

NM

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

RAJYA SABHA

**UNSTARRED QUESTION NO. 1503
TO BE ANSWERED ON THURSDAY, THE 4th JULY, 2019**

SC/ST judicial officers

1503. SHRI K. SOMAPRASAD:

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

- (a) whether there is a large number of vacancies in the judiciary;**
- (b) if so, the details thereof;**
- (c) whether the vacancy has affected expediting justice delivery system in the country;**
- (d) if so, the details of vacant posts at various levels in the judiciary, State-wise and court-wise and the details of measures taken by Government to fill up the vacant posts; and**
- (e) the percentage and number of SC/ST judicial officers at various levels in the judiciary, State-wise and court-wise?**

ANSWER

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &
INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a) and (b): As per information available, no post of Judge in Supreme Court is vacant at present. Approved and working strength of Judges in various High Courts is 1,079 and 680 respectively, leaving 399 posts of Judges in various High Courts vacant. High Court-wise details of approved / working strength and vacancies of Judges in High Courts are given in a Statement at **Annexure – I**.

As per information made available by State Governments / High Courts on the web-portal hosted on the website of Department of Justice, sanctioned and working strength of Judicial Officers in District and Subordinate Courts are 23,199 and 17,757 respectively, leaving 5,422 posts of Judicial Officers of District and Subordinate Courts vacant. State-wise details of sanctioned / working strength and vacancies of Judicial Officers in District and Subordinate Courts given in a Statement at **Annexure – II**.

(c): Timely disposal of cases in courts depends on several factors which, *inter-alia*, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures.

(d): The details of vacant posts in High Courts, court-wise is given in a Statement at **Annexure – I**, while details of vacant posts of Judicial Officers in District and Subordinate Courts, State-wise, is given in a Statement at **Annexure – II**.

Filling up of vacancies in the Supreme Court and High Courts is a continuous and collaborative process, between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities. Initiation of proposal for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while initiation of proposals for appointment of Judges in High Courts vests with the Chief Justice of the High Court concerned. While every effort is made to fill up the existing vacancies expeditiously, vacancies in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also the increase in the strength of Judges.

Further, as per the Constitutional framework, the selection and appointment of judges in subordinate courts is the responsibility of High Court and State Government concerned. However, following steps have been taken by the Government to facilitate filling of vacancies in lower judiciary:-

- (i) In September, 2016, Union Minister of Law & Justice wrote to the Chief Ministers of States and the Chief Justices of High Courts to enhance the cadre strength of the District and Subordinate Courts and provide physical infrastructure to the State judiciary. The same was reiterated in May, 2017. In August, 2018, in the context of increasing pendency of cases, the Union Minister of Law & Justice has written to all Chief Justices of High Courts to monitor the Status of the vacancies regularly and to ensure proper coordination with the state Public Service Commission to fill up vacant posts

as per time schedule prescribed by the Hon'ble Supreme Court in the Malik Mazhar Sultan case.

- (ii) The filling up of vacancies is also being monitored by the Supreme Court in a *suo-motu* Writ Petition (Civil) No. 2 of 2018.
- (iii) A series of meetings were held by Secretary, Department of Justice with Registrars General of all High Courts and Law Secretaries of all State Governments / UTs *through* Video Conferencing in the month of January, 2018, July, 2018 and November, 2018 to follow up on filling up posts of Judicial Officers in District and Subordinate Courts.
- (iv) The Department of Justice has hosted a web-portal on its website for reporting and monitoring of sanctioned and working strength, and vacancies of Judicial Officers of District and Subordinate Courts on monthly basis.
- (v) In order to facilitate regular filling up of these vacancies in a smooth and time-bound manner, the Department of Justice *vide* its letter dated 28th April, 2017 suggested creation of a Central Selection Mechanism to the Hon'ble Supreme Court. The Hon'ble Supreme Court *suo motu* converted the Government's suggestions into a Writ Petition on 09th May, 2017 and directed all State Governments (including Union Territories) to file their responses and suggestions by way of affidavits to the Supreme Court Registry.

(e): Appointment of Judges of the Supreme Court and High Courts is made under Article 124 and 217 of the Constitution of India respectively. These Articles do not provide for reservation for any caste or class of persons. The Government has, however, been requesting the Chief Justices of the High Courts that while sending their recommendations for appointment of Judges in respective High Courts, due consideration be given to suitable candidates belonging to Schedule Castes, Schedule Tribes, Other Backward Classes, Minorities and Women. So far as the subordinate judiciary is concerned, under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vest with the concerned High Court. Further, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Government, in consultation with the High Court, frames the Rules and Regulations regarding the issues of appointment, promotion, reservations *etc.*

of Judicial Officers in the State Judicial Service. Therefore, Central Government has no role in this regard.

Annexure - I

Statement referred to Rajya Sabha Unstarred Question No. 1503 for reply on 04.07.2019.

Details of Approved / Working Strength and Vacancies of Judges in High Courts

S. No.	High Court	Approved Strength			Working Strength			Vacancies		
		Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1	Allahabad	76	84	160	59	48	107	17	36	53
2	Andhra Pradesh	28	09	37	11	0	11	17	09	26
3	Bombay	71	23	94	63	05	68	08	18	26
4	Calcutta	54	18	72	20	22	42	34	-04	30
5	Chhattisgarh	17	05	22	08	07	15	09	-02	07
6	Delhi	45	15	60	40	0	40	05	15	20
7	Gauhati	18	06	24	16	03	19	02	03	05
8	Gujarat	39	13	52	28	0	28	11	13	24
9	Himachal Pradesh	10	03	13	08	01	09	02	02	04
10	Jammu & Kashmir	13	04	17	09	0	09	04	04	08
11	Jharkhand	19	06	25	15	05	20	04	01	05
12	Karnataka	47	15	62	20	12	32	27	03	30
13	Kerala	35	12	47	27	07	34	08	05	13
14	Madhya Pradesh	40	13	53	34	0	34	06	13	19
15	Madras	56	19	75	43	15	58	13	04	17
16	Manipur	04	01	05	04	0	04	0	01	01
17	Meghalaya	03	01	04	02	0	02	01	01	02
18	Orissa	20	07	27	14	0	14	06	07	13
19	Patna	40	13	53	31	0	31	09	13	22
20	Punjab & Haryana	64	21	85	44	07	51	20	14	34
21	Rajasthan	38	12	50	24	0	24	14	12	26
22	Sikkim	03	0	03	03	0	03	0	0	0
23	Telangana	18	06	24	11	01	12	07	05	12
24	Tripura	04	0	04	03	0	03	01	0	01
25	Uttarakhand	09	02	11	09	01	10	0	01	01
Total		771	308	1079	546	134	680	225	174	399

Annexure - II

Statement referred to Rajya Sabha Unstarred Question No. 1503 for reply on 04.07.2019.

Sanctioned / Working Strength and Vacancies of Judicial Officers in District and Subordinate Courts

Sr. No.	Name of State / UT	Sanctioned Strength	Working Strength	Vacancies
1	Andaman and Nicobar	12	12	0
2	Andhra Pradesh	574	542	32
3	Arunachal Pradesh	32	26	6
4	Assam	430	344	86
5	Bihar	1847	1174	673
6	Chandigarh	30	30	0
7	Chhattisgarh	468	397	71
8	D & N Haveli	3	3	0
9	Daman & Diu	4	4	0
10	Delhi	758	535	223
11	Goa	50	44	6
12	Gujarat	1506	1135	371
13	Haryana	658	485	173
14	Himachal Pradesh	167	154	13
15	Jammu and Kashmir	310	233	77
16	Jharkhand	676	454	222
17	Karnataka	1307	1104	203
18	Kerala	537	465	72
19	Lakshadweep	3	3	0
20	Madhya Pradesh	2021	1524	497
21	Maharashtra	2147	1981	166
22	Manipur	55	40	15
23	Meghalaya	97	39	58
24	Mizoram	64	46	18
25	Nagaland	33	27	6
26	Odisha	917	739	178
27	Puducherry	26	11	15
28	Punjab	675	588	87
29	Rajasthan	1337	1132	205
30	Sikkim	25	19	6
31	Tamil Nadu	1174	887	287
32	Telangana	413	344	69
33	Tripura	120	88	32
34	Uttar Pradesh	3416	1989	1427
35	Uttarakhand	293	228	65
36	West Bengal	1014	931	83
Grand Total		23,199	17,757	5,442

14/27

MM

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

RAJYA SABHA

**UNSTARRED QUESTION NO. 1504
TO BE ANSWERED ON THURSDAY, THE 4th JULY, 2019**

National Mission for Justice Delivery and Legal Reforms

1504. SHRI K. SOMAPRASAD:

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

- (a) whether Government has completed the implementation of National Mission for Justice Delivery and Legal Reforms in the country; and
(b) if so, the details thereof and the achievements made under the Mission, so far?

ANSWER

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &
INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(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 are reviewed by the Advisory Council of the National Mission from time to time. Eleven meetings of the Advisory Council have been held so far. Activities under the National Mission are of an on-going nature and regular reports are presented before the Advisory Council of the National Mission.

NM

NM

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

RAJYA SABHA

**UNSTARRED QUESTION NO. 1505
TO BE ANSWERED ON THURSDAY, THE 4th JULY, 2019**

Live telecast of court proceedings

1505. DR. KANWAR DEEP SINGH:

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

- (a) whether Government proposes to make arrangements for the live telecast of the proceedings of courts;**
- (b) if so, by when this arrangement is likely to be put in place; and**
- (c) the details of extra financial burden which Government would have to bear to operationalise the said arrangement?**

ANSWER

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &
INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a) & (b): A Writ Petition was filed in the Hon'ble Supreme Court, seeking declaration for permitting live streaming of Supreme Court case proceedings of constitutional and national importance having an impact on the public at large and a direction to make available the necessary infrastructure for live streaming and to frame guidelines for the determination of such cases which are of constitutional and national importance. The Hon'ble Supreme Court *vide* its Judgment dated 26th September, 2018 in Writ Petition (Civil) No. 66 of 2018 – Indira Jai Singh *versus* Secretary General of Supreme Court & Others has, *inter-alia*, observed that : (i) it is important to re-emphasise the significance of live-streaming as an extension of the principle of open justice and open courts; (ii) The process of live-streaming should be subjected to carefully structured guidelines, (iii) Initially, a pilot project may be conducted for about three months by live-streaming only cases of national and constitutional importance which can be expanded in due course with availability of infrastructure.

In Writ Petition (Criminal) No. 99 of 2015 (**Pradyuman Bisht versus Union of India & others**), Supreme Court of India, *inter-alia*, directed that CCTV cameras (without audio recording) may be installed inside the subordinate courts and at such important locations of the court complexes as may be considered appropriate in at least two districts of every State / Union Territory (with the exception of small States / Union Territories where it may be considered to be difficult to do so by the concerned High Courts). The Hon'ble Supreme Court further directed that it is desirable that CCTV cameras are installed in all subordinate courts in such phased manner as may be considered appropriate by the High Courts. In pursuance of the above direction of the Hon'ble Court, a copy of the order of the Hon'ble Supreme Court was forwarded to Registrars General of all High Courts and Chief Secretaries / Administrators of all States / UTs by the Department of Justice, Ministry of Law and Justice on 28th August, 2017 for taking action to install cameras in all Subordinate Courts. The respective High Courts are to decide and take action for installation CCTV cameras in the subordinate courts in their jurisdiction. It has been further directed by the Hon'ble Supreme Court that the footage of the CCTV cameras will not be available under R.T.I. and will not be supplied to anyone without permission of the concerned High Court.

(c): The details of additional financial burden to start this system will depend on the technical specifications of the equipment.

NM

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

RAJYA SABHA

**UNSTARRED QUESTION NO. 1506
TO BE ANSWERED ON THURSDAY, THE 4th JULY, 2019**

Selection mechanism for judicial officers

1506. SHRI T. RATHINAVEL:

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

- (a) whether it is a fact that Government is considering to create a central selection mechanism to bring in uniformity in appointment of judicial officers in the country; and
(b) if so, the details thereof?

ANSWER

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &
INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a) & (b): The appointment of Judges and Judicial Officers in the District and Subordinate Courts falls within the domain of the High Courts and State Governments concerned in which the Central Government has no role. However, in order to facilitate regular filling up of these vacancies in a smooth and time-bound manner, the Department of Justice *vide* its letter dated 28th April, 2017 suggested certain options to the Hon'ble Supreme Court for creation of a Central Selection Mechanism. The Hon'ble Supreme Court *suo motu* converted the Government's suggestions into a Writ Petition on 09th May, 2017 and directed all State Governments (including Union Territories) to file their responses and suggestions by way of affidavits to the Supreme Court Registry.

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 1507
TO BE ANSWERED ON THURSDAY, THE 4th JULY, 2019

Disposal of criminal trials related to rape

1507. DR. SANJAY SINH:

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

- (a) the steps taken for expeditious disposal of criminal trials pending in different courts of the country;
- (b) the details of criminal trials regarding offence of rape with minor girls pending in the country, State-wise;
- (c) whether Government has any roadmap for time bound disposal of such trials; and
- (d) if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &
INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) : Disposal of cases pending in courts *including* criminal trials regarding offence of rape with minor girls is within the domain of judiciary. Government has enacted Criminal Law (Amendment) Act, 2018, which, *inter-alia*, provides for stringent punishment for rape of girls below 12 years, *including* death penalty. The Act also, *inter-alia*, mandates completion of investigation and trials within 2 months each. Further, the Union Government had submitted a Memorandum to the 14th Finance Commission for strengthening of the judicial system in states at an estimated expenditure of Rs.9749.00 crore, which, *inter-alia*, included establishment of 1,800 Fast Track Courts for cases of heinous crimes *involving* senior citizens, women, children, including rape cases *etc* at an estimated expenditure of Rs.4,144.00 crore. The Commission endorsed the proposal of the Government and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution (from 32% to 42%) to meet funding requirements for setting up the

fast track courts. A total number of 581 Fast Track Courts have been functioning in the country. For the purposes of providing a speedy trial, section 28 of the POCSO Act provides for designation of Special Courts to try the offences under this Act.

(b) : National Crime Records Bureau (NCRB) compiles and publishes information on crimes in its publication "*Crime in India*". The published reports are available till the year 2016. NCRB does not maintain data separately on cases reported for rape of minor girl children. Information published on cases of rape of children (below the age of 18 years) registered under sections 4 & 6 of the Protection of Children from Sexual Offences (POCSO) Act, 2012 read with section 376 of Indian Penal Code. State / UT-wise details of cases registered under above mentioned sections, as available in "*Crime in India*," are tabulated in a Statement at **Annexure**.

(c) & (d) : Time-bound disposal of cases in courts depends on several factors which, *inter-alia*, include availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders *viz.* bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. No time frame has been prescribed for disposal of criminal trials regarding offence of rape with minor girls by the respective courts.

The Government is fully committed to speedy disposal of cases and reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary. The National Mission for Justice Delivery and Legal Reforms established by the Government has adopted a coordinated approach for phased liquidation of arrears and pendency in judicial administration through various strategic initiatives, including improving infrastructure for courts, leveraging Information and Communication Technology (ICT) for better justice delivery, and filling up of vacant positions of Judges in High Courts and Supreme Court. The major achievements during the last five years under various initiatives to make the functioning of judiciary more efficient are as follows:

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts:
As on date, Rs.6,986.50 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. Out of this, 3,542.20crores (which are 50.70% of the total amount released till date) have been released to the States and UTs since April, 2014. The number of court halls has increased from 15,818 as on 30.06.2014 to 19,101 as on date and number of residential units has increased from 10,211 as on 30.06.2014 to 16,777 as on date under this scheme. In addition, 2,879 court halls and 1,886 residential units are under construction. The Central Government has approved continuation of the Scheme beyond the 12th Five Year Plan period *i.e.* from 01.04.2017 to 31.03.2020 with an estimated additional outlay of Rs.3,320 crore.
- (ii) Leveraging Information and Communication Technology (ICT) for improved justice delivery: Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerised District & Subordinate courts has increased from 13,672 to 16,845 registering an increase of 3,173 during 2014 till date. New and user-friendly version of Case Information Software developed and deployed at all the computerized District and Subordinate Courts. QR Code facility made operational in the software, which enables to check current status of the case. National Judicial Data Grid (NJDG) provides citizens with online information about case filings, case status and electronic copies of orders and judgments from district and subordinate courts that have already been computerized. Information regarding 11.67 crore cases is available on this portal. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerised courts, eCourts Mobile App, email service, SMS push & pull services. Information Kiosks have been setup at all computerized court complexes for disseminating judicial information related to cause lists and other

case related information to the lawyers and litigants. eCourts Project has been consistently amongst the top 5 Mission Mode Projects of country.

- (iii) : Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 24.06.2019, 31 Judges were appointed in Supreme Court. 454 new Judges were appointed and 366 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1079 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has been increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
30.06.2019	23,199	17,757

- (iv) Reduction in Pendency through / follow up by Arrears Committees: Further, in pursuance of resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts.
- (v) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory pre-Institution mediation and settlement of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines.
- (vi) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the

judicial system in States which included, *inter-alia*, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children *etc.*, and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements. At present, 581 such Fast Track Courts are functioning across the country. To fast track criminal cases involving elected MPs / MLAs, twelve (12) Special Courts were set up in eleven (11) States (Andhra Pradesh, Telangana, Kerala, Karnataka, Tamil Nadu, Maharashtra, Madhya Pradesh, Uttar Pradesh, Bihar, West Bengal and NCT of Delhi) and proportionate funds have been released to these States by the Government. The Criminal Law (Amendment) Act, 2018 has been enacted on 11.08.2018 to amend the Indian Penal Code, Indian Evidence Act, 1872, the Code of Criminal Procedure, 1973 and the Protection of Children from Sexual Offences Act, 2012.

Annexure

Statement referred to Rajya Sabha Unstarred Question No.1507 for reply on 04.07.2019 regarding Disposal of criminal trial related to rape Child Rape cases under Sections 4 & 6 of POCSO Act / Section 376 IPC in the year 2016.

Sr. No.	Name of State / UT	Number of cases reported
1.	Madhya Pradesh	2,467
2.	Maharashtra	2,292
3.	Uttar Pradesh	2,115
4.	Odisha	1,258
5.	Tamilnadu	1,169
6.	Karnataka	1,136
7.	Gujarat	1,054
8.	Chhattisgarh	984
9.	Kerala	957
10.	Rajasthan	858
11.	Delhi	813
12.	West Bengal	718
13.	Telengana	690
14.	Assam	586
15.	Haryana	532
16.	Andhra Pradesh	459
17.	Punjab	410
18.	Jharkhand	205
19.	Bihar	170
20.	Himachal Pradesh	146
21.	Meghalaya	122
22.	Tripura	108
23.	Mizoram	99
24.	Uttarakhand	91
25.	Sikkim	66
26.	Arunachal Pradesh	49
27.	Chandigarh	41
28.	Goa	40
29.	Manipur	39
30.	Puducherry	29
31.	Jammu and Kashmir	21
32.	Nagaland	21
33.	Dadra & Nagar Haveli	9
34.	Daman & Diu	8
35.	Lakshadweep	2
36.	Andaman and Nicobar Island	1
Total		19,765

Source: National Crime Records Bureau (Crime in India, 2016) Ministry of Home Affairs

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

Fig. II

RAJYA SABHA

UNSTARRED QUESTION NO.1509

TO BE ANSWERED ON THURSDAY, THE 04th JULY, 2019

Disposal of cases in family courts

1509. SHRI DR. ANIL AGRAWAL:

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

- (a) the number of family courts functioning at present in the country, State-wise;
- (b) the number of cases filed in these courts during the last three years;
- (c) the number out of them that have been disposed of and the number those still pending, State-wise;
- (d) whether problems are being faced by States in disposing of cases registered in these courts; and
- (e) if so, the details thereof and the steps taken by Government in this regard?

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND
ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

- (a): The total number of Family Courts functioning in the country, State-wise as per available information is as per **Annexure-I**.
- (b)-(c): The total number of cases filed in these courts during the last three years, the number out of them that have been disposed of and the number those still pending, State-wise as received from High Courts is as per **Annexure-II**.
- (d)-(e): Setting up of subordinate courts, which includes Family Courts and its running, is in the domain of the State Governments which they do in consultation with the concerned High Courts.

1111

ANNEXURE-I

Sl. No.	Name of the State/UT	No. of Family Courts functional (as on 31.03.2019)
1.	Andhra Pradesh	14
2.	Assam	05
3.	Arunachal Pradesh	0
4.	Mizoram	0
5.	Nagaland	02
6.	Bihar	39
7.	Chhattisgarh	21
8.	Delhi	21
9.	Goa	0
10.	Maharashtra	33
11.	Gujarat	37
12.	Haryana	22
13.	Punjab	16
14.	Chandigarh	0
15.	Himachal Pradesh	03
16.	Jammu & Kashmir	0
17.	Jharkhand	19
18.	Karnataka	32
19.	Kerala & Lakshadweep	28
20.	Madhya Pradesh	58
21.	Manipur	07
22.	Meghalaya	0
23.	Odisha	25
24.	Rajasthan	39
25.	Sikkim	04
26.	Tamil Nadu	30
27.	Puducherry	02
28.	Tripura	04
29.	Uttar Pradesh	108
30.	Uttarakhand	16
31.	West Bengal & Andaman and Nicobar	03
32.	Telangana	16
33.	Daman & Diu	0
34.	Dadra & Nagar Haveli	0
	Total	604

ANNEXURE-II

Sl. No.	Name of the State/UT	Cases filed in Family Courts during 2016	Cases disposed off in Family Courts during 2016	Cases filed in Family Courts during 2017	Cases disposed off in Family Courts during 2017	Cases filed in Family Courts during 2018	Cases disposed off in Family Courts during 2018	No. of cases pending in Family Courts of the State/UT
1.	Bihar	19408	21141	22304	23023	22653	19440	49755 as on 31.03.2019
2.	Sikkim	317	303	310	305	289	282	118 as on 31.03.2019
3.	Maharashtra	23542	22244	25310	23672	28581	24385	42406 as on 31.05.2019
4.	Punjab	-	5704	-	6195	-	5622	29471 as on 31.03.2019
5.	Haryana	-	15789	-	15361	-	17274	33358 as on 31.03.2019
6.	Karnataka	18562	16062	19946	19464	23325	21724	29712 as on 01.06.2019
7.	Assam	3381	3591	3557	3731	5526	3942	7327 as on 31.05.2019
8.	Nagaland	-	183	-	165	-	139	66 as on 31.05.2019
9.	Andhra Pradesh	7236	6574	6893	6199	7306	6895	9751 as on 15.05.2019
10.	Kerala & Lakshadweep	-	50530	-	52151	-	51937	71829 as on 31.03.2019
11.	Uttarakhand	6969	6498	9752	8982	12123	10829	10989 as on 31.05.2019
12.	Rajasthan	-	24818	-	27172	-	30380	36590 as on 31.03.2019
13.	Chhattisgarh	11671	11413	12134	11016	12165	11428	13159 as on 31.05.2019
14.	Delhi	-	26006	-	32692	-	38534	31737 as on 31.03.2019
15.	Himachal Pradesh	-	-	-	6901	-	7553	12197 as on 31.03.2019
16.	Jharkhand	-	-	-	9663	-	8057	10259 as on 31.03.2019

17.	Madhya Pradesh	28317	24644	30745	28800	35080	30971	46067 as on 31.03.2019
18.	Manipur	1057	905	1221	1094	817	477	688 as on 31.05.2019
19.	Odisha	9820	7195	11143	8619	10668	4352	33532 as on 31.03.2019
20.	Tamil Nadu	-	-	-	22988	-	19094	21688 as on 31.03.2019
21.	Puducherry	-	-	-	797	-	972	990 as on 31.03.2019
22.	Tripura	-	1658	-	2090	-	2584	1715 as on 31.03.2019
23.	Uttar Pradesh	-	179724	-	151644	-	162857	291754 as on 31.03.2019
24.	West Bengal & Andaman and Nicobar	346	371	352	261	1535	845	1890 as on 31.05.2019
25.	Telangana	-	-	-	9926	-	10462	12951 as on 31.03.2019
26.	Gujarat*	22182	-	25527	-	25885	-	27057 as on 31.03.2019

* cases disposed of during 01.01.2016 to 31.05.2019 is 61289, year-wise breakup not provided

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 1510
TO BE ANSWERED ON THURSDAY, THE 4th JULY, 2019

Complaints of corruption in judiciary

1510. DR. ANIL AGRAWAL:

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

- (a) whether 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 thereof and the outcome thereof along with the action taken against the guilty persons and if not, the reasons therefor, case-wise; and
- (e) the steps taken / proposed to be taken by Government to wipe-out corruption in judiciary?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &
INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) and (b): The issue of checking corruption in the judiciary is to be addressed by the judiciary itself, as it is an independent organ under the Indian Constitution. Accountability in higher judiciary is maintained through "*in-house procedure*" adopted by the Supreme Court in Full Court meeting held on 7th May, 1997. 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. Further, as per Article 235 of the Constitution of India, the control over District Courts and Courts subordinate thereto vests in the High Court.

Complaints and representations regarding allegation of corruption received are dealt with by the Chief Justice of India or to the Chief Justice of the concerned High Court, as the case may be, for appropriate action. Similarly, complaints / representations against member of Subordinate Judiciary received are forwarded to the Registrar General of the concerned High Court, for appropriate action.

(c), (d) and (e): Does not arise in view of (a) and (b) above.

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 1511
TO BE ANSWERED ON THURSDAY, THE 4th JULY, 2019

Pending court cases

1511. SHRI SANJAY SINGH:

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

- (a) the pending court cases pertaining to heinous crimes involving senior citizens, children, women, Scheduled Castes and Scheduled Tribes till June 2019, State-wise; and
- (b) the details of such cases in Fast Track Courts established for speedy trial of cases related to crime against women?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &
INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) : As per information available on National Judicial Data Grid (NJDG), 2,23,06,834 criminal cases *including* cases pertaining to heinous crimes *involving* senior citizens, children, women, Scheduled Castes and Scheduled Tribes were pending till June 2019 in the District and Subordinate Courts. Details of State-wise criminal cases pending in District and Subordinate Courts are given in a Statement at **Annexure**. National Judicial Data Grid (NJDG) does not maintain data on cases pertaining to heinous crimes *involving* senior citizens, children, women, Scheduled Castes and Scheduled Tribes separately.

(b) : Setting up of subordinate courts, including Fast Track Courts (FTCs) for speedy trial of cases related to crime against women, lies within the domain of the State Governments, which set up such Courts as per their need and resources, in consultation with the concerned High Courts. Government of India has enacted the 'The Criminal Law (Amendment) Act, 2018 which has, *inter-alia*, effected amendments in the Indian Penal Code, Criminal Procedure Code, The Indian

Evidence Act and The Protection of Children from Sexual Offences (POCSO) Act, and has brought in stringent provisions for expeditious trial and disposal of cases exclusively pertaining to sexual offences against women and children. Further, the Union Government had submitted a Memorandum to the 14th Finance Commission for strengthening of the judicial system in states at an estimated expenditure of Rs.9749.00 crore, which, *inter-alia*, included establishment of 1,800 Fast Track Courts for cases of heinous crimes *involving* senior citizens, women, children, including rape cases *etc.* at an estimated expenditure of Rs.4,144.00 crore. The Commission endorsed the proposal of the Government and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution (from 32% to 42%) to meet funding requirements for setting up the fast track courts. A total number of 581 Fast Track Courts have been functioning in the country and 6,29,785 cases were pending in these Fast Track Courts as on 31.03.2019.

Annexure

Statement referred to Rajya Sabha Unstarred Question No.1511 for reply on 04.07.2019 regarding Pending court cases

Details of Criminal Cases pending District and Subordinate Courts

Sr. No.	Name of the State / UT	Criminal Cases
1.	Andhra Pradesh	2,45,813
2.	Assam	2,27,391
3.	Bihar	23,32,370
4.	Chandigarh	29,007
5.	Chhattisgarh	2,09,232
6.	Delhi	6,00,094
7.	Diu and Daman	1,079
8.	Dadra and Nagar Haveli	1,695
9.	Goa	12,719
10.	Gujarat	12,52,187
11.	Haryana	5,10,486
12.	Himachal Pradesh	1,60,623
13.	Jammu and Kashmir	97,385
14.	Jharkhand	3,01,603
15.	Karnataka	8,83,424
16.	Kerala	8,71,303
17.	Madhya Pradesh	11,10,106
18.	Maharashtra	24,95,925
19.	Manipur	4,233
20.	Meghalaya	5,366
21.	Mizoram	1,265
22.	Odisha	9,27,643
23.	Punjab	3,56,205
24.	Rajasthan	11,43,359
25.	Sikkim	786
26.	Tamilnadu	5,02,366
27.	Telangana	2,99,303
28.	Tripura	15,700
29.	Uttar Pradesh	57,48,441
30.	Uttarakhand	1,92,991
31.	West Bengal	17,66,734
Total		2,23,06,834

Source: National Judicial Data Grid uploaded by District and Subordinate Courts. Data in respect of Andaman & Nicobar Island, Lakshadweep, Puducherry, Arunachal Pradesh and Nagaland are not available on the web-portal of National Judicial Data Grid.
