

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

RAJYA SABHA

**UNSTARRED QUESTION NO. 3322
TO BE ANSWERED ON THURSDAY, THE 31ST MARCH, 2022**

VIRTUAL HEARING POLICY IN THE COURTS

3322. DR. ASHOK BAJPAI:

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

- (a) the details of Government policy to deal with the increasing backlog of cases in the courts and its success;**
- (b) whether Government is aware that virtual hearing of the cases by the High Courts and the Supreme Court helped the under privileged litigants of distant places;**
- (c) whether the facilities for virtual hearing are available in the Supreme Court and the High Courts of the country; and**
- (d) the details of the policy and the efforts of Government, if any, for continuation of the virtual hearing in the courts as a permanent feature for easy access of justice at the option of a litigant?**

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no role in disposal of cases in courts. Timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. There are

several factors which may lead to delay in disposal of cases. These, *inter-alia*, include vacancies of judges, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary.

National Mission for Justice Delivery and Legal Reforms was set up in August, 2011 with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia*, involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

(b) to (d): Facilities for virtual hearing are available in the Supreme Court as well as in High Courts of the country. Since Covid lockdown started, the District courts heard 1,11,40,223 cases while the High Court heard 60,21,688 cases (totalling 1.71 crore) till 31.01.2022 using video conferencing. The Supreme Court held 2,18,891 hearings till 14.03.2022 since the beginning of lockdown period. To bring about uniformity and standardization in the conduct of Video Conferencing (VC), an overarching order was passed by the Hon'ble Supreme Court of India on 6th April 2020 which gave legal sanctity and validity to the court hearings done through VC. Further, VC rules were framed by a 5-judge committee which was circulated to all the High Courts for adoption after local contextualization. A total of 23 High Courts have implemented Video Conferencing rules. One video conference equipment each has been provided to all Court Complexes including

taluk level courts and additionally funds have been sanctioned for additional VC equipment for 14,443 court rooms. Funds for setting up 2506 VC Cabins have been made available. Additional 1500 VC Licenses have been acquired. VC facilities are already enabled between 3240 court complexes and corresponding 1272 jails. A sum of Rs. 7.60 crore has been released for procurement of 1732 Document Visualizers.

Virtual hearing of the cases by the High Courts and the Supreme Court has helped the litigants including the under privileged litigants as it helps litigants to appear before the court from any location of their choice thus leading to considerable saving of time and money. It also helped the entire legal ecosystem including vulnerable litigants to have recourse to justice delivery system particularly during the Covid pandemic when congregational mode of court hearing could not be held due to lockdown and social distancing protocols. However, whether open physical courts will operate alongwith virtual hearing is an administrative matter which falls within the purview and domain of judiciary for taking a decision.
