended/ identified for bail/ release	No. of inmates released pursuant to UTRCs recommendations	No. of meetings of UTRCs held	No. of UTPs/ Convicts recommended for bail/ release	No. of inmates released pursuant to UTRCs recommendations	No. of meetings of UTRCs held	No. of UTPs/ Convicts recommended for bail/ release	No. of inmates released pursuant to UTRCs recommendations
1	ANDHRA PRADESH	127	1768	1004	78	1214	326	35	1094	349
2	ARUNANCHAL PRADESH	72	145	26	95	276	82	58	150	27
3	ASSAM	132	1419	620	247	1070	592	259	2216	1266
4	BIHAR	249	479	101	344	391	95	177	535	184
5	CHHATISGARH	174	4613	2252	76	1762	686	66	1060	129
6	GOA	8	79	45	48	13	7	14	24	2
7	GUJARAT	235	675	149	495	110	20	188	191	43
8	HARYANA	217	1847	221	790	783	259	512	529	271
9	HIMACHAL PRADESH	91	29	27	423	21	3	398	7	1
10	JAMMU & KASHMIR	18	0	0	43	1	7	21	8	5
11	JHARKHAND	169	277	8	313	145	47	249	355	207
12	KARNATAKA	245	260	15	356	66	19	404	726	99
13	KERALA	0	650	98	23	35	9	22	120	1
14	MADHYA PRADESH	314	3319	606	432	1083	802	244	1652	263
15	MAHARASHTRA	274	4880	1739	594	3947	3047	488	2412	663
16	MANIPUR	65	34	43	24	133	33	20	203	10
17	MEGHALAYA	11	291	72	79	231	190	10	160	11
18	MIZORAM	0	350	151	0	0	0	2	105	0
19	NAGALAND	39	22	16	84	72	42	27	48	31
20	ODISHA	30	662	106	1170	2091	1229	1080	3122	2409

S.No.	STATE/UT	2019			2020			2021 (upto September,21		
		No. of meetings of UTRCs held	No. of UTPs/ Convicts recommended/ identified for bail/ release	No. of inmates released pursuant to UTRCs recommendations	No. of meetings of UTRCs held	No. of UTPs/ Convicts recommended for bail/ release	No. of inmates released pursuant to UTRCs recommendations	No. of meetings of UTRCs held	No. of UTPs/ Convicts recommended for bail/ release	No. of inmates released pursuant to UTRCs recommendations
21	PUNJAB	151	1481	323	625	2011	1608	474	1009	556
22	RAJASTHAN	404	4497	613	1087	3672	791	848	4349	2474
23	SIKKIM	32	1	1	152	12	4	150	1	0
24	TELANGANA	48	1650	610	32	477	409	25	190	65
25	TAMIL NADU	77	1031	458	91	1021	745	77	1704	1029
26	TRIPURA	16	10	1	109	367	157	158	270	164
27	UTTAR PRADESH	186	1274	1640	541	2157	2212	550	1028	888
28	UTTARAKHAND	27	2704	845	268	2043	484	168	1699	1235
29	WEST BENGAL	99	1292	312	530	2050	885	331	2130	956
30	ANDAMAN & NICOBAR ISLANDS	0	0	0	13	2	2	25	0	0
31	CHANDIGARH	7	0	0	19	0	0	1	0	0
32	DADRA & NAGAR HAVELI	3	0	0	0	0	0	0	0	0
33	DAMAN & DIU	12	0	0	6	6	0	7	3	0
34	DELHI	90	1562	367	315	1095	481	243	1498	694
35	LAKSHADWEEP	0	0	0	0	0	0	0	0	0
36	PUDUCHERRY	4	8	9	5	0	0	5	0	0
37	LADAKH	-	-	-	-	-	-	4	0	0
	Total	**3626**	**37309**	**12478**	**9507**	**28357**	**15273**	**7340**	**28598**	**14032**

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

Annexure-D

Statement as referred to in reply to Rajya Sabha Unstarred Question No. 587 for answering on 02.12.2021 raised by Shri Partap Singh Bajwa, MP - Legal Aid Clinics in Jails.

Statement containing the number of male and female under-trials lodged in jails as on 31.12.2019

Sl. No	State/UT	Undertrials		
		Male	Female	Total
1	ANDHRA PRADESH	4470	299	4769
2	ARUNACHAL PRADESH	101	5	106
3	ASSAM	5918	212	6130
4	BIHAR	30300	975	31275
5	CHHATTISGARH	9350	479	9829
6	GOA	345	24	369
7	GUJARAT	9479	320	9799
8	HARYANA	12755	405	13160
9	HIMACHAL PRADESH	1371	54	1425
10	JAMMU & KASHMIR	2959	116	3075
11	JHARKHAND	12203	556	12759
12	KARNATAKA	10112	388	10500
13	KERALA	4224	106	4330
14	MADHYA PRADESH	23189	968	24157
15	MAHARASHTRA	26358	1199	27557
16	MANIPUR	708	50	758
17	MEGHALAYA	834	27	861
18	MIZORAM	939	158	1097
19	NAGALAND	310	4	314
20	ODISHA	13343	460	13803
21	PUNJAB	15066	883	15949
22	RAJASTHAN	14981	397	15378
23	SIKKIM	246	9	255
24	TAMIL NADU	8703	541	9244
25	TELANGANA	4091	293	4384
26	TRIPURA	550	18	568
27	UTTAR PRADESH	70455	2963	73418
28	UTTARAKHAND	3206	167	3373
29	WEST BENGAL#	15567	911	16478
	TOTAL (STATES)	**302133**	**12987**	**315120**
30	A & N ISLANDS	129	3	132
31	CHANDIGARH	547	33	580
32	D & N HAVELI	46	0	46
33	DAMAN & DIU	42	4	46
34	DELHI	13861	521	14382
35	LAKSHADWEEP	4	0	4
36	PUDUCHERRY	175	2	177
	TOTAL (UTs)	**14804**	**563**	**15367**
	TOTAL (ALL-INDIA)	**316937**	**13550**	**330487**

• As per data provided by States/UTs.

Due to non-receipt of data from West Bengal for the year 2018 & 2019, data furnished for 2017 has been used.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA Appointment Dv M.

UNSTARRED QUESTION NO. 588

TO BE ANSWERED ON THURSDAY, THE 02.12.2021

Corruption in Judiciary

588. SHRI SUSHIL KUMAR GUPTA:

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

(a) whether Government has received any complaints about judicial corruption in the country;
(b) if so, the number of such complaints during the last five years; and
(c) measures that have been taken to arrest this trend, if any?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) to (c) : Accountability in higher judiciary is maintained through "in-house mechanism". The Supreme Court of India, in its full Court meeting on 7th May, 1997, adopted two Resolutions namely (i) "The Restatement of Values of Judicial Life " which lays down certain judicial standards and principles to be observed and followed by the Judges of the Supreme Court and High Courts (ii) "in-house procedure" for taking suitable remedial measure against Judges who do not follow the universally accepted values of judicial life including those included in the Restatement of Values of Judicial Life.

As per the established "in-house mechanism" for the higher judiciary, the Chief Justice of India is competent to receive complaints against the conduct of Judges of the Supreme Court and the Chief Justices of the High Courts. Similarly, the Chief Justices of the High Courts are competent to receive complaints against the conduct of High Court Judges. The complaints/representations received are forwarded to the Chief Justice of India or to the Chief Justice of the High Court concerned, as the case may be, for appropriate action. Administrative control over the members of the subordinate judiciary in the States vests with the concerned High Court.

1622 complaints received in the Centralised Public Grievance Redress and Monitoring System (CPGRAMS) on the functioning of the judiciary including judicial corruption have been received during the last 05 years and forwarded to the CJI/Chief Justice of High Courts respectively as per established "in-house mechanism".

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA Appointment DVN

UNSTARRED QUESTION NO. 589

TO BE ANSWERED ON THURSDAY, THE 02.12.2021

Vacancies in Supreme Court and High Courts

589. SHRI JOHN BRITTAS:

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

(a) the number of Judges appointed in Supreme Court and various High Courts in 2021;
(b) the number of collegium proposals pending with Government as of now;
(c) the number of collegium proposals returned by Government; and
(d) if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) to (d) : In 2021, 09 Judges have been appointed in Supreme Court and 118 Judges have been appointed in various High Courts upto 29.11.2021. Government appoints only those persons as Judges of High Courts who are recommended by Supreme Court Collegium. The total number of High Court Collegium proposals which are at various stages of consideration between the Government and the Supreme Court Collegium as on 29.11.2021 is 164. The number of proposals which have been remitted/returned by the Government to the High Courts on the advice of the Supreme Court Collegium is 55 during the current year.

Filling up of vacancies in the High Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various constitutional authorities both at state and central level. While every effort is made to fill up the existing vacancies expeditiously, vacancies of Judges in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the strength of Judges.

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BRIEF

Details/Status of High Court Collegiums' Proposals

Total number of Proposals received from High Court Collegiums	164
Number of Proposals pending with Supreme Court Collegium	31
Number of Proposals pending with Department of Justice (DoJ) which are yet to be sent to Supreme Court Collegium (SCC)	75
Number of Proposals recommended by SCC and pending with DoJ	**35**
Number of Proposal submitted to PMO	**03**
Number of Proposal submitted to MLJ	**13**
Number of Proposals to be remitted to High Courts	**07**

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA NM

UNSTARRED QUESTION NO. 591

TO BE ANSWERED ON THURSDAY, THE 2ND DECEMBER, 2021

Working conditions in the subordinate courts

591. SHRI KANAKAMEDALA RAVINDRA KUMAR:

Will the Minister of Law and Justice be pleased to state:

(a) whether Government has taken any steps to improve the working conditions of the subordinate courts in the country including the State of Andhra Pradesh;
(b) if so, the details thereof;
(c) whether Government has taken any steps to augment the infrastructure including the security system in the subordinate courts across the country including the State of Andhra Pradesh; and
(d) if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJIJU)

(a) to (d): The primary responsibility of development of infrastructure facilities for judiciary, including provision of security system, rests with State Governments. To augment the resources of the State Governments, Union Government has been implementing a Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary by providing financial assistance to State Governments / UTs in the prescribed fund sharing pattern between Centre and States. The Scheme is being implemented since 1993-94. It

covers the construction of court buildings and residential accommodations for Judicial officers of District and Subordinate Judiciary. The Government has extended the above scheme for a further period of five years from 01.04.2021 to 31.03.2026, with budgetary outlay of Rs.9000 crores, including central share of Rs.5307 crores. The scheme now also additionally covers the construction of toilets, digital computer rooms and Lawyers' Hall in the district and subordinate courts. Till date the Central Government has sanctioned Rs. 8709.77 crore under the Scheme to States/UTs. Out of these funds, Rs. 199.92 crore have been sanctioned to the State Government of Andhra Pradesh. As per information made available by the High Courts, 20,565 court halls and 18,142 residential units are available as on 31.10.2021. Moreover, 2841 court halls and 1807 residential units are under construction. In Andhra Pradesh, 623 Court Halls and 599 residential units are available and 102 court halls and 21 residential units are under construction at the level of District and Subordinate courts.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Appointment DVN

RAJYA SABHA
UNSTARRED QUESTION NO.592

TO BE ANSWERED ON THURSDAY, THE 02.12.2021

Setting up of All India Judicial Service

592. Shri K.R. Suresh Reddy:

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

(a) whether it is a fact that Government is planning to set up All India Judicial Services (AIJS) board on the lines of Central Services like IAS and IPS;
(b) if so, the details thereof; and
(c) whether Government has finalized the Organogram structure of the AIJS?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) to (c): In Government's view, a properly framed All India Judicial Service is important to strengthen overall justice delivery system. This will give an opportunity for induction of suitably qualified fresh legal talent selected through a proper all-India merit selection system like IAS and IPS etc. as well as address the issue of social inclusion by enabling suitable representation to marginalized and deprived sections of society.

A comprehensive proposal was formulated for the constitution of an All India Judicial Service (AIJS) and the same was approved by the Committee of Secretaries in November, 2012. Besides attracting some of the best talent in the

country, it may also facilitate inclusion of competent persons from marginalized sections and women in the judiciary. The proposal was included as an agenda item in the Conference of Chief Ministers and Chief Justices of the High Courts held in April, 2013 and it was decided that the issue needs further deliberation and consideration.

The views of the State Governments and High Courts were sought on the proposal. There was divergence of opinion among the State Governments and among the High Courts on the constitution of All India Judicial Service. While some State Governments and High Courts favoured the proposal, some were not in favour of creation of All India Judicial Service while some others wanted changes in the proposal formulated by the Central Government.

The matter regarding creation of a Judicial Service Commission to help the recruitment to the post of district judges and review of selection process of judges / judicial officers at all level was also included in the agenda for the Chief Justices Conference, which was held on 03rd and 04th April, 2015, wherein it was resolved to leave it open to the respective High Courts to evolve appropriate methods within the existing system to fill up the vacancies for appointment of District judges expeditiously. The proposal for constitution of All India Judicial Service with views from the High Courts and State Governments received thereon was included in the agenda for the Joint Conference of Chief Ministers and Chief Justices of the High Courts held on 05th April, 2015. However, no progress was made on the subject.

The proposal of setting up of an All India Judicial service was again discussed on points of eligibility, age, selection criteria, qualification, reservations etc in a meeting chaired by Minister of Law and Justice on 16th January 2017 in the presence of Minister of State for Law and Justice, Attorney General for India, Solicitor General of India, Secretaries of Department of Justice, Legal affairs and Legislative Department. Setting up AIJS was also deliberated in a meeting of the Parliamentary Consultative Committee in March, 2017 and the Parliamentary Committee on the Welfare of SCs/STs on 22.02.2021.

In view of the existing divergence of opinion amongst the stakeholders, the Government is engaged in a consultative process with the stakeholders to arrive at a common ground.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 593
TO BE ANSWERED ON THURSDAY, THE 2ND DECEMBER, 2021

INCREASE IN PENDENCY OF CASES

593 # SHRI VISHAMBHAR PRASAD NISHAD:

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

(a) whether it is a fact that the number of pending cases in the country is increasing day by day;
(b) pending cases during the last five years, State-wise details thereof; and
(c) whether it is also a fact that the rate of conviction in registered cases is decreasing, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) & (b): A statement showing the details of pending cases during the last five years, State-wise is at ***Annexure - I***.

(c): As per information received from National Crime Records Bureau (NCRB), a statement is enclosed at ***Annexure - II***.

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Annexure - I

STATEMENT REFERRED TO IN REPLY TO PARTS (A)&(B) OF RAJYA SABHA UNSTARRED QUESTION NO. 593 FOR ANSWER ON 02.12.2021 REGARDING INCREASE IN PENDENCY OF CASES.

Statement showing the Pendency of Distict and Subordinate Courts as on date

Sl. No	Name of the State/UTs	Total Number of Pending Cases (As on 31/12/2016) *	Total Number of Pending Cases (As on 31/12/2017) *	Total Number of Pending Cases (As on 31/12/2018) *	Total Number of Pending Cases (As on 31/12/2019)*	Total Number of Pending Cases (As on 31/12/2020) **	Total Number of Pending Cases (As on 29.11.2021) **
1	Uttar Pradesh	5980071	6390684	6987417	7807863	8572092	9041432
2	Andhra Pradesh	1077944	1040864	1068400	567096	635220	727611
3	Telangana				580193	674301	755933
4	Maharashtra	3239540	3340050	3531425	3821487	4516311	4572849
5	Goa	42074	39249	42783	49049	56545	54738
6	Diu and Daman	5486	5295	5468	5344	2777	2658
7	West Bengal	2728753	2141254	1950492	2048697	2380633	2399026
8	Andaman & Nicobar	8767	9227	10229	9795	0	0
9	Chhattisgarh	290434	277338	267429	285025	324273	356639
10	Delhi	636121	747704	834813	882366	955850	1028789
11	Gujarat	1822311	1555203	1447459	1595813	1890667	1907636
12	Assam	258639	276520	291960	301427	357197	377380
13	Nagaland	4430	4749	4994	3361	1539	2456
14	Meghalaya	15239	14775	13584	13673	10403	14283
15	Manipur	6978	6799	6216	6516	10794	11871
16	Tripura	148275	107089	58261	27491	41032	38309
17	Mizoram	4665	5148	6154	6589	4699	5520
18	Arunachal Pradesh	14583	9878	9652	10658	-------	-----
19	Himachal Pradesh	235193	234639	256640	293706	416564	417661

20	Jammu & Kashmir	145999	161674	163520	172769	215803	230806
21	Jharkhand	342768	338680	330607	365642	438567	470985
22	Karnataka	1362167	1432952	1494608	1531008	1746886	1750616
23	Kerala	1482667	1623212	1652509	1614277	1798342	1874794
24	U.T. of Lakshadweep	357	354	364	397	-----	-----
25	Madhya Pradesh	1260637	1332566	1354602	1455435	1690053	1712909
26	Tamil Nadu	1071366	1065878	1084286	1137684	1288573	1256991
27	Puducherry	28155	26930	27161	30094	-----	32827
28	Odisha	1049325	1178882	1319031	1433522	1382538	1413775
29	Bihar	2128325	2223744	2502204	2714344	3158070	3163980
30	Punjab	504320	572802	602014	642327	814538	876286
31	Haryana	547736	643394	728097	853375	1100904	1200126
32	Chandigarh	38907	41695	56357	62955	57418	62997
33	Rajasthan	1573986	1635389	1732308	1769823	1830462	1891148
34	Sikkim	1434	1405	1208	1142	1570	1722
35	Uttarakhand	190948	210018	232338	195281	260564	283405
36	DNH at Silvasa					3502	3476
37	Ladakh	----	----	----	----	749	832
	Total	**28248600**	**28696040**	**30074590**	**32296224**	**36639436**	**37942466**

*Data Source Supreme Court of India.

**Data Source NJDG Portal.

Annexure - II

STATEMENT REFERRED TO IN REPLY TO PART (C) OF RAJYA SABHA UNSTARRED QUESTION NO. 593 FOR ANSWER ON 02.12.2021 REGARDING INCREASE IN PENDENCY OF CASES.

State/UT-wise Cases Registered (CR), Cases for Trial (CFT), Cases Convicted (CON), Cases in which Trials Completed (CTC), Conviction Rate (CVR) and Cases Pending Trial at the end of the year (CPTEY) under Total Cognizable IPC+SLL Crimes during 2016-2018

Sl.	State/UT	2016						2017						2018					
		CR	CFT	CON	CTC	CVR	CPTEY	CR	CFT	CON	CTC	CVR	CPTEY	CR	CFT	CON	CTC	CVR	CPTEY
1	Andhra Pradesh	129180	287386	31940	84519	37.8	178753	148002	304133	50524	97953	51.6	160252	144703	283879	52998	85472	55.5	163977
2	Arunachal Pradesh	2700	23901	137	519	26.7	23866	2746	24318	19	193	10.0	24037	2817	25545	171	436	39.2	25060
3	Assam	107014	213214	3040	25320	12.0	187894	109452	232864	2156	17351	12.4	215470	120573	273333	2068	33141	6.2	234194
4	Bihar	189696	1039866	7232	46541	15.5	993193	236055	1178724	5536	67233	7.9	1111491	262835	1303398	4800	30158	13.8	1288213
5	Chhattisgarh	84192	278344	46749	73806	59.3	204523	90516	291102	42780	68318	62.6	217064	98288	302558	43908	75242	58.4	224985
6	Goa	3705	18728	331	1030	15.8	16549	3943	19894	426	2650	16.1	17158	3884	20544	359	1962	18.3	18473
7	Gujarat	435422	1691270	115469	235895	48.9	1454256	334793	2813415	76047	202197	37.6	1600397	393194	2973868	88141	204997	43.0	2767359
8	Haryana	143111	261955	28362	65026	43.6	196929	224816	273972	35230	80742	43.6	193196	191229	367715	37023	86710	41.1	281987
9	Himachal Pradesh	17749	110387	3134	8825	35.5	100224	17796	114126	1890	8365	34.1	103699	19594	119774	1848	7513	37.9	110821
10	Jharkhand	47617	124946	4798	19534	24.6	105201	52664	132590	5362	14941	35.9	116218	55664	148289	4851	18841	28.7	130632
11	Karnataka	179479	482497	53450	98973	53.0	377376	184063	536738	60549	107178	56.5	420660	169416	558457	45054	87990	51.2	463406
12	Kerala	707870	2044068	487841	521562	93.5	1511367	653500	1849714	415057	645284	93.2	1385418	512167	1905367	490280	529436	93.7	1375841
13	Madhya Pradesh	365154	1018016	361158	254766	68.6	742026	379652	1088364	169556	249423	69.1	795227	405129	1156295	187198	266396	70.3	850207
14	Maharashtra	430866	3009999	70665	182772	38.7	2808571	467753	3175405	57482	198760	28.9	2948371	515674	3317942	79613	218404	36.5	3080637
15	Manipur	4098	7105	207	316	65.5	6784	4350	7772	275	325	84.6	7356	3781	8159	324	411	78.8	7677
16	Meghalaya	3582	16981	916	1469	62.4	15366	3952	17011	165	560	29.5	16432	3482	17521	189	598	31.6	16865
17	Mizoram	2800	4303	1756	1875	93.7	2418	3798	3483	1871	1999	93.6	1481	2351	3541	920	983	93.6	2566
18	Nagaland	1908	2988	732	1098	66.7	1886	1553	3074	797	987	80.7	2029	1775	3253	796	900	88.4	2331
19	Odisha	103565	632148	5891	47847	12.3	583101	103866	675885	2761	27358	10.1	648495	107408	738383	1341	53368	4.0	704615
20	Punjab	57739	156628	20157	40649	49.6	115891	70673	180369	18903	38126	49.6	91229	70318	146438	20446	40320	50.7	105400
21	Rajasthan	251147	766537	87951	123791	71.0	681962	295558	793123	103095	142167	72.5	643889	250506	806803	87466	121903	71.2	674954
22	Sikkim	1020	1527	170	457	37.2	1064	979	1067	121	320	37.8	737	869	1276	94	370	25.4	897
23	Tamil Nadu	467369	834600	298739	374710	79.7	458273	470876	826060	255170	330874	77.2	484465	499188	942547	340924	416311	81.9	521520
24	Telangana	120273	323137	20177	58357	34.6	248478	133197	341507	27127	74811	36.4	224142	126858	339601	23216	61507	37.7	226249
25	Tripura	4081	16517	816	2397	25.7	14980	4238	17998	532	1891	28.1	15032	6078	18484	455	1739	26.2	15890
26	Uttar Pradesh	494025	7178263	172106	211726	81.3	1962254	600082	2376473	244356	292593	83.5	2083571	585157	2510746	230952	278207	83.0	2215499
27	Uttarakhand	16074	54252	8814	11846	74.4	42396	28881	64393	4787	5774	82.9	58610	34715	84132	5815	7362	79.0	76761
28	West Bengal	204400	1344333	5706	42203	13.5	1302064	196537	1267028	5665	35697	15.9	1231273	168053	1398163	6751	35361	19.1	1363381

	TOTAL [illegible]	[illegible]	[illegible]	[illegible]	[illegible]	64.9	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
29	A&N Islands	2491	28849	1583	1919	82.5	26927	3014	19123	1775	2090	85.3	17021	3699	20046	1348	1527	88.3	19164
30	Chandigarh	4256	9107	2071	3211	64.5	5842	5462	9565	2121	3115	68.1	6345	5967	11154	2951	3693	79.9	7391
31	D&N Haveli and Daman & Diu	543	3621	29	351	8.3	3160	601	3746	43	663	6.5	3046	649	3569	59	847	7.0	2696
32	Delhi	216970	252208	12461	23608	52.8	228781	264714	289420	16713	25724	65.0	257184	262612	323632	15736	25910	60.7	292737
33	Jammu & Kashmir	76624	111083	5001	12084	41.4	95630	23608	115347	5599	19122	42.7	98431	27276	117089	5477	14229	38.5	99312
34	Ladakh			-	-	-	-			-	-	-	-			-	-	-	-
35	Lakshadweep	50	157	41	62	66.1	95	114	120	0	0	-	120	77	173	0	0	-	172
36	Puducherry	4685	8136	1412	1520	92.9	6606	4799	11158	1503	1597	94.1	8334	4674	11896	1081	1287	84.0	10596
	TOTAL UTs	255769	[illegible]	22596	42765	52.8	[illegible]	[illegible]	[illegible]	27754	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	29457	[illegible]	66.1	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	64.7	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	68.8	[illegible]

Source: Crime in India, National Crime Records Bureau

Note : '#' Combined data of erstwhile U&N Haveli UT and Daman & Diu UT

'*' Data of erstwhile Jammu & Kashmir State including Ladakh

State/UT-wise Cases Registered (CR), Cases for Trial (CFT), Cases Convicted (CON), Cases in which Trials Completed (CTC), Conviction Rate (CVR) and Cases Pending Trial at the end of the year (CPTEY) under Total Cognizable IPC+SLL Crimes during 2019-2020

	State/UT	2019						2020					
		CR	CFT	CON	CTC	CVR	CPTEY	CR	CFT	CON	CTC	CVR	CPTEY
1	Andhra Pradesh	145751	280033	36690	76199	48.2	172413	238105	292833	49567	69555	71.3	199977
2	Arunachal Pradesh	2877	26191	53	137	38.7	26038	2503	27377	15	55	27.3	27322
3	Assam	132783	296547	1791	25857	6.9	269417	121609	322907	855	15445	5.5	307413
4	Bihar	269109	1479200	3784	23176	16.3	1452421	257512	1626699	1406	4486	31.3	1620938
5	Chhattisgarh	96561	307935	44131	76647	57.6	228877	103173	304746	26117	40956	63.8	262365
6	Goa	3727	21642	376	2253	16.7	19167	4366	22909	224	1409	15.9	21430
7	Gujarat	431066	3186806	141026	282709	49.9	2902474	699619	3579628	47009	94418	49.8	3481136
8	Haryana	166336	270986	25508	61840	41.2	209129	192395	279643	7694	14158	54.3	265473
9	Himachal Pradesh	19924	128364	3132	7967	39.3	118401	20630	136367	2789	4914	56.8	130153
10	Jharkhand	62206	160754	6962	18819	33.8	141409	63570	183189	7901	16287	48.5	166600
11	Karnataka	163691	585244	42015	94586	44.4	479688	150080	594690	37783	61147	61.8	524163
12	Kerala	453083	1802714	480372	507375	94.7	1284955	554724	1819225	258010	284473	90.7	1525584
13	Madhya Pradesh	396619	1200309	189063	270582	69.9	889398	428046	1279437	139227	174519	79.8	1090874
14	Maharashtra	509433	3472160	93517	212771	44.0	3240979	539003	3632570	42387	81438	52.0	3544630
15	Manipur	3661	8539	331	512	64.6	7977	2986	8453	55	98	56.1	8338
16	Meghalaya	3897	19617	2266	4129	54.9	15469	3744	16809	215	948	22.7	15806
17	Mizoram	2880	4482	1430	1507	94.9	2968	2289	4711	1186	1259	94.2	3436
18	Nagaland	1661	3457	727	824	88.2	2631	1511	3573	392	458	85.6	3108
19	Odisha	121525	805781	8194	23926	34.2	781850	134230	887066	1934	10712	18.1	876354
20	Punjab	72855	158470	19732	38457	51.3	119423	82875	178495	7246	11676	62.1	166735
21	Rajasthan	304394	857395	106691	141071	74.9	706127	260378	870535	73514	98152	74.9	765514
22	Sikkim	821	1365	35	151	23.2	1210	675	1583	25	130	19.2	1437
23	Tamil Nadu	455094	902609	258834	316327	81.8	582990	1377681	1140418	161272	194266	83.0	943959
24	Telangana	131254	335377	22983	52916	43.4	247106	147504	372306	26128	40159	65.1	309990
25	Tripura	5988	19719	606	2505	24.2	16463	4653	20171	249	708	35.2	19295
26	Uttar Pradesh	628578	2679028	200031	268798	74.4	2405617	657925	2956003	197188	254421	77.5	2698117
27	Uttarakhand	28268	99523	11024	13761	80.1	85713	57332	136961	3698	4626	79.9	132323
28	West Bengal	188049	1526519	6241	39325	15.9	1486521	182367	1642255	2147	15068	14.2	1626635
	TOTAL STATE(S)	[illegible]	[illegible]	1705945	2545121	66.5	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	73.3	20739105
29	A&N Islands	4034	22998	2072	2292	90.4	20697	2542	23916	1287	1391	92.5	21905
30	Chandigarh	4518	10476	2184	2874	76.0	7552	3254	9604	954	1255	76.0	8305
31	D&N Haveli and Daman & Diu	660	3174	28	699	4.0	2451	533	2901	18	260	6.9	2626
32	Delhi	316261	359914	19898	33339	59.7	322841	266070	407114	22216	26283	84.5	378235
33	Jammu & Kashmir	25408	118819	6936	13958	49.7	100682	28911	117756	4177	6911	60.4	109379

34	Ladakh			-	-	-	-	403	786	274	292	93.8	484
35	Lakshadweep	182	195	0	2	0.0	193	147	225	2	3	66.7	222
36	Puducherry	4004	13916	927	1073	86.4	12843	7940	17629	1096	2720	40.3	12843
	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Source: Crime in India, National Crime Records Bureau

Note : '-' Combined data of erstwhile D&N Haveli UT and Daman & Diu UT during 2019

*' Data of erstwhile Jammu & Kashmir State including Ladakh during 2019

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Justice II

RAJYA SABHA
UNSTARRED QUESTION NO. 597
TO BE ANSWERED ON THURSDAY, THE 02nd DECEMBER, 2021

Establishment of Campus of National Judicial Academy

597. SHRI V. VIJAYASAI REDDY:

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

(a) whether it is a fact that there is only one campus of National Judicial Academy that caters to the entire country;

(b) if so, the details of the measures undertaken by Government to reduce the heavy workload on the existing campus;

(c) whether the Government has received any request from the State Government of Andhra Pradesh for establishing a new campus of National Judicial Academy at Kurnool; and

(d) if so, the action taken by Government in response to the said request?

ANSWER

MINISTER OF LAW & JUSTICE

(SHRI KIREN RIJIJU)

(a) and (b) Yes Sir. The National Judicial Academy (NJA) is a single campus institution located in Bhopal, Madhya Pradesh. It has been smoothly and effectively discharging its obligations and responsibilities to meet the purpose for which it was established. In addition, there are 24 State Judicial Academies in India.

(c) No Sir.

(d) In view of (c) above, question does not arise.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

JR Desk

UNSTARRED QUESTION NO. 598

TO BE ANSWERED ON THURSDAY, THE 2ND DECEMBER, 2021

Judicial Infrastructure

598. SHRI VAIKO:

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

(a) whether the state of infrastructure in the lower judiciary level in the country is inadequate, as observed by the Chief Justice of India, if so, the response of the Government thereto;

(b) the percentage of lower courts not having separate ladies toilets;

(c) the efforts being made by Government to improve the judicial infrastructure to ensure ease of doing business, the details thereof; and

(d) funds provided or proposed to be provided for the above purpose by Government to the States in the next five years, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJIJU)

(a) to (d) : The primary responsibility of development of infrastructure facilities for judiciary rests with the State Governments. To augment the resources of the State Governments, the Union Government has been implementing a Centrally Sponsored Scheme for Development of Infrastructure Facilities for the Judiciary by providing financial assistance to State Governments/UTs in the prescribed fund sharing pattern between the Centre

and States. The Scheme is being implemented since 1993-94. Till date the Central Government has sanctioned Rs. 8709.77 crore under the Scheme to States/UTs. Under this Scheme funds are released by the Central Government for construction of court buildings and residential accommodations for Judicial Officers of District and Subordinate Judiciary. The Government has extended the above scheme for a further period of five years from 01.04.2021 to 31.03.2026, with a total budgetary outlay of Rs. 9000 crores, including Central share of Rs.5307 crores. The scheme components have been expanded to also cover the construction of toilets, digital computer rooms and Lawyers' Hall in the district and subordinate courts and Rs.47.00 crore has been allocated for the construction of Toilet complexes in the District and Subordinate Courts. As per data compiled by the Supreme Court Registry, 26% court complexes do not have separate ladies toilet.

As per information made available by the High Courts 20,565 court halls and 18,142 are residential units are available in district and subordinate courts as on 31.10.2021. Moreover, 2841 Court halls and 1807 Residential units are under construction.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

Appointment DOH

UNSTARRED QUESTION NO. 600

TO BE ANSWERED ON THURSDAY, THE 02.12.2021

Inclusion of women in judiciary

600. DR.AMAR PATNAIK:

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

(a) whether Government is aware that out of 25 Chief Justices of High Courts, only one is a woman;
(b) if so, the reasons therefor;
(c) whether Government is aware that according to an ongoing survey by the Chief Justice of India, 16 per cent of the courts do not have separate washrooms for men and women;
(d) if so, the details thereof;
(e) whether Government has any plan of action to make Courts more accessible for women and transgender people; and
(f) ifso, the details thereof and if not,the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) to (b) : Initiation of the proposal for the appointment of Chief Justice of a High Court is done by the Chief Justice of India.Appointment of Chief Justice of High Courts is made under Article 217 of the Constitution of India, which do not provide for reservation for any caste or class of persons.At present, no woman is a Chief Justice of any High Court.

(c) to (f) : The Registry of Supreme Court of India compiled the data on the status of judicial infrastructure which reveals that 26% court complexes do not have separate ladies toilet. The primary responsibility of development of infrastructure facilities for judiciary rests with the State Governments. To augment the resources of the State Governments, the Union Government has been implementing a Centrally Sponsored Scheme for development of infrastructure facilities in District and Subordinate Courts by providing financial assistance to State Governments / UTs in the prescribed fund sharing pattern. The Scheme is being implemented since 1993-94. Till date the Central Government has sanctioned Rs. 8709.77 crore under the Scheme to States/UTs. The scheme has been extended from time to time. Under this scheme funds are released by the Central Government for construction of court buildings and residential accommodations for Judicial Officers of District and Subordinate Judiciary. The Government has extended the above scheme for a further period of five years from 01.04.2021 to 31.03.2026, with a total budgetary outlay of Rs.9000 crores, including Central share of Rs.5307 crores. The scheme components have been expanded, to also cover the construction of toilets, digital computer rooms and Lawyers' Hall in the district and subordinate courts and Rs. 47.00 crore have been approved for the construction of Toilet complexes in the District and Subordinate Courts.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

JR

STARRED QUESTION NO. 124

TO BE ANSWERED ON THURSDAY, THE 9TH DECEMBER, 2021

Creation of National Judicial Infrastructure Authority

124. SHRI T.G. VENKATESH:

Will the Minister of Law and Justice be pleased to state:

(a) whether Government has taken note that courts in the country are not having proper facilities like washrooms, waiting rooms and own buildings which has an adverse impact on dispensation of qualitative justice;
(b) if so, the details thereof;
(c) whether Government has received any proposal from the Chief Justice of India urging to modernise and strengthen the judicial infrastructure by creating a separate National Judicial Infrastructure Authority to take care of these matters from time to time;
(d) if so, the details thereof; and
(e) the response of Government to this proposal?

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJIJU)

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

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STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (e) of RAJYA SABHA STARRED QUESTION NO. *124 FOR ANSWER ON 9TH DECEMBER, 2021.

The Registry of Supreme Court of India has compiled data on the status of judicial infrastructure and court amenities, including shortage of toilets and waiting rooms for lawyers and litigants. A proposal has been received from Chief Justice of India for setting up of National Judicial Infrastructure Authority of India (NJIAI) for arrangement of adequate infrastructure for courts, as per which there will be a Governing Body with Chief Justice of India as Patron-in-Chief. The other salient features of the proposal are that NJIAI will act as a Central body in laying down the road map for planning, creation, development, maintenance and management of functional infrastructure for the Indian Court System, besides identical structures under all the High Courts. The proposal has been sent to the various State Government/UTs, as they constitute an important stakeholder, for their views on the contours of the proposal to enable taking a considered view on the matter.

The primary responsibility of development of Infrastructure facilities for judiciary rests with the State Governments. To augment the resources of the State Governments, the Union Government has been implementing a Centrally Sponsored Scheme for Development of Infrastructure Facilities in district and subordinate courts by providing financial assistance to State

Governments / UTs in the prescribed fund sharing pattern. The scheme is being implemented since 1993-94. Till date, the Central Government has sanctioned Rs. 8709.77 crore under the Scheme to States/UTs, out of which Rs. 5265.00 crore has been released since 2014-15 which is around 60.45% of the total release under the scheme. During the financial year 2021-22, at BE stage an amount of Rs.776 crore has been allocated for the scheme, out of which Rs. 384.50 crore (around 50%) has been released till date. Under this scheme, funds are released by the Central Government for construction of court buildings and residential accommodations for Judicial Officers of District and Subordinate Judiciary.

The scheme has been extended from time to time. The scheme was earlier extended in 2017 for 3 years from 01.04.2017 to 31.03.2020 with budgetary outlay of Rs.3320 cr. The scheme was again extended for one year i.e. upto 31.03.2021. This scheme was evaluated by NITI Aayog which also recommended its continuance. The Government has now approved the continuance of this CSS for a period of 5 years from 01.04.2021 to 31.03.2026, with a total budgetary outlay of Rs.9000 crores, including Central share of Rs.5307 crores. The scheme components have been expanded, to also cover the construction of toilets (Rs.47 cr), digital computer rooms (Rs.60 cr) and Lawyers' Hall (Rs.700 cr), in addition to the Court Halls & Residential Units (Rs.4500 cr) in the district and subordinate courts.

As per information made available by the High Courts, against sanctioned strength of 24,485 and working strength of 19,292 judges, presently 20,595 Court Halls (including 556 rented ones) and 18,087 Residential Units are available in the District and Subordinate Courts as on 01.12.2021. Moreover, 2,846 Court Halls and 1,775 Residential Units are under construction. It may therefore be seen that number of Court Halls available presently are more than the present working strength , but less than the sanctioned strength of the judicial officers.

Pursuant to the extension of the scheme and introduction of new features in the scheme, revised guidelines have been issued on 19.08.2021 for implementation of Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary. To ensure building of safe structures, the guidelines also provide for compliance with instructions on Disaster Management, for which Disaster Management Action Plan also has to be also put in place for all the buildings, besides making these structures disaster resilient. States/UTs are also to ensure that prescribed disabled friendly/accessibility standards have been adopted in the court designs.

The facility of Flexi funds is also included in the guidelines. Under the Flexi Fund scheme, States/UTs, if they desire, can set aside the funds

allocated (25% in case of States and 30% in case of UTs), including Central and State share, as Flexi Fund to be spent on any sub-scheme or innovation or component that is in line with the overall aim and objective of the approved Centrally Sponsored Scheme. State can use the fund to meet local needs and requirements e.g. customization required with respect to local condition of weather, climate etc. or meet specific local demands like Lawyers' Building and Consultation Lounge, Litigants Waiting Hall, Library Complex etc.

For monitoring the status of the projects under the scheme, three broad monitoring mechanisms have been provided for as follows:-

(a) High Court Level Monitoring Committee in the State chaired by the Chief Justice of the respective High Courts and consisting of Registrar General of High Court, Portfolio Judges, Law/Home Secretary of the State and Secretary of the State PWD as a Member of the Committee. This Committee is to review the physical and financial progress of the construction of court halls, lawyers' hall, toilet complexes and digital computer rooms, and residential units for Judicial Officers every six months.

(b) Central Level Monitoring Committee in the Department of Justice chaired by Secretary (Department of Justice, Government of

India) and comprising of representatives from all States (Department of Law/Home, High Courts and PWD), concerned Joint Secretary (Department of Justice, Government of India), Financial Advisor (Ministry of Law & Justice, Government of India) as a Member and concerned Deputy Secretary (Department of Justice) as Convenor. This Committee is to review the physical and financial progress of the construction of court halls, lawyers' hall, toilet complexes and digital computer rooms, and residential units for Judicial Officers every six months. In the current financial year, several meetings have been held by this Committee by video conferencing: 10-17 May 2021; 10th June 2021; 16-23 September 2021; 25th October 2021 and 10th November 2021.

(c) Online monitoring system has been developed with the technical assistance of National Remote Sensing Centre of ISRO for collection of data on progress and completion court halls and residential units. Space technology has been leveraged for online monitoring through Nyaya Vikas Web Portal. For the purpose, a web portal and mobile app named "Nyaya Vikas" have been developed for monitoring of construction projects which was launched in 2018. The State Governments have nominated Nodal Officer at State level and Surveyors & Moderators for each project to enter and upload data/information relating to ongoing and completed projects. Geotagging of projects using Nyaya Vikas mobile application has helped better monitoring of the judicial infrastructure

projects. The Users in States enter data through web portal and upload photographs through mobile app with geo-tagging. "Nyaya Vikas Version 2.0", with upgraded features has been launched in April, 2020. The new version of the Mobile App which was launched in April 2020 is more user friendly and runs on iOS phones as well as Android systems. The mobile application is being used by State Surveyors to geo-tag and upload photographs at remote locations with dimensions through geo-spatial technology. Data analysis and visualization techniques have been used in the portal. The dashboard of this portal provides data on progress of the CSS projects in public domain. As on 01.12.2021, 6089 court halls (completed and under construction) and 4813 residential units (completed and under construction) are already geotagged.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Appointment DVN

RAJYA SABHA

UNSTARRED QUESTION NO. 1394

TO BE ANSWERED ON THURSDAY, THE 09.12.2021

Filling up of vacancies in High Courts

1394. SHRI KANAKAMEDALA RAVINDRA KUMAR:

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

(a) whether Government is aware of the fact that as many as 17 High Court Judges posts are vacant in the State of Andhra Pradesh which severely affects the justice dispensation system and also leads to backlog of cases;

(b) if so, details thereof;

(c) whether Government has taken any concrete steps to fill up these vacancies and also vacancies that are there in other High Courts in a time bound manner;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) to (e): As on 06.12.2021, against the sanctioned strength of 37 Judges in the Andhra Pradesh High Court, 18 Judges are in position, leaving 19 vacancies of Judges to be filled.

Since 2018, 11 fresh Judges have been appointed in the Andhra Pradesh High Court. On 12.08.2021, Collegium of Andhra Pradesh High Court has recommended 08 names of Advocates for appointment as Judges of Andhra

Pradesh High Court which are under various stages of processing with the Government.

As per the existing Memorandum of Procedure for appointment of Judges of High Courts, the Chief Justice of the High Court is required to initiate the proposal for filling up of vacancies of a Judge in a High Court six months prior to the occurrence of vacancies. Government appoints only those persons as Judges of High Courts who are recommended by Supreme Court Collegium (SCC). At present, 159 proposals are at various stages of processing between the Government and the Supreme Court Collegium. Further recommendations from High Court Collegiums are yet to be received in respect of 246 vacancies in High Courts. Filling up of vacancies in the High Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities both at the State and Centre level. While every effort is made to fill up the existing vacancies expeditiously, vacancies of Judges in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the strength of Judges.

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

eCourts

RAJYA SABHA
UNSTARRED QUESTION No. 1396
TO BE ANSWERED ON THURSDAY, THE 9th DECEMBER, 2021

e-Governance and e-Courts

1396 **Shri Subhash Chandra Singh:**

Will the Minister of ***Law and Justice*** be pleased to state:

a) the status of e-Courts in Jabalpur, Guwahati, Jodhpur and Raipur;
b) whether Government is contemplating the establishment of e-Courts in other States including Odisha;
c) if so, the details thereof; and
d) if not, the reasons therefor?

ANSWER
MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJIJU)

(a) : The Districts and Taluka Courts of Jabalpur, Guwahati, Jodhpur and Raipur have been computerized under the eCourts Project and linked to the National Judicial Data Grid (NJDG).

(b) to (d) : Government has been implementing the e-Courts Mission Mode Project throughout the country including Odisha for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts including those located in Odisha have increased to 18,735 as on 01.12.2021. WAN connectivity has been provided to 98.7% of court complexes. New and user-

friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/ decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). As on 03.12.2021, litigants can access case status of over 19.76 crore cases and 15.99 crore orders/ judgments pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. An e-filing system introduced in the year 2018 has been upgraded to version 3.0 with advanced and user friendly features. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. With a view to handle the COVID-19 challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-SewaKendras at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case related information and eFiling facilities. Rs. 5.01 crore has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crore has been allocated for 1732 Help desk counters for filing in various court complexes.

Fifteen Virtual Courts have been set up in 11 States/UTs viz. Delhi (2), Haryana, Tamil Nadu, Karnataka, Kerala (2), Maharashtra (2), Assam, Chhattisgarh, Jammu and Kashmir (2), Uttar Pradesh and Odisha to try traffic offences. As on 03.12.2021, these courts have handled more than 1.07 crore

cases and realised more than Rs.201.96 crore in fines. The Virtual Court in Odisha was started in August 2021.

Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Since Covid lockdown started, the District courts heard 1,01,77,289 cases while the High Court heard 55,24,021 cases (totalling to 1.57 core) till 31.10.2021 using video conferencing only. The Supreme Court heard 1,50,692 hearings since the lockdown period upto 29.10.2021. The High Court of Orissa has heard 2,18,073 cases from 23.03.2020 to 31.10.2021 while the District Courts in Odisha have heard 1,81,653 cases from 01.03.2020 to 31.10.2021 (totalling to 3,99,726).

Live streaming of cases is functional from 02.08.2021 in High Court of Orissa. The High Court's e-Services Mobile App to help lawyers and litigants in availing cases and Court related information from the convenience of their smartphones was launched on 02.08.2021. Besides providing Case Status, Cause List, New Cases Filed, Judgment/Orders, Defect Status, Certified Copy Status, the Mobile App also features a live Display Board for all Benches and a Digital Notice Board of the Court. The 'Free Text Search' facility conceptualized by the e-Committee, Supreme Court of India for searching judgments and orders of the High Court has been integrated with the High Court's Mobile App for convenient access.

The High Court of Orissa has launched a Software Module called the Order Communication Portal (OCP) to facilitate secure and instantaneous communication of High Court's orders and judgments to Subordinate Courts in a paperless environment, thereby saving resources and time consumed in traditional methods of correspondence.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

RAJYA SABHA

UNSTARRED QUESTION NO. 1398
TO BE ANSWERED ON THURSDAY, THE 9TH DECEMBER, 2021

DISPOSAL OF PENDING CASES IN VARIOUS COURTS

1398. LT.GEN. (DR.) D. P. VATS (RETD.):
SHRI VIJAY PAL SINGH TOMAR:

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

(a) whether it is a fact that number of cases are still pending with various courts of the country;
(b) if so, the measures taken to effectively dispose off the cases;
(c) the existing ratio of judges in comparison to cases and whether Government is taking any measures to establish separate branches of High Courts in largely populated States of the country to reduce the burden of these pending cases; and
(d) if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a): The number of cases pending with various courts in the country is as under:-

Sl. No.	Name of Court	Pendency as on
1	Supreme Court of India	70,038 (08.11.2021)*
2	High Courts	56,46,753(03.12.2021)**
3	District & Subordinate Courts	4,06,15,476(03.12.2021)**

Source
*Website of Supreme Court of India.
**National Judicial Data Grid (NJDG).

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

Government has no role in disposal of cases in courts. Timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. There are several other factors which may lead to delay in disposal of cases. These, inter-alia, include vacancies of judges, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary.

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

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

(i) **Improving infrastructure for Judicial Officers of District and Subordinate Courts:** As on date, Rs. 8,709.77 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. The number of court halls has increased from 15,818 as on

30.06.2014 to 20,565 as on 31.10.2021 and number of residential units has increased from 10,211 as on 30.06.2014 to 18,142 as on 31.10.2021 under this scheme. In addition, 2,841 court halls and 1,807 residential units are under construction. The Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary has been extended till 2025-26 at a total cost of Rs. 9000 crores, out of which Central share will be Rs. 5307 crores. Besides, construction of Court Halls and Residential Units, it would also cover construction of Lawyer's Halls, Toilet Complexes and Digital Computer Rooms.

(ii) **Leveraging Information and Communication Technology (ICT) for improved justice delivery:** Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased to 18,735 as on 01.07.2021. WAN connectivity has been provided to 98.7% of court complexes. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). As on 01.11.2021, litigants can access case status of over 19.56 crore cases and 15.72 crore order/judgments pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. With a view to handle the COVID-19 challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-Sewa Kendras at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case related information and efiling facilities. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in various court complexes to

facilitate virtual hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for efiling in various court complexes.

Fifteen Virtual Courts have been set up in 11 States/UTs viz. Delhi (2), Haryana, Tamil Nadu, Karnataka, Kerala (2), Maharashtra (2), Assam, Chhattisgarh, Jammu & Kashmir (2), Uttar Pradesh and Odisha to try traffic offences. As on 01.11.2021, these courts have handled more than 99 lakh cases and realized more than Rs.193.15 crore in fines.

Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Since Covid lockdown started, the District courts heard 1,01,77,289 cases while the High Court heard 55,24,021 cases (totalling to 1.57 crore) till 31.10.2021 using video conferencing only. The Supreme Court had 1,50,692 hearings since the lockdown period upto 29.10.2021.

(iii) **Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts:** From 01.05.2014 to 29.11.2021, 44 Judges were appointed in Supreme Court. 688 new Judges were appointed and 583 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1098 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
03.12.2021	24,486	19,318

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

(iv) **Reduction in Pendency through / follow up by Arrears Committees:** In pursuance of Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts. In the past, Minister of Law & Justice has taken up the matter with Chief Justices of High Courts and Chief Ministers in the past drawing their attention to cases pending for more than five years and to take up pendency reduction campaign. The Department has developed an online portal for reporting by all High Courts on the compliance of Arrears Eradication Scheme guidelines of the Malimath Committee Report.

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

(vi) **Initiatives to Fast Track Special Type of Cases:** The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution form 32% to 42% to meet such requirements. As on 31.10.2021, 914 Fast Track Courts are functional for heinous crimes, crimes against women and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi). Further, Government has approved a scheme for setting up 1023 Fast Track

Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme for setting up of 842 FTSCs including 363 'exclusive POCSO Courts'. Rs.140 crore was released in the financial year 2019-20 and Rs. 160.00 crore has been released during the financial year 2020-21 for the scheme. 681 FTSCs are presently functional including 381 exclusive POCSO Courts, which disposed 64217 cases as on 31.10.2021. The continuation of the Scheme of FTSC has been approved for another two years (2021-23) at a total outlay of Rs. 1572.86 crore, including Rs. 971.70 crore as Central share.

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

(c) & (d): The ratio of number of Judges to the number of cases is not maintained because of constant variability in data of number of cases. The judge to population ratio (Judge / per million population) with respect to sanctioned strength of judges is 21.03 as on 31.10.2021.

In order to calculate the judge-population ratio for per million population in a particular year, the Department uses the criterion of using the population as per Census 2011 and as per available information regarding sanctioned strength of Judges in Supreme Court, High Court and District & Subordinate Courts in the particular year.

High Court Benches are established in accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P.(c) No. 379 of 2000 and after due consideration of a complete proposal from the State Government which has to provide necessary expenditure & infrastructural facilities

and the Chief Justice of the concerned High Court who is required to look after the day-today administration of the High Court. The proposal to be complete should also have the consent of the Governor of the concerned State. At present there is no complete proposal pending with the Government.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Appointment Dvn

RAJYA SABHA

UNSTARRED QUESTION NO. 1400

TO BE ANSWERED ON THURSDAY, THE 09.12.2021

Judicial appointments recommended by the Supreme Court Collegium

1400. SHRI MALLIKARJUN KHARGE:

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

(a) the number of judicial appointments recommended by the Supreme Court Collegium to Government since 2017;

(b) number of appointments approved by Government;

(c) the number of vacancies across High Courts and Supreme Court currently;

(d) whether Government is aware that as per the Memorandum of Procedure and the SC's orders in M/s. PLR Projects Pvt. Ltd. v. Mahanadi Coalfields Ltd. & Ors, Government must approve the recommendations of the Collegium within 3-4 weeks, if the Collegium reiterates the recommendation; and

(e) if so, the number of recommendations for judicial appointments that have been reiterated by the Collegium and still pending?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) to (c) : During the period 01.01.2017 to 06.12.2021, the Supreme Court Collegium (SCC) made 32 recommendations for appointment as Judges in the Supreme Court and all 32 were appointed. As regards High Courts, the SCC made 532 recommendations during the period 01.01.2017 to 06.12.2021 for appointment as Judges in the High Courts. However, 490 recommendees were

appointed as Judges in the High Courts which includes appointment of Judges recommended by SCC prior to this period. As on 06.12.2021, there is 01 vacancy in the Supreme Court and 403 vacancies in the High Courts. At present, 159 proposals are at various stages of processing between the Government and the Supreme Court Collegium. As regards the remaining 244 vacancies, recommendations from High Court Collegiums are yet to be received.

(d) to (e) : Government is aware of the additional timeline laid down by the Supreme Court in its Order dated 20.04.2020 in M/s. PLR Projects Pvt. Ltd. v. Mahanadi Coalfields Ltd. & Ors for dealing with reiterated cases. As on 06.12.2021, 23 cases reiterated by the Supreme Court Collegium are pending with the Government.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Appointment DUN

RAJYA SABHA
STARRED QUESTION NO. 200

TO BE ANSWERED ON THURSDAY, THE 16.12.2021

Status of All India Judicial Service

200. Shri K.C. Ramamurthy:

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

(a) the advantages and disadvantages of All India Judicial Service (AIJS);

(b) whether consultation process with States has been started in connection with the setting up of All India Judicial Service;

(c) whether some States and High Courts are opposing this move and, if so, the details thereof and the reasons therefor;

(d) the details of views expressed by various States and High Courts, State-wise and High Court-wise; and

(e) the manner in which Government is planning to convince the opposing States and High Courts in favour of AIJS since it has restarted the process of AIJS?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

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

Statement referred to in reply to parts (a) to (e) of Rajya Sabha Starred Question No. 200 due for answer on 16.12.2021 regarding "Status of All India Judicial Service"

In Government's view, a properly framed All India Judicial Service is important to strengthen overall justice delivery system. This will give an opportunity for induction of suitably qualified fresh legal talent selected through a proper all-India merit selection system as well as address the issue of social inclusion by enabling suitable representation to marginalized and deprived sections of society.

A comprehensive proposal was formulated for the constitution of an All India Judicial Service (AIJS) and the same was approved by the Committee of Secretaries in November, 2012. Besides attracting some of the best talent in the country, it may also facilitate inclusion of competent persons from marginalized sections and women in the judiciary. The proposal was included as an agenda item in the Conference of Chief Ministers and Chief Justices of the High Courts held in April, 2013 and it was decided that the issue needs further deliberation and consideration.

The views of the State Governments and High Courts were sought on the proposal. There was divergence of opinion among the State Governments and among the High Courts on the constitution of All India Judicial Service. While some State Governments and High Courts favoured the proposal, some were not in favour of creation of All India Judicial Service while some others wanted changes in the proposal formulated by the Central Government. So far as the states are concerned 02 States are in favour of constitution of AIJS, 08 States are not in favour, 05 States want changes in the proposal and the response is awaited from 13 States **(ANNEXURE-I)**. As far as High Courts are concerned 02 High Courts are in favour of constitution of AIJS, 13 are not in favour, 06 want changes in the proposal and 02 are yet to give their response. **(ANNEXURE-II)**

The matter regarding creation of a Judicial Service Commission to help the recruitment to the post of district judges and review of selection process of judges/ judicial officers at all level was also included in the agenda for the Chief Justices Conference, which was held on 03rd and 04th April, 2015, wherein it was resolved to leave it open to the respective High Courts to evolve appropriate methods within the existing system to fill up the vacancies for appointment of District judges expeditiously. The proposal for constitution of All India Judicial Service with views from the High Courts and State Governments received thereon was included in the agenda for the Joint Conference of Chief Ministers and Chief Justices of High Courts held on 05th April, 2015. However, no progress was made on the subject.

The proposal of setting up of an All India Judicial service was again discussed on points of eligibility, age, selection criteria, qualification, reservations etc. in a meeting chaired by Minister of Law and Justice on 16th January 2017 in the presence of Minister of State for Law and Justice, Attorney General for India, Solicitor General of India, Secretaries of Department of Justice, Legal affairs and Legislative Department. Setting up AIJS was also deliberated in a meeting of the Parliamentary Consultative Committee in March, 2017 and the Parliamentary Committee on the Welfare of SCs/STs on 22.02.2021.

In view of the existing divergence of opinion amongst the stakeholders, the Government is engaged in a consultative process with the stakeholders to arrive at a common ground.

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ANNEXURE-I

A. Response of State Governments regarding Constitution of AIJS

States **in favour of** constitution of AIJS		
(i)	Haryana (proposal seems to be justified)	2
(ii)	Mizoram	
States, which are **NOT in favour of** constitution of AIJS		
(i)	Arunachal Pradesh	8
(ii)	Himachal Pradesh	
(iii)	Karnataka	
(iv)	Madhya Pradesh	
(v)	Maharashtra	
(vi)	Meghalaya	
(vii)	Nagaland	
(viii)	Punjab	
States, **which want changes** in the proposal		
(i)	Bihar	5
(ii)	Chhattisgarh	
(iii)	Manipur	
(iv)	Odisha	
(v)	Uttarakhand	
States, which **are yet to respond** on constitution of AIJS.		
(i)	Gujarat	13
(ii)	Jharkhand	

(iii) Rajasthan	
(iv) Tamil Nadu	
(v) Assam	
(vi) Andhra Pradesh	
(vii) Kerala	
(viii) Uttar Pradesh	
(ix) West Bengal	
(x) Telangana	
(xi) Goa	
(xii) Sikkim	
(xiii) Tripura	
Total	**28**

Views / responses of the State Governments on the proposal formulated by the Central Government for creation of All India Judicial Service (AIJS)

Sr. No.	Name of the State	Comments
States in favour of constitution of AIJS		
1.	Haryana	The proposal for creation of All India Judicial Service (AIJS) seems to be justified.
2.	Mizoram	Government of Mizoram supports creation of AIJS on the lines of IAS, IPS and other Central Services.
States NOT in favour of constitution of AIJS		
1.	Arunachal Pradesh	State is of the view that considering the fact that the Arunachal Pradesh is purely a tribal state with its own peculiar and distinct tribal customs and ethos and the modes of rendering justice varies from tribes to tribes, the proposition of having a common judicial services would not be the right proposition and would create chaos and instability in their administration of justice.
2.	Himachal Pradesh	Keeping in view the ground realities,it will not be appropriate to have All India Judicial Service. As such, the State of Himachal Pradesh is not in favour of the creation of an All India Judicial Service.
3.	Karnataka	Government of Karnataka is not agreeable for creation of All India Judicial Service.
4.	Madhya Pradesh	The State Government had earlier forwarded the comments of M.P. High Court. The High Court is not in favour of formation of All India Judicial Service.
5.	Maharashtra	The State Government does not agree with the proposal of Central Government and wants recruitment to be done at JMFC level.
6.	Meghalaya	State Government is of the opinion that formation of AIJS is not desirable.

7.	Nagaland	Nagaland Judicial Officers are recruited by the High Court. Hence, they cannot be at par with the IAS / IPS. The State Government of Nagaland has reservation for creation of All India Judicial Service (AIJS).
8.	Punjab	The State Government does not favour creation of AIJS
States which want changes in the proposal		
1.	Bihar	State Government is open to creation of AIJS with the following changes: (i) AIJS to be brought in All India Service in conformity with Article 312 of the Constitution, (ii) Entry point of AIJS should be on the post of Assistant Sessions Judge as per Article 223(2), (iii) Period for experience of 7 years to be reduced to 3 years to select young persons, (iv) 50 % vacancies to be filled by promotion and rest by direct recruitment through UPSC or proposed National Judicial Commission, (v) Appointment and allocation of State/UT to the selected candidates according to All India Service and their services to be under the control of concerned High Court & accordingly amendment in Article 233(2) of the Constitution, (vi) Seniority to be fixed as per inter-se seniority of the candidates appointed by direct recruitment ad by promotion, (vii) In the light of report of Shetty Commission, weightage should be given to the seniority and services of the Additional District and Sessions Judges working prior to creation of the said Service.
2.	Chhattisgarh	State Government of Chhattisgarh wants only 15% of vacancies at level of Additional District Judge and above from the Bar to be filled up through AIJS.
3.	Manipur	State Government is open to AIJS but wants only 25 % of the posts of cadre of District Judges to be filled by direct recruitment through AIJS and period for experience of 7 years to be reduced to 5 years along with minimum training period

		of 18 months extendable for 2 years at the induction level to reduce vacancy position.
4.	Odisha	The State Government wants changes in the proposal and insisted on minimum experience of ten years and upper age limit of forty years.
5.	Uttarakhand	State Government agrees with the views of High Court of Uttarakhand. High Court of Uttarakhand has made suggestions for changes in age induction level, recruitment body, qualifications, allocations to States, Quota, training, court language *etc.*
States which are yet to respond on constitution of AIJS.		
1.	Gujarat	No response received.
2.	Jharkhand	No response received.
3.	Rajasthan	No response received.
4.	Tamil Nadu	No response received.
5.	Assam	No response received.
6.	Andhra Pradesh	No response received.
7.	Kerala	No response received.
8.	Uttar Pradesh	No response received.
9.	West Bengal	No response received.
10.	Telangana	No response received.
11.	Goa	No response received.
12.	Tripura	No response received.
13.	Sikkim	No response received.

ANNEXURE-II

B. Response of High Courts regarding Constitution of AIJS

High Courts **in favour of** constitution of AIJS	
(i) Sikkim (ii) Tripura	2
High Courts, which are **NOT in favour of** constitution of AIJS	
(i) Andhra Pradesh (ii) Bombay (iii) Delhi (iv) Gujarat (v) Karnataka (vi) Kerala (vii) Madras (viii) Patna (ix) Punjab and Haryana (x) Calcutta (xi) Jharkhand (xii) Rajasthan (xiii) Orissa	13
High Courts, **which want changes** in the proposal	
(i) Allahabad (ii) Chhattisgarh (iii) Himachal Pradesh (iv) Meghalaya	6

(v) Uttarakhand (vi) Manipur	
High Courts, which are **yet to give response**	
(i) Gauhati (ii) Madhya Pradesh	2
Total	**23**

Views / responses of the High Courts on the proposal formulated by the Central Government for creation of All India Judicial Service (AIJS)

S. No.	Name of the High Court	Comments / views of the High Court
High Courts in favor of AIJS		
1.	Sikkim	Sikkim High Court concurs with proposal and also the features suggested by the Central Government.
2.	Tripura	High Court of Tripura is in favour of All India Judicial Service.
High Courts NOT in favor of AIJS		
1.	Andhra Pradesh	Majority of Hon'ble Judges of Andhra Pradesh High Court have not accepted the proposal for creation of All India Judicial Service (AIJS)
2.	Bombay	The issue of formation of All India Judicial Service was placed before full Court meeting on 20.09.2014, when it was decided not to recommend formation of an All India Judicial Service.
3.	Delhi	Delhi High Court has reservation about AIJS.
4.	Gujarat	Gujarat High Court is not in favour of AIJS.
5.	Karnataka	Karnataka High Court is not agreeable for creation of All India Judicial Service.
6.	Kerala	The Full Court expressed its concern with regard to proficiency in local language, which the candidate should possess while discharging their duties. The Full Court further opined that after posting, the officers shall be under the control of concerned High Court under Article 235 of the Constitution of India and for selection, the qualification as required under Article 233 (2) shall continue to operate.
7.	Madras	Madras High Court is not in favour of All India Judicial Service

8.	Patna	The Hon'ble High Court is of the opinion that the Judicial Service is not comparable with that of Civil Services. The Court, therefore, does not favour the formation of All India Judicial Services as proposed.
9.	Punjab and Haryana	The constitution of All India Judicial Service will seriously erode the federal structure contemplated by the Constitution. The constitution of 'All India Judicial Service' with power of disciplinary action by the President (Central Government) completely oust the control and supervision of the District Courts vested with High Court under Article 235 of the Constitution.
10.	Calcutta	High Court of Calcutta vide letter dated 24.06.2020 has stated that the Constitutional Scheme does not permit such a service and the ame would be opposed to the principle of federalism as enshrined in the Constitution of India.
11	Jharkhand	Jharkhand High Court is not in favour of AIJS.
12.	Rajasthan	Rajasthan High Court is not in favour of AIJS
13.	Orissa	Orissa High Court is not in favour of AIJS
High Courts which want changes in the proposal		
1.	Allahabad	Allahabad High Court has suggested changes with regard to the age and qualifications for AIJS. Further, it has proposed that the High Court in whose jurisdiction, the officers of All India Judicial Service are posted should exercise complete control over the officer as per Article 235 of the Constitution of India.
2.	Chhattisgarh	There may be All India Higher Judicial Services to the extent of 15% of the total vacancy from the Bar.
3.	Himachal Pradesh	The High Court agrees in principle to entrust the selection of 25% direct recruits to the Higher Judicial Service being made by the National Judicial Appointments Commission (NJAC).
4.	Meghalaya	Meghalaya High Court is o+pen to All India Judicial Service provided that the officers of the Service are given

		option for preference of any three States on the lines of IAS, IPS, etc. on being elevated to the High Courts.
5.	Uttarakhand	High Court of Uttarakhand has made suggestions for changes in age induction level, recruitment body, qualifications, allocations to States, Quota, training, court language *etc.*
6.	Manipur	Implementation of All India Judicial Service has to be subject to settlement of certain issues, like allocation of cadre and language *etc.*
High Courts which are yet to give response		
1.	Gauhati	No response received.
2.	Madhya Pradesh	High Court of M.P. has intimated vide letter dated 16.09.2014 that the matter will be placed before full Court.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

A2J/LAP

RAJYA SABHA
STARRED QUESTION NO-203
TO BE ANSWERED ON THUSDAY THE 16/12/2021

FREE LEGAL AID UNDER LEGAL SERVICES AUTHORITIES ACT

203.Shri Sushil Kumar Gupta:

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

(a) whether Government has drawn any plan to widen the access to increase legal information and whether the consultation is available free of cost to those entitled to free legal aid under Section 12 of Legal Services Authorities Act, 1987;

(b) if so, the steps taken or being proposed to be taken in this regard;

(c) the details of Citizens Tele-Law Mobile App; and

(d) the steps taken to motivate lawyers to join this App?

ANSWER

MINISTER OF LAW & JUSTICE
(SHRI KIREN RIJIJU)

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

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STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF RAJYA SABHA STARRED QUESTION NO. 203 FOR ANSWER ON 16.12.2021 REGARDING 'FREE LEGAL AID UNDER LEGAL SERVICES AUTHORITIES ACT'.

(a) and (b) Yes, Sir. The Legal Services Authorities (LSA) Act, 1987 provides for free and competent legal services to the weaker sections of the society including beneficiaries covered under Section 12 of the Act to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

For this purpose, the Legal Services Institutions have been setup from the Taluk Court level to the Supreme Court. During the period from April, 2021 to September, 2021, 3.10 lakhs persons have been provided with free legal services. 75.41 lakhs cases (pending in courts and disputes at pre-litigation stage) have also been settled through Lok Adalats.

Further, National Legal Services Authority (NALSA) has increased its digital presence and launched Legal Services Mobile App for Android and iOS version on 08.08.2021 in addition to the already existing web portal for filing legal aid applications. This Mobile App can be used for seeking legal assistance, legal advice, redressal of other grievances and tracking the applications.

Recently, a six week long Pan India Legal Awareness and outreach campaign was also carried out as part of Azadi Ka Amrit Mahotsav celebration by NALSA in order to reach each and every village/Urban area of the country. This campaign intended to maximize the outreach of Legal Services Authorities spreading awareness regarding the availability of free legal services to the masses. Door-to-Door visits were organized in 17.98 lakh villages which reached out to 83.67 cr citizens. In addition, 5.98 Lakh Awareness Programmes were organized benefitting 26.07 cr citizens. 39,187 Legal Aid Clinics were held which assisted 1.44 cr citizens. 26,460 Mobile Vans were deployed in 3.21 lakh villages which sensitized 19.46 cr citizens. A Mega Legal Service Camp was also organised in Pithoragarh District in Uttarakhand on 05.12.2021 which was attended by more than 5,000 people. Various Government departments viz. Social Welfare,

Health, Women Empowerment, Horticulture, Industry, Animal Husbandry etc participated in the camp and informed about different Government welfare schemes run by them to common people.

(c) and (d) Department of Justice has launched the Citizens' Tele-Law Mobile App on 13.11.2021.The Mobile Application enables the beneficiary to access pre-litigation advice and consultation directly from the Panel Lawyer, free of cost. The Application is available in six languages which are: English, Hindi, Punjabi, Tamil, Telugu and Marathi.The Application is available in Android version and can be downloaded from Google Play Store. The Tele-Law Mobile Application for lawyers is presently open only for Tele-Law registered Panel Lawyers.

A special Login Week was organised throughout the country from 08.11.2021 to 14.11.2021 for encouraging those in need to seek legal advice and consultation through tele and video conferencing facilitates by visiting their nearest Common Service Centers (CSCs) offering Tele-Law services. To increase outreach, Tele-Law on Wheels campaign was also organised wherein 4250 awareness and community mobilization sessions were conducted across the country benefitting more than 52,000 participants. A short film titled "Foot prints of Tele-law" highlighting the journey of Tele-Law since its inception and promotional video on Mobile App was released on 13.11.2021. An E-Tutorial on Mobile App has also been developed in English and Hindi for benefit of Panel lawyers and beneficiaries. So far, 10946 beneficiaries have downloaded the Mobile App including 90 Panel lawyers. 7594 beneficiaries had registered for advice and advice has already been enabled in 7160 cases.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE
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Justice-II

RAJYA SABHA

UNSTARRED QUESTION NO. 2198

TO BE ANSWERED ON THURSDAY, THE 16TH DECEMBER, 2021

Fast Track Special Courts for rape and POCSO cases

2198. Ms. SUSHMITA DEV:

Will the Minister of Law and Justice be pleased to state:

(a) whether Government has set up Fast Track Special Courts for Rape and POCSO Act cases;

(b) if so, whether there has been an improvement in the average time taken to resolve cases;

(c) if so, the details of average time taken before and after establishment of FTSCs;

(d) State-wise details of funds released for setting up of the FTSCs;

(e) State-wise details of vacancies of judicial staff in such courts; and

(f) steps that Government has taken to fill up these posts?

ANSWER
MINISTER OF LAW & JUSTICE
(SHRI KIREN RIJIJU)

(a): Yes, Sir. The Department of Justice is implementing a Centrally Sponsored Scheme for setting up of 1023 Fast Track Special Courts (FTSCs) including 389 exclusive POCSO (e-POCSO) Courts for expeditious trial and disposal of cases related to rape and POCSO Act,As per details provided by the High Courts for the month of October, 2021, 681 FTSCs including 381 e-POCSO courts are functional in 27 States/UTs across the Country which have disposed 64217 cases.

(b) & (c): Since FTSCs are spread across the country in 27 States/UTs and the average time taken in case disposal is dynamic in nature, such data is not centrally maintained. Similarly, data of average time taken before and after establishment of FTSCs for each State is not centrally maintained.

(d): The State/UT-wise details of fund released for FTSCs are given in **Annexure.**

(e) & (f): The information is being collected and will be laid on the table of the House.

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Annexure

State/UT-wise details of funds released to FTSCs

(Rs. in Cr.)

S.No.	States/UTs	Amount released in 2019-20	Amount released in 2020-21	Amount released in 2021-22
1	Chhattisgarh	3.375	3.375	0
2	Gujrat	7.875	7.875	0
3	Mizoram	1.0125	1.0125	0.50625
4	Nagaland	0.3375	0.3375	0
5	Jharkhand	4.95	4.95	0
6	Madhya Pradesh	15.075	15.0750	15.075
7	Manipur	0.675	0.675	0.3375
8	Haryana	3.6	3.6	3.6
9	Chandigarh	0.1875	0	0
10	Rajasthan	5.85	14.4	10.125
11	Tamil Nadu	3.15	3.15	2.59
12	Tripura	1.0125	1.0125	0
13	Uttar Pradesh	13.80625	84.29375	24.525
14	Uttarakhand	2.7	0	2.092
15	Delhi	3.6	0	0
16	Andhra Pradesh	1.8	0	0
17	Bihar	2.025	15.26255	0
18	Assam	2.85625	1.86875	3.375
19	Maharashtra	31.05	0	0
20	Himachal Pradesh	1.0125	1.51875	0
21	Karnataka	6.975	0	0
22	Kerala	8.4	0	0
23	Meghalaya	1.6875	0	0
24	Odisha	5.4	1.3	0
25	Punjab	2.7	0	0
26	Telangana	8.1	0	0
27	Goa	0.225	0	0
28	J&K	0.5625	0	0
29	West Bengal	0	0	0
30	A&N	0	0	0
31	Arunachal Pradesh	0	0	0
	Total	140	159.71	62.22575

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

RAJYA SABHA

UNSTARRED QUESTION NO. 2199
TO BE ANSWERED ON THURSDAY, THE 16TH DECEMBER, 2021

CASES OF LESS SERIOUS NATURE PENDING IN LOWER COURTS

2199 # MS. SAROJ PANDEY:

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

(a) the number of judicial matters currently pending in lower courts in the country which have been registered at least three years before and which are of relatively less serious nature apart from murder or rape; and
(b) the steps taken by Government for speedy disposal of these matters?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a): The Government does not maintain specific data related to pendency of cases on "relatively less serious nature apart from murder or rape". Case status data is maintained in the National Judicial Data Grid (NJDG). The statement of cases pending for at least 3 (three) years is as under:-

Particulars	Civil	Criminal	Total
3 to 5 Years	1564558(14.52%)	4358935(14.34%)	5923493(14.38%)
5 to 10 Years	1539375(14.29%)	4254366(13.99%)	5793741(14.07%)
10 to 20 Years	526165(4.88%)	2087444(6.87%)	2613609(6.35%)
20 to 30 Years	110581(1.13%)	353954(1.13%)	464535(1.13%)
Above 30 Years	35241(0.33%)	61708(0.2%)	96949(0.24%)
Total	**3775920**	**11116407**	**14892327**

(b): Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no role in disposal of cases in courts. Timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. There are several other factors which may lead to delay in disposal of cases. These, inter-alia, include vacancies of judges, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary.

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

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

(i) **Improving infrastructure for Judicial Officers of District and Subordinate Courts:** As on date, Rs. 8,709.77 crores have been released since the inception of the

Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 20,565 as on 31.10.2021 and number of residential units has increased from 10,211 as on 30.06.2014 to 18,142 as on 31.10.2021 under this scheme. In addition, 2,841 court halls and 1,807 residential units are under construction. The Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary has been extended till 2025-26 at a total cost of Rs. 9000 crores, out of which Central share will be Rs. 5307 crores. Besides, construction of Court Halls and Residential Units, it would also cover construction of Lawyer's Halls, Toilet Complexes and Digital Computer Rooms.

(ii) **Leveraging Information and Communication Technology (ICT) for improved justice delivery:** Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased to 18,735 as on 01.07.2021. WAN connectivity has been provided to 98.7% of court complexes. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). As on 01.11.2021, litigants can access case status of over 19.56 crore cases and 15.72 crore order/judgments pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. With a view to handle the COVID-19 challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-Sewa Kendras at court complexes to facilitate lawyers

and litigants needing assistance ranging from case status, getting judgments/orders, court/case related information and efiling facilities. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for efiling in various court complexes.

Fifteen Virtual Courts have been set up in 11 States/UTs viz. Delhi (2), Haryana, Tamil Nadu, Karnataka, Kerala (2), Maharashtra (2), Assam, Chhattisgarh, Jammu & Kashmir (2), Uttar Pradesh and Odisha to try traffic offences. As on 01.11.2021, these courts have handled more than 99 lakh cases and realized more than Rs.193.15 crore in fines.

Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Since Covid lockdown started, the District courts heard 1,01,77,289 cases while the High Court heard 55,24,021 cases (totalling to 1.57 crore) till 31.10.2021 using video conferencing only. The Supreme Court had 1,50,692 hearings since the lockdown period upto 29.10.2021.

(iii) **Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts:** From 01.05.2014 to 29.11.2021, 44 Judges were appointed in Supreme Court. 688 new Judges were appointed and 583 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1098 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
10.12.2021	24,489	19,290

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

(iv) **Reduction in Pendency through / follow up by Arrears Committees:** In pursuance of Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts. In the past, Minister of Law & Justice has taken up the matter with Chief Justices of High Courts and Chief Ministers in the past drawing their attention to cases pending for more than five years and to take up pendency reduction campaign. The Department has developed an online portal for reporting by all High Courts on the compliance of Arrears Eradication Scheme guidelines of the Malimath Committee Report.

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

(vi) **Initiatives to Fast Track Special Type of Cases:** The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution form 32% to 42% to meet such requirements. As on 31.10.2021, 914 Fast Track Courts are functional for heinous crimes, crimes against women and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are

functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi). Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme for setting up of 842 FTSCs including 363 'exclusive POCSO Courts'. Rs.140 crore was released in the financial year 2019-20 and Rs. 160.00 crore has been released during the financial year 2020-21 for the scheme. 681 FTSCs are presently functional including 381 exclusive POCSO Courts, which disposed 64217 cases as on 31.10.2021. The continuation of the Scheme of FTSC has been approved for another two years (2021-23) at a total outlay of Rs. 1572.86 crore, including Rs. 971.70 crore as Central share.

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

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

A2J/LAP

RAJYA SABHA

UNSTARRED QUESTION NO-2200
TO BE ANSWERED ON THURSDAY THE 16/12/2021

LEGAL SERVICES PROVIDED UNDER FREE LEGAL AID SCHEME

2200. Dr. Narendra Jadhav:

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

details of the persons who got free legal services in civil and criminal matters for the conduct of a case or a legal proceeding in any Court, Tribunal or Authority by National Legal Service Authority during the last three years, State, Gender and Category-wise (to the members belonging to SC, ST community)?

ANSWER

MINISTER OF LAW & JUSTICE
(SHRI KIREN RIJIJU)

As per Section 12 of the Legal Services Authorities Act, 1987, all women whether belong to any caste or religion are eligible to avail and obtain free legal services provided by Legal Services Authorities across the country. As informed by National Legal Services Authority (NALSA), data pertaining to women belonging to SC and ST category is therefore not maintained at their end. A statement showing details of women and persons belonging to SC, ST Community who were provided free legal services under the Legal Services Authorities Act, 1987 during 2018-19, 2019-20, 2020-21 and 2021-22 (upto September, 2021) is at Annexure-A.

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Annexure-A

Statement as referred to in reply to Rajya Sabha Unstarred Question No. 2200 for answering on 16.12.2021 raised by Dr. Narendra Jadhav, MP - Legal services provided under Free Legal aid scheme.

Statement showing details of women and persons belonging to SC, ST Community who were provided free legal services under the Legal Services Authorities Act, 1987 during 2018-19, 2019-20, 2020-21 and 2021-22 (upto September, 2021)

S. No.	SLSAs	2018-19			2019-20			2020-21			2021-22 (upto September, 2021)		
		Women	SC	ST	Women	SC	ST	Women	SC	ST	Women	SC	ST
1	Andaman & Nicobar Islands	22	0	0	13	0	0	14	0	0	5	0	0
2	Andhra Pradesh	918	177	84	680	210	62	239	56	16	208	17	6
3	Arunachal Pradesh	1028	324	1527	992	511	1956	719	181	787	288	104	298
4	Assam	1523	88	142	1877	178	164	2467	86	151	753	129	317
5	Bihar	15800	14573	629	8832	5818	156	3622	1132	260	752	428	186
6	Chhattisgarh	5603	7398	10141	5642	8640	25137	1580	2364	7642	1276	1352	3197
7	Dadra & Nagar Haveli	14	1	2	17	1	6	8	0	1	5	0	1
8	Daman & Diu	0	0	0	0	0	0	0	0	0	0	0	0
9	Delhi	17111	1008	23	17783	1019	7	10605	356	12	6708	246	2
10	Goa	710	14	3	1879	13	4	478	2	0	157	0	1
11	Gujarat	5019	1402	944	6848	1726	1375	2588	545	326	2559	516	265
12	Haryana	5914	981	8	6998	707	1	3253	265	0	2540	313	0
13	Himachal Pradesh	2206	550	62	2046	382	41	1111	165	15	1020	140	25
14	Jammu & Kashmir	903	579	308	1683	773	167	1951	384	153	1174	69	98
15	Jharkhand	20265	4814	40974	9537	2729	2960	8132	4964	4324	2894	1112	851
16	Karnataka	13330	7214	4304	18872	9017	6188	4369	4121	2684	2167	2822	3683
17	Kerala	33327	5078	2372	21541	4280	1728	4240	529	182	2363	353	101
18	Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0
19	Madhya Pradesh	45748	22022	22011	66252	33481	45981	17950	9471	9861	9531	5430	6168
20	Maharashtra	9388	952	475	9790	1578	589	4640	1127	543	2862	611	342
21	Manipur	6498	1122	5670	6753	1251	3994	4805	1265	6575	2600	1090	2658
22	Meghalaya	649	280	1768	446	280	1397	273	125	1038	179	10	276
23	Mizoram	2711	2	7813	2343	0	4856	288	16	854	79	104	431
24	Nagaland	877	405	31068	256	153	2001	647	290	2036	445	258	1198
25	Odisha	3590	958	621	2639	702	592	1689	662	414	939	518	522
26	Puducherry	324	57	8	283	49	2	74	11	0	63	10	3

S. No.	SLSAs	2018-19			2019-20			2020-21			2021-22 (upto September, 2021)		
		Women	SC	ST	Women	SC	ST	Women	SC	ST	Women	SC	ST
27	Punjab	10170	6842	436	38059	29869	6	6428	2508	5	3413	896	4
28	Rajasthan	2888	1332	568	1279	219	134	519	98	46	366	63	23
29	Sikkim	384	28	117	400	13	81	316	11	62	194	16	63
30	Tamil Nadu	10180	3712	680	8794	3923	934	4452	864	248	2298	487	110
31	Telangana	2100	327	123	1550	113	33	646	49	13	430	20	11
32	Tripura	5675	2705	1758	5164	2282	1082	1085	176	158	566	41	15
33	Chandigarh	1817	105	0	996	89	13	530	14	0	326	14	0
34	Uttar Pradesh	11370	8003	835	7191	5463	558	620	343	5	861	2240	2
35	Uttarakhand	810	110	13	911	73	15	722	69	49	506	40	12
36	West Bengal	8917	3586	1823	11441	3235	1993	4594	1083	599	2683	858	320
37	Ladakh	-	-	-	-	-	-	0	3	5	53	15	58
	Total	**247789**	**96744**	**137260**	**269787**	**118777**	**104213**	**95654**	**33335**	**39064**	**53263**	**20322**	**21247**

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

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYASABHA

UNSTARRED QUESTION NO. 2201
TO BE ANSWERED ON THURSDAY, THE 16th DECEMBER, 2021

PENDENCY IN LOWER COURTS

2201. SHRI NEERAJ SHEKHAR:

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

(a) the details of pending, civil and criminal cases at the level of lower judiciary in the country, State-wise as on date;
(b) the details of pending civil and criminal cases at the level of lower judiciary in the country as on 1st December, 2021 and 1st January, 2020, State-wise;
(c) the details of increase/decrease in pendency of criminal and civil cases, State-wise during the last two years; and
(d) the details of efforts taken by Government for early disposal of cases in the country during the last two years?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a): The details of pendency of civil and criminal cases as on date, in respect of lower judiciary, State-wise, as available on National Judicial Data Grid (NJDG) is at ***Annexure I.***

(b): The details of pendency of civil and criminal cases in respect of lower judiciary as on 1.12.2021 and 01.01.2020, State-wise, as available on National Judicial Data Grid (NJDG) is at ***Annexure II.***

(c): The details of increase/decrease in pendency of civil and criminal cases in respect of lower judiciary, State-wise during the last two years (as on 1st January 2020 and 13th December 2021), as available at National Judicial Data Grid (NJDG) is at ***Annexure III.***

(d): Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no role in disposal of cases in courts. Timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. There are several other factors which may lead to delay in disposal of cases. These, inter-alia, include vacancies of judges, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary.

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

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

(i) **Improving infrastructure for Judicial Officers of District and Subordinate Courts:** As on date, Rs. 8,709.77 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 20,565 as on 31.10.2021 and number of residential units has increased from 10,211 as on 30.06.2014 to 18,142 as on 31.10.2021 under this scheme. In addition, 2,841 court halls and 1,807 residential units are under construction. The Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary has been extended till 2025-26 at a total cost of Rs. 9000 crores, out of which Central share will be Rs. 5307 crores. Besides, construction of Court Halls and Residential Units, it would also cover construction of Lawyer's Halls, Toilet Complexes and Digital Computer Rooms.

(ii) **Leveraging Information and Communication Technology (ICT) for improved justice delivery:** Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased to 18,735 as on 01.07.2021. WAN connectivity has been provided to 98.7% of court complexes. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). As on 01.11.2021, litigants can access case status of over 19.56 crore cases and 15.72 crore order/judgments pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all

computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. With a view to handle the COVID- 19 challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-SewaKendras at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case related information and efiling facilities. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for efiling in various court complexes.

Fifteen Virtual Courts have been set up in 11 States/UTs viz. Delhi (2), Haryana, Tamil Nadu, Karnataka, Kerala (2), Maharashtra (2), Assam, Chhattisgarh, Jammu & Kashmir (2), Uttar Pradesh and Odisha to try traffic offences. As on 01.11.2021, these courts have handled more than 99 lakh cases and realized more than Rs.193.15 crore in fines.

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(iii) **Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts:** From 01.05.2014 to 29.11.2021, 44 Judges were appointed in Supreme Court. 688 new Judges were appointed and 583 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been

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

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
13.12.2021	24,489	19,356

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

(iv) **Reduction in Pendency through / follow up by Arrears Committees:** In pursuance of Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts. In the past, Minister of Law & Justice has taken up the matter with Chief Justices of High Courts and Chief Ministers in the past drawing their attention to cases pending for more than five years and to take up pendency reduction campaign. The Department has developed an online portal for reporting by all High Courts on the compliance of Arrears Eradication Scheme guidelines of the Malimath Committee Report.

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

(vi) **Initiatives to Fast Track Special Type of Cases:** The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous

crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution form 32% to 42% to meet such requirements. As on 31.10.2021, 914 Fast Track Courts are functional for heinous crimes, crimes against women and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi). Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme for setting up of 842 FTSCs including 363 'exclusive POCSO Courts'. Rs.140 crore was released in the financial year 2019-20 and Rs. 160.00 crore has been released during the financial year 2020-21 for the scheme. 681 FTSCs are presently functional including 381 exclusive POCSO Courts, which disposed 64217 cases as on 31.10.2021. The continuation of the Scheme of FTSC has been approved for another two years (2021-23) at a total outlay of Rs. 1572.86 crore, including Rs. 971.70 crore as Central share.

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

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ANNEXURE I

STATEMENT REFERRED TO IN REPLY TO PART (A) OF RAJYA SABHA UNSTARRED QUESTION NO. 2201 FOR ANSWER ON 16.12.2021 REGARDING PENDENCY IN LOWER COURTS.

S. No.	Name of State /UT*	Cases Pending as on 13.12.2021		
		Civil Cases	Criminal Cases	Both
1	Andhra Pradesh	413386	358955	772341
2	Assam	86566	327950	414516
3	Bihar	473790	2897386	3371176
4	Chandigarh	22723	45341	68064
5	Chhattisgarh	68945	301892	370837
6	Delhi	241300	850685	1091985
7	Diu and Daman	1389	1466	2855
8	DNH at Silvasa	1740	1920	3660
9	Goa	25750	35535	61285
10	Gujarat	459288	1499829	1959117
11	Haryana	429063	839183	1268246
12	Himachal Pradesh	153640	294670	448310
13	Jammu and Kashmir	95828	147198	243026
14	Jharkhand	89167	405426	494593
15	Karnataka	876561	1119919	1996480
16	Kerala	517243	1436017	1953260
17	Ladakh	398	426	824
18	Madhya Pradesh	377780	1463105	1840885
19	Maharashtra	1477536	3366054	4843590
20	Manipur	8430	4430	12860
21	Meghalaya	4210	9881	14091
22	Mizoram	2202	3742	5944

23	Nagaland	489	2109	2598
24	Odisha	303368	1212366	1515734
25	Puducherry	15381	19720	35101
26	Punjab	391687	525185	916872
27	Rajasthan	515566	1496161	2011727
28	Sikkim	674	1193	1867
29	Tamil Nadu	759650	606749	1366399
30	Telangana	328829	475421	804250
31	Tripura	9151	30134	39285
32	Uttar Pradesh	1908209	7951414	9859623
33	Uttarakhand	44417	256002	300419
34	West Bengal	604073	1976534	2580607
	TOTAL	**10708429**	**29963998**	**40672427**

*Note: Data onDistrict and Subordinate Courts in the States of **Arunachal Pradesh,** and Union Territories of **Lakshadweep and Andaman & Nicobar Islands** are not available on the web-portal of NJDG.

ANNEXURE II

STATEMENT REFERRED TO IN REPLY TO PART (B) OF RAJYA SABHA UNSTARRED QUESTION NO. 2201 FOR ANSWER ON 16.12.2021 REGARDING PENDENCY IN LOWER COURTS.

S. No.	Name of State /UT*	Cases Pending as on 01.12.2021			Cases Pending as on 01.1.2020		
		Civil Cases	Criminal Cases	Both	Civil Cases	Criminal Cases	Both
1	Andhra Pradesh	413693	363691	777384	241528	188628	430156
2	Assam	86293	326104	412397	47202	180308	227510
3	Bihar	472162	2888823	3360985	369390	2276030	2645420
4	Chandigarh	23115	45849	68964	13228	21913	35141
5	Chhattisgarh	69484	309107	378591	38086	161756	199842
6	Delhi	238327	842159	1080486	133077	530201	663278
7	Diu and Daman	1373	1472	2845	799	800	1599
8	DNH at Silvasa	1721	1934	3655	1040	1058	2098
9	Goa	25621	35469	61090	17064	18246	35310
10	Gujarat	464514	1576737	2041251	300916	831407	1132323
11	Haryana	427431	833373	1260804	228601	407926	636527
12	Himachal Pradesh	154820	290206	445026	91576	107356	198932
13	Jammu and Kashmir	95828	147198	243026	60728	89858	150586
14	Jharkhand	88694	402114	490808	56504	258011	314515
15	Karnataka	867946	1021854	1889800	519073	531896	1050969
16	Kerala	514423	1448236	1962659	263079	814605	1077684
17	Ladakh	398	426	824	190	198	388
18	Madhya Pradesh	380836	1460728	1841564	221709	898732	1120441
19	Maharashtra	1475674	3395067	4870741	1015073	2146953	3162026

20	Manipur	8342	4309	12651	4777	2264	7041
21	Meghalaya	4135	9663	13798	2749	6738	9487
22	Mizoram	2191	3674	5865	1030	1713	2743
23	Nagaland	471	2111	2582	178	1308	1486
24	Odisha	303026	1209105	1512131	225357	919106	1144463
25	Puducherry	15341	19425	34766	7731	13228	20959
26	Punjab	395250	526833	922083	194004	239226	433230
27	Rajasthan	523810	1516368	2040178	332173	1010796	1342969
28	Sikkim	636	1180	1816	133	302	435
29	Tamil Nadu	757294	599460	1356754	438477	379489	817966
30	Telangana	327400	476063	803463	196061	256077	452138
31	Tripura	9065	29582	38647	4410	9356	13766
32	Uttar Pradesh	1904821	7896231	9801052	1374896	5081977	6456873
33	Uttarakhand	44380	256319	300699	22158	121855	144013
34	West Bengal	600973	1962727	2563700	445045	1613543	2058588
	TOTAL	**10699488**	**29903597**	**40603085**	**6868042**	**19122860**	**25990902**

*Note: Data onDistrict and Subordinate Courts in the States of **Arunachal Pradesh**, and Union Territories of **Lakshadweep and Andaman & Nicobar Islands** are not available on the web-portal of NJDG

ANNEXURE III

STATEMENT REFERRED TO IN REPLY TO PART (C) OF RAJYA SABHA UNSTARRED QUESTION NO. 2201 FOR ANSWER ON 16.12.2021 REGARDING PENDENCY IN LOWER COURTS.

S. No.	Name of State /UTs	Civil Cases		Increase	Criminal Cases		Increase
		As on 01.01.2020	As on 13.12.2021		As on 01.01.2020	As on 13.12.2021	
1	Andhra Pradesh	241528	413386	171858	188628	358955	170327
2	Assam	47202	86566	39364	180308	327950	147642
3	Bihar	369390	473790	104400	2276030	2897386	621356
4	Chandigarh	13228	22723	9495	21913	45341	23428
5	Chhattisgarh	38086	68945	30859	161756	301892	140136
6	Delhi	133077	241300	108223	530201	850685	320484
7	Diu and Daman	799	1389	590	800	1466	666
8	Dadra and Nagar Haveli at Silvasa	1040	1740	700	1058	1920	862
9	Goa	17064	25750	8686	18246	35535	17289
10	Gujarat	300916	459288	158372	831407	1499829	668422
11	Haryana	228601	429063	200462	407926	839183	431257
12	Himachal Pradesh	91576	153640	62064	107356	294670	187314
13	Jammu and Kashmir	60728	95828	35100	89858	147198	57340
14	Jharkhand	56504	89167	32663	258011	405426	147415
15	Karnataka	519073	876561	357488	531896	1119919	588023
16	Kerala	263079	517243	254164	814605	1436017	621412
17	Ladakh	190	398	208	198	426	228
18	Madhya Pradesh	221709	377780	156071	898732	1463105	564373
19	Maharashtra	1015073	1477536	462463	2146953	3366054	1219101
20	Manipur	4777	8430	3653	2264	4430	2166
21	Meghalaya	2749	4210	1461	6738	9881	3143
22	Mizoram	1030	2202	1172	1713	3742	2029
23	Nagaland	178	489	311	1308	2109	801
24	Odisha	225357	303368	78011	919106	1212366	293260
25	Puducherry	7731	15381	7650	13228	19720	6492
26	Punjab	194004	391687	197683	239226	525185	285959
27	Rajasthan	332173	515566	183393	1010796	1496161	485365
28	Sikkim	133	674	541	302	1193	891
29	Tamil Nadu	438477	759650	321173	379489	606749	227260
30	Telangana	196061	328829	132768	256077	475421	219344
31	Tripura	4410	9151	4741	9356	30134	20778
32	Uttar Pradesh	1374896	1908209	533313	5081977	7951414	2869437
33	Uttarakhand	22158	44417	22259	121855	256002	134147
34	West Bengal	445045	604073	159028	1613543	1976534	362991
	Total	**6868042**	**10708429**	**3840387**	**19122860**	**29963998**	**10841138**

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

RAJYA SABHA

UNSTARRED QUESTION NO. 2202
TO BE ANSWERED ON THURSDAY, THE 16th DECEMBER, 2021

PENDENCY BEFORE COURTS IN BIHAR

2202. SHRI SUSHIL KUMAR MODI:

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

(a) the number of civil and criminal cases pending before the High Court, District Courts and other Subordinate Courts in Bihar;
(b) the details of the number of cases pending across categories, pending for less than 5 years, 5 to 10 years, pending since 10 years and above;
(c) the number of vacant posts of judicial officers across district and subordinate courts in Bihar;
(d) whether Government has taken measures to address the backlog of past vacancies, the details thereof; and
(e) whether any measures have been adopted to speed up the process of disposal of cases?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) & (b): The total number of civil and criminal cases pending in Patna High Court and Subordinate Courts of Bihar is at ***Annexure***.

(c): As on 10.12.2021, 554 posts of Judicial Officers in District & Subordinate Courts of Bihar are vacant.

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

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

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

In September, 2016, Union Minister of Law & Justice wrote to the Chief Ministers of States and the Chief Justices of High Courts to enhance the cadre strength of the District and Subordinate Courts and provide physical infrastructure to the State judiciary. The same was reiterated in May, 2017. The sanctioned strength of judges in District and Subordinate Courts increased from 19,518 in the year 2014 to 24,489 as on 10.12.2021. In August, 2018, in the context of increasing pendency of cases, the Union Minister of Law & Justice has written to all Chief Justices of High Courts to monitor the status of the vacancies regularly and to ensure proper coordination with the State Public Service Commission to fill up vacant posts as per time schedule prescribed by the Hon'ble Supreme Court in the Malik Mazhar Sultan case. The filling up of vacancies is also being monitored by the Supreme Court in a suo-motu Writ Petition (Civil) No. 2 of 2018.

(e): Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no role in disposal of cases in courts. Timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. There are several other factors which may lead to delay in disposal of cases. These, inter-alia, include vacancies of judges, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing

pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary.

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

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

(i) **Improving infrastructure for Judicial Officers of District and Subordinate Courts:** As on date, Rs. 8,709.77 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 20,565 as on 31.10.2021 and number of residential units has increased from 10,211 as on 30.06.2014 to 18,142 as on 31.10.2021 under this scheme. In addition, 2,841 court halls and 1,807 residential units are under construction. The Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary has been extended till 2025-26 at a total cost of Rs. 9000 crores, out of which Central share will be Rs. 5307 crores. Besides,

construction of Court Halls and Residential Units, it would also cover construction of Lawyer's Halls, Toilet Complexes and Digital Computer Rooms.

(ii) **Leveraging Information and Communication Technology (ICT) for improved justice delivery:** Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased to 18,735 as on 01.07.2021. WAN connectivity has been provided to 98.7% of court complexes. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). As on 01.11.2021, litigants can access case status of over 19.56 crore cases and 15.72 crore order/judgments pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. With a view to handle the COVID- 19 challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-Sewa Kendras at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case related information and efiling facilities. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in

various court complexes to facilitate virtual hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for efiling in various court complexes.

Fifteen Virtual Courts have been set up in 11 States/UTs viz. Delhi (2), Haryana, Tamil Nadu, Karnataka, Kerala (2), Maharashtra (2), Assam, Chhattisgarh, Jammu & Kashmir (2), Uttar Pradesh and Odisha to try traffic offences. As on 01.11.2021, these courts have handled more than 99 lakh cases and realized more than Rs.193.15 crore in fines.

Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Since Covid lockdown started, the District courts heard 1,01,77,289 cases while the High Court heard 55,24,021 cases (totalling to 1.57 crore) till 31.10.2021 using video conferencing only. The Supreme Court had 1,50,692 hearings since the lockdown period upto 29.10.2021.

(iii) **Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts:** From 01.05.2014 to 29.11.2021, 44 Judges were appointed in Supreme Court. 688 new Judges were appointed and 583 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1098 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
10.12.2021	24,489	19,290

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

(iv) **Reduction in Pendency through / follow up by Arrears Committees:** In pursuance of Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts. In the past, Minister of Law & Justice has taken up the matter with Chief Justices of High Courts and Chief Ministers in the past drawing their attention to cases pending for more than five years and to take up pendency reduction campaign. The Department has developed an online portal for reporting by all High Courts on the compliance of Arrears Eradication Scheme guidelines of the Malimath Committee Report.

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

(vi) **Initiatives to Fast Track Special Type of Cases:** The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of

enhanced tax devolution form 32% to 42% to meet such requirements. As on 31.10.2021, 914 Fast Track Courts are functional for heinous crimes, crimes against women and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi). Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme for setting up of 842 FTSCs including 363 'exclusive POCSO Courts'. Rs.140 crore was released in the financial year 2019-20 and Rs. 160.00 crore has been released during the financial year 2020-21 for the scheme. 681 FTSCs are presently functional including 381 exclusive POCSO Courts, which disposed 64217 cases as on 31.10.2021. The continuation of the Scheme of FTSC has been approved for another two years (2021-23) at a total outlay of Rs. 1572.86 crore, including Rs. 971.70 crore as Central share.

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

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Annexure

STATEMENT REFERRED TO IN REPLY TO PARTS (A) & (B) OF RAJYA SABHA UNSTARRED QUESTION NO. 2202 FOR ANSWER ON 16.12.2021 REGARDING PENDENCY BEFORE COURTS IN BIHAR.

Pendency in Patna High Court as on 10.12.2021				
Nature	Total Pendency (as on 10.12.2021)	Pendency less than 5 years (i.e. 0-5 years)	Pendency 5 to 10 years	Pendency since 10 years and above
Civil	112961	86825	17288	8848
Criminal	114484	87118	9940	17426
Total	**227445**	**173943**	**27228**	**26274**
Pendency in Subordinate Courts of Bihar as on 10.12.2021				
Nature	Total Pendency (as on 10.12.2021)	Pendency less than 5 years (i.e. 0-5 years)	Pendency 5 to 10 years	Pendency since 10 years and above
Civil	473918	309964	100713	63241
Criminal	2900067	1836502	625187	438378
Total	**3373985**	**2146466**	**725900**	**501619**

Source: National Judicial Data Grid (NJDG)

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

RAJYA SABHA

UNSTARRED QUESTION NO. 2203
TO BE ANSWERED ON THURSDAY, THE 16th DECEMBER, 2021

HUGE PENDENCY OF CASES IN HIGH COURTS AND SUPREME COURT

2203. SHRI KANAKAMEDALA RAVINDRA KUMAR:

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

(a) whether Government is aware of the fact that the pendency rate of cases in High Courts and Supreme Courts are alarming and huge;
(b) if so, the details thereof;
(c) whether Government has any proposal for setting up four regional appellate courts to reduce the pendency of cases in High Courts and also Supreme Court;
(d) if so, the details thereof; and
(e) if not, the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) & (b): The number of cases pending in Supreme Court of India and High Courts in the country is as under:-

Sl. No.	Name of Court	Pendency as on
1	Supreme Court of India	69,855 (06.12.2021)*
2	High Courts	56,41,212(10.12.2021)**

source
*Website of Supreme Court of India
**National Judicial Data Grid (NJDG).

(c) to (e): There have been demands, from time to time, to set up Benches of the Supreme Court in different parts of the country. As per Article 130 of the Constitution, "the Supreme Court shall sit in Delhi or in such other place or places as the Chief Justice of India may, with the approval of the President, from time to time, appoint".

The Supreme Court has consistently not agreed for setting up benches of the Supreme Court outside Delhi. The above recommendation of setting up of Benches was referred to the Chief Justice of India for consideration. The Chief Justice of India, in his letter dated 12th August, 2007, informed that after consideration of the matter, the full Court, in its meeting held on 7th August 2007, found no justification for deviating from its earlier resolution on the subject and unanimously resolved that the recommendation made by the Committee cannot be accepted. The Law Commission, in its 229th Report had also suggested that a Constitutional Bench be set up at Delhi and four Cassation Benches be set up in the Northern region at Delhi, the Southern region at Chennai/Hyderabad, the Eastern region at Kolkata and the Western region at Mumbai. In this regard, the then Chief Justice of India informed that after consideration of the matter, the Full Court in its meeting held on 18th February 2010 found no justification for setting of Benches of the Supreme Court outside Delhi. There is a Writ Petition No. 36 of 2016 filed in the Supreme Court of India on the subject of establishment of National Court of Appeal and the matter is *sub-judice* in the Court.

As regards High Court Benches, the High Court Benches are established in accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P.(C) No.379 of 2000 and after due consideration of a complete proposal from the State Government which has to provide necessary expenditure & infrastructural facilities and the Chief Justice of the concerned High Court who is required to look after the day-today administration of the High Court. The proposal to be complete should also have the consent of the Governor of the concerned State. Requests for establishment of High Court Benches in places other than the Principal Seat of High Courts have been received from various organizations from time to time. However, at present there is no complete proposal pending with the Government.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Appointment DVN

RAJYA SABHA

UNSTARRED QUESTION NO. 2204

TO BE ANSWERED ON THURSDAY, THE 16.12.2021

Reservation policy in appointment of judges in higher judiciary

2204. SHRI KANAKAMEDALA RAVINDRA KUMAR:

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

(a) whether Government is following reservation policy in appointment of Judges to Higher Level of Judiciary;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) to (c) : Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. However, the Government has been requesting the Chief Justices of High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and Women to ensure social diversity in appointment of Judges in High Courts.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

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RAJYA SABHA

UNSTARRED QUESTION NO. 2206

TO BE ANSWERED ON THURSDAY, THE 16TH DECEMBER, 2021

Guidelines of Supreme Court for infrastructure of courts

2206. SHRI VIVEK K. TANKHA:

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

(a) whether the Supreme Court has issued any guidelines with regard to improving the infrastructure of courts in the country;
(b) if so, the details thereof; and
(c) whether Government has initiated any action in this regard and if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJIJU)

(a) to (c): A proposal has been received from the Chief Justice of India for setting up of National Judicial Infrastructure Authority of India (NJIAI) for arrangement of adequate infrastructure for courts, as per which there will be a Governing Body with Chief Justice of India as Patron-in-Chief. The other salient features in the proposal are that NJIAI will act as a Central body in laying down the road map for planning, creation, development, maintenance and management of functional infrastructure for the Indian Court System, besides, identical structures under all the High Courts. The proposal has been sent to the various State Government/UTs, as they constitute an important

stakeholder, for their views on the contours of the proposal to enable taking a considered view on the matter.

The primary responsibility of development of Infrastructure facilities for judiciary rests with the State Governments. To augment the resources of the State Governments, the Union Government has been implementing a Centrally Sponsored Scheme for Development of Infrastructure Facilities in district and subordinate courts by providing financial assistance to State Governments / UTs in the prescribed fund sharing pattern. The Scheme is being implemented since 1993-94. Till date the Central Government has sanctioned Rs. 8709.77 crore under the Scheme to States/UTs. The scheme has been extended from time to time. Under this scheme funds are released by the Central Government for construction of court buildings and residential accommodations for Judicial Officers of District and Subordinate Judiciary. The Government has extended the above scheme for a further period of five years from 01.04.2021 to 31.03.2026, with a total budgetary outlay of Rs.9000 crores, including Central share of Rs.5307 crores. The scheme components have been expanded, to also cover the construction of toilets, digital computer rooms and Lawyers' Hall in the district and subordinate courts.

As per information made available by the High Courts, 20,595 Court Halls and 18,087 Residential Units are available in the District and Subordinate Courts as on 01.12.2021. Moreover, 2846 Court Halls and 1775 Residential Units are under construction.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Appointment DVN

RAJYA SABHA

UNSTARRED QUESTION NO. 2207

TO BE ANSWERED ON THURSDAY, THE 16.12.2021

Reservation in Judiciary

2207. SHRI K. SOMAPRASAD:

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

(a) whether Government is of the view that statutory reservation for SC/ST is not applicable in the selection of Judges in High Court and in the Supreme Court, if so, the details thereof;

(b) if not, whether steps will be taken by Government to comply with the reservation for SC/ST in the Judiciary; and

(c) whether Government is willing to consult with the collegium of Supreme Court in the matter of reservation of SC/ST In Judiciary?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) to (c) : Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. However, the Government has been requesting the Chief Justices of High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and Women to ensure social diversity in appointment of Judges in High Courts.

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