

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

*Appointment
Distribution*

LOK SABHA
UNSTARRED QUESTION NO. 2732

TO BE ANSWERED ON WEDNESDAY, THE 04.12.2019

Appointment of Judges

†2732. SHRI VINOD KUMAR SONKAR:

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

- (a) whether the number of Judges appointed in each and every High Court of the country is less than the sanctioned strength;
- (b) if so, the details thereof, high court-wise;
- (c) the number of cases pending in the High Court of Uttar Pradesh during the last five years along with the court-wise details thereof;
- (d) the steps being taken to dispose of/reduce the number of cases pending with the High Court of Uttar Pradesh;
- (e) whether the Government has any proposal to appoint Judges in the High Court of Uttar Pradesh to meet the sanctioned strength; and
- (f) if so, the time by which the Judges are likely to be appointed?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) & (b): A Statement showing the Sanctioned Strength, Working Strength and Vacancies of Judges in the various High Courts of the country is at Annexure.

(c) & (d): The disposal and pending of cases in Allahabad High Court comes within the domain of judiciary. As per the information available on the National Judicial Data Grid (NJDG) pendency during the last few years is given below:-

Sl. No	High Court	As on 31.12.2016*	As on 31.12.2017**	As on 21.12.2018**	As on 27.11.2019**
1.	Allahabad	9,16,046	Not available	<u>7,24,726</u>	<u>7,31,249</u>

However, the Union Government is committed to speedy disposal of cases and reduction in pendency of cases to improve access to justice in line with the mandate under Article 39A of the Constitution. The National Mission for Justice Delivery and Legal Reforms, established by the Union Government in 2011, has adopted many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts, reduction in pendency through follow up by Arrears Committees at District and High Court emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases.

(e) & (f): Proposals for appointment of 13 Advocates and 19 Judicial Officers are under various stages of process as per the procedure prescribed in the Memorandum of Procedure. Filling up of vacancies in the High Courts is a collaborative and integrated process, between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities both at the Centre and State. Hence total time taken in the process of appointment cannot be indicated.

Annexure

Statement referred to in reply to parts (a) & (b) of Lok Sabha Unstarred Question No. 2732 to be answered on 04.12.2019 regarding 'Appointment of Judges'.
(Position as on 27.11.2019)

Sl. No.	Name of the High Court	Sanctioned Strength	Working Strength	Vacancies
1	Allahabad	160	100	60
2	Andhra Pradesh	37	15	22
3	Bombay	94	65	29
4	Calcutta	72	40	32
5	Chhattisgarh	22	15	07
6	Delhi	60	37	23
7	Gauhati	24	21	03
8	Gujarat	52	28	24
9	Himachal Pradesh	13	10	03
10	High Court for Union territory of Jammu & Kashmir and Union territory of Ladakh	17	08	09
11	Jharkhand	25	19	06
12	Karnataka	62	40	22
13	Kerala	47	32	15
14	Madhya Pradesh	53	31	22
15	Madras	75	54	21
16	Manipur	05	04	01
17	Meghalaya	04	03	01
18	Orissa	27	14	13
19	Patna	53	27	26
20	Punjab & Haryana	85	56	29
21	Rajasthan	50	21	29
22	Sikkim	03	03	0
23	Telangana	24	13	11
24	Tripura	04	03	01
25	Uttarakhand	11	10	01
Total		1079	669	410

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 3704

TO BE ANSWERED ON WEDNESDAY, THE 11th DECEMBER, 2019.

Speedy Disposal of Cases

3704. MS.S.JOTHIMANI:

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

- (a) the details of measures taken by the Government for the speedy disposal of the cases and improving the efficacy of the legal justice system;
- (b) the steps taken by the Government to expand the judicial infrastructure for the timely delivery of justice;
- (c) State-wise number of vacancies in judicial positions; and
- (d) the reforms to be undertaken by the Government to improve the quality of legal education and practice?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) and (b): The Union Government is committed to speedy disposal of cases and reduction in pendency of cases. The National Mission for Justice Delivery and Legal Reforms has adopted many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases. The major steps taken during the last five years under various initiatives are as follows:

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs. 7,453.10 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, Rs.4,008.80 crores (which is 53.79% 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 19,489 as on 05.12.2019 and number of residential units has increased from 10,211 as on 30.06.2014 to 17,090 as on 05.12.2019 under this scheme. In addition, 2,802 court halls and 1,831 residential units are under construction.
- (ii) Leveraging Information and Communication Technology (ICT) for improved justice delivery: Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased 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 has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). Currently, case status information in respect of over 12.23 crore pending and disposed cases and more than 10.26 crore orders / judgments pertaining to these computerized courts is available on NJDG. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails.
- (iii) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 05.12.2019, 35 Judges were appointed in Supreme Court. 495 new Judges were appointed and 427 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 increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
05.12.2019	23,597	18,144

- (iv) Reduction in Pendency through / follow up by Arrears Committees: In pursuance of resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts.
- (v) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory pre-institution mediation and settlement of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines.
- (vi) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements. As on 30.09.2019, 704 Fast Track Courts are functional for heinous crimes, crimes against women and children, family and matrimonial disputes, etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi) and proportionate funds have been released to these States by the Government. Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 15 States have joined the scheme for setting up

of 420 FTSCs and 203 exclusive POCSO courts. Rs.89.1 crore (out of the total allocation of Rs.100 crore) has already been released as the first instalment to these 15 States.

(c): The vacancies of Judges in Supreme Court and various High Courts and vacancies of Judicial Officers in District and Subordinate Courts, State / UT-wise is given in a statement at **Annexure-I** and **Annexure-II** respectively.

(d): Projects titled "Global practices in Continuing Legal Education: Emerging Platforms for Professional Developments of Advocates" and "Role of Clinical Legal Education in improving the quality of Legal Education and increasing access to justice to the marginalized in the State of Gujarat" have been sanctioned to Indian Institute of Management, Kashipur and Gujarat National Law University, Gandhinagar respectively under the Scheme for Action Research and Studies on Judicial Reforms.

Vacancies of Judges in the Supreme Court and High Courts

Sl. No.	Name of the Court	2019 As on 01.12.2019
	Supreme Court	01
	High Court	
1	Allahabad	60
2	Andhra Pradesh	22
3	Bombay	29
4	Calcutta	32
5	Chhattisgarh	07
6	Delhi	23
7	Gauhati	03
8	Gujarat	24
9	Himachal Pradesh	03
10	High Court for Union territory of Jammu & Kashmir and Union territory of Ladakh	09
11	Jharkhand	06
12	Karnataka	22
13	Kerala	15
14	Madhya Pradesh	22
15	Madras	21
16	Manipur	01
17	Meghalaya	01
18	Orissa	13
19	Patna	26
20	Punjab & Haryana	29
21	Rajasthan	29
22	Sikkim	00
23	Telangana	11
24	Tripura	01
25	Uttarakhand	01
	Total	410

Annexure – II**Vacancies of Judicial Officers in District and Subordinate Courts, State/UT-wise, as on
05.12.2019**

Sl. No.	States & UTs	Vacancy
1.	Andaman and Nicobar	-13
2.	Andhra Pradesh	68
3.	Arunachal Pradesh	14
4.	Assam	29
5.	Bihar	695
6.	Chandigarh	1
7.	Chhattisgarh	74
8.	D & N Haveli	0
9.	Daman & Diu	1
10.	Delhi	119
11.	Goa	7
12.	Gujarat	321
13.	Haryana	297
14.	Himachal Pradesh	23
15.	Jammu and Kashmir	58
16.	Jharkhand	215
17.	Karnataka	239
18.	Kerala	75
19.	Lakshadweep	0
20.	Madhya Pradesh	517
21.	Maharashtra	247
22.	Manipur	16
23.	Meghalaya	48
24.	Mizoram	18
25.	Nagaland	8
26.	Odisha	148
27.	Puducherry	15
28.	Punjab	96
29.	Rajasthan	307
30.	Sikkim	6
31.	Tamil Nadu	137
32.	Telangana	79
33.	Tripura	24
34.	Uttar Pradesh	1404
35.	Uttarakhand	66
36.	West Bengal	84
	Total	5453

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 3707

TO BE ANSWERED ON WEDNESDAY, THE 11TH DECEMBER, 2019.

Case Flow Management Rules

3707. SHRI MOHANBHAI KALYANJI KUNDARIYA:
SHRI DHANUSH M.KUMAR:
SHRI SOYAM BAPU RAO:
SHRI SELVAM G:

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 Supreme Court established the scheme of National Court Management Systems (NCMS), if so, the details thereof;
- (d) whether this NCMS will be applicable to all courts of the country along with the status of implementation of the same and reasons for delay, if any; and
- (e) the steps taken by the Government to ensure implementation of these model rules to reduce time bound periods for litigation and the pendency of cases?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) & (b): Yes, Sir. In pursuance of the judgment of the Supreme Court in Salem Advocate Bar Association versus Union of India case, the Law Commission had prepared draft case flow management rules for subordinate courts and draft case management rules for High Courts.

(c) & (d): Yes, Sir. 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, responsiveness and timely 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. All High Courts have constituted State Court Management System (SCMS) Committee to do similar exercise at the State Level. Similarly, District Court Management System Committee has been constituted at the District level.

(e): The Union Government is committed to speedy disposal of cases and reduction in pendency of cases to improve access to justice. The National Mission for Justice Delivery and Legal Reforms has adopted many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 3715

TO BE ANSWERED ON WEDNESDAY, THE 11TH DECEMBER, 2019

Use of Regional Languages in High Courts

†3715. SHRI CHANDRA PRAKASH JOSHI:

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

- (a) whether the Government propose to allow use of regional languages in the High Courts of various States;
- (b) if so, the details thereof;
- (c) whether the Government has received representations from various State Governments in this regard; and
- (d) if so, the details thereof along with the present status thereof, State/UT-wise?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) to (d): Article 348(1)(a) of the Constitution states that proceedings in the Supreme Court and in every High Court, shall be in English language. Clause (2) of the Article 348 of the Constitution states that notwithstanding

anything in sub-clause (a) of clause (1), the Governor of a State may, with the previous consent of the President, authorize the use of the Hindi Language, or any other language used for any official purposes of the State, in proceedings in the High Court having its principal seat in that State.

The Cabinet Committee's decision dated 21.05.1965 has stipulated that consent of the Hon'ble Chief Justice of India be obtained on any proposal relating to use of a language other than English in the High Court.

The use of Hindi in proceedings in the High Court of Rajasthan was authorized under clause (2) of Article 348 of the Constitution in 1950. After the Cabinet Committee's decision dated 21.05.1965 as mentioned above, the use of Hindi was authorized in the High Courts of Uttar Pradesh (1969), Madhya Pradesh (1971) and Bihar (1972) in consultation with the Chief Justice of India.

The requests relating to use of Bengali, Tamil, Hindi, Gujarati and Kannada in the High Courts of Calcutta, Madras, Chhattisgarh, Gujarat and Karnataka accordingly were forwarded to the Hon'ble Chief Justice of India. Hon'ble Chief Justice of India on 18.01.2016 has conveyed that the Full Court, after extensive deliberation, disapproved the proposals, reiterating the previous resolutions on the subject which had unanimously resolved that the proposals could not be accepted.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 3734

TO BE ANSWERED ON WEDNESDAY, 11th DECEMBER, 2019.

Pending Court Cases

3734. SHRI ABDUL KHALEQUE:

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

- (a) the number of cases pending in various courts of Assam including subordinate courts and the reasons for pendency;
- (b) whether poor infrastructure is one of the main reasons and if so, the details thereof along with the efforts made by the Government to improve the infrastructure of subordinate courts in the State; and
- (c) the details of the measures proposed to be initiated by the Government to speed up disposal of cases in subordinate courts in the country including Assam?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a): As per information available on the National Judicial Data Grid, as on 05.12.2019, there are 2,92,224 cases pending in the District and Subordinate Courts in the State of Assam. The district-wise number of cases pending in the State of Assam is given in the **Annexure**.

As regards reasons for pendency of cases in courts, timely 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 to monitor, track and bunch cases for hearing.

(b): It is the primary responsibility of the State Governments to provide judicial infrastructure including court halls and residential units for High Courts and District and Subordinate Courts. To supplement these efforts, the Union Government is implementing a Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary by providing financial assistance to State Governments / UTs in the prescribed fund sharing pattern between Centre and States. The Scheme is being implemented since 1993-94. It covers the construction of court halls and court complexes and residential accommodations for Judicial Officers of District and Subordinate Judiciary. In the case of Assam, a sum of Rs.201.34 crore has been sanctioned till 05.12.2019 since the inception of the Scheme, out of which Rs.83.63 crore has been sanctioned since 2014-15 (which is around 42% of the total release under the Scheme). During the current financial year 2019-20, a sum of Rs. 31.54 crore has been sanctioned to the State of Assam. Under this scheme, in the State of Assam, 371 court halls and 294 residential units have been made available for Judicial Officers of District and Subordinate Courts as on 05.12.2019 against the working strength of 412 Judicial Officers. In addition, 67 court halls and 31 residential units are under construction in the State of Assam.

(c) The Government is committed to speedy disposal of cases and reduction in pendency of cases. The Union 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 has adopted a coordinated approach to effect for phased liquidation of arrears and pendency at various levels of judicial administration through many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases. In addition, all stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). Currently litigants can access case status information in respect of over 12.23 crore pending and disposed cases and more

than 10.26 crore orders / judgments pertaining to these computerized courts from NJDG. Also, pending cases are considered and disposed in Lok Adalats conducted under National Legal Services Authority (NALSA). 172.60 lakh pending cases have been settled in National Lok Adalat from 2015 till date while 88.40 lakh pending cases have been settled in Regular Lok Adalats during 2015-16 to June, 2019.

Annexure

**District-wise Number of Cases Pending in District and Subordinate Courts of
Assam (As on 05.12.2019)**

S. No.	State	Number of cases
1.	Baksa	2793
2.	Barpeta	15922
3.	Bongaigaon	6097
4.	Cachar	21587
5.	Chirang	2098
6.	Darrang	11265
7.	Dhemaji	1848
8.	Dhubri	18332
9.	Dibrugarh	12490
10.	Dima Hasao	1299
11.	Goalpara	9043
12.	Golaghat	6962
13.	Hailakandi	11350
14.	Jorhat	7531
15.	Kamrup	10780
16.	Kamrup Metro	50740
17.	Karbi Anglong	2791
18.	Karimganj	10174
19.	Kokrajhar	3348
20.	Lakhimpur	7752
21.	Morigaon	10846
22.	Nagaon	32535
23.	Nalbari	7098
24.	Sivasagar	4743
25.	Sonitpur	12792
26.	Tinsukia	8790
27.	Udalguri	1218
Total		292224

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

LOK SABHA

UNSTARRED QUESTION NO. 3815

TO BE ANSWERED ON WEDNESDAY, 11th DECEMBER, 2019.

Recommendations of Law Commission

3815. SHRI SUSHIL KUMAR SINGH:

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

- (a) the details of the recommendations made by the Law Commission pertaining to dealing with the pending cases in the lower courts, high courts and the Supreme Court;
- (b) the steps taken by the Government on the basis of these recommendations;
- (c) The details of sanctioned strength and the actual number of judges in lower courts and each high court separately;
- (d) the reasons for the gap in the sanctioned strength and the actual strength of judges in the lower judiciary as well as the high courts; and
- (e) the details of the steps taken by the Government to reduce this gap?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) : The Supreme Court, in the case of *Imtiyaz Ahmed versus State of Uttar Pradesh & Others, inter-alia*, 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 in the year 2014, the Law Commission 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 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 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.

(b): 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.

(c): The sanctioned strength, working strength and vacancies in District & Subordinate Courts as on 05.12.2019 is given in **Annexure-I** and in High Courts as on 01.12.2019 is given in **Annexure-II**.

(d) and (e): Filling up of vacancies in the High Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities both at the State and Central level. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep on arising on account of retirement, resignation or elevation of Judges and increase in Judge strength. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1079 currently. Due to combined efforts of Government and Judiciary, 126 Judges in 2016, 115 Judges in 2017, 108 Judges in 2018 and 72 Judges in 2019 (as on 05.12.2019) have been appointed in High Courts.

As per the Constitutional framework, the selection and appointment of judges in subordinate courts is the responsibility of the High Courts and State Governments concerned. However, the Union Government, on its part, has been taking up the matter of filling up of vacant positions in District & Subordinate Courts with the States and High Courts. In August, 2018, Union Minister of Law & Justice has written to all Chief Justices of High Courts to monitor status of vacancies regularly and to ensure proper

coordination with State Public Service Commission to fill up vacant posts stipulated by Supreme Court in Malik Mazhar Sultan case. In addition, series of meetings were held with Registrars General of all High Courts and Law Secretaries of all State Governments / UTs through Video Conferencing in January, 2018, July, 2018, November, 2018 and September, 2019 to follow up on filling up posts of Judicial Officers in District and Subordinate Courts. Department of Justice has hosted a MIS 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. 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
05.12.2019	23,597	18,144

**Sanctioned Strength / Working Strength and vacancies in District & Subordinate
Courts as on 05.12.2019**

Sr. No.	Name of State / UT	Total Sanctioned Strength	Total Working Strength	Total Vacancy
1	Andaman and Nicobar	0	13	-13
2	Andhra Pradesh	597	529	68
3	Arunachal Pradesh	41	27	14
4	Assam	441	412	29
5	Bihar	1847	1152	695
6	Chandigarh	30	29	1
7	Chhattisgarh	468	394	74
8	D & N Haveli	3	3	0
9	Daman & Diu	4	3	1
10	Delhi	799	680	119
11	Goa	50	43	7
12	Gujarat	1506	1185	321
13	Haryana	772	475	297
14	Himachal Pradesh	175	152	23
15	Jammu and Kashmir	290	232	58
16	Jharkhand	677	462	215
17	Karnataka	1345	1106	239
18	Kerala	536	461	75
19	Lakshadweep	3	3	0
20	Madhya Pradesh	2021	1504	517
21	Maharashtra	2189	1942	247
22	Manipur	55	39	16
23	Meghalaya	97	49	48
24	Mizoram	64	46	18
25	Nagaland	33	25	8
26	Odisha	919	771	148
27	Puducherry	26	11	15
28	Punjab	675	579	96
29	Rajasthan	1428	1121	307
30	Sikkim	25	19	6
31	Tamil Nadu	1224	1087	137
32	Telangana	413	334	79
33	Tripura	120	96	24
34	Uttar Pradesh	3416	2012	1404
35	Uttarakhand	294	228	66
36	West Bengal	1014	920	94
	TOTAL	23597	18144	5453

Statement showing Sanctioned strength, Working Strength and Vacancies of Judges in High Courts (As on 01.12.2019)

Sl. No.	Name of the High Court	Sanctioned Strength			Working Strength			Vacancies		
		Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1.	Allahabad	76	84	160	69	31	100	07	53	60
2.	Andhra Pradesh	28	09	37	15	0	15	13	09	22
3.	Bombay	71	23	94	56	09	65	15	14	29
4.	Calcutta	54	18	72	22	18	40	32	0	32
5.	Chhattisgarh	17	05	22	11	04	15	06	01	07
6.	Delhi	45	15	60	37	0	37	08	15	23
7.	Gauhati	18	06	24	15	06	21	03	0	03
8.	Gujarat	39	13	52	28	0	28	11	13	24
9.	Himachal Pradesh	10	03	13	09	01	10	01	02	03
10.	Jammu & Kashmir	13	04	17	08	0	08	05	04	09
11.	Jharkhand	19	06	25	14	05	19	05	01	06
12.	Karnataka	47	15	62	19	21	40	28	-06	22
13.	Kerala	35	12	47	27	05	32	08	07	15
14.	Madhya Pradesh	40	13	53	31	0	31	09	13	22
15.	Madras	56	19	75	45	09	54	11	10	21
16.	Manipur	04	01	05	04	0	04	0	01	01
17.	Meghalaya	03	01	04	03	0	03	0	01	01
18.	Orissa	20	07	27	14	0	14	06	07	13
19.	Patna	40	13	53	27	0	27	13	13	26
20.	Punjab & Haryana	64	21	85	39	17	56	25	04	29
21.	Rajasthan	38	12	50	21	0	21	17	12	29
22.	Sikkim	03	0	03	03	0	03	0	0	0
23.	Telangana	18	06	24	12	01	13	06	05	11
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	541	128	669	230	180	410

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 3843

TO BE ANSWERED ON WEDNESDAY, 11th DECEMBER, 2019.

Shortage of Judges

3843. SHRI SHANMUGA SUNDARAM K:
SHRI HARISH DWIVEDI:
SHRI PRATAPRAO PATIL CHIKHLIKAR:

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

- (a) whether there is an acute shortage of judges from lower courts to the Supreme Court in the country resulting in difficulty in delivering justice and if so, the details of the shortage pertaining to vacancies in all courts in the country including Tamil Nadu;
- (b) whether the Government has taken steps and fixed any time limit to fill the vacancies to address the shortage of judges and if so, the details thereof;
- (c) whether the Government is having any specific proposal to bring the Court Management System in a transparent manner and if so, the details thereof; and
- (d) the number of male and female judges in the Supreme Court and various High Courts at present and the number of Scheduled Caste/Scheduled Tribe Judges out of the total judges?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a): As per the information made available by High Courts on the MIS web-portal of the Department of Justice, the sanctioned strength, working strength and vacancies of Judicial Officers in District and Subordinate Courts, State/UT-wise, including the State of Tamil Nadu, as on 05.02.2019, is given in **Annexure I**. A statement showing vacancies in the Supreme Court and High Courts, including the Madras High Court, as on 01.12.2019 is given in **Annexure II**.

(b) As per the Memorandum of Procedure for appointment and transfer of Chief Justices and Judges of High Court, the Chief Justice of the High Court is required to initiate the proposals for filling up of vacancies of Judges in the High Court six months prior to the occurrence of vacancies. However, this timeline is rarely adhered to. Filling up of vacancies in High Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities both at the State and Centre level. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep on arising on account of retirement, resignation or elevation of Judges and increase in Judge Strength. Due to combined efforts of Government and Judiciary, 126 Judges in 2016, 115 Judges in 2017, 108 Judges in 2018 and 72 Judges in 2019 (as on 05.12.2019) have been appointed in High Courts.

As per the Constitutional framework, the selection and appointment of judges in subordinate courts is the responsibility of the High Courts and State Governments concerned. However, the Union Government, on its part, has been taking up the matter of filling up of vacant positions in District & Subordinate Courts with the States and High Courts. In August, 2018, Union Minister of Law & Justice has written to all Chief Justices of High Courts to monitor status of vacancies regularly and to ensure proper coordination with State Public Service Commission to fill up vacant posts stipulated by Supreme Court in Malik Mazhar Sultan case. In addition, series of meetings were held with Registrars General of all High Courts and Law Secretaries of all State Governments / UTs through Video Conferencing in January, 2018, July, 2018, November, 2018 and September, 2019 to follow up on filling up posts of Judicial Officers in District and Subordinate Courts. Department of Justice has hosted a MIS 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. 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
05.12.2019	23,597	18,144

(c): 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, responsiveness and timely 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. All High Courts have constituted State Court Management System (SCMS) Committee to do similar exercise at the State Level. Similarly, District Court Management System Committee has been constituted at the District level.

(d): Appointment of Judges of the Supreme Court and High Courts is made under Article 124 and 217 of the Constitution which does not provide for reservation for any caste or class of persons. Therefore, no caste or class wise data of Judges is maintained. However, the Government been requesting the Chief Justices of the High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, women and Minorities. The number of women Judges working in the Supreme Court is three (3). High Court wise position in respect of Women Judges is given in Annexure III.

**Sanctioned Strength / Working Strength and vacancies in District & Subordinate
Courts as on 05.12.2019**

Sr. No.	Name of State / UT	Total Sanctioned Strength	Total Working Strength	Total Vacancy
1	Andaman and Nicobar	0	13	-13
2	Andhra Pradesh	597	529	68
3	Arunachal Pradesh	41	27	14
4	Assam	441	412	29
5	Bihar	1847	1152	695
6	Chandigarh	30	29	1
7	Chhattisgarh	468	394	74
8	D & N Haveli	3	3	0
9	Daman & Diu	4	3	1
10	Delhi	799	680	119
11	Goa	50	43	7
12	Gujarat	1506	1185	321
13	Haryana	772	475	297
14	Himachal Pradesh	175	152	23
15	Jammu and Kashmir	290	232	58
16	Jharkhand	677	462	215
17	Karnataka	1345	1106	239
18	Kerala	536	461	75
19	Lakshadweep	3	3	0
20	Madhya Pradesh	2021	1504	517
21	Maharashtra	2189	1942	247
22	Manipur	55	39	16
23	Meghalaya	97	49	48
24	Mizoram	64	46	18
25	Nagaland	33	25	8
26	Odisha	919	771	148
27	Puducherry	26	11	15
28	Punjab	675	579	96
29	Rajasthan	1428	1121	307
30	Sikkim	25	19	6
31	Tamil Nadu	1224	1087	137
32	Telangana	413	334	79
33	Tripura	120	96	24
34	Uttar Pradesh	3416	2012	1404
35	Uttarakhand	294	228	66
36	West Bengal	1014	920	94
	TOTAL	23597	18144	5453

Sanctioned strength, Working Strength and Vacancies of Judges in the Supreme Court of India and High Courts (As on 01.12.2019)

Sl. No.	Name of the Court	Sanctioned Strength			Working Strength			Vacancies		
		Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
A.	Supreme Court of India	34			33			01		
B.	High Court									
1.	Allahabad	76	84	160	69	31	100	07	53	60
2.	Andhra Pradesh	28	09	37	15	0	15	13	09	22
3.	Bombay	71	23	94	56	09	65	15	14	29
4.	Calcutta	54	18	72	22	18	40	32	0	32
5.	Chhattisgarh	17	05	22	11	04	15	06	01	07
6.	Delhi	45	15	60	37	0	37	08	15	23
7.	Gauhati	18	06	24	15	06	21	03	0	03
8.	Gujarat	39	13	52	28	0	28	11	13	24
9.	Himachal Pradesh	10	03	13	09	01	10	01	02	03
10.	Jammu & Kashmir	13	04	17	08	0	08	05	04	09
11.	Jharkhand	19	06	25	14	05	19	05	01	06
12.	Karnataka	47	15	62	19	21	40	28	-06	22
13.	Kerala	35	12	47	27	05	32	08	07	15
14.	Madhya Pradesh	40	13	53	31	0	31	09	13	22
15.	Madras	56	19	75	45	09	54	11	10	21
16.	Manipur	04	01	05	04	0	04	0	01	01
17.	Meghalaya	03	01	04	03	0	03	0	01	01
18.	Orissa	20	07	27	14	0	14	06	07	13
19.	Patna	40	13	53	27	0	27	13	13	26
20.	Punjab & Haryana	64	21	85	39	17	56	25	04	29
21.	Rajasthan	38	12	50	21	0	21	17	12	29
22.	Sikkim	03	0	03	03	0	03	0	0	0
23.	Telangana	18	06	24	12	01	13	06	05	11
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	541	128	669	230	180	410

High Court wise position in respect of Women Judges

Sl. No.	Name of the High Court	Women Judges
1	Allahabad	06
2	Andhra Pradesh	03
3	Bombay	08
4	Calcutta	06
5	Chhattisgarh	02
6	Delhi	08
7	Gauhati	01
8	Gujarat	04
9	Himachal Pradesh	01
10	High Court for Union territory of Jammu & Kashmir and Union territory of Ladakh	02
11	Jharkhand	01
12	Karnataka	04
13	Kerala	04
14	Madhya Pradesh	03
15	Madras	09
16	Manipur	00
17	Meghalaya	00
18	Orissa	01
19	Patna	01
20	Punjab & Haryana	10
21	Rajasthan	01
22	Sikkim	01
23	Telangana	01
24	Tripura	00
25	Uttarakhand	00
	Total	77

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 3847

TO BE ANSWERED ON WEDNESDAY, THE 11th DECEMBER, 2019.

Compensation Paid

3847. SHRI ARJUN SINGH:

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

- (a) whether State Government is bound to pay compensation for the loss suffered by a person in respect of his post or dignity if wrong or concocted allegations are levelled against him by the State Government are dismissed by the hon'ble court;
- (b) if so, the limit of such compensation; and
- (c) if not, whether the Government will formulate any law for this?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) to (c): Justice Mallmath Committee observed that the victims were deprived of their legal rights and did not have a significant role in the criminal proceedings in India. The Committee recommended two types of rights to victims: (i) participation in criminal proceedings; and (ii) right to compensation for the damage and interim relief. Following changes in the Criminal Procedure Code have been made giving some rights to victims in criminal proceedings:

1. Section 357A provides for compensation scheme for the victim or his dependents, who have suffered loss or injury as a result of the crime and who, require rehabilitation.
2. Section 357C provides for treatment of victims (of certain offences) free of cost.
3. Section 372 provides that the victim shall have a right to prefer an appeal against any order passed by the Court acquitting the accused or convicting for a lesser offence or imposing inadequate compensation.

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

LOK SABHA

UNSTARRED QUESTION NO. 3871

TO BE ANSWERED ON WEDNESDAY, THE 11TH DECEMBER, 2019

Schemes for Development of Infrastructure Facilities

3871. SHRIMATI PRATIMA MONDAL:

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

(a) the details of the Centrally sponsored schemes for the development of infrastructure facilities in the judiciary;

(b) the number and details of subordinate courts which have been covered and those which are likely to be covered under the scheme; and

(c) the funds provided and the results achieved under the scheme during each of the last three years and the current year, State-wise?

ANSWER

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

(a) & (b): The Union Government has been implementing a Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary by providing financial assistance to State Governments / UTs in the prescribed fund sharing pattern between Centre and States. The Scheme is being implemented since 1993-94. It covers the construction of court buildings and residential accommodations for Judicial Officers of District and Subordinate Judiciary. Till date, Central Government has sanctioned Rs. 7,453 crore to States/UTs since the inception of the Scheme. Out of this, Rs. 4008 crore have been sanctioned since April, 2014. As per the information made available by the State Governments/ High Courts, 19443 court halls and 17174 residential units are available in the country as on 05.12.19. In addition, 2,802 court halls and 1931 residential units are under construction.

(c) The Statement showing State-wise release of funds and statement showing number of court halls and residential units constructed during last three years and the current year are given in **Annexure-I and II** respectively.

ANNEXURE-I

Statement referred to Lok Sabha Unstarred Question No. 3871 for Reply on 11.12.2019

Statement showing State-wise Release of Funds

Sl. No.	Name of the States	2016-17	2017-18	2018-19	2019-20 (As on 05.12.2019)
1	Andhra Pradesh	0.00	0.00	1000.00	1000.00
2	Arunachal Pradesh	0.00	0.00	0.00	269.00
3	Assam	0.00	2000.00	3209.00	3154.00
4	Bihar	5000.00	4290.00	6204.00	7762.00
5	Chhattisgarh	0.00	0.00	1968.00	983.00
6	Goa	0.00	0.00	315.00	406.00
7	Gujarat	5000.00	5000.00	1502.00	1649.00
8	Haryana	0.00	1600.00	1191.00	1406.00
9	Himachal Pradesh	819.00	0.00	408.00	572.00
10	Jammu & Kashmir	2104.00	1000.00	1901.00	1000.00
11	Jharkhand	0.00	5000.00	959.00	1374.00
12	Karnataka	5000.00	5000.00	3812.00	3404.00
13	Kerala	0.00	2500.00	3082.00	1582.00
14	Madhya Pradesh	0.00	5000.00	7942.00	4690.00
15	Maharashtra	4975.00	5000.00	1058.00	2109.00
16	Manipur	0.00	0.00	887.00	666.00
17	Meghalaya	2000.00	863.00	1482.00	1265.00
18	Mizoram	0.00	2000.00	594.00	524.00
19	Nagaland	2000.00	2000.00	321.00	0.00
20	Odisha	0.00	0.00	2250.00	3569.00
21	Punjab	4800.00	5000.00	2647.00	1978.00
22	Rajasthan	4374.00	1734.00	1741.00	3421.00
23	Sikkim	0.00	0.00	257.00	278.00
24	Tamil Nadu	5000.00	0.00	609.00	2871.00
25	Telangana	0.00	0.00	1000.00	565.00
26	Tripura	0.00	0.00	0.00	1382.00
27	Uttarakhand	0.00	2500.00	2202.00	850.00
28	Uttar Pradesh	5000.00	7500.00	12806.00	12194.00
29	West Bengal	0.00	1734.00	3522.00	4143.00
	Total	46072.00	59621.00	64869.00	65086.00
	Union Territories				
1	A&N Islands	259.68	0.00	131.00	200.00
2	Chandigarh	0.00	0.00	0.00	0.00
3	Dadar & Nagar Haveli	0.00	0.00	0.00	0.00
4	Daman & Diu	42.43	0.00	0.00	0.00
5	Delhi	5000.00	2500.00	0.00	4669.00
6	Lakshadweep	0.00	0.00	0.00	0.00
7	Puducherry	2500.00	0.00	0.00	331.00
	Total	7802.11	2500.00	131.00	5200.00
	Grand Total	53874.11	62121.00	65000.00	70286.00

ANNEXURE-II

Statement referred to Lok Sabha Unstarred Question No. 3871 for Reply on 11.12.2019
Statement showing State-wise number of court halls and residential units constructed

Sl. No.	Name of the States	Number of Court Halls constructed/construction completed during				Number of Residential Units for Judicial Officers constructed/construction completed during			
		2016-17	2017-18	2018-19	2019-20 (As on 05.12.2019)	2016-17	2017-18	2018-19	2019-20 (As on 05.12.2019)
1	Andhra Pradesh	8	4	13	3	0	8	1	0
2	Arunachal Pradesh	0	0	0	0	1	0	1	0
3	Assam	2	37	5	18	15	12	0	11
4	Bihar	31	30	116	35	0	13	52	12
5	Chhattisgarh	17	5	17	0	10	4	1	8
6	Goa	0	0	0	0	0	0	0	0
7	Gujarat	17	149	108	0	32	139	48	0
8	Haryana	31	27	31	0	47	53	30	0
9	Himachal Pradesh	0	0	0	0	0	0	1	0
10	Jammu & Kashmir	1	37	0	5	1	0	0	5
11	Jharkhand	18	13	0	0	36	46	41	0
12	Karnataka	67	25	109	54	29	120	30	46
13	Kerala	30	7	33	0	0	0	0	0
14	Madhya Pradesh	17	37	148	9	54	53	71	39
15	Maharashtra	116	65	37	16	67	31	32	22
16	Manipur	0	0	0	0	0	1	0	0
17	Meghalaya	0	5	12	0	0	0	0	0
18	Mizoram	0	0	0	0	0	2	2	2
19	Nagaland	3	4	0	0	4	3	4	1
20	Odisha	42	5	53	32	3	11	20	19
21	Punjab	11	9	0	26	14	0	0	0
22	Rajasthan	5	35	44	41	2	1	1	28
23	Sikkim	6	1	0	1	5	1	0	0
24	Tamilnadu	38	61	33	38	17	52	26	22
25	Telangana	16	4	4	10	8	2	3	1
26	Tripura	0	0	0	0	0	0	0	0
27	Uttarakhand	1	0	5	0	6	1	2	0
28	Uttar Pradesh	1	50	22	31	32	21	39	1
29	West Bengal	5	7	26	8	0	6	0	17
Union Territories									
1	A&N Islands	0	0	0	2	0	0	0	0
2	Chandigarh	0	0	0	0	0	10	0	0
3	D&Nagar Haveli	0	0	0	0	0	0	0	0
4	Daman & Diu	0	0	2	0	0	2	2	0
5	Delhi	0	0	42	42	0	0	0	0
6	Lakshadweep	0	0	0	0	0	0	0	0
7	Puducherry	0	0	16	0	0	0	4	0
Total		483	617	876	371	383	592	411	234

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

A2J

LOK SABHA

UNSTARRED QUESTION NO. 3872

TO BE ANSWERED ON WEDNESDAY, THE 11th DECEMBER, 2019

Constitution Day

3872. SHRI RAVIKUMAR D.:

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

- (a) whether the HRD Ministry had issued a circular to celebrate 26th November as Constitution Day in the Educational Institutions and if so, the details of the programmes planned by Law and Justice Ministry in this regard; and
- (b) whether the Ministry has any plan to distribute copy of Constitution to school students free of cost and if so, the details thereof?

ANSWER

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

- a) Yes Sir. MHRD has issued directions to all States/UTs and autonomous organisations to celebrate 26th November as Constitution Day in the Educational Institutions and take part in reading of the Preamble to the Constitution along with other activities like debates, essay competitions, cultural programs, quiz competitions, talks, seminars and workshops with imminent experts in the field.

Department of Justice, Ministry of Law and Justice celebrated the Constitution Day at its Headquarter office in Jaisalmer House, New Delhi on 26th November 2019. The Preamble reading was administered by Secretary (Justice) at 11:00 am, followed by a speech on the need to reach out to all citizens of the country and to bring greater awareness about the values and principles enshrined in the Constitution of India and Citizens Duties (including Fundamental Duties) enunciated in it. Department of Justice has also been designated as a Nodal Department for coordinating various activities to mark the occasion. Hence, letters were sent by Secretary (Justice) dated 13.11.2019 to all Chief

Secretaries, Secretaries of all States/UTs, Departments of State Governments, Subordinate offices, PSUs and Autonomous Bodies etc to get Preamble read in their respective offices/units/subordinate offices etc at 11:00 am on 26.11.2019. In response to this, Preamble was read widely at Central Government Offices, State Government offices, by Navy, Air Force and Army as far as at Siachen, Public Sector Undertakings, at Archaeological sites, Schools, Colleges, Municipal bodies, Gram Panchayats, Common Service Centers, Judiciary and at Indian Missions abroad.

- b) The Department of Justice has decided to place a presentation relating to Indian Constitution and its essential features on its website (www.doj.gov.in) for information and knowledge of school children.

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

e-courts

LOK SABHA
UNSTARRED QUESTION No. 3882
TO BE ANSWERED ON WEDNESDAY, THE 11th DECEMBER, 2019

E-Courts Scheme

3882. SHRI RAMESH CHANDER KAUSHIK:
SHRI DILIP SAIKIA,

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

(a) the current status of e-courts in the country including the State of Haryana and the North-Eastern States and Assam to remove the increasing burden of cases in the country;

(b) whether e-courts are fully capable for effective and timely disposal of cases; and

(c) if so, whether these have been implemented in North-Eastern States including Assam?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) The Government is implementing the e-Courts Mission Mode Project for Information and Communication Technology (ICT) enablement of District and Subordinate Courts across the country in association with the eCommittee, Supreme Court of India. The eCourts Mission Mode Project Phase-II commenced its implementation in 2015. The target set out under the project is computerization of 16,845 District and Subordinate Courts, which has been completed. Against the financial outlay of Rs.1670 crores for this Phase, the Government has released a sum of Rs. 1249 crore as on date to various organizations involved in the implementation of the project. This includes a sum of Rs. 955.06 crore released to all High Courts, out of which a sum of Rs.761.32 crore has been utilized.

In respect of the High Courts of Punjab & Haryana and High Courts in the North Eastern States, including the State of Assam, the status of implementation of eCourts Project Phase-II is as under:

High Court	State (s)	Number of District and Subordinate Courts computerized	Funds released by Government as on date (Rs. Crore)	Funds utilized by High Courts as on date (Rs. Crore)
Punjab & Haryana	Punjab and Haryana	1018	49.58	39.42
Guwahati	Arunachal Pradesh	15	9.14	3.49
Guwahati	Assam	383	47.5	38.10
Guwahati	Mizoram	61	6.34	5.79
Guwahati	Nagaland	37	5.63	5.60
Manipur	Manipur	37	6.60	3.42
Meghalaya	Meghalaya	39	7.71	6.71
Sikkim	Sikkim	19	4.18	2.70
Tripura	Tripura	69	10.22	9.69

(b): Disposal of cases in courts is primarily within the domain of judiciary. Timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges, 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 to monitor, track and bunch cases for hearing.

However, through computerization of 16,845 District & Subordinate Courts and ICT enablement under the eCourts Project Phase-II, several services have been provided to litigants, lawyers and Judiciary which facilitate expeditious delivery of judicial services. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized

courts, eCourts Mobile App, email service, SMS push & pull services. National Judicial Data Grid (NJDG) for District & Subordinate Courts, created as an online platform under the Project, provides information relating to judicial proceedings/decisions of computerized district and subordinate courts of the country. Currently, all stakeholders including Judicial Officers can access case status information in respect of over 12.68 crore pending and disposed cases and more than 10.56 crore orders / judgments pertaining to these computerized courts. Video Conferencing facility has been enabled between 3240 court complexes & 1272 corresponding jails.

(c): Yes, Sir. The details of implementation of eCourts Project Phase-II have been provided in Part (a) above.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 3884

TO BE ANSWERED ON WEDNESDAY, 11th DECEMBER, 2019.

Judicial Reforms

3884. SHRI NAMA NAGESWARA RAO:

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

- (a) whether the Government is planning to bring in judicial reforms in the courts to reduce pending court cases both at the subordinate court level and higher courts and if so, the details thereof;
- (b) whether the Government is thinking of bringing about changes in the functioning of the subordinate courts so that pending cases are reduced in an expeditious manner and if so, the details thereof;
- (c) the manner by which delivery of justice system can be honed further or bettered;
- (d) whether the Government has achieved the goals of National Mission for Justice Delivery and Legal Reforms and if so, the details thereof; and
- (e) whether any study has been conducted to ensure that pending cases in subordinate courts are put on fast track and disposed of fast and if so, the details thereof?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a), (b) and (c): Disposal of pending cases in courts, including High Courts and Supreme Court is within the domain of judiciary. 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, responsiveness and timely 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.

However, the Union Government is committed to speedy disposal of cases and reduction in pendency of cases. The National Mission for Justice Delivery and Legal Reforms has adopted many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases.

(d): 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 Union 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.

(e). The Supreme Court, in the case of *Imtiyaz Ahmed versus State of Uttar Pradesh & Others*, *inter-alia*, 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 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 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 August 2014, the Supreme Court asked the National Court Management System Committee (NCMS Committee) to examine the recommendations made by the Law Commission and to furnish its recommendations in this regard. NCMS Committee submitted its report to the Supreme Court in March, 2016. The report, *inter-alia*, observes 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 i.e. disposal weighted by the nature and complexity of cases in local conditions.
