

2021

LOK SABHA REPLIES

**WINTER SESSION, 2021 [7TH
SESSION OF SEVENTEENTH
LOK SABHA] [29th November,
2021 to 23rd December,
2021. The House adjourned
sine die on 22/12/2021]**

INDEX

Sl.N.	Question No.	Question Type	Date	Subject	Division	Page No.
1.	100	Starred	03/12/2021	Fast Track Courts	Justice.II	1
2.	951	Unstarred	03/12/2021	Centrally Sponsored Scheme for Judicial Infrastructure	JR Desk	4
3.	963	Unstarred	03/12/2021	All India Judicial Service	Appointment DVN	6
4.	986	Unstarred	03/12/2021	National Judicial Infrastructure Authority	JR Desk	9
5.	1019	Unstarred	03/12/2021	Legal Aid for Women Prisoners	A2J/LAP	12
6.	1034	Unstarred	03/12/2021	Pending Cases	NM	14
7.	1041	Unstarred	03/12/2021	Delay in Judicial Verdicts	A2J/LAP	29
8.	1043	Unstarred	03/12/2021	Pending Cases in Gujarat High Court	NM	32
9.	1067	Unstarred	03/12/2021	Dispute Resolution Mechanism to improve Ease of Doing Business	NM	34
10.	1070	Unstarred	03/12/2021	Vacancies of Judges in the High Courts and Supreme Court	Appointment DVN	36
11.	1078	Unstarred	03/12/2021	Judicial Reforms	NM/JR	38
12.	1096	Unstarred	03/12/2021	National Court Management System Committee	NM	44
13.	1100	Unstarred	03/12/2021	Vacancies of Judges in Subordinate Courts	NM	50
14.	1103	Unstarred	03/12/2021	Lok Adalats	A2J/LAP	53
15.	1115	Unstarred	03/12/2021	Transfer of Judges	Appointment of Judges	56
16.	1118	Unstarred	03/12/2021	Tele-Law Mobile App	A2J/LAP	57
17.	1132	Unstarred	03/12/2021	Campaign for Delivery of Justice at Door Step	NM	59
18.	185	Starred	10/12/2021	e-Courts Mission Mode Project	eCourts	61
19.	191	Starred	10/12/2021	All India Judicial Services	Appointment DVN	69
20.	2072	Unstarred	10/12/2021	Justice System at Village Level	JR Desk	82
21.	2089	Unstarred	10/12/2021	Appointment of District Court Judges	Appointment DVN	85
22.	2098	Unstarred	10/12/2021	Vacant Position of Judges in West Bengal	NM	88
23.	2102	Unstarred	10/12/2021	Accessible and Affordable Judicial System	A2J/LAP	100
24.	2115	Unstarred	10/12/2021	Maintenance awarded to Women	Justice.II	102

25.	2120	Unstarred	10/12/2021	POCSO Cases	NM	103
26.	2133	Unstarred	10/12/2021	Judges per million of population	NM	107
27.	2148	Unstarred	10/12/2021	Samta Nyay Kendras	A2J/LAP	111
28.	2150	Unstarred	10/12/2021	e-Lok Adalats	A2J/LAP	113
29.	2156	Unstarred	10/12/2021	Speedy Disposal of Pending Cases	NM	116
30.	2157	Unstarred	10/12/2021	Incidents of Violence in High Courts	Appointment DVN	122
31.	2174	Unstarred	10/12/2021	Common Video Conferencing Platform	eCourts	124
32.	2195	Unstarred	10/12/2021	Video Conferencing in Criminal Cases	eCourts	126
33.	2221	Unstarred	10/12/2021	e-Courts	eCourts	129
34.	2226	Unstarred	10/12/2021	277 th Law Commission Report	Coordination Section	133
35.	2265	Unstarred	10/12/2021	Pending Cases	NM	134
36.	2274	Unstarred	10/12/2021	Judicial Accountability	Appointment Division	136
37.	289	Starred	17/12/2021	Gram Nyayalayas	JR Desk	138
38.	291	Starred	17/12/2021	Regional Benches of Supreme Court	Appointment Division	142
39.	297	Starred	17/12/2021	Family Courts	Justice.II	144
40.	3231	Unstarred	17/12/2021	High Court Benches	Appointment Division	151
41.	3235	Unstarred	17/12/2021	Tele-Law Scheme	A2J/LAP	153
42.	3239	Unstarred	17/12/2021	Tele-Law on Wheels	A2J/LAP	157
43.	3248	Unstarred	17/12/2021	Nyay Mitra Scheme	A2J/LAP	159
44.	3257	Unstarred	17/12/2021	Online Gaming Industry	Admin.	162
45.	3264	Unstarred	17/12/2021	Government Counsels	A2J/LAP	163
46.	3267	Unstarred	17/12/2021	Shortage of Manpower in Judiciary	NM	165
47.	3268	Unstarred	17/12/2021	Collegium Recommendation for Appointment of Judges	Appointment Division	175
48.	3286	Unstarred	17/12/2021	Fast Track and Special Courts	Justice.II	177
49.	3292	Unstarred	17/12/2021	Fast Track Court for Undertrial Prisoners	Justice.II	179
50.	3295	Unstarred	17/12/2021	Vacant Posts of Judges	Appointment Division	180
51.	3302	Unstarred	17/12/2021	Cases pending in Rajasthan High Court	NM	184
52.	3329	Unstarred	17/12/2021	Access of Poor People to Justice	A2J/LAP	191
53.	3348	Unstarred	17/12/2021	Pending cases in High Courts and Subordinate Courts	NM	193
54.	3361	Unstarred	17/12/2021	Long Hearing Dates for Cases	NM	200
55.	3378	Unstarred	17/12/2021	Digitisation of Court Orders	eCourts	206

56.	3395	Unstarred	17/12/2021	Speedy Disposal of Cases in Rural Areas	NM	209
57.	3422	Unstarred	17/12/2021	High Court Bench in Western Uttar Pradesh	Appointment Division	211
58.	3428	Unstarred	17/12/2021	Speedy Justice System for Crimes against women	NM	213
59.	3429	Unstarred	17/12/2021	Scheme for Development of Judicial Infrastructure	JR Desk	215

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

LOK SABHA

Justice II

STARRED QUESTION NO.100

TO BE ANSWERED ON FRIDAY, THE 3rd December, 2021

Fast Track Courts

†*100. SHRI RAMCHARAN BOHRA:

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

- (a) whether the Government intends to increase the number of Fast Track Courts in the country;
- (b) if so, the details thereof along with the steps taken by the Government in this regard and if not, the reasons therefor;
- (c) the total funds allocated and utilised for the establishment of these courts during each of the last three years and the current year; and
- (d) whether the Government has allocated more funds to States for the establishment of these courts and for the appointment of more judges and if so, the details thereof?

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

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

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF THE
LOK SABHA STARRED QUESTION NO. 100 FOR THE 3rd DECEMBER,
2021 REGARDING 'FAST TRACK COURTS'

(a) to (d): Setting up of Fast Track Courts (FTCs) and allocation of funds lies within the domain of the State Governments who set up such courts as per their need and resources, in consultation with the respective High Courts. FTCs were created during 11th Finance Commission for disposal of long pending cases based on the findings of a study that one such court disposes up to 168 cases in a year. Central funding has been discontinued after 31.03.2015. Subsequently, 14th Finance Commission had recommended that the number of FTCs to be established should be 10% of the sanctioned strength of Judicial Officers of the State. The 14th Finance Commission had recommended the setting up of 1800 FTCs during 2015-2020 and had urged State Governments to utilize enhanced fiscal space available through tax devolution (32% to 42%) for this purpose. As per information received from High Courts the number of functional FTCs, State/UT-wise as on 31st October 2021, is given in **Annexure**.

Information on funds allocated by the States for functioning of FTCs is not maintained centrally. Since central funding stands discontinued for FTCs, the question of allocation of more funds by the centre to the States does not arise.

ANNEXURE

Details of Functional Fast Track Courts-State-wise (As on 31/10/2021)

S.No.	Name of the States/UTs	No. of Court Functional
1	Andhra Pradesh	21
2	Andaman Nicobar	0
3	Arunachal Pradesh	0
4	Assam	15
5	Bihar	0
6	Chandigarh	0
7	Chhattisgarh	23
8	Dadra & Nagar Haveli	0
9	Delhi	5
10	Diu & Daman	0
11	Goa	3
12	Gujarat	35
13	Haryana	6
14	Himachal Pradesh	0
15	Jammu & Kashmir	4
16	Jharkhand	36
17	Karnataka	16
18	Kerala	28
19	Ladakh	0
20	Lakshadweep	0
21	Madhya Pradesh	0
22	Maharashtra	109
23	Manipur	2
24	Meghalaya	0
25	Mizoram	2
26	Nagaland	0
27	Odisha	18
28	Puducherry	0
29	Punjab	7
30	Rajasthan	0
31	Sikkim	2
32	Tamil Nadu	74
33	Teleangana	34
34	Tripura	11
35	Uttar Pradesh	371
36	Uttarakhand	4
37	West Bengal	88
	Total	914

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

LOK SABHA

JR

**UNSTARRED QUESTION NO. 951
TO BE ANSWERED ON FRIDAY, THE 3RD DECEMBER, 2021**

Centrally Sponsored Scheme for Judicial Infrastructure

**951. SHRI KOTHA PRABHAKAR REDDY:
SHRI KHAGEN MURMU:
SHRIMATI VANGA GEETHA VISWANATH:**

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

- (a) whether the issue of lack of judicial infrastructure across the country was discussed recently at a conference of State Law Ministers held recently;
- (b) if so, the details thereof and the remedial steps being taken in this regard;
- (c) whether the States are faced with the problem of lack of judicial infrastructure and facilities, if so, the details thereof; and
- (d) the steps being taken by the Government to extend a Centrally sponsored scheme (CSS) for developing the infrastructure for the judiciary and funds sanctioned/spent during the last five years and current year?

ANSWER

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

(a) to (d): No conference of State Law Ministers has been held during the current year. 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 recently 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.

The funds released under the Scheme during the last five years and the current financial year is as under:

Financial Year	Funds released (Rs. in crore)
2016-17	538.74
2017-18	621.21
2018-19	650.00
2019-20	982.00
2020-21	593.00
2021-22 (till date)	384.52

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

Appointment DVM

**LOK SABHA
UNSTARRED QUESTION NO. 963**

TO BE ANSWERED ON FRIDAY, THE 03.12.2021

All India Judicial Service

**963. SHRIMATI KAVITHA MALOTHU:
DR. G. RANJITH REDDY:
SHRI VENKATESH NETHA BORLAKUNTA:
SHRI PASUNOORI DAYAKAR:**

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

- (a) whether the proposed All India Judicial Services (AIJS) is capable of tampering the federal structure of the Constitution as lower judiciary falls within the domain of States;
- (b) if so, the details thereof and reasons for making fresh attempts for AIJS;
- (c) whether it is true that States like West Bengal, Kerala, Andhra Pradesh, Uttarakhand, etc., have opposed the implementation of AIJS; and
- (d) if so, the details thereof and the reaction of the Government in this regard?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (d): Provision to create an All India Judicial Service is provided for in Article 312 (1) of the Constitution. 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. 03 States are in favour of constitution of AIJS, 09 States are not in favour, 05 States including Uttarakhand want changes in the proposal and 11 States including West Bengal, Kerala, Andhra Pradesh are yet to respond.

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.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

JR

UNSTARRED QUESTION NO. 986

TO BE ANSWERED ON FRIDAY, THE 3RD DECEMBER, 2021

National Judicial Infrastructure Authority

986. SHRI A. RAJA:

SHRI M. BADRUDDIN AJMAL:

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

- (a) whether the courts in India lack infrastructure such as court rooms with adequate space and modern facilities and court complexes are not having basic facilities such as separate toilets for women, medical aid centre, water purifier and libraries making it difficult for them to perform effectively;
- (b) if so, the details thereof along with the percentage of lower courts not having separate toilets for women;
- (c) whether the Ministry has received any proposal from the Chief Justice of India to set up the National Judicial Infrastructure Authority for arrangement of adequate infrastructure for courts;
- (d) if so, the details thereof along with the efforts being made by the Government to improve judicial infrastructure to ensure ease of doing business; and
- (e) the details of funds provided or proposed to be provided by the Government to the States in the next five years?

ANSWER

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

(a) & (b): The Registry of Supreme Court of India has compiled data on the status of judicial infrastructure and court amenities including size of court room, basic medical facilities, drinking water with purifiers, library and toilets. As per this data, 26% court complexes do not have separate ladies toilet.

(c) to (e): Yes, Sir. 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 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.

As per information made available by the High Courts, 20,565 Court Halls and 18,142 Residential Units are available in the District and Subordinate Courts as on 31.10.2021. Moreover, 2841 Court Halls and 1807 Residential Units are under construction.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

A2J/LAP

LOK SABHA
UNSTARRED QUESTION NO-1019
TO BE ANSWERED ON FRIDAY THE, 3RD December, 2021

LEGAL AID FOR WOMEN PRISONERS

1019. SHRI HEMANT TUKARAM GODSE:

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

- (a) whether it is a fact that the poor women in prison lack legal aid services across the country;
- (b) if so, whether the Government has proposed to appoint lawyers to help such women, if so, the details thereof;
- (c) whether the Government would set up any mechanism to monitor the attendance of such lawyers and the number of cases handled by them on monthly basis;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?

ANSWER

MINISTER OF LAW & JUSTICE
(SHRI KIREN RIJJU)

- (a) and (b) No Sir. The Legal Services Authorities have been providing free legal aid to all prisoners including women prisoners through their Jail Visiting Lawyers, Jail Legal Services Clinics manned by Para Legal Volunteers (PLVs) and Remand Advocates. In the year 2020, 18377 women prisoners were provided legal assistance through Jail Legal Services Clinics and 2754 women prisoners were provided legal assistance through other modes. Further, Legal Services Institutions have appointed Remand Advocates in Magisterial Courts and Sessions Courts, wherever required. As on April 2021, 7296 Remand Advocates are providing legal services to arrestees in the criminal courts including women.

In addition awareness camps are held at regular intervals in jails to make inmates including women be informed about their legal rights including right to bail.

(c) to (e) National Legal Services Authority (NALSA) already has a mechanism in place to monitor the services of panel lawyers of Legal Services Authorities. Monitoring and Mentoring Committees have been setup for close monitoring of the Court based legal services and also to guide and advise the panel lawyers. NALSA is already taking pro-active steps in strengthening the legal aid system for jail inmates specifically focusing on quality and competency which also benefits the women prisoners.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

LOK SABHA

UNSTARRED QUESTION NO. †1034
TO BE ANSWERED ON FRIDAY, THE 3RD DECEMBER, 2021

PENDING CASES

†1034. SHRI NABA KUMAR SARANIA:
SHRI SAUMITRA KHAN:

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

- (a) the details of various schemes being implemented by the Ministry;
- (b) the details of total number and types of courts in the country, State and district-wise;
- (c) the total number of judges serving in the country and the number of judicial vacancies thereof across the country, State/UT-wise;
- (d) the number of cases pending in the country as on date including the measures taken by the Government for expeditious disposal of cases, State/UT-wise including West Bengal;
- (e) whether all the courts in the country have been computerized and if so, the details thereof; and
- (f) the number of advocates in State Courts, High Courts and the Supreme Courts, State/UT-wise?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

- (a): The details of various schemes being implemented by the Ministry is at *Annexure-I*.
- (b): As per the hierarchy of courts in the country, the Supreme Court of India is the apex court vested with original, appellate and advisory jurisdiction by the Constitution. The High Courts in each State or group of States are at the helm of the State's judicial system

with original, appellate and other jurisdictions as vested by the Constitution. The High Courts also have powers of superintendence over all Courts within its jurisdiction. The list of High Courts is at *Annexure-II*. The District and Sessions courts are the highest judicial court at the district level. The District and Sessions courts exercise direct supervision over the Subordinate Courts that deal with civil and criminal matters. The list of District and Subordinate Court Complexes is at *Annexure-III*.

(c): The details of sanctioned strength, working strength and vacancy position of judges in the Supreme Court & High Court and District & Subordinate Courts is at *Annexure – IV & Annexure – V* respectively.

(d): The details of pendency of cases in the country 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)**
4	West Bengal	
	High Court	2,26,427(30.11.2021)**
	District & Subordinate Courts	25,51,939 (30.11.2021)**

Source

*Website of Supreme Court of India.

**National Judicial Data Grid (NJDG).

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 judgments/orders, court/case related information and e-filing facilities. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for e-filing in various court complexes.

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 from 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.

(e): The e-Court Integrated Mission Mode Project was launched with the objective of improving access to justice using technology. The Phase I of eCourts concluded in 2014 in which 13,672 Court sites were computerized. Phase II of the project started in 2015, under which 18,735 District & Subordinate courts have been computerized so far.

(f): As per information maintained by Bar Council of India, at present 18,57,623 advocates are registered with them. The details are at *Annexure-VI*.

STATEMENT REFERRED TO IN REPLY TO PART (A) OF LOK SABHA
UNSTARRED QUESTION NO. 1034 FOR ANSWER ON 03.12.2021
REGARDING PENDING CASES.

(i) Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary - The Department of Justice has been implementing the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Districts and Subordinate Judiciary since 1993-94. Under the Scheme, the central assistance is provided to the State Governments / UT Administrations for construction of court halls and residential units for Judicial Officers / Judges of District and Subordinate Courts. The funds sharing pattern under the Scheme for Center and State is 60:40 in respect of States other than North Eastern and Himalayan States. The funds sharing pattern is 90:10 in respect of North Eastern and Himalayan States; and 100% in respect of Union Territories.

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. 5357 crores including Rs.50 crore allocation for Gram Nyayalaya Scheme. Besides, construction of Court Halls and Residential Units, it would also cover construction of Lawyer's Halls, Toilet Complexes and Digital Computer Rooms.

(ii) Gram Nyayalayas - To provide access to justice to the citizen at their door steps, the Central Government has enacted the Gram Nyayalayas Act, 2008. It provides for establishment of Gram Nyayalayas at intermediate panchayat level. The State Governments are responsible for establishing Gram Nyayalayas in consultation with the respective High Courts. In terms of Section 3 (1) of the Gram Nyayalayas Act, 2008, the State governments are responsible for establishing Gram Nyayalayas in consultation with the respective High Courts. Under the

Central Government's Scheme of 'Assistance to States for Establishing and Operationalising Gram Nyayalayas', the financial assistance is sanctioned only after the issue of notification for establishing Gram Nyayalayas by the respective State governments and their operationalisation. The scheme has since been extended by the Government for five years from 01.04.2021 to 31.03.2026 with a budgetary outlay of Rs.50 crores.

(iii) Designing Innovative Solutions and Holistic Approaches on Access to Justice (DISHA) - The Department of Justice, has formulated a scheme namely "**Designing Innovative Solutions and Holistic Approaches on Access to Justice (DISHA)**" for the period 2021-2026 to enable access to justice and legal aid to common citizens. DISHA amalgamates different Access to Justice components like Nyaya Bandhu, Nyaya Mitra and Tele law being executed by Department of Justice to bridge the gaps in justice delivery besides providing for Legal literacy and Legal awareness programmes at Pan India level.

(iv) Scheme for setting up of Fast Track Special Courts – The Department of Justice is implementing a Centrally Sponsored Scheme (CSS) scheme started in October, 2019 for setting up of Fast Track Special Courts (FTSCs) including Exclusive POCSO Courts for expeditious trial and disposal of cases related to rape and POCSO Act, in furtherance to the Criminal Law (Amendment) Act 2018 and the direction of Hon'ble Supreme court of India in Suo Moto 1/2019 dated 25.07.2019. The project cost was of Rs. 767.25 crore with Central Support of Rs. 474 crore under Nirbhaya Fund for 1 year spread over 2 FYs (2019-20 and 2020-21). The Scheme has been extended for further two years from 01.04.2021 to 31.03.2023 at a total cost of Rs. 1572.86 crore with Central share of Rs. 971.70 crore.

(v) eCourts Mission Mode Project- As part of National eGovernance Plan, eCourts project begun in 2007 based on National Policy and Action Plan for Implementation of ICT in Indian judiciary. The Government of India implemented 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. 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). Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. Funds have been provided for setting up 235 e-Sewa Kendras at court complexes. Fifteen Virtual Courts have been set up in 11 States/UTs to try traffic offences.

STATEMENT REFERRED TO IN REPLY TO PART (B) OF LOK SABHA UNSTARRED QUESTION NO. 1034 FOR ANSWER ON 03.12.2021 REGARDING PENDING CASES.

Sl. No	Name of High Courts
1.	Allahabad High Court
2.	Calcutta High Court
3.	Gauhati High Court
4.	High Court for the State of Telangana
5.	High Court of Andhra Pradesh
6.	High Court of Bombay
7.	High Court of Chhattisgarh
8.	High Court of Delhi
9.	High Court of Gujarat
10.	High Court of Himachal Pradesh
11.	High Court of Jammu & Kashmir and Ladakh
12.	High Court of Jharkhand
13.	High Court of Karnataka
14.	High Court of Kerala
15.	High Court of Madhya Pradesh
16.	High Court of Manipur
17.	High Court of Meghalaya
18.	High Court of Punjab & Haryana
19.	High Court of Rajasthan
20.	High Court of Sikkim
21.	High Court of Tripura
22.	High Court of Uttarakhand
23.	Madras High Court
24.	Orissa High Court
25.	Patna High Court

STATEMENT REFERRED TO IN REPLY TO PART (B) OF LOK SABHA UNSTARRED QUESTION NO. 1034 FOR ANSWER ON 03.12.2021 REGARDING PENDING CASES.

Sr No	State	Total Districts	Total Court Complexes
1	Andaman and Nicobar	1	4
2	Andhra Pradesh	13	187
3	Assam	30	71
4	Bihar	37	79
5	Chandigarh	1	2
6	Chhattisgarh	23	89
7	Delhi	11	12
8	Diu and Daman	2	2
9	DNH at Silvassa	1	2
10	Goa	2	16
11	Gujarat	32	332
12	Haryana	21	58
13	Himachal Pradesh	11	50
14	Jammu and Kashmir	20	81
15	Jharkhand	24	24
16	Karnataka	30	204
17	Kerala	15	165
18	Ladakh	2	3
19	Madhya Pradesh	50	225
20	Maharashtra	40	478
21	Manipur	9	20
22	Meghalaya	9	10
23	Mizoram	3	9
24	Nagaland	4	5
25	Orissa	30	122
26	Punjab	22	68
27	Rajasthan	36	311
28	Sikkim	4	9
29	Tamil Nadu	32	265
30	Telangana	10	110
31	Tripura	8	24
32	Uttar Pradesh	74	169
33	Uttarakhand	13	61
34	West Bengal	22	89
Grand Total		646	3356

Source: National Judicial Data Grid (NJDG)

**STATEMENT REFERRED TO IN REPLY TO PART (C) OF LOK SABHA
UNSTARRED QUESTION NO. 1034 FOR ANSWER ON 03.12.2021
REGARDING PENDING CASES.**

Statement showing sanctioned strength, working strength of the judges in the Supreme Court and High Court as on 29.11.2021

		Sanctioned strength			Working strength			Vacancies		
A.	Supreme Court	34			33			1		
B.	High Court	Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1	Allahabad	120	40	160	75	20	95	45	20	65
2	Andhra Pradesh	28	9	37	18	0	18	10	9	19
3	Bombay	71	23	94	49	11	60	22	12	34
4	Calcutta	54	18	72	31	9	40	23	9	32
5	Chhattisgarh	17	5	22	10	3	13	7	2	9
6	Delhi	45	15	60	30	0	30	15	15	30
7	Gauhati	18	6	24	18	6	24	0	0	0
8	Gujarat	39	13	52	32	0	32	7	13	20
9	Himachal Pradesh	10	3	13	8	1	9	2	2	4
10	J & K and Ladakh	13	4	17	13	0	13	0	4	4
11	Jharkhand	19	6	25	19	1	20	0	5	5
12	Karnataka	47	15	62	40	6	46	7	9	16
13	Kerala	35	12	47	29	12	41	6	0	6
14	Madhya Pradesh	40	13	53	30	0	30	10	13	23
15	Madras	56	19	75	45	15	60	11	4	15
16	Manipur	4	1	5	4	1	5	0	0	0
17	Meghalaya	3	1	4	3	0	3	0	1	1
18	Orissa	20	7	27	18	0	18	2	7	9
19	Patna	40	13	53	26	0	26	14	13	27
20	Punjab & Haryana	64	21	85	44	6	50	20	15	35
21	Rajasthan	38	12	50	28	0	28	10	12	22
22	Sikkim	3	0	3	3	0	3	0	0	0
23	Telangana	32	10	42	19	0	19	13	10	23
24	Tripura	4	1	5	5	0	5	-1	1	0
25	Uttarakhand	9	2	11	8	0	8	1	2	3
Total		829	269	1098	605	91	696	224	178	402

**STATEMENT REFERRED TO IN REPLY TO PART (C) OF LOK SABHA
UNSTARRED QUESTION NO. 1034 FOR ANSWER ON 03.12.2021
REGARDING PENDING CASES.**

**Statement showing sanctioned strength, working strength of the judges in the
District and Subordinate Courts as on 29.11.2021**

S. No.	States & UTs	Total Sanctioned Strength	Total Working Strength	Total Vacancy
1.	Andaman and Nicobar	0	13	-13
2.	Andhra Pradesh	607	492	115
3.	Arunachal Pradesh	41	32	9
4.	Assam	467	436	31
5.	Bihar	1953	1405	548
6.	Chandigarh	30	30	0
7.	Chhattisgarh	482	411	71
8.	D & N Haveli	3	2	1
9.	Daman & Diu	4	4	0
10.	Delhi	862	691	171
11.	Goa	50	40	10
12.	Gujarat	1523	1129	394
13.	Haryana	772	482	290
14.	Himachal Pradesh	175	164	11
15.	Jammu and Kashmir	300	243	57
16.	Jharkhand	675	523	152
17.	Karnataka	1361	1082	279
18.	Kerala	569	490	79
19.	Ladakh	17	9	8
20.	Lakshadweep	3	3	0
21.	Madhya Pradesh	2021	1555	466
22.	Maharashtra	2190	1940	250
23.	Manipur	59	42	17
24.	Meghalaya	97	49	48
25.	Mizoram	64	42	22
26.	Nagaland	34	24	10
27.	Odisha	976	790	186
28.	Puducherry	26	11	15
29.	Punjab	692	608	84
30.	Rajasthan	1547	1274	273
31.	Sikkim	28	20	8
32.	Tamil Nadu	1315	1052	263
33.	Telangana	474	359	115
34.	Tripura	121	97	24
35.	Uttar Pradesh	3634	2559	1075
36.	Uttarakhand	299	271	28
37.	West Bengal	1014	918	96
TOTAL		24485	19292	5193

Source:- MIS portal of DoJ

STATEMENT REFERRED TO IN REPLY TO PART (F) OF LOK SABHA UNSTARRED QUESTION NO. 1034 FOR ANSWER ON 03.12.2021 REGARDING PENDING CASES.

S. No.	State Bar Council	Total Number of Advocate
1.	Assam	37326
2.	Andhra Pradesh	72719
3.	Telangana	40531
4.	Bihar	127501
5.	Chhattisgarh	30103
6.	Delhi	50317
7.	Gujarat	103390
8.	Himachal Pradesh	9075
9.	Jharkhand	31248
10.	Karnataka	102083
11.	Kerala	57671
12.	Madhya Pradesh	112390
13.	Maharashtra & Goa	191394
14.	Orissa	56344
15.	Punjab & Haryana	117423
16.	Rajasthan	88999
17.	Tamil Nadu	110843
18.	Uttar Pradesh	400016
19.	Uttarakhand	17200
20.	West Bengal	86555
21.	Jammu and Kashmir	10589
22.	Tripura	1409
23.	Manipur	1676
24.	Meghalaya	821
TOTAL		1857623

Source:- Bar Council of India

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

A2J/LAP

LOK SABHA
UNSTARRED QUESTION NO-1041
TO BE ANSWERED ON FRIDAY 03/12/2021

DELAY IN JUDICIAL VERDICTS

1041. DR. VISHNU PRASAD M.K.:

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

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

ANSWER

MINISTER OF LAW & JUSTICE
(SHRI KIREN RIJIJU)

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

virtual/physical mode and take up all kind of cases, including those pertaining to under-trial prisoners.

In wake of threat of spreading of Covid-19 virus, particularly, in overcrowded prisons, the State Governments and UT Administrations have constituted High Powered Committees (HPCs) comprising of Executive Chairman of the State Legal Services Authority (SLSA), the Principal Secretary (Home/Prison), Director General of Prison(s). National Legal Services Authority (NALSA) has requested all State Legal Services Authorities (SLSAs) to effectively render assistance to High Powered Committees for identification and facilitation in releasing Undertrial Prisoners/Convicts either on interim bail or on parole. During lockdown from March to May 2020, 58,797 undertrial prisoners and 20,972 convicts were released on interim bail/parole on recommendations of HPC or through efforts of Legal Services Authorities. Further, 92,593 prisoners including 70,382 Under Trial Prisoners and 22,211 Convicts were released on interim bail/parole on recommendations of HPCs through efforts of Legal Services Authorities under the guidance of NALSA after emergence of the second wave of Covid-19 during April-May, 2021.

NALSA through SLSAs and District Legal Services Authorities (DLSAs) has also organized Undertrial Review Committee (UTRC) Meetings on regular basis as per NALSA protocol. During 2020-21, 10,961 UTRC meetings were held and 13,983 inmates were released pursuant to UTRCs recommendations. Further, 5,127 meetings of UTRCs were held in across the country during April, 2021 to September 2021 and 11,145 inmates were released pursuant to UTRCs recommendations.

NALSA has issued a Protocol for Early Access to Justice at Pre-Arrest, Arrest and Remand Stage for providing assistance to suspects and accused at

Pre-Arrest, Arrest and Remand Stage. As per data compiled by NALSA during January 2020 to September 2021, legal assistance was provided to 8,433 suspects/accused at pre-arrest stage pursuant to which 2,879 suspects/accused were not arrested by the police. Further, assistance was provided to 10,191 arrestees at police stations before producing them in courts. Moreover, during the same period, 1,64,947 persons were provided legal assistance at remand stage and 73,452 bail applications were filed wherein bail was granted in 40,303 such matters.

NM

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

LOK SABHA

**UNSTARRED QUESTION NO. 1043
TO BE ANSWERED ON FRIDAY, THE 3RD DECEMBER, 2021**

PENDING CASES IN GUJARAT HIGH COURT

1043. SHRI MOHANBHAI KALYANJI KUNDARIYA:

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

- (a) the number of cases pending in Gujarat High Court at present along with the number of cases pending for fifteen years or more;**
- (b) whether the Government has any action plan to clear the pendency by setting up High Court Benches at Rajkot and Surat;**
- (c) if so, the details thereof and the steps taken in this regard; and**
- (d) if not, the reasons therefor?**

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a): The details of number of cases pending in Gujarat High Court is as follows:-

Number of cases pending in Gujarat High Court as on 26.11.2021			Number of cases pending in Gujarat High Court for 15 years or more		
Civil	Criminal	Total	Civil	Criminal	Total
102097	51794	153891	2813	3158	5971

(b) to (d): 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 and infrastructural facilities and the Chief Justice of the concerned High Court who is required to look after the day-to-day administration of the High Court. The proposal to be complete should also have the consent of the Governor of the concerned State. At present, no complete proposal regarding setting up Gujarat High Court benches at Rajkot and Surat is pending before the Central Government.

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

NM

LOK SABHA

**UNSTARRED QUESTION NO. 1067
TO BE ANSWERED ON FRIDAY, THE 3RD DECEMBER, 2021**

**DISPUTE RESOLUTION MECHANISM TO IMPROVE
EASE OF DOING BUSINESS**

1067. SHRI M. SELVARAJ:

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

- (a) whether the Ministry has made any suggestion to implement effective dispute resolution mechanism in the country as it is a determining factor to improve and promote ease of doing business; and**
- (b) if so, the details regarding the same?**

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) & (b): In order to create an environment conducive for investment and business, continued efforts have been made by implementing reforms to enable expeditious enforcement of contracts to improve Ease of Doing Business in India. One of the key reforms undertaken in this direction is enactment of the Commercial Courts Act, 2015 to expedite resolution of commercial dispute at a affordable cost to the litigants. The Act was further amended in 2018 to facilitate the fast tracking of commercial disputes by duly constituted dedicated Commercial Courts in all High Courts having original jurisdiction. The specified value of commercial dispute has been amended to reduce to Rs. 3 lakh from the earlier Rs.1 crore in the 2018 amendment Act. To implement effective dispute resolution, mandatory provision of "Pre-Institution Mediation and Settlement" (PIMS) has also been introduced by the amendment Act to facilitate out of Court settlement

and ease the work load of the Courts to deal with cases which do not contemplate urgent interim relief.

The Government has also amended the Arbitration and Conciliation Act, 1996, by the Arbitration and Conciliation (Amendment) Act, 2019 and enacted the New Delhi International Arbitration Centre Act, 2019 to promote institutional arbitration in place of ad-hoc arbitration. Institutional arbitration in turn promotes the laying of uniform standards, make arbitration process more party friendly, cost effective and ensure timely disposal of arbitration cases, by Arbitral Institutions in order to ensure improving and promoting ease of doing business in the country.

Further, to facilitate institutional mediation and arbitration, some High Courts have provided for Mediation and Arbitration centres annexed to the Commercial Courts, while other High Courts are facilitating commercial mediation through ADR/Mediation Centres run by the Legal Services Authority.

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

LOK SABHA

Appointment DUTY

UNSTARRED QUESTION NO. 1070

TO BE ANSWERED ON FRIDAY, THE 03.12.2021

Vacancies of Judges in the High Courts and Supreme Court

1070. SHRI KALYAN BANERJEE:

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

- (a) whether it is a fact that there are over 407 vacancies of Judges in the Supreme Court and other High Courts of the country, if so, the details thereof and the reasons therefor;
- (b) whether the recommendations of the collegium to fill up the posts for 233 permanent judges posts and 174 additional judges posts in the upper courts of the country have been implemented; and
- (c) if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (c) : As on 30.11.2021, there is 01 vacancy in the Supreme Court and 402 vacancies in the High Courts. 164 proposals are at various stages of processing with the Government and the Supreme Court Collegium. For remaining 238 vacancies, recommendations from High Court Collegiums are yet to be received. Government appoints only those persons as Judges of High Courts who are recommended by Supreme Court Collegium.

As per the Memorandum of Procedure, for the appointment of Judges of High Court, the Chief Justice of the High Court is required to initiate the proposals in consultation with two senior-most Judges from amongst the eligible candidates from the Bar and concerned State Judicial Service six months prior to the occurrence of vacancies. Filling up of vacancies 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 do keep on arising on account of retirement, resignation or elevation of Judges and increase in Judge Strength.

Appointment of 09 Supreme Court Judges and 118 High Court Judges have been notified by the Government in 2021 upto 30.11.2021.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM/JR

LOK SABHA

UNSTARRED QUESTION NO. †1078
TO BE ANSWERED ON FRIDAY, THE 3rd DECEMBER, 2021

JUDICIAL REFORMS

†1078. SHRI SUNIL KUMAR PINTU:

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

- (a) the progress made in reducing the pendency of cases in courts across the country;
- (b) whether any reforms have been undertaken by the Government to strengthen the judicial system across the country; and
- (c) if so, the details thereof along with the improvement observed as a result of such steps taken by the Government?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (c): 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 e-filing facilities. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for e-filing in various court complexes.

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 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 from 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.

Nm

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

LOK SABHA

UNSTARRED QUESTION NO. 1096

TO BE ANSWERED ON FRIDAY, THE 3RD DECEMBER, 2021

National Court Management System Committee

1096. SHRIMATI SAJDA AHMED:

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

- (a) whether the pendency, delay, and backlog of the cases are being faced due to lack of infrastructure in the courts across the country, if so, the details thereof;
- (b) whether the Government has evaluated the infrastructural condition of the courts as per the guidelines set up by the National Court Management System Committee 2012;
- (c) the funds spent during the last three years for the development of digital infrastructure of the courts,
State-wise;
- (d) the number of the court buildings, functioning in rented premises,
State/UT-wise;
- (e) whether the Government is considering to set up National Judicial Infrastructure Corporation; and
- (f) if so, the details thereof?

ANSWER

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

- (a): Disposal of cases pending in various courts is within the domain of judiciary. Timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, complexity of facts involved,

nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. There are several factors which may lead to delay in disposal of cases. These, *inter-alia*, include vacancies of judges, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing. 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.

(b): The National Court Management System was constituted in the Supreme Court in May, 2012. The major recommendations of the NCMS Committee include preparation of Baseline Reports on National Framework of Court Excellence, Case Management System, Court Development Planning System &

Human Resource Development Strategy. So far as the Judicial Infrastructure facilities are concerned, 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 since 1993-94. The scheme has been evaluated from time to time. The third party evaluation of the CSS for Judicial Infrastructure was got done through NITI Aayog recently, which recommended continuance of the scheme.

(c): The requisite details as maintained High Court wise is attached at Annexure-I.

(d): The requisite details are attached at Annexure-II.

(e) &(f): 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. Presently, 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, 20,565 Court Halls and 18,142 Residential Units are available in the District and Subordinate Courts as on 31.10.2021. Moreover, 2841 Court Halls and 1807 Residential Units are under construction.

ANNEXURE-I

Statement referred to in Lok Sabha Unstarred Question no. 1096 for reply on 3rd December 2021

Status of High Court wise release of funds during last three years under the eCourts Project Phase-II

(Amount Rs. in crores)

Sl No.	High Court	FY 2018-19	FY 2019-20	FY 2020-21
1	Allahabad	8.07	15.04	13.79
2	Andhra Pradesh	-	-	1.96
3	Bombay	0.52	-	8.86
4	Calcutta	0.13	-	4.93
5	Chhattisgarh	1.33	4.44	2.34
6	Delhi	3.54	-	3.00
7A	Gauhati (Arunachal Pradesh)	2.85	0.98	1.52
7B	Gauhati (Assam)	8.70	13.68	6.11
7C	Gauhati (Mizoram)	0.15	0.51	0.72
7D	Gauhati (Nagaland)	0.71	0.70	0.83
8	Gujarat	10.73	-	3.48
9	Himachal Pradesh	0.13	-	2.00
10	Jammu & Kashmir	0.26	-	1.00
11	Jharkhand	4.53	5.53	2.98
12	Karnataka	0.61	9.15	4.29
13	Kerala	4.61	-	2.83
14	Madhya Pradesh	0.39	11.21	6.28
15	Madras	5.11	-	4.73
16	Manipur	0.65	0.61	1.30
17	Meghalaya	0.62	0.92	2.32
18	Orissa	1.59	13.46	3.37
19	Patna	0.13	7.08	5.44
20	Punjab & Haryana	8.49	-	4.55
21	Rajasthan	3.01	1.29	10.58
22	Sikkim	0.80	1.61	1.01
23	Telangana & Andhra** Pradesh	8.13	-	-
24	Telangana	-	-	1.79
25	Tripura	1.77	2.24	4.44
26	Uttarakhand	0.13	-	1.28
	Total	77.69	88.45	107.73

*Data pertains to the period when there was a common High Court.

ANNEXURE-II

Statement referred to in Lok Sabha Unstarred Question no. 1096 for reply on 3rd December 2021

State-wise Details of court buildings (District and subordinate courts) functioning in rented premises

Sl. No.	States & Union Territories	No. of Court Halls in rented building
1	Andhra Pradesh	71
2	Assam	15
3	Chhattisgarh	9
4	Goa	8
5	Gujarat	33
6	Haryana	2
7	Jammu and Kashmir	7
8	Karnataka	18
9	Kerala	46
10	Ladakh	1
11	Madhya Pradesh	2
12	Maharashtra	87
13	Meghalaya	3
14	Odisha	1
15	Punjab	2
16	Rajasthan	35
17	Sikkim	1
18	Tamil Nadu	87
19	Telangana	72
20	Uttar Pradesh	22
21	Uttarakhand	3
22	West Bengal	31
TOTAL		556

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

LOK SABHA

UNSTARRED QUESTION NO. 1100
TO BE ANSWERED ON FRIDAY, THE 3RD DECEMBER, 2021

VACANCIES OF JUDGES IN SUBORDINATE COURTS

1100. SHRI SUSHIL KUMAR SINGH:

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

- (a) the number of vacancies of judges in district and subordinate courts, State-wise;
- (b) whether there are plans to increase the sanctioned strength of judges in district and subordinate courts;
- (c) if so, the details thereof; and
- (d) the details of manner in which the sanctioned strength of a court is determined in the country?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (d): The State/UT wise details of sanctioned strength, working strength and vacancy position of judges in the country is at Annexure.

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 24,485 as on 30.11.2021. 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.

STATEMENT REFERRED TO IN REPLY TO PARTS (A) to (D) OF LOK SABHA UNSTARRED QUESTION NO. 1100 FOR ANSWER ON 03.12.2021 REGARDING VACANCIES OF JUDGES IN SUBORDINATE COURTS.

Latest Vacancy Report As on 30-11-2021

S. No.	States & UTs	Total Sanctioned Strength	Total Working Strength	Total Vacancy
1.	Andaman and Nicobar	0	13	-13
2.	Andhra Pradesh	607	492	115
3.	Arunachal Pradesh	41	32	9
4.	Assam	467	436	31
5.	Bihar	1953	1405	548
6.	Chandigarh	30	30	0
7.	Chhattisgarh	482	411	71
8.	D & N Haveli	3	2	1
9.	Daman & Diu	4	4	0
10.	Delhi	862	691	171
11.	Goa	50	40	10
12.	Gujarat	1523	1129	394
13.	Haryana	772	482	290
14.	Himachal Pradesh	175	164	11
15.	Jammu and Kashmir	300	243	57
16.	Jharkhand	675	523	152
17.	Karnataka	1361	1082	279
18.	Kerala	569	490	79
19.	Ladakh	17	9	8
20.	Lakshadweep	3	3	0
21.	Madhya Pradesh	2021	1555	466
22.	Maharashtra	2190	1940	250
23.	Manipur	59	42	17
24.	Meghalaya	97	49	48
25.	Mizoram	64	42	22
26.	Nagaland	34	24	10
27.	Odisha	976	790	186
28.	Puducherry	26	11	15
29.	Punjab	692	608	84
30.	Rajasthan	1547	1274	273
31.	Sikkim	28	20	8
32.	Tamil Nadu	1315	1052	263
33.	Telangana	474	359	115
34.	Tripura	121	97	24
35.	Uttar Pradesh	3634	2559	1075
36.	Uttarakhand	299	271	28
37.	West Bengal	1014	918	96
TOTAL		24485	19292	5193

Source: - MIS portal of DoJ

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

A2J LAP

LOK SABHA
UNSTARRED QUESTION NO-1103
TO BE ANSWERED ON FRIDAY 03/12/2021

LOK ADALATS

1103. SHRI ANUBHAV MOHANTY:

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

- (a) whether the Lok Adalats have been established in every district across the country;
- (b) if so, the total number of Lok Adalats currently functioning in the country, district-wise;
- (c) the expected rate of disposal of cases in the Lok Adalats and the current rate of disposal of cases in these Adalats; and
- (d) whether the expected rate of disposal of cases is not being achieved as per the plan, if so, the details thereof and the reasons therefor along with the action taken by the Government in this regard?

ANSWER

MINISTER OF LAW & JUSTICE
(SHRI KIREN RIJJU)

- (a) and (b) Lok Adalat is not a permanent establishment and is organised at such intervals as felt required with a view to reduce pendency of cases in courts and settle disputes at pre-litigation stage. However, as per Section 19 of the Legal Services Authorities (LSA) Act, Lok Adalats are organized by Legal Services Institutions as per requirement. National Lok Adalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date. In addition, Section 22B of the LSA Act also provides for establishment of Permanent Lok Adalat by every State Authority to deal with cases of public utility services at pre-litigation stage. 358 Permanent Lok Adalats are presently functioning in various States & UTs. State wise details is at **Annexure – A**.

(c) and (d) No specific target is fixed for referral or disposal of cases prior to organization of any type of Lok Adalat. The details of the cases settled by Lok Adalats during last three years is as below:

National Lok Adalats:

Subject	2019		2020		2021 (upto September, 2021)	
	Taken up by Benches	Settled/ Disposal	Taken up by Benches	Settled/ Disposal	Taken up by Benches	Settled/ Disposal
Pre-litigation	1,35,14,315	26,76,483	60,36,006	12,64,935	1,12,71,825	36,65,902
Pending Cases	78,10,672	26,16,790	51,15,168	12,83,433	72,34,578	36,36,737
Total	2,13,24,987	52,93,273	1,11,51,174	25,48,368	1,85,06,403	73,02,639

State Lok Adalats:

Subject	2019-20		2020-21		2021-22 (upto October 2021)	
	Taken up by Benches	Settled/ Disposal	Taken up by Benches	Settled/ Disposal	Taken up by Benches	Settled/ Disposal
Pre-litigation	4,44,865	79,493	2,70,506	1,42,549	1,40,476	73,496
Pending Cases	10,86,872	4,66,258	9,88,895	6,01,524	4,11,406	274,712
Total	15,31,737	5,45,751	12,59,401	7,44,073	5,51,882	3,48,208

Statement as referred to in reply to Lok Sabha Unstarred Question No. 1103 for answering on 03.12.2021 raised by Shri Anubhav Mohanty, MP - Lok Adalats.

Statement showing details of Permanent Lok Adalats functioning in various States & UTs

S. No.	SLSA	Permanent Lok Adalats functioning as on September, 2021
1	Andaman & Nicobar Islands	0
2	Andhra Pradesh	9
3	Arunachal Pradesh	0
4	Assam	14
5	Bihar	9
6	Chhattisgarh	5
7	Dadra & Nagar Haveli	0
8	Daman & Diu	0
9	Delhi	3
10	Goa	1
11	Gujarat	4
12	Haryana	21
13	Himachal Pradesh	4
14	Jammu & Kashmir	0
15	Jharkhand	24
16	Karnataka	6
17	Kerala	3
18	Lakshadweep	0
19	Madhya Pradesh	50
20	Maharashtra	4
21	Manipur	0
22	Meghalaya	0
23	Mizoram	2
24	Nagaland	0
25	Odisha	22
26	Puducherry	0
27	Punjab	22
28	Rajasthan	35
29	Sikkim	0
30	Tamil Nadu	32
31	Telengana	6
32	Tripura	6
33	Chandigarh	1
34	Uttar Pradesh	71
35	Uttarakhand	4
36	West Bengal	0
37	Ladakh	0
	Grand Total	358

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Appointment Dept

LOK SABHA
UNSTARRED QUESTION NO. 1115
TO BE ANSWERED ON FRIDAY, THE 03.12.2021

Transfer of Judges

1115. SHRI MANICKAM TAGORE B. :

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

- (a) whether it is a fact that senior advocates and lawyers bodies of Madras High Court protested against the transfer of Chief Justice of Madras High Court to Meghalaya High Court;
- (b) if so the details thereof;
- (c) whether it is also true that the agitating lawyers and the associations related to them have alleged that the said transfer was not according to the prescribed rules; and
- (d) if so the reasons therefor?

ANSWER
MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)

(a) to (d) : Yes. Sir, some Senior Advocates and lawyers bodies of Madras High Court protested on the transfer of Chief Justice, Madras High Court as Chief Justice of Meghalaya High Court which was notified on 15th November, 2021. Transfer of Chief Justice/Judge of High Court is recommended by the Chief Justice of India and the four senior-most puisne Judges of Supreme Court of India. As per Memorandum of Procedure, Chief Justice of India is empowered to initiate proposal of transfer of Chief Justices/Judges of High Courts and his opinion in this regard is determinative. After obtaining approval of the President of India, Government notifies the transfer. All transfers are to be made in public interest i.e. for promoting better administration of justice in various High Courts in the Country.

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

A2J/LAP

**LOK SABHA
UNSTARRED QUESTION NO-1118
TO BE ANSWERED ON, FRIDAY, THE 3rd DECEMBER, 2021**

Tele-Law Mobile App

1118. SHRI POCHA BRAHMANANDA REDDY:
DR. SANJEEV KUMAR SINGARI:
SHRIMATI GODDETI MADHAVI:
SHRI M.V.V. SATYANARAYANA:
SHRI SRIDHAR KOTAGIRI:
SHRI TALARI RANGAIAH:
SHRI CHANDRA SEKHAR BELLANA:

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

- (a) whether the Government has recently launched the Citizen's Tele-Law Mobile App;
- (b) if so, the details thereof; and
- (c) the salient features of this App along with the benefits of this App for the citizens?

ANSWER

MINISTER OF LAW & JUSTICE

(SHRI KIREN RIJJU)

- (a) to (c) Yes Sir. Tele-Law is a unique e-interface platform which provides pre litigation legal advice and legal consultation to people, especially to the needy and disadvantaged, through Panel Lawyers via video conferencing and telephone facilities, available at Common Service Centers (CSCs). Constant endeavours are being made to make Tele-Law a robust, popular and versatile medium. As a step in this direction, Government has recently launched the Citizens' Tele-Law Mobile App. The Mobile App enables any beneficiary to seek pre-litigation legal advice by consulting the Panel Lawyer directly through the Mobile App. The consultation is free

of cost for the beneficiaries entitled to free legal aid under Section 12 of Legal Services Authorities (LSA) Act, 1987 while others can avail at a modest fee of Rs 30 per consultation. At present, the App is available in 6 languages viz. Marathi, Punjabi, Tamil, Telugu, Hindi and English.

Tele-Law is currently operational in 51,434 Common Service Centers (CSCs) covering 633 districts across 34 States/UT in the country, including 115 Aspirational Districts. 12,46,922 beneficiaries have registered for advice out of which advice has been enabled in 12,31,746 cases. This includes 3,81,791 women, 3,74,294 OBCs, 3,25,413 Scheduled Castes and 2,45,349 Scheduled Tribes. During Covid times, Tele-Law helped common citizens to claim their rights and entitlement under various Government welfare schemes.

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

LOK SABHA

MM

**UNSTARRED QUESTION NO. †1132
TO BE ANSWERED ON FRIDAY, THE 3RD DECEMBER, 2021**

Campaign for Delivery of Justice at Door Step

**†1132. SHRI NARANBHAI KACHHADIYA:
SHRI PARBATBHAI SAVABHAI PATEL:**

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

- (a) whether any campaign has been launched by the Government for justice delivery at doorstep;
- (b) if so, the details thereof along with the States in which said service is being provided; and
- (c) the districts or Gram Panchayats of Gujarat in which this service will be provided?

ANSWER

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

(a) & (b): To provide access to justice to the citizens at their door steps, the Central Government has enacted the Gram Nyayalayas Act, 2008. It provides for establishment of Gram Nyayalayas at intermediate panchayat level. The State Governments are responsible for establishing Gram Nyayalayas in consultation with the respective High Courts, though as per the Act it is not mandatory to set up the Gram Nyayalayas.

The Central Government has been encouraging the States to set up Gram Nyayalayas by providing financial assistance. As per the scheme for assistance to State Governments for establishing and operating Gram Nyayalayas, 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 Central Government has requested the Chief Ministers of States and Chief Justices of High Courts for setting up of Gram Nyayalayas in the respective States. Registrars General of High Courts and Law / Home / Finance Secretaries of State Governments are also requested through video conference meetings held periodically to set up Gram Nyayalayas and seek financial assistance as per the scheme guidelines. As per information made available by State Governments / High Courts, 476 Gram Nyayalayas have been notified so far by 15 States. Out of these, 256 are operational in 10 States at present. The Gram Nyayalaya Scheme has been extended by the Central Government for further 5 years from 2021-22 to 2025-26 a with total budget outlay of Rs. 50.00 crore.

(c) There is no Gram Nyayalaya in the State of Gujarat.

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

eCourts

LOK SABHA
STARRED QUESTION No. *185
TO BE ANSWERED ON FRIDAY, THE 10th DECEMBER, 2021

e-Courts Mission Mode Project

†*185. SHRI JYOTIRMAY SINGH MAHATO:
DR. MANOJ RAJORIA:

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

- (a) whether the Government is implementing e-Courts Mission Mode Project and if so, the details of targets set and the achievements made in this regard including the number of courts digitalized under the said project, State-wise including West Bengal;
- (b) the status of progress made in digitalization of subordinate courts, State/UT-wise including West Bengal; and
- (c) the steps taken by the Union and State Governments and further plans to accelerate the adoption of e-courts system across the country including West Bengal?

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)

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

STATEMENT REFERRED TO IN REPLY TO PART (a) TO (c)
OF LOK SABHA STARRED QUESTION NO. *185 FOR 10TH DECEMBER
2021 REGARDING e-COURTS MISSION MODE PROJECT

(a) to (b): The eCourts Integrated Mission Mode Project is one of the National e-Governance projects being implemented in District and Subordinate Courts of the country. The eCommittee of Supreme Court of India, headed by a Supreme Court Judge, is responsible for the policy planning, strategic direction and guidance for implementation of eCourts project and works in collaborative partnership with Department of Justice in this regard.

The eCourts Mission Mode Project (MMP) Phase-I was implemented during 2011-15. The Government approved the ongoing Phase II of the eCourts MMP in July 2015. A total 18,735 courts have been computerized till date. List of computerized courts including West Bengal is attached at Annexure-I.

Against the financial outlay of Rs.1670 crore in the phase II of the project, the Government has released a sum of Rs. 1611.19 crore as on 03.12.2021 to various agencies involved in the implementation of the project. This includes a sum of Rs. 1151.84 crore released to various High Courts for this purpose.

The Phase-II of the Project seeks to ensure enhancement of ICT enablement of Courts and the salient initiatives are as enlisted:

- i. The Wide Area Network (WAN) Project under eCourts project is aimed at connecting all District and Subordinate court complexes, spread across the country using various technologies like OFC (Optical Fiber Cable), RF (Radio Frequency), VSAT (Very Small Aperture Terminal). So far, 2956 sites have been commissioned out of 2992 sites with 10 Mbps to 100 Mbps

- bandwidth speed (completing 98.7% sites). This forms the backbone for the eCourts project ensuring data connectivity in courts across the length and breadth of the country.
- ii. Case Information Software (CIS) which forms the basis for the e court services is based on customized Free and Open Source Software (FOSS) which has been developed by NIC. Currently CIS National Core Version 3.2 is being implemented in District Courts and the CIS National Core Version 1.0 is being implemented for the High Courts.
 - iii. A new software patch and user manual for COVID-19 management has also been developed. This tool helps in smart scheduling of cases.
 - iv. 7 platforms have been created to provide real time information on case status, cause lists, judgements etc. to lawyers/ litigants through SMS Push and Pull (2,00,000 SMS sent daily), Email (2,50,000 sent daily), multilingual and tactile ECourts services Portal (35 lakh hits daily), JSC (Judicial Service centres) and Info Kiosks. In addition, Electronic Case Management Tools (ECMT) have been created with Mobile App for lawyers (total 68.04 lakh downloads till 1st November 2021) and JustIS app for judges (16,751 downloads till 2nd December 2021).
 - v. National Service and Tracking of Electronic Processes (NSTEP) has been launched for technology enabled process serving and issuing of summons. It has currently been implemented in 17 High Courts.
 - vi. National Judicial Data Grid (NJDG) is a database of orders, judgments and case details of 18,735 computerised District & Subordinate Courts created as an online platform under the eCourts Project. It provides information relating to judicial proceedings/decisions of all computerized district and subordinate courts of the country. Through the eCourts services platform currently litigants can access case status information in respect of over 19.76

crore cases and more than 15.99 crore orders/ judgments pertaining to these computerized courts (as on 03.12.2021). Open APIs has been introduced in 2020 to allow Central and State Governments and institutional litigants to access NJDG data to help tracking of government litigation and improve pendency monitoring and compliance. Recently, reasons for delay have been included in NJDG.

- vii. 15 Virtual Courts in 11 States/UTs have been operationalized to handle traffic challan cases. More than 1.07 Crore cases have been handled by 15 virtual courts and online fine of Rs. 201 Crore has been realised till 03.12.2021. The Delhi High Court has set up 34 Digital Courts dealing with Negotiable Instruments Act cases.
- viii. The Supreme Court of India emerged as a global leader by conducting 1,50,692 virtual hearings (as on 29.10.2021 since the beginning of lockdown period). The High Courts (55,24,021 hearings) and Subordinate Courts (1,01,77,289 hearings) have conducted 1.57 crore virtual hearings till 31st October 2021. Funds for 2506 Video Conferencing (VC) cabins and VC equipment for 14,443 court rooms have also been released. 1500 VC licenses have been procured to promote virtual hearings.
- ix. Live Streaming of video conferencing of proceedings has been started in High Courts of Gujarat, Orissa and Karnataka. The Model Live Streaming Rules have been circulated amongst all the High Courts across the country for their suggestions, inputs and insights for better implementation of live streaming of court proceedings.
- x. New eFiling system (version 3.0) has been rolled out for the electronic filing of legal papers with advanced features like online submission of Vakalatnama, eSigning, online video recording of oath, online payment,

filing of multiple IAs/application, Portfolio Management and bilingual mode etc.

- xi. To bridge the digital divide, funds have been released for setting up 235 eSewa Kendras at all High Courts and one District Court in every state. India's first e-Resource Center was inaugurated at Nagpur in Maharashtra. The e-Resource Centre "Nyay Kaushal" will facilitate e-filing and VC of cases in Supreme Court India, High Courts and District Courts across the country. Mobile e-Courts vehicles equipped with Wi-Fi and computers have started in Telangana and Uttarakhand.
- xii. A 'Judgment & Order Search' portal has been inaugurated for the convenience of its stakeholders in searching judgments easily. The new portal for judgments search is set to provide a repository for Judgments and Final Orders of the High Courts.
- xiii. To make effective use of database created through National Judicial Data Grid (NJDG) and to make the information available to public 29 LED Display Message Sign Board System called Justice Clocks, have been installed in 19 High Courts.

(c): Various steps have been taken by the Government and eCommittee of the Supreme Court to accelerate the adoption of e-Courts system across the country including West Bengal which include:

- i. Towards creating widespread awareness and familiarization of eFiling and eCourts services and to address issues of skill divide, a manual on E filing and a Brochure on "How to register for E Filing" has been made available in

- English, Hindi and 12 regional languages including Bengali for the use of the lawyers.
- ii. A YouTube channel has been created in the name of the e Court services with video tutorials on e-filing. This channel has garnered 15,300 subscribers with 1,70,881 views. This has helped advocates to acquire skills required for operating digital platforms with ease.
 - iii. The eCommittee of the Supreme Court of India has conducted trainings and awareness programmes on the ICT services. These programmes have covered nearly 3,02,614 stakeholders, including High Court Judges, Judges of the District Judiciary, Court Staff, Master Trainers among Judges/ District System Administrator (DSA), Technical Staff of High Courts, and Advocates through the 67 training/outreach programmes from May 2020 to November 2021.
 - iv. A professional communication consultant agency was engaged in 2018-19 for assisting the eCourts PMU in developing and implementing an effective communication strategy and a coherent media plan for action, to effectively use various publicity tools and improve awareness about project outputs and eCourts Services. Posters, brochures and user manuals were designed, printed and distributed to all stakeholders across the country.
 - v. Four eCourts campaigns were conducted through eSampark, NIC's platform for sharing informational and public service messages, on the NICNET email database during July – November 2018.
 - vi. Two newsprint campaigns in English and Hindi were completed in November 2018. Newsprint campaigns in English, Hindi and 16 regional languages were completed during November 2018 – January 2019.

- vii. Radio campaign in Hindi and 10 regional languages disseminating awareness on eCourts Services through 30 seconds audio jingles were completed during January – March 2019.
- viii. Approximately 3.90 lakhs posters were printed in 20 different languages and dispatched to Common Service Centers during financial year 2019-20 for spreading information about the e court services. SMS campaign was undertaken to reach about 32 crore citizens in order to inform them about eCourts services on app and portal in October 2019. Approximately 35,000 posters were put for litigants and lawyers to register their email and mobile number with eCourts were printed in 20 Indian languages. They were displayed at subordinate Courts for the information of the general public as well as the lawyers who visit these premises.

Annexure-I

Statement referred to in reply of Lok Sabha Starred Question No.*185 for 10/12/2021 regarding e-Courts Mission Mode Project. The High Court wise and State-wise list of digitized courts is as under:

Sr. No.	High Court	State	Court Complexes	Courts
1	Allahabad	Uttar Pradesh	180	2222
2	Andhra Pradesh	Andhra Pradesh	218	617
3	Bombay	Dadra and Nagar Haveli	1	3
		Daman and Diu	2	2
		Goa	17	39
		Maharashtra	471	2157
4	Calcutta	Andaman & Nicobar Islands	4	14
		West Bengal	89	827
5	Chhattisgarh	Chhattisgarh	93	434
6	Delhi	Delhi	6	681
7	Gauhati	Arunachal Pradesh	14	28
		Assam	74	408
		Mizoram	8	69
		Nagaland	11	37
8	Gujarat	Gujarat	376	1268
9	Himachal Pradesh	Himachal Pradesh	50	162
10	Jammu & Kashmir	Jammu and Kashmir	86	218
11	Jharkhand	Jharkhand	28	447
12	Karnataka	Karnataka	207	1031
13	Kerala	Kerala	158	484
		Lakshadweep	1	3
14	Madhya Pradesh	Madhya Pradesh	213	1363
15	Madras	Puducherry	4	24
		Tamil Nadu	263	1124
16	Manipur	Manipur	17	38
17	Meghalaya	Meghalaya	7	42
18	Orissa	Odisha	185	686
19	Patna	Bihar	84	1142
20	Punjab & Haryana	Chandigarh	1	30
		Haryana	53	500
		Punjab	64	541
21	Rajasthan	Rajasthan	247	1240
22	Sikkim	Sikkim	8	23
23	Telangana	Telangana	129	476
24	Tripura	Tripura	14	84
25	Uttarakhand	Uttarakhand	69	271
Total			3452	18735

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

**LOK SABHA
STARRED QUESTION NO. 191**

Appointment DUN

TO BE ANSWERED ON FRIDAY, THE 10.12.2021

All India Judicial Services

***191. SHRI BIDYUT BARAN MAHATO:
ADV. ADOOR PRAKASH:**

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

- (a) whether it is true that Union Government is considering the revival of proposed All India Judicial Services (AIJS) to recruit judges on the lines of Civil Services;
- (b) if so, the details and outlines thereof;
- (c) whether the Government is working to reach a general consensus with various State Governments in this regard and if so, the details thereof; and
- (d) whether the Government is facing any opposition from some State Governments and High Courts and if so, the details thereof and the steps being taken by the Government to reach consensus in this regard?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

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

Statement referred to in reply to parts (a) to (d) of Lok Sabha Starred Question No. * 191 due for answer on 10.12.2021 regarding "All India Judicial Services"

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.

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) (ii) Mizoram	2
States, which are NOT in favour of constitution of AIJS	
(i) Arunachal Pradesh (ii) Himachal Pradesh (iii) Karnataka (iv) Madhya Pradesh (v) Maharashtra (vi) Meghalaya (vii) Nagaland (viii) Punjab	8
States, which want changes in the proposal	
(i) Bihar (wants major changes) (ii) Chhattisgarh (only 15% vacancies of ADJ to be filled through AIJS) (iii) Manipur (wants certain changes) (iv) Orissa (wants changes in the proposals) (v) Uttarakhand	5
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. They want recruitment to be done at JMFC level.
6.	Meghalaya	State Government is of the opinion that formation of AIJS is

		not <u>desirable</u> .
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 but wants major changes in the proposal formulated by Central Government.
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 certain changes in the proposal formulated by Central Government.
4.	Orissa	The State Governments wants changes in the proposal. They are insisting 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 that changes are required in the proposal formulated by Central Government.
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

A. Response of High Courts regarding Constitution of AIJS

High Courts in favour of constitution of AIJS	
(i) Sikkim	2
(ii) Tripura	
High Courts, which are NOT in favour of constitution of AIJS	
(i) Andhra Pradesh	13
(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) Odisha	
High Courts, which want changes in the proposal	
(i) Allahabad (changes in age & qualifications)	6
(ii) Chhattisgarh (15% of total vacancies from the Bar)	

(iii) Himachal Pradesh (selection in consonance with recommendations of Shetty Commission)	
(iv) Meghalaya (Officers of AIJS are given option for elevation to High Courts of three States)	
(v) Uttarakhand (Changes in age, induction level, recruitment body, qualifications, allocation to States, Quota, Training)	
(vi) Manipur (Subject to allocation of cadre and language).	
High Courts, which are yet to give response	
(i) Gauhati	2
(ii) Madhya Pradesh	
Total	23

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

Sr. No.	Name of the High Court	Comments / vies 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 same 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 Commission on all India basis in consonance

		with the recommendations of the Shetty Commission.
4.	Meghalaya	Meghalaya High Court is open to All India Judicial Service provided that the officers of the Service are given option for elevation to the High Courts of three States.
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 <i>etc.</i>
6.	Manipur	Implementation of All India Judicial Service has to be subject to settlement of certain issues, like allocation of cadre and language <i>etc.</i>
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 & JUSTICE
DEPARTMENT OF JUSTICE

JP Desk

LOK SABHA

UNSTARRED QUESTION NO. †2072

TO BE ANSWERED ON FRIDAY, THE 10TH DECEMBER, 2021

Justice System at Village Level

†2072. SHRI SANJAY BHATIA:
SHRI SATYADEV PACHAURI:

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

- (a) whether the Government has formulated any plan to set up courts at the village level, so that an accessible justice system can be evolved for the rural people and strengthen village Panchayats;
- (b) if so, the details thereof along with the number of rural courts set up and functional across the country during each of the last two years and the current year, State/UT-wise including Uttar Pradesh, Madhya Pradesh, Rajasthan and Uttarakhand; and
- (c) whether the Government has conducted any assessment to evaluate the viability of these rural courts, if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)

(a) & (b): To provide access to justice to the citizens at their door steps, the Central Government has enacted the Gram Nyayalayas Act, 2008. It provides for establishment of Gram Nyayalayas at intermediate panchayat level. The State Governments are responsible for establishing Gram Nyayalayas in consultation with the respective High Courts, though as per the Act it is not mandatory to set up the Gram Nyayalayas. The Central

Government has been encouraging the States to set up Gram Nyayalayas by providing financial assistance. The Central Government has requested the Chief Ministers of States and Chief Justices of High Courts for setting up of Gram Nyayalayas in the respective States. Further, Registrars General of High Courts and Law / Home / Finance Secretaries of State Governments have been requested through video conference meetings held periodically to set up Gram Nyayalayas and seek financial assistance as per the scheme guidelines.

As per the scheme for assistance to State Governments for establishing and operating Gram Nyayalayas, 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. While the State of Uttarakhand has not set up any Gram Nyayalaya, the number of Gram Nyayalayas set up and functional in the country during the last three years, including the State of Uttar Pradesh, Madhya Pradesh and Rajasthan, is attached at **Annexure**.

(c): The Gram Nyayalayas scheme has been evaluated from time to time. The third party evaluation of the Scheme was done through NITI Aayog recently, which recommended continuance of the scheme. The Government has extended the above scheme for a further period of five years from 01.04.2021 to 31.03.2026, with a budgetary outlay of Rs.50 crores.

ANNEXURE

STATEMENT REFERRED TO IN REPLY TO PARTS (A) & (B) OF LOK SABHA UNSTARRED QUESTION NO. †2072 ANSWER ON 10TH DECEMBER 2021 REGARDING JUSTICE SYSTEM AT VILLAGE LEVEL.

Sl. No	State	Number of Gram Nyayalayas functional in 2019	Number of Gram Nyayalayas functional in 2020	Number of Gram Nyayalayas functional in 2021
1	Madhya Pradesh	89	87	89
2	Rajasthan	45	45	45
3	Kerala	30	30	30
4	Maharashtra	24	24	23
5	Odisha	14	16	19
6	Uttar Pradesh	4	14	43
7	Karnataka	-	-	2
8	Haryana	2	2	2
9	Punjab	1	2	2
10	Jharkhand	1	1	1
		210	221	256
