

2017

LOK SABHA REPLIES

**WINTER SESSION, 2017
[13TH SESSION OF
SIXTEENTH LOK SABHA]**

**[15th December, 2017 to 5th
January, 2018]**

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

LOK SABHA

UNSTARRED QUESTION NO. 703

TO BE ANSWERED ON WEDNESDAY, THE 20TH DECEMBER, 2017.

Speedy Resolution of Disputes involving Government Bodies

703. SHRI P.R. SUNDARAM:
SHRI MOHITE PATIL VIJAYSINH SHANKARRAO:
DR. J. JAYAVARDHAN:
SHRI DHANANJAY MAHADIK:
SHRIMATI SUPRIYA SULE:
DR. HEENA VIJAYKUMAR GAVIT:

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

- (a) whether 46 per cent of the three crore cases pending in various courts of the country involve Government departments or Government bodies;
- (b) if so, the details thereof;
- (c) whether the Government has asked its departments / bodies / Ministries to go for online arbitration to fast track dispute resolutions;
- (d) if so, the details thereof;
- (e) whether the Government has identified arbitration agencies working in India and has asked all the Ministries and associated departments to avail the facility of online arbitration for out-of-court settlement and quick resolution of disputes; and
- (f) if so, the details thereof along with the other steps taken by the Government for speedy resolution of disputes?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)

(a) & (b): The 100th report of the Law Commission of India observed that bulk of litigation in the courts, including, in particular, writ petitions in the Supreme Court and the High Courts, consists of cases in which the Government is a party.

(c) to (e) : The Government is keen to explore options for Government Departments and Organisations and other related bodies for settlement of their disputes through alternate methods, like mediation, arbitration, conciliation, online or otherwise, etc, so that the Government litigation is reduced. For the purpose, the Government has gathered information about some Agencies / Institutions / Organisations working in the field of such

alternate methods of dispute resolution and made their links available on the website of the Department of Justice to provide information about them to the users.

(f): The relevant Government Ministries were requested in April, 2017 to take necessary action for reducing number of court cases in which Government is a party. It was followed by a series of meetings held with various Ministries and Departments in the months of June and August 2017 requesting them to review their pending cases with a view to reduce number of litigation and to consider contempt cases in *particular* so as to weed out vexatious and unnecessary litigation pending in courts.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

LOK SABHA
UNSTARRED QUESTION NO.754

TO BE ANSWERED ON WEDNESDAY , THE 20.12.2017

Division Benches of High Courts

+754. SHRIMATI JAYSHREEBEN PATEL:

SHRI RADHESHYAM BISWAS:

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

- (a) the number of division benches of High Courts functioning in the country;
- (b) the number of States where demand for setting up of Division Bench is pending, State-wise;
- (c) the names of the High Courts in the country where proceedings of courts are conducted in regional languages;
- (d) whether the Government intends to allow use of regional language in court proceedings; and
- (e) whether it is a fact about 90 per cent of the population in the country still has no access to legal help, if so, the details thereof and the steps taken by the Government in this regard?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P.P. CHAUDHARY)

(a) to (b): Setting up of division benches in the High Courts is within the administrative control of the Chief Justices of the High Courts. The Government has no control over the administrative functioning of the High Court. As such, no information is maintained by the Central Government in this regard.

In accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P. (civil) No. 379 of 2000, Bench (es) of the High Court are established after due consideration of complete proposal from the State Government, which is to provide infrastructure and meet the expenditure, along with the consent of the Chief Justice of the concerned High Court, which is required to look after the day to day administration of the High Court and its Bench. The proposal should also have the consent of the Governor of the concerned State.

(c) & (d): Use of regional languages has, so far, not been allowed in the hearings of the High Courts. However, use of Hindi has been authorised in the proceedings in the High Courts of the States of Rajasthan, Madhya Pradesh, Uttar Pradesh and Bihar. For the use of regional languages in the High Courts of Tamil Nadu, Gujarat, Karnataka and Chhattisgarh, affirmative advice of the Apex Court was not received in these cases.

(e): National Legal Services Authority (NALSA) and State Legal Services Authorities provide legal aid to eligible persons as mentioned in section 12 of Legal Services Authority Act 1987, wherever such requests for legal aid are received.

A2J

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION No. 790

TO BE ANSWERED ON WEDNESDAY, THE 20th December, 2017

Access to Justice Project

+790 Shri Sunil Kumar Singh

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

- a) the names of the places where access to justice project is being run by Law and Justice Department of the Government in collaboration with UNDP;
- b) whether the Government proposes to implement the project in other remaining districts of the country;
- c) if so, the time by which the same is likely to be implemented;
- d) whether the Government started or proposes to start tele-law- program in order to provide free legal advice; and
- e) if so, the details thereof, state-wise and time by which it is likely to be implemented?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS

(SHRI P.P. CHAUDHARY)

(a) to (c) Access to Justice project is being implemented by the Department of Justice in collaboration with UNDP in 8 states namely Chhattisgarh, Jharkhand, Madhya Pradesh, Maharashtra, Rajasthan, Uttar Pradesh, Odisha and Bihar. The Department of Justice has also been implementing Access to Justice project in nine states (eight states of North East and the state of Jammu and Kashmir) since 2012 from its own resources. At present there is no proposal to extend the project to remaining districts of the country.

d) and e) The Government is currently implementing the Tele Law programme in 500 gram panchayats each in UP and Bihar and in a total of 800 gram panchayats of eight states of North East and the state of Jammu and Kashmir.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

LOK SABHA

UNSTARRED QUESTION NO. 805

TO BE ANSWERED ON WEDNESDAY, THE 20TH DECEMBER, 2017.

Effective Resolution of Commercial Disputes

805. SHRI RAM CHARITRA NISHAD:

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

- (a) whether the Government has urged the Supreme Court for expeditious and effective resolution of commercial disputes in Delhi and Mumbai lower courts through e-filing and e-services of summons and adherence to time-lines;**
- (b) if so, the details thereof;**
- (c) whether it is also true that there were certain issues that could be addressed by the judiciary through its initiatives in the larger interest of efficient and effective delivery of justice; and**
- (d) if so, the response received by the Government from the Supreme Court in this regard?**

ANSWER

**MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)**

(a) & (b): The Chief Justice of India and Chief Justices of Delhi and Bombay High Courts have been requested regarding the implementation of the existing provisions in the Code of Civil Procedure, 1908 relating to grant of adjournments, adherence to timelines and electronic filing and electronic service of summons by the City Courts of Delhi and Mumbai with a view to providing timely and effective "enforcement of contracts" for improving the ease of doing business in India.

(c) & (d): Initiatives have been taken by the Judiciary for early and effective delivery of justice through Arrears Committee for clearing the backlog of cases pending for more than five years. National Court Management System (NCMS) has been put in place to address various issues for improving the functioning of the judicial system. Further, the National Legal Services Authority (for providing legal aid to poor) and eCommittee (for computerisation of courts under eCourts project) are also taking necessary steps for efficient and effective delivery of justice.

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

Jus. II

L O K S A B H A
UNSTARRED QUESTION NO.852

TO BE ANSWERED ON WEDNESDAY, THE 20TH DECEMBER, 2017

Fast Track Courts

852. SHRI MD. BADARUDDOZA KHAN:
SHRI HARINDER SINGH KHALSA:
SHRI MOHD. SALIM:

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

- (a) the number of Fast Track Courts in the country as on date, State-wise;
- (b) the details of funds allocated and spent for these courts during the last five years, year-wise and State-wise;
- (c) the details of cases pending in these courts as on date, State-wise;
- (d) whether there is huge pendency of cases concerning rape, molestation and other crimes related to women and girls and if so, the details thereof, State-wise;
- (e) whether the dealing Sessions Judges took long leaves during the consideration of urgent matter in FTC and if so, the details thereof; and
- (f) the measures taken by the Government to curb the tendency of taking long leaves by judges while the urgent matter of persons in judicial custody were to be heard?

MINISTER OF STATE FOR LAW & JUSTICE AND
CORPORATE AFFAIRS
(SHRI P.P. CHAUDHARY)

(a) & (c): The setting up of Fast Track Courts (FTCs) lies within the domain of the State Governments as per their need and resources, in consultation with the concerned High Courts. As per information available, at present, 722 FTCs are functional in the country. The State-wise break-up of functional FTCs as well as details of cases pending in these courts, State-wise is given at **Annexure-I**.

(b) The 11th Finance Commission had recommended a scheme for creation of 1734 FTCs in the country for disposal of long pending cases and the cases involving undertrial prisoners. The scheme that was recommended by the 11th

Finance Commission was for a period of five years upto 2004-05. But the central funding was continued upto 31st March, 2011.

An amount of Rs.870 crore was released to the State Governments for FTCs during a period of 11 years from 2000-01 to 2010-2011 and Central funding was discontinued beyond 31.03.2011. In its judgment in Brij Mohan Lal & Others Vs Union of India & Others on 19.04.2012, the Hon'ble Supreme Court had endorsed the position of Government of India that continuation of FTCs is within the domain of the States and directed the States that they need to decide either to bring the FTC scheme to an end or to continue the same as a permanent feature in the States. A number of States have continued FTCs beyond 31.03.2011 with their own resources.

However, the Central Government decided to provide funds upto a maximum of Rs.80 crore per annum on a matching basis upto 31.03.2015 from the 13th Finance Commission Award for meeting expenditure on salaries of the 10% additional positions of Judges being created in the subordinate judiciary pursuant to the direction of Supreme Court in the Brij Mohan Lal Vs. Union of India case.

The 14th Finance Commission had endorsed the proposal of the Union Government to strengthen the judicial system in States which includes, inter-alia, establishing 1800 FTCs for a period of five years for all cases of heinous crimes like cases involving senior citizens, women, children etc. at a cost of Rs.4144 crore and urged the State Governments to use the additional fiscal space provided by the Commission in the tax devolution to meet such requirements. The State-wise funds earmarked as per the recommendations of the 14th Finance Commission is given at **Annexure-II**. The details of funds spent for these courts during the last five years, year-wise and State-wise are not maintained centrally.

(d): The information on the pendency of cases concerning rape, molestation and other crimes related to women and girls is not maintained centrally.

(e) & (f): The administration of Service Matters including Leave Rules of Subordinate Judiciary is governed by the respective High Courts and the State Governments.

Annexure-I

STATEMENT REFERRED TO IN REPLY TO PARTS (a) & (c) OF THE LOK SABHA UNSTARRED QUESTION NO.852 TO BE ANSWERED ON 20TH DECEMBER, 2017 REGARDING FAST TRACK COURTS

Name of the Status/UTs	No of Fast Track Courts	Number of cases pending as on 30.09.2017
Andhra Pradesh , Telangana	72	8687
Assam, Arunachal Pradesh, Nagaland, Mizoram	0	0
Bihar	55	55469
Chhattisgarh	21	4328
Delhi	14	3247
Goa-*	4	2393
Gujarat	0	0
Haryana	0	0
Himachal Pradesh	0	0
Jammu & Kashmir	0	0
Jharkhand	14	2192
Karnataka	0	0
Kerala	0	0
Madhya Pradesh	0	0
Maharashtra	100	97942
Manipur	3	109
Meghalaya	0	0
Odisha	0	0
Punjab	0	0
Puducherry	0	0
Rajasthan	0	0
Sikkim	2	10
Tamil Nadu	69	50641
Tripura	3	939
Uttar Pradesh	273	323854
Uttarakhand	4	624
West Bengal	88	38557
Total	722	588992

Annexure-II

STATEMENT REFERRED TO IN REPLY TO PART (b) OF THE LOK SABHA UNSTARRED QUESTION NO.852 TO BE ANSWERED ON 20TH DECEMBER, 2017 REGARDING FAST TRACK COURTS

Funds earmarked for establishment of 1800 Fast Track Courts for a period of five years (2015-2020) as endorsed by the 14th Finance Commission

(Rs. in crore)

S.No	Name of the State	Funds earmarked/allocated	No. of FTCs to be established
1.	Andhra Pradesh	108.21	47
2.	Telangana	85.18	37
3.	Assam	82.88	36
4.	Arunachal Pradesh	0.00	0
5.	Mizoram	16.12	7
6.	Nagaland	6.91	3
7.	Bihar	338.43	147
8.	Chhattisgarh	64.46	28
9.	Gujarat	400.59	174
10.	Himachal Pradesh	29.93	13
11.	Jammu & Kashmir	48.35	21
12.	Jharkhand	115.11	50
13.	Karnataka	218.72	95
14.	Kerala, Lakshadweep	94.39	41
15.	Madhya Pradesh	306.20	133
16.	Maharashtra, D&N, Daman & Diu	469.67	204
17.	Goa	11.51	5
18.	Manipur	6.91	3
19.	Meghalaya	9.21	4
20.	Orissa	145.04	63
21.	Punjab	115.11	50
22.	Chandigarh	4.61	2
	Haryana	110.51	48
23.	Rajasthan	214.11	93
24.	Sikkim	2.3	1
25.	Tamil Nadu, Puducherry	204.91	89
26.	Tripura	20.72	9
27.	Uttar Pradesh	488.08	212
28.	Uttarakhand	64.46	28
29.	West Bengal, A&N Islands	216.42	94
30.	Delhi	145.05	63
	Total	4144.11	1800

Jus. II

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

LOK SABHA

UNSTARRED QUESTION NO.859

TO BE ANSWERED ON WEDNESDAY, THE 20TH DECEMBER, 2017

Special Courts for Lawmakers

859. SHRIMATI APARUPA PODDAR:
SHRI RAJESH KUMAR DIWAKER:

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

- (a) whether special provisions have been made for the disposal of criminal cases pending against Members of Parliament and Members of Legislative Assemblies;
- (b) if so, whether Special Courts have been constituted to dispose off such cases in a fixed period of one year and if so, the details thereof;
- (c) whether the Government maintains details of lawmakers who have criminal cases pending against them and if so, the details thereof, State-wise and years of pendency of such cases; and
- (d) the other steps taken by the Government in this regard in consultation with judiciary?

A N S W E R

MINISTER OF STATE FOR LAW & JUSTICE AND
CORPORATE AFFAIRS
(SHRI P.P. CHAUDHARY)

(a) to (d): Hon'ble Supreme Court of India in its Order dated the 01st November, 2017 had directed the Union Government to prepare a scheme for setting up of Courts exclusively to deal with criminal cases involving political persons on the lines of Fast Track Courts (FTCs) which were set up by the Central Government for a period of five years and extended further, which Scheme has now been discontinued. A draft Scheme for setting up Special Courts to dispose of all the criminal cases involving political persons in a period of one year was submitted before the Hon'ble Supreme Court for implementation. The Hon'ble Supreme Court of India vide its Order dated 14.12.2017 has directed the Union Government to proportionately allocate the amount to be incurred to the different states in which the proposed Special Courts are planned to be located forthwith and thereafter the State Governments will make necessary arrangements of judicial officers, staff and infrastructure in consultation with the High Courts to ensure that the said Courts start functioning from 01.03.2018. At present, the matter is sub judice.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk file

LOK SABHA
UNSTARRED QUESTION NO.870

TO BE ANSWERED ON WEDNESDAY , THE 20.12.2017

Corruption in Judiciary

870. SHRI JAGDAMBIKA PAL:

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

- (a) whether the Government has received any complaints/representations regarding alleged corruption in judiciary;
- (b) if so, the details thereof during each of the last three years and the current year, State-wise;
- (c) whether any inquiry has been conducted into such cases;
- (d) if so, the details and the outcome thereof along with the action taken against the guilty persons and if not, the reasons therefore, case-wise; and
- (e) the steps taken/proposed to be taken by the Government to wipe out corruption in judiciary?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS

(SHRI P.P. CHAUDHARY)

(a) to (e): Complaints/representations alleging corruption in judiciary are received by the Government from time to time. In full Court meeting on 7 May, 1997, the Supreme Court of India adopted two Resolutions namely (i) "The Restatement of Values of Judicial Life" which lays down certain judicial standards to be observed and followed by the Judges of the Supreme Court and High Courts (ii) "In- house procedure" for taking suitable remedial action against judges who do not follow

universally accepted values of Judicial life including those included in the Restatement of Values of Judicial Life.

As per the "In - house procedure" Chief Justice of India is competent to receive complaints against the conduct of the Judges of the Supreme Court and the Chief Justices of the High Courts. Similarly, the Chief Justices of the High Courts are competent to receive complaints against the conduct of High Court Judges. The complaints/representations received are forwarded to the Chief Justice of India or to the Chief Justice of the concerned High Court, as the case may be, for appropriate action. In so far as subordinate judiciary in the State is concerned, the administrative control over the members vests with the concerned High Court and State Government. The Central Government has no mandate to look into such complaints or to monitor the action taken on the same. As such, no data in this regard is maintained.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

LOK SABHA

UNSTARRED QUESTION NO. 875

TO BE ANSWERED ON WEDNESDAY, THE 20TH DECEMBER, 2017.

Case Flow Management Rules

875. SHRI SUMAN BALKA:

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

- (a) whether the Government is aware of the Case Flow Management Rules that are laid out to effectively deal with cases in a time-bound manner at different levels of judiciary;
- (b) if so, the details thereof;
- (c) whether the Government is aware of the Supreme Court's report of 2012 on the topic of national common standards on Case Flow Management to be applied across all High Courts;
- (d) if so, the status of implementation of the same and reasons for delay if any and if not implemented till date the reasons therefor; and
- (e) the steps taken by the Government to ensure implementation of these model rules to reduce time periods for litigation and the pendency of cases?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)

- (a) & (b): Yes, Madam. The Law Commission has prepared Model Case Flow Management Rules for trial courts, subordinate appellate courts and High Courts following the request from the Supreme Court in Salem Bar Association *versus* Union of India case.
- (c) & (d): Yes, Madam. The Supreme Court of India with an objective to revisit and implement the recommendations of Law Commission of India in its various reports to promote Court Management, Case Management and improve Administration of Justice, established the scheme of National Court Management Systems (NCMS) in 2012 for enhancing timely justice under overall control of Chief Justice of India. A National Court Management System Committee (NCMS Committee) was constituted by the Supreme Court to facilitate development of policy initiative in order to reform and strengthen the judicial system and enhance quality and responsiveness of judicial administration. The Policy and Action Plan of the NCMS provides for proposals to be developed by the NCMS Committee on setting measurable performance standards for courts, adoption of case management systems, standardization of judicial data and statistics and adoption of human resource plan for courts. The plan, *inter-alia*, outlines a broad framework for case management, which includes settling issues, encouraging parties to resort to Alternate Dispute Resolution, extensive use of Order X of Code of Civil Procedure, 1908 in civil matters and fixing a time schedule for resolution of cases. However, it was left open to High Courts to implement the recommendations relating to case management.
- (e): The Government has adopted a co-ordinated approach to assist judiciary for phased liquidation of arrears and pendency in judicial systems, which, *inter-alia*, involves providing better court infrastructure computerisation, increase in the strength of subordinate judiciary and initiating policy and legislative measures in the areas prone to excessive litigation and emphasis on human resource development. The implementation of rules relating to Case Flow management falls within the ambit of respective High Courts in their areas of jurisdiction.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Jus. R

LOK SABHA

UNSTARRED QUESTION NO. 895

TO BE ANSWERED ON WEDNESDAY, THE 20TH DECEMBER, 2017

Second National Judicial Pay Commission

895. SHRI CH. MALLA REDDY:

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

- (a) whether Government has constituted Second National Judicial Pay Commission for Subordinate Judiciary to examine the present structure of emoluments and conditions of service of Judicial Officers in the States and UTs; and
- (b) if so, the details thereof along with the time frame given to submit the recommendations?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE &
CORPORATE AFFAIRS

(SHRI P.P. CHAUDHARY)

- (a) & (b): The Government has constituted the Second National Judicial Pay Commission on 16.11.2017 under the chairmanship of a former Judge of Supreme Court of India and a former Judge of Kerala High Court as Member. Commission is mandated to make recommendations within a period of 18 months. The Terms of Reference of the Commission are as follows:-
- (i) To evolve the principles which should govern the structure of pay and other emoluments of Judicial Officers belonging to the Subordinate Judiciary all over the country.
 - (ii) To examine the present structure of emoluments and conditions of service of Judicial Officers in the States and UTs taking into account the total packet of benefits available to them and make suitable recommendations including post retirement benefits such as pension etc. having regard among other relevant factors, to the existing relativities in the pay structure between the officers

other civil servant and mechanism for redressal of grievances in this regard.

- (iii) To examine the work methods and work environment as also the variety of allowance and benefits in kind that are available to Judicial Officers in addition to pay and to suggest rationalisation and simplification thereof with a view to promoting efficiency in Judicial Administration, optimizing the size of judiciary etc. and to remove anomalies created in implementation of earlier recommendations.
- (iv) To consider and recommend such interim relief as it considers just and proper to all categories of Judicial Officers of all the States/Union Territories. The interim relief, if recommended, shall have to be fully adjusted against and included in the package which may become admissible to the Judicial Officers on the final recommendations of the Commission.
- (v) To recommend the mechanism for setting up of a permanent mechanism to review the pay and service conditions of members of sub-ordinate judiciary periodically by an independent commission exclusively constituted for the purpose and the composition of such commission should reflect adequate representation on behalf of the judiciary.

eCourt

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

**LOK SABHA
UNSTARRED QUESTION No. 1386
TO BE ANSWERED ON WEDNESDAY, THE 27th DECEMBER, 2017**

E-Courts

1386. SHRI R. PARTHIPAN :

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

- (a) whether the Government is promoting e-courts in the country and if so, the details thereof;**
- (b) the details of the amount spend for establishment of e-courts;**
- (c) whether the national judicial data grid has been functional and if so, the details thereof;**
- (d) the details of e-courts functioning properly in the country;**
- (e) whether the Government has been able to manage very low number of e-courts even after spending a huge amount for them; and**
- (f) If so, the details thereof and the reasons therefor?**

**ANSWER
MINISTER OF STATE FOR LAW & JUSTICE
AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)**

- (a) and (b) Yes. The Government of India is implementing the eCourts Mission Mode Project for computerization of district and subordinate courts. Important features of the project include provisioning of basic infrastructure for Information and Communication Technology (ICT) enablement of district and**

subordinate courts, which consists of various modules, primarily such as computer hardware, Local Area Network (LAN), internet connectivity and installation of standard application software at district and subordinate courts. As on date, the Department of Justice has completed computerisation of 16,089 district and subordinate courts across the country under the eCourts project.

The funds released by the Department of Justice for computerization of district and subordinate courts in the country under eCourts Mission Mode Project Phase I & Phase-II is as under:

Phases of eCourts Project	Funds released (Rupees in Crores)
Phase-I (2010 - 2015)	639.41
Phase-II (2015 - 2019)	921.75

(c) All the district and subordinate courts computerized under eCourts project have been linked to National Judicial Data Grid (NJDG), which is a common repository of information about case records across the country. Currently, litigants can access case status information in respect of over 8.86 crore cases and more than 5.24 crore orders / judgements pertaining to the computerized district and subordinate courts. The eCourts service portal which is driven by NJDG provides online information on details of case registration, cause list, case status, daily orders, and final judgments. NJDG provides this visibility through its web portal for all courts across the country with up-to-date electronic data with drill down facility.

(d) to (f) The High Court wise details of computerised district and subordinate courts are as under:

S. No.	Name of the High Court	No. of computerised courts
1.	Allahabad	1733
2.	Andhra Pradesh	1078
3.	Bombay	2079
4.	Calcutta	772
5.	Chattisgarh	340
6.	Delhi	427
7.	Gauhati	442
8.	Gujarat	1108
9.	Himachal Pradesh	118
10.	Jabalpur	1203
11.	Jammu And Kashmir	218
12.	Jharkhand	351
13.	Jodhpur	978
14.	Karnataka	897
15.	Kerala	486
16.	Madras	988
17.	Orissa	509
18.	Patna	1025
19.	Punjab And Haryana	1018
20.	Sikkim	15
21.	Uttarakhand	185
22.	Tripura	62
23.	Manipur	30
24.	Meghalaya	27
	Total	16089

Judicial proceedings/ decisions of above said computerised district and subordinate courts of the country are available on the e-Courts portal (<http://www.ecourts.gov.in>). eCourts services such as details of case registration, cause list, case status, daily orders, and final judgments are made available to litigants and advocates through SMS (Push and Pull), email, web, mobile application and Judicial Service Centres.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

LOK SABHA
UNSTARRED QUESTION NO. 1394

TO BE ANSWERED ON WEDNESDAY, THE 27.12.2017

Separate High Court for States

1394. SHRI. M. RAJA MOHAN REDDY:

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

- a) whether Government has agreed in principle to have a separate High Court for each full-fledged State;
- b) the name of States which do not have a separate bench of High Court so far; and
- c) the steps taken by the Government to set up a separate High Court for each State?

ANSWER

**MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P.P. CHAUDHARY)**

(a) to (c) : Article 214 of the Constitution of India provides that there shall be a High Court for each State. Accordingly, every State is entitled to have its own High Court. All the States have either High Court or a bench of High Court except the States of Punjab and Haryana and the States of Andhra Pradesh and Telangana which have common High Courts at Chandigarh and Hyderabad respectively.

The States are required to create and provide all the necessary infrastructure facilities such as, Court Buildings, Quarters for the Judges, court officials and staffs. The State also has to meet all the expenditure for setting up and running of the High Court.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

LOK SABHA

UNSTARRED QUESTION NO. 1417

TO BE ANSWERED ON WEDNESDAY, THE 27TH DECEMBER, 2017.

Pending Cases

1417. SHRI RAJESHBHAI CHUDASAMA:
SHRI C.N. JAYADEVAN:
SHRIMATI JAYSHREEBEN PATEL:

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

- (a) whether about 2.5 crore cases are pending in the courts across the States and nearly 23 per cent posts in the lower judiciary are lying vacant and if so, the details thereof;
- (b) whether the Supreme Court's time frame for appointments in lower judiciary is not being followed by many States leading to delay in appointment of judges;
- (c) if so, the State-wise details of the pending cases, the vacant posts of judges and the time taken by each State to fill up the vacancies;
- (d) whether the Government contemplates to establish fast track courts / evening courts to clear this pendency;
- (e) if so, whether the Government has formulated any policy to implement Gujarat like pattern in the country;
- (f) if so, the details of the court cases related to women in the country; and
- (g) the other measures being taken by the Government to improve the situation?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)

(a) to (c) : Data on the pendency of cases in courts is maintained by the Supreme Court and High Courts. As per information available on the web-portal of National Judicial Data Grid (NJDG), 2.80 crore cases were pending in various District and Subordinate Courts of the country (excluding District and Subordinate Courts in the States of Arunachal Pradesh, Nagaland, and Union Territories of Lakshadweep and Puducherry) as on 22.12.2017. As per the Constitutional framework, the selection and appointment of judges in subordinate courts is the responsibility of State Governments and the High Courts concerned. As per information made available by the High Courts and respective State Governments, as on 30.11.2017, the sanctioned strength of Judicial Officers of District and Subordinate Courts is 22,677, and the number of Judicial Officers in position and vacant posts are 16,693 and 5,984 (26.38%), respectively. The Supreme Court has devised a process and time schedule to be followed for the filling up of vacancies in lower judiciary. The order of Supreme Court dated January 4, 2007 stated that the process for recruitment of judges in the subordinate courts would commence on March 31 of a calendar year and end by October 31 of the same year. The Supreme Court has permitted State Governments/ High Courts

geographical and climatic conditions in the State or other relevant conditions. The details of State-wise pending cases are given in a Statement at **Annexure – I**. The details of State-wise vacancies of Judges/Judicial Officers in the District and Subordinate Courts are given in a Statement at **Annexure – II**.

(d) & (e): The 11th Finance Commission had recommended a scheme for creation of Fast Track Courts in the country for a period of five years upto 2004-05 for disposal of long pending cases and the cases involving undertrial prisoners. Later, the scheme was continued upto 31st March, 2011. Subsequently, the 14th Finance Commission has endorsed the proposal to strengthen the judicial system in States which includes, *inter-alia*, establishing 1800 Fast Track Courts for a period of five years at a total cost of Rs. 4,144 crores for handling the cases of heinous crimes; cases involving senior citizens, women, children, disabled and litigants affected with HIV AIDS and other terminal ailments; and civil disputes involving land acquisition and property / rent disputes pending for more than five years. The 14th Finance Commission has urged State Governments to use the additional fiscal space provided by the 14th Finance Commission in the tax devolution for this purpose.

The 13th Finance Commission had recommended the establishment of Morning / Evening Shift Courts, and these courts were, accordingly established by various State Governments including the State of Gujarat during the 13th Finance Commission Award period. However, the amount allocated for these courts could not be utilised fully by the States due to (i) Resistance from Bar Associations, (ii) Geographical & local constraints particularly in the North-Eastern States; and (iii) Non-availability of Judicial Officers of appropriate status for these courts *etc.*

(f) : Data on the pendency of cases in courts is maintained by the Supreme Court and High Courts. As per information available on the web-portal of National Judicial Data Grid (NJJDG), the details of court cases related to women as on 22.12.2017 are given in Statement at **Annexure – III**.

(g) : It may be mentioned that the Central Government is fully committed to speedy disposal of cases. It has undertaken many steps towards achieving this objective. One of these steps is, strengthening of judicial infrastructure in districts through the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary. A total of Rs. 6,006 crore has been released since 1993-94, out of which Rs. 2,562 crore (42.66%) has been released since April 2014. 17,848 Court Halls and 14,085 Residential Accommodations have been made available for Judicial Officers of District and Subordinate Courts under this scheme as on 30.11.2017. Out of this 2,429 Court Halls and 4,172 Residential Accommodations were constructed since 2014 to till date. In addition, 3,143 Court Halls and 1,682 Residential Accommodations are under construction. The Central Government has approved the continuation of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary beyond the 12th Five Year Plan period *i.e.* from 01.04.2017 to 31.03.2020 with an estimated outlay of Rs.3,320 crore.

Under the Phase-I of the eCourts Mission Mode Project undertaken by the Central Government from 2010 to 2015, against a total target of computerisation of 14,249 courts, the computerisation of 13,672 district and subordinate courts has been achieved. This includes the installation of hardware, the LAN and software. This has enabled the courts to upload the case status and orders online. Status of cases and copies of judgments have also been made available on the websites of the respective District and Subordinate Court Complexes which have been computerised.

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The Central Government has approved Phase II of the eCourts Mission Mode Project in July, 2015 upto 31 March 2019 at an outlay of Rs.1,670 crores. The facilities of e-services such as cause lists, case status, daily orders, judgments etc. are being provided under the supervision of e-Committee of the Supreme Court and Computer Committees of respective High Courts. A total of 16,089 Courts have been computerised under the eCourts Project till date. Video Conferencing facility has also been operationalised between 500 courts and corresponding prisons during the period 2015-17 for faster and timely recording of evidence. Development of National Judicial Data Grid under this project provides updated information on civil and criminal cases, including pending cases, for the computerised district/subordinate courts in the country.

Annexure-I

Statement referred to Lok Sabha Unstarred Question No. 1417 for reply on 27th December, 2017

Details of Pending Cases in District & Subordinate Courts as on 22.12.2017 (NJDG)

S. No.	Name of State/UTs	Total Cases pending as on 22.12.2017
1	Uttar Pradesh	61,49,151
2	Maharashtra	33,20,847
3	West Bengal	17,59,144
4	Bihar	16,64,502
5	Gujarat	16,48,457
6	Rajasthan	14,18,958
7	Karnataka	13,70,671
8	Madhya Pradesh	13,13,010
9	Kerala	11,47,116
10	Orissa	10,19,392
11	Tamil Nadu	10,06,726
12	Haryana	6,43,711
13	Delhi	6,06,451
14	Punjab	5,63,309
15	Andhra Pradesh	4,94,712
16	Telangana	4,13,962
17	Jharkhand	3,33,965
18	Chhattisgarh	2,70,681
19	Assam	2,34,487
20	Uttarakhand	2,10,762
21	Himachal Pradesh	2,09,783
22	Jammu And Kashmir	1,22,127
23	Goa	39,640
24	Chandigarh	38,270
25	Tripura	25,191
26	Andaman And Nicobar	11,185
27	Manipur	9,584
28	Meghalaya	7,027
29	Dadra and Nagar Haveli	3,545
30	Mizoram	3,306
31	Diu And Daman	1,737
32	Sikkim	1,442
	Total Pending Cases	2,60,62,851

Note: Data on pending cases not available on NJDG in respect of State / UTs of Arunachal Pradesh, Nagaland, Lakshdweep and Puducherry.

Data Source : NJDG web-portal.

Statement referred to Lok Sabha Unstarred Question No. 1417 for reply on 27th December, 2017. Annexure - 1

Vacancies of Judges / Judicial Officers in the District and Subordinate Courts

Sl. No	States	Vacancies as on 30.11.2017
1	Uttar Pradesh	
2	Bihar**	1,344
3	Madhya Pradesh	825
4	Gujarat**	748
5	Tamil Nadu*	385
6	Karnataka**	341
7	Delhi**	325
8	Jharkhand**	316
9	Orissa	251
10	Maharashtra	204
11	Haryana	149
12	Punjab	147
13	Andhra Pradesh & Telangana**	136
14	Rajasthan**	114
15	West Bengal and A & N Island**	96
16	Assam	84
17	Kerala**	76
18	Chhattisgarh	73
19	Uttarakhand**	63
20	Meghalaya	61
21	Jammu & Kashmir	58
22	Mizoram	39
23	Tripura	33
24	Manipur	31
25	Pondicherry*	18
26	Goa	14
27	Arunachal Pradesh	12
28	Nagaland	11
29	Himachal Pradesh**	11
30	Sikkim**	10
31	Lakshadweep**	8
32	Chandigarh	1
33	D & N Haveli AND Daman & Diu**	0
Total		5,984

* as on 7.11.2017
**as on 31.10.2017

Data Source : High Courts / State Governments.

Statement referred to Lok Sabha Unstarred Question No. 1417 for reply on 27th December, 2017.

Details of Court cases related to women pending in District and Subordinate Courts as on 22.12.2017

S. No.	Name of State/UTs	Total
1	Uttar Pradesh	6,43,787
2	Maharashtra	3,11,315
3	Bihar	2,43,987
4	West Bengal	1,95,164
5	Karnataka	1,74,423
6	Tamil Nadu	1,41,637
7	Rajasthan	1,26,116
8	Madhya Pradesh	1,24,855
9	Punjab	84,672
10	Andhra Pradesh	79,813
11	Haryana	78,624
12	Kerala	78,144
13	Orissa	76,655
14	Gujarat	67,952
15	Telangana	57,438
16	Jharkhand	41,255
17	Delhi	40,618
18	Assam	28,588
19	Himachal Pradesh	25,155
20	Chhattisgarh	22,951
21	Uttarakhand	10,150
22	Jammu And Kashmir	9,803
23	Goa	5,652
24	Chandigarh	5,206
25	Tripura	3,336
26	Manipur	1,806
27	Andaman And Nicobar	1,246
28	Meghalaya	913
29	Mizoram	340
30	Dadra and Nagar Haveli	156
31	Diu And Daman	132
32	Sikkim	127
Total Cases Filed By Female		26,82,016

Data Source : NJDG web-portal.

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

LOK SABHA

UNSTARRED QUESTION NO. 1433

TO BE ANSWERED ON WEDNESDAY, THE 27TH DECEMBER, 2017.

Recommendation of Law Commission

1433. SHRI BAIJAYANT JAY PANDA :

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

- (a) whether the Government has taken any measures aimed at implementing the recommendations of the Law Commission to set up new Courts in the country;**
- (b) if so, the details thereof and if not, the reasons therefor;**
- (c) whether the Government is taking any steps to increase the Judge to population ratio in India; and**
- (d) if so, the details thereof and if not, the reasons therefor?**

ANSWER

**MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)**

(a) to (d) : The issue of setting up of new courts, particularly at the district and subordinate level, is linked to the number of sanctioned posts of judicial officers. The matter relating to the appointment of Judicial Officers in District and Subordinate Courts falls within the domain of State Governments and the High Courts. In the case of *Imtiyaz Ahmed versus State of Uttar Pradesh and others*, the Supreme Court had asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts to clear the backlog of cases. In 245th report (2014), the Law Commission has observed that filing of cases *per capita* varies substantially across geographic units as filings are associated with economic and social conditions of the population. As such the Law Commission did not consider the judge-population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. The Law Commission found that in the absence of complete and scientific approach to data collection across various High Courts in the country, the "Rate of Disposal" method to calculate the number of additional judges required to clear the backlog of cases as well as to ensure that new backlog is not created, is more pragmatic and useful.

In May, 2014, the Supreme Court asked the State Governments and the High Courts to file their response to the recommendations made by the Law Commission. In August 2014, the Supreme Court asked the National Court Management System Committee (NCMS) to examine the recommendations made by the Law Commission and to furnish their recommendations in this regard. NCMS submitted its report to the Supreme Court in March, 2016. It has, *inter-alia*, observed that in the long term, the judge strength of the subordinate courts will have to be assessed by a scientific method to determine the total number of "Judicial Hours" required for disposing of the case load of each court. In the interim, the Committee has proposed a "weighted" disposal approach – disposal weighted by the nature and complexity of cases in local conditions. As per the direction of the Hon'ble Supreme Court in its Order dated 02.01.2017, the Department of Justice has forwarded a copy of interim report of the NCMS Committee to all State Governments and High Courts to enable them to take follow up action to determine the required Judges Strength of district judiciary based on the NCMS report.

As on 01.12.2017, there are 22,677 sanctioned posts of Judicial Officers in all the States. Of these posts, 16,693 are filled up and 5,984 are vacant. The recruitment and appointment to these posts is done by the respective High Courts in coordination with the State Governments, and in some States with State Public Service Commissions.

The Central Government has provided funds for constructions of court halls and residential accommodation for judicial officers under the Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary. Under this Scheme, 17,848 court halls and 14,315 residential units have been constructed till now and 2,913 court halls and 1,682 residential units are under construction. This Scheme has been extended till 31.03.2020 with an additional outlay of Rs.3,320 crores.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

LOK SABHA

UNSTARRED QUESTION NO. 1453

TO BE ANSWERED ON WEDNESDAY, THE 27TH DECEMBER, 2017.

Hearing of High Profile Cases

†1453. SHRIMATI RITI PATHAK:

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

- (a) whether any proposal regarding mandatory hearing of high profile cases through video conferencing in various prisons of the country is under consideration of the Government;
- (b) if so, the details thereof and if not, the reasons therefor; and
- (c) the manner in which the above said initiative is likely to prove helpful in early hearing of the under trials and in providing time bound and fair justice to the victims and their families?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)

(a) & (b): The step taken to dispose of cases of any kind is part of the larger plan to check delays and deficiencies in investigation into serious crimes and by ensuring progress of trials without hindrances and hurdles. There is, therefore, an emphasis on holistic approach.

As per information made available by the Supreme Court, Video Conferencing equipments have been provided to 493 Court Complexes and 347 Central and District Jails. In Phase II of the eCourts Project, funds to the tune of Rs.64.33 crore have been released to High Courts for procurement of video conference equipments at the remaining Court Complexes and Jails (2,747 Court Complexes and 928 Jails).

(c) : Supreme Court of India has recently directed that in matrimonial or custody matters or in proceedings between parties to a marriage or arising out of disputes between parties to a marriage, wherever the defendants / respondents are located outside the jurisdiction of the court, the court where proceedings are instituted, may examine whether it is in the interest of justice to incorporate any safeguards for ensuring that summoning of defendants/ respondent does not result in denial of justice. Order incorporating such safeguards may be sent along with the summons. The safeguards, *inter-alia*, include availability of video conferencing facility.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

**LOK SABHA
UNSTARRED QUESTION NO. 1459**

TO BE ANSWERED ON WEDNESDAY, THE 27.12.2017

Transparency in Appointment of Judges

1459 SHRI J.J.T. NATTERJEE:

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

- (a) whether the existing judicial system in the country lacks transparency particularly in the appointment of judges;
- (b) if so, the details thereof;
- (c) whether the Government recently proposed any major revision of rules in this regard and if so, the details thereof;
- (d) whether according to Government, the National Judicial Appointment Commission (NJAC) is more transparent in appointment of judges; and
- (e) if so, the details thereof along with the steps taken in this regard so far?

ANSWER
MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE
AFFAIRS
(SHRI P.P. CHAUDHARY)

(a) to (e): The setting up of the National Judicial Appointment Commission by the Government was struck down by the Supreme Court vide Judgement dated 16.10.2015 declaring the Constitution (Ninety – Ninth Amendment) Act, 2014 and the National Judicial Appointment Commission, Act, 2014 as “unconstitutional and void” and the system of appointment of Judges to the Supreme Court and High Courts as existing prior to the Constitution (Ninety – Ninth Amendment) Act, 2014 called the “Collegium system” was declared to be operative.

2/-

As the Collegium system of appointments lacked transparency and suffered from other infirmities such as lack of accountability and objectivity, the Supreme Court Bench passed an order dated 16.12.2015 for improvement in the "Collegium system", directing the Government of India to finalize the existing Memorandum of Procedure (MOP) by supplementing it in consultation with the Supreme Court Collegium.

The Government of India after due deliberations, proposed changes in the existing MoP taking into consideration factors such as eligibility criteria, transparency, establishment of Secretariat and mechanism to deal with complaints. The effort of the Government is to supplement the existing MoP by making the appointment process transparent, fair, and accountable and at the same time ensuring the independence of Judiciary.

The changes proposed in the draft MoP's were sent to the Hon'ble Chief Justice of India vide letter dated 22.03.2016. The response of the Chief Justice of India was received on 25.05.2016 and 01.07.2016. The views of the Government were conveyed to the Chief Justice of India on 03.08.2016. The inputs on the MoP as finalised by the Supreme Court Collegium were received from Chief Justice of India vide letter dated 13.03.2017.

Meanwhile, Supreme Court in another judgment dated 4.7.2017 in a Suo Moto Contempt Proceeding against a Judge of the Calcutta High Court, two Judges of the Supreme Court Bench noted the need to revisit the process of selection and appointment of Judges to the Constitutional Courts. The Government of India has conveyed the need to make improvement on the draft MoP to the Supreme Court vide letter dated 11.07.2017.

eCourt

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

**LOK SABHA
UNSTARRED QUESTION No. 1502
TO BE ANSWERED ON WEDNESDAY, THE 27th DECEMBER, 2017**

e-Courts Mission Mode Project

1502. SHRIMATI RAKSHATAI KHADSE:

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

- (a) the details of the e-courts mission mode project phase-II;**
- (b) whether the Government recently launched mobile application based e-services for courts;**
- (c) if so, the details of the services shared through this application; and**
- (d) the number of applicants using this application, State-wise and Court-wise?**

**ANSWER
MINISTER OF STATE FOR LAW & JUSTICE AND
CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)**

(a) eCourts mission mode project is one of the National e-Governance projects in its second phase during 2015 - 2019. With an overall financial outlay of Rs. 1,670 crores, a sum of Rs. 921.75 crores has so far been released by the Government under Phase II. Key features of the Project include provisioning of basic infrastructure for Information and Communication Technology (ICT) enablement of district and subordinate courts, which consists of various modules, such as computer hardware, Local Area Network (LAN), internet connectivity and installation

of standard application software at district and subordinate courts. As on date, the Department of Justice has completed ICT enablement of 16,089 district and subordinate courts across the country under the eCourts project. Judicial proceedings/ decisions of computerised district and subordinate courts of the country are available on the e-Courts portal (<http://www.ecourts.gov.in>). eCourts services such as details of case registration, cause list, case status, daily orders, and final judgments are made available to litigants and advocates through SMS (Push and Pull), email, web, mobile application and Judicial Service Centres.

(b) to (d) Yes, the Government has launched mobile application for eCourts services on 22.07.2017. In the mobile application, services are given under different captions viz. Search by Case Number Record (CNR), Case Status, Cause List and My Cases. CNR is unique number assigned to each case filed in District and Taluka Courts in the country, through Case Information System. On entering the CNR, one can get the current status and details of the case. Case Status can be searched by various options like Case Number, Party Name, Filing Number, FIR Number, Advocate Name, Relevant Act of the Case and Case Type. All above options are shown in the application with identifiable separate icons under the Case Status. Case Status Option shows information of First Hearing Date, Next Hearing Date, State of Case, Court Number and Designation of Judge. Quick Response (QR) code facility is also integrated with the mobile application. The mobile application is available on both Google Play and Apple Store. As the mobile application is downloaded directly from Google Play Store or App Store, state wise and courts wise data are not available. However, total number of downloads of the eCourts Services mobile application have crossed over 4.43 lakhs.

Desk Side

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA
UNSTARRED QUESTION NO. 1514

TO BE ANSWERED ON WEDNESDAY, THE 27.12.2017

Vacancies in Supreme Court

1514. SHRI NISHIKANT DUBEY:

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

- (a) the details of the vacancies of Judges and other staff in Supreme Court;
- (b) the reasons for delay in filling up these vacancies; and
- (c) the steps taken by the Government to avoid delay in providing justice to the needy?

ANSWER
MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE
AFFAIRS

(SHRI P.P. CHAUDHARY)

(a) to (c): There are 6 vacancies of Judges in the Supreme Court of India. The initiation of the proposal for appointment of Judges of the Supreme Court is done by the Chief Justice of India in consultation with a Collegium of four senior-most Judges of the Supreme Court. The Government of India has not received any proposal for filling up of the 6 vacancies of Judges in the Supreme Court.

: 2 :

So far as other staff in the Supreme Court is concerned, Supreme Court has informed that there are about 246 vacancies in various cadres. The process of filling up vacancies by way of promotion/direct recruitment is a continuing process and, therefore, there is no delay in filling up the vacancies.

Disposal of pending cases in courts is within the domain of judiciary. The Government has adopted a co-ordinated approach to assist judiciary for liquidation of arrears and pendency in the courts by providing better infrastructure for courts including computerization, increase in strength of judicial officers and judges at various levels in the judiciary, policy and legislative measures in the areas prone to excess litigation and emphasis on human resource development.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

LOK SABHA
UNSTARRED QUESTION NO. 1537

TO BE ANSWERED ON WEDNESDAY, THE 27.12.2017

Regional Benches of Supreme Court

1537. SHRI. JAGDAMBIKA PAL:

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

- a) whether the Government proposes to establish regional benches of the Supreme Court to reduce the cost of litigation;
- b) if so, the details thereof and if not, the reasons therefor;
- c) the steps proposed by the Government to modify the present system to reduce financial burden on litigants; and
- d) the details of regulation, if any, imposed by the Government on fees charged by the lawyers in the Supreme Court?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P.P. CHAUDHARY)

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

Representations have been received at various times from various quarters for establishment of Benches of Supreme Court in various parts of the country. The Law Commission, in its 229th Report had also suggested that a Constitutional Bench be set up at Delhi and four Cassation Benches be set up in the Northern region at Delhi, the Southern region at Chennai/ Hyderabad, the Eastern region at Kolkata and the Western region at Mumbai.

However, the idea of a separate Bench of Supreme Court outside Delhi has not found favour with the Supreme Court of India.

The Supreme Court of India has implemented the Integrated Case Management Information System which provides facilities like online availability of information, digital filing of cases, file tracking, online court fee payment gateway, delivery of services to advocates and litigants etc which will go a long way in mitigating the burden of the litigants.

(d): The Government has not imposed any regulation on fees charged by the lawyers in the Supreme Court.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE
LOK SABHA
UNSTARRED QUESTION NO. 1544

Desk Side

TO BE ANSWERED ON WEDNESDAY, THE 27.12.2017

Vacancy in Courts

1544. SHRI KONAKALLA NARAYANA RAO:
PROF. RAVINDRA VISHWANATH GAIKWAD:
SHRI J.C. DIVAKAR REDDY:

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

- (a) whether courts including High Courts in the country do not have regular Chief Justices and many posts are lying vacant across the judiciary in the country;
- (b) if so, the details thereof and the reasons therefor, State-wise and court-wise;
- (c) the steps being taken by the Government to fill all the posts in each court within a timeframe; and
- (d) the requests received from States in this regard and the action taken thereon?

ANSWER

**MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P.P. CHAUDHARY)**

- (a) & (b): Yes, Madam. As of 20.12.2017 nine High Courts have acting Chief Justices. A statement indicating approved strength, working strength and vacant posts of Judges in Supreme Court and High Courts is at Annexure-I. A statement indicating the vacancies of Judges/Judicial officers in the District and Subordinate Courts is at Annexure-II.
- (c) & (d): Filling up of vacancies in the High Courts is a continuous and collaborative process of the Judiciary and Executive involving various Constitutional Authorities. Hence, the precise time frame for filling up the post of Judges of Supreme Court and High Courts cannot be indicated. As per the existing Memorandum of Procedure, the process of appointment of Chief Justice of High Court must be initiated well in time by Chief Justice of India in consultation with Supreme Court Collegium to ensure its

completion at least one month prior to the date of anticipated vacancy. The initiation of the proposal for appointment of Judges of the Supreme Court is done by the Chief Justice of India in consultation with a Collegium of four senior-most Judges of the Supreme Court. The Government of India has not received any proposal for filling up of the 6 vacancies of Judges in the Supreme Court and for appointment of Chief Justices in the nine High Courts which are functioning with acting Chief Justices.

The Supreme Court passed an order dated 16.12.2015 for improving the Collegium system of appointments by supplementing the existing Memorandum of Procedure (MoP). As the process was likely to take some time, at the initiative of the Government, the matter was taken up with Supreme Court and the appointment process was continued with the existing MoP. During 2016, 4 Judges in the Supreme Court and 14 Chief Justices of High Courts were appointed. Besides, 126 fresh appointments of Judges were made in High Courts which is the highest number in a calendar year. During 2017, as on 19.12.2017, 5 Judges in the Supreme Court, 8 Chief Justices of High Courts and 115 fresh appointments of Judges in the High Courts have been made.

The subject matter relating to filling up vacancies in the District and Subordinate Courts falls within the domain of the High Courts and the State Government concerned. The Central Government has no role in appointment of Subordinate Judiciary.

ANNEXURE-I

Statement referred to in reply to parts (a) & (b) of Lok Sabha Unstarred
Question No.1544 to be answered on 27.12.2017
(Position as on 20.12.2017)

Sl. No.	Name of the Court	Approved Strength	Working Strength	Vacancies as per Approved Strength
A.	Supreme Court of India	31	25	06
B.	High Court	160	109	51
1	Allahabad	61	31	30
2	Telangana & Andhra Pradesh *	94	70	24
3	Bombay *	72	33	39
4	Calcutta *	22	12	10
5	Chhattisgarh	60	37	23
6	Delhi *	24	18	06
7	Gauhati	52	31	21
8	Gujarat	13	08	05
9	Himachal Pradesh *	17	11	06
10	Jammu & Kashmir	25	14	11
11	Jharkhand *	62	25	37
12	Karnataka *	47	37	10
13	Kerala *	53	34	19
14	Madhya Pradesh	75	60	15
15	Madras	05	02	03
16	Manipur *	04	02	02
17	Meghalaya	27	17	10
18	Orissa	53	33	20
19	Patna	85	50	35
20	Punjab & Haryana	50	35	15
21	Rajasthan	03	03	0
22	Sikkim	04	02	02
23	Tripura	11	10	01
24	Uttarakhand	1079	684	395
	Total			

* Acting Chief Justice

Annexure-II

Statement referred to in reply to parts (a) & (b) of Lok Sabha Unstarred Question No. 1544 to be answered on 27.12. 2017.

Vacancies of Judges / Judicial Officers in the District and Subordinate Courts

Sl. No	States	Vacancies as on 30.11.2017
1	Uttar Pradesh	1,344
2	Bihar**	825
3	Madhya Pradesh	748
4	Gujarat**	385
5	Tamil Nadu*	341
6	Karnataka**	325
7	Delhi**	316
8	Jharkhand**	251
9	Orissa	204
10	Maharashtra	149
11	Haryana	147
12	Punjab	136
13	Andhra Pradesh & Telangana**	114
14	Rajasthan**	96
15	West Bengal and A & N Island**	84
16	Assam	76
17	Kerala**	73
18	Chhattisgarh	63
19	Uttarakhand**	61
20	Meghalaya	58
21	Jammu & Kashmir	39
22	Mizoram	33
23	Tripura	31
24	Manipur	18
25	Pondicherry*	14
26	Goa	12
27	Arunachal Pradesh	11
28	Nagaland	11
29	Himachal Pradesh**	10
30	Sikkim**	8
31	Lakshadweep**	1
32	Chandigarh	0
33	D & N Haveli AND Daman & Diu**	0
Total		5,984

* as on 7.11.2017

**as on 31.10.2017

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

LAP

LOK SABHA

UNSTARRED QUESTION NO. 1600

TO BE ANSWERED ON WEDNESDAY, THE 27th DECEMBER, 2017

Legal Aid to Poor

1600. DR. KAMBHAMPATI HARIBABU:

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

- (a) whether the Government has made any efforts for providing legal aid to the poor and the people in rural areas of the country;
- (b) if so, the details thereof;
- (c) whether the Government has launched or is planning to launch digital and mobile courts in the country; and
- (d) if so, the details thereof?

ANSWER

**MINISTER OF STATE FOR LAW & JUSTICE
AND CORPORATE AFFAIRS
(SHRI P.P.CHAUDHARY)**

- (a) and (b) The Government has been implementing two projects on Access to Justice in 16 states. The first project was launched in partnership with UNDP in 2009 in 8 states namely, UP, Bihar, M.P, Chhattisgarh, Jharkhand, Rajasthan, Odisha and Maharashtra. The focus of the project has been on providing legal aid and creation of legal awareness among the weaker section of the society. Under the project training and capacity building of panel lawyers, para legal volunteers, elected representatives of gram panchayats and anganwadi workers have been undertaken. The second project was launched by the Government in 2012 from its own resources in 7 states of the North East namely, Assam, Nagaland, Mizoram, Manipur, Tripura, Arunachal Pradesh, Meghalaya, Sikkim and the state of Jammu & Kashmir. Similar legal aid and literacy programme are being implemented in these states.

In April, 2017, the Government has launched three new legal empowerment initiatives, namely, Tele Law, Pro bono legal services and Nyaya Mitra. Tele Law scheme has been launched in 1800 gram panchayats in 10 states of the country for providing free legal aid to marginalised persons as mentioned in section 12 of the Legal Services Authority Act, 1987. As on 22.12.2017, out of 10896 cases registered under the scheme, legal advice has been provided in 7779 cases. Under the probono legal service scheme, 298 cases of marginalised persons have been assigned to 195 advocates. Under the Nyaya Mitra scheme, 16 Nyaya Mitras have been engaged in 6 states namely, UP, Bihar, West Bengal, Gujarat, Rajasthan and Tripura in the first phase. The Nyaya Mitras are required to assist the judiciary in the disposal of long pending cases and also to provide free legal advice to marginalised persons.

The National Legal Services Authority was constituted under the Legal Services Authorities Act, 1987 to monitor and evaluate implementation of legal aid programmes. Under the Act, legal services institutions have been set up at all levels from taluka courts, the district court, High Court to the Supreme Court. Legal aid clinics setup in jails, observation homes, juvenile justice boards and law schools are being manned by panel lawyers and para legal volunteers of legal services authorities.

NALSA has developed schemes and programmes to ensure equitable access to justice, especially for the marginalised communities is provided for. With this objective NALSA has several schemes for providing legal aid to those specific categories of people who are excluded from the formal legal system due to political, cultural, social or environmental conditions. Such schemes range from providing legal services to victims of disasters-(both manmade and natural) to acid attack victims. NALSA has also been at the vanguard for protecting the rights and interest of some of the most vulnerable members of the society, be it children, women, tribals or mentally ill and disabled people.

(c) and (d) The Government has computerised 16089 courts in the district and subordinate judiciary in the country under the e Courts mission mode project. The National Judicial Data Grid created under the project has online information such as details of case registration, cause list, case status, daily orders and final judgments. The Government of India provides financial assistance to state governments to set up Gram Nyayalayas which may hold mobile court outside their respective headquarters in terms of the provisions contained in the Gram Nyayalayas Act, 2008.

Jus II

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

LOK SABHA

UNSTARRED QUESTION NO.2558

TO BE ANSWERED ON WEDNESDAY, THE 3RD JANUARY, 2018

Special Fast Track Courts

+2558. SHRI GOPAL SHETTY:

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

- (a) whether the Government proposes to set up fast track courts for hearing cases of senior citizens, women and children, physically challenged persons and people suffering from serious diseases;
- (b) if so, the details thereof; and
- (c) whether the Government is providing separate funds for this purpose and if so, the State-wise details of funds allocated/released?

A N S W E R

MINISTER OF STATE FOR LAW & JUSTICE AND
CORPORATE AFFAIRS
(SHRI P.P. CHAUDHARY)

(a) to (c) : Setting up of subordinate courts including Fast Track Courts (FTCs) lies within the domain of the State Governments who set up such courts as per their need and resources, in consultation with the concerned High Courts. As per information received from the States, at present, 722 FTCs are functional in the country (Annexure-A).

The Government of India in its Memorandum to the 14th Finance Commission proposed setting up of FTCs across the country at a cost of Rs.4144 crore for trial of cases of heinous crimes, involving senior citizens, women, children, physically challenged and persons affected with terminal ailments etc. The 14th Finance Commission endorsed the proposal of the Union Government and urged the State Governments to use the additional fiscal space provided by the Commission in the form of enhanced tax devolution (from 32% to 42%) to meet such requirements. The States, therefore, set up FTCs from the additional tax devolution provided to them. The details of funds earmarked State-wise are shown in Annexure (B).

Annexure-A

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (c) OF THE LOK SABHA UNSTARRED QUESTION NO.2558 TO BE ANSWERED ON THE 3RD JANUARY, 2018 REGARDING SPECIAL FAST TRACK COURTS

Name of the States/UTs	Number of Fast Track Courts
Andhra Pradesh , Telangana	72
Assam, Arunachal Pradesh, Nagaland, Mizoram	0
Bihar	55
Chhattisgarh	21
Delhi	14
Goa	4
Gujarat	0
Haryana	0
Himachal Pradesh	0
Jammu & Kashmir	0
Jharkhand	14
Karnataka	0
Kerala	0
Madhya Pradesh	0
Maharashtra	100
Manipur	3
Meghalaya	0
Odisha	0
Punjab	0
Puducherry	0
Rajasthan	0
Sikkim	2
Tamil Nadu	69
Tripura	3
Uttar Pradesh	273
Uttarakhand	4
West Bengal	88
Total	722

Annexure-B

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (c) OF THE LOK SABHA UNSTARRED QUESTION NO.2558 TO BE ANSWERED ON THE 3RD JANUARY, 2018 REGARDING SPECIAL FAST TRACK COURTS

Funds earmarked for establishment of 1800 Fast Track Courts for a period of five years (2015-2020) as endorsed by the 14th Finance Commission:

S.No	Name of the State	Funds earmarked (Rs. In crores)	Number of FTCs to be established
1.	Andhra Pradesh	108.21	47
2.	Telangana	85.18	37
3.	Assam	82.88	36
4.	Arunachal Pradesh	0.00	0
5.	Mizoram	16.12	7
6.	Nagaland	6.91	3
7.	Bihar	338.43	147
8.	Chhattisgarh	64.46	28
9.	Gujarat	400.59	174
10.	Himachal Pradesh	29.93	13
11.	Jammu & Kashmir	48.35	21
12.	Jharkhand	115.11	50
13.	Karnataka	218.72	95
14.	Kerala, Lakshadweep	94.39	41
15.	Madhya Pradesh	306.20	133
16.	Maharashtra, D&N, Daman & Diu	469.67	204
17.	Goa	11.51	5
18.	Manipur	6.91	3
19.	Meghalaya	9.21	4
20.	Orissa	145.04	63
21.	Punjab	115.11	50
22.	Chandigarh	4.61	2
	Haryana	110.51	48
23.	Rajasthan	214.11	93
24.	Sikkim	2.3	1
25.	Tamil Nadu, Puducherry	204.91	89
26.	Tripura	20.72	9
27.	Uttar Pradesh	488.08	212
28.	Uttarakhand	64.46	28
29.	West Bengal, A&N Islands	216.42	94
30.	Delhi	145.05	63
	Total	4144.11	1800

elout

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

**LOK SABHA
UNSTARRED QUESTION No. 2562
TO BE ANSWERED ON WEDNESDAY, THE 3rd JANUARY, 2018**

Digitisation of Case Records

2562. SHRI RAM CHARITRA NISHAD:

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

- (a) whether it is true that the digitization of case records of high courts across the country is yet to take place;**
- (b) if so, the details thereof;**
- (c) whether it is also true that without the completion of digitisation, the aim of filing of paperless appeals in the Supreme Court will not be possible; and**
- (d) If so, the reasons therefor and the steps being taken to ensure the completion of the said process?**

**ANSWER
MINISTER OF STATE FOR LAW & JUSTICE AND
CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY),**

(a) & (b) Central Government has accepted the recommendation of the 14th Finance Commission inter-alia pertaining to digitilisation of court records of all High Courts, district and subordinate courts. The 14th Finance Commission has urged the State governments to use the additional fiscal space provided by the 14th Finance Commission in the tax devolution from 32% to 42% to meet such requirement. Digitilisation of case records of High Courts across the country

has been initiated and is at varying levels of implementation in different High courts in the country.

(b) & (d): The process of computerisation started in the Supreme Court of India on 12th May, 2012 which the Case Information system was introduced. To expedite the judicial proceedings and to reduce pendency and delay in justice delivery system as well as with a view to offer better and speedy judicial services to all state holders of judiciary viz, Bench, Bar and Litigants including Government organisations, an ICT initiative has been undertaken to implement integrated Case Management Information System (ICMIS) in the supreme Court in a phased manner which would lead to paperless environment in future. The ICMIS of the Supreme Court of India integrates with Case Information Systems of all High Courts, district and subordinate Courts in a phased manner to ensure electronic exchange of judicial information and records.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LAP

LOK SABHA

UNSTARRED QUESTION NO. 2580

TO BE ANSWERED ON WEDNESDAY, THE 3rd JANUARY, 2018

Legal Aid Clinics

2580. SHRIMATI MEENAKASHI LEKHI:

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

- (a) the details of States which have functional Legal Aid Clinics established as a part of the access to justice project State and district-wise; and
- (b) whether the Government plans to expand this project to remaining States as well and if so, the details thereof?

ANSWER

**MINISTER OF STATE FOR LAW & JUSTICE
AND CORPORATE AFFAIRS
(SHRI P.P.CHAUDHARY)**

- (a) & (b) The Government of India, in partnership with UNDP, has set up five legal aid clinics in the states of Maharashtra and Odisha under Access to Justice Project. Of these, two are working in Mumbai and three (one each in Khurda, Cuttack and Puri districts) in Odisha.

Under the Access to Justice Project for States in the North East (viz. Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura) and Jammu & Kashmir, Government of India has set up 46 legal aid clinics in the districts of Mon and Tuensang of Nagaland.

In addition, under the National Legal Services Authority (Legal Services Clinics) Regulations, 2011, a total 21405 such legal aid clinics have been established at various times in jails, courts, Juvenile Justice Boards, law schools and villages in the country.

eCourt

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

**LOK SABHA
UNSTARRED QUESTION No. 2588**

TO BE ANSWERED ON WEDNESDAY, THE 3rd JANUARY, 2018

Use of Technology in Courts

2588. SHRI RAHUL KASWAN:

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

- (a) the status of introduction of communication and information technology in Indian courts;**
- (b) whether e-filing has been introduced in the courts;**
- (c) if so, the State-wise details thereof including that of High Court of Rajasthan along with current status thereof;**
- (d) the number of cases filed through e-filing system; and**
- (e) the steps taken/being taken by the government to create awareness about e-filing system through the country?**

ANSWER

**MINISTER OF STATE FOR LAW & JUSTICE AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)**

(a) The Government of India is implementing the eCourts Mission Mode Project (Phase-I 2010-14 and Phase-II 2015-19) with a total outlay of Rs.1670 crore (Phase-II) for communication and information technology enablement of district and subordinate courts across the country. Important features of the project include provisioning of computer hardware, Local Area Network (LAN), internet connectivity and installation of standard application software in district and subordinate courts. As on date, computerisation of 16,089 district and subordinate courts across the country under the eCourts project has been completed, the status-wise breakup of which is at Annexure.

(b) to (e) e-filing has not yet started in the district and subordinate courts across the country, as part of eCourts Mission Mode Project. However, the pilot testing of e-filing software has been launched on December 3, 2017 in district and subordinate courts under the jurisdiction of Delhi High Court.

Annexure

High Court wise details of computerised district and subordinate courts are as under:

S. No.	Name of the High Court	Number of court computerised
1.	Allahabad	1733
2.	Andhra Pradesh	1078
3.	Bombay	2079
4.	Calcutta	772
5.	Chattisgarh	340
6.	Delhi	427
7.	Gauhati	442
8.	Gujarat	1108
9.	Himachal Pradesh	118
10.	Jabalpur	1203
11.	Jammu And Kashmir	218
12.	Jharkhand	351
13.	Jodhpur	978
14.	Karnataka	897
15.	Kerala	486
16.	Madras	988
17.	Orissa	509
18.	Patna	1025
19.	Punjab And Haryana	1018
20.	Sikkim	15
21.	Uttarakhand	185
22.	Tripura	62
23.	Manipur	30
24.	Meghalaya	27
	Total	16089

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

NM

UNSTARRED QUESTION NO. 2591

TO BE ANSWERED ON WEDNESDAY, THE 03RD JANUARY, 2018.

NMJDLR

2591. SHRI JANARDAN SINGH SIGRIWAL:

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

- (a) whether a National Mission for Justice Delivery and Legal Reforms (NMJDLR) has been set up to streamline and expedite the disposal of crores of pending cases in judicial courts including High Courts and the Supreme Court; and
- (b) if so, the details thereof and the time by which it is likely to submit its report and the main thrust areas likely to be covered by the said mission?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)

(a) & (b) : 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 computerisation, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

To advise on the goals, objectives and strategies of the National Mission and the Action Plan and its implementation, an Advisory Council has been set up under the Chairmanship of Minister of Law and Justice with wide ranging membership. An action plan of the National Mission was formulated under 5 strategic initiatives which is reviewed by the Advisory Council of the National Mission from time to time. The Advisory Council meets once in six months. Ten meetings of the Advisory Council have been held so far.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Jul 1

LOK SABHA

UNSTARRED QUESTION NO. 2678

TO BE ANSWERED ON WEDNESDAY, THE 3RD JANUARY, 2018

Increase in Salary of Judges

+2678. SHRI OM PRAKASH YADAV:

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

- (a) whether the Government is likely to prepare an action plan to increase the salary of judges;
- (b) if so, the details of the steps taken so far; and
- (c) the quantum of likely difference between the salary of Judges of the High Court and the Supreme Court?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE & CORPORATE AFFAIRS

(SHRI P.P. CHAUDHARY)

(a) to (c) The salaries, gratuity, pension, allowances etc. in respect of Judges of Supreme Court and High Courts are governed by the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958 and the High Court Judges (Salaries and Conditions of Service) Act, 1954 respectively. An amendment in these Acts is required whenever there is any proposal for revision of salaries, pension gratuity, allowances etc. in respect of Judges of Supreme Court and High Courts. The Government has already introduced a Bill in the Parliament during the current session for amending the aforesaid Acts for revising the salaries and allowances of the judges.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 2685

TO BE ANSWERED ON WEDNESDAY, THE 03RD JANUARY, 2018.

Judge to Population Ratio

2685. SHRI RAHUL SHEWALE:
SHRI SANJAY DHOTRE:
SHRI BHARTRUHARI MAHTAB:

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

- (a) whether it is a fact that the judge to population ratio has deteriorated in the country during each of the last three years and the current year;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether there is a huge gap between sanctioned and actual strength of judges in Supreme Court, High Courts and Subordinate Courts in the country;
- (d) if so, the details thereof, State/ UT-wise and the reasons therefor along with its impact on the functioning of the judiciary in the country; and
- (e) the number of judges appointed in the said courts during the last three years, State/UT-wise?

ANSWER.

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)

(a) & (b): Based on the population as per Census 2011 and as per available information regarding sanctioned strength of Judges in Supreme Court, High Courts and District & Subordinate Courts in the year 2017, the judge - population ratio in the country works out to be 19.66 Judges per million population in comparison to 17.48 Judges per million population in the year 2014. The sanctioned strength of Judges of High Courts has increased from 906 judges in June 2014 to 1079 judges in December, 2017 and the sanctioned strength of Judges of District / Subordinate Courts has increased from 20,214 in the year 2014 to 22,677 in the year 2017. The sanctioned strength of Judges in Supreme Court is 31.

(c) & (d): The High Court - wise details of sanctioned / working strength and vacancies of Judges in the Supreme Court and High Courts are given in a Statement at **Annexure - I**. The State / UT-wise details of sanctioned / working strength and vacancies of Judges in District and Subordinate Courts are given in a Statement at **Annexure - II**.

(e) : As per the Constitution, the selection and appointment of judges in subordinate courts is the responsibility of State Governments and the High Courts concerned. As per information made available by the High Courts and respective State Governments, sanctioned strength of Judges of District / Subordinate Courts has increased from 20,214 in the year 2014 to 22,677 in the year 2017. The working strength of Judges of District and Subordinate Courts is increased from 15,634 in the year 2014 to 16,693 in the year 2017. The State / UT-wise details of sanctioned / working strength of Judges of District / Subordinate Courts in the years 2014 and 2017 are given in a Statement at **Annexure-III**.

Statement referred to Lok Sabha Unstarred Question No.2685 for reply on 03.01.2018

Statement showing the approved strength, working strength and vacancies of Judges in the Supreme Court and High Courts as on 26.12.2017.

Sl. No.	Name of the Court	Approved Strength	Working Strength	Vacancies as per Approved Strength
A.	Supreme Court of India	31	25	06
B.	High Court			
1	Allahabad	160	109	51
2	Telangana & Andhra Pradesh	61	31	30
3	Bombay	94	70	24
4	Calcutta	72	33	39
5	Chhattisgarh	22	12	10
6	Delhi	60	37	23
7	Gauhati	24	18	06
8	Gujarat	52	31	21
9	Himachal Pradesh	13	08	05
10	Jammu & Kashmir	17	11	06
11	Jharkhand	25	14	11
12	Karnataka	62	25	37
13	Kerala	47	37	10
14	Madhya Pradesh	53	34	19
15	Madras	75	60	15
16	Manipur	05	02	03
17	Meghalaya	04	02	02
18	Orissa	27	17	10
19	Patna	53	33	20
20	Punjab & Haryana	85	50	35
21	Rajasthan	50	35	15
22	Sikkim	03	03	0
23	Tripura	04	02	02
24	Uttarakhand	11	10	01
Total		1079	684	395

Statement referred to Lok Sabha Unstarred Question No.2685 for reply on 03.01.2018

Sanctioned Strength, Working Strength and Vacancies of Judicial Officers of District and Subordinate Courts as on 30.11.2017.

Sl. No	States	Sanctioned Strength as on 30.11.2017	Working Strength as on 30.11.2017	Vacancies as on 30.11.2017
1	Andhra Pradesh & Telangana**	987	873	114
2	Arunachal Pradesh	28	17	11
3	Assam	428	352	76
4	Bihar**	1826	1001	825
5	Chhattisgarh	398	335	63
6	Goa	55	43	12
7	Gujarat**	1511	1126	385
8	Haryana	644	497	147
9	Himachal Pradesh**	159	149	10
10	Jammu & Kashmir	253	214	39
11	Jharkhand**	672	421	251
12	Karnataka**	1303	978	325
13	Kerala**	534	461	73
14	Madhya Pradesh	2021	1273	748
15	Maharashtra	2096	1947	149
16	Manipur	49	31	18
17	Meghalaya	97	39	58
18	Mizoram	63	30	33
19	Nagaland	34	23	11
20	Orissa	862	658	204
21	Punjab	674	538	136
22	Rajasthan**	1223	1127	96
23	Sikkim**	23	15	8
24	Tamil Nadu*	1257	916	341
25	Tripura	107	76	31
26	Uttar Pradesh	3204	1860	1344
27	Uttarakhand**	291	230	61
28	West Bengal and A & N Island**	1013	929	84
29	Chandigarh	30	30	0
30	D & N Haveli AND Daman & Diu**	7	7	0
31	Delhi**	799	483	316
32	Lakshadweep**	3	2	1
33	Pondicherry*	26	12	14
Total		22,677	16,693	5,984

* as on 7.11.2017

**as on 31.10.2017

Statement referred to Lok Sabha Unstarred Question No.2685 for reply on 03.01.2018

State-UT wise comparative Statement of Sanctioned / Working Strength of Judges in District and Subordinate Courts in the years 2014 and 2017.

Sl. No	States	Sanctioned Strength as on 31.12.2014	Sanctioned Strength as on 30.11.2017	Working Strength as on 31.12.2014	Working Strength as on 30.11.2017
1	Andhra Pradesh & Telangana	1034	987**	884	873**
2	Arunachal Pradesh	16	28	15	17
3	Assam	403	428	312	352
4	Bihar	1670	1826**	1027	1001**
5	Chhattisgarh	354	398	302	335
6	Goa	52	55	40	43
7	Gujarat	1963	1511**	1216	1126**
8	Haryana	644	644	485	497
9	Himachal Pradesh	146	159**	128	149**
10	Jammu & Kashmir	244	253	221	214
11	Jharkhand	578	672**	382	421**
12	Karnataka	1085	1303**	832	978**
13	Kerala & Lakshadweep	447	537**	431	463**
14	Madhya Pradesh	1460	2021	1243	1273
15	Maharashtra	2072	2096	1784	1947
16	Manipur	40	49	30	31
17	Meghalaya	55	97	30	39
18	Mizoram	67	63	31	30
19	Nagaland	27	34	25	23
20	Orissa	690	862	569	658
21	Punjab	672	674	505	538
22	Rajasthan	1145	1223**	831	1127**
23	Sikkim	18	23**	15	15**
24	Tamil Nadu	997	1257*	876	916*
25	Tripura	104	107	78	76
26	Uttar Pradesh	2097	3204	1761	1860
27	Uttarakhand	289	291**	191	230**
28	West Bengal and A & N Island	994	1013**	868	929**
29	Chandigarh	30	30	30	30
30	D & N Haveli AND Daman & Diu	7	7**	6	7**
31	Delhi	793	799**	476	483**
32	Pondicherry	21	26*	10	12*
Total		20,214	22,677	15,634	16,693

* as on 7.11.2017

**as on 31.10.2017

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk Side

LOK SABHA
UNSTARRED QUESTION NO. 2689

TO BE ANSWERED ON WEDNESDAY, THE 03.01.2018

Recruitment of Retired Judges

+2689. SHRI SANJAY HARIBHAU JADHAV:

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

- (a) whether the Government and Judiciary are contemplating to recruit retired judges in High Courts to dispose of more than three crores cases lying pending in the courts of the country;
- (b) whether it is possible by invoking a special provision of the constitution; and
- (c) if so, the details thereof and if not, the reasons therefor?

ANSWER
MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE
AFFAIRS

(SHRI P.P. CHAUDHARY)

(a) to (c): The appointment of retired Judges of High Courts for sitting in High Courts can be made under Article-224A of the Constitution. Retired Judges are not being appointed as per decision dated 14.04.1982 of the then Chief Justice of India. Retired Judges ought not to be appointed unless all the permanent vacancies are filled up and still there are large number of cases pending disposal.

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

ecourt

**LOK SABHA
UNSTARRED QUESTION No. 2740
TO BE ANSWERED ON WEDNESDAY, THE 3rd JANUARY, 2018**

Online Mechanism for Courts

2740. Dr. SANJAY JAISWAL:

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

- (a) whether there is any online application or online mechanism to track the court proceedings, status and judgements for the courts in the country;**
- (b) if so, the details thereof; and**
- (c) if not, the initiatives taken by the Government to address the issue?**

**ANSWER
MINISTER OF STATE FOR LAW & JUSTICE AND
CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)**

(a) to (c) Yes Madam. The e-Courts portal (<http://www.ecourts.gov.in>) provides an online mechanism to stakeholders such as litigants, advocates and members of judiciary to track the court proceedings, status and judgments for the computerized district and subordinate courts in the country. The National Judicial Data Grid (NJDG). Portal provides statistical information of court cases pan country, State-wise and district-wise. eCourts services such as details of case registration, cause list, case status, daily orders, and final judgments are also made available to litigants and advocates through SMS (Push and Pull), email and mobile application. At present, litigants can access case status information in respect of 8.86 crore cases and 5.24 crore orders / judgments.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Desk side

**LOK SABHA
UNSTARRED QUESTION NO. 2742**

TO BE ANSWERED ON WEDNESDAY, THE 03.01.2018

Sexual Harassment Case

2742. SHRI R.P. MARUTHARAJAA :

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

- (a) whether any charges of sexual harassment were levelled against any judge/employee of Madhya Pradesh High Court;
- (b) if so, the details thereof; and
- (c) the present status of the case?

**ANSWER
MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE
AFFAIRS
(SHRI P.P. CHAUDHARY)**

- (a) Yes, Madam.
- (b) and (c) A notice of motion, dated 4th March, 2015 was received in Rajya Sabha praying for removal of Shri Justice S.K. Gangele, a sitting Judge of Gwalior Bench of Madhya Pradesh High Court on various grounds under Article 217 read with Article 124(4) of Constitution. One of the grounds was allegation of sexual harassment of a woman Additional District and Session Judge of Gwalior.

The Chairman, Rajya Sabha constituted a three member Committee under Judges Inquiry Act, 1968 for the purpose of making an investigation into the matter. The Report of the Committee was laid on the Table of Rajya Sabha and Lok Sabha on 15.12.2017 and 18.12.2017 respectively.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 2745

TO BE ANSWERED ON WEDNESDAY, THE 03RD JANUARY, 2018.

National Mission for Justice Delivery

2745. SHRI SUMAN BALKA:

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

- (a) whether the Government has approved continuation of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary beyond the 12th Five Year Plan to be implemented in a Mission Mode through National Mission for Justice Delivery and Legal Reforms programme and if so, the details thereof;
- (b) whether the Government has also approved setting up of an on-line monitoring system with geo-tagging by the Department of Justice enabling data collection on progress, completion of court halls and residential units under construction including monitoring of future projects as well as better asset management and formulation of norms and specification for the same; and
- (c) if so, the details thereof?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)

(a) to (c): Yes, Madam. The Government has approved the continuation of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary beyond 12th Five Year Plan i.e. from 01.04.2017 to 31.03.2020. The Scheme will continue to be implemented in a Mission Mode with an estimated outlay of Rs.3,320 crores. Approval has also been given for (i) setting up of an on-line monitoring system with geo-tagging by the Department of Justice enabling data collection on progress, completion of court halls and residential units under construction, including for future projects as well as better asset management; and (ii) Formulation of norms and specification of court halls and residential units to be constructed under Scheme for implementation throughout the country for future.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 2756

TO BE ANSWERED ON WEDNESDAY, THE 03RD JANUARY, 2018.

Action Plan for Reform in Judiciary

2756. SHRI SUNIL KUMAR MONDAL:

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

- (a) whether the Government has prepared the draft for the future action plan for reforms in judiciary in the country;
- (b) if so, the details and the salient features thereof; and
- (c) if not, the reasons therefor?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE
AFFAIRS
(SHRI P. P. CHAUDHARY)

(a) to (c): During the Joint Conference of Chief Ministers of States and Chief Justices of the High Courts held at New Delhi in April 2015, reduction of pendency and backlog of cases in courts emerged as an area which required focused attention at the High Court level. The Chief Justices of the High Courts in the Conference held on 03rd and 04th April 2015 have resolved that each High Court shall establish an Arrears Committee, which would go into the factors responsible for the delays and prepare an action plan to clear the backlog of cases pending for more than five years. It was further resolved in the Conference of Chief Justices of the High Courts held in April, 2016, that in order to ensure expeditious disposal of cases pertaining to women, marginalized segments, senior citizens and differently-abled, steps be taken to (a) prioritize the disposal of cases falling in these categories within the existing court system; (b) an endeavour be made to revisit the cadre strength of subordinate courts and, where necessary, create additional courts to deal with such cases. Accordingly, Arrears Committees have been established in High Courts. The Supreme Court has also constituted an Arrears Committee consisting of two Hon'ble Judges to formulate steps to reduce pendency of cases in High Courts and District Courts.

The Government has adopted a co-ordinated approach to assist judiciary for phased liquidation of arrears and pendency in judicial systems, which, *inter-alia*, involves better infrastructure for courts including computerisation, increase in strength of judicial officers / judges, policy and legislative measures in the areas prone to excessive litigation and emphasis on human resource development.

It may be mentioned that the Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution. It has undertaken many steps towards achieving this objective. One of these steps is, strengthening of judicial infrastructure in districts through the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary. Under this Scheme a total of Rs. 6009 crore has been released since 1993-94, out of which Rs. 2,565 crore (42.66%) has been released since April, 2014. 17,848 Court Halls and 14,085 Residential Accommodations have been made available for Judicial Officers of District and Subordinate Courts under this scheme as on 30.11.2017. Out of this 2,429 Court Halls and 4,172 Residential Accommodations were constructed since 2014 to till date. In addition, 3,143 Court Halls and 1,682 Residential Accommodations are under construction. The Central Government has approved continuation of the aforesaid scheme beyond the 12th Five Year Plan period *i.e.* from 01.04.2017 to 31.03.2020 with an estimated outlay of Rs.3,320 crore.

Under the Phase-I of the eCourts Mission Mode Project undertaken by the Central Government from 2010 to 2015, against a total target of computerisation of 14249 courts, the computerisation of 13,672 district and subordinate courts was achieved. This includes the installation of hardware, the LAN and software. This has enabled the courts to upload the case status and orders online. Status of cases and copies of judgments have also been made available on the websites of the respective District and Subordinate Court Complexes which have been computerised.

In the Phase II of the eCourts Mission Mode Project (July, 2015 upto 31 March 2019) an outlay of Rs.1,670 crores has been approved. The facilities of e-services such as cause lists, case status, daily orders, judgments *etc.* are being provided under the supervision of e-Committee of the Supreme Court and Computer Committees of respective High Courts. A total of 16,089 Courts have been computerised under the eCourts Project till date. Video Conferencing facility has also been operationalised between 488 court complexes and 342 corresponding prisons during the period 2015-17. Development of National Judicial Data Grid (NJDG), developed under this project, provides updated information on civil and criminal cases, including pending cases, pertaining to the computerised district/subordinate courts in the country.
