

2023

RAJYA
SABHA
REPLIES

**MONSOON SESSION, 2023 [260th
SESSION OF RAJYA SABHA]
[20th July, 2023 to 11th August,
2023]**

INDEX

Sl.No.	Question No.	Question Type	Date	Subject	Division	PageNo.
1.	110	Unstarred	20.07.2023	Enactment of Uniform Civil Code	Leg.III Sec.(LD)	1-2
2.	111	Unstarred	20.07.2023	Steps to fill vacant posts of Judges in lower courts.	NM	3-4
3.	112	Unstarred	20.07.2023	Linking of Aadhaar and Voter ID.	Leg. II Section.(LD)	5
4.	113	Unstarred	20.07.2023	Affordable justice for weaker sections	A2J	6-7
5.	114	Unstarred	20.07.2023	Establishment of High Court and Supreme Court Benches	Appointment	8-9
6.	115	Unstarred	20.07.2023	Need for independent High Courts in North East Regions	Appointment	10-11
7.	116	Unstarred	20.07.2023	Live streaming of court proceedings	e-Court	12-13
8.	117	Unstarred	20.07.2023	Aims and objectives of Nyaya Mitra Scheme	A2J	14-15
9.	118	Unstarred	20.07.2023	Recommendations on Uniform Civil Code	Leg. III Sec.(LD)	16-18
10.	119	Unstarred	20.07.2023	Pendency of cases and burdened judiciary	NM	19-21
11.	120	Unstarred	20.07.2023	IJR report on vacancies of Judges	Appointment	22-23
12.	121	Unstarred	20.07.2023	Law Commission's recommendation on Sedition Law	IMPL. Cell(LA)	24
13.	122	Unstarred	20.07.2023	Appointment of Judges through competitive examination	Appointment	25-27
14.	123	Unstarred	20.07.2023	Vacancies in Karnataka High Court	Appointment	28-29
15.	124	Unstarred	20.07.2023	Bench-wise cases pending in the Supreme Court	NM	30-36
16.	125	Unstarred	20.07.2023	Vacancies of Judges in High Court of Andhra Pradesh	Appointment	37-38
17.	126	Unstarred	20.07.2023	Appointment of SCs, STs and OBCs in judiciary	Appointment	39-40
18.	127	Unstarred	20.07.2023	Implementation of UCC	Leg.III Sec.(LD)	41-42
19.	128	Unstarred	20.07.2023	Consultation process on UCC	Leg.III Sec.(LD)	43-44
20.	86	Starred	27.07.2023	Establishment of e-filing centres	e-Court	45-49

21	898	Unstarred	27.07.2023	Functional e-Courts under Phase-3	e-Court	50-55
22	899	Unstarred	27.07.2023	Strength of Judges	NM	56-58
23	900	Unstarred	27.07.2023	Conducting simultaneous polls for both the State Assemblies and the Lok Sabha	Leg.II Sec.	59-60
24	901	Unstarred	27.07.2023	Pendency of Civil and Criminal Cases	NM	61-70
25	902	Unstarred	27.07.2023	Law Commission Report on adverse possession	Leg.III Sec.	71
26	903	Unstarred	27.07.2023	SC/ST/OBC quotas in Judiciary	NM	72-74
27	904	Unstarred	27.07.2023	Status of Fast Track Courts in the country	J-II	75-79
28	905	Unstarred	27.07.2023	Simultaneous elections in Lok Sabha and State Legislative Assemblies	Leg.II Sec.	80-82
29	906	Unstarred	27.07.2023	Women's Reservation Bill	Leg. II Sec.	83
30	907	Unstarred	27.07.2023	Creation of Indian Judicial Service	Appointment	84-86
31	908	Unstarred	27.07.2023	Appointment of High Court Judges from senior lawyers	Appointment	87-89
32	909	Unstarred	27.07.2023	Linking of Aadhaar and Voter ID	Leg.II Sec.	90
33	1632	Unstarred	03.08.2023	Status of Mediation Council of India	ADR CELL (LA)	91
34	1697	Unstarred	03.08.2023	Ratio of free legal aid lawyers	LAP	92-95
35	1698	Unstarred	03.08.2023	Judicial infrastructure in Andhra Pradesh	JR	96-98
36	1701	Unstarred	03.08.2023	Online Dispute Resolution	ADR CELL (LA)	99-100
37	1702	Unstarred	03.08.2023	One nation one voter list	LEG.II SEC. (LD)	101
38	1703	Unstarred	03.08.2023	Regional languages in High Courts	J-I	102-104
39	1704	Unstarred	03.08.2023	Change in name of Madras High Court	Appointment	105-106
40	1705	Unstarred	03.08.2023	Vacancies in District Courts in the Country	NM	107-111
41	1706	Unstarred	03.08.2023	Female Professors in Law Universities	IMPL.SEC. (LA)	112-116
42	1707	Unstarred	03.08.2023	Reservations for SC/ST/OBCs in the Judiciary	NM	117-118
43	1708	Unstarred	03.08.2023	Status of the e-Court Mission Mode Project (MMP)_	e-Court	119-122
44	1709	Unstarred	03.08.2023	Video Conferencing facility in Maharashtra and Delhi Courts	NM	123-125
45	1710	Unstarred	03.08.2023	Development of infrastructure relating to Judiciary	JR	126-129
46	1711	Unstarred	03.08.2023	Appointment of Judges in the Supreme Court and High Courts	Appointment	130-133

47	1712	Unstarred	03.08.2023	Lack of disability column in nomination form	LEG.II SEC.(LD)	134
48	1713	Unstarred	03.08.2023	Requirement of registration of wills and sale agreements	Appointment	135-136
49	1714	Unstarred	03.08.2023	Timeline to dispose of pending Cases	NM	137-140
50	226	Starred	10.08.2023	Retirement age for High Court and Supreme Court Judges	Appointment	141-142
51	232	Starred	10.08.2023	Types of Courts in the Country	NM	143-147
52	2509	Unstarred	10.08.2023	Pendency of litigation in Courts	NM	148-154
53	2510	Unstarred	10.08.2023	Digitalization of the Supreme Court and High Court records	e-Court	155-156
54	2511	Unstarred	10.08.2023	Technological support for disposing of high pendency in the Courts	NM	157-160
55	2512	Unstarred	10.08.2023	Establishment of High Court Benches in the Country	Appointment	161-163
56	2513	Unstarred	10.08.2023	Transfer policy of higher judiciary Judges	Appointment	164
57	2514	Unstarred	10.08.2023	Sanctioned strength and vacancy in subordinate Courts	NM	165-168
58	2516	Unstarred	10.08.2023	Judicial reforms to reduce pendency of Cases	NM	169-175
59	2517	Unstarred	10.08.2023	Low spending on legal aid	LAP	176-177
60	2518	Unstarred	10.08.2023	Measures to limit misuse of PILs	Judl. Sec. (LA)	178-179
61	2519	Unstarred	10.08.2023	Time limit for disposal of election petition	Leg. II Sec. (LD)	180-181
62	2520	Unstarred	10.08.2023	Evening classes for LLB degree courses	Impl. Sec. (LA)	182-183
63	2521	Unstarred	10.08.2023	Digitisation of Court records	e-Court	184-186
64	2522	Unstarred	10.08.2023	Low percentage of women judges	NM	187-188
65	2523	Unstarred	10.08.2023	Plan for reducing the litigation cost	NM	189-194
66	2524	Unstarred	10.08.2023	Action plan for simple, accessible, affordable and speedy justice	J-I	195-197
67	2525	Unstarred	10.08.2023	Complaints pending with the Election Commission	Leg. II Sec. (LD)	198
68	2526	Unstarred	10.08.2023	Bye-elections in Maharashtra	Leg. II Sec. (LD)	199-200

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA SABHA

Leg. Ill. Sec. (L.O.) UNSTARRED QUESTION No. 110

✓ ANSWERED ON THURSDAY, THE 20TH JULY, 2023.

Enactment of Uniform Civil Code

110. Shri Ram Nath Thakur :

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

- (a) whether Government is moving towards enacting a Uniform Civil Code (UCC);
- (b) if so, the modalities thereof; and
- (c) whether the Government proposes to change the language of functioning of the courts from English to Hindi so that the common people can understand in their own language?

A N S W E R

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

- (a) to (b): That the 21st Law Commission undertook examination of various issues relating to uniform civil code and uploaded a consultation paper titled "Reform of Family Law" on 31.08.2018 on its website for wider discussions. However, since more than three years have lapsed from the

date of issuance of the said Consultation Paper, the 22nd Law Commission considered it expedient to deliberate afresh over the subject. Accordingly, the 22nd Law Commission vide notice dated 14.06.2023 decided to solicit views and ideas of the stakeholders on the Uniform Civil Code. Therefore the question of modalities does not accrue at this stage.

(c) No Sir.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA

N/M

✓
JL(MJR)

UNSTARRED QUESTION NO. 111

ANSWERED ON 20/07/2023

STEPS TO FILL VACANT POSTS OF JUDGES IN LOWER COURTS

111 # MS. SAROJ PANDEY:

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

- (a) the vacancy of Judges in the lower courts of the country, at present; and
- (b) the steps taken by Government to make prompt appointments at these vacant posts so that the pending cases can be settled at the earliest and the general public can get speedy justice?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a): As per information available with the Department, as on 14.07.2023, against the sanctioned strength of 25,246 judicial officers in the District and Subordinate Courts, there are 19,858 judicial officers working and thus there is a total vacancy of 5,388 judicial officers in the country.

(b): The Central Government has no direct role in the filling up of vacant posts in the lower courts of the country. As per the provisions of the Constitution of India, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Governments, in consultation with their respective High Courts, frame the rules and regulations regarding the issues of appointment and recruitment of Judicial Officers in the State Judicial Service. Thus, the selection and appointment of judges in the District Courts is the ultimate responsibility of the High Courts and State Governments concerned. In some states, the respective High Courts undertake the recruitment process, whereas in other states, the High Courts does it in consultation with the State Public Service Commissions. Further, under Article 235 of the Constitution of India, the administrative control over the members of District and Subordinate judiciary in the States vests with the High Courts.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA SABHA

UNSTARRED QUESTION NO. 112

ANSWERED ON THURSDAY, 20th JULY, 2023

Linking of Aadhaar and Voter ID

Leg. II Section (L.O)

112. Shri Derek O'Brien:

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

- (a) whether the linking of Aadhaar and Voter ID is mandated under the Aadhaar Act, 2016; and
- (b) if not, the legislative mandate which allows linking of a national identification card with the Voter ID?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE LAW AND JUSTICE;
MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS;
AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) and (b): The Ministry of Electronics and Information Technology has informed that the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 (Act No. 18 of 2016) does not mandate linking of Aadhaar and voter ID. However, section 23 of the Representation of the People Act, 1950, as amended by the Election Laws (Amendment) Act, 2021 (Act No. 49 of 2021), provides for the electoral registration officers to require the existing or prospective elector to provide the Aadhaar number for the purpose of establishing identity on a voluntary basis.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO-113
ANSWERED ON 20.07.2023

JS (WKR)

AFFORDABLE JUSTICE FOR WEAKER SECTIONS

113. SHRI MASTHAN RAO BEEDA:

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

- (a) whether Government is aware that the Other Backward Classes and other Economically Weaker Sections of the society are unable to get justice due to costly and complex judicial system, costs and time taken for the same;
- (b) if so, the details thereof and the response of Government thereto; and
- (c) the steps taken by Government to make judicial process quick and affordable to all sections of the society, including above mentioned classes?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

- (a) and (b) Yes Sir. Government is making every efforts in providing access to justice to the Scheduled Caste, Scheduled Tribe, Other Backward Classes and other Economically Weaker sections of the society. National Legal Services Authority (NALSA) has been constituted under the Legal Services Authorities (LSA) Act, 1987 to provide free and competent legal services to the weaker sections of the society including beneficiaries covered under Section 12 of the Act, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities, and to organize Lok

Adalats to secure that the operation of the legal system promotes justice on the basis of equal opportunities.

For this purpose, the legal services institutions have been setup from the Taluk Court level to the Supreme Court. The activities/programmes undertaken by Legal Services Authorities include legal aid and advice; legal awareness programmes; legal services/empowerment camps; legal services clinics; legal literacy clubs; Lok Adalats and implementation of victim compensation scheme.

- (c) To enable quick and equitable access to justice, National Legal Services Authority (NALSA) has launched Legal Services Mobile App on Android and iOS versions to enable easy access to legal aid to common citizens.

Further, a scheme on Access to Justice titled “Designing Innovative Solutions for Holistic Access to Justice in India” is implemented by the Government of India which aims to strengthen pre-litigation advice and consultation through Tele-Law ;ensure pan - India dispensation framework to deliver Pro Bono legal Services through Nyaya Bandhu (Pro Bono Legal Services) programme and to empower citizens through Pan India legal literacy and legal awareness programme. The Scheme embeds use of technology and developing contextualized IEC (Information, Education and Communication) material in regional / local dialect to support its intervention and to achieve easy accessibility of legal services to the poor and weakest sections of the society. All these services under the scheme are provided free of cost to all citizens including the Scheduled Caste, Scheduled Tribes, Other Backward Classes and other Economically Weaker sections of the society.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 114

SS (Apet.) ANSWERED ON THURSDAY, THE 20.07.2023

Establishment of High Court and Supreme Court Benches

✓ 114. DR. SASMIT PATRA:

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

- (a) the details of any pending proposals or letters received regarding establishment of High Court and Supreme Court Benches in the country;
- (b) the details of action taken by Government in this regard so far;
- (c) the number of High Court Benches established since 2018 in the country;
and
- (d) the details of such Benches established along with their locations?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF
STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (b): High Court Benches are established in accordance with the recommendations made by the Jaswant Singh Commission and the judgment pronounced by the Apex Court in W.P. (C) No. 379 of 2000 after receipt of a complete proposal from the State Government conveying its approval to provide necessary expenditure and infrastructural facilities and also after receiving the consent of the Chief Justice of the concerned High Court who is required to

required to look after the day to day administration of the High Court. For the proposal to be complete it should also have the consent of the Governor of the concerned State.

Regarding establishment of Supreme Court Benches, Article 130 of the Constitution of India provides that the Supreme Court shall sit in Delhi or in such other place or places as the Chief Justice of India may, with the approval of the President, from time to time, appoint.

The Eighteenth Law Commission in its 229th Report had also suggested that a Constitutional Bench be set up at Delhi and four Cassation Benches be set up in the Northern region at Delhi, Southern region at Chennai/Hyderabad, Eastern region at Kolkata and Western region at Mumbai.

The matter was referred to the Chief Justice of India, who informed that after consideration of the matter, the Full Court in its meeting held on 18th February, 2010, found no justification for setting up of Benches of the Supreme Court outside Delhi.

In Writ Petition WP(C) No. 36/2016 on establishment of National Court of Appeal, the Supreme Court vide its judgment dated 13.07.2016 deemed it proper to refer the aforementioned issue to Constitutional Bench for authoritative pronouncement. The matter is sub-judice in the Supreme Court.

At present there is no complete proposal pending with the Government for setting up of Bench(es) of any High Court and the Supreme Court.

(c) to (d): Since 2018, one Circuit Bench of the Calcutta High Court at Jalpaiguri has been established, on 07.02.2019.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 115

22 (APPX.) ANSWERED ON THURSDAY, THE 20.07.2023

Need for independent High Courts in North East Regions

✓ 115. SHRI P. WILSON:

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

- (a) whether the Ministry have taken steps to ensure that Nagaland, Mizoram, and Arunachal Pradesh have independent High Courts located in their respective States as the Guwahati High Court is suffering from low manpower and high case load due to adjudicating cases of 4 States, and the language barrier that exists in the North Eastern Region; and
- (b) if so, the details thereof, if not, the reasons therefor?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (b): Article 214 of the Constitution of India provides that there shall be a High Court for each State. However, such proposals require consultation with concerned State Government as the States are required to create and provide necessary infrastructure facilities and to meet the expenditure for setting up and

running of the High Court. These proposals also need consultation with the concerned High Courts having territorial jurisdiction currently.

The Chief Minister, Nagaland vide letter dated 25.06.2021 conveyed the decision of the State Cabinet taken on the 07.04.2021 for setting up a separate High Court for the State of Nagaland. The proposal for setting up of High Courts for the States of North Eastern Region including Nagaland requires an amendment to the North Eastern Area (Reorganization) Act, 1971. This Act is administered by the Ministry of Home Affairs. The matter has been accordingly sent to the Ministry of Home Affairs.

There is no proposal for separate High Court, from the States of Arunachal Pradesh and Mizoram, pending with the Government.

Recently, the judge strength of Guwahati High Court was increased from existing 24 (twenty-four) to 30 (thirty) judges, with appointment of at-least 3 (three) Judges, each from the States of Nagaland, Mizoram and Arunachal Pradesh in view of the enhanced Judge strength of the Guwahati High Court.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)
RAJYA SABHA
UNSTARRED QUESTION NO-116
ANSWERED ON – 20/07/2023

JS (PPP)

LIVE STREAMING OF COURT PROCEEDINGS

✓116. SHRI K.R. SURESH REDDY:

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

- (a) whether High Courts apart from Gujarat, Orissa, Karnataka, Jharkhand, Patna and Madhya Pradesh, have started or are planning to start live streaming of court proceedings;
- (b) if so, the details thereof and if not, the reasons therefore;
- (c) by when will the Model Rules for Live Streaming, be framed and implemented; and
- (d) whether there are rules currently in place to govern the live court proceedings in the 6 aforementioned High Courts?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (d) The need for live streaming of court proceedings was highlighted during the pandemic, as courts functioned on virtual platforms and citizens had no direct access to it. In *Swapnil Tripathi v. Union of India*, the Supreme Court has advocated telecasting the court proceedings live in a move towards greater transparency of and in the courtroom. The chairperson of e Committee, Supreme Court of India had constituted a sub-committee to frame the Model rules of Live streaming. These rules have been framed and circulated by e Committee, Supreme Court of India to all High Courts for better implementation of live streaming of court proceedings and are available on the website of e Committee, Supreme Court of India.

The rules & procedure for live streaming of court proceedings in individual High Courts is an administrative matter of the concerned High Court that falls within the purview of the said

High Courts and the Central Government has no direct role to play in the matter. As on 17.07.2023, Live Streaming of court proceedings has been started in High Courts of Gujarat, Guwahati, Orissa, Karnataka, Jharkhand, Patna and Madhya Pradesh thus allowing media and other interested persons to join the proceedings.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO – 117
ANSWERED ON 20/07/2023

JS (V/K62)

AIMS AND OBJECTIVES OF NYAYA MITRA SCHEME

117# SMT. KANTA KARDAM:

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

- (a) the aims and objectives of the Nyaya Mitra Scheme ;
- (b) the efforts being made by Government to seek services of Nyaya Mitras in the State of Uttar Pradesh in order to assist the courts in disposal of old pending cases; and
- (c) the number of Nyaya Mitras proposed to be engaged in the District Courts of Uttar Pradesh?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (c) Nyaya Mitra programme was launched in April, 2017 with the objective to reduce pendency of cases in the Courts. It aimed to facilitate disposal of 10 to 15 years old cases which included civil cases such as matrimonial, accident claim cases and also criminal cases pending in High Courts and Subordinate Courts. Since the introduction of Nyaya Mitra programme, a total of 39 Nyaya Mitras were positioned in various districts courts of the States of Assam, Bihar, Maharashtra, Odisha, Rajasthan, Tripura, Uttar Pradesh and West Bengal. Nyaya Mitras were not engaged in the States other than mentioned above. District wise details of engaged Nyaya Mitra is at Annexure-A. In the State of Uttar Pradesh, during the year 2017-18, five (5) Nyaya Mitras were engaged one each at Ghaziabad, Meerut, Varanasi, Gorakhpur and

Kushinagar District Courts. In the year 2019-20, one(1) Nyaya Mitrawas engaged at Allahabad District Court and in the year 2021-2022, two(2) Nyaya Mitras were engaged from April 2022 one each at Agra and Allahabad District Court. After due review of the progress of the scheme over the last few years and considering the implementation related issues, it was decided that since the scheme could not achieve the envisaged goal of disposal of 10 or more year old cases, the scheme need not continue from the Financial Year 2023-2024. Hence no Nyaya Mitras are proposed to be engaged for the District Courts of Uttar Pradesh during the current Financial Year (FY 2023-2024).

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

RAJYA S A B H A

UNSTARRED QUESTION No. 118

ANSWERED ON THURSDAY, THE 20TH JULY, 2023.

Leg. III Sec. (LD)

Recommendations on Uniform Civil Code

✓ 118. Shri Elamaram Kareem :

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

- (a) whether Government is planning to implement Uniform Civil Code in the Country;
- (b) The recommendations of 21st Law Commission on this matter and the actions taken by Government on those recommendations;
- (c) the reasons for not accepting the recommendations and reasons why the 22nd law commission is again considering this subject; and
- (d) the reason for taking such a decision in a hurried manner?

A N S W E R

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

- (a) to (d) The 21st Law Commission of India had issued a consultation paper on "Reform of Family Law" on 31.08.2018, however, it had not submitted any report. Since

more than four years have lapsed from the date of issuance of the said Consultation paper, the 22nd Law Commission decided to solicit views and ideas of the public at large and religious organizations on 14.06.2023, bearing in mind the relevance and importance of the subject matter and also various court order on the subject of uniform civil code .

Statement as referred to in reply to part (b)-(c) Rajya Sabha Unstarred Question No.117 for answering on 20.07.2023 raised by Smt. KantaKardam, MP on Aims and Objectives of Nyaya Mitra Scheme

A State-wise Statement containing number of Nyaya Mitra engaged from (2017-2022)

S.No	State	Year- 2017-20218		Year 2018-2019		Year 2019-2020		Year 2020-2021	Year 2021-2023		Total
		District	No of NM	District	No of NM	District	No of NM		District	No of NM	
1	Assam		-		-		-	NIL*	Cachar	1	2
									Kamrup Metro	1	
2	Bihar	Patna	1		-		-			-	1
3	Maharashtra		-		-	Aurangabad	1		Nagpur	1	4
						Mumbai Civil Court	1				
						Nagpur	1				
4	Odisha		-		-	Puri	1		Cuttack	1	4
						Ganjam	1				
5	Rajasthan	Jalore	1	Bhilwara	1	Jodhpur Metro	1		Kota	1	11
		Alwar	1	Alwar	1						
		Ganganagar	1	Ganganagar	1	Jaipur Metro	1				
		Bhildwara	1								
6	Tripura	West Tripura	1		-		-			-	1
7	Uttar Pradesh	Ghaziabad	1		-	Allahabad	1		Agra	1	8
		Meerut	1								
		Varanasi	1								
		Gorakhpur	1								
		Kushinagar	1								
8	West Bengal	Howrah	1	North Paragnas	1	Burdwan	1	Calcutta	1	8	
		24 North Paragnas	1								
		Birbhum	1								
		Coochbehar	1								
		Total	15	Total	4	Total	9	Total	11	39	

No Nyaya Mitra could be engaged during the year 2020-2021 due to closure of courts and social distancing protocols caused by Covid pandemic

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA

NW

UNSTARRED QUESTION NO. 119

ANSWERED ON 20/07/2023

SS (MMJR)

PENDENCY OF CASES AND BURDENED JUDICIARY

✓ 119. SHRI TIRUCHI SIVA:

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

- (a) details of pending cases across different levels of the judiciary, including the Supreme Court, High Courts, and subordinate courts;
- (b) details of factors contributing to high pendency of cases, like vacancy of judicial positions, procedural delays, backlog of cases, and other systemic issues;
- (c) details of the measures taken by the Ministry to strengthen the judicial infrastructure and capacity, in terms of increasing the number of judges and support staff;
- (d) whether there is any coordination mechanisms in place to share best practices and streamline processes between the central and state judiciaries; and
- (e) if so, the details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a): As per data retrieved from the Integrated Case Management System (ICMIS) by the Supreme Court of India, as on 01.07.2023, there are 69,766 cases pending in the Supreme Court. Total number of cases pending in the High Courts and the District and

Subordinate Courts as on 14.07.2023 are 60,62,953 and 4,41,35,357 respectively, as per information made available on National Judicial Data Grid (NJDG).

(b): Pendency of cases in courts can be attributed to several factors which, inter-alia, include non-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. Other factors that lead to delay in disposal of cases include, lack of prescribed time frame by respective courts for disposal of various kinds of cases, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing. However, the disposal of pending cases in courts is within the domain of the judiciary. Government has no direct role in the disposal of cases in courts.

Further, it is also informed that the Criminal Justice System functions on assistance by various agencies viz., Police, Prosecution, forensic Labs, Handwriting Experts and Medico-Legal experts. Delay in providing assistance by allied agencies also entails delay in disposal of cases.

(c): The Central Government is fully committed to strengthen justice delivery by augmenting judicial infrastructure and capacity. Under the Centrally Sponsored Scheme for Judicial Infrastructure, funds are being released to States/UTs for construction of court halls, residential quarters for judicial officers, lawyers' halls, toilet complexes and digital computer rooms for the District and Subordinate judiciary to ease the life of lawyers and litigants, thereby aiding justice delivery. The number of court halls has increased from 15,818 as on 30.06.2014 to 21,365 as on 30.06.2023, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,846 as on 30.06.2023, under this Scheme.

The Central Government has been regularly filling up the vacancies in higher judiciary. From 01.05.2014 to 10.07.2023, 56 Judges were appointed in Supreme Court.

919 new Judges were appointed and 653 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 1114 currently. The 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
14.07.2023	25,246	19,858

However, filling up of vacancies of judicial officers in subordinate judiciary falls within the domain of the State Governments and High Courts concerned.

As far as increase in support staff is concerned, the matter falls within the jurisdiction of the respective State Government and High Courts. Central Government has no role in the same.

(d) & (e): The State Court Management Systems Committees (SCMSC) share the best practices and experiences of the State Court Management Systems Committees on a half-yearly basis mutually and with the National Court Management Systems Committee (NCMSC) of the Supreme Court. This includes implementation of action plans under Vision Statements taking into account the Baseline Report of the NCMS Committee. Such reviews are shared by SCMS Committee with all other SCMS Committees and also with NCMS Committee.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA

UNSTARRED QUESTION No. 120
ANSWERED ON THURSDAY, THE 20.07.2023

SS (A PRTZ)

IJR report on vacancies of Judges

✓ 120. Smt. Jebi Mather Hisham:

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

- (a) details of measures taken to fill the vacancies timely, subject to the sanctioned strength in view of India Justice Report (IJR) 2022, as of December 2022, which states that against a sanctioned strength of 1,108, High Courts were functioning with only 778 Judges;
- (b) whether the Report states that subordinate courts were functioning with 19,288 Judges against a sanctioned strength of 24,631, if so, whether Government has taken measures to fill up vacancies in subordinate courts across the country; and
- (c) whether steps will be taken to unify retirement age of Judges in the Supreme Court and High Courts, details thereof?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF
LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY
OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

- (a) As per the existing Memorandum of Procedure for appointment of Judges of High Courts, the Chief Justice of the High Court is required to initiate the proposal for filling up of vacancies of a Judge in a High Court six months prior to the occurrence of vacancies. Government appoints only those persons as Judges of High Courts who are recommended by Supreme Court Collegium (SCC).

In the last three years, since 01.01.2021 till date, 349 Judges have been appointed in various High Courts of the country. As on 14.07.2023, against the sanctioned strength of 1114, 779 Judges are working in the High Courts leaving 335 vacancies. Against these 335 vacancies, 136 proposals are at various stages of processing between the Government and the Supreme Court Collegium. Further, recommendations from High Court Collegiums are yet to be received in respect of 199

vacancies in High Courts which is around 59% of the vacancies in the High Courts. 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 Centre level. While every effort is made to fill up the existing vacancies expeditiously, vacancies of Judges in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the strength of Judges.

(b): As per information available with the Department, as on 11.07.2023, there are 19,870 judicial officers working in the District and Subordinate judiciary against the sanctioned strength of 25,245 judicial officers, 5375 posts of judicial officers are thus vacant. In so far as filling up of vacancies in the Subordinate courts is concerned, the Central Government has no direct role in the matter. As per the Constitutional framework, 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 and recruitment of Judicial Officers in the State Judicial Service. Thus, the selection and appointment of judges in the District Courts is the responsibility of the High Courts and State Governments concerned. In so far as recruitment of judicial officers in the States is concerned, respective High Courts do it in certain States, whereas the High Courts do it in consultation with the State Public Service Commissions in other States. Therefore, the Central Government is not involved in the recruitment and appointment of judicial officers in District and Subordinate Courts.

(c): The retirement age of High Court Judges, which was fixed at 60 years in the beginning, was revised to 62 years w.e.f. 5.10.1963 by the Constitution (Fifteenth Amendment) Act, 1963 pursuant to the increase in the retirement age of Central Government employees from 55 to 58 years w.e.f. 1.12.1962 on the recommendations of the Second Central Pay Commission, mainly relying upon increase in life expectancy in India.

The Constitution (114th Amendment) Bill was introduced in 2010 to increase the retirement age of High Court judges to 65. However, it was not taken up for consideration in Parliament and lapsed with the dissolution of the 15th Lok Sabha. At present, there is no proposal to increase the retirement age of High Court Judges.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

RAJYA SABHA
UNSTARRED QUESTION NO. 121

Impl. Cell (LA) ANSWERED ON THURSDAY, THE 20th July, 2023

Law Commission's recommendation on Sedition Law

✓ 121 Shri A. D. Singh:

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

- whether the Law Commission in its recent report has recommended that Sedition Law under section 124-A of the IPC may be retained, if so the details thereof;
- whether Government has accepted the recommendation against the popular demand to remove the provision;
- whether the Commission has also recommended that model guidelines to curb its misuse and wrong application by enforcement agencies should be framed, if so, the details thereof;
- whether the model guidelines have been framed by Government, if so, the details thereof and if not, the reasons therefore; and
- by when these guidelines would be framed?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF
LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE
MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

- (a) to (e) : It is stated that the Law Commission in its 279th Report has *inter-alia*, recommended that the sedition law may be retained in the IPC to ensure preventive action against subversive activities, along with amendments and procedural safeguards. It is further stated that this matter is presently *sub-judice* in the Supreme Court.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA

UNSTARRED QUESTION No. 122
ANSWERED ON THURSDAY, THE 20.07.2023

SS (APPs)

Appointment of Judges through competitive examination

✓ 122. Dr. Ameer Yajnik:

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

- (a) State-wise details of advocates who have been appointed as Judges of the High Court or the Supreme Court during the last five years along with their selection criteria;
- (b) whether it is a fact that there is no competitive examination for the selection of High Court Judges like that of the lower court judges, if so, whether Government is planning to consult the Apex Court for conducting competitive examination, if not, the reasons therefor; and
- (c) the details of High Court or Supreme Court Judges who have been promoted from District Court?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

- (a) to (c): Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India and as per the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case).

As per the selection criteria which has been enshrined under Article 124(3) of the Constitution of India, a person shall not be qualified for appointment as a Judge of the Supreme Court unless he is a citizen of India and (a) has been for at least five years a Judge of a High Court or of two or more such Courts in succession; or (b) has been for at least ten years an advocate of a High Court or of two or more such Courts in succession; or (c) is, in the opinion of the President, a distinguished jurist. Also, as per

Article 217(2) of the Constitution of India a person shall not be qualified for appointment as a Judge of a High Court unless he is a citizen of India and (a) has for at least ten years held a judicial office in the territory of India; (b) has for at least ten years been an advocate of a High Court or of two or more such Courts in succession.

There is no proposal to introduce a competitive examination for selection of High Court Judges as the procedure as per the Constitutional provisions is being followed.

The number of Advocates and District Judges appointed as Judges in the Supreme Court and High Courts during the last five years is attached herewith as **Annexure**.

Statement showing the number of Advocates and District Judges in the Supreme Court and High Courts appointed during the last five years (From 01.01.2019 till 17.07.2023)

	Supreme Court/High Court	Bar	Service	Total
A.	Supreme Court	33	-	33
B.	High Court			
1	Allahabad	29	24	53
2	Andhra Pradesh	14	13	27
3	Bombay	22	22	44
4	Calcutta	09	22	31
5	Chhattisgarh	03	04	07
6	Delhi	13	13	26
7	Gauhati	06	08	14
8	Gujarat	12	12	24
9	Himachal Pradesh	03	02	05
10	J & K and Ladakh	05	06	11
11	Jharkhand	02	05	07
12	Karnataka	21	15	36
13	Kerala	11	09	20
14	Madhya Pradesh	07	16	23
15	Madras	14	17	31
16	Manipur	01	01	02
17	Meghalaya	01	-	01
18	Orissa	09	04	13
19	Panna	12	09	21
20	Punjab & Haryana	24	15	39
21	Rajasthan	10	18	28
22	Sikkim	-	-	-
23	Telangana	09	18	27
24	Tripura	-	01	01
25	Uttarakhand	02	02	04
	Total	239	256	495

Annexure

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION No. 123
ANSWERED ON THURSDAY, THE 20.07.2023

SS (APPRs)

Vacancies in Karnataka High Court

✓123 Shri Narayana Koragappa:

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

- (a) details of vacancies of Judges and Additional Judges in the High Court of Karnataka;
- (b) the efforts made by the Supreme Court to fill in the above vacancies; and
- (c) the likely date by when above posts of Judges are to be filled and the Bench will have full strength?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF
LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY
OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (c): As on 14.07.2023, against the sanctioned strength of 62 Judges, 51 Judges are working in the Karnataka High Court thus leaving 11 vacancies. At present, 03 proposals of the Karnataka High Court are at various stages of processing between the Government and the Supreme Court Collegium. Further, recommendations from High Court Collegium are yet to be received in respect of the remaining 08 vacancies in the High Court.

As per the Memorandum of Procedure, for the appointment of Judges of High Court, the Chief Justice of the High Court is required to initiate the proposals in consultation with two senior-most Judges from amongst the eligible candidates from the Bar and concerned State Judicial Service six months prior to the occurrence of vacancies. Filling up of vacancies is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various constitutional authorities both at the State and Centre level. While every effort is made to fill up the existing vacancies expeditiously,

vacancies do keep on arising on account of retirement, resignation or elevation of Judges and increase in Judge Strength.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA

JSL (NMJR)

UNSTARRED QUESTION NO. 124
ANSWERED ON 20/07/2023

BENCH-WISE CASES PENDING IN THE SUPREME COURT

✓ 124 # SHRI SANDEEP KUMAR PATHAK:

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

- (a) the number of bench-wise cases currently pending in the Supreme Court and the number of cases that are 5, 10, 20, 30, 40, 50 or more than 50 years old;
- (b) the year-wise number of cases that came in the Supreme Court during the last five years, the number of cases that were decided during this period and the year-wise and bench-wise number thereof; and
- (c) the details of the steps taken by Government during the last five years for the speedy disposal of cases?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

- (a): As per information received from Supreme Court of India, data on bench-wise pending cases is not maintained in the Integrated Case Management Information System

(ICMIS). However, the number of pending cases for more than 5, 10, 20, 30, 50 or more than 50 years old in Supreme Court of India, as maintained and retrieved from the ICMIS, as on 14.07.2023 is as under:-

Sl. No.	Criteria	Pending as on 14.07.2023
1.	Cases Pending for more than 5 years old	24,426
2.	Cases Pending for more than 10 years old	8,376
3.	Cases Pending for more than 20 years old	204
4.	Confidential	20
5.	Cases Pending for more than 30 years old	2
6.	Cases Pending for more than 40 years old	0

(b): The number of cases filed and disposed in Supreme Court of India, during the last five years and current year till 15.07.2023, as maintained and retrieved from the Integrated Case Management Information System (ICMIS) as on 15.07.2023 is as under:-

Year	No, of Cases Filed during the year	No. of Cases disposed during the year
2018	48,282	37,470
2019	46,873	41,100
2020	29,081	20,670
2021	32,655	24,586
2022	42,745	36,436
2023 (till 15.07.2023)	27,998	25,959

As per Supreme Court of India, information pertaining to bench-wise cases is not maintained in their Registry.

(c): Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no direct 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. Other factors which may lead to delay in disposal of cases 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 which are detailed below:-

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.

- i. Under the Centrally Sponsored Scheme for Judicial Infrastructure, funds are being released to States/UTs for construction of court halls, residential quarters for judicial officers, lawyers' halls, toilet complexes and digital computer rooms that would ease the life of lawyers and litigants, thereby aiding justice delivery. As on date, Rs. 10035 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for the Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 21,365 as on 30.06.2023, and number of residential units has

increased from 10,211 as on 30.06.2014 to 18,846 as on 30.06.2023, under this scheme.

- ii. Further under the e-Courts Mission Mode Project, information and communication technology (ICT) has been leveraged for IT enablement of district and subordinate courts. The number of computerised district & subordinate courts has increased to 18,735 so far. WAN connectivity has been provided to 99.4% of court complexes. Video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. 815 e-Sewa Kendras have been set up at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case-related information, and e-filing facilities. 22 virtual courts have been set up in 18 States/UTs. As on 31.05.2023, these courts have handled more than 3.113 crore cases and realized more than Rs. 408 crores in fines. E-courts Phase III is about to begin which intends to incorporate latest technology such Artificial Intelligence(AI) and Block chain to make justice delivery more robust, easy and accessible to all the stakeholders.
- iii. Government has been regularly filling up the vacancies in higher judiciary. From 01.05.2014 to 10.07.2023, 56 Judges were appointed in Supreme Court. 919 new Judges were appointed and 653 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 1114 currently. sanctioned and working strength of judicial officers in district and subordinate courts has increased as follow:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
14.07.2023	25,246	19,858

However, filling up of vacancies in subordinate judiciary falls within the domain of the State Governments and high courts concerned.

- iv. In pursuance of a Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in all 25 High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District courts as well.
- v. Under the aegis of the Fourteenth Finance Commission, the government has established Fast Track Courts for dealing with cases of heinous crimes; cases involving senior citizens, women, children etc. As on 31.05.2023, 832 Fast Track Courts are functional for heinous crimes, crimes against women, and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs. Further, the central government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for the expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme.
- vi. With a view to reduce pendency and unclogging of the courts, the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.
- vii. Alternate Dispute Resolution methods have been promoted whole heartedly. Accordingly, the Commercial Courts Act, 2015 was amended on 20th August, 2018 making Pre-institution Mediation and Settlement (PIMS) mandatory in case 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.
- viii. Lok Adalat is an important Alternative Disputes Resolution Mechanism available to common people. It is a forum where the disputes/ cases pending in the court of

law or at pre-litigation stage are settled/ compromised amicably. Under the Legal Services Authorities (LSA) Act, 1987, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court. . Lok Adalat is not a permanent establishment. National Lok Adalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date. The details of the case disposed off in Lok Adalats during the last three years are as under:-

Years	Pre-litigation Cases	Pending Cases	Grand Total
2021	72,06,294	55,81,743	1,27,88,037
2022	3,10,15,215	1,09,10,795	4,19,26,010
2023 (upto 17.06.2023)	3,00,11,291	61,88,686	3,61,99,977
Total	6,82,32,800	2,26,81,224	9,09,14,024

- ix. The Government launched the Tele-Law programme in 2017, which provided an effective and reliable e-interface platform connecting the needy and disadvantaged sections seeking legal advice and consultation with panel lawyers via video conferencing, telephone and chat facilities available at the Common Service Centres (CSCs) situated in Gram Panchayat and through Tele-Law mobile App.

***Percentage Wise break-up of Tele – Law Data**

Till 28th Feb, 2023	Cases Registered	% Wise Break Up	Advice Enabled	% Wise Break Up
Gender Wise				
Female	15,75,140	34.38	15,35,775	34.39
Male	30,06,772	65.62	29,30,601	65.61
Caste Category Wise				
General	9,82,636	21.45	9,52,773	21.33
OBC	13,28,505	28.99	12,93,153	28.95
SC	14,88,971	32.50	14,53,283	32.54
ST	7,81,800	17.065	7,67,167	17.18
Total	45,81,912		44,66,376	

- x. Efforts have been made to institutionalize pro bono culture and pro bono lawyering the country. A technological framework has been put in place where advocates volunteering to give their time and services for pro bono work can register as Pro Bono Advocates on Nyaya Bandhu (Android & iOS and Apps). Nyaya Bandhu Services also available on UMANG Platform. Pro Bono Panel of advocates have been initiated in 21 High Courts at the State level. Pro Bono Clubs have been started in 69 select Laws Schools to instill Pro Bono culture in budding lawyers.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION No. 125
ANSWERED ON THURSDAY, THE 20.07.2023

SS (Appts)

Vacancies of Judges in High Court of Andhra Pradesh

✓125. Shri Kanakamedala Ravindra Kumar:

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

- (a) the sanctioned strength of the Judges of High Court of Andhra Pradesh;
- (b) the vacancies that exist in the High Court as on date;
- (c) the reasons for vacancies in the High Court; and
- (d) the details of the steps taken by Government to fill up the vacancies in the High Court?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)

(a) to (d):As on 14.07.2023, against the sanctioned strength of 37 Judges, 28 Judges are working in the Andhra Pradesh High Court leaving vacancies of 09 Judges. At present, 08 proposals of the Andhra Pradesh High Court are at various stages of processing between the Government and the Supreme Court Collegium. Further, recommendations from High Court Collegium are yet to be received in respect of remaining 01 vacancy in the High Court.

As per the existing Memorandum of Procedure for appointment of Judges of High Courts, the Chief Justice of the High Court is required to

initiate the proposal for filling up of vacancies of a Judge in a High Court six months prior to the occurrence of vacancies.

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 state and central level. Government appoints only those persons as Judges of High Courts who are recommended by Supreme Court Collegium (SCC). While every effort is made to fill up the existing vacancies expeditiously, vacancies of Judges in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the strength of Judges.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

SS (APPs)

UNSTARRED QUESTION No. 126
ANSWERED ON THURSDAY, THE 20.07.2023

Appointment of SCs, STs and OBCs in judiciary

✓ 126. Smt. Phulo Devi Netam:

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

- (a) the details of steps taken to provide reservation to Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) according to population in the appointment of Judges of High Courts and the Supreme Court; and
- (b) whether Government proposes to amend the Constitution for providing representation to Scheduled Castes, Scheduled Tribes and Other Backward Classes in the appointments of Judges, if so, the details thereof, if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE (SHRI ARJUN RAM MEGHWAL)

(a): Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. However, the Government has been requesting the Chief Justices of 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, Minorities and Women to ensure social diversity in appointment of Judges in High Courts. As per Memorandum of Procedure for appointment of Judges in the Supreme Court and High Courts, the Government appoints only those persons who are recommended by the Supreme Court Collegium.

(b): There is at present no such proposal to amend the Constitution for providing representation to Scheduled Castes, Scheduled Tribes and Other Backward Classes in the appointments of Judges.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA S A B H A

Leg. III Sec. (LD)

UNSTARRED QUESTION No. 127

ANSWERED ON THURSDAY, THE 20TH JULY, 2023.

Implementation of UCC

✓ 127. Shri Iranna Kadadi:

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

- (a) the details on the current progress made by Government in fast-tracking the implementation of a Uniform Civil Code (UCC) in the country;
- (b) whether Government has plan for engaging with various stakeholders to gather their views, ideas, and suggestions on the implementation of the UCC and if so, details thereof;
- (c) whether Government has undertaken steps to ensure a comprehensive and inclusive consultation process while formulating the UCC, if so, details thereof; and
- (d) whether Government has plan to ensure that the UCC respects the diverse cultural, religious and social norms prevalent in the country, if so, details thereof?

A N S W E R

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

- (a) to (d) The 21st Law Commission of India had issued a consultation paper on "Reform of Family Law" on 31.08.2018, however, it had not submitted any report. Since more than four years have lapsed from the date of issuance of the said

Consultation paper, the 22nd Law Commission decided to solicit views and ideas of the public at large and religious organizations on 14.06.2023, bearing in mind the relevance and importance of the subject matter and also various court order on the subject of uniform civil code .

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

RAJYA SABHA

Leg. III Sec. (LD)

UNSTARRED QUESTION No. 128

ANSWERED ON THURSDAY, THE 20th JULY, 2023.

Consultation process on UCC

✓128. SHRI VAIKO:
SHRI M. SHANMUGAM:

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

- (a) whether the Law Commission recently initiated fresh consultation process and sought views from public and religious organisations on Uniform Civil Code (UCC);
- (b) if so, the details thereof;
- (c) whether in view of the public view and views of minority communities that they are opposed to UCC, the reason for another initiative taken by Law Commission; and
- (d) whether Government would assure the minority communities that UCC will not be brought until there is a broad consensus among all political parties, if so, the detail?

A N S W E R

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE;
MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF
STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

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Consultation paper, the 22nd Law Commission decided to solicit views and ideas of the public at large and religious organizations on 14.06.2023, bearing in mind the relevance and importance of the subject matter and also various court order on the subject of uniform civil code .

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

RAJYA SABHA
STARRED QUESTION No. 86
ANSWERED ON 27.07.2023

JS (PPP)

e-Just

Establishment of e-filing centers

*86. Dr. Laxmikant Bajpayee:

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

- (a) whether any letter was written on November 30, 2022, related to setting up of e-filing centers for Chief Justices of High Courts and carrying out the judicial proceedings through virtual method in light of the supreme principle of cheap and accessible justice and the interest of litigants; and
- (b) whether any reply has been received from the Chief Justices, if so, whether it is positive or negative, if negative, further steps Government proposes to make virtual method effective?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF
STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

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

Statement referred to in reply to parts (a) to (b) in respect of Rajya Sabha Starred Question No. 86 for reply on 27.07.2023 regarding establishment of e-filing centers asked by Dr. Laxmikant Bajpayee.

(a) : A letter dated 09.03.2023 was addressed to Chief Justices of all High Courts by Hon'ble Minister of Law & Justice, Shri Kiren Rijiju regarding creation of Virtual Benches through facility of e-filing and enabling virtual hearing of cases in lieu of establishing Additional Benches of High Court. However, no communication dated 30.11.2022 was sent by Department of Justice.

Establishment of additional benches of High Courts where geographical area of the State is large and terrain is difficult is a long standing demand of states. For the establishment of additional Benches of a High Court, there is a prescribed process that involves long duration of time. However, the creation of Virtual Benches through the facility of e-filing in different districts in the State and enabling virtual hearing of cases from the district dispenses the need of establishment of additional benches of High court. It is an acknowledged fact that, during the Covid pandemic period, virtual hearings through video conferencing came to the rescue of the common man, as normal Court proceedings in congregational mode was not possible. It was the eCourts Mission Mode Project which had already established the essential computer and VC logistics as well as connectivity that enabled the swift operationalisation of video conferencing and virtual hearing during the Covid pandemic. In addition, under eCourts Project, eSewa Kendras in court complexes to serve as a one stop solution for eFiling, virtual hearing/video conferencing and other e-facilities have been provided free of cost to common citizens who do not have the computer and internet connectivity. Taking a lead in this sphere, the High Court of Orissa (Cuttack) has established 20 Virtual Benches of High Court at District Courts facilitating advocates/party in person to appear through the Virtual High Court Centers and conduct cases before the High Court. Guidelines for the same are available on the website of High Court of Orissa.

(b) : Responses have been received in respect to the letter dated 09.03.2023 from High Courts of Karnataka, Tripura, Chhattisgarh, Madhya Pradesh and Sikkim who have supported the decision of use of facilities provided under eCourts Project for promoting cheap and accessible justice through virtual methods. The decision to establish Virtual Benches of High Courts is an administrative matter of the concerned High Courts and the Central Government is not directly involved in the matter.

Additionally, the following e-initiatives under eCourts Project Phase II have been undertaken by Government to make virtual method of justice delivery accessible and available for all:

- i. Under the Wide Area Network (WAN) Project, connectivity has been provided to 99.4% (2976 out of earmarked 2994) of total Court Complexes across India with 10 Mbps to 100 Mbps bandwidth speed.
- ii. National Judicial Data Grid (NJDG) is a database of orders, judgments, and cases, created as an online platform under the eCourts Project. It provides information relating to judicial proceedings/decisions of all computerized district and subordinate courts of the country. Litigants can access case status information in respect of over 23.34 crore cases and more than 22.21 crore orders / judgments (as on 03.07.2023).
- iii. Case Information Software (CIS) based on customized Free and Open-Source Software (FOSS) has been developed. Currently CIS National Core Version 3.2 is being implemented in District Courts and the CIS National Core Version 1.0 is being implemented for the High Courts.
- iv. A new software patch and court user manual for COVID-19 management has also been developed. This tool will help in smart scheduling of cases thereby enabling judicial officers to retain urgent cases and adjourn cases not urgent on cause list. A user manual for this patch has also been issued for the ease of the stakeholders.
- v. As part of eCourts project, 7 platforms have been created to provide real time information on case status, cause lists, judgements etc. to lawyers/Litigants through SMS Push and Pull (2,00,000 SMS sent daily), Email (2,50,000 sent daily), multilingual and tactile eCourts services Portal (35 lakh hits daily), JSC (Judicial Service centres) and Info Kiosks. In addition, Electronic Case Management Tools (ECMT) have been created with Mobile App for lawyers (total 1.88 crore downloads till 30.06.2023) and JustIS app for judges (19,164 downloads till 30.06.2023).
- vi. India has emerged as a global leader in conducting court hearing through Video Conferencing. The District & Subordinate courts heard 1,98,67,081 cases while the High Courts heard 78,69,708 cases (totaling 2.77 crore) till 30.06.2023 using video conferencing system. The Hon'ble Supreme Court of India held 4,82,941 hearings through video conferencing till 15.05.2023. VC facilities have also been enabled between 3240 court complexes and corresponding 1272 jails. Funds for 2506 VC cabins and VC equipment for 14,443 courtrooms have also been released. 1500 VC licenses have been procured to promote virtual hearings.
- vii. Live Streaming of court proceedings has been started in High Courts of Gujarat, Gauhati, Orissa, Karnataka, Jharkhand, Patna, Madhya Pradesh & Hon'ble Supreme Court of India thus allowing media and other interested persons to join the proceedings.
- viii. 22 Virtual Courts in 18 States/UTs have been operationalized to handle traffic challan cases. More than 3.26 crore cases have been handled by 22 virtual courts and in more

than 39 lakhs (39,16,405) cases online fine of more than Rs. 419.89 crore has been realized till 30.06.2023.

- ix. New e-filing system (version 3.0) has been rolled out for the electronic filing of legal papers with upgraded features. Draft eFiling rules have been formulated and circulated to the High Courts for adoption. A total of 19 High Courts have adopted the model rules of e-Filing as on 30.06.2023.
- x. e-Filing of cases requires the option for electronic payment of fees which includes court fees, fines and penalties which are directly payable to the Consolidated Fund. A total of 20 High Courts have implemented e-payments in their respective jurisdictions. The Court Fees Act has been amended in 22 High Courts till 30.06.2023.
- xi. To bridge the digital divide, 819 eSewa Kendras have been rolled out with the intention of facilitating the lawyer or litigant who needs any kind of assistance ranging from information to facilitation and eFiling, thus enabling citizens of the nearby areas to access the High Court facilities. It also assists the litigants in accessing online e-Courts services and acts as a saviour for those who cannot afford the technology or are located in far-flung areas. It also aids to addresses the challenges caused by illiteracy among citizens at large. It will provide benefits in saving time, avoidance of exertion, travelling long distances, and saving cost by offering facilities of e-filing of cases across the country, to conduct the hearing virtually, scanning, accessing e-Courts services etc.
- xii. In addition to eSewa Kendras, as part of the DISHA (Designing Innovative Solutions for Holistic Access to Justice) scheme the Government of India has launched Tele Law program since 2017, which provides an effective and reliable e-interface platform connecting the needy and disadvantaged sections seeking legal advice and consultation with panel lawyers via video conferencing, telephone and chat facilities available at the Common Service Centres (CSCs) situated in Gram Panchayat and through Tele-Law mobile App.
- xiii. National Service and Tracking of Electronic Processes (NSTEP) has been launched for technology enabled process serving and issuing of summons. It has currently been implemented in 28 States/ UTs.
- xiv. A new "Judgment Search" portal has been started with features such as search by Bench, Case Type, Case Number, Year, Petitioner/ Respondent Name, Judge Name, Act, Section, Decision: From Date, To Date and Full Text Search. This facility is being provided free of cost to all.

In the Union Budget 2023-2024, the Government of India announced Phase-III of eCourts project with an outlay of Rs.7000 crore. Based on the Detailed Project Report (DPR) approved by the eCommittee, Supreme Court of India, the Expenditure Finance Committee in its meeting held on 23.02.2023 has approved the eCourts Phase III with a total outlay of Rs.7210 crore. Further, the

Empowered Technology Group chaired by the Principal Scientific Adviser to the Government of India in its meeting held on 21.06.2023 has also recommended to the Cabinet the eCourts Phase III for approval.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)
RAJYA SABHA
UNSTARRED QUESTION NO-898
ANSWERED ON - 27/07/2023

SSCPPP)

FUNCTIONAL E-COURTS UNDER PHASE-3

898 SHRI R. DHARMAR:

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

- (a) the details of number of e-Courts functional across the country;
- (b) the details of funds sanctioned, allocated and utilized for this project during the last three years and the current year across the country including Tamil Nadu;
- (c) the details of the target set and achievements made so far along with its response;
- (d) whether Government is planning to launch Phase-3 of this project within the country;
- (e) if so, the details thereof along with funds likely to be sanctioned for this project; and
- (f) the details of the target likely to set under this phase-3?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (c): As part of the National eGovernance Plan, the eCourts Mission Mode Project is under implementation for Information and Communication Technologies (ICT) development of the Indian Judiciary based on the "National Policy and Action Plan for Implementation of Information and Communication Technology in the Indian Judiciary". eCourts project is being implemented in association with eCommittee, Supreme Court of India and Department of Justice. Phase I of the project was implemented between 2011-2015. Phase II of the project extended from 2015-2023. The Government has taken the following e-initiatives to make justice accessible and available for all: -

- i. Under the Wide Area Network (WAN) Project, connectivity has been provided to 99.4% (2976 out of earmarked 2994) of total Court Complexes across India with 10 Mbps to 100 Mbps bandwidth speed.

- ii. National Judicial Data Grid (NJDG) is a database of orders, judgments, and cases, created as an online platform under the eCourts Project. It provides information relating to judicial proceedings/decisions of all computerized district and subordinate courts of the country. Litigants can access case status information in respect of over 23.34 crore cases and more than 22.21 crore orders / judgments (as on 03.07.2023).
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The detailed break-up of operational eCourts in the country has been attached in Annexure-I. Funds released and utilised during the last three years across the country including Tamil Nadu for infrastructure development of eCourts are given in Annexure-II.

(d) to (f): In the Union Budget 2023-2024, the Government of India announced Phase-III of eCourts project with an outlay of Rs.7000 crore. Based on the Detailed Project Report (DPR) approved by the eCommittee, Supreme Court of India, the Expenditure Finance Committee in its meeting held on 23.02.2023 has approved the eCourts Phase III with a total outlay of Rs.7210 crore. Further, the Empowered Technology Group chaired by the Principal Scientific Adviser to the Government of India in its meeting held on 21.06.2023 has also recommended to the Cabinet the eCourts Phase III for approval.

Statement referred to in reply of Raja Sabha Unstarred Question No. 898 for 27/07/2023 regarding Functional e-Courts. The details of operational eCourts in the country are as under:

Annexure-I

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

Annexure-II

Statement referred to in reply of Rajya Sabha Unstarred Question No. 898 for 27/07/2023 regarding the funds released during the last three years for infrastructure development are:

S.No.	High Courts	2019-2020		2020-21		2021-22	
		Released (Cr.)	Utilized (Cr.)	Released (Cr.)	Utilized (Cr.)	Released (Cr.)	Utilized (Cr.)
1	Allahabad	15.04	13.63	13.79	10.22	0.00	0.00
2	Andhra Pradesh	0.00	0.00	1.96	0.00	0.00	0.00
3	Bombay	0.00	0.00	8.86	8.86	0.00	0.00
4	Calcutta	0.00	0.00	4.93	0.00	0.00	0.00
5	Chhattisgarh	4.44	4.44	2.34	2.34	0.00	0.00
6	Delhi	0.00	0.00	3.00	2.85	0.00	0.00
7	Gauhati (Assam)	0.98	0.98	1.52	1.52	1.26	1.18
8	Gauhati (Mizoram)	13.68	13.40	6.11	1.78	3.49	3.46
9	Gauhati (Nagaland)	0.51	0.43	0.72	0.69	0.30	0.25
10	Gujarat*	0.70	0.70	0.83	0.83	0.84	0.84
11	Himachal Pradesh	0.00	0.00	2.00	1.78	0.00	0.00
12	Jammu & Kashmir and Ladakh	0.00	0.00	1.00	1.00	0.00	0.00
13	Jharkhand	5.53	0.35	2.98	0.48	0.00	0.00
14	Karnataka	9.15	9.15	4.29	4.29	0.00	0.00
15	Kerala	0.00	0.00	2.83	2.83	1.58	1.58
16	Madhya Pradesh	11.21	11.06	6.28	6.21	0.00	0.00
17	Madras	0.00	0.00	4.73	2.46	0.00	0.00
18	Manipur	0.61	0.60	1.30	1.28	0.76	0.75
19	Meghalaya	0.92	0.09	2.32	0.51	2.23	0.85
20	Orissa	13.46	13.09	3.37	3.31	0.00	0.00
21	Patna	7.08	6.40	5.44	5.30	0.00	0.00
22	Punjab & Haryana	0.00	0.00	4.55	4.55	0.00	0.00
23	Rajasthan	1.29	1.29	10.58	10.57	1.62	1.62
24	Sikkim	1.61	0.68	1.01	0.92	0.77	0.00
25	Telangana & Andhra Pradesh**	0.00	0.00	0.00	0.00	0.00	0.00
26	Telangana	0.00	0.00	1.79	0.00	0.00	0.00
27	Tripura	2.24	2.19	4.44	4.05	0.96	0.78
28	Uttarakhand	0.00	0.00	1.28	0.12	0.00	0.00

*Gujarat High Court surrendered Rs.13.12 crore. Total utilization included surrendered funds. **Funds released erstwhile Andhra Pradesh and Telangana High Court, and both the states shared the available funds in the ratio of 58:42 respectively.

NOTE: For year the 2022-2023 no funds were released as the total outlay of Phase II amounting to Rs.

1670 Crore has been exhausted.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 899

ANSWERED ON 27/07/2023

JS (WMTJR)

NM

STRENGTH OF JUDGES

✓ 899 # SHRI NARHARI AMIN:

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

- (a) the current ratio between the number of judges to the number of cases in the country;
- (b) whether it is a fact that the present strength of judges is less than the average;
- (c) if so, the efforts being made by Government to increase the number of judges in the courts, the details thereof; and
- (d) the ratio between the present strength of judges in district courts and State High Courts to the number of cases pending with the respective courts in the State of Gujarat, the details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

- (a): The current ratio between the number of judges to the number of cases pending in the various courts of the country is calculated as follows :

S.no.	Name of Court	Sanctioned Strength of Judges***	No. of pending cases	Ratio
1.	Supreme Court	34	69,766**	1:2052
2.	High Courts	1,114	60,64,939*	1:5444
3.	District & Subordinate Courts	25,246	4,42,63,161*	1:1753

*Source : As on 21.07.2023, NJDG. **Source: Supreme Court of India. ***Source : Department of Justice MIS portal

(b): The information is not maintained in the manner sought. However, at present the working strength of judges in the courts as against the sanctioned strength is as under:-

S.no.	Name of Court	Sanctioned Strength of Judges	Working Strength
1.	Supreme Court	34	32
2.	High Courts	1,114	775
3.	District & Subordinate Courts	25,246	19,858

Source: Department of Justice MIS portal.

(c): In case of the Supreme Court, The Supreme Court (Number of Judges) Act, 1956 was amended to increase the sanctioned strength of Supreme Court of India from 30 to 33 (excluding CJI). The Supreme Court (Number of Judges) Amendment Act, 2019 came into force w.e.f. 09.08.2019.

For the High Courts , 208 new posts of Judges in the High Courts were created during the period from 01.07.2014 till 19.07.2023, thus increasing the Judge Strength of the High Courts from 906 to 1114.

However, in case of the District and Subordinate Court judiciary, increase in strength of judicial officers in Subordinate judiciary falls within the domain of the concerned State Governments and High Courts.

(d): The ratio between the present strength of judges in district courts and State High Courts to the number of cases pending with the respective courts in the State of Gujarat is as follows:

S.no.	Name of Court	*Sanctioned Strength of Judges	**No. of pending cases	Ratio
2.	High Court of Gujarat	52	1,65,332	1:3179
3.	District & Subordinate Courts in Gujarat	1582	16,95,638	1:1072

*Source:-Department of Justice, MIS portal. ** National Judicial Data Grid (NJDG)

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA SABHA

UNSTARRED QUESTION NO. 900

ANSWERED ON THURSDAY, 27th JULY, 2023

*Conducting Simultaneous Polls For Both
The State Assemblies and The Lok Sabha*

Leg. II Sec.

✓ 900. Dr. M. Thambidurai :

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

(a) *the details of the present status of conducting simultaneous polls for both the State Assemblies and the Lok Sabha;*

(b) *whether Government had held consultations with various stakeholders;*

(c) *if so, the details thereof; and*

(d) *the expected revenue saving for Government as on date, if simultaneous polls are held in the country?*

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (c): The Department Related Parliament Standing Committee on Personnel, Public Grievances, Law and Justice had examined the issue of simultaneous elections to Lok Sabha and State Legislative Assemblies in consultation with various stake-holders including Election Commission of India. The Committee has given certain recommendations in this regard in its 79th Report. The matter now stands referred to the Law Commission for

further examination to work out practicable road map and framework for simultaneous elections to Lok Sabha and State Assemblies.

(d): Does not arise, in view of the reply above.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA

UNSTARRED QUESTION NO. 901

ANSWERED ON 27/07/2023

NM

JSC(NMJK)

PENDENCY OF CIVIL AND CRIMINAL CASES

901. SHRI NEERAJ SHEKHAR:

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

- (a) the details of pending civil and criminal cases at the level of lower judiciary in the country, State-wise as on 15th July, 2023;
- (b) the details of pending civil and criminal cases at the level of lower judiciary in the country as on 15th July, 2022, State-wise;
- (c) the details of increase/decrease in pendency of criminal and civil cases, State-wise during the last one year; and
- (d) the outcome of National Mission for Justice Delivery and Legal Reforms which was set up in August, 2011 to reduce pendency of cases?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a): As per information available on National Judicial Data Grid (NJDG), the details of pending civil and criminal cases at the level of lower judiciary in the country, State-wise as on 15th July, 2023 is at *Annexure-I*.

(b): As per information available on National Judicial Data Grid (NJDG), the details of pending civil and criminal cases at the level of lower judiciary in the country, State-wise as on 15th July, 2022 is at *Annexure-II*.

(c): The details of increase/decrease in pendency of criminal and civil cases, State-wise during the last one year i.e. between 15th July, 2022 and 15th July, 2023 is at *Annexure-III*.

(d): Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no direct 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 and to reducing pendency. To this end, the Government has taken multiple initiatives the details of which are as under:-

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.

- i. Under the Centrally Sponsored Scheme for Judicial Infrastructure, funds are being released to States/UTs for construction of court halls, residential quarters for judicial officers, lawyers' halls, toilet complexes and digital computer rooms that would ease the life of lawyers and litigants, thereby aiding justice delivery. As on date, Rs. 10035 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for the Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 21,365 as on 30.06.2023, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,846 as on 30.06.2023, under this scheme.
- ii. Further under the e-Courts Mission Mode Project, information and communication technology (ICT) has been leveraged for IT enablement of district and subordinate courts. The number of computerised district & subordinate courts has increased to 18,735 so far. WAN connectivity has been provided to 99.4% of court complexes. Video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. 815 e-Sewa Kendras have been set up at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case-related information, and e-filing facilities. 22 virtual courts have been set up in 18 States/UTs. As on 31.05.2023, these courts have handled more than 3.113 crore cases and realized more than Rs. 408 crores in fines. E-courts Phase III is about to begin which intends to incorporate latest technology such Artificial Intelligence(AI) and Block chain to make justice delivery more robust, easy and accessible to all the stakeholders.
- iii. Government has been regularly filling up the vacancies in higher judiciary. From 01.05.2014 to 10.07.2023, 56 Judges were appointed in Supreme Court.

919 new Judges were appointed and 653 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 1114 currently. sanctioned and working strength of judicial officers in district and subordinate courts has increased as follow:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
21.07.2023	25,246	19,858

However, filling up of vacancies in subordinate judiciary falls within the domain of the State Governments and high courts concerned.

- iv. In pursuance of a Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in all 25 High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District courts as well.
- v. Under the aegis of the Fourteenth Finance Commission, the government has established Fast Track Courts for dealing with cases of heinous crimes; cases involving senior citizens, women, children etc. As on 31.05.2023, 832 Fast Track Courts are functional for heinous crimes, crimes against women, and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs. Further, the central government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for the expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme.
- vi. With a view to reduce pendency and unclogging of the courts, the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.

- vii. Alternate Dispute Resolution methods have been promoted whole heartedly. Accordingly, the Commercial Courts Act, 2015 was amended on 20th August, 2018 making Pre-institution Mediation and Settlement (PIMS) mandatory in case 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.
- viii. Lok Adalat is an important Alternative Disputes Resolution Mechanism available to common people. It is a forum where the disputes/ cases pending in the court of law or at pre-litigation stage are settled/ compromised amicably. Under the Legal Services Authorities (LSA) Act, 1987, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court. . Lok Adalat is not a permanent establishment. National Lok Adalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date. The details of the case disposed off in Lok Adalats during the last three years are as under:-

Years	Pre-litigation Cases	Pending Cases	Grand Total
2021	72,06,294	55,81,743	1,27,88,037
2022	3,10,15,215	1,09,10,795	4,19,26,010
2023 (upto 17.06.2023)	3,00,11,291	61,88,686	3,61,99,977
Total	6,82,32,800	2,26,81,224	9,09,14,024

- ix. The Government launched the Tele-Law programme in 2017, which provided an effective and reliable e-interface platform connecting the needy and disadvantaged sections seeking legal advice and consultation with panel lawyers via video conferencing, telephone and chat facilities available at the

Common Service Centres (CSCs) situated in Gram Panchayat and through Tele-Law mobile App.

***Percentage Wise break-up of Tele – Law Data**

Till 28th Feb, 2023	Cases Registered	% Wise Break Up	Advice Enabled	% Wise Break Up
Gender Wise				
Female	15,75,140	34.38	15,35,775	34.39
Male	30,06,772	65.62	29,30,601	65.61
Caste Category Wise				
General	9,82,636	21.45	9,52,773	21.33
OBC	13,28,505	28.99	12,93,153	28.95
SC	14,88,971	32.50	14,53,283	32.54
ST	7,81,800	17.065	7,67,167	17.18
Total	45,81,912		44,66,376	

- x. Efforts have been made to institutionalize pro bono culture and pro bono lawyering the country. A technological framework has been put in place where advocates volunteering to give their time and services for pro bono work can register as Pro Bono Advocates on Nyaya Bandhu (Android & iOS and Apps). Nyaya Bandhu Services also available on UMANG Platform. Pro Bono Panel of advocates have been initiated in 21 High Courts at the State level. Pro Bono Clubs have been started in 69 select Laws Schools to instill Pro Bono culture in budding lawyers.

STATEMENT REFERRED TO IN REPLY TO PART (A) OF RAJYA SABHA UNSTARRED QUESTION NO. 901 FOR ANSWER ON 27.07.2023 REGARDING 'PENDENCY OF CIVIL AND CRIMINAL CASES'

Details of State-wise Pendency as on 15th July, 2023 in District and Subordinate Courts.

S. No	State/UTs	Civil	Criminal	Total
1	Uttar Pradesh	1866208	9743124	11609332
2	Maharashtra	1621800	3485391	5107191
3	Bihar	524503	2976426	3500929
4	West Bengal	622950	2280565	2903515
5	Rajasthan	559968	1711614	2271582
6	Madhya Pradesh	401707	1608776	2010483
7	Karnataka	935416	983568	1918984
8	Kerala	524817	1359356	1884173
9	Gujarat	408316	1282803	1691119
10	Haryana	458943	1073130	1532073
11	Odisha	281448	1244509	1525957
12	Tamil Nadu	754659	720413	1475072
13	Delhi	241850	985641	1227491
14	Punjab	399389	517128	916517
15	Telangana	344082	563284	907366
16	Andhra Pradesh	417212	431802	849014
17	Himachal Pradesh	163650	373794	537444
18	Jharkhand	88800	435967	524767
19	Assam	100893	365427	466320
20	Chhattisgarh	79026	329924	408950
21	Uttarakhand	45233	290164	335397
22	Jammu and Kashmir	100433	216256	316689
23	Chandigarh	23257	59160	82417
24	Goa	26060	30658	56718
25	Tripura	11683	33866	45549
26	Puducherry	13496	20599	34095
27	Meghalaya	4458	11477	15935
28	Manipur	8208	4371	12579
29	Andaman and Nicobar	3476	5292	8768
30	Mizoram	2539	3275	5814
31	DNH at Silvassa	1958	2098	4056
32	Nagaland	627	2713	3340
33	Diu and Daman	1445	1620	3065
34	Sikkim	644	1177	1821
35	Arunachal Pradesh	403	984	1387
36	Ladakh	627	579	1206
	Total:	1,10,40,184	3,31,56,931	4,41,97,115

Source: National Judicial Data Grid (NJDG)

STATEMENT REFERRED TO IN REPLY TO PART (B) OF RAJYA SABHA UNSTARRED QUESTION NO. 901 FOR ANSWER ON 27.07.2023 REGARDING 'PENDENCY OF CIVIL AND CRIMINAL CASES'

Details of State-wise Pendency as on 15th July, 2022 in District and Subordinate Courts.

S. No	State/UTs	Civil	Criminal	Total
1	Uttar Pradesh	1906811	8652719	10559530
2	Maharashtra	1557984	3431022	4989006
3	Bihar	502186	2963593	3465779
4	West Bengal	614712	2097443	2712155
5	Rajasthan	548539	1595764	2144303
6	Madhya Pradesh	402147	1562605	1964752
7	Kerala	529501	1456561	1986062
8	Karnataka	906282	988407	1894689
9	Odisha	294560	1248295	1542855
10	Gujarat	455953	1412869	1868822
11	Haryana	455430	940324	1395754
12	Tamil Nadu	810432	645419	1455851
13	Delhi	257457	918485	1175942
14	Telangana	340444	516346	856790
15	Punjab	417916	549096	967012
16	Andhra Pradesh	419468	377213	796681
17	Jharkhand	94412	431572	525984
18	Himachal Pradesh	159623	324347	483970
19	Assam	91505	370922	462427
20	Chhattisgarh	75162	326326	401488
21	Uttarakhand	46666	288594	335260
22	Jammu and Kashmir	97546	177302	274848
23	Chandigarh	24030	52660	76690
24	Goa	26071	32354	58425
25	Tripura	11379	28807	40186
26	Puducherry	14440	20392	34832
27	Meghalaya	4552	12418	16970
28	Manipur	8011	4168	12179
29	Andaman and Nicobar	3279	4971	8250
30	Mizoram	2451	3446	5897
31	DNH at Silvassa	1879	1909	3788
32	Nagaland	497	2644	3141
33	Diu and Daman	1421	1466	2887
34	Arunachal Pradesh	244	787	1031
35	Sikkim	720	1171	1891
36	Ladakh	579	469	1048
	Total:	1,10,84,289	3,14,42,886	4,25,27,175

Source: National Judicial Data Grid (NJDG)

STATEMENT REFERRED TO IN REPLY TO PART (B) OF RAJYA SABHA UNSTARRED QUESTION NO. 901 FOR ANSWER ON 27.07.2023 REGARDING 'PENDENCY OF CIVIL AND CRIMINAL CASES'

State-Wise Details of Increase/Decrease in Pendency of Criminal and Civil Cases during 2022-2023 in Lower Judiciary

Sr. no	State/UTs	Civil			Criminal			total		
		15.07.2022	15.07.2023	Increase/Decrease	15.07.2022	15.07.2023	Increase/Decrease	15.07.2022	15.07.2023	Increase/Decrease
1	Uttar Pradesh	1906811	1866208	-40603	8652719	9743124	1090405	10559530	11609332	1049802
2	Maharashtra	1557984	1621800	63816	3431022	3485391	54369	4989006	5107191	118185
3	Bihar	502186	524503	22317	2963593	2976426	12833	3465779	3500929	35150
4	West Bengal	614712	622950	8238	2097443	2280565	183122	2712155	2903515	191360
5	Rajasthan	548539	559968	11429	1595764	1711614	115850	2144303	2271582	127279
6	Madhya Pradesh	402147	401707	-440	1562605	1608776	46171	1964752	2010483	45731
7	Karnataka	529501	935416	405915	1456561	983568	-472993	1986062	1918984	-67078
8	Kerala	906282	524817	-381465	988407	1359356	370949	1894689	1884173	-10516
9	Gujarat	294560	408316	113756	1248295	1282803	34508	1542855	1691119	148264
10	Haryana	455953	458943	2990	1412869	1073130	-339739	1868822	1532073	-336749
11	Odisha	455430	281448	-173982	940324	1244509	304185	1395754	1525957	130203
12	Tamil Nadu	810432	754659	-55773	645419	720413	74994	1455851	1475072	19221
13	Delhi	257457	241850	-15607	918485	985641	67156	1175942	1227491	51549
14	Punjab	340444	399389	58945	516346	517128	782	856790	916517	59727
15	Telangana	417916	344082	-73834	549096	563284	14188	967012	907366	-59646
16	Andhra Pradesh	419468	417212	-2256	377213	431802	54589	796681	849014	52333
17	Himachal Pradesh	94412	163650	69238	431572	373794	-57778	525984	537444	11460
18	Jharkhand	159623	88800	-70823	324347	435967	111620	483970	524767	40797
19	Assam	91505	100893	9388	370922	365427	-5495	462427	466320	3893
20	Chhattisgarh	75162	79026	3864	326326	329924	3598	401488	408950	7462
21	Uttarakhand	46666	45233	-1433	288594	290164	1570	335260	335397	137
22	Jammu and Kashmir	97546	100433	2887	177302	216256	38954	274848	316689	41841

23	Chandigarh	24030	23257	-773	52660	59160	6500	76690	82417	5727
24	Goa	26071	26060	-11	32354	30658	-1696	58425	56718	-1707
25	Tripura	11379	11683	304	28807	33866	5059	40186	45549	5363
26	Puducherry	14440	13496	-944	20392	20599	207	34832	34095	-737
27	Meghalaya	4552	4458	-94	12418	11477	-941	16970	15935	-1035
28	Manipur	8011	8208	197	4168	4371	203	12179	12579	400
29	Andaman and Nicobar	3279	3476	197	4971	5292	321	8250	8768	518
30	Mizoram	2451	2539	88	3446	3275	-171	5897	5814	-83
31	DNH at Silvassa	1879	1958	79	1909	2098	189	3788	4056	268
32	Nagaland	497	627	130	2644	2713	69	3141	3340	199
33	Diu and Daman	1421	1445	24	1466	1620	154	2887	3065	178
34	Sikkim	244	644	400	787	1177	390	1031	1821	790
35	Arunachal Pradesh	720	403	-317	1171	984	-187	1891	1387	-504
36	Ladakh	579	627	48	469	579	110	1048	1206	158
	Total:	11084289	11040184	-44105	31442886	33156931	1714045	42527175	44197115	1669940

Source: National Judicial Data Grid (NJDG)

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

RAJYA SABHA

Leg. III Sec **UNSTARRED QUESTION No. 902**
ANSWERED ON THURSDAY, THE 27TH JULY, 2023.

Law Commission Report on adverse possession

✓ 902. **SHRI VIVEK THAKUR**

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

- (a) whether any report on adverse possession has been submitted by the Law Commission;*
- (b) if so, the details of the opinion submitted by the Law Commission; and*
- (c) whether Government is considering to carry out any kind of change in adverse possession?*

A N S W E R

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE;
MINISTER OF STATE IN THE MINISTRY OF PARLIAMETARY AFFAIRS; AND MINISTER OF
STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

- (a) : Yes, Sir.**
- (b)& (c) : The 22nd Law Commission of India has submitted report No. 280 on the Law on adverse Possession on 24th May 2023. The Law Commission, after conducting an in-depth study of the subject matter, came to the conclusion that no change is required to be brought in the existing law on adverse possession.**

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA

UNSTARRED QUESTION NO. 903
ANSWERED ON 27/07/2023

N/M

JS (NMJR)

SC/ST/OBC QUOTAS IN JUDICIARY

✓ 903. SHRI SUSHIL KUMAR MODI:

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

- (a): the name of the States which have been able to meet all three quotas for SC/ST/OBC in judiciary at the subordinate /district court level in the last three years;
- (b): the name of the States which met their respective quotas;
- (c): the number of SC/ST/OBC judges in High Courts, State-wise and category-wise;
- (d): the details of steps which Government is taking to fill the different quotas in subordinate/ district courts; and
- (e): the details of the efforts which Government is making to increase the number of SC/ST/OBC judges in High Courts?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

- (a) & (b): The information sought regarding filing up of quota of SC/ST/OBC categories at Subordinate/District court-level is not maintained by the Department. The

Central Government has no role under the Constitution in the selection, recruitment and appointment of judicial officers in District/Subordinate judiciary level.

(c): As far as number of SC/ST/OBC judges in High Courts is concerned, information on social background is being provided by the recommendees for elevation to High Court Judges as per the revised Annexure put into effect since 2018 wherein besides other information details regarding their social background are made available in the prescribed format (prepared in consultation with the Supreme Court). As per information provided by the recommendees, out of 604 High Court Judges appointed since 2018 till 17.07.2023, 458 Judges belong to the General Category, 18 Judges belong to the SC category, 09 belong to the ST category, 72 Judges belong to the OBC category, 34 Judges belong to Minority and for the remaining 13 Judges there is no information available in the Annexures filled by them at the time of their consideration for appointment to the post of Judges.

(d): As per the Constitutional framework, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Governments in consultation with the respective High Courts frame the rules and regulations regarding the issues of appointment and recruitment of Judicial Officers in the respective State Judicial Service. Thus, the selection and appointment of judicial officers in the Subordinate/District Courts to fill up different quotas in Subordinate/District courts is the responsibility of the High Courts and State Governments concerned. In some States, the respective High Courts undertake the recruitment process, whereas in other States, the High Courts does it in consultation with the State Public Service Commissions. Therefore, the Central Government has no role in recruitment or filling up of different quotas in Subordinate/District judiciary.

(e): Appointment of Judges of the High Courts is made under Articles 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. However, the Government is committed to social diversity in the appointment of

Judges in the in the Higher Judiciary and has been requesting the Chief Justices of 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, Minorities and Women to ensure social diversity in appointment of Judges in High Courts

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 904
ANSWERED ON THURSDAY, THE 27th July, 2023

J-II

JS(PPP)

Status of Fast Track Courts in the country

✓904. Shri Sandeep Kumar Pathak:

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

- (a) the details of the total number of Fast Track Courts (FTCs) established in the country during the last five years, State-wise and year-wise;
- (b) the details of the total number of cases pending in all these FTCs so far, State-wise;
- (c) the details of the number of FTCs that are facing shortage of other personnel including judicial officers, State-wise; and
- (d) the details of the total number of FTCs for hearing cases registered under Protection of Children from Sexual Offences (POCSO), State-wise?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a to d): Establishment of Fast Track Courts (FTCs) for providing speedy justice in the country lies within the domain of the State Governments who set up such courts as per their need and resources, in consultation with the respective High Courts. The 14th Finance Commission (FC) had recommended for setting up of 1800 FTCs during 2015-2020 for speedy trial of specific cases of heinous nature, civil cases related to women, children, senior citizen, disabled persons, persons infected with terminal ailments etc. and property related

cases pending for more than 5 years. The FC had further urged upon the State Governments to utilize the enhanced fiscal space available through tax devolution (32% to 42%) for this purpose. The Union Government had also urged the State Governments/UTs to allocate funds for setting up of FTCs from the financial year 2015-16 onwards. In this regard, the State Governments/UTs have set up 832 FTCs as on 31.05.2023. Information regarding personnel in FTCs including judicial officers in POCSO Courts is not centrally maintained.

The details of the total number of FTCs established and functional during the last five years in the country, State-wise and year-wise and the number of cases pending in all these FTCs so far, State-wise are given in **Annexure-I and II** respectively.

Pursuant to the Criminal Law (Amendment) Act, 2018, the Central Government is implementing a Centrally Sponsored Scheme for setting up 1023 Fast Track Special Courts (FTSCs) including 389 exclusive Prevention of Children from Sexual Offences (e-POCSO) Courts for speedy disposal of cases related to rape and POCSO Act since October 2019. As per information made available by High Courts, 758 FTSCs including 412 exclusive POCSO Courts are functional in 29 States/UTs which have disposed of more than 1,69,000 cases while 1,95,797 cases are pending in these courts as on 31st May 2023. Among these, exclusive POCSO Courts have disposed of more than 1,08,000 cases while more than 1,30,000 cases remain pending. The State-wise details of number of functional Courts, cases disposed of and pending in Fast Track Special Courts including exclusive POCSO Courts as on 31.05.2023 are given at **Annexure-III**.

Annexure-I

Annexure given in Rajya Sabha Unstarred Question No. 904 # to be replied on 27.07.2023

(As on May, 2023)

Sl. NO.	State/UT	Functional Fast Track 2018	Functional Fast Track - 2019	Functional Fast Track - 2020	Functional Fast Track -2021	Functional Fast Track -2022	Functional Fast Track - till May 2023
1	Andhra Pradesh	21	21	21	21	22	22
2	Arunachal Pradesh	0	0	0	0	0	08
3	Assam	03	19	14	16	16	16
4	Andaman & Nicobar Islands	0	0	0	0	0	0
5	Bihar	48	57	33	0	0	0
6	Chhattisgarh	23	38	23	23	23	23
7	Delhi	4	10	5	7	10	06
8	Gujarat	0	0	0	35	54	54
9	Goa	2	0	0	0	04	04
10	Haryana	6	6	5	6	06	06
11	Himachal	0	0	0	0	03	01
12	Jammu & Kashmir	0	5	1	4	04	05
13	Jharkhand	32	0	40	6	34	34
14	Karnataka	0	0	13	18	0	0
15	Kerala	0	0	23	28	0	0
16	Madhya Pradesh	0	0	2	0	01	0
17	Maharashtra	93	91	116	110	111	97
18	Manipur	4	4	6	6	06	06
19	Meghalaya	0	0	0	0	0	0
20	Mizoram	2	2	2	2	02	02
21	Nagaland	1	0	1	0	0	0
22	Odisha	0	0	0	19	0	0
23	Punjab	0	0	7	7	07	07
24	Puducherry	0	0	0	0	0	0
25	Rajasthan	0	0	0	0	0	0
26	Sikkim	02	01	02	02	02	02
27	Tamil Nadu	39	74	73	74	73	72
28	Telangana	38	29	29	35	0	0
29	Tripura	3	11	11	11	03	03
30	Uttar Pradesh	286	368	389	376	372	372
31	Uttarakhand	4	4	4	4	07	04
32	West Bengal	88	88	87	88	88	88
	Total	699	828	907	898	848	832

Annexure-II**Annexure given in Rajya Sabha Unstarred Question No. 904 # to be replied on 27.07.2023****(As on May, 2023)**

Sl.No.	NAME OF STATE/UTs	2018 Pending Cases	2019 Pending Cases	2020 Pending Cases	2021 Pending Cases	2022 Pending Cases	2023 Pending Cases till May 2023
1	Andhra Pradesh	8179	6763	10069	10069	6855	7200
2	Andaman & Nicobar island	0	0	0	0	0	0
3	Arunachal Pradesh	0	0	0	0	0	181
4	Assam	1977	8108	10108	9356	10750	11518
5	Bihar	23055	20774	58636	69792	0	0
6	Chhattisgarh	4999	6882	15310	17779	5330	5050
7	Delhi	1035	4210	40733	48520	4057	2788
8	Goa	1298	0	0	0	2215	2286
9	Gujarat	0	0	33560	35335	6791	6527
10	Haryana	3337	924	58511	65337	873	791
11	Himachal Pradesh	0	0	15618	5102	497	226
12	Jammu & Kashmir	0	876	0	0	686	1071
13	Jharkhand	4604	4632	14507	19371	7836	7916
14	Karnataka	0	0	38365	39458	0	0
15	Kerala	0	0	100479	114020	0	0
16	Madhya Pradesh	0	0	15584	25769	193	0
17	Maharashtra	81104	107491	52079	67315	158149	137903
18	Manipur	719	210	634	634	360	309
19	Meghalaya	0	0	0	0	0	0
20	Mizoram	149	154	0	0	223	219
21	Nagaland	3	0	66	153	0	0
22	Odisha	0	0	39670	44689	0	0
23	Puducherry	0	0	1535	1452	0	0
24	Punjab	0	0	52198	85061	255	225
25	Rajasthan	0	0	44222	46048	0	0
26	Sikkim	12	6	188	195	14	14
27	Tamil Nadu	62916	6036	29970	32519	107346	92344
28	Telangana	7948	9950	15469	18095	0	0
29	Tripura	1456	937	2551	3604	1393	1417
30	Uttar Pradesh	410718	405127	413176	396462	1086490	1221761
31	Uttarakhand	886	567	15119	15997	1532	923
32	West Bengal	44231	49723	0	1166	72824	77517
	TOTAL	658626	633370	1078357	1173298	1474669	1578186

Annexure-III

Annexure given in Rajya Sabha Unstarred Question No. 904 # to be replied on 27.07.2023

(As on May 2023)

Sl. No.	State/UT	Functional Courts		Cumulative Disposal since the inception of the Scheme			No. of cases pending at the end of the month			Cumulative Pendency
		FTSCs including ePOCSO	ePOCSO	Combi- ned FTSCs	ePOCSO	Total	Combined FTSCs		ePOCSO	
							Rape	POCSO		
1	Chhattisgarh	15	11	547	2976	3523	107	400	1987	2494
2	Gujarat	35	24	1647	6598	8245	624	722	5181	6527
3	Mizoram	3	1	95	30	125	7	32	24	63
4	Nagaland	1	0	48	3	51	2	53	0	55
5	Jharkhand	22	16	1651	2997	4648	634	564	3158	4356
6	Madhya Pradesh	67	57	2865	15897	18762	2360	156	8806	11322
7	Manipur	2	0	95	0	95	12	106	0	118
8	Haryana	16	12	1117	3053	4170	291	726	2899	3916
9	Chandigarh	1	0	171	0	171	69	148	0	217
10	Rajasthan	45	30	3154	7126	10280	202	1198	5470	6870
11	Tamil Nadu	14	14	0	5178	5178	0	0	5036	5036
12	Tripura	3	1	108	125	233	151	45	106	302
13	Uttar Pradesh	218	74	23559	21429	44988	6422	24610	48758	79790
14	Uttarakhand	4	0	1138	0	1138	322	599	0	921
15	Delhi	16	11	347	702	1049	1218	0	3151	4369
16	Meghalaya	5	5	0	290	290	0	0	1013	1013
17	J&K	4	2	63	63	126	188	0	252	440
18	Punjab	12	3	1238	1488	2726	426	613	511	1550
19	Himachal P	6	3	195	553	748	150	356	421	927
20	Karnataka	31	17	1890	4775	6665	2326	0	3008	5334
21	Telangana	36	0	4047	2731	6778	205	7864	0	8069
22	Puducherry	1	1	0	0	0	0	0	209	209
23	Andhra Pradesh	16	16	0	2729	2729	0	0	7277	7277
24	Assam	17	17	0	3566	3566	0	0	4557	4557
25	Bihar	45	45	0	7533	7533	0	0	16013	16013
26	Goa	1	1	0	30	30	0	0	44	44
27	Kerala	53	14	8880	3990	12870	1066	4086	1775	6927
28	Maharashtra	30	14	5439	8887	14326	688	2497	2632	5817
29	Odisha	39	23	2827	5472	8299	770	2570	7924	11264
30	WB	0	0	0	0	0	0	0	0	0
31	A&N	0	0	0	0	0	0	0	0	0
32	Arunachal Pradesh	0	0	0	0	0	0	0	0	0
	TOTAL	758	412	61121	108221	169342	18240	47345	130212	195797

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA SABHA

UNSTARRED QUESTION NO. 905

Leg. II Sec.

ANSWERED ON THURSDAY, 27th JULY, 2023

Simultaneous Elections in Lok Sabha and State Legislative Assemblies

✓905. Dr. Kirodi Lal Meena :

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

- (a) whether Government has any proposal to hold the Lok Sabha and the State Legislative Assembly elections simultaneously;*
- (b) if so, the details thereof;*
- (c) whether Government has held consultations with the Election Commission of India in this regard and if so, the details and the outcome thereof;*
- (d) the details of the pros and cons of holding simultaneous elections to the Lok Sabha and State Legislative Assemblies in the country; and*
- (e) whether these elections are held simultaneously in any other country in the world and if so, the details thereof?*

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (c): The Department Related Parliament Standing Committee on Personnel, Public Grievances, Law and Justice had examined the issue of simultaneous elections to Lok Sabha and State Legislative Assemblies in consultation with various stake-holders including Election Commission of India. The Committee has given certain recommendations in this regard in its 79th Report. The matter now stands referred to the Law Commission for further examination to work out practicable road map and framework for simultaneous elections to Lok Sabha and State Assemblies.

(d): The Simultaneous Elections would result in huge saving to the public exchequer, avoidance of replication of effort on part of administrative and law and order machinery in holding repeated elections and bring considerable savings to political parties and candidates in their election campaigns. Further, asynchronous Lok Sabha and Legislative Assembly elections (including bye-election) result in prolonged enforcement of Model Code of Conduct with its concomitant adverse impact on developmental and welfare programmes. However, major impediments/imperatives for synchronisation for Lok Sabha and Legislative Assembly elections are as follows:

- (i) Bringing amendments in not less than five articles of Constitution, namely, article 83 relating to duration of Houses of Parliament, article 85 relating to dissolution of the House of the People by the President, article 172 relating to duration of the State Legislatures, article 174 relating to dissolution of the State Legislatures and article 356 relating to the imposition of President's Rule in the States.
- (ii) Obtaining consensus of all political parties.
- (iii) Having regard to the federal structure of our system of governance, it is imperative that consensus of all State Governments is also obtained.
- (iv) Requirement of additional number of EVMs/VVPATs, which would cost a huge amount, might be in thousands of crores. Considering that life of machine is only fifteen years, this would imply that machine would be used for about three or four times in its life span, entailing huge expenditure in its replacement after every fifteen years.
- (v) Requirement of additional polling personnel and security forces.

(e): The Department Related Parliament Standing Committee on Personnel, Public Grievances, Law and Justice in its 79th report had highlighted that in South Africa, elections to national as well as provincial legislatures are held simultaneously for five years and municipal election are held two years later. In

Sweden election to national legislature (Riksdag) and provincial legislature/county council (landsting) and local bodies/municipal Assemblies (Kommunfullmaktige) are held on a fixed date i.e. second Sunday in September for four years. Further, in U.K. the term of the Parliament is governed by the Fixed-term Parliament Act, 2011.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA SABHA

UNSTARRED QUESTION NO. 906

Ltg. IIIC ANSWERED ON THURSDAY, 27th JULY, 2023

Women's Reservation Bill

✓ 906. Shri Masthan Rao Beeda:

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

- (a) whether Government has taken any steps to hold consultations with major stakeholders on Women's Reservation Bill for building consensus on it;
- (b) if so, the details and status thereof and if not, the reasons therefor;
- (c) whether Government has taken any other steps to ensure adequate representation of women in the Union and State legislatures; and
- (d) if so, the details thereof and if not, the reasons therefor?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (d): Gender justice is an important commitment of the Government. The issue involved needs careful consideration on the basis of the consensus among all political parties before a Bill for amendment in the Constitution is brought before Parliament.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 907

SS (Appx 2)

ANSWERED ON THURSDAY, THE 27.07.2023

Creation of Indian Judicial Service

✓ 907. SMT. PHULO DEVI NETAM:

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

- (a) whether Government is considering to create Indian Judicial Service; and
- (b) if so, the efforts made in this regard?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF
STATE IN THE MINISTRY OF CULTURE**

(SHRI ARJUN RAM MEGHWAL)

(a) to (b): The Constitution (Forty Second Amendment) Act, 1976 inserted a clause in Article 312 of the Constitution which provides for creation of an All India Judicial Services (AIJS). The constitutional provision enables creation of the AIJS at District Judge level, not including any post inferior to that of a District Judge. In Government's view, a properly framed All India Judicial Service is important to strengthen overall justice delivery system. This will give an opportunity for induction of suitably qualified fresh legal talent selected through a proper all-India merit selection system as well as address the issue of social inclusion by enabling suitable representation to marginalized and deprived sections of society.

A comprehensive proposal was formulated for the constitution of an All India Judicial Service (AIJS) and the same was approved by the Committee of Secretaries in November, 2012. The proposal was included as an agenda item in the Conference of Chief Ministers and Chief Justices of the High Courts held in April, 2013 and it was decided that the issue needs further deliberation and consideration.

The views of the State Governments and High Courts were sought on the proposal. There was divergence of opinion among the State Governments and among the High Courts on the constitution of All India Judicial Service. While some State Governments and High Courts favoured the proposal, some were not in favour of creation of All India Judicial Service while some others wanted changes in the proposal formulated by the Central Government.

The matter regarding creation of a Judicial Service Commission to help the recruitment to the post of district judges and review of selection process of judges/ judicial officers at all levels was also included in the agenda for the Chief Justices Conference, which was held on 03rd and 04th April, 2015, wherein it was resolved to leave it open to the respective High Courts to evolve appropriate methods within the existing system to fill up the vacancies for appointment of District judges expeditiously. The matter was also placed in the Joint Conference of Chief Ministers and Chief Justices of High Courts held the next day, i.e. 5th April 2015

In a meeting chaired by Minister of Law and Justice on 16th January 2017 in the presence of Minister of State for Law and Justice, Attorney General for India, Solicitor General of India, Secretaries of Department of Justice, Department of Legal Affairs and Legislative Department, the setting up of an All India Judicial Service was discussed on the points of eligibility, age,

selection criteria, qualification, reservations etc. Setting up AIJS was also deliberated in a meeting of the Parliamentary Consultative Committee in March, 2017 and the Parliamentary Committee on the Welfare of SCs/STs on 22.02.2021.

In view of the existing divergence of opinion amongst the major stakeholders, at present, there is no consensus on the proposal for setting up an All India Judicial Service.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 908

SS (App₂) ANSWERED ON THURSDAY, THE 27.07.2023

Appointment of High Court Judges from senior lawyers

✓ 908. SHRI VIKRAMJIT SINGH SAHNEY:

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

- (a) whether it is a fact that the number of senior lawyers who became High Court Judges is more than the number of district court/session court judges who got promotion and became High Court Judges;
- (b) if so, the details thereof, High Court-wise;
- (c) whether Government is planning to recommend the collegium that district court/session court judges should be given priority in appointment of High Court Judges; and
- (d) if so, the details thereof, if not, the reasons therefor?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF
STATE IN THE MINISTRY OF CULTURE**

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): Pursuant to the Resolution passed in the Conference of Chief Justices in 1999 and the Supreme Court order dated 29th April, 2002 in WP (C) No. 410 of 2001, 66⅓% of vacancies are filled from amongst members of the Bar and 33⅓% from the Judicial Service in appointment of Judges in High Courts. A statement showing judges from Bar and Services as on 21.07.2023 is given in Annexure.

The process of appointment of High Court Judges is laid down in Article 217 and 224 of the Constitution and as per procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgement of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case). As per MoP, initiation of proposal for appointment of Judges in High Courts vests with the Chief Justice of the concerned High Court. The names recommended by High Court Collegium are sent with the views of the Government to the Supreme Court Collegium (SCC) for advice. The Government appoints only those recommendees as High Court Judges who are recommended by the Supreme Court Collegium.

AnnexureA statement showing judges from Bar and Services as on 21.07.2023

Sl. No.	Name of High Court	Sanctioned Strength	Working Strength		
			Bar	Service	Total
1.	Allahabad	160	75	20	95
2.	Andhra Pradesh	37	16	12	28
3.	Bombay	94	41	25	66
4.	Calcutta	72	30	21	51
5.	Chhattisgarh	22	09	06	15
6.	Delhi	60	34	11	45
7.	Gauhati	30	16	08	24
8.	Gujarat	52	22	08	30
9.	Himachal Pradesh	17	07	02	09
10.	Jammu & Kashmir and Ladakh	17	10	06	16
11.	Jharkhand	25	12	08	20
12.	Karnataka	62	32	19	51
13.	Kerala	47	23	09	32
14.	Madhya Pradesh	53	19	15	34
15.	Madras	75	40	23	63
16.	Manipur	05	02	01	03
17.	Meghalaya	04	02	01	03
18.	Orissa	33	15	06	21
19.	Patna	53	21	11	32
20.	Punjab & Haryana	85	45	17	62
21.	Rajasthan	50	20	14	34
22.	Sikkim	03	02	01	03
23.	Telangana	42	18	08	26
24.	Tripura	05	03	00	03
25.	Uttarakhand	11	05	03	08
Total		1114	519	255	774
% of working strength (774)			67%	33%	

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA SABHA

UNSTARRED QUESTION NO. 909

ANSWERED ON THURSDAY, 27th JULY, 2023

Linking of Aadhaar and Voter ID

Leg. II Sec.

✓ 909. Shri Derek O' Brien :

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

- (a) whether the linking of Aadhaar card and Voter ID violates the mandate and autonomy of the Election Commission of India; and
(b) out of Election Commission of India and Unique Identification Authority of India (UIDAI), which authority would take precedence in cases of dispute for linking the Aadhaar card and Voter ID?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF
THE MINISTRY OF LAW AND JUSTICE;
MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS;
AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)

- (a) : No sir.
(b) : The Ministry of Electronics and Information Technology (MeitY) has informed that UIDAI develops the policy, procedure and systems for issuing Aadhaar number to individuals and enables authentication of Aadhaar number. The Election Commission of India prepares electoral rolls under section 15 of the Representation of the People Act, 1950. Sub-section (4) of section 23 of the said Act provides that the electoral registration officer may require any person to voluntarily furnish his Aadhaar number for the purpose of establishing his identity only for inclusion of his name in the electoral roll.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

RAJYA SABHA

UNSTARRED QUESTION NO.1632

ANSWERED ON THURSDAY, THE 3RD AUGUST 2023

Status of Mediation Council of India

1632 Smt. Phulo Devi Netam:

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

- (a) whether the Government is in the process of setting up a Mediation Council of India, if so, the details thereof;
- (b) the status of the same; and
- (c) whether Online Dispute Resolution platforms will be empanelled by Mediation Council of India to provide institutional mediation services, if so, the details thereof and if not, the reasons therefor?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF
STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (b) The Mediation Bill, 2021 (the Bill) as introduced in the Rajya Sabha on 20.12.2021 provides for the setting up of Mediation Council of India (MCI). There is no process currently pending with the Government for setting up of the MCI. It can be undertaken only after the bill is passed by the Parliament and assented by the President.

(c) The duties and functions of the proposed MCI *inter alia*, as per the Bill includes recognition of Mediation Service Providers to provide mediation services. The manner of conducting online mediation will also be specified by the MCI, once established.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO-1697
ANSWERED ON 03.08.2023

RATIO OF FREE LEGAL AID LAWYERS

LAP

SS(WKGS)

1697. SHRI S NIRANJAN REDDY:

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

- (a) whether it is a fact that at present the ratio of "free legal aid" lawyers per population is extremely low in the country;
- (b) the State-wise list of the number of lawyers empaneled to provide free legal aid services and total vacancies for similar posts;
- (c) the State-wise list of total beneficiaries granted free legal aid in the country for the last 3 years; and
- (d) the steps taken by Government to improve and promote legal aid services in the country?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)

- (a) and (b) National Legal Services Authority (NALSA) has been constituted under the Legal Services Authorities (LSA) Act, 1987 to provide free and competent legal services to the weaker sections of the society. For this purpose, the legal services institutions have been setup from the Taluk Court level to the Supreme Court.

The panel lawyers are empanelled by the Legal Services Institutions as per the requirement. As per the feedback from State Legal Services Authorities, adequate number of panel lawyers are available with the Legal Services Institutions and there is no

shortage of panel lawyers for providing the free legal services to the eligible persons. Presently, around 49000 Panel Lawyers are empanelled by the Legal Services Authorities throughout the country. State/UT-wise details of Panel Lawyers as on 31.12.2022 is at Annexure - A.

(c) State/UT-wise details of persons benefited/availed free legal services by the Legal Services Institutions during the last three financial years 2020-21, 2021-22 and 2022-23 are at Annexure – B.

(d) NALSA has taken various digital initiatives to improve and promote legal aid services in the country. Web Portal and Mobile App has been created to file online legal assistance applications. The Web Portal can be accessed on www.nalsa.gov.in and is available in Ten (10) languages i.e., English, Hindi, Marathi, Telugu, Tamil, Malayalam, Gujarati, Bengali, Odia and Kannada.

Further, a scheme on Access to Justice titled “Designing Innovative Solutions for Holistic Access to Justice in India” is implemented by the Government of India which aims to strengthen pre-litigation advice and consultation through Tele-Law; ensure pan - India dispensation framework to deliver Pro Bono legal Services through Nyaya Bandhu (Pro Bono Legal Services) programme and to empower citizens through Pan India legal literacy and legal awareness programme. The Scheme embeds use of technology and developing contextualized IEC (Information, Education and Communication) material in regional / local dialect to support its intervention and to achieve easy accessibility of legal services to the poor and weakest sections of the society. All these services under the scheme are provided free of cost to all citizens including the Scheduled Caste, Scheduled Tribes, Other Backward Classes and other Economically Weaker sections of the society.

Statement as referred to in reply to Rajya Sabha Unstarred Question No. 1697 for answering on 03.08.2023 raised by Shri S Niranjan Reddy, MP - Ratio of free legal aid lawyers

Statement containing details of Panel Lawyers as on 31.12.2022

S. No.	Name of the State/UT Authority	Panel Lawyers (excluding HCLSC)	Panel Lawyers in HCLSC/Sub Committee
1	Andaman and Nicobar Islands	38	0
2	Andhra Pradesh	1767	46
3	Arunachal Pradesh	148	12
4	Assam	1076	40
5	Bihar	2120	57
6	Chandigarh	131	199
7	Chhattisgarh	2912	198
8	Dadra and Nagar Haveli	10	0
9	Daman and Diu	19	0
10	Delhi	1547	150
11	Goa	150	11
12	Gujarat	2199	1041
13	Haryana	1756	199
14	Himachal Pradesh	329	162
15	Jammu and Kashmir	663	27
16	Jharkhand	1148	88
17	Karnataka	2649	112
18	Kerala	3181	74
19	Ladakh	16	0
20	Lakshadweep	0	0
21	Madhya Pradesh	2046	296
22	Maharashtra	4828	565
23	Manipur	193	10
24	Meghalaya	174	16
25	Mizoram	55	0
26	Nagaland	102	12
27	Odisha	1116	166
28	Puducherry	297	0
29	Punjab	969	199
30	Rajasthan	1701	160
31	Sikkim	161	0
32	Tamil Nadu	4088	350
33	Telangana	1596	80
34	Tripura	268	39
35	Uttar Pradesh	2515	84
36	Uttarakhand	310	25
37	West Bengal	2194	0
	Total	44472	4418

Statement as referred to in reply to Rajya Sabha Unstarred Question No. 1697 for answering on 03.08.2023 raised by Shri S Niranjan Reddy, MP - Ratio of free legal aid lawyers

Statement containing details of persons benefited through Legal Services provided under the Legal Services Authorities Act, 1987 during the last three financial years 2020-21, 2021-22 and 2022-23

S.No.	Name of State/UT Authority	2020-21	2021-22	2022-23
1	Andaman and Nicobar Islands	65	79	134
2	Andhra Pradesh	4474	6371	9473
3	Arunachal Pradesh	1984	2657	5559
4	Assam	10027	110254	38335
5	Bihar	38653	1689158	209809
6	Chandigarh	1242	1781	2653
7	Chhattisgarh	26814	42394	44106
8	Dadra and Nagar Haveli	10	27	28
9	Daman and Diu	0	17	24
10	Delhi	82131	79055	96433
11	Goa	875	1101	2041
12	Gujarat	8302	21953	32422
13	Haryana	11059	23260	43098
14	Himachal Pradesh	2083	4806	5998
15	Jammu and Kashmir	7675	8870	7992
16	Jharkhand	131691	649481	145217
17	Karnataka	23211	32794	45663
18	Kerala	11242	16895	23418
19	Ladakh	93	2408	711
20	Lakshadweep	0	0	0
21	Madhya Pradesh	87843	3343800	191921
22	Maharashtra	12278	22595	36663
23	Manipur	56635	22651	26929
24	Meghalaya	2131	2346	2769
25	Mizoram	1670	3201	5038
26	Nagaland	4231	7750	7390
27	Odisha	6029	8849	11880
28	Puducherry	309	884	788
29	Punjab	27096	36404	56448
30	Rajasthan	12274	13833	13472
31	Sikkim	702	986	1127
32	Tamil Nadu	26491	38181	49570
33	Telangana	3488	6712	12615
34	Tripura	2156	2671	5055
35	Uttar Pradesh	3545	132629	24890
36	Uttarakhand	2343	3775	5386
37	West Bengal	20906	29015	49714
	Total	631758	6369643	1214769

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

JR

RAJYA SABHA
UNSTARRED QUESTION NO. 1698

ANSWERED ON 03/08/2023

IS (WmJR)

JUDICIAL INFRASTRUCTURE IN ANDHRA PRADESH

✓ 1698. SHRI PRABHAKAR REDDY VEMIREDDY:

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

- (a) whether Government has released ₹ 650 crore in 2018-19, ₹ 981 crore in 2019-20 and ₹ 594 crore in 2020-21 for judicial infrastructure under Centrally Sponsored Scheme;
- (b) if so, details of allocation in 2021-22, 2022-23 and 2023-24 and utilization made so far, year-wise and State-wise, with a particular reference to Andhra Pradesh;
- (c) whether Government will consider change in the sharing pattern of Andhra Pradesh from 60:40 to 90:10 as is being done in the case of Special Category States of North-East and Hilly States for better utilization and creation of infrastructure; and
- (d) if not, the reasons therefor?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) & (b): The primary responsibility for development of infrastructure facilities for judiciary rests with the State Governments. However, to supplement the resources of the State Governments/UTs, the Union Government has been implementing a Centrally Sponsored Scheme for the Development of Infrastructure Facilities for the Judiciary since 1993-94 by providing financial assistance to them in the prescribed fund-sharing pattern between the Centre and States. The scheme covers the construction of court buildings and residential accommodations for judicial officers of district and

subordinate judiciary. From the year 2021, besides court halls and residential units, new components of digital computer room, lawyers' halls and toilet complexes have also been added under the ambit of the above CSS. A sum of Rs. 10035 crores has been released under the Scheme so far since its inception, out of which Rs. 6591 crore (66%) has been released since 2014-15.

A sum of Rs. 650 crores during 2018-19, Rs. 982 crores during 2019-20 and Rs. 593 crores during 2020-21 has been released to States/UTs for development of infrastructure facilities for subordinate judiciary under the Centrally Sponsored Scheme (CSS).

The scheme has been extended from 2021-22 to 2025-26 with a budgetary outlay of Rs. 9000 crores including central share of Rs. 5307.00 crore for this scheme. As far as the releases to the State Government of Andhra Pradesh is concerned, a sum of Rs. 222.42 crore has been released till 28.07.2023 under the Scheme. Against allocation of Rs. 770.44 crores in 2021-22, Rs.848 crores in 2022-23 and Rs. 1051 crores in 2023-24, the statement of state-wise release of funds and unspent balance available with the states including Andhra Pradesh as on date is at *Annexure*.

(c) & (d): There is no such proposal under consideration in the Department. The fund sharing pattern of Centrally Sponsored Schemes is decided by the Ministry of Finance.

Annexure

Statement referred to Rajya Sabha Unstarred Question No. 1698 for reply on 03.08.2023 and statement of fund release and unspent balance under Centrally Sponsored Scheme as on 28.08.2023

(Rs. in crore)

Sl. No.	States	2021-22	2022-23	2023-24	Unspent Balance as on date
1.	Andhra Pradesh	0.00	22.50	0.00	4.97
2.	Bihar	0.00	0.00	34.09	64.22
3.	Chhattisgarh	0.00	60.00	0.00	74.89
4.	Goa	3.20	25.00	0.00	1.00
5.	Gujarat	0.00	6.22	0.00	1.92
6.	Haryana	0.00	0.00	20.10	35.70
7.	Himachal Pradesh	0.00	0.00	4.67	5.41
8.	Jammu & Kashmir	0.00	0.00	0.00	0.00
9.	Jharkhand	6.00	16.51	7.71	13.55
10.	Karnataka	27.00	82.01	12.10	27.90
11.	Kerala	50.00	0.00	0.00	32.65
12.	Madhya Pradesh	55.00	125.00	29.00	44.79
13.	Maharashtra	18.00	100.00	8.11	0.00
14.	Odisha	0.00	30.69	0.00	61.01
15.	Punjab	16.50	12.50	18.42	35.86
16.	Rajasthan	41.50	71.66	27.87	48.72
17.	Tamilnadu	35.66	133.85	0.00	199.55
18.	Telangana	0.00	26.61	0.00	45.90
19.	Uttarakhand	80.00	0.00	0.00	46.05
20.	Uttar Pradesh	219.00	0.00	0.00	109.24
21.	West Bengal	0.00	0.00	0.00	23.73
Total		551.85	712.55	162.07	877.06
North-Eastern States					
1.	Arunachal Pradesh	4.09	32.38	0.00	36.24
2.	Assam	27.40	25.00	0.00	9.49
3.	Manipur	0.00	12.85	0.00	8.43
4.	Meghalaya	28.02	50.00	4.27	0.00
5.	Mizoram	9.50	0.00	2.42	2.59
6.	Nagaland	13.27	0.00	0.00	3.58
7.	Sikkim	0.00	2.27	0.00	2.08
8.	Tripura	0.00	0.00	0.00	0.32
Total		82.28	122.50	6.69	62.73
Union Territories					
1.	A&N Islands	0.01	0.00	0.00	0.00
2.	Chandigarh	0.00	0.00	0.00	1.71
3.	D&Nagar Haveli	0.00	0.00	0.00	0.00
4.	Daman & Diu	0.00	0.00	0.00	0.00
5.	Delhi	30.00	0.00	0.00	0.84
6.	Jammu & Kashmir	20.00	12.60	0.00	11.68
7.	Ladakh	0.00	0.00	0.00	0.00
8.	Lakshadweep	0.00	0.00	0.00	0.14
9.	Puducherry	0.00	9.55	0.00	9.22
Total		50.01	22.15	0.00	23.59
Grant Total		684.15	857.20	168.76	963.38

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

ADR CELL (LA) RAJYA SABHA
UNSTARRED QUESTION NO. 1701
ANSWERED ON THURSDAY, THE 3RD AUGUST 2023

Online Dispute Resolution

✓1701 Smt. Phulo Devi Netam:

Smt. Priyanka Chaturvedi:

Will the minister OF **LAW AND JUSTICE** be pleased to state:

- (a) whether Government has any plans to promote and implement Online Dispute Resolution (ODR) services in the country, especially in the rural and remote areas, to ensure its accessibility and reach to the grassroots level;
- (b) the steps Government is taking to create awareness about ODR and its benefits among the general public; and
- (c) whether the Ministry will be involved in the implementation of ODR services, and if so, their role and responsibilities, if not, the measures Government is taking to ensure effective implementation of ODR services at a national level?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF
STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (c) The concept of Online Dispute Resolution (ODR) in India is at a nascent stage. The NITI Aayog had constituted a high level committee to take it forward and the report of the committee titled "*Designing the future of dispute Resolution: the ODR Policy Plan for India*" was released on 29.11.2021. It *inter-alia*

recommends for mainstreaming of ODR in India, as a cost effective, convenient, efficient process which can be customized to the specific needs of the parties, considering the nature of the dispute. The Government of India has also acknowledged the importance of online dispute resolution and proposes to provide legislative enablement to ODR by way of requisite provisions in the Mediation Bill, 2021 introduced in the Rajya Sabha on 20.12.2021. The Bill recognizes conduct of mediation on online mediation mode thereby removing the distance barrier for parties.

The ODR policy plan for India released by NITI Aayog on 29.11.2021 recommends various steps to spread awareness for ODR. The measures to increase awareness regarding ODR at the level of Government will arise, once the legal framework for that purpose is in place.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA SABHA

UNSTARRED QUESTION NO. 1702

ANSWERED ON THURSDAY, 03rd AUGUST, 2023

ONE NATION ONE VOTER LIST

✓1702. Dr. M. Thambidurai :

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

- (a) whether it is a fact that the Law Commission of India had suggested to have 'one nation one voter list';*
- (b) if so, the details thereof;*
- (c) whether Government proposes to have 'one nation one voter list', as suggested by the Law Commission;*
- (d) if so, the details thereof and if not, the reasons therefor;*
- (e) whether Government has invited/ received comments from the stakeholders, including the State of Tamil Nadu;*
- (f) if so, the details thereof; and*
- (g) action taken by Government with regard to having electoral reforms in this connection?*

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE;
MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS;
AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

- (a) and (b): Yes sir. The Law Commission of India in its 255th Report endorsed introduction of Common Electoral Rolls for Parliamentary, Assembly and local body elections.
- (c) to (g): The proposal is under examination of the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law & Justice. The electoral reforms are continuous and ongoing process in order to improve the existing electoral practices in the country.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

J-I

RAJYA SABHA

UNSTARRED QUESTION NO.1703

ANSWERED ON THURSDAY, THE 03.08.2023

SS(MKA)

REGIONAL LANGUAGES IN HIGH COURTS

✓ 1703. SHRI C. VE. SHANMUGAM:

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

- (a) whether it is a fact that English language is being predominantly used in various High Courts across the country;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether Government favours regional languages to be used in conducting cases in various High Courts;
- (d) if so, the details thereof;
- (e) whether Government received any proposal from some States regarding conducting of cases in regional languages;
- (f) if so, the details thereof; and
- (g) the response of Government thereon?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) to (g): Article 348(1)(a) of the Constitution of India states that all 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 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.

Section 7 of the Official Language Act, 1963 states that the Governor of a State, may with previous consent of the President, authorize the use of Hindi or the official language of the State, in addition to English language, for the purpose of any judgement, decree or order passed or made by the High Court for that State and where any judgement, decree or order passed or made in any such language (other than the English language), it shall be accompanied by a translation of the same in English language issued under the authority of the High Court.

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 the proceedings of 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.

Government of India had received proposals from the Government of Tamil Nadu, Gujarat, Chhattisgarh, West Bengal and Karnataka to permit use of Tamil, Gujarati, Hindi, Bengali and Kannada in the proceedings of the Madras High Court, Gujarat High Court, Chhattisgarh High Court, Calcutta High Court and Karnataka High Court respectively. The advice of Chief Justice of India was sought on these proposals and it was intimated that the Full Court of the Supreme Court after due deliberations, decided not to accept the proposals.

Based on another request from the Government of Tamil Nadu, the Government requested the Chief Justice of India to review the earlier decisions in this regard and convey the consent of the Supreme Court of India. The Chief Justice of India conveyed that the Full Court, after extensive deliberations decided not to approve the proposal and reiterated the earlier decisions of the Hon'ble Court.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

SS (APPAS)

UNSTARRED QUESTION NO. 1704

ANSWERED ON THURSDAY, THE 03.08.2023

Change in name of Madras High Court

✓ 1704. SHRI C.VE. SHANMUGAM:

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

- (a) whether it is a fact that Government propose to change the name of Madras High Court;
- (b) if so, the details thereof and if not, the reasons therefor;
- (c) whether Government has received any proposal from the State Government of Tamil Nadu about the proposed change of name of Madras High Court;
- (d) if so, the details thereof;
- (e) the time by when a fresh Bill will be brought by Government to change the name of the Madras High Court; and
- (f) steps taken by Government in regard to change of name of other High Courts?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF
STATE IN THE MINISTRY OF CULTURE**

(SHRI ARJUN RAM MEGHWAL)

(a) to (f): With the enactment of the city of Madras (Alteration of Name) Act, 1996, the city of Madras was renamed as Chennai, following which the Tamil Nadu Government sent a proposal for changing the name of Madras High Court as High Court of Chennai, in 1997. Since the names of the cities of Bombay and Calcutta were also changed as Mumbai and Kolkata, and the respective High Courts of States are located in these cities, it was considered appropriate to change names of these two High Courts as well. The Government brought a legislation titled "The High Courts (Alteration of Names) Bill, 2016" regarding changing the names of High Courts of Bombay, Calcutta and Madras as High Courts of Mumbai, Kolkata and Chennai respectively, and the same was introduced in the Lok Sabha on 19th July, 2016.

Meanwhile the name of Orissa state was changed to Odisha and city of Gauhati as Guwahati. In view of above, it was decided to propose the change in name of High Courts of Bombay, Madras, Calcutta, Orissa & Gauhati as Mumbai, Chennai, Kolkata, Odisha & Guwahati, respectively.

To give effect to the above changes, consultations were carried out with the concerned State Governments and the High Courts. The Government of Tamil Nadu conveyed that the name of the Madras High Court be rechristened as "High Court of Tamil Nadu". The Madras High Court, however, did not agree to the proposal to change the name of the High Court. The State Government of Maharashtra and Goa and Bombay High Court agreed to the proposal to change the name of Bombay High Court as Mumbai High Court. The Orissa High Court & State Government of Odisha as well as Gauhati High Court and State Government of Assam also conveyed no objection to the proposal to change the name of the respective High Courts. Both, the Calcutta High Court and the State Government of West Bengal, however, did not agree to the proposed change in name of Calcutta High Court.

The High Courts (Alteration of Names) Bill, 2016 could not be taken further and lapsed due to dissolution of the 16th Lok Sabha.

A Writ Petition (Civil) No. 401/2020 was filed by Shri V.P. Patil in the Supreme Court for renaming the Bombay High Court as High Court of Maharashtra and similarly changing names of other High Courts as per names of the State in which they are located. The Supreme Court vide its order dated 03.11.2022 has dismissed the said petition. At present there is no proposal to bring legislation on this subject.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

NM

UNSTARRED QUESTION NO. 1705

ANSWERED ON 03/08/2023

VACANCIES IN DISTRICT COURTS IN THE COUNTRY

✓ 1705. DR. C.M. RAMESH:

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

- (a) the number of vacancies in district courts under different High Courts in various States of the country during the last three years and the number of vacancies which have since been filled up, State-wise details thereof; and
- (b) whether due to these vacancies, it has increased the pendency of cases, if so, steps taken by Government in this regard, details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) & (b): The number of vacancies in district courts under different High Courts in various states of the country during the last three years is given at *Annexure-I*.

As for filling up of vacancies in the District Courts/Subordinate judiciary is concerned, the Central Government has no direct role under the Constitution. As per the Constitutional framework, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Governments in

consultation with the respective High Courts frame the rules and regulations regarding the issues of appointment and recruitment of Judicial Officers in the respective State Judicial Service. Thus, the selection and appointment of judicial officers in the Subordinate/District Courts is the responsibility of the High Courts and State Governments concerned. In some States, the respective High Courts undertake the recruitment process, whereas in other States, the High Courts does it in consultation with the State Public Service Commissions.

Further, the vacancy of judges is not the sole reason for the increased pendency of cases in courts. Pendency of cases in courts can be attributed to several factors which, inter-alia, include availability of physical infrastructure and supporting court staff, 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. Other factors that lead to increase in pendency of cases include lack of prescribed timeframe by respective courts for disposal of various kinds of cases, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing.

Annexure - I
STATEMENT REFERRED TO IN REPLY TO PART (A) OF RAJYA SABHA
UNSTARRED QUESTION NO. 1705 FOR ANSWER ON 03.08.2023 REGARDING
VACANCIES IN DISTRICT COURTS IN THE COUNTRY.

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

Sl. No	Name of the State/UTs under their High Courts	As on 31.12.2020		As on 31.12.2021		As on 31.12.2022		As on 28.07.2023					
		SS	WS	V	SS	WS	V	SS	WS	V			
1	High Court of Andhra Pradesh	607	510	97	607	116	607	534	73	618	544	74	
2	High Court for State of Telangana	474	378	96	474	425	560	410	150	560	415	145	
3	High Court of Orissa	41	32	9	41	32	41	33	8	42	33	9	
4	High Court of Guwahati	466	412	54	467	436	485	425	60	485	443	42	
5	Mizoram	64	43	21	65	42	74	41	33	74	41	33	
6	Nagaland	33	26	7	34	24	34	24	10	34	24	10	
7	High Court of Patna	1936	1433	503	1954	1394	560	2016	1349	667	2016	1554	462
8	High Court of Chandigarh	30	26	4	30	30	0	30	0	30	29	1	
9	High Court of Haryana & Punjab	772	493	279	772	482	290	772	464	308	772	196	
10	High Court of Punjab	692	593	99	692	607	85	797	589	208	797	210	
11	High Court of Chhattisgarh	480	387	93	482	409	73	527	437	90	556	125	
12	High Court of D & N Haveli	3	2	1	3	2	1	3	2	1	2	1	
13	High Court of Daman & Diu	4	4	0	4	4	0	4	4	0	4	0	
14	High Court of Goa	50	40	10	50	40	10	50	40	10	40	10	
15	High Court of Maharashtra	2190	1940	250	2190	1940	250	2190	1940	250	1940	250	

Source- MIS portal of Department of Justice
 Note - SS(Sanctioned Strength), WS(Working Strength), V(Vacancy)

Source-MIS portal of Department of Justice
 Note - SS(Sanctioned Strength), WS(Working Strength), V(Vacancy).

16	High Court of Delhi	Delhi	799	648	151	884	692	192	884	681	203	887	706	181
17	High Court of Gujarat	Gujarat	1521	1152	369	1523	1123	400	1582	1151	431	1582	1186	396
18	High Court of Himachal Pradesh	Himachal Pradesh	175	161	14	175	160	15	179	163	16	179	160	19
19	High Court for UT Jammu & Kashmir	Jammu and Kashmir	296	255	41	300	241	59	314	223	91	314	227	87
20	High Court of Jammu & Kashmir and Ladakh	Ladakh	16	8	8	17	9	8	17	9	8	17	9	8
21	High Court of Jharkhand	Jharkhand	675	544	131	675	523	152	694	508	186	694	503	191
22	High Court of Karnataka	Karnataka	1357	1071	286	363	1087	276	1365	1132	233	1367	1125	242
23	High Court of Kerala	Kerala	538	470	68	569	488	81	595	473	122	603	523	80
24	High Court of Kerala	Lakshadweep	3	3	0	3	3	0	4	4	0	4	3	1
25	High Court of Madhya Pradesh	Madhya Pradesh	2021	1610	411	2021	1552	469	2021	1649	372	2028	1607	421
26	High Court of Manipur	Manipur	54	36	18	59	42	17	59	42	17	59	42	17
27	High Court of Meghalaya	Meghalaya	97	49	48	97	49	48	99	51	48	99	57	42
28	High Court of Odisha	Odisha	950	756	194	976	785	191	1001	767	234	1003	808	195
29	High Court of Madras	Puducherry	26	11	15	26	11	15	28	11	17	29	11	18
30	High Court of Madras	Tamil Nadu	1298	1049	249	1316	1082	234	1340	1068	272	1364	1046	318
31	High Court of Rajasthan	Rajasthan	1489	1292	197	1549	1274	275	1587	1256	331	1616	1358	258

32	High Court of Sikkim	Sikkim	25	20	5	28	20	8	30	21	9	35	23	12
33	High Court of Tripura	Tripura	120	97	23	122	97	25	128	108	20	128	109	19
34	High Court of Allahabad	Uttar Pradesh	3634	2581	1053	3634	2542	1092	3647	2474	1173	3694	2484	1210
35	High Court of Uttarakhand	Uttarakhand	297	255	42	299	271	28	299	269	30	299	277	22
36	High Court of Calcutta	West Bengal	1014	918	96	1014	918	96	1014	918	96	1014	918	96
37		A& N Island	0	13	-13	0	13	-13	0	13	-13	0	13	-13
Total			24247	19318	4929	24515	19340	5175	25077	19313	5764	25246	19858	5388

Source-MIS portal of Department of Justice.

Note: - SS(Sanctioned Strength), WS(Working Strength), V(Vacancy).

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

IMPL. SEC. (LA)

**Rajya Sabha Unstarred Question No. 1706
ANSWERED ON 03-08-2023**

Female Professors in Law Universities

✓ 1706 Prof. Manoj Kumar Jha:

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

(a) the total number of female Vice-Chancellor in Government Law Universities including central and State Universities currently;

(b) the total number of female Registrar in Law Universities including central and State universities;

(c) the total number of female Professor against total number of professor in Law Universities including central and State Universities, college wise data;

(d) the number of female Assistant Professor against total number of Assistant Professor in Law Universities including central and State universities, college-wise data; and

(e) the number of female ad-hoc Professor against total number of ad-hoc Professor in Law Universities including central and State universities, college-wise data?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) to (e) : The National Law Universities (NLUs) and State Law Universities in India have been established under the State Acts enacted by the respective State Legislatures and as such they are State Universities and is not a subject matter of the Central Government. However, as per information collected and forwarded by Bar Council of India, the number of woman working at various position in different law colleges and universities are placed as Annexure

- A.

Annexure- A

SL.	State	Name of CLE	(a) The total number of female Vice-chancellor in Government Law Universities including Central and State currently;	(b) The total number of female Registrar in law universities including Central and State Universities;	(c) The total number of female professor in Law universities including Central and State Universities, college-wise;	(d) The number of female Assistant professor in law universities including Central and State Universities, college-wise; and	(e) The number of female ad-hoc professor in law universities including Central and State Universities, college-wise?
1.	Andhra Pradesh	Damodaram Sanjivayya National Law University, Visakhapatnam	0	0	2	5	1
2.	---	Sri Padmavati Mahila Visvavidyalayam, Andhra Pradesh	0	0	1	2	0
3.	---	Gitam School of Law, Gandhi Institute of Technology and Management, Andhra Pradesh				1	
4.	---	Yogi Vemana University, Andhra Pradesh	0	0	0		0
5.	Assam	DHSK Law College, Dibrugarh	0	0	2	2	
6.	---	Dhemaji Law College, Dhemaji				3	
7.	---	SIPE Law College, Dibrugarh				8	
8.	---	Dr. R. K. B. Law College, Dibrugarh				4	
9.	---	Tinsukia Law College, Tinsukia				6	
10.	---	NERIM Law College, Jorhat				17	
11.	---	Jorhat Law College, Jorhat				12	
12.	---	Centre for juridical Studies, Dibrugarh	0	0		6	
13.	Bihar	Babasaheb Bhimrao Ambedkar Bihar University, Bihar	0	0	0	2	
14.	---	Chanakya National Law University, Bihar	1	0	0	7	
15.	---	Bihar Institute of Law, Patna	0	0	0	17	0

SL.	State	Name of CLE	(a) The total number of female Vice-chancellor in Government Law Universities including Central and State currently;	(b) The total number of female Registrar in law universities including Central and State Universities;	(c) The total number of female professor in Law universities including Central and State Universities, college-wise;	(d) The number of female Assistant professor in law universities including Central and State Universities, college-wise; and	(e) The number of female ad-hoc professor in law universities including Central and State Universities, college-wise?
16.	---	T. N. B Law College, Bihar			0		
17.	Chhattisgarh	Seth R. C. S Law College, Chattisgarh					
18.	---	DES. SKTD Law College, Chattisgarh	0	0		1	0
19.	---	KR. P.G. Law College, Chattisgarh				4	3
20.	---	ISBM University, Chattisgarh		0	0		
21.	---	LCIT College of Commerce and Science, Department of Legal Studies, Chattisgarh				1	
22.	Chhattisgarh	P. T. Ravi Shankar Shukla University, Chhattisgarh					
23.	---	Govt. J. Yoganandam Chattisgarh College, Chhattisgarh			0	2	0
24.	---	Seth Ratanchand Surana Law College, Chhattisgarh				1	
25.	---	Swami Bal Krishna Puri Law College, Chhattisgarh				5	1
26.	---	Govt. Ghanshyam Singh Gupt P. G. College, Chhattisgarh	0	0			
27.	---	B.C.S. Govt. P.G. College Dhamtari	0	0	0	1	0
28.	---	ISBM University, Gariyaband	0	0	0	0	0
29.	---	Hidayatullah National Law University, Raipur	0	0	1	8	0
30.	Delhi	Trinity Institute of Professional Studies, Dwarka,			2	11	
31.	---	University of Delhi	0	1	16	53	0

SL.	State	Name of CLE	(a) The total number of female Vice-chancellor in Government Law Universities including Central and State currently;	(b) The total number of female Registrar in law universities including Central and State Universities;	(c) The total number of female professor in Law universities including Central and State Universities, college-wise;	(d) The number of female Assistant professor in law universities including Central and State Universities, college-wise; and	(e) The number of female ad-hoc professor in law universities including Central and State Universities, college-wise?
		Thodupuzha					
47.	----	Government Law College, Trivandrum	0	0		1	0
48.	----	Govt. Law College, Thrissur			1	12	3
49.	----	Govt. Law College, Thiruvananthapuram				18	
50.	----	Government Law College, Ernakulam			9		
51.	---	Al Azhar Law college, Thodupuzha			23		
52.	Odisha	National Law University, Odisha	1	0	2	16	0
53.	Punjab	Rajiv Gandhi National University of Law, Patiala	0	0	2	22	0
54.	Rajasthan	NLU Jodhpur	1	1	0	19	0
55.	----	Jaipur National University	0	0	0	8	0
56.	Telangana	Padala Rama Reddy Law College, Hyderabad			4	13	0
57.	----	Justice Kumarayya College of Law, Karim Nagar				8	
58.	Uttar Pradesh	Dr. Ram Manohar Lohia National Law University, Lucknow	0	0	0	11	0

SL.	State	Name of CLE	(a) The total number of female Vice-chancellor in Government Law Universities including Central and State currently;	(b) The total number of female Registrar in law universities including Central and State Universities;	(c) The total number of female professor in Law universities including Central and State Universities, college-wise;	(d) The number of female Assistant professor in law universities including Central and State Universities, college-wise; and	(e) The number of female ad-hoc professor in law universities including Central and State Universities, college-wise?
32.	Himachal Pradesh	Himachal Pradesh National Law University, Shimla	1	0	1	9	4
33.	Jammu & Kashmir	Ashoka Law College, Jammu					6
34.	Jharkhand	Imamul Hai Khan Law College, Bokaro Steel City				4	
35.	---	Sai Nath University, Jharkhand		1	11		
36.	Karnataka	SDM Law College M.G. Road Kodialbail Mangalore				13	
37.	---	Reva University, Bangalore	0	0	1	2	12
38.	---	B.M.S. law College			2	17	2
39.	---	ISBR Law College, Bengaluru				6	2
40.	---	Vivekananda Law College, Karnataka	0	0	0	9	1
41.	---	MES Law College, Sirsi				1	
42.	Karnataka	P.E.S Law College, Mandya	0	0		1	0
43.	Kerala	National University of Advanced Legal Studies, Cochin. (Kochi)	0	1	2	4	0
44.	---	School of Legal Studies, Cochin University of Science and Technology			0	6	
45.	---	CSI College for legal studies, Kottayam			18		
46.	---	Co-operative School of Law,			17		

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

JS (NMJR)

RAJYA SABHA
UNSTARRED QUESTION NO. 1707
ANSWERED ON 03/08/2023

RESERVATIONS FOR SC/ST/OBCS IN THE JUDICIARY

✓ 1707. SHRI RYAGA KRISHNAIAH:

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

- (a) whether Government has taken any steps to reservation for the appointment of judges from district courts to the Supreme Court;
- (b) if so, the details and status thereof and if not, the reasons therefor;
- (c) whether Government has taken any other steps to bring to ensure adequate representation of judges belonging to SC/ST/OBCs in all the High Courts and the Supreme Court; and
- (d) if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) & (b): No Sir, there is no provision for reservation in the appointment of judges from District Courts to the Supreme Court.

(c) & (d): The appointment of Judges of the Supreme Court and High Courts is made under the Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. However, the Government has been requesting the Chief Justices of High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Casts, Scheduled Tribes, Other Backward Classes, Minorities and Women to ensure social diversity in appointment of Judges in High Courts. Government appoints only those persons as Judges who are recommended by the Supreme Court Collegium.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)
RAJYA SABHA
UNSTARRED QUESTION NO-1708
ANSWERED ON - 03/08/2023

JSC(PPP)

STATUS OF eCOURTS MISSION MODE PROJECT (MMP)

✓ 1708 DR. SANTANU SEN

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

- (a) whether Government has any data about the number of district and subordinate courts which have been covered or are yet to be covered under the eCourts Mission Mode Project (MMP);
- (b) if so, the details thereof, if not, the reasons therefor;
- (c) whether Government has any data on the funds required or have been allocated for the implementation of the MMP;
- (d) if so, the details thereof and the manner in which such funds are utilized and accounted for; and
- (e) whether Government has any mechanism or criteria to ensure that the funds are released and dispersed in a transparent and timely manner?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (e): As part of the National eGovernance Plan, the eCourts Mission Mode Project is under implementation for Information and Communication Technologies (ICT) development of the Indian Judiciary based on the "National Policy and Action Plan for Implementation of Information and Communication Technology in the Indian Judiciary". eCourts project is being implemented by the Department of Justice in association with the eCommittee, Supreme Court of India in a decentralized manner through the respective High Courts. The eCommittee, Supreme Court of India is responsible for the policy planning, strategic direction and guidance for implementation of eCourts project and works in collaborative partnership with Department of Justice which is responsible for providing necessary funding for the project. Phase II of the project was implemented from 2015 to 2023. Out of the total budget of Rs.1670 crores, Rs.1668.43 crores have been utilized. 18,735 District &

Subordinate courts have been computerised so far. The detailed bifurcation of operational eCourts in the country has been attached at Annexure-I.

Department of Justice has a well laid down process for release and disbursement of funds under eCourts Mission Mode Project. Proposals requesting sanctioning of funds for implementation of components under eCourts Project Phase II are prepared by respective High Courts and forwarded to eCommittee, Supreme Court of India for approval. eCommittee, Supreme Court of India after examination and approving the proposal forwards it to Department of Justice for release of funds. Department of Justice on the recommendation of Integrated Finance Department (Department of Justice) releases funds directly to concerned High Court. Agency wise release of funds under Phase II of the project has been attached at Annexure-II.

Statement referred to in reply of Rajya Sabha Unstarred Question No.1708 for 03/08/2023 regarding status of eCourts Mission Mode Project (MMP). The details of operational eCourts in the country are as under:

Annexure-1

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

Annexure-II

Statement referred to in reply of Rajya Sabha Unstarred Question No.1708 for 03/08/2023 regarding status of eCourts Mission Mode Project (MMP). The details of fund released under eCourts Phase II (agency wise) are as under:

High Courts	1164.37
NIC/NICSI	180.57
BSNL	293.68
eCommittee, SCI	13.50
Other Miscellaneous Expenditure (Salary, publicity etc.)	16.31
Total	1668.43

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

Nm

JS(NMJR)

RAJYA SABHA
UNSTARRED QUESTION NO. 1709
ANSWERED ON 03/08/2023

**VIDEO CONFERENCING FACILITY IN MAHARASHTRA AND DELHI
COURTS**

✓ 1709. SHRI ANIL DESAI:

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

- (a) the number of cases pending in the courts of Maharashtra and Delhi during the last five years;
- (b) the list of magistrate, session courts, district courts and High Courts in which video conferencing system is fully functional for conducting the proceedings; and
- (c) whether the facility is cent per cent in place, if not, time line prescribed for the completion of the same?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a): As per information available on the National Judicial Data Grid (NJDG), number of cases pending in the High Courts and District and Subordinate Courts of Delhi and Maharashtra during the last five years is placed at *Annexure-I*.

(b) & (c): Under eCourts Mission Mode Project, during Phase I of the project video conferencing facility has been operationalized among 488 court complexes and 342 corresponding jails. In eCourts Phase II of the project, one video conference equipment each has been provided to all Court Complexes including taluk level courts and 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. Through video conferencing, Bombay High Court along with its associated District and Subordinate courts, has heard 1,44,568 cases and Delhi High Court along with its associated District and Subordinate courts, has heard 50,44,286 cases till 30.06.2023. To bring about uniformity and standardization in the conduct of 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.

STATEMENT REFERRED TO IN REPLY TO PART (a) OF RAJYA SABHA UNSTARRED QUESTION NO. 1709 FOR ANSWER ON 03.08.2023 REGARDING 'VIDEO CONFERENCING FACILITY IN MAHARASHTRA AND DELHI COURTS'.

Pendency in High Court and District Court in the last 5 years for Delhi and Maharashtra							
Sl.No	State	Name of Court	No. of Pending cases in last 5 years				
			As on 31.12.2018	As on 31.12.2019	As on 31.12.2020	As on 31.12.2021	As on 31.12.2022
1	Delhi	High Court	74536	80950	91195	100068	105271
		District & Subordinate Courts	834813	882366	955850	1082415	1293571
2	Maharashtra	High Court	287864	305962	559119	569018	610734
		District & Subordinate Courts	3531425	3821487	4516311	4881718	4982911

Source: National Judicial Data Grid (NJDG)

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 1710

ANSWERED ON 03/08/2023

DEVELOPMENT OF INFRASTRUCTURE RELATING TO JUDICIARY

✓ 1710. SHRI KANAKAMEDALA RAVINDRA KUMAR:

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

- (a) the present status of work done under the Centrally Sponsored Scheme for Development of Infrastructure Facilities for the Judiciary since its inception in Andhra Pradesh;
- (b) the details of court buildings, digital computer rooms, lawyers' halls, toilet complexes and residential accommodation for judicial officers constructed under the scheme so far in the State of Andhra Pradesh; and
- (c) the fresh steps taken by Government for time bound implementation of the scheme across the country?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)

(a) & (b): The primary responsibility for development of infrastructure facilities for judiciary rests with the State Governments. However, to supplement the resources of the State Governments/UTs, the Union Government has been implementing a Centrally Sponsored Scheme (CSS) for the Development of Infrastructure Facilities for the Judiciary since 1993-94 by providing financial assistance to them in the prescribed fund-sharing pattern between the Centre and States. The scheme covers the construction of court buildings and residential

accommodations for judicial officers of district and subordinate judiciary. From the year 2021, besides court halls and residential units, new components of digital computer room, lawyers' halls and toilet complexes have also been added under the ambit of the above CSS. A sum of Rs. 10035 crores has been released under the Scheme so far since its inception, out of which Rs. 6591 crore (66%) has been released since 2014-15. There are 21,365 number of court halls and 18,846 number of residential units available in the district and subordinate courts against the working strength of 19,876 Judges/Judicial Officers as on 30.06.2023. Moreover, as per Nyaya Vikas Portal, 2,811 Court Halls and 1640 residential units are under construction. The scheme has been extended from 2021-22 to 2025-26 with a budgetary outlay of Rs. 9000 crores including central share of Rs. 5307.00 crore for this scheme.

As far as the releases to the State Government of Andhra Pradesh is concerned, a sum of Rs. 222.42 crore has been released till 28.07.2023 under the Scheme. As per information made available by the Andhra Pradesh High Court, there are 647 Court Halls and 574 Residential Units as on 30.06.2023 available in the State of Andhra Pradesh. In addition, 99 court halls and 16 residential units are under construction. The digital computer rooms, lawyers' halls and toilets are essentially the part of a court complex and funds are not released project-wise/component-wise under the scheme. However, States have been sensitized about the new elements of Lawyers' Halls, Toilet Complexes and Digital Computer Rooms, introduced under the scheme since 2021-22.

(c): The Government is sensitive to the needs of building better infrastructure for the judicial officers of the lower and subordinate judiciary. For time bound and proper implementation of the scheme, there are monitoring mechanisms in place as per the guidelines of the scheme.

There is a High Court Level Monitoring Committee in the State, chaired by the Chief Justices of the respective High Courts and this also has other stake holders such as, Registrar General of the High Court, portfolio judges, Law/Home Secretary of the State and Secretary of the State PWD as members. This committee meets every six months to review the physical and financial progress of the projects running under the scheme.

Apart from this, there is a Central Level Monitoring Committee in the Department of Justice, chaired by Secretary (Department of Justice, Government of India) to review the progress of the projects and iron out any issues that hinder the smooth implementation of the scheme.

Besides, there are regular visits by the officials of the Department of Justice to the States for getting firsthand information on the ground. Regular meetings through video conferencing to sort out the problems of the States/UTs also takes place.

Trainings are also organized (both online and offline) for the State officials on the technical issues relating to Public Financial Management (PFMS) through which funds gets released and utilization is monitored.

The States/UTs are required to geo-tag the on-going projects in real time and reflect it on the Nyaya Vikas Portal, which is an online monitoring system developed with the technical assistance of National Remote Sensing Centre of ISRO for collection of data on progress and time bound completion of judicial infrastructure projects.

Above all, the scheme has enough flexibility by way of its norms and specifications, for the States to take care of their local needs and geo-spatial peculiarities.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 1711

ANSWERED ON THURSDAY, THE 03.08.2023

SS (Appts)

Appointment of judges in the Supreme Court and High Courts

✓ 1711. SHRI PRAMOD TIWARI:

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

- (a) the number of judges appointed to the Supreme Court and High Courts of the country since 2019 year-wise details;
- (b) the details of number of judges of SC, ST, OBC and minority communities appointed to the Supreme Court and High Courts since 2019, year-wise;
- (c) the reasons for inadequate representation of judges to the Supreme Court and High Courts from SC, ST, OBC and minority communities; and
- (d) the steps being taken by Government to provide adequate representation to SCs, STs, OBCs and Minorities in High Courts and the Supreme Court?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): A statement showing total number of judges appointed each year in the Supreme Court and High Courts since 2019 may be seen at **Annexure**.

The data regarding Social diversity in High Court Judges has been institutionalized as per the revised Annexure (revised in 2018) wherein the recommendees have to provide details regarding their social background in the prescribed format (prepared in consultation with the Supreme Court). Based on the information provided by the recommendees at the time of their appointment to various High Courts, the details of number of judges appointed from the SC, ST, OBC and minority communities since 2019, is as follows:-

Year	General	SC	ST	OBC	Minority	Not Available	Total Appointments
2019	64	3	1	8	3	2	81
2020	52	2	-	11	1	-	66
2021	85	2	4	16	13	-	120
2022	137	6	-	17	5	-	165
2023	38	3	2	15	7	-	65
Total	376	16	7	67	29	2	497

No such data is maintained in respect of the Supreme Court.

Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide reservation for any caste or class of persons. In the present system of appointment of Judges to the constitutional courts through the Collegium, the onus to recommend candidates and thus to provide social diversity and representation to all sections of the society including SC/ST/OBC/Minorities/Women primarily falls on the Judiciary. Government only appoints those persons as Judges in the Higher Judiciary, which are recommended by the Supreme Court Collegium.

However, the Government remains committed to social diversity in the appointment of Judges in the Higher Judiciary and has been requesting the Chief Justices of 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, Minorities and Women to ensure social diversity in appointment of Judges in High Courts.

Total number of judges appointed each year in the Supreme Court and High Courts since 2019

Annexure

Supreme Court	Years				Total
	2019	2020	2021	2022	
High Courts	10	-	09	03	11
Total					33

Sl. No.	Name	2019	2020	2021	2022	2023	Total
1.	Allahabad	10	04	17	13	9	53
2.	Andhra Pradesh	02	07	02	14	2	27
3.	Bombay	11	04	06	19	4	44
4.	Calcutta	06	01	08	16	-	31
5.	Chhattisgarh	-	-	03	3	1	7
6.	Delhi	04	-	02	17	3	26
7.	Gauhati	04	-	06	2	2	14
8.	Gujarat	03	07	07	-	7	24
9.	Himachal Pradesh	02	-	01	2	-	5
10.	J&K & Ladakh	-	05	02	4	-	11
11.	Jharkhand	02	-	04	1	-	7
12.	Karnataka	10	10	06	6	4	36
13.	Kerala	01	06	12	1	-	20
14.	Madhya Pradesh	02	-	08	6	7	23
15.	Madras	01	10	05	4	11	31
16.	Manipur	-	01	-	-	1	2
17.	Meghalaya	01	-	-	-	1	2
18.	Orissa	01	02	04	-	1	2
19.	Patna	04	-	06	11	-	21
20.	Punjab & Haryana	10	01	06	21	1	39
21.	Rajasthan	03	06	08	2	9	28
22.	Sikkim	-	-	-	-	-	-
23.	Telangana	03	01	07	17	-	28
24.	Tripura	-	01	-	-	-	1
25.	Uttarakhand	01	-	-	-	3	4
Total		81	66	120	165	65	497

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA SABHA

UNSTARRED QUESTION NO. 1712

ANSWERED ON THURSDAY, 03rd AUGUST, 2023

LACK OF DISABILITY COLUMN IN NOMINATION FORM

LEH II SEC. (LD)

✓ 1712. Smt. Priyanka Chaturvedi :

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

- (a) *whether it is a fact that the Election Commission of India and the State Election Commission do not ask for the details of the disability of a person filing their nomination;*
- (b) *if so, the details thereof;*
- (c) *whether the Ministry has asked the ECI to consider including the column on disability in the nomination form;*
- (d) *if so, the details thereof; and*
- (e) *the State-wise data on the number of disabled people who filed for nomination in the last general election?*

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF
THE MINISTRY OF LAW AND JUSTICE;
MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS; AND
MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a), (b) and (e): The Election Commission of India has informed that no such information is available with them.

(c) and (d): No sir.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 1713

SS(Appeal)

TO BE ANSWERED ON THURSDAY, THE 03.08.2023

Requirement of registration of wills and sale agreements

✓ 1713. SHRI SUSHIL KUMAR GUPTA:

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

- (a) whether Government is aware of the significant amount of pending litigation in courts concerning the authenticity of unregistered wills and unregistered agreements to sell;
- (b) whether Government has any proposals to make registration of wills and agreements to sell compulsory in order to reduce litigation;
- (c) details of the proposal, if any, regarding the compulsory registration of wills and agreements to sell; and
- (d) if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): Record of various cases in High Courts and District & Subordinate Courts is maintained on the National Judicial Data Grid (NJDG). NJDG,

however, does not maintain any separate category of cases relating to authenticity of unregistered wills and unregistered agreements.

Registration of documents and deed is a concurrent subject as per entry no. 6 of List III (Concurrent List) of Schedule VII to the Constitution and provisions of the Act are implemented by the States and UTs. Section 17 of the Registration Act, 1908 provides for documents of which registration is compulsory. The Registration (Amendment) Bill, 2013 as brought by Department of Land Resources, Ministry of Rural Development in the Rajya Sabha in August, 2013 inter alia provides compulsory registration of immovable property irrespective of the term of the lease of the property including even property that is leased for less than one year; allowing registration of immovable property documents anywhere in the country; recovery of deficit registration fee and refund of excess fee etc.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 1714

ANSWERED ON 03/08/2023

JSCNMJR

N M

TIMELINE TO DISPOSE OF PENDING CASES

✓ 1714. SHRI NEERAJ SHEKHAR:

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

- (a) whether there is any timeline prescribed for district judiciary and High Courts to dispose of the pending civil cases;
- (b) if so, the details thereof and the reasons for non compliance;
- (c) if not, the reasons for no timeline for disposal of civil cases; and
- (d) the details of longest pending civil cases in the country as on date, State-wise?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) to (c): The disposal of pending civil cases in District Judiciary and High Courts lies within the exclusive domain of the judiciary and the Central Government has no direct role in the matter.

The Civil Procedure Code, 1908 prescribes certain time standards for case management such as the filing of written statement should be done within 30 days of the

notice served on defendant (Order VIII, Rule 1) and the judgment should be delivered within 30 days from hearing conclusion date (Order XX, Rule 1). Further, the Code also includes provisions for limiting adjournments of court proceedings in civil matters as contained in Order XVII of the Code of Civil Procedure, 1908. However, it is not practicable to prescribe a definite and uniform timeline for disposal of all civil cases as the time taken for disposal of a case depends on several factors, such as category of case (civil or criminal), the complexity of facts involved, nature of evidence, cooperation of various stakeholders, viz. bar, investigation agencies, witnesses, and litigants, besides the availability of physical infrastructure, supporting court staff and applicable rules of procedure. Several factors may lead to delay in disposal of cases which, inter-alia, include vacancies of judges, frequent adjournments, the number of revisions / appeals and lack of adequate arrangements to monitor, track and bunch cases for hearing.

(d): As per information available on NJDG, the detailed statement of longest pending civil cases i.e. above 30 years in the country as on date, State-wise is at *ANNEXURE-I*

Annexure – I

**STATEMENT REFERRED TO IN REPLY TO PART (D) OF RAJYA SABHA
UNSTARRED QUESTION NO. 1714 FOR ANSWER ON 03.08.2023
REGARDING 'TIMELINE TO DISPOSE OF PENDING CASES'.**

Total Number of Civil Pending Cases above 30 years (as on 28.07.2023)		
Sl.No	Name of the State	No. of Pending Cases above 30 years
1	Andaman & Nicobar	0
2	Andhra Pradesh	25
3	Arunachal Pradesh	0
4	Assam	21
5	Bihar	4266
6	Chandigarh	0
7	Chattisgarh	16
8	Delhi	54
9	Diu and Daman	0
10	DNH at Silvassa	0
11	Goa	221
12	Gujarat	258
13	Haryana	9
14	Himachal Pradesh	5
15	Jammu and Kashmir	22
16	Jharkhand	126
17	Karnataka	141
18	Kerala	124
19	Ladakh	0
20	Madhya Pradesh	49
21	Maharashtra	2083
22	Manipur	0
23	Meghalaya	12
24	Mizoram	0
25	Nagaland	0
26	Odisha	385
27	Puducherry	1
28	Punjab	7
29	Rajasthan	456
30	Sikkim	0
31	Tamil Nadu	245
32	Telangana	22
33	Tripura	1
34	Uttar Pradesh	19747
35	Uttarakhand	1
36	West Bengal	3097
Total		31394

Source:- National Judicial Data Grid (NJDG)

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
STARRED QUESTION No. 226
ANSWERED ON THURSDAY, THE 10.08.2023

SS (Appt.)

Retirement age for High Court and Supreme Court Judges

*226 Shri Rajeev Shukla:

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

- (a) whether Government is considering uniform retirement age for Judges at both High Courts as well as the Supreme Court;
- (b) if so, the details thereof;
- (c) if not, the reasons therefor;
- (d) whether Government intends to alter the age of retirement of Supreme Court and High Court Judges; and
- (e) if so, the details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

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

Statement referred to in reply to parts (a) to (e) of the Rajya Sabha Starred Question No. *226 due for answer on 10.08.2023 regarding "Retirement age for High Court and Supreme Court Judges"

Article 124(2) of the Constitution of India provides that every Judge of the Supreme Court shall be appointed by the President by warrant under his hand and seal and shall hold office until he attains the age of sixty-five years.

Also, clause (1) of Article 217 of the Constitution of India provides that every Judge of a High Court shall hold office until he attains the age of sixty-two years. Clause (3) of the article 224 of the Constitution provides that no person appointed as an additional or acting Judge of a High Court shall hold office after attaining the age of sixty-two years.

The retirement age of High Court Judges, which was fixed at 60 years in the beginning, was revised to 62 years w.e.f. 5.10.1963 by the Constitution (Fifteenth Amendment) Act, 1963 pursuant to the increase in the retirement age of Central Government employees from 55 to 58 years w.e.f. 1.12.1962 on the recommendations of the Second Central Pay Commission, mainly relying upon increase in life expectancy in India.

Department-Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice has recommended in its 39th report presented to the Rajya Sabha on 29.04.2010 for increase in the retirement age of Judges of High Courts from 62 to 65 to be at par with the retirement age of Judges of the Supreme Court.

The Constitution (114th Amendment) Bill was introduced in 2010 to increase the retirement age of High Court judges to 65. However, it was not taken up for consideration in Parliament and lapsed with the dissolution of the 15th Lok Sabha.

At present, there is no proposal to alter the ages of retirement of Supreme Court and High Court Judges.

78

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
STARRED QUESTION NO. 232

ANSWERED ON 10/08/2023

SS (WMTK)
✓

TYPES OF COURTS IN THE COUNTRY

232. SHRI RAGHAV CHADHA:

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

- (a) the total number of different types of courts running in the country, State, district and type-wise;
- (b) whether the strength of judges is reviewed in these courts from time to time and if so, the details thereof;
- (c) whether Government has received any proposal to increase the strength of judges in various courts including the Supreme Court and if so, the details thereof and the response of Government thereto;
- (d) the total number of registered lawyers in various courts in the country, court and State-wise; and
- (e) whether Government has any proposal to strengthen the system of appointment of judges, if so, the details thereof?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF
LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY
OF CULTURE**

(SHRI ARJUN RAM MEGHWAL)

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

STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (E) OF RAJYA SABHA STARRED QUESTION NO. 232 FOR ANSWER ON 10.08.2023 REGARDING 'TYPES OF COURTS IN THE COUNTRY.

(a): As laid down by the Constitution of India, the Supreme Court of India is the apex court in the country that has been vested with original, appellate and advisory jurisdiction. Further, there are High Courts that stand at the head of a State's judicial administration. According to Article 227 of the Constitution, every High Court shall have superintendence over all courts and tribunals throughout the territories in relation to which it exercises jurisdiction. A detailed statement showing the total number of High Courts and Subordinate Courts complexes running in the country, State /District-wise is at *Annexure-I*.

(b): During the Joint Conference of Chief Justices and Chief Ministers held on 07.04.2013, a decision was taken to increase the number of Judges of the High Courts by 25%. Accordingly, during the period from 01.07.2014 to 21.03.2023 with the approval of the respective State Governments, the concerned High Courts and the Chief Justice of India, the Government has increased the Judge strength of the High Courts from 906 to 1114 i.e. by 208 posts.

The review of judges' strength in District and Subordinate courts is the responsibility of High Court and State Government concerned. The appointment, selection and recruitment of judicial officers in District and Subordinate Courts is done by the High Courts in certain States, whereas, in other States the High Courts do it in consultation with the State Public Service Commissions. The Central Government has no direct role in the matter.

(c): At present, there is a proposal to increase the judge strength of High Court of Jammu & Kashmir and Ladakh from 17 to 25 judges. No proposal for increase in strength of the Supreme Court is pending with the Government.

(d): As per the information provided by Department of Legal Affairs, the present status of total Advocates registered with different State Bar Council in the country, State-wise, is at *Annexure-II*.

(e): Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India and as per the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case). Appointment of the Judges of the Constitutional 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 state and central level. Government appoints only those persons as Judges of High Courts who are recommended by Supreme Court Collegium (SCC).

In case of District and Subordinate judiciary, as per constitutional provisions the respective State Governments, in consultation with their High Courts, frame the rules and regulations regarding the issue of appointment of Judicial Officers in the State Judicial Service. The Central Government has no role in the selection and appointment of judicial officers in District and Subordinate judiciary.

ANNEXURE-I

**STATEMENT REFERRED TO IN REPLY TO PARTS (A) OF RAJYA SABHA
STARTED QUESTION NO. 232 FOR ANSWER ON 10.08.2023 REGARDING TYPES
OF COURTS IN THE COUNTRY.**

Detailed statement showing the total number of High Courts and Subordinate Courts complexes running in the country, State/District-wise.

S.No	High Court	State/Jurisdiction	Total Districts	Total District Court Complexes
1	Allahabad	Uttar Pradesh	74	183
2	Andhra Pradesh	Andhra Pradesh	13	189
3	Bombay	Dadra and Nagar Haveli Daman and Diu	1 2	2 2
		Goa	2	16
		Maharashtra	40	487
4	Calcutta	Andaman & Nicobar Islands	1	4
		West Bengal	22	90
5	Chhattisgarh	Chhattisgarh	23	89
6	Delhi	Delhi	11	12
7	Gauhati	Assam Arunachal Pradesh	33 4	79 4
		Mizoram	3	12
		Nagaland	9	5
8	Gujarat	Gujarat	32	338
9	Himachal Pradesh	Himachal Pradesh	11	50
10	Jammu & Kashmir and Ladakh	Union Territory of Jammu & Kashmir and Union Territory of Ladakh	20 2	82 4
11	Jharkhand	Jharkhand	24	24
12	Karnataka	Karnataka	31	206
13	Kerala	Kerala	15	174
		Lakshadweep		
14	Madhya Pradesh	Madhya Pradesh	50	230
15	Madras	Puducherry	4	4
		Tamil Nadu	32	271
16	Manipur	Manipur	9	21
17	Meghalaya	Meghalaya	11	13
18	Orissa	Odisha	30	124
19	Patna	Bihar	37	80
20	Punjab & Haryana	Chandigarh	1	1
		Haryana	21	58
		Punjab	22	69
21	Rajasthan	Rajasthan	36	330
22	Sikkim	Sikkim	6	9
23	Telangana	Telangana	33	115
24	Tripura	Tripura	8	20
25	Uttarakhand	Uttarakhand	13	69
		Total	686	3466

Source : National Judicial Data Grid (NJDG)

ANNEXURE-II

**STATEMENT REFERRED TO IN REPLY TO PARTS (D) OF RAJYA SABHA
STARRED QUESTION NO. 232 FOR ANSWER ON 10.08.2023 REGARDING TYPES
OF COURTS IN THE COUNTRY.**

Statement showing the present status of total Advocates enrolled with different State
Bar Council.

S. NO	State Bar Council	As on Date	Total Number of Advocate
1.	Assam	--	37326
2.	Andhra Pradesh	14.03.2023	74522
3.	Telangana	03.03.2023	46555
4.	Bihar	17.03.2023	136721
5.	Chhattisgarh	04.08.2022	31429
6.	Delhi	17.03.2023	149655
7.	Gujarat	29.07.2022	108181
8.	Himachal Pradesh	16.03.2023	12578
9.	Jharkhand	18.03.2023	31248
10.	Karnataka	03.07.2022	111162
11.	Kerala	30.07.2022	58770
12.	Madhya Pradesh	23.08.2022	112390
13.	Maharashtra & Goa	02.04.2021	191394
14.	Orissa	10.08.2022	58697
15.	Punjab & Haryana	20.07.2022	117423
16.	Rajasthan	03.03.2023	99597
17.	Tamil Nadu	30.07.2022	114584
18.	Uttar Pradesh	01.04.2021	409016
19.	Uttarakhand	16.03.2023	86555
20.	West Bengal	01.04.2021	10589
21.	Jammu & Kashmir	--	1489
22.	Tripura	06.08.2022	1974
23.	Mizoram	02.03.2023	1422
24.	Meghalaya	16.03.2023	2013081
	Total		

Source: - Department of Legal Affairs

10

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA

UNSTARRED QUESTION NO. 2509

ANSWERED ON 10/08/2023

JS(WMTR)

✓ **PENDENCY OF LITIGATION IN COURTS**

2509. SHRI SUSHIL KUMAR GUPTA:

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

- (a) whether Government is aware of the dissatisfaction of public with the slow pace of decisions by the courts;**
- (b) the initiatives taken, if any, by Government to ensure timely disposal of cases by the District courts, High Courts and the Supreme Court;**
- (c) the judge-case ratio and judge-population ratio in the country; and**
- (d) the details of the steps, if any, being taken by Government to improve the judge-case and judge-population ratios?**

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) & (b): The adjudication and disposal of cases is within the exclusive domain of the judiciary and the Central Government has no direct role in the matter.

However, the Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. Amongst the several initiatives taken by the Government to provide a supportive ecosystem for speedy disposal of cases by the judiciary, the setting up of National Mission for Justice Delivery

and Legal Reforms in August, 2011 was an important step. The Mission has 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. Over the years, 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.

Under the Centrally Sponsored Scheme for Judicial Infrastructure, funds are being released to States/UTs for construction of court halls, residential quarters for judicial officers, lawyers' halls, toilet complexes and digital computer rooms that would ease the life of lawyers and litigants, thereby aiding justice delivery. As on date, Rs. 10035 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for the Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 21,365 as on 30.06.2023, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,846 as on 30.06.2023, under this scheme.

Further under the e-Courts Mission Mode Project, information and communication technology (ICT) has been leveraged for IT enablement of district and subordinate courts. The number of computerised district & subordinate courts has increased to 18,735 so far. WAN connectivity has been provided to 99.4% of court complexes. Video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. 815 e-Sewa Kendras have been set up at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case-related information, and e-filing facilities. 22 virtual courts have been set up in 18 States/UTs. As on 31.05.2023, these courts have handled more than 3.113 crore cases and realized more than Rs. 408 crores in fines. E-courts Phase III is about to begin which intends to incorporate latest technology such Artificial

Intelligence(AI) and Block chain to make justice delivery more robust, easy and accessible to all the stakeholders.

Government has been regularly filling up the vacancies in higher judiciary. From 01.05.2014 to 10.07.2023, 56 Judges were appointed in Supreme Court. 919 new Judges were appointed and 653 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 1114 currently. sanctioned and working strength of judicial officers in district and subordinate courts has increased as follow:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
07.08.2023	25,254	19,846

However, filling up of vacancies in subordinate judiciary falls within the domain of the State Governments and high courts concerned.

In pursuance of a Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in all 25 High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District courts as well.

Under the aegis of the Fourteenth Finance Commission ,the government has established Fast Track Courts for dealing with cases of heinous crimes; cases involving senior citizens, women, children etc. As on 31.05.2023, 832 Fast Track Courts are functional for heinous crimes, crimes against women, and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs. Further, the central government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for the expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme.

With a view to reduce pendency and unclogging of the courts, the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.

Alternate Dispute Resolution methods have been promoted whole heartedly. Accordingly, the Commercial Courts Act, 2015 was amended on 20th August, 2018 making Pre-institution Mediation and Settlement (PIMS) mandatory in case 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.

Lok Adalat is an important Alternative Disputes Resolution Mechanism available to common people. It is a forum where the disputes/ cases pending in the court of law or at pre-litigation stage are settled/ compromised amicably. Under the Legal Services Authorities (LSA) Act, 1987, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court. . Lok Adalat is not a permanent establishment. National Lok Adalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date. The details of the case disposed off in Lok Adalats during the last three years are as under:-

Years	Pre-litigation Cases	Pending Cases	Grand Total
2021	72,06,294	55,81,743	1,27,88,037
2022	3,10,15,215	1,09,10,795	4,19,26,010
2023 (upto 17.06.2023)	3,00,11,291	61,88,686	3,61,99,977
Total	6,82,32,800	2,26,81,224	9,09,14,024

The Government launched the Tele-Law programme in 2017, which provided an effective and reliable e-interface platform connecting the needy and disadvantaged sections seeking legal advice and consultation with panel lawyers via video conferencing,

telephone and chat facilities available at the Common Service Centres (CSCs) situated in Gram Panchayat and through Tele-Law mobile App.

***Percentage Wise break-up of Tele – Law Data**

Till 28th Feb, 2023	Cases Registered	% Wise Break Up	Advice Enabled	% Wise Break Up
Gender Wise				
Female	15,75,140	34.38	15,35,775	34.39
Male	30,06,772	65.62	29,30,601	65.61
Caste Category Wise				
General	9,82,636	21.45	9,52,773	21.33
OBC	13,28,505	28.99	12,93,153	28.95
SC	14,88,971	32.50	14,53,283	32.54
ST	7,81,800	17.065	7,67,167	17.18
Total	45,81,912		44,66,376	

Efforts have been made to institutionalize pro bono culture and pro bono lawyering the country. A technological framework has been put in place where advocates volunteering to give their time and services for pro bono work can register as Pro Bono Advocates on Nyaya Bandhu (Android & iOS and Apps). Nyaya Bandhu Services also available on UMANG Platform. Pro Bono Panel of advocates have been initiated in 21 High Courts at the State level. Pro Bono Clubs have been started in 69 select Laws Schools to instill Pro Bono culture in budding lawyers.

(c) & (d): The detailed statement of judge-case ratio in the country for various courts is at **ANNEXURE-I**.

In case of judge-population ratio, the Department uses the criterion of using the population as per Census 2011 and as per available information regarding sanctioned strength of Judges in Supreme Court, High Court and District & Subordinate Courts in the particular year. Based on the population as per Census 2011 which was 1210.19 million and as per available information regarding sanctioned strength of Judges in Supreme Court, High Courts and District & Subordinate Courts in the year 2023, the

judge - population ratio in the country works out to be approximately 21 Judges per million population in comparison.

The Central Government has a limited role in improvement of judge-case ratio and judge-population ratio as the same are dependent upon the augmentation of judges' strength. In case of appointment of judges in higher judiciary it is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various constitutional authorities both at state and central level. While every effort is made to fill up the existing vacancies expeditiously, vacancies of Judges in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the strength of Judges. Whereas, the appointment of 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 direct role.

Annexure – I**STATEMENT REFERRED TO IN REPLY TO PART (C) AND (D) OF RAJYA SABHA UNSTARRED QUESTION NO. 2509 FOR ANSWER ON 10.08.2023 REGARDING 'PENDENCY OF LITIGATION IN COURTS.**

Ratio between Judges and Cases in the country				
Sl. No	Courts	No. of Cases	No. of Judges	Ratio
1	Supreme Court	69,766 (pending as on 1.07.2023)	34	2051.94
2	High Court	60,63,499 (pending as on 4.08.2023)	1,114	5443.0
3	District & Subordinate Court	4,44,07,204 (pending as on 4.08.2023)	25,246	1758.98

Source: National Judicial Data Grid (NJDG).

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)
RAJYA SABHA
UNSTARRED QUESTION NO-2510
ANSWERED ON - 10/08/2023

e-Court

JS(PPP)

DIGITALIZATION OF THE SUPREME COURT AND HIGH COURT RECORDS

2510 SHRI SUSHIL KUMAR GUPTA:

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

- (a) whether Government is aware of the non-availability of records digitalized by the Supreme Court and High Courts, despite being funded by Government on their respective websites;
- (b) whether Government is aware that without online availability of such digitalized records, the primary objective of digitalization is not being fulfilled; and
- (c) details of any initiatives undertaken by Government to ensure online availability of digitalized records?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE (SHRI ARJUN RAM MEGHWAL)

(a) to (c) : Digitization of court records is an administrative matter falling under the domain of the respective High Courts and the Supreme Court of India and the Government has no direct role in it. The eCourts Mission Mode Project is a national eGovernance project for ICT enablement of district/subordinate courts of the country with a view to facilitate faster disposal of cases by speeding up court processes and providing transparent on-line flow of information on case status, orders/judgments etc. to the judiciary as well as litigants, lawyers and other stakeholders. The eCourts Phase I (2011-15) was aimed at basic computerization of courts and providing local network connectivity. Phase II (2015-23) of the project focused on citizen-centric e-services besides computerising 18735 courts and interconnecting these with wide area network (WAN). The digitization of records was not the part of eCourts Project Phase II. However, a sub-committee was constituted by eCommittee, Supreme Court of India for preparing a Digital Preservation Standard Operating Procedure (SOP) for scanning, storage, retrieval, digitization of court records and preservation of legacy data of the judiciary. The SOP was approved in its full body meeting by eCommittee, Supreme Court of India under the chairmanship of Chief Justice of India, D.Y. Chandrachud on 21st October 2022.

To facilitate the online availability of digitalized records, Department of Justice in close co-ordination with eCommittee, Supreme Courts of India has undertaken following initiatives as part of eCourts Project Phase II:

- 18735 District and Subordinate Courts computerized under eCourts phase-II so far.
- Case Information Software (CIS) which forms the basis for the eCourts developed by NIC on Free and Open-Source Software (FOSS).
- Citizen centric services provided through 7 platforms viz. SMS push & pull, e-mail, eCourts services portal, Judicial service Centers, Info kiosks, eCourts mobile app (total 1.88 crore downloads till 30th June 2023) and JustIS app for judges (19,164 downloads till 30th June 2023).
- eFiling system version 3.0 rolled out with advanced features like e-Vakalatnama, e-signing, video recording of oath etc. Integrated with e payments module.
- Judgment Search Portal has been started for providing copies of judgments free of cost.
- NJDG developed with elastic search technology allowing access to 23.58 crore cases and more than 22.56 crore orders and judgments. Delay reasons added and open APIs introduced as on 01.08.2023.

The National Judicial Data Grid (NJDG), is an online repository of case statistics, as a result of digitalized case records, from the High Courts and the District and Subordinate Courts of the country. It provides information relating to judicial proceedings/decisions of the computerized courts of the country. Approximately 3000 Court Complexes replicate live data of filing, registration, scrutiny, objections, case status, cause list, judgment and orders on real-time basis. Case data is available on NJDG for both civil and criminal cases with the ability to perform drill-down analysis based on the age of the case as well as the State and District. As per the information available on Supreme Court website, Judgement records can be searched online with the following parameters - Case No., Diary No., Judgment Date, Judge Name, Parties, Act-wise, Constitutional Bench and Free Text.

NJDG works as a monitoring tool to identify, manage & reduce pendency of cases. It helps to provide timely inputs for making policy decisions to reduce delays in disposing of cases and helps in reducing case pendency. In consonance with the National Data Sharing and Accessibility Policy (NDSAP) announced by the Government of India, Open Application Programming Interface (API) has been provided to the Central & State Government to allow easy access to the NJDG data using a departmental ID and access key. Recently, reasons for delay have been included in NJDG.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

RAJYA SABHA
UNSTARRED QUESTION NO. 2511
ANSWERED ON 10/08/2023

JS (NMJR)
✓

**TECHNOLOGICAL SUPPORT FOR DISPOSING OF HIGH PENDING IN
THE COURTS**

2511 # SHRI RAM NATH THAKUR:

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

- (a) whether Government proposes to fix a time-frame for disposing of civil and criminal cases pending in high numbers in the district courts of the country;**
- (b) if so, the details thereof;**
- (c) whether Government is considering to introduce a technology-based mechanism for speedy disposal and expedite the process of disposal of pending cases in the district courts; and**
- (d) the State-wise details of civil and criminal cases pending in the district courts of the country?**

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) & (b): No Sir. Disposal of cases or fixing time lines for disposal lies within the exclusive domain of the judiciary and the Central Government has no direct role in the

matter. Hence there is no proposal under contemplation by the Government for fixing timelines for disposal of civil and criminal cases in district courts of the country.

(c): Under the eCourts Integrated Mission Mode Project, the Government has endeavored for the Information and Communications Technology (ICT) enablement of district/subordinate courts of the country. This would facilitate faster disposal of cases by speeding up court processes and providing transparent on-line flow of information on case status, orders/judgments etc. to the judiciary as well as litigants, lawyers and other stakeholders.

With its objective of universal computerization and Information and Communication Technology enablement of all the District and Subordinate Court complexes, the Department of Justice in close coordination with e-Committee of Supreme Court of India is implementing eCourts Project Phase-II. Till Phase-II, 18,735 District and Subordinate Courts have been computerized. As part of WAN project, connectivity has been provided to 99.4% of total Court Complexes across India. Using National Judicial Data Grid (NJDG), Lawyers and Litigants can access case status information of 23.34 crore cases and more than 22.21 crore orders/judgments. Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Using video conferencing, the District and Subordinate Courts and High courts have heard nearly 2.77 crore cases and the Supreme Court had heard nearly 4.82 lakh cases. 22 Virtual Courts have been established in 18 States / UTs to try traffic offences and have realized fine of more than Rs. 419.89 crores. To bridge the digital divide, 819 eSewa Kendras have been made functional under 25 High Courts. Citizen centric services are provided through 7 platforms or service delivery channels for providing real time information on case status, cause lists, judgements etc. to lawyers/litigants. Live streaming of court proceedings has started in Gujarat, Gauhati, Orissa, Karnataka, Jharkhand, Patna, Madhya Pradesh High Courts & Constitutional Bench of Hon'ble Supreme court of India. Judgment Search Portal has been providing copies of judgments

of High Courts free of cost. eCourts project have been accorded multiple awards of national repute.

In the Union Budget 2023-2024, the Government of India announced Phase-III of e-Courts project with an outlay of Rs.7000 crore. Based on the Detailed Project Report (DPR) approved by the e-Committee, Supreme Court of India, the Expenditure Finance Committee in its meeting held on 23.02.2023 has approved the eCourts Phase III with a total outlay of Rs.7210 Crore. Further, the Empowered Technology Group chaired by the Principal Scientific Advisor to the Prime Minister in its meeting held on 21.06.2023 has also recommended to the Cabinet the eCourts Phase III for approval.

(d): The detailed statement showing the pending civil and criminal cases in district courts of the country, State-wise is at ***ANNEXURE-I***

Annexure - I

STATEMENT REFERRED TO IN REPLY TO PART (D) OF RAJYA SABHA UNSTARRED QUESTION NO. 2511 FOR ANSWER ON 10.08.2023 REGARDING 'TECHNOLOGICAL SUPPORT FOR DISPOSING OF HIGH PENDENCY IN THE COURTS'

Sl. No.	State	Civil	Criminal	Both
1	Andaman and Nicobar	3343	5287	8630
2	Andhra Pradesh	417412	437582	854994
3	Arunachal Pradesh	403	984	1387
4	Assam	101498	369244	470742
5	Bihar	526587	2990092	3516679
6	Chandigarh	23257	59160	82417
7	Chhattisgarh	79713	331271	410984
8	Delhi	240630	989172	1229802
9	Diu and Daman	1450	1637	3087
10	DNH at Silvasa	1960	2130	4090
11	Goa	26092	30579	56671
12	Gujarat	409327	1298017	1707344
13	Haryana	458943	1073130	1532073
14	Himachal Pradesh	164105	382918	547023
15	Jammu and Kashmir	100888	218780	319668
16	Jharkhand	88955	437654	526609
17	Karnataka	940836	992795	1933631
18	Kerala	524143	1368494	1892637
19	Ladakh	633	590	1223
20	Madhya Pradesh	403318	1613043	2016361
21	Maharashtra	1629295	3519527	5148822
22	Mamipur	8319	4410	12729
23	Meghalaya	4441	11511	15952
24	Mizoram	2555	3297	5852
25	Nagaland	621	2647	3268
26	Odisha	284803	1247904	1532707
27	Puducherry	13461	20603	34064
28	Punjab	398883	519386	918269
29	Rajasthan	561500	1719363	2280863
30	Sikkim	629	1173	1802
31	Tamil Nadu	753954	724220	1478174
32	Telangana	345482	567425	912907
33	Tripura	11689	32928	44617
34	Uttar Pradesh	1869280	9784280	11653560
35	Uttarakhand	45499	293248	338747
36	West Bengal	624148	2291214	2915362
Total		11068052	33345695	44413747

Source: - National Judicial Data Grid (NJDG)

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION No. 2512
ANSWERED ON THURSDAY, THE 10.08.2023

Establishment of High Court Benches in the country

✓ 2512 Dr. Sasmit Patra:

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

- (a) the view of the judiciary in India towards establishment of High Court Benches with reference to specific judgements/observations by the judiciary;
- (b) whether Jaswant Singh Commission's recommendations and judgement pronounced by the Apex Court in WP(C) No. 379 of 2000 are contradictory to each other, if so, view of Government thereto; and
- (c) whether the Constitution of India through Entry 78 of Union List provides powers to Government for constitution and organization of High Courts, if so, whether Government would be willing to use this power to establish High Court Benches in the country?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) to (c): Article 214 of the Constitution of India provides that there shall be a High Court for each State. Section 51 of the States' Reorganization Act, 1956 provides for setting up of Principal seat and other places of sitting of High Courts for new States and states that (1) The principal seat of the High Court for a new State shall be at such place as the President may, by notified order, appoint and (2) The President may, after consultation with the Governor of a new State and the Chief Justice of the High Court for that State, by notified order, provide for the establishment of a permanent bench or benches of that High Court at one or more places within the State other than the principal seat of the High Court and for any matters connected therewith.

In 1981, the Government of India had appointed a three-member commission headed by Justice Jaswant Singh, a retired Judge of Supreme Court, to consider all aspects arising out of the demand for the constitution of the Bench for the Western districts of Uttar Pradesh. The terms of reference of the

Commission were enlarged in 1983 requiring the Government to examine and report on all aspects of general question of having Benches of High Courts at places other than their principal seats and on the broad principles and criteria to be followed in this regard.

Justice Jaswant Singh Commission had recommended some broad principles and criteria to be followed while deciding the question of expediency and desirability of establishment of a Bench of a High Court away from the principal seat, and factors to be borne in mind while selecting the site of a Bench. Some of the key requirements which must be satisfied before such a request is considered, inter-alia include that the area demanding a Bench must possess characteristics of a region and, thus, must have sizeable population and area to justify such a requirement. The other factors which must also be taken into account are means of travel and communication, distance litigant public has to travel for filing cases in the High Courts, pendency at the principal seat of the High Court, availability of infrastructure, availability of members of Bar as well as the legal talent etc.

The Supreme Court, in the Writ Petition (Civil) No.379 of 2000, examined the issue related to demand for establishment of High Court Benches at centres different from the principal seat, when a petition was filed by the Federation of Bar Association in Karnataka. The Supreme Court, in its judgment dated 24th July, 2000 stated that "...The question of a bench of High Court away from the principal seat of the High Court is not to be decided on emotional or sentimental or parochial considerations. The High Court is the best suited machinery to decide whether it is necessary and feasible to have a bench outside the principal seat of that High Court. If the High Court does not favour such establishment, it is pernicious to dissect a High Court into different regions on the ground of political or other considerations. So, it is out of question to decide for establishment of a bench outside the principal seat of a High Court contrary to the opinion of the Chief Justice of that High Court which has been formed after considering the views of the colleague Judges"

The Supreme Court also held "...As the Chief Justice of the High Court concerned is the important consultee in the matter of establishment of a bench of the High Court, he being the head of that High Court he has to form an opinion when it is required during such consultation process. Normally, the Chief Justice will not be guided by any political or parochial considerations. When he gives the opinion, it is the opinion of the High Court and not merely his personal opinion...."

: 3 :

The proposal of setting up of Benches of a High Court is considered by the Government of India only after receipt of a complete proposal from the State Government which has to have the consent of the Chief Justice of the concerned High Court and the Governor the State. The State Government has to provide necessary infrastructural facilities for establishment of a Bench of the High Court away from its principal seat as well as the entire expenditure of the High Court and its Bench. The Chief Justice of the High Court is required to look after the day-today administration of the High Court and its Bench and depute Judges from the Principal Seat to Bench from time-to-time. It is, therefore, necessary that both the State Government and the High Court consider the matter from all angles and arrive at a consensus.

The Government has adopted a consultative approach requiring consensus among the State Government and the High Court concerned in deciding the issue of setting up Benches of High Courts.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA

UNSTARRED QUESTION No. 2513

TO BE ANSWERED ON THURSDAY, THE 10.08.2023

SS (A) (pt.)

Transfer policy of higher judiciary judges

2513 Ms. Dola Sen:

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

- (a) whether Government has data in relation to the number of transfers that were made with respect to High Court Judges in the year 2021-22 and 2022-23;
- (b) if so, the details thereof, if not, the reasons therefor;
- (c) whether Government has drafted a uniform policy with regard to the transfer of judges of higher judiciary in the country; and
- (d) if so, the details thereof, if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE;
MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF
STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): Since 01.01.2021 till 03.08.2023, 08 Chief Justices and 46 Judges have been transferred from one High Court to other High Court.

Judges of High Courts are transferred as per the procedure laid down in the Memorandum of Procedure prepared in 1998 pursuant to the Supreme Court Judgment of October 6th, 1993 (Second Judges Case) read with the Advisory Opinion of October 28th, 1998 (Third Judges Case).

As per the existing MoP, the proposal for transfer of High Court Judges (including Chief Justice) is initiated by the Chief Justice of India in consultation with four senior-most puisne Judges of the Supreme Court. In the case of transfer of a High Court Judge, the MoP further provides that the Chief Justice of India is also expected to take into account the views of the Chief Justice of High Court from which the judge is to be transferred, as also the Chief Justice of the High Court to which the transfer is to be effected, besides taking into account the views of one or more Supreme Court judges who are in a position to offer views. All transfers are to be made in public interest i.e. for promoting better administration of justice throughout the country.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA

UNSTARRED QUESTION NO. 2514

ANSWERED ON 10/08/2023

JS (WMSR)
✓

N/M

SANCTIONED STRENGTH AND VACANCY IN SUBORDINATE COURTS

2514. SHRI PRAMOD TIWARI:

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

- (a) the details of sanctioned strength of judges in subordinate courts in the country, State-wise;
- (b) whether it is a fact that there were 19,192 judges in subordinate courts against the sanctioned strength of 25,042, while 5850 posts remained vacant;
- (c) if so, the details thereof and reasons therefor;
- (d) the details of pendency of cases in subordinate courts in 2022, State-wise;
- (e) whether it is a fact that not filling the vacant position in subordinate judiciary is reason behind the rise of case pendency in the courts; and
- (f) if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

- (a): The details of sanctioned strength of judges in subordinate courts in the country, State-wise, is enclosed at **ANNEXURE-I**.

(b) & (c): As per the information available with the Department, as on 07.08.2023, there were 19,846 judges working in District and Subordinate courts against the sanctioned strength of 25,254 while 5408 posts remained vacant.

As far as the filling up of vacancies in the District Courts and Subordinate courts is concerned, the Central Government has no direct role in the matter. As per the Constitutional framework, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Governments in consultation with their High Courts frame the rules and regulations regarding the issues of appointment and recruitment of Judicial Officers in the respective State Judicial Service. Thus, the selection and appointment of judicial officers in the Subordinate/District Courts is the responsibility of the High Courts and State Governments concerned. In some States, the respective High Courts undertake the recruitment process, whereas in other States, the High Courts do it in consultation with the State Public Service Commissions.

(d): The details of pendency of cases in subordinate courts in 2022, as on 31.12.2022, State-wise is at *ANNEXURE-II*.

(e) & (f): The vacancy of judges is not the sole reason for the increased pendency of cases in courts. Pendency of cases in courts can be attributed to multiple factors which, inter-alia, include lack of availability of physical infrastructure and supporting court staff, complexity of facts involved, nature of evidence, non-cooperation of stake holders viz., bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. Other factors that may lead to increase in pendency of cases include, lack of prescribed timeframes by respective courts for disposal of various kinds of cases, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing.

Annexure - I

STATEMENT REFERRED TO IN REPLY TO PART (A) OF RAJYA SABHA UNSTARRED QUESTION NO. 2514 FOR ANSWER ON 10.08.2023 REGARDING SANCTIONED STRENGTH AND VACANCY IN SUBORDINATE COURTS.

Sanctioned Strength of Judicial Officers in District & Subordinate Courts as on 07.08.2023

S. No.	States & UTs	Total Sanctioned Strength
1	Andaman and Nicobar*	0
2	Andhra Pradesh	618
3	Arunachal Pradesh	42
4	Assam	485
5	Bihar	2016
6	Chandigarh	30
7	Chhattisgarh	556
8	D & N Haveli	3
9	Daman & Diu	4
10	Delhi	887
11	Goa	50
12	Gujarat	1582
13	Haryana	772
14	Himachal Pradesh	179
15	Jammu and Kashmir	317
16	Jharkhand	694
17	Karnataka	1367
18	Kerala	603
19	Ladakh	17
20	Lakshadweep	4
21	Madhya Pradesh	2028
22	Maharashtra	2190
23	Manipur	59
24	Meghalaya	99
25	Mizoram	74
26	Nagaland	34
27	Odisha	1006
28	Puducherry	29
29	Punjab	797
30	Rajasthan	1616
31	Sikkim	35
32	Tamil Nadu	1366
33	Telangana	560
34	Tripura	128
35	Uttar Pradesh	3694
36	Uttarakhand	299
37	West Bengal	1014
TOTAL		25254

Source: MIS portal, Department of Justice
*Combined Sanctioned Strength of UT Andaman & Nicobar Island and State of WB as shown against State of West Bengal

Annexure - II

STATEMENT REFERRED TO IN REPLY TO PART (D) OF RAJYA SABHA UNSTARRED QUESTION NO. 2514 FOR ANSWER ON 10.08.2023 REGARDING SANCTIONED STRENGTH AND VACANCY IN SUBORDINATE COURTS.

SL No	States	Pendency of Cases as on 31.12.2022
1	Andhra Pradesh	829147
2	Telangana	1059401
3	Andman & Nicobar	11886
4	Arunachal Pradesh	
5	Assam	488800
6	Bihar	3445159
7	Chandigarh	79526
8	Chattisgarh	411599
9	Delhi	1293571
10	DiU and Daman	2901
11	DNH at Silvassa	3770
12	Goa	56375
13	Gujarat	1743723
14	Haryana	1458270
15	Himachal Pradesh	476137
16	Jammu & Kashmir	299716
17	Jharkhand	519156
18	Karnataka	1893265
19	Kerala	1933363
20	Ladakh	1154
21	Madhya Pradesh	2000268
22	Maharashtra	4982911
23	Manipur	12269
24	Meghalaya	16135
25	Mizoram	5142
26	Nagaland	2966
27	Orissa	1559338
28	Puducherry	29831
29	Punjab	922360
30	Rajasthan	2123475
31	Sikkim	1843
32	Tamil Nadu	1432575
33	Tripura	40012
34	U.T of Lakshadweep	
35	Uttar Pradesh	10973480
36	Uttarakhand	327350
37	West Bengal	2772290
	Total	43209164

Source:- National Judicial Data Grid (NJDG)

10

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 2516
ANSWERED ON 10/08/2023

NM

JS (UNSTARRED)
✓

JUDICIAL REFORMS TO REDUCE PENDENCY OF CASES

2516. SHRI RAJEEV SHUKLA:

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

- (a) whether Government is looking to provide way for judicial reforms in order to reduce pendency of cases and enhance dispensation of justice in the country;
- (b) if so, the details of the reforms to be undertaken;
- (c) if not, the reasons therefor;
- (d) whether such reforms include the reintroduction of the National Judicial Appointments Commission, if so, the details thereof and if not, the reasons therefor; and
- (e) the proposed measures to be taken in this respect?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) to (c): The disposal of pending cases in courts is within the domain of the judiciary and the Government has no direct role in disposal of cases in courts. However, the 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 and reduce pendency.

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.

Some of the initiatives taken by Department of Justice to aid the cause of justice delivery are as under:-

- i. Under the Centrally Sponsored Scheme for Judicial Infrastructure, funds are being released to States/UTs for construction of court halls, residential quarters for judicial officers, lawyers' halls, toilet complexes and digital computer rooms that would ease the life of lawyers and litigants, thereby aiding justice delivery. As on date, Rs. 10035 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for the Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 21,365 as on 30.06.2023, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,846 as on 30.06.2023, under this scheme.
- ii. Further under the e-Courts Mission Mode Project, information and communication technology (ICT) has been leveraged for IT enablement of district and subordinate courts. The number of computerised district & subordinate courts

has increased to 18,735 so far. WAN connectivity has been provided to 99.4% of court complexes. Video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. 815 e-Sewa Kendras have been set up at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case-related information, and e-filing facilities. 22 virtual courts have been set up in 18 States/UTs. As on 31.05.2023, these courts have handled more than 3.113 crore cases and realized more than Rs. 408 crores in fines. E-courts Phase III is about to begin which intends to incorporate latest technology such Artificial Intelligence(AI) and Block chain to make justice delivery more robust, easy and accessible to all the stakeholders.

- iii. Government has been regularly filling up the vacancies in higher judiciary. From 01.05.2014 to 10.07.2023, 56 Judges were appointed in Supreme Court. 919 new Judges were appointed and 653 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 1114 currently. sanctioned and working strength of judicial officers in district and subordinate courts has increased as follow:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
07.08.2023	25,254	19,846

However, filling up of vacancies in subordinate judiciary falls within the domain of the State Governments and high courts concerned.

- iv. In pursuance of a Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in all 25 High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District courts as well.

- v. Under the aegis of the Fourteenth Finance Commission, the government has established Fast Track Courts for dealing with cases of heinous crimes; cases involving senior citizens, women, children etc. As on 31.05.2023, 832 Fast Track Courts are functional for heinous crimes, crimes against women, and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs. Further, the central government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for the expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme.
- vi. With a view to reduce pendency and unclogging of the courts, the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.
- vii. Alternate Dispute Resolution methods have been promoted whole heartedly. Accordingly, the Commercial Courts Act, 2015 was amended on 20th August, 2018 making Pre-institution Mediation and Settlement (PIMS) mandatory in case 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.
- viii. Lok Adalat is an important Alternative Disputes Resolution Mechanism available to common people. It is a forum where the disputes/ cases pending in the court of law or at pre-litigation stage are settled/ compromised amicably. Under the Legal Services Authorities (LSA) Act, 1987, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court. Lok Adalat is not a permanent establishment. National Lok Adalats are organized simultaneously in all Taluks,

Districts and High Courts on a pre-fixed date. The details of the case disposed off in Lok Adalats during the last three years are as under:-

Years	Pre-litigation Cases	Pending Cases	Grand Total
2021	72,06,294	55,81,743	1,27,88,037
2022	3,10,15,215	1,09,10,795	4,19,26,010
2023 (upto 17.06.2023)	3,00,11,291	61,88,686	3,61,99,977
Total	6,82,32,800	2,26,81,224	9,09,14,024

- ix. The Government launched the Tele-Law programme in 2017, which provided an effective and reliable e-interface platform connecting the needy and disadvantaged sections seeking legal advice and consultation with panel lawyers via video conferencing, telephone and chat facilities available at the Common Service Centres (CSCs) situated in Gram Panchayat and through Tele-Law mobile App.

***Percentage Wise break-up of Tele – Law Data**

Till 28th Feb, 2023	Cases Registered	% Wise Break Up	Advice Enabled	% Wise Break Up
Gender Wise				
Female	15,75,140	34.38	15,35,775	34.39
Male	30,06,772	65.62	29,30,601	65.61
Caste Category Wise				
General	9,82,636	21.45	9,52,773	21.33
OBC	13,28,505	28.99	12,93,153	28.95
SC	14,88,971	32.50	14,53,283	32.54
ST	7,81,800	17.065	7,67,167	17.18
Total	45,81,912		44,66,376	

- x. Efforts have been made to institutionalize pro bono culture and pro bono lawyering the country. A technological framework has been put in place where advocates volunteering to give their time and services for pro bono work can register as Pro Bono Advocates on Nyaya Bandhu (Android & iOS and Apps). Nyaya Bandhu Services also available on UMANG Platform. Pro Bono Panel of

advocates have been initiated in 21 High Courts at the State level. Pro Bono Clubs have been started in 69 select Laws Schools to instill Pro Bono culture in budding lawyers.

(d) & (e): In order to replace the Collegium system of appointments of Judges of the Supreme Court and High Courts with a more broad-based, transparent, accountable appointment mechanism and to bring greater objectivity in the system, the Government brought into operation the Constitution (Ninety-Ninth Amendment) Act, 2014 and the National Judicial Appointments Commission Act, 2014 w.e.f. 13.04.2015. However, both the Acts were challenged in the Supreme Court. The Supreme Court vide Judgment dated 16.10.2015 declared both the Acts as unconstitutional and void. The Collegium system as existing prior to the enforcement of the Constitution (Ninety-Ninth Amendment) Act, 2014 was declared to be operative.

Hon'ble Supreme Court while hearing WP(C) 13 of 2015 in NJAC matter issued detailed Order on 16-12-2015 on supplementing the Memorandum of Procedure (MoP) and laid down that Government of India may finalize the Memorandum of Procedure by supplementing it in consultation with the Chief Justice of India. The Chief Justice of India will take a decision based on the unanimous view of the Collegium comprising of four senior most puisne Judges of the Supreme Court. The order stated that they shall take the following factors into consideration such as eligibility criterion, transparency in the appointment process, secretariat, complaint mechanism and miscellaneous matter considered appropriate for ensuring transparency and accountability including interaction with the recommendees the Collegium of the Supreme Court without sacrificing the confidentiality of appointment.

In pursuance of the above orders, the Government of India, after due diligence sent the MoP to Hon'ble Chief Justice of India on 22.3.2016, the response of the Supreme Court Collegium on the revised draft MoP was received on 25.05.2016 and 01.07.2016. The view of the Government in response to the views of the SCC was conveyed to the

CJI on 03.08.2016. The view of the Government in response to the views of the SCC was conveyed to the CJI on 03.08.2016. Comments of SCC on the views of Government on the draft MoP received on 13.03.2017.

Subsequently, the Supreme Court in judgment dated 4.7.2017 in Suo-Motu Contempt proceedings against a Judge of Calcutta High Court brought out the system's failure of not providing an appropriate procedure for making assessment of the personality of the contemnor at the time of recommending his name for elevation inter-alia highlighted the need to revisit the process of selection and appointment of Judges to the Constitutional Courts. The view of the Government on the relevant points was conveyed to Supreme Court of India vide letter dated 11.07.2017. Following another Order of the Supreme Court dated 20.04.2021 in WP(C) No. 1236 of 2019, the Government again approached Supreme Court vide letter dated 18.8.2021 suggesting draft for supplementing para 24 of the MoP. In its recent communication dated 06.01.2023 to Supreme Court of India, the Government has emphasized on the need to finalize the MoP in view of various judicial pronouncements.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO-2517
ANSWERED ON 10.08.2023

LOW SPENDING ON LEGAL AID

JS (WKS)

LAP

✓ 2517. SHRI SUJEET KUMAR:

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

- (a) whether Government has taken cognizance of a Commonwealth Human Rights Initiative Report indicating spending on legal aid in India at INR 0.75 per capita, one of the lowest in the world;
- (b) whether Government has devised a plan of action to address the above;
- (c) if so, the details thereof;
- (d) whether Government recognizes the problem of accessibility to legal aid infrastructure, as reflected in NALSA's report which finds only 5 legal aid lawyers per 100,000 Indians; and
- (e) whether Government has devised a plan of action to address the above and if so, the details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)

- (a) to (c) No Sir, Legal aid in India is rendered through National Legal Services Authority (NALSA) which has been constituted under the Legal Services Authorities (LSA) Act, 1987 to provide free and competent legal services to the weaker sections of the society. For this purpose, the legal services institutions have been set up from the Taluk Court

level to the Supreme Court. The Government extends all support to strengthen the legal services authorities/institutions in the form of Grants-in-Aid. Funds under Grant-in-Aid are allocated and released to NALSA by the Government on yearly basis.

The grants provided by the Government have consistently increased as seen from grants provided during last four years. During the years 2020-21, 2021-22 and 2022-23, grants-in-aid of Rs. 100 crore, Rs. 145 crore and Rs. 190 crore respectively have been allocated/released by the Government to NALSA for various legal aid activities like free and competent legal services to the weaker sections of the society including beneficiaries covered under Section 12 of the Act, organizing Lok Adalats, legal awareness programmes across the country etc. For the current year i.e. 2023-24, grants-in-aid of Rs. 200 crore have been allocated to NALSA out of which Rs. 50 crore have been released so far by the Government.

(d) to (e) Legal Services Institutions have sufficient number of panel lawyers to provide free legal services to all the beneficiaries. No beneficiary is denied free legal services for the reason that there is shortage of panel lawyer.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

RAJYA SABHA

OLA

UNSTARRED QUESTION NO. 2518

ANSWERED ON THURSDAY, THE 10th August, 2023

LA (Jull. & c)

Measures to limit misuse of PILs

✓ 2518. Shri Sujeet Kumar:

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

- (a) whether Government has recorded significant amount of insubstantial/baseless PILs in the past year;
- (b) if so, the details thereof;
- (c) whether Government plans to introduce any procedural measures to limit misuse and abuse of PILs; and
- (d) if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENT AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)

(a) & (b): No such data is maintained by the Government.

(c) & (d): Legal and Constitutional remedies against the administrative actions have been guaranteed under the provisions of the Constitution. Liberty is of the Petitioner to file a case or not against the administrative authorities to defend their actions and put forth the defence that their actions are legally and constitutionally valid. It is the domain of the Judiciary to decide whether there is merit or whether there is a substantive question of law in a petition.

Government has no role to play in it. However, adequate measures are taken to defend the interest of the Union Government by providing for procedure for filing pleadings duly vetted by the Department of Legal Affairs and by engaging experienced counsels/Law Officers.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA SABHA

UNSTARRED QUESTION NO. 2519

ANSWERED ON THURSDAY, 10th AUGUST, 2023

Time Limit For Disposal Of Election Petition

Leg-II Sec

✓ 2519 Shri A. D. Singh:

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

- (a) whether the Representation of the People Act, 1951 does not prescribe any time limit within which the election petition has to be disposed of by the High Court and appeal by the Supreme Court;
- (b) whether the decision on election petition takes considerable time and at times pronounced when the term of the elected person is about to expire or expired;
- (c) whether Government would like to prescribe a time limit of six months in the Act for disposal of election petition by High Court and appeal by the Supreme Court; and
- (d) if not, the reasons therefor?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) IN
THE MINISTRY OF LAW AND JUSTICE;
MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS; AND
MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a): The Election Commission of India (ECI) has informed that sub-section (7) of section 86 of the Representation of the People Act, 1951 (43 of 1951), provides that every election petition shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months from the date on which the

election petition is presented to the High Court for trial and no such time-limit has been provided for disposing of an appeal by the Supreme Court. Further, sub-section (2) of section 116A of the said Act, provides thirty days time-limit for filing an appeal to the Supreme Court.

(b): The Election Commission of India has informed that in some cases, the decision on election petition takes considerable time and at times it is pronounced when the term of the elected person is about to expire or has already expired.

(c) and (d): There is no such proposal under consideration of the Government. The adjudication and expeditious disposal of cases is within the exclusive domain of the judiciary and the Government has no role in the matter.

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

**RAJYA SABHA
UNSTARRED QUESTION NO.2520
ANSWERED ON THURSDAY, THE 10 - 8 -2023**

DCLA

Fmpl.(Sec) - LA

✓ Evening classes for LLB degree courses

2520 Shri Neeraj Shekhar:

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

- (a) whether Government/Bar Council would re-start evening classes for LLB degree courses to facilitate working class to acquire legal knowledge/degree;
- (b) if so, the details thereof;
- (c) if not, the reasons therefor; and
- (d) the number of persons who had acquired LLB degree through evening classes, so far?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) to (c): The Bar Council of India (BCI) does not endorse or permit evening classes for imparting LL.B degrees, and there are valid reasons for this stance.

(i) LL.B, being a degree that enables individuals to practice law and facilitate justice delivery, should not be treated as a secondary or non-serious pursuit. The field of law involves significant responsibilities and impacts citizens' lives, making it essential to maintain high standards of education and training.

(ii) It is not possible to impart comprehensive legal education within a limited evening time frame. LL.B is a professional degree course that requires in-depth learning, practical experiences like moot courts and internships, as well

as various assessments like exams, homework, and assignments. The complexity of legal studies cannot be fully accommodated in evening classes.

(iii) If working professionals pursue an evening LL.B degree and enter the legal profession after many years of retirement from their first pursuit or job, their expertise and readiness to handle legal cases shall be questionable.

(iv) Evening classes cannot provide the necessary rigor and comprehensive training required to produce competent legal practitioners.

In light of these reasons, the Bar Council of India's decision to prohibit such classes aligns with the need to uphold the integrity and quality of legal education and to ensure that legal professionals are adequately prepared to serve their clients and the justice system effectively.

(d) There is no data available/maintained who had acquired LLB degree through evening classes.



GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)
RAJYA SABHA
UNSTARRED QUESTION NO-2521
ANSWERED ON – 10/08/2023

e-Govt

SS (PPA)

✓ **DIGITISATION OF COURT RECORDS**

2521 SHRI S NIRANJAN REDDY

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

- (a) the State-wise details of digitisation of court records in High Courts and district courts;
- (b) whether it is a fact that there has been a delay in the digitisation of court records in the country;
- (c) if so, the reasons therefor; and
- (d) whether the Central Government has prescribed any format to ensure uniform digitisation of court records?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE (SHRI ARJUN RAM MEGHWAL)

(a): High Court wise details of digitization are enclosed at Annexure I.

(b) to (d): As part of the National eGovernance Plan, the eCourts Mission Mode Project is under implementation for ICT development of the Indian Judiciary based on the “National Policy and Action Plan for Implementation of Information and Communication Technology in the Indian Judiciary”. It is being implemented by Department of Justice in association with eCommittee Supreme Court of India. Its vision is to transform the judicial system of the country by ICT enablement of courts and to enhance the judicial productivity, both qualitatively & quantitatively, making the justice delivery system accessible, cost effective, reliable, and transparent. Phase I of the eCourts project was implemented between 2011-2015. It was largely aimed at procuring and installing hardware and providing network connectivity. 14,249 courts were computerised under this phase. Phase II of the project extended from 2015-2023 and it

was focused towards providing citizen centric services like eFiling, ePayment, eCourts Mobile app, virtual courts, video conferencing, etc. 18,735 District & Subordinate courts were computerized under this phase. Till the end of Phase-II, 73.45 crore pages of court records in various High Courts were digitized. Building upon the gains of Phase I and Phase II, Phase III of eCourts Project has been planned that envisages establishment of fully functional eSewa Kendras in all court complexes, implementation of paperless courts, and use of emerging technologies like Artificial Intelligence/Machine Learning, etc. The Government of India has announced Rs.7000 crore as the budgetary outlay for eCourts Phase III that includes a provision for digitization of an additional 3108 crore pages which includes all legacy records and pending cases. A sub-committee has been constituted by eCommittee, Supreme Court of India for preparing a Digital Preservation Standard Operating Procedure (SOP) for scanning, storage, retrieval, digitization of court records and preservation of legacy data of the judiciary. The SOP was approved in the full body meeting by the eCommittee, Supreme Court of India under the chairmanship of Chief Justice of India, Dr. D.Y. Chandrachud on 21st October 2022. A Detailed Project Report (DPR) of the eCourts Phase III has been prepared and the Expenditure Finance Committee in its meeting held on 23.02.2023 has approved the eCourts Phase III with a total outlay of Rs.7210 crore. Further, the Empowered Technology Group chaired by the Principal Scientific Advisor to the Prime Minister in its meeting held on 21.06.2023 has recommended the eCourts Phase III for approval of the Cabinet.

ANNEXURE I

Statement referred to in reply of part (a) of Rajya Sabha Unstarred Question No. 2521 for 10/08/2023 regarding Digitisation of court records. The progress of digitization of court records is as under:

High Court wise Status of Current Digitization		
Sr. No.	High Court Location	Total Number of Digitized pages
1	Calcutta High Court West Bengal	1,22,00,000
2	Allahabad High Court	19,68,00,000
3	Delhi High Court, New Delhi	17,90,00,000
4	Andhra Pradesh High Court	Not Available
5	Guwahati High Court, Assam	2,92,17,338
6	High Court of Himachal Pradesh	75,34,000
7	Gauhati High Court Kohima Bench	2,80,000
8	Gauhati High Court Itanagar, Arunachal Pradesh	0
9	Chhattisgarh High Court	Not Available
10	Gujarat High Court	Not Available
11	High Court of Madhya Pradesh, Jabalpur	15,40,00,000
12	High Court Meghalaya Shillong	0
13	Gauhati High Court, Aizwal Bench, Mizoram	29,867
14	Orissa High Court, Cuttack, Odisha	1,22,00,000
15	High Court of Sikkim, Gangtok	6,83,861
16	Madras High Court, Chennai	50,98,000
17	High Court of Telangana, Hyderabad	4,01,50,753
18	High Court of Uttarakhand, Nainital	1,32,00,000
19	Jammu & Kashmir and Ladakh High Court	Not Available
20	Bombay High Court	0
21	Daman Diu High Court	0
22	High Court Jharkhand, Ranchi	5,50,00,000
23	High Court of Karnataka	1,13,22,389
24	Manipur High Court	16,40,855
25	Rajasthan High Court	1,61,00,000
		73,44,57,063

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 2522

ANSWERED ON 10/08/2023

LOW PERCENTAGE OF WOMEN JUDGES

NM

JS (NMTR)
✓ 2522. SHRI R. DHARMAR:

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

- (a) the details of the number of women judges within the country;
- (b) whether the percentage of women judges is very less as compared to men judges within the country;
- (c) if so, the reasons therefor;
- (d) whether Government has fixed any percentage for women judges within the country;
- (e) if so, the details thereof;
- (f) whether the inclusion of women as judges in the country will substantially improve the justice delivery system; and
- (g) the steps being taken by Government in this regard?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a): As on 04.08.2023, 03 women Judges are working in the Supreme Court, 106 women Judges are working in the High Courts and 7199 women Judges are working in District and Subordinate Courts.

(b) to (g): The Central Government has a limited role in the fixing of a particular percentage for women judges in the judiciary. In case of appointment of Judges of the Supreme Court and High Courts, the same is made under Articles 124, 217 and 224 of the Constitution of India respectively, which do not provide for reservation for any caste or class of persons.

Further, in case of District and Subordinate Courts, 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 concerned High Court, frames the rules and regulations regarding the issues of appointment, recruitment and reservation for particular categories like woman etc. of Judicial Officers in the State Judicial Service. Thus, the selection and appointment of judges in the District Courts is the responsibility of the High Courts and State Governments concerned and the Central Government has no role in the matter.

However, the Government is committed to social diversity in the appointment of Judges including women, so that decision making process becomes more responsive, inclusive and participatory at all levels. To this end, the Government has been requesting the Chief Justices of 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, Minorities and Women to ensure social diversity in appointment of Judges in higher judiciary.

(10)

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 2523
ANSWERED ON 10/08/2023

PLAN FOR REDUCING THE LITIGATION COST

✓ JS (WMSR)

2523. SMT. PHULO DEVI NETAM:

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

- (a) the number of cases pending in the Supreme Court, High Courts and various districts courts and Tribunals, as on date;
- (b) whether Government has taken any initiative to reduce the backlog of cases in the Supreme Court, High Courts and various district courts and Tribunals in the country; and
- (c) whether Government has any plans to reduce the litigation cost for the common/poor people and the total amount spent by Government for the legal aid during the last five financial years?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a): As per the data made available on National Judicial Data Grid (NJDG), inputs provided by Department of Legal Affairs and Supreme Court of India, the number of cases pending in the Supreme Court, High Courts and various Districts courts and Tribunals, as on date, are as under:-

Sl. No.	Name of Court/Tribunals	Pendency as on
1	Supreme Court of India	69,243 (31.07.2023)*
2	High Courts	60,63,499 (08.08.2023)**
3	District & Subordinate Courts	4,44,00,820 (08.08.2023)**
4	Tribunals	2,62,611 (18.07.2023)***

Source * Supreme Court of India. **National Judicial Data Grid (NJDG). *** Department of Legal Affairs.

(b): While the disposal of cases is within the exclusive domain of the judiciary and the Central Government has no direct role in the matter, the Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. The Government set up the National Mission for Justice Delivery and Legal Reforms 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. Over the years, the Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, inter-alia, involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development. The details of the initiatives undertaken by Department of Justice to provide a supportive ecosystem for speedy disposal of cases by the judiciary as are follows:

Under the Centrally Sponsored Scheme for Judicial Infrastructure, funds are being released to States/UTs for construction of court halls, residential quarters for judicial officers, lawyers' halls, toilet complexes and digital computer rooms that would ease the life of lawyers and litigants, thereby aiding justice delivery. As on date, Rs. 10035 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for the Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 21,365 as on 30.06.2023, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,846 as on 30.06.2023, under this scheme.

Further under the e-Courts Mission Mode Project, information and communication technology (ICT) has been leveraged for IT enablement of district and subordinate courts. The number of computerised district & subordinate courts has increased to 18,735 so far. WAN connectivity has been provided to 99.4% of court complexes. Video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. 815 e-Sewa Kendras have been set up at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case-related information, and e-filing facilities. 22 virtual courts have been set up in 18 States/UTs. As on 31.05.2023, these courts have handled more than 3.113 crore cases and realized more than Rs. 408 crores in fines. E-courts Phase III is about to begin which intends to incorporate latest technology such Artificial Intelligence(AI) and Block chain to make justice delivery more robust, easy and accessible to all the stakeholders.

Government has been regularly filling up the vacancies in higher judiciary. From 01.05.2014 to 10.07.2023, 56 Judges were appointed in Supreme Court. 919 new Judges were appointed and 653 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 1114 currently. sanctioned and working strength of judicial officers in district and subordinate courts has increased as follow:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
07.08.2023	25,254	19,846

However, filling up of vacancies in subordinate judiciary falls within the domain of the State Governments and high courts concerned.

In pursuance of a Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in all 25 High Courts to clear cases pending

for more than five years. Arrears Committees have been set up under District courts as well.

Under the aegis of the Fourteenth Finance Commission, the government has established Fast Track Courts for dealing with cases of heinous crimes; cases involving senior citizens, women, children etc. As on 31.05.2023, 832 Fast Track Courts are functional for heinous crimes, crimes against women, and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs. Further, the central government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for the expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme.

With a view to reduce pendency and unclogging of the courts, the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.

Alternate Dispute Resolution methods have been promoted whole heartedly. Accordingly, the Commercial Courts Act, 2015 was amended on 20th August, 2018 making Pre-institution Mediation and Settlement (PIMS) mandatory in case 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.

Lok Adalat is an important Alternative Disputes Resolution Mechanism available to common people. It is a forum where the disputes/ cases pending in the court of law or at pre-litigation stage are settled/ compromised amicably. Under the Legal Services Authorities (LSA) Act, 1987, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto

before any court. . Lok Adalat is not a permanent establishment. National Lok Adalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date. The details of the case disposed off in Lok Adalats during the last three years are as under:-

Years	Pre-litigation Cases	Pending Cases	Grand Total
2021	72,06,294	55,81,743	1,27,88,037
2022	3,10,15,215	1,09,10,795	4,19,26,010
2023 (upto 17.06.2023)	3,00,11,291	61,88,686	3,61,99,977
Total	6,82,32,800	2,26,81,224	9,09,14,024

The Government launched the Tele-Law programme in 2017, which provided an effective and reliable e-interface platform connecting the needy and disadvantaged sections seeking legal advice and consultation with panel lawyers via video conferencing, telephone and chat facilities available at the Common Service Centres (CSCs) situated in Gram Panchayat and through Tele-Law mobile App.

***Percentage Wise break-up of Tele – Law Data**

Till 28th Feb, 2023	Cases Registered	% Wise Break Up	Advice Enabled	% Wise Break Up
Gender Wise				
Female	15,75,140	34.38	15,35,775	34.39
Male	30,06,772	65.62	29,30,601	65.61
Caste Category Wise				
General	9,82,636	21.45	9,52,773	21.33
OBC	13,28,505	28.99	12,93,153	28.95
SC	14,88,971	32.50	14,53,283	32.54
ST	7,81,800	17.065	7,67,167	17.18
Total	45,81,912		44,66,376	

Efforts have been made to institutionalize pro bono culture and pro bono lawyering the country. A technological framework has been put in place where advocates volunteering to give their time and services for pro bono work can register as Pro Bono

Advocates on Nyaya Bandhu (Android & iOS and Apps). Nyaya Bandhu Services also available on UMANG Platform. Pro Bono Panel of advocates have been initiated in 21 High Courts at the State level. Pro Bono Clubs have been started in 69 select Laws Schools to instill Pro Bono culture in budding lawyers.

(c): With the aim to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities, The National Legal Services Authority (NALSA) has been constituted under the Legal Services Authorities (LSA) Act, 1987 for providing free and competent legal services to the weaker sections of the society including beneficiaries covered under Section 12 of the Act.

The details of Grants-in-Aid (GIA) provided to NALSA for legal aid activities during the last five financial years are as under:-

Sl. No.	Year	GIA allocated
1	2018-19	150
2	2019-20	140
3	2022-21	100
4	2021-22	145
5	2022-23	190

(In crore)

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO.2524

ANSWERED ON THURSDAY, THE 10.08.2023

SS (NKS)

J-I

✓ ACTION PLAN FOR SIMPLE, ACCESSIBLE, AFFORDABLE AND
SPEEDY JUSTICE

2524. SHRI HARNATH SINGH YADAV:

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

- (a) whether Government has laid down any action plan to provide justice to the citizens of the country in the regional languages to make the judicial system simple, accessible and affordable;
- (b) if so, the details thereof;
- (c) whether Government has considered to introduce a time-bound judicial system as per the nature of the cases to provide fast justice to plaintiffs considering the delayed justice is justice denied; and
- (d) if so, the details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): Yes sir, Article 348(1)(a) of the Constitution of India states that all proceedings in the Supreme Court and in every High Court, shall be in English language. However, 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 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.

Accordingly, the use of Hindi in the proceedings of 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.

Further, in order to promote regional languages in judicial procedure, Supreme Court has developed Supreme Court Vidhik Anuvaad Software (SUVAS) which is a machine assisted translation tool trained by Artificial Intelligence. SUVAS has been developed with technical support from Ministry of Electronics and Information Technology. This tool is specially designed for judicial domain and currently has the capacity of translating English Judicial Documents, orders or Judgments into ten vernacular languages which are: Hindi, Kannada, Tamil, Telugu, Punjabi, Marathi, Gujarati, Malayalam, Bengali, Urdu and vice-versa.

In order to ensure time bound judicial system, dedicated Commercial Courts for speedier resolution of commercial disputes have been set up with proper infrastructure and exclusive judicial human power under Commercial Courts Act, 2015. Presently, there are 35 Dedicated Commercial Courts in Delhi, 6 Dedicated Commercial Courts in Mumbai, 8 Dedicated Commercial

Courts in Bengaluru city and 2 Dedicated Commercial Courts in Bengaluru Rural areas apart from 2 Dedicated Commercial Courts in Kolkata.

In addition, 23 High Courts have set up designated Special Courts for Infrastructure project contracts disputes as per Section 20B of the Specific Relief (Amendment) Act, 2018. Further, High Courts of Karnataka, Madhya Pradesh, Allahabad and Calcutta have allocated dedicated days in a week/month for hearing of such disputes related to infrastructure project contracts.

High Court of Delhi, Orissa, Andhra Pradesh, Allahabad, Jammu & Kashmir, Sikkim, Patna and Madras have set up Special Benches for dealing with high value commercial disputes i.e. above Rs. 500 crores. Other High Courts are also considering the proposal.

In order to expedite old cases a resolution was passed in Chief Justices' Conference held in April, 2015, based on which Arrears Committees have been set up in all 25 High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District courts as well.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA SABHA

UNSTARRED QUESTION NO. 2525

ANSWERED ON THURSDAY, 10th AUGUST, 2023

LEG-II (sec)
✓ 2525# Shri Rajmani Patel: COMPLAINTS PENDING WITH THE ELECTION COMMISSION

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

- (a) *whether it is a fact that Election Commission of India has received complaints against sitting Parliamentarians with allegation of filing false or evasive information in their election affidavits; and*
- (b) *if so, complete details of complaints pending with the Election Commission with the names of Parliamentarians and their latest status?*

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF
THE MINISTRY OF LAW AND JUSTICE;
MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS;
AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) and (b): The information is being collected and will be laid on the Table of the House.

10

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA SABHA

UNSTARRED QUESTION NO. 2526

ANSWERED ON THURSDAY, 10th AUGUST, 2023

BYE-ELECTIONS IN MAHARASHTRA

leg-II (Sec)

2526. Shri Kumar Ketkar:

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

the reasons for Government not announcing the bye-elections in Maharashtra even after considerable time has passed?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) IN
THE MINISTRY OF LAW AND JUSTICE;
MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS; AND
MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)

The Election Commission of India (ECI) has informed that section 151A of the Representation of the People Act, 1951 (43 of 1951) provides the time limit for filling vacancies referred to in sections 147, 149, 150 and 151, and states that a bye-election for filling any vacancy referred to in any of the said sections should be held within a period of six months from the date of the occurrence of the vacancy, provided that nothing contained in the section would apply if (a) the remainder of the term of a member in relation to a vacancy was less than one year; or (b) the Election Commission in consultation with the Central Government certifies that it is difficult to hold the bye-election within the said period.

The ECI has stated that vacancies have arisen from 34-Pune and 13-Chandrapur Parliamentary Constituencies as on 29.03.2023 and 30.05.2023, respectively and deadlines for filling up vacancies are 28.09.2023 and 29.11.2023. Further, the Commission has informed that it considers all relevant aspects such as law and order situation in the State, school/college examinations, festivals, weather conditions, holidays under the Negotiable Instrument Act, 1881 (26 of 1881) and availability of Central Armed Police Forces and Electronic Voting Machine/Voter Verifiable Paper Audit Trail etc. before finalising the dates of poll and counting while announcing any election.
