

# 2012

## LOK SABHA REPLIES

**MONSOON SESSION, 2012  
[11th SESSION OF 15th LOK  
SABHA][8th August, 2012 to  
7th September, 2012]**

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

JP Desk

LOK SABHA

UNSTARRED QUESTION NO. 288

TO BE ANSWERED ON THURSDAY, THE 9TH AUGUST, 2012

**Funds for Judicial Reforms**

+288. SHRI LALJI TANDON:

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

- (a) Whether the Government has provided special assistance to the State Governments for judicial reforms and to reduce the large number of pending cases in the courts;
- (b) If so, the names of such States to which assistance has been given alongwith the quantum thereof during the last three years, and
- (c) The details of the various works likely to be undertaken with the help of above financial assistance?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI SALMAN KHURSHID)

(a) to (c) : Yes, Madam. The Government has provided assistance to the State Governments for judicial reforms and for reducing the large number of pending cases in the courts by releasing funds awarded by the Thirteenth Finance Commission for the improvement of justice delivery as well as under the Centrally Sponsored Scheme for development of infrastructure facilities for the subordinate judiciary and scheme for assistance for setting up of the Gram Nyayalayas.

Under the Thirteenth Finance Commission a provision of Rs. 5000 crores has been made for a period of five years (2010-15.) for State Governments for the improvement of justice delivery. This grant is aimed at

Contd.2.

( 2 )

at providing support to improve judicial outcomes, and is allocated for the following initiatives:

(i) Increasing the number of court working hours using the existing infrastructure by holding morning / evening/ shift courts; (ii) Enhancing support to Lok Adalats to reduce the pressure on regular courts; (iii) Providing additional funds to State Legal Services Authorities to enable them to enhance legal aid to the marginalized and empower them to access justice; (iv) Promoting the Alternate Dispute Resolution (ADR) mechanism to resolve part of the disputes outside the court system; (v) Enhancing capacity of judicial officers and public prosecutors through training programmes; (vi) Supporting creation or strengthening of a judicial academy in each state to facilitate such training; (vii) Creation of the post of Court Managers in every judicial district to assist the judiciary in their administrative functions; and (viii) Maintenance of heritage court buildings.

The details of assistance given State-wise under Thirteenth Finance Commission, as on 31th July,2012, are at **Annex.- I.**

The details of assistance provided to the State Governments under Centrally Sponsored Scheme for development of Infrastructure Facilities for subordinate Judiciary during the last three years are at **Annex- II.** The details of assistance provided for Gram Nyayalayas during the last three years are at **Annex.- III.**

**Annex-I**

The details of assistance given State-wise under Thirteenth Finance Commission as on 31<sup>st</sup> July, 2012.

| Sl.No. | State             | Rs. In Crores. |
|--------|-------------------|----------------|
|        |                   | Amount         |
| 1      | Andhra Pradesh    | 81.21          |
| 2      | Arunachal Pradesh | 15.52          |
| 3      | Assam             | 24.22          |
| 4      | Bihar             | 115.49         |
| 5      | Chhattisgarh      | 25.02          |
| 6      | Goa               | 3.00           |
| 7      | Gujarat           | 59.95          |
| 8      | Haryana           | 37.26          |
| 9      | Himachal          | 19.44          |
| 10     | Jammu & Kashmir   | 31.34          |
| 11     | Jharkhand         | 35.49          |
| 12     | Karnataka         | 80.93          |
| 13     | Kerala            | 42.02          |
| 14     | Madhya Pradesh    | 122.21         |
| 15     | Maharashtra       | 162.80         |
| 16     | Manipur           | 2.32           |
| 17     | Meghalaya         | 0.84           |
| 18     | Mizoram           | 3.89           |
| 19     | Nagaland          | 1.23           |
| 20     | Orissa            | 58.08          |
| 21     | Punjab            | 36.24          |
| 22     | Rajasthan         | 80.55          |
| 23     | Sikkim            | 4.36           |
| 24     | Tamil Nadu        | 50.49          |
| 25     | Tripura           | 4.80           |
| 26     | Uttar Pradesh     | 193.73         |
| 27     | Uttarakhand       | 30.66          |
| 28     | West Bengal       | 63.27          |
|        | Total             | 1386.36        |

**Annex-II**

**The details of assistance provided to the State Governments under Centrally Sponsored Scheme for development of Infrastructure Facilities for subordinate Judiciary**

(Rs. In Lakhs)

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

**Annex-III**

The details of assistance provided for Gram Nyayalayas

(Rs. In Lakhs)

| Sl. No. | State          | 2009-10        | 2010-11       | 2011-12       | Total          |
|---------|----------------|----------------|---------------|---------------|----------------|
| 1       | Madhya Pradesh | 632.00         | 745.40        | 156.80        | 1534.2         |
| 2       | Rajasthan      | 567.00         | 0.0           | 144.00        | 711            |
| 3       | Orissa         | 15.80          | 0.0           | 110.60        | 126.4          |
| 4       | Karnataka      | 132.60         | 0.0           | 9.6           | 142.2          |
| 5       | Maharashtra    | 0.0            | 0.0           | 25.20         | 25.2           |
| 6       | Jharkhand      |                |               |               |                |
|         | <b>Total</b>   | <b>1347.40</b> | <b>745.40</b> | <b>446.20</b> | <b>2539.00</b> |

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

LOK SABHA

UNSTARRED QUESTION NO. 320  
TO BE ANSWERED ON THURSDAY, THE 09<sup>TH</sup> AUGUST, 2012

Pending Court Cases

320. SHRI DILIPKUMAR MANSUKHLAL GANDHI:  
SHRI HARIBHAU JAWALE:  
SHRI S. SEMMALAI:  
SHRI JAI PRAKASH AGARWAL:  
SHRI SURESH KASHINATH TAWARE:  
SHRI ADHIR CHOWDHURY:  
SHRI A.K.S. VIJAYAN:  
SHRI WAKCHAURE BHAUSAHEB RAJARAM:  
SHRI AHIR VIKRAMBHAI ARJANBHAI MAADAM :

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

- (a) the total number of cases pending in Supreme Court and various High Courts, other courts, court-wise, State-wise in the country till date;
- (b) whether the Government has formulated any special plan to reduce / dispose of the long pending cases in different courts of the country;
- (c) if so, the details thereof with special reference to the present status of National Mission for Justice Delivery and Legal Reforms; and
- (d) the time by which the said plan is likely to be implemented?

ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)

(a) : The data on pendency of cases is maintained by the Supreme Court and High Courts. As per the information obtained from website of Supreme Court, 63,342 cases are pending in the Supreme Court as on 31.07.2012. Out of them, 21,208 matters are up to one year old and are not in arrears. If connected matters are excluded, the pendency is only 35,961 cases as on 31.7.2012. Based on the information made available by High Courts, Statements indicating pendency of cases in High Courts and Subordinate Courts as on 31.12.2011, are at Annex 1 and Annex 2 respectively.

(b) to (d) : Disposal of pending cases in various courts is within the domain of the judiciary. However, with a view to assist judiciary in addressing the problem of pendency of cases, the Government has set up a National Mission for Justice Delivery and Legal Reforms. The Mission has twin objectives of increasing access



by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission will pursue a coordinated approach for phased liquidation of arrears and pendency in judicial administration which would, *inter alia*, involve better infrastructure for courts including computerisation, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development. The National Mission has a time frame of five years (2011-16) to pursue them.

In short span of its existence, the Mission has taken several steps in the strategic areas towards fulfillment of its objectives. A Constitution Amendment Bill for raising the retirement age of High Court Judges is before the Parliament. A comprehensive proposal has been formulated for constitution of All India Judicial Service which is before the Committee of Secretaries. An Inter-Ministerial Group (IMG) has been constituted to suggest necessary amendments to the Negotiable Instruments Act along with other policy and administrative measures to check increasing litigation relating to cheque bounce cases.

An important aspect of the judicial reforms relates to re-engineering court procedures and court processes for early disposal of cases. A National Court Management System has been recently notified by the Hon'ble Supreme Court for addressing the issues of case management, court management, setting measurable standards for performance of the courts and the National System of Judicial Statistics in the country. A Sub Group on improving the court procedure and court processes for better criminal justice system has been constituted under the Chairman, Law Commission to suggest necessary changes in this regard.

Infrastructure development for the subordinate judiciary is a major thrust area for the National Mission. With a view to enhancing the resources of the State Governments, the Government has increased the central share by revising the funding pattern from 50:50 to 75:25 (for States other than North Eastern States) under modified Centrally Sponsored Scheme for development of infrastructure facilities for the judiciary from the year 2011-12 onwards. The funding pattern for North-Eastern States has been kept as 90:10 w.e.f 2010-11.

An amount of ₹ 595 crore was released as central assistance to States / UTs for infrastructure development of subordinate judiciary during 2011-12. A budget provision of ₹ 660 crore has been made for this scheme during the current financial year. An amount of ₹ 206 crore has already been released to States / UTs till 31<sup>st</sup> July, 2012.

The 13th Finance Commission has allocated a grant of ₹ 5000 crore for the States over a period of 5 years between 2010-2015 for various initiatives such as increasing the number of court working hours using the existing infrastructure by holding morning / evening / shift courts; enhancing support to Lok Adalats to reduce the pressure on regular courts; providing additional funds to State Legal Services Authorities to enable them to provide legal aid to the marginalized and empower them to access justice; promoting the Alternate Dispute Resolution (ADR) mechanism to resolve part of the disputes outside the court system.

Besides, the Government had launched a pendency reduction drive from July 2011 to December, 2011. Chief Justices of the High Courts were requested to initiate a campaign mode approach towards clearing long pending cases and cases relating to marginalized sections of the society. As per feedback received from various High Courts, total pendency was reduced by over 6 lakh cases, out of which about 1.36 lakh cases belonged to targeted groups such as senior citizens, disabled, minors and marginalized sections of society.

A similar drive has been undertaken this year as well from July, 2012 to December, 2012. The main focus of pendency reduction drive this year is to make our judicial system 'five plus' free. Simultaneously, emphasis is being laid on increasing the number of judges in subordinate judiciary by filling the existing vacancies and creating additional posts so that disposal of cases is expedited and there is reduction in overall pendency.

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**Pendency Position in the High Courts as on 31.12.2011**

| Sl. No | Name of the High Court | Number of Pending Cases |
|--------|------------------------|-------------------------|
| 1      | Allahabad              | 1005527                 |
| 2      | Andhra Pradesh         | 198214                  |
| 3      | Bombay                 | 362885                  |
| 4      | Calcutta               | 347154                  |
| 5      | Delhi                  | 61210                   |
| 6      | Gujarat                | 82232                   |
| 7      | Gauhati                | 53255                   |
| 8      | Himachal Pradesh       | 49541                   |
| 9      | Jammu & Kashmir        | 82223                   |
| 10     | Karnataka              | 172088                  |
| 11     | Kerala                 | 128777                  |
| 12     | Madras                 | 473736                  |
| 13     | Madhya Pradesh         | 229336                  |
| 14     | Orissa                 | 301314                  |
| 15     | Patna                  | 118964                  |
| 16     | Punjab & Haryana       | 243666                  |
| 17     | Rajasthan              | 281306                  |
| 18     | Sikkim                 | 67                      |
| 19     | Uttarakhand            | 19263                   |
| 20     | Chhattisgarh           | 50163                   |
| 21     | Jharkhand              | 61277                   |
|        | <b>Total</b>           | <b>4322198</b>          |

**Pendency Position in the Subordinate Courts as on 31.12.2011**

| Sl. No | Name of the State/UT         | Number of Pending Cases |
|--------|------------------------------|-------------------------|
| 1      | Andhra Pradesh               | 945737                  |
| 2      | Arunachal Pradesh            | 6305                    |
| 3      | Assam                        | 259596                  |
| 4      | Bihar                        | 1608934                 |
| 5      | Chhattisgarh                 | 271406                  |
| 6      | Goa                          | 30057                   |
| 7      | Gujarat                      | 2183026                 |
| 8      | Haryana                      | 588812                  |
| 9      | Himachal Pradesh             | 189549                  |
| 10     | Jammu & Kashmir              | 206308                  |
| 11     | Jharkhand                    | 292215                  |
| 12     | Karnataka                    | 1128996                 |
| 13     | Kerala                       | 1060056                 |
| 14     | Madhya Pradesh               | 1089195                 |
| 15     | Maharashtra                  | 3275954                 |
| 16     | Manipur                      | 9844                    |
| 17     | Meghalaya                    | 3181                    |
| 18     | Mizoram                      | 4412                    |
| 19     | Nagaland                     | 4405                    |
| 20     | Orissa                       | 1153517                 |
| 21     | Punjab                       | 553202                  |
| 22     | Rajasthan                    | 1451368                 |
| 23     | Sikkim                       | 1194                    |
| 24     | Tamil Nadu                   | 1183249                 |
| 25     | Tripura                      | 48251                   |
| 26     | Uttar Pradesh                | 5798048                 |
| 27     | Uttarakhand                  | 145734                  |
| 28     | West Bengal and A & N Island | 2644869                 |
| 29     |                              |                         |
| 30     | Chandigarh                   | 60116                   |
| 31     | D & N Haveli                 | 3238                    |
| 32     | Daman & Diu                  | 1739                    |
| 33     | Delhi                        | 758478                  |
| 34     | Lakshadweep                  | 239                     |
| 35     | Pondicherry                  | 26705                   |
|        | <b>Total</b>                 | <b>26986307</b>         |

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

*Desk Side*

LOK SABHA

UNSTARRED QUESTION NO. 336

TO BE ANSWERED ON THURSDAY, THE 09.08.2012

**Non-Functional Benches in High Courts**

**+336. SHRI WAKCHAURE BHAUSAHEB RAJARAM:**

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

- (a) whether the benches of some High Courts in the country are non-functional;
- (b) if so, the High Court-wise number thereof, as on date;
- (c) the names of the High Courts regarding which proposals have been received to make their benches functional again; and
- (d) the details of the action taken by the Government in this regard?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI SALMAN KHURSHID)**

(a) : No, Madam.

(b) to (d) : Do not arise.

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

*Desk Side*

**LOK SABHA  
UNSTARRED QUESTION NO.349  
TO BE ANSWERED ON 09.08.2012**

**Judicial Appointments Commission**

**349. SHRI D.B. CHANDRE GOWDA:  
SHRI S.R. JEYADURAI:**

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

- (a) Whether the Government has set up a Committee of Secretaries to examine the issue of setting up of a Judicial Appointments Commission to appoint Judges of High Courts and the Supreme Court;
- (b) if so, whether the Committee has submitted its report to the Government and ;
- (c) if so, the salient features of the recommendations of the Committee?

**ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)**

- (a) No, Madam.
- (b) and (c) Do not arise.

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

M. Cell

**LOK SABHA**

**UNSTARRED QUESTION NO.921**

**TO BE ANSWERED ON THURSDAY, THE 16<sup>TH</sup> AUGUST, 2012**

**Juvenile Justice Issues**

**921. SHRI SURESH KUMAR SHETKAR:**

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

- (a) whether the Government is making bid to sensitise cops to juvenile justice issues;
- (b) if so, the details thereof; and
- (c) the steps taken in this direction so far, State-wise especially in Andhra Pradesh?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)**

(a) to (c): Yes Madam. The National Institute of Public Co-operation and Child Development (NIPCCD) under the Ministry of Women and Child Development has been organizing training programmes for police as well as for master trainers managing the juvenile justice system. A Statement giving details of training programmes held during the last three years is at Annex.

As for the State of Andhra Pradesh, NIPCCD had organized training programme for police on 17-19 November, 2008.

Statement referred to in parts (b) & (c) of Lok Sabha Unstarred Question No.921 for 16.8.2012.

Year - 2009-10

| Sl.No. | Name of the State | Duration of training programme |
|--------|-------------------|--------------------------------|
| 1.     | New Delhi         | 14-18th December, 2009         |
| 2.     | Odisha            | 10-12th March, 2010            |
| 3.     | Nagaland          | 22-24th March, 2010            |

Year - 2010-11

| Sl.No. | Name of the State | Duration of training programme |
|--------|-------------------|--------------------------------|
| 1.     | New Delhi         | 8-10th June, 2010              |
| 2.     | New Delhi         | 14-15th June, 2010             |
| 3.     | New Delhi         | 28th June-2nd July, 2010       |
| 4.     | New Delhi         | 22-23rd July, 2010             |
| 5.     | Assam             | 23-27th Aug, 2010              |
| 6.     | Assam             | 21-23rd September, 2010        |
| 7.     | New Delhi         | 25-29th October, 2010          |
| 8.     | Punjab            | 7-9th December, 2010           |
| 9.     | Uttar Pradesh     | 20-24th December, 2010         |
| 10.    | Assam             | 21-23rd September, 2010        |

Year - 2011-12

| Sl.No. | Name of the State | Duration of training programme |
|--------|-------------------|--------------------------------|
| 1.     | New Delhi         | 21-22nd July, 2011             |
| 2.     | Haryana           | 21-23rd July, 2011             |
| 3.     | New Delhi         | 14-15th February, 2012         |
| 4.     | Uttar Pradesh     | 19-21st March, 2012            |
| 5.     | Uttar Pradesh     | 26-28th March, 2012            |
| 6.     | New Delhi         | 28-29th March, 2012            |



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

NM

LOK SABHA

UNSTARRED QUESTION NO. 925  
TO BE ANSWERED ON THURSDAY, THE 16<sup>TH</sup> AUGUST, 2012

Pending Cases in District Courts

+925. SHRI GOPINATH MUNDE:

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

- (a) the total number of district courts in the country at present along with the number of cases lying pending in the same;
- (b) the steps being taken by the Government for providing immediate justice in such pending cases;
- (c) whether the Government is considering to formulate any new scheme for quick disposal of such pending cases; and
- (d) if so, the details thereof?

ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)

(a) : There are nearly 15, 000 District and Subordinate courts in the country. The data on pendency of cases is maintained by the Hon'ble Supreme Court and High Courts. Based on the information made available by High Courts, 2,69,86,307 cases were pending in the Subordinate Courts as on 31.12.2011.

(b) to (d) : Disposal of pending cases in various courts is within the domain of the judiciary. However, with a view to assist judiciary in addressing the problem of pendency of cases, the Central Government has set up a National Mission for Justice Delivery and Legal Reforms. The Mission has twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability

through structural changes and by setting performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration which, *inter alia*, involves better infrastructure for courts including computerisation, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development. The National Mission has a time frame of five years (2011-16) to pursue them.

In short span of its existence, the Mission has taken several steps in the strategic areas towards fulfillment of its objectives. A Constitution Amendment Bill for raising the retirement age of High Court Judges is before the Parliament. A comprehensive proposal has been formulated for constitution of All India Judicial Service which is before the Committee of Secretaries. An Inter-Ministerial Group (IMG) has been constituted to suggest necessary amendments to the Negotiable Instruments Act 1881 along with other policy and administrative measures to check increasing litigation relating to cheque bounce cases.

An important aspect of the judicial reforms relates to re-engineering court procedures and court processes for early disposal of cases. A National Court Management System has been recently notified by the Hon'ble Supreme Court for addressing the issues of case management, court management, setting measurable standards for performance of the courts and the National System of Judicial Statistics in the country. A Sub Group on improving the court procedure and court processes for better criminal justice system has been constituted under the Chairman, Law Commission to suggest necessary changes in this regard.

Infrastructure development for the subordinate judiciary is a major thrust area for the National Mission. With a view to enhancing the resources of the State Governments, the Government has increased the central share by revising the funding pattern from 50:50 to 75:25 (for States other than North Eastern States) under modified Centrally Sponsored Scheme for development of infrastructure facilities for the judiciary from the year 2011-12 onwards. The funding pattern for North-Eastern States has been kept as 90:10 w.e.f 2010-11.

An amount of Rs. 595 crore was released as central assistance to States / UTs for infrastructure development of subordinate judiciary during 2011-12. A budget provision of Rs. 660 crore has been made for this scheme during the current financial year (2012-2013). An amount of Rs. 206 crore has already been released to States / UTs till 31<sup>st</sup> July, 2012.

The 13<sup>th</sup> Finance Commission has allocated a grant of Rs. 5000 crore for the States over a period of 5 years between 2010-2015 for various initiatives such as increasing the number of court working hours using the existing infrastructure by holding morning / evening / shift courts; enhancing support to Lok Adalats to reduce the pressure on regular courts; providing additional funds to State Legal Services Authorities to enable them to provide legal aid to the marginalized and empower them to access justice; promoting the Alternate Dispute Resolution (ADR) mechanism to resolve part of the disputes outside the court system.

Besides, the Government had launched a pendency reduction drive from July 2011 to December, 2011. Chief Justices of the High Courts were requested to initiate a campaign mode approach towards clearing long pending cases and cases relating to marginalized sections of the society. As per feedback received from various High Courts, total pendency was reduced by over 6 lakh cases, out of

which about 1.36 lakh cases belonged to targeted groups such as senior citizens, disabled, minors and marginalized sections of society.

A similar drive has been undertaken this year as well from July, 2012 to December, 2012. The main focus of pendency reduction drive this year is to make our judicial system 'five plus' free (i.e. free of cases more than five years old). Simultaneously, emphasis is being laid on increasing the number of judges in subordinate judiciary by filling the existing vacancies and creating additional posts so that disposal of cases is expedited and there is reduction in overall pendency.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

US(J) / Justice Sec.

**LOK SABHA**

**UNSTARRED QUESTION NO.945**

TO BE ANSWERED ON THURSDAY, THE 16<sup>th</sup> AUGUST, 2012

**Court Fees**

945. SHRI MANIKRAO H. GAVIT:

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

- (a) whether the Government proposes to amend law in respect of increase in court fees;
- (b) if so, the details thereof;
- (c) the amount of rise in such fees and the cases in which it is likely to be applicable;
- (d) whether the Government proposes to bring comprehensive uniformity in the criteria of court fee; and
- (e) if so, the details thereof?

**ANSWER**

MINISTER OF LAW & JUSTICE  
(SHRI SALMAN KHURSHID)

- (a) to (e) : The Central Government is concerned with fees payable in the Supreme Court and Courts in the Union Territories (UTs). Accordingly, the Parliament can make law in respect of

fees payable in the Supreme Court under Article 246(1) read with Entry 77 of List – I. However, no such law has been made and the fees payable in the Supreme Court, are continuing to be governed by the Supreme Court Rules, 1966 framed by the Supreme Court under Article 145(1) of the Constitution. The 236<sup>th</sup> Report of the Law Commission recommending revision of fee payable in the Supreme Court has been forwarded to the Apex Court in March, 2011 for necessary action by amending the Rules of 1966.

In so far as UTs are concerned, the Delhi Government has recently enacted the Court Fees (Delhi Amendment) Act, 2012 further to amend the Court Fees Act, 1870 in its application to the National Capital Territory of Delhi to revise the fees payable in the Delhi High Court and Subordinate Courts by ten times. Puducherry has a separate Act namely, 'Puducherry Court Fee and Suits Valuation Act, 1972'. The Legislative Assembly of Pondicherry has not amended the 1972 Act to revise the fees payable in its subordinate Courts. The fees payable in the courts of the remaining UTs are governed by the various Acts of neighbouring States.

The 'fees taken in all court except the Supreme Court' is a State subject (Entry 3 of the State List) and therefore, as per Article 246(3) of the Constitution, it is for the State Legislature to make laws in respect of revision of fees payable in the State High Courts and Subordinate Courts.

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

M. cell

**L O K   S A B H A  
UNSTARRED QUESTION NO. 958**

**TO BE ANSWERED ON THURSDAY, THE 16<sup>TH</sup> AUGUST, 2012**

**Fast Track Court**

**958.        SHRI S. PAKKIRAPPA:**

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

- (a)    whether the Government has discontinued release of fund to Fast Track Courts recently;**
- (b)    if so, the details thereof;**
- (c)    whether the Government is also planning to convert all subordinate courts into Fast Track Courts; and**
- (d)    if so, the time by which a final decision in this regard is likely to be taken?**

**A N S W E R  
MINISTER OF LAW & JUSTICE  
(SHRI SALMAN KHURSHID)**

**(a)&(b): The Central Government had provided financial assistance to the State Governments for Fast Track Courts from 2000-01 to 2010-11. The scheme has not been extended beyond 31/03/2011.**

**(c):    No, Madam.**

**(d):    Does not arise.**

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

us(j)

LOK SABHA

UNSTARRED QUESTION NO.969

TO BE ANSWERED ON THURSDAY, THE 16<sup>th</sup> AUGUST, 2012

**Uniformity in Tribunals**

969. SHRIMATI JYOTI DHURVE:  
SHRI KACHHADIA NARANBHAI:

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

- (a) whether the Government is considering to bring uniformity in the functioning of various tribunals ;
- (b) if so, the details thereof; and
- (c) the steps taken by the Government in this regard?

**ANSWER**

MINISTER OF LAW & JUSTICE  
(SHRI SALMAN KHURSHID)

(a) to (c) : As per the information available, there are 62 Tribunals set up by the Central Government which are being administered by 24 Ministries/Departments. Following the judgment of the Supreme Court in L. Chandra Kumar's case (AIR 1997 S.C. 1125 to 1155) and in Civil Appeal No.3067 of 2004 – Union of India Vs R. Gandhi, inter-ministerial consultations on bringing all the tribunals under one Ministry have been held. But the consensus has remained elusive.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION No. 1014

TO BE ANSWERED ON THURSDAY, THE 16<sup>TH</sup> AUGUST, 2012

**Expansion of Infrastructure**

+ 1014. SHRI KAPIL MUNI KARWARIYA:  
SHRI JAI PRAKASH AGARWAL:

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

- (a) the details of funds allocated for modernisation and expansion of Lower Courts, High Courts, Supreme Court in the country during the last and the current Five Year Plan;
- (b) whether these funds are adequate;
- (c) if so, the details thereof;
- (d) if not, whether the Government proposes to increase these funds in the current Five Year Plan;
- (e) if so, the details thereof;
- (f) the likely expenditure to be incurred in the expansion of infrastructure; and
- (g) the reaction of the Government in this regard?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)**

(a) to (g) : The primary responsibility of infrastructure development for subordinate judiciary and High Courts rests with the respective State Government. The Government of India has been augmenting the resources of the State Governments in this regard through a Centrally Sponsored Scheme for infrastructure development of Judiciary since 1993-94.

With a view to enhancing the Central assistance to the States, the Government has increased the central share by revising the funding

Contd....2/-

pattern from 50:50 to 75:25 (for States other than North Eastern States) under modified Centrally Sponsored Scheme for development of infrastructure facilities for the judiciary from the year 2011-12 onwards. The funding pattern for North-Eastern States is 90:10.

The modified Centrally Sponsored Scheme does not cover High Court buildings for which Central assistance is being provided to States directly by Planning Commission as one time Additional Central Assistance (ACA) in the ratio of 30:70 (Centre/State).

The cost of infrastructure facilities for Supreme Court is being met through non-Plan budgetary provisions under the Ministry of Urban Development.

An amount of Rs.1150.45 crore was released to states / UTs under the Centrally Sponsored Scheme for development of infrastructure facilities for judiciary during Eleventh Five-Year Plan period. An amount of Rs.270.39 crore has been released so far in the first year of Twelfth Five-Year Plan i.e. current financial year.

The Planning Commission has approved one time ACA of Rs. 41.50 crore for construction of building for High Court at Jodhpur during 2010-2011 and ACA of Rs. 231.31 crore for construction of building of Lucknow Bench of Allahabad High Court during current financial year. Two proposals of construction of new office building / additional office complex with preliminary estimates of Rs. 84.20 crores and Rs. 884.30 crore have been approved for Supreme Court as non-Plan projects during the current financial year.

Based on estimated requirement of infrastructure development for the subordinate judiciary by the High Courts on the revised funding pattern, Central assistance of Rs. 5510 crore would be required by the

Contd...3/-

States during the period 2011-2016. An amount of Rs. 595.74 crore has been released to the States during 2011-12. A requirement of Rs. 5000 crore has been projected for the purpose during Twelfth Five Year Plan period. A budget provision of Rs. 660.00 crore has been allocated for the Scheme in the current financial year (2012-13).

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

**LOK SABHA  
UNSTARRED QUESTION NO.1037**

**TO BE ANSWERED ON 16.08.2012**

us(J)

**Retirement Age of Judges**

1037. SHRI P. KUMAR:  
SHRI RAMSINH RATHWA:

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

- (a) whether the Government is considering to increase the retirement age of High Court judges at par with the retirement age of Supreme Court judges;
- (b) if so, the details thereof; and
- (c) the action taken by the Government in this regard?

**ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)**

(a) to (c): Yes Madam; The Constitution (One Hundred and Fourteenth Amendment) Bill, 2010 provides to increase the retirement age of Judges of High Courts from 62 to 65 i.e. at par with the retirement age of Judges of the Supreme Court. The Bill was taken up for discussion in the Lok Sabha on 28.12.2011. However, the discussion has remained inconclusive due to adjournment of the Winter Session.

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

LOKSABHA

UNSTARRED QUESTION NO. 1052  
TO BE ANSWERED ON THURSDAY, THE 16<sup>th</sup> AUGUST, 2012

Corruption Cases

1052. SHRI KODIKKUNNIL SURESH:  
SHRI ABDUL RAHMAN:

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

- (a) whether the Chief Justice of India has expressed serious concern at the pace of corruption cases being decided by High Courts and Subordinate Courts in the country and has advised all High Courts and Subordinate Courts to decide corruption cases expeditiously;
- (b) if so, the details thereof;
- (c) the number of corruption cases pending for adjudication in various High Courts and Subordinate Courts in the country; and
- (d) steps taken or proposed to be taken by the Government to impress upon courts to settle these cases speedily?

ANSWER

MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)

(a) to (c) : The Hon'ble Chief Justice of India had written in December, 2010 to the Chief Justices of High Courts to fast track corruption cases under the Prevention of Corruption Act 1988, so that they could be taken up on priority basis both at High Courts and Subordinate Courts. The Hon'ble Chief Justice of India has later conveyed on 08.11.2011 that 46,120 cases were pending disposal in the first two tiers of the judiciary as on 30.06.2011 and impressed upon them for expeditious disposal of corruption cases. He has *inter-alia* suggested formation of Special Benches in High Courts for effective and efficient disposal of these cases. At the district level, he has

recommended fixation of disposal target and assignment of cases to more than one session judges besides the higher disposal credit to be given for such cases.

(d) Disposal of pending cases in courts is within the domain of judiciary. Government has taken various steps to set up Special Courts to dispose of corruption cases. In addition to the 56 courts already functioning for CBI cases in the country, the Government has decided to set up 71 Additional Special CBI Courts. Of these, 62 CBI Courts have started functioning. Besides, the Government has also introduced a number of legislations in Parliament in recent times for strengthening the anti-corruption mechanism, such as (i) the Lokpal and lokayuktas Bill, 2011; (ii) the Whistle Blowers Protection Bill, 2011; (iii) the Prevention of Bribery of Foreign Public Officials of Public International Organisations Bill, 2011; (iv) the Right of Citizen for Time Bound Delivery of Goods and Services and Redressal of the Grievances Bill, 2011.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

US(DSK)

LOK SABHA  
UNSTARRED QUESTION NO.1877

TO BE ANSWERED ON 23.08.2012

**Practice by Former Judges**

**1877. SHRI KULDEEP BISHNOI:**

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

- (a) Whether the Government is aware that certain former judges practicing in the same high courts in which they were posted as judges;
- (b) if so, the number of such cases noticed across the country, State-wise; and
- (c) the steps taken by the Government to restrain such judges from practicing as per the mandate of Article 220 of the Constitution?

**ANSWER**  
**MINISTER OF LAW AND JUSTICE**  
**(SHRI SALMAN KHURSHID)**

(a): No such instances have been reported nor have they come to the notice of the Government.

(b) and (c): Do not arise.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

Justice Sec.

LOK SABHA

UNSTARRED QUESTION NO.1891

TO BE ANSWERED ON THURSDAY, THE 23<sup>rd</sup> AUGUST, 2012

**Jurisdiction of Courts**

† 1891. SHRI ARJUN MEGHWAL:

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

(a) whether the Government has taken note that the jurisdiction of district courts in some States still comes under the purview of the administration;

(b) if so, the details of such district courts where officers of district administration see the works of district courts;

(c) the reasons for not separating the district courts from district administration; and

(d) the time by which such district courts are likely to be separated from district administration?

**ANSWER**

MINISTER OF LAW & JUSTICE  
(SHRI SALMAN KHURSHID)

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

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

LOK SABHA  
UNSTARRED QUESTION NO.1895

TO BE ANSWERED ON 23.08.2012

High Court Benches

1895. DR. P. VENUGOPAL:

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

- (a) Whether the Government has received any proposal from the State Governments of Meghalaya, Manipur and Tripura for setting up of High Court Benches;
- (b) if so, the details thereof; and
- (c) the steps taken by the Government in this regard?

ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)

(a) to (c) : The Benches of Gauhati High Court have been set up already and are functioning in the States of Meghalaya, Manipur and Tripura. Recently, the Parliament has passed "The North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012" which provides for setting up of separate High Courts in the States of Meghalaya, Manipur and Tripura. The Government has initiated action for establishing separate High Courts in these three States.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO.2020

TO BE ANSWERED ON THURSDAY, THE 23<sup>rd</sup> AUGUST, 2012

**Hindi Language in Courts**

- Justice Sec.
- † 2020. PROF. RAM SHANKAR:  
SHRI HARISH CHAUDHARY:  
SHRIMATI RAMA DEVI:  
SHRI GORAKH PRASAD JAISWAL:  
SHRI GORAKHNATH PANDEY:

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

- (a) whether the Union Government proposes to amend the Constitution of India so as to ensure the working/proceeding of courts, including the decree/judgement/orders by the Supreme Court, High Courts in Hindi only;
- (b) if so, the details thereof; and
- (c) the steps proposed to be taken by the Government to promote Hindi language in the Supreme/High Courts?

**ANSWER**

MINISTER OF LAW & JUSTICE  
(SHRI SALMAN KHURSHID)

- (a) : No, Madam.
- (b) : Does not arise.
- (c) : Article 348(1) of the Constitution of India provides that all proceedings in the Supreme Court and in every High Court shall be in English language until Parliament by law otherwise provides. Under Article 348(2), the Governor of the State may, with the previous consent of the President, authorize the use of the Hindi language or any other language used for any official purpose of the State, in the proceedings of the High Court having its principal seat in that State, provided that decrees, judgements or orders passed by such High Courts shall be in English.

...2/-

Under Section 7 of the Official Language Act, 1963, the use of Hindi or official language of a State in addition to the English language may be authorized, with the consent of the President of India, by the Governor of the State for the purpose of judgments etc. made by the High Court for that State.

No law has since been made in this regard by the Parliament. Therefore, English continues to be the language for all the proceedings of the Supreme Court. However, Registries of the Supreme Court and the Delhi High Court have been requested from time to time to encourage use of Hindi in the administrative work.

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US(JR)

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

LOK SABHA

STARRED QUESTION NO. \*277

TO BE ANSWERED ON THURSDAY, THE 30<sup>th</sup> AUGUST, 2012.

Gram Nyayalayas

\*277. SHRI P.R. NATARAJAN:  
SHRI P.C. GADDIGOUDAR:

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

- (a) whether even after enactment of Gram Nyayalayas Act in 2009, only six States have set up Gram Nyayalayas with 1512 courts;
- (b) if so, the details thereof and the reasons for the tardy progress in the matter;
- (c) the details of the total number of Gram Nyayalayas across the country, State-wise;
- (d) the quantum of funds allocated for the establishment of Gram Nyayalayas during the last three years, State-wise; and
- (e) the steps taken by the Government to ensure setting up of Gram Nyayalayas in the other remaining States within a fixed time limit?

ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)

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

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**STATEMENT REFERRED IN REPLY TO PARTS (a) to (e) OF LOK SABHA**  
**STARRED QUESTION NO. \*277 FOR ANSWER ON 30<sup>TH</sup> AUGUST, 2012.**

The Gram Nyayalayas Act, 2008 provides for establishment of Gram Nyayalayas to improve access to justice for common man. The Act has come into force with effect from 2<sup>nd</sup> October, 2009. In terms of Section 3(1) of the Act, it is for the State Governments to establish Gram Nyayalayas in consultation with the respective High Courts.

As per information available, 166 Gram Nyayalayas have been notified by six State Governments, of which 151 Gram Nyayalayas have started functioning. State-wise progress is as under:-

| Sl. No       | Name of State  | Number of Gram Nyayalayas notified | Number of Gram Nyayalayas operationalized |
|--------------|----------------|------------------------------------|---|
| 1            | Madhya Pradesh | 89                                 | 89  |
| 2            | Rajasthan      | 45                                 | 45  |
| 3            | Orissa         | 14                                 | 8   |
| 4            | Karnataka      | 2                                  | 0   |
| 5            | Maharashtra    | 10                                 | 9   |
| 6            | Jharkhand      | 6                                  | 0   |
| <b>Total</b> |                | <b>166</b>                         | <b>151</b>                                |

Most of the States to which the Gram Nyayalayas Act, 2008 extends, have supported the setting up of Gram Nyayalayas. But a number of States have either requested for higher central financial assistance while indicating their willingness to establish Gram Nyayalayas or conveyed their disinclination. While Uttar Pradesh, West Bengal and Rajasthan are among States which have demanded higher amount, States / UTs of Tamil Nadu, Chhattisgarh, Uttarakhand, Himachal Pradesh, Delhi, Chandigarh and Lakshdweep have, for different reasons, not felt the need to set up Gram Nyayalayas.

As per the scheme for assistance for establishing and operating Gram Nyayalayas to State Governments, the Central Government provides one-time assistance to States towards non-recurring expenses for setting up of Gram Nyayalayas subject to a ceiling of Rs. 18.00 lakhs per Gram Nyayalaya. The Central Government also provides assistance towards recurring expenses for operating these Gram Nyayalayas subject to a ceiling of Rs. 3.20 lakhs per Gram Nyayalaya per year for the first three years. The allocation of funds to various States under the Scheme in the last three years is as under:-

(Rupees in lakhs)

| Sl. No | State          | 2009-10        | 2010-11       | 2011-12       | Total          |
|--------|----------------|----------------|---------------|---------------|----------------|
| 1      | Madhya Pradesh | 632.00         | 745.40        | 156.80        | 1534.20        |
| 2      | Rajasthan      | 567.00         | 0.00          | 144.00        | 711.00         |
| 3      | Orissa         | 15.80          | 0.00          | 110.60        | 126.40         |
| 4      | Karnataka      | 132.60         | 0.00          | 9.60          | 142.20         |
| 5      | Maharashtra    | 0.00           | 0.00          | 25.20         | 25.20          |
| 6      | Jharkhand      | 0.00           | 0.00          | 0.00          | 0.00           |
|        | <b>Total</b>   | <b>1347.40</b> | <b>745.40</b> | <b>446.20</b> | <b>2539.00</b> |

The Government of India has, from time to time, requested the State Governments to take advantage of the provisions of the Act and initiate action for setting up of Gram Nyayalayas with the Central Assistance being provided under the Scheme. The Minister of Law and Justice has addressed letters to Chief Ministers in this regard. Further, series of regional meetings were held with the State Governments and the High Courts in July-August, 2010, where they were urged to take expeditious steps for setting up of Gram Nyayalayas. Setting up of Gram Nyayalayas was one of the agenda items for the State level meeting with Law / Home Secretaries and Finance Secretaries of States / UTs and Registrar Generals of High Courts on 19<sup>th</sup> and 20<sup>th</sup> April, 2012. The States were impressed upon the urgency for quick operationalization of Gram Nyayalayas for providing affordable justice to people at their doorsteps.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

LOK SABHA  
UNSTARRED QUESTION NO.3006

TO BE ANSWERED ON 30.08.2012

Retirement Age of Judges

3006. SHRI HAMDULLAH SAYEED:

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

- (a) whether the Government proposes to increase the retirement age of Supreme Court Judges; and
- (b) if so, the details thereof?

ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)

- (a) : No Madam.
- (b) : Does not arise.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

Jus. Sec.

LOK SABHA

UNSTARRED QUESTION NO.3097

TO BE ANSWERED ON THURSDAY, THE 30<sup>TH</sup> AUGUST, 2012

**Official Language Hindi**

† 3097. SHRI HARISH CHAUDHARY:  
SHRIMATI RAMA DEVI:

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

(a) the number of cases in which Governor of the State, with the previous consent of the President has authorized the use of Hindi language or any other language used for any official purpose of the State, in the proceeding of the High Courts, State-wise;

(b) whether the registries of Supreme Court and the High Court are using Hindi in their administrative work; and

(c) if not, the corrective measures taken by the Government in this regard?

ANSWER

MINISTER OF LAW & JUSTICE  
(SHRI SALMAN KHURSHID)

(a) : Under Article 348(2), the Governor of the State may, with the previous consent of the President, authorize the use of the Hindi language or any other language used for any official purpose of the State, in the proceedings of the High Court having its principal seat in that State, provided that decrees, judgements or orders passed by such High Courts shall be in English. In pursuance of the aforesaid provision, the Governors of four States, namely, Rajasthan, Uttar Pradesh, Bihar and Madhya Pradesh have authorized the use of Hindi in the High Courts of their States.

(b) & (c) : No details are maintained in this regard by the Government. The 18<sup>th</sup> Law Commission of India in its 216<sup>th</sup> Report on "Non-Feasibility of Introduction of Hindi as Compulsory Language in the Supreme Court of India" has, inter-alia, recommended that the higher judiciary should not be subjected to any kind of even persuasive change in the present societal context. The Government in the Department of Official Language, have accepted the recommendation.

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

**L O K S A B H A**

**UNSTARRED QUESTION NO. 3204**

*M-cell*  
**TO BE ANSWERED ON THURSDAY, THE 30<sup>TH</sup> AUGUST 2012**

**Family Courts**

**04. SHRI GOPINATH MUNDE:  
SHRI GANESH SINGH:**

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

- (a) the number of family courts working in different parts of the country, State-wise;**
- (b) whether the Government proposes to increase the number of these courts;**
- (c) if so, the details thereof, State-wise; and**
- (d) the funds allocated to the various States in this regard during the last three years, State-wise?**

**A N S W E R  
MINISTER OF LAW & JUSTICE  
(SHRI SALMAN KHURSHID)**

**(a) As per the reports received, 212 Family Courts are operational in the country. A statement indicating State-wise number of Family Courts is enclosed at Annex-I.**

**(b)&(c) Under Section 3(1)(a) of the Family Courts Act, 1984, it is mandatory for the State Governments to set up a Family Court for every area in the State comprising a city or a town whose population exceeds one million. The Family Courts are set-up by the State Government in consultation with the respective High Court.**

**(d) A statement indicating funds released to various States for Family Courts during the last three years, State-wise, is at Annex-II.**

**ANNEX -I**

**STATEMENT REFERRED TO IN REPLY TO PART (a) OF THE LOK SABHA UNSTARRED QUESTION  
NO. 3204 FOR 30-8-2012 REGARDING FAMILY COURTS**

| S.No. | Name of the State | Number of Family Courts functional in the State |
|-------|-------------------|---|
|       |                   | 27  |
| 1.    | Andhra Pradesh    | 2   |
| 2.    | Assam             | 30  |
| 3.    | Bihar             | 19  |
| 4.    | Chhattisgarh      | 5   |
| 5.    | Delhi             | 9   |
| 6.    | Gujarat           | 8   |
| 7.    | Jharkhand         | 10  |
| 8.    | Karnataka         | 16  |
| 9.    | Kerala            | 15  |
| 10.   | Madhya Pradesh    | 22  |
| 11.   | Maharashtra       | 1   |
| 12.   | Manipur           | -   |
| 13.   | Mizoram *         | 2   |
| 14.   | Nagaland          | 5   |
| 15.   | Odisha \$         | 1   |
| 16.   | Pondicherry       | 6   |
| 17.   | Rajasthan #       | 1   |
| 18.   | Sikkim            | 6   |
| 19.   | Tamil Nadu        | 3   |
| 20.   | Tripura           | 15  |
| 21.   | Uttar Pradesh     | 7   |
| 22.   | Uttarakhand       | 2   |
| 23.   | West Bengal       | 212   |
|       | <b>Total</b>      |   |

\* Four Family Courts notified.

# Seven more Family Courts notified

\$ Seven more Family Courts notified.

**STATEMENT REFERRED TO IN REPLY TO PART (d) OF THE LOK SABHA UNSTARRED QUESTION  
NO. 3204 FOR 30-8-2012 REGARDING FAMILY COURTS**

Funds released to the various States for Family Courts (Under Plan for non-recurring and under Non-Plan for recurring) during the last three years

(Rs. In lakh)

| Sl.No. | Name of the State | Funds released during the year |          |         |          |         |          |
|--------|-------------------|--------------------------------|----------|---------|----------|---------|----------|
|        |                   | 2009-10                        |          | 2010-11 |          | 2011-12 |          |
|        |                   | Plan                           | Non-Plan | Plan    | Non-Plan | Plan    | Non-Plan |
| 1.     | Maharashtra       |                                | 90.0     |         | 195.0    |         | 100.0    |
| 2.     | Mizoram           |                                | 10.0     | 40.0    | 10.0     |         |          |
| 3.     | Nagaland          |                                |          |         |          |         | 40.0     |
| 4.     | Odisha            |                                |          | 80.0    | 25.0     | 20.0    |          |
| 5.     | Rajasthan         |                                |          | 70.0    |          |         |          |
| 6.     | Uttarakhand       |                                |          |         | 210.0    |         |          |

**GOVERNMENT OF INDIA  
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DEPARTMENT OF JUSTICE**

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**LOK SABHA  
STARRED QUESTION NO.\*367  
TO BE ANSWERED ON 06.09.2012**

**Code of Conduct by Judiciary**

**\*367.SHRI TARACHAND BHAGORA:  
SHRI SUGUMAR K:**

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

- (a) Whether the Government has taken note of certain remarks made by some of the higher Courts on the constitutional bodies and other authorities at times in the open Court, seldom reflected in writing during judicial pronouncements;
- (b) if so, the reaction of the Government thereto;
- (c) the corrective action taken in the matter;
- (d) whether the Government proposes to accord statutory recognition to the Code of Conduct evolved by the judiciary and if so, the details thereof; and
- (e) the present status of the Judicial Standards and Accountability Bill?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)**

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

**Statement referred to in reply to part (a) to (e) of the Lok Sabha Star  
Question No.\*367 for answer on 06.09.2012.**

(a) to (c): Yes, Madam; That is why a specific provision has been proposed to be made under Section 3 of the Chapter on Judicial Standards to be followed by Judges, in the Judicial Standards and Accountability Bill, 2012. Section 3(2) (g) of the Bill prohibits the Judges from making any unwarranted comments against the conduct of any constitutional or statutory authority at the time of hearing matters which are pending before them or are likely to arise for judicial determination.

(d): The Government has a proposal to accord statutory sanction to the Restatement of Values of Judicial Life which was adopted by a Resolution at the Full Court Meeting of the Supreme Court in 1997, by making it a part of the Judicial Standards and Accountability Bill, 2012.

(e): The Judicial Standards and Accountability Bill has been passed by the Lok Sabha on 29.3.2012. It is now pending for consideration in the Rajya Sabha.

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**GOVERNMENT OF INDIA  
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**LOK SABHA  
STARRED QUESTION NO.374  
TO BE ANSWERED ON 06.09.2012**

**National Judicial Commission**

**\* 374. SHRI GADHVI MUKESH BHAIKAVADANJI:**

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

- (a) Whether the Government proposes to set up National Judicial Commission and;
- (b) If so, the details and the present status thereof including the time-frame within which the Commission is likely to be setup?

**ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)**

(a) and (b). A Statement is laid on the Table of the House.

**Statement referred to in reply to parts (a) and (b) of the Lok Sabha Starred Question No.374 for answer on 06.09.2012**

The proposal for setting up of National Judicial Commission has been on the anvil since 1990. But despite the recommendations of various Commissions including the 2<sup>nd</sup> Administrative Reforms Commission, the proposal has not reached a logical conclusion. The Constitution (Amendment) Bills moved in 1990 as well as 2003 lapsed on both the occasions due to dissolution of the House.

Currently, appointment of Judges to High Courts and Supreme Court is based on Memorandum of Procedure for appointment of Judges of Supreme Court and High Courts prepared in 1998. Representations have been made by various agencies and expert bodies to review / change the present procedure of appointment of judges. It is generally felt that this Procedure is not balanced and is one sided. It has at times been criticised also for lack of transparency and accountability. However, the proposal to setup a National Judicial Commission has not yet reached a conclusive stage.

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GOVERNMENT OF INDIA  
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DEPARTMENT OF JUSTICE

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LOK SABHA

UNSTARRED QUESTION NO. 4163

TO BE ANSWERED ON THURSDAY, THE 6<sup>TH</sup> SEPTEMBER, 2012

Judicial Reforms in State of Haryana

4163. SHRIMATI SHRUTI CHOUDHRY:

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

(a) whether the State Government of Haryana has implemented all kinds of judicial reforms and provided a modern judicial infrastructure in the State; and

(b) if so, the details thereof in comparison with other States?

ANSWER

MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)

(a) & (b): The development of proper infrastructure facilities for subordinate judiciary including computerization of Courts is one of the thrust area of judicial reforms. While the primary responsibility of infrastructure development for subordinate judiciary rests with the State Governments, Central Government has been augmenting the resources of the State Governments for development of infrastructure of Subordinate Judiciary through a Centrally Sponsored Scheme (CSS) for development of infrastructure facilities for Subordinate Judiciary. As per the information available with the Government, there are 45 Judicial Court Complexes in Haryana which are spread over 21 districts and 19 Sessions Divisions, out of which, 39 Courts are functioning in the newly built Court complexes. At three places, i.e. Gohana, Tohana and Ganaur, the process of construction of new court complexes has started. Besides, at present, more than 125 residential accommodations are at different stages of construction throughout the State.

Contd...2/-

The matter of development of infrastructure of the subordinate Courts is being regularly reviewed in the Supreme Court in the Interlocutory Application No. 279/2010 in Writ Petition (C) No. 1022/1989 in All India Judges' Association & Ors Vs. Union of India & Ors. Monitoring Committees at Central, State and District level have been constituted as per the directions of the Hon'ble Supreme Court to review the progress of the infrastructure development of Subordinate judiciary. As per the details furnished by the States under All India Judges Association case regarding status of development of infrastructure facilities for subordinate judiciary, the Government of Haryana has completed projects of 12 Court buildings and 48 residential quarters out of a total of 214 projects of court buildings and 216 projects of residential accommodation completed at an All India level between July, 2010 and July, 2012.

The E-Courts Mission Mode Project is another project being implemented in the country for provision of the Information and Communication Technology (ICT) infrastructure at the courts. Overall, 10,432 District and Subordinate Courts have been computerized till 31.07.2012 out of targeted 14,249 Courts. In Haryana, 298 Courts have been computerized till 31.07.2012, out of the targeted 326 Courts.

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**GOVERNMENT OF INDIA  
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(DEPARTMENT OF JUSTICE)**

**LOK SABHA**

**UNSTARRED QUESTION NO. 4212  
TO BE ANSWERED ON THURSDAY, THE 06<sup>TH</sup> SEPTEMBER, 2012**

**Pending Cases Disposed off by Delhi High Court**

4212. SHRI KHAGEN DAS:

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

- (a) whether the Government is aware that High Court of Delhi has cleared 94000 cases in two years between 2008-10;
- (b) if so, the details thereof;
- (c) the method adopted by Delhi High Court to dispose such huge number of cases in just two years;
- (d) whether the Government proposes to emulate the same in other High Courts and lower courts in the country; and
- (e) if not, the reasons therefor?

**ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)**

(a) to (e) : As per information received from High Court of Delhi, total number of 92,833 main cases, and 1,27,453 miscellaneous applications were disposed of in two years from April 2008 to March, 2010. A number of steps were taken by the High Court of Delhi for quick disposal of cases which *inter-alia* included amendment of rules and streamlining of procedures, grouping of cases involving same or similar question of law, use of video conferencing, electronic communication, computerisation of justice delivery system and encouragement to alternate dispute resolution mechanism.

At the time of undertaking the first pendency reduction drive from 01<sup>st</sup> July, 2011 to 31<sup>st</sup> December, 2011, the innovative steps taken by a few High Courts for pendency reduction along with the recommendations of the Law Commission in its 230<sup>th</sup> Report were

communicated to all the High Courts. The Chief Justices were requested to clear the long pending cases as well as give preference to cases relating to marginalised sections of the society.

As per the feedback received from various High Courts, total pendency was reduced by over 6 lakh cases, out of which about 1.36 lakh cases belonged to targeted groups such as senior citizens, disabled, minors and marginalised sections of society.

A similar drive has been undertaken this year as well from July, 2012 to December, 2012. The main focus of pendency reduction drive this year is to make our judicial system 'five plus' free. Simultaneously, emphasis is being laid on increasing the number of judges in subordinate judiciary by filling the existing vacancies and creating additional posts so that disposal of cases is expedited and there is reduction in overall pendency.

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GOVERNMENT OF INDIA  
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LOK SABHA

UNSTARRED QUESTION NO.4227

TO BE ANSWERED ON THURSDAY, THE 06<sup>TH</sup> SEPTEMBER, 2012

Hindi Language in Courts

† 4227. SHRI GORAKHNATH PANDEY:

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

(a) whether Hindi is not used in High Courts despite being declared the Official Language;

(b) if so, the reasons therefor;

(c) whether the Hindi Salahkar Samiti had decided last year that Hindi or the official language of the State concerned should be used in district and lower courts; and

(d) if so, the steps taken by the Government in this regard?

ANSWER

MINISTER OF LAW & JUSTICE  
(SHRI SALMAN KHURSHID)

(a) to (d) : In pursuance of the provision under Article 348(2) of the Constitution of India, the Governors of four States, namely, Rajasthan, Uttar Pradesh, Bihar and Madhya Pradesh have authorized the use of Hindi in the High Courts of their States.

Under Article 235 of the Constitution, administration of justice is a State subject and the State Government in consultation with its concerned High Court decides all matters concerning operations and setting up of courts including use of Hindi/regional languages in the proceedings of the courts. Generally Hindi and other regional languages are being used in the proceedings of lower courts in the States.

....2/-

In the meeting of Hindi Salahkar Samiti, Ministry of Law and Justice, held on 12.09.2011, among other issues, the issue of language used in courts was discussed. Some members had suggested that use of Hindi/Regional languages in all High Courts and subordinate courts should be implemented. But there is no decision to this effect. Moreover, the 18<sup>th</sup> Law Commission of India in its 216<sup>th</sup> Report on "Non-Feasibility of Introduction of Hindi as Compulsory Language in the Supreme Court of India" has, inter-alia, recommended that the higher judiciary should not be subjected to any kind of even persuasive change in the present societal context. The Government in the Department of Official Language, have accepted the recommendation.

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**GOVERNMENT OF INDIA  
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DEPARTMENT OF JUSTICE**

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**LOK SABHA  
UNSTARRED QUESTION NO. 4268**

**TO BE ANSWERED ON THURSDAY, THE 06.09.2012**

**Appointment of Judges**

**+4268. DR. KIRODI LAL MEENA:  
SHRI SYED SHAHNAWAZ HUSSAIN:**

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

- (a) whether the Government is considering for separate recruitment mechanism for appointment of the judges;
- (b) if so, the details thereof;
- (c) whether any report, proposal or recommendation is lying pending with the Government;
- (d) if so, the details thereof along with the action taken thereon; and
- (e) the status of the impeachment against Justice Soumitra Sen of Kolkata High Court?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI SALMAN KHURSHID)**

(a) to (d) : Currently, appointment of Judges to High Courts and Supreme Court is based on Memorandum of Procedure for appointment of Judges of Supreme Court and High Courts prepared in 1998. Representations have been made by various agencies and expert bodies including the 2<sup>nd</sup> Administrative Reforms Commission, 214<sup>th</sup> Report of the Law Commission to review/change the present procedure of appointment of judges. It is generally felt that this procedure is not balanced and is one sided. It has at times been criticised also for lack of transparency and accountability. But the proposal has not yet reached a conclusive stage.

(e) : The proceedings for removal of Shri Justice Soumitra Sen, Judge of the Calcutta High Court, had been taken up for consideration by the Rajya Sabha, which passed a Resolution for his removal. However, Shri Justice Soumitra Sen resigned his post as a Judge of the Calcutta High Court on 1<sup>st</sup> September, 2011 before the matter was taken up in the Lok Sabha.

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

LOK SABHA

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UNSTARRED QUESTION NO. 4292  
TO BE ANSWERED ON THURSDAY, THE 06<sup>TH</sup> SEPTEMBER, 2012

**Pending Cases**

4292. DR. P. VENUGOPAL:

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

- (a) whether it is true that pendency of cases in various courts of the country has declined by more than six lakh over the period July to December, 2011;
- (b) if so, the details thereof;
- (c) whether the Government has asked all the High Courts and their subordinate courts to reduce the pendency of cases; and
- (d) if so, the details thereof?

**ANSWER**  
**MINISTER OF LAW AND JUSTICE**  
**(SHRI SALMAN KHURSHID)**

(a) to (d) : The Central Government had undertaken a pendency reduction drive from July 2011 to December, 2011 with the Chief Justices of the High Courts in the country. They were requested to clear the long pending cases as well as give preference to cases relating to marginalised sections of the society.

As per feedback received from various High Courts, total pendency was reduced by over 6 lakh cases, out of which about 1.36 lakh cases belonged to targeted groups such as senior citizens, disabled, minors and marginalised sections of society.

A similar drive has been undertaken this year as well from July, 2012 to December, 2012. The main focus of pendency reduction drive this year is to make our judicial system 'five plus' free. Simultaneously, emphasis is being laid on increasing the number of judges in subordinate judiciary by filling the existing vacancies and creating additional posts so that disposal of cases is expedited and there is reduction in overall pendency.



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LOK SABHA  
UNSTARRED QUESTION NO.4303

TO BE ANSWERED ON 06.09.2012

Decision on Website

+4303. SHRI YASHBANT N.S. LAGURI:  
SHRI HARISH CHAUDHARY:

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

- (a) whether the Government proposes to upload the subject-wise decisions/legislations of courts on their websites;
- (b) if so, the details thereof?
- (c) if not, the reasons therefor; and
- (d) the reaction of the Government thereto?

ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI SALMAN KHURSHID)

(a) to (d) : Judgments/decisions of the Supreme Court of India and High Courts are being uploaded on the website of the respective Courts. These judgments can be accessed on their websites through search options available thereon such as case number, date of judgment, judge name, etc.

Subject-wise//legislation-wise decisions are not available on the websites. However, these can be accessed on the website [www.judis.nic.in](http://www.judis.nic.in) of Supreme Court of India to some extent through free text judgments search option available thereon.

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