

# 2023

## RAJYA SABHA REPLIES

**BUDGET SESSION, 2023 [259<sup>th</sup>  
SESSION OF RAJYA SABHA]  
[31<sup>st</sup> January, 2023 to 06<sup>th</sup> April,  
2023]**

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

**RAJYA SABHA**

**STARRED QUESTION NO. 1**

AS (ARA)

**TO BE ANSWERED ON THURSDAY, THE 02.02.2023**

✓ **APPOINTMENT OF JUDGES IN HIGH COURTS AND SUPREME COURTS**

\*1. DR. JOHN BRITTAS:

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

- (a) the number of proposals for appointments recommended by High Court Collegiums which are pending with Supreme Court Collegium;
- (b) the number of proposals for appointments in High Courts which are pending with Government;
- (c) the vacancies in High Courts which are yet to be recommended by High Courts to Supreme Court Collegium, in breach of six months' advance timeline of anticipated vacancies;
- (d) the vacancies in Supreme Court which are yet to be recommended by the Collegium to Government;
- (e) the number of proposals for appointment of Judges to Supreme Court which are pending with the Government; and
- (f) the vacancies in High Courts and Supreme Court as on date?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJU)**

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

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**Statement referred to in reply to parts (a) to (f) of Rajya Sabha Starred Question No. \*1 due for answer on 02.02.2023 regarding "Appointment of Judges in High Courts and Supreme Court".**

(a) to (f): As on 30.01.2023, against the sanctioned strength of 34 Judges, 27 Judges are working in the Supreme Court leaving 07 vacancies. Supreme Court Collegium (SCC) has recently made 07 recommendations to fill up all the vacancies of Judges in the Supreme Court.

As on 30.01.2023, against the sanctioned strength of 1108 judges in various High Courts, 775 judges are working and 333 post of Judges are vacant in the High Courts. 142 proposals recommended by the High Court Collegiums are at various stages of processing. Out of these 142, 4 proposals are pending with the Supreme Court Collegium and 138 are under various stages of processing in the Government.

As on 30.01.2023, recommendations in respect of 236 vacancies (191 existing and 45 anticipated vacancies during next 06 months) are yet to be received from High Court Collegiums, which are in breach of six months' advance timeline for making recommendation for anticipated vacancies.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE

RAJYA SABHA  
STARRED QUESTION NO. \*10  
ANSWERED ON 02/02/2023

N/M

JS(GRR)  
✓

**Criminal and Civil cases pending in various courts**

**10 Shri Rajmani Patel:**

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

- (a) the total number of criminal and civil cases pending in various Courts for more than 50 years;
- (b) whether the Supreme Court has given any directive to Courts to dispose off these 50 year old cases within a time bound programme; and
- (c) if so, the details thereof and the number of cases disposed off after the directive of the Supreme Court?

**ANSWER**  
**MINISTER OF LAW AND JUSTICE**  
**(SHRI KIREN RIJJU)**

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

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THE UNITED STATES OF AMERICA  
DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

MEMORANDUM FOR THE DIRECTOR  
FROM THE SAC, [illegible]  
SUBJECT: [illegible]

On [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

Reference is made to [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

(a) [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

(b) [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

RECOMMENDATION

It is recommended that [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

**STATEMENT REFERRED TO IN REPLY TO PART (A) TO (C) OF RAJYA SABHA STARRED QUESTION NO. 10 FOR REPLY ON 02.02.2023 REGARDING 'CRIMINAL AND CIVIL CASES PENDING IN VARIOUS COURTS ASKED BY SHRI RAJMANI PATEL'.**

(a): There are no pending cases for more than 50 years, civil or criminal, in Supreme Court of India as per the data retrieved from the Integrated Case Management Information System (ICMIS) as on 27.01.2023. In case of the High Courts and District and Subordinate Courts, as per the data available on the National Judicial Data Grid (NJDG), the total number of criminal and civil cases pending for more than 50 years as on 31.01.2023 are as under:

	Name of Court	Civil Cases	Criminal Cases	Total
1	High Court	1511	3	1514
2	District and Subordinate Courts	992	398	1390

The details of cases pending for more than 50 years in the various High Courts and the District and Subordinate Courts are at *Annexure-I* and *Annexure -II* respectively.

(b) & (c): The disposal of pending cases in courts lies within the domain of the Judiciary and the Central Government has no role in the matter. However, the Hon'ble Supreme Court of India through its regular directives/judgements/orders keeps exhorting the High Courts and the subordinate courts to expedite the disposal of various types of cases in a time bound manner. For instance, in the case of *Imtiyaz Ahmad vs. State of Uttar Pradesh and Others* [(2012) 2SCC 688], the Hon'ble Supreme Court noted that while it has no power of superintendence over the High Courts and that under the Constitution of India the High Courts are not subordinate to the Supreme Court, but as the last court and in exercise of its powers to do complete justice which includes within it, the power to improve the administration of justice in public interest, the Supreme Court issued certain

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guidelines for sustaining common man's faith in the rule of law and the justice delivery system both being inextricably linked.

In the above case, the Supreme Court stressed that the High Courts should use their authority sparingly to order stay of investigation pursuant to lodging of FIR or trial in deserving criminal cases. Such power should be exercised with due caution and circumspection keeping in mind the responsibility to expeditiously dispose of the case. Once such power has been exercised, the High Courts should not lose sight of the case where they have exercised their extraordinary power of staying investigation and trial. Most importantly, the High Courts should ensure disposing of such proceedings as early as possible but preferably within six months from the date the stay order was issued.

In order to remedy the institutional problem of bail application not being heard and to dispose such applications with expedition, the Supreme Court in the matter of *Aranab Manoranjan Goswami vs. State of Madhya Pradesh and Ors.* [(2021) 2 SCC 427] urged that the Chief Justices of the High Courts, to use the National Judicial Data Grid (NJDG) as resource to monitor the pendency and disposal of cases. The Supreme Court further directed that each High Court in their administrative capacities should utilize the ICT tools which are placed at their disposal in ensuring that access to justice is democratized and remedy the problem of bail applications not being heard and disposed with expedition.

The record of cases disposed off by the High Courts subsequent to the directives of the Supreme Court is not being maintained by the Registry of the Supreme Court of India.

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**Annexure-I****Cases Pending for More than 50 years in Various High Courts.**

	<b>High Court</b>	<b>Civil</b>	<b>Criminal</b>	<b>Count</b>
1	Calcutta High Court	1192	0	1192
2	High Court of Delhi	132	1	133
3	Madras High Court	128	1	129
4	Bombay High Court	43	0	43
5	Patna High Court	5	0	5
6	Gauhati High Court	3	0	3
7	High Court of Punjab and Haryana	3	0	3
8	High Court of Uttarakhand	2	1	3
9	High Court of Kerala	2	0	2
10	Orissa High Court	1	0	1
	<b>Total</b>	<b>1511</b>	<b>3</b>	<b>1514</b>

Source: National Judicial Data Grid (NJDG)

**Annexure-II**

**Cases Pending in District and Sub-ordinate courts for more than 50 years  
(Registration date less than 31-12-1972).**

<b>Sr No.</b>	<b>State</b>	<b>Civil</b>	<b>Criminal</b>	<b>Both</b>
1	Uttar Pradesh	569	3	572
2	Bihar	174	110	284
3	West Bengal	124	149	273
4	Maharashtra	58	129	187
5	Madhya Pradesh	29		29
6	Jharkhand	17	5	22
7	Rajasthan	10		10
8	Goa	5		5
9	Orissa	2		2
10	Gujarat	1	1	2
11	Karnataka	1		1
12	Tamil Nadu	1		1
13	Punjab		1	1
14	Delhi	1		1
	<b>Total</b>	<b>992</b>	<b>398</b>	<b>1390</b>

Source: National Judicial Data Grid (NJDG)

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

**RAJYA SABHA  
STARRED QUESTION NO. \*11  
ANSWERED ON 02/02/2023**

AS(ARA)

**Vacancies of Judges in High Court of Andhra Pradesh**

✓ **\*11. SHRI KANAKAMEDALA RAVINDRA KUMAR:**

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

- (a) the details of the sanctioned strength of Judges for the High Court of Andhra Pradesh;
- (b) the details of the vacancy(ies) that is existing as on date in the High Court of Andhra Pradesh against the sanctioned strength of Judges;
- (c) the reasons for the said vacancy(ies); and
- (d) the steps taken by Government to fill up the vacancy(ies) in the High Court of Andhra Pradesh in a time bound manner?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJU)**

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

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**Statement referred to in reply to parts (a) to (d) of Rajya Sabha Starred Question No. \*11 due for answer on 02.02.2023 regarding "Vacancies of Judges in High Court of Andhra Pradesh"**

(a) to (d): As on 30.01.2023, against the sanctioned strength of 37 Judges, 32 Judges are working in the Andhra Pradesh High Court, leaving vacancies of 05 Judges in the High Court. 01 proposal is presently with the Supreme Court Collegium, while the High Court is yet to make recommendations for remaining 4 vacancies. A total of 25 Judges have been appointed in the Andhra Pradesh High Court from 01.01.2020 to 30.01.2023.

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. Hence, the time for filling up of vacancies of the Judges in the higher Judiciary cannot be indicated. 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.

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).

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

RAJYA SABHA  
UNSTARRED QUESTION NO. 62  
ANSWERED ON 02/02/2023

ASLARA)

Vacant positions in various Courts



62. SHRI MALLIKARJUN KHARGE:

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

- (a) the details of the number of sanctioned posts and vacancies, including Judges, Registrars, Court Masters, Court Assistants and other Court staff in the Supreme Court, High Courts and District Courts across States, State-wise;
- (b) the details of the number of sanctioned posts and vacancies of Chairpersons, Members, Registrars, etc., in various quasi-judicial bodies, Commissions, etc., quasi-judicial body-wise; and
- (c) the details of measures taken by Government to expedite filling up of such vacancies across the country?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (c): The details of the number of sanctioned strength, working strength and vacancies of judges in the Supreme Court and High Courts is at **Annexure I**. The details of sanctioned strength, working strength and vacancies in respect of Judges of the District and subordinate Courts is at **Annexure II**.

Information on the sanctioned posts and vacancies, including Registrars, Court Masters, Court Assistants and other Court staff in the Supreme Court, High Courts and District Courts across States, State-wise; and also that of the Chairpersons, Members, Registrars, etc., in various quasi-judicial bodies, Commissions, etc., quasi-judicial body-wise is not centrally maintained. Filling up of vacancies of staff except judges in the Supreme Court and High Courts is under their respective domain. In as far as District Courts are concerned; the same is under the control of respective High Courts and State Governments.



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**THE STATE OF TEXAS**

**COUNTY OF DALLAS**

**COMMISSIONERS' COURT**

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**ORDERED, ADJUDGED AND DECREED**

**THIS 15th DAY OF MARCH 1900**

**AT THE CITY OF DALLAS, TEXAS**

**W. W. [Name]**  
**County Clerk**

**W. W. [Name]**  
**County Clerk**

**Statement showing Sanctioned strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts (As on 30.01.2023)**

A.	Supreme Court	Sanctioned strength			Working strength			Vacancies		
		34			27			7		
B.	High Court	Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1	Allahabad	119	41	160	74	22	96	45	19	64
2	Andhra Pradesh	28	9	37	27	5	32	1	4	5
3	Bombay	71	23	94	38	26	64	33	-3	30
4	Calcutta	54	18	72	35	19	54	19	-1	18
5	Chhattisgarh	17	5	22	8	6	14	9	-1	8
6	Delhi	46	14	60	44	1	45	2	13	15
7	Gauhati	18	6	24	15	8	23	3	-2	1
8	Gujarat	39	13	52	26	0	26	13	13	26
9	Himachal Pradesh	13	4	17	9	0	9	4	4	8
10	J & K and Ladakh	13	4	17	10	4	14	3	0	3
11	Jharkhand	20	5	25	19	1	20	1	4	5
12	Karnataka	47	15	62	40	11	51	7	4	11
13	Kerala	35	12	47	28	9	37	7	3	10
14	Madhya Pradesh	39	14	53	31	0	31	8	14	22
15	Madras	56	19	75	42	10	52	14	9	23
16	Manipur	4	1	5	3	0	3	1	1	2
17	Meghalaya	3	1	4	3	0	3	0	1	1
18	Orissa	24	9	33	22	0	22	2	9	11
19	Patna	40	13	53	34	0	34	6	13	19
20	Punjab & Haryana	64	21	85	39	27	66	25	-6	19
21	Rajasthan	38	12	50	35	0	35	3	12	15
22	Sikkim	3	0	3	3	0	3	0	0	0
23	Telangana	32	10	42	30	2	32	2	8	10
24	Tripura	4	1	5	2	0	2	2	1	3
25	Uttarakhand	9	2	11	6	0	6	3	2	5
	<b>Total</b>	<b>836</b>	<b>272</b>	<b>1108</b>	<b>623</b>	<b>151</b>	<b>774</b>	<b>213</b>	<b>121</b>	<b>334</b>

**Statement showing Sanctioned strength, Working Strength and Vacancies of Judges in the District and Subordinate Judiciary (As on 30.01.2023)**

Sl. No.	States & Uts	Sanctioned Strength	Working Strength	Vacancy
1	Andaman and Nicobar	0	13	-13
2	Andhra Pradesh	607	531	76
3	Arunachal Pradesh	41	33	8
4	Assam	485	425	60
5	Bihar	2016	1349	667
6	Chandigarh	30	30	0
7	Chhattisgarh	527	437	90
8	D & N Haveli	3	2	1
9	Daman & Diu	4	4	0
10	Delhi	884	679	205
11	Goa	50	40	10
12	Gujarat	1582	1151	431
13	Haryana	772	464	308
14	Himachal Pradesh	179	163	16
15	Jammu and Kashmir	314	223	91
16	Jharkhand	694	508	186
17	Karnataka	1365	1131	234
18	Kerala	595	473	122
19	Ladakh	17	9	8
20	Lakshadweep	4	4	0
21	Madhya Pradesh	2021	1649	372
22	Maharashtra	2190	1940	250
23	Manipur	59	42	17
24	Meghalaya	99	51	48
25	Mizoram	74	41	33
26	Nagaland	34	24	10
27	Odisha	1001	767	234
28	Puducherry	28	11	17
29	Punjab	797	589	208
30	Rajasthan	1587	1256	331
31	Sikkim	30	23	7
32	Tamil Nadu	1340	1069	271
33	Telangana	560	410	150
34	Tripura	128	108	20
35	Uttar Pradesh	3647	2474	1173
36	Uttarakhand	299	269	30
37	West Bengal	1014	918	96
<b>TOTAL</b>		<b>25077</b>	<b>19310</b>	<b>5767</b>

Source: DoJ MIS

GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE

RAJYA SABHA  
UNSTARRED QUESTION NO. 75  
ANSWERED ON 02/02/2023

NM

JS(GRR)

WORKING HOURS IN SUPREME COURT OF INDIA

✓ 75. SHRI NARAYANA KORAGAPPA:

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

- (a) how Government looks at the statement made by the CJI that 'why cannot courts start its working from 9 am;
- (b) whether any consultations on this have been held with CJI and other Judges of Supreme Court;
- (c) if so, the details thereof;
- (d) whether Government would propose the SC for working hours from 9 am and also reduce court holidays; and
- (e) if so, details thereof?

ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)

(a) to (e): The number of working hours, working days and vacations of the courts are prescribed as per rules framed by the respective courts. The Supreme Court of India, in exercise of the powers conferred on it under Article 145 of the Constitution of India, makes rules for regulating the Court's practice and procedures which includes its sittings and vacations, etc. Accordingly, the Supreme Court has framed the 'Supreme



Court Rules, 2013 which was notified on 27.05.2014. Order II of Part I of the Supreme Court Rules, 2013 provide for sittings of the Supreme Court, length of summer vacation and the number of holidays of the Court and also the Benches of the Hon'ble Judges during summer vacation and winter holidays. The Supreme Court Rules, 2013, *inter-alia*, provided that the period of summer vacation shall not exceed seven weeks and the length of the summer vacation and the number of holidays for the court and the offices of the court shall be such as may be fixed by the Chief Justice and notified in the official Gazette so as not to exceed one hundred and three days, excluding Sundays not falling in the vacation and during court holidays. The Supreme Court has been working on an average of 222 days in a year.

The Central Government has no role in fixing the minimum number of compulsory working hours and working days for courts. Further, there is no proposal at present to increase the number of working days or working hours of the Supreme Court. However, the Government is fully committed to the independence of judiciary and constantly endeavours to provide a conducive environment for judges to discharge their judicial functions smoothly.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 108  
ANSWERED ON 02/02/2023**

NM

JS(GRR)

✓ **JUDGE TO POPULATION RATIO IN SUBORDINATE COURTS**

**108 # SHRI HARBHAJAN SINGH:**

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

- (a) the method of calculation that is being followed by Government while calculating the required number of judges for subordinate courts;
- (b) the details of the current judge to population ratio with respect to subordinate courts;
- (c) the details of the steps being taken by Government to reduce the gap between sanctioned strength and actual strength of judges in subordinate courts; and
- (d) the total number of vacancies, State-wise across subordinate courts in the country?

**ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

**(a)& (b):** The need for appropriate number of judges and the consequent requirement for filling up of the vacancies at the district and subordinate level courts lies in the domain of respective High Courts and the State Governments. The assessment for required number of judges for subordinate courts is not undertaken by the Central Government nor data regarding the same is maintained by the Centre.

However, for calculating the judge-population ratio for per million population in a particular year, 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

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.

(c): The appointment of Judges and Judicial Officers in the District and Subordinate Courts falls within the domain of the High Courts and State Governments concerned. The Hon'ble Supreme Court of India, through a judicial order in January 2007 in *Malik Mazhar Sultan case*, stipulated that process for recruitment of judges in subordinate courts would commence on 31<sup>st</sup> March of a calendar year and end by 31<sup>st</sup> October of the same year. In the said case, the Supreme Court, taking *suo-motu* cognisance of large number of judicial vacancies in lower courts, directed State Governments/UTs and Registrars General of jurisdictional High Courts to inform the position regarding filling up of judicial vacancies. The Supreme Court is monitoring the filling up of vacancies under the said judicial order.

(d): A statement showing the State-wise number of sanctioned, working and vacant position of Judicial Officers in District and Subordinate Courts as on 30.01.2023 is at *Annexure*.

However, the overall sanctioned and working strength and corresponding vacancy position is as below:

Judges in District and Subordinate Courts

	2014	2023*
Sanctioned Strength	19,518	25,077
Working Strength	15,115	19,310
Vacancies	4,403	5,767
Increase in sanctioned strength since 2014		5,559
Increase in working strength since 2014		4,195

Source: As per MIS portal, Department of Justice  
 \*(as on 30.1.2023)

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**ANNEXURE**

Sl.No.	State/UTs	Sanctioned Strength	Working Strength	Vacancy
1	Andaman and Nicobar	0	13	-13
2	Andhra Pradesh	607	531	76
3	Arunachal Pradesh	41	33	8
4	Assam	485	425	60
5	Bihar	2016	1349	667
6	Chandigarh	30	30	0
7	Chhattisgarh	527	437	90
8	D & N Haveli	3	2	1
9	Daman & Diu	4	4	0
10	Delhi	884	679	205
11	Goa	50	40	10
12	Gujarat	1582	1151	431
13	Haryana	772	464	308
14	Himachal Pradesh	179	163	16
15	Jammu and Kashmir	314	223	91
16	Jharkhand	694	508	186
17	Karnataka	1365	1131	234
18	Kerala	595	473	122
19	Ladakh	17	9	8
20	Lakshadweep	4	4	0
21	Madhya Pradesh	2021	1649	372
22	Maharashtra	2190	1940	250
23	Manipur	59	42	17
24	Meghalaya	99	51	48
25	Mizoram	74	41	33
26	Nagaland	34	24	10
27	Odisha	1001	767	234
28	Puducherry	28	11	17
29	Punjab	797	589	208
30	Rajasthan	1587	1256	331
31	Sikkim	30	23	7
32	Tamil Nadu	1340	1069	271
33	Telangana	560	410	150
34	Tripura	128	108	20
35	Uttar Pradesh	3647	2474	1173
36	Uttarakhand	299	269	30
37	West Bengal	1014	918	96
<b>TOTAL</b>		<b>25077</b>	<b>19310</b>	<b>5767</b>

Source: As per MIS portal, Department of Justice



No.	Date	Particulars	Amount
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**GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE**

**RAJYA SABHA  
UNSTARRED QUESTION NO. 109  
ANSWERED ON 02/02/2023**

JS(PPP)

J-II

✓ **Disposal of Rape and POCSO Cases by Fast-Track Courts**

**109 Dr. Ashok Kumar Mittal:**

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

- (a) the number of fast track courts which have been established by Government to deal with Rape cases and POCSO (Protection of Children from Sexual Offences) cases;
- (b) the number of cases since 2018 which have been disposed of by the fast-track courts, the details thereof;
- (c) the total amount released by Government for improving the infrastructure of fast-track courts during each of the last three years and the current year and the actual amount spent thereon; and
- (d) the details of the steps taken by Government to increase the anonymity of the rape victims and their rehabilitation?

**ANSWER**

**MINISTER OF LAW & JUSTICE**

**(SHRI KIREN RIJJU)**

- (a) Under the Scheme of Fast Track Special Courts (FTSCs) scheme, 768 FTSCs including 418 exclusive POCSO courts have been set up to deal with Rape cases and POCSO (Protection of Children from Sexual Offences) cases.
- (b) The FTSC scheme became operational from 2<sup>nd</sup> October 2019 and as per information provided by the High Courts 1, 37,680 rape and POCSO Act cases

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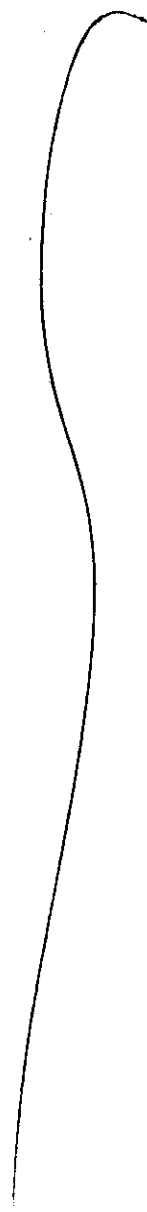
have been disposed of in these FTSCs till 31.12.2022. High Court wise details are at **Annexure-A**.

(c) No separate allocation is done for the infrastructure development specifically for FTSC. However, the Department is implementing a separate Centrally sponsored scheme for development of judicial infrastructure which includes construction of Court Halls and other infrastructure component for all Courts including FTSCs. A sum of Rs.9490.44 crores has been released since inception of the scheme. The scheme was extended last in the year 2021 for a period of 5 years i.e. up to Financial Year 2025-26 with total budgetary outlay of Rs. 9000 crore, including Rs.5307 crores as central share. The funds are provided to the states for development of judicial infrastructure in the district and subordinate courts, which includes five components i.e. court rooms, digital computer rooms, toilet complexes, lawyer halls and residential units. The details of funds released to the States under the scheme during last three years and the current financial year is at **Annexure-B**.

(d) The monitoring of functioning of Fast Track Special Courts, to make them more effective and sensitive to the needs of the victims is constantly done by this Department through inter-ministerial meetings and video conferencing with the State Governments and High Courts. As per information provided by the High Courts, names of victims are not disclosed in the judgement and order. Compensations are also ordered by the court. The report of the 3<sup>rd</sup> Party evaluation, conducted by The National Productivity Council in 2021 on FTSCs, contained

detailed suggestions regarding the handling of POCSO cases as well as survivors was also shared with all the stakeholders for study and course correction. These recommendations *inter-alia* highlighted the segment wise strengthening of all the relevant parameters by the respective State Governments viz., Forensic Science Laboratory (FSL) may be set up for each District, appointment of Special Public Prosecutors, appointment of regular Presiding Officers and special Team of Police Personnel to investigate the POCSO Cases for effective disposal while maintaining the anonymity of the rape victims. It is also important that vulnerable Witness Deposition Complexes may be set up by the State Governments to ensure a safe environment for the victims.

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Annexure-A referred to in para (b) of Rajya Sabha USQ 109 for 02.02.2023					
S.NO.	State/UT	Functional Courts		Cases disposed of by FTSCs from October 2019 to December 2022	
		FTSCs including ePOCSO	ePOCSO	FTSCs including ePOCSO	ePOCSO
1	Chhattisgarh	15	11	2927	2549
2	Gujarat	35	24	6020	4865
3	Mizoram	3	1	109	27
4	Nagaland	1	0	48	3
5	Jharkhand	22	16	3633	2215
6	Madhya Pradesh	67	57	15483	12925
7	Manipur	2	0	79	0
8	Haryana	16	12	3248	2344
9	Chandigarh	1	0	116	0
10	Rajasthan	45	30	8790	6121
11	Tamilnadu	14	14	4367	4367
12	Tripura	3	1	186	103
13	Uttar Pradesh	218	74	40123	18619
14	Uttarakhand	4	0	972	0
15	Delhi	16	11	747	489
16	Meghalaya	5	5	247	247
17	J&K	4	2	110	57
18	Punjab	12	3	2063	1273
19	Himachal P	6	3	517	362
20	Telangana	34	0	6079	2731
21	Andhra Pradesh	14	14	1715	1715
22	Bihar	48	48	5475	5475
23	Assam	17	17	2679	2679
24	Maharashtra	39	20	10096	7169
25	Karnataka	30	17	5184	4030
26	Kerala	52	14	9834	3146
27	Odisha	44	23	6807	4459
28	Goa	1	1	26	26
29	WB	0	0	0	0
30	A&N	0	0	0	0
31	Arunachal Pradesh	0	0	0	0
	<b>TOTAL</b>	<b>768</b>	<b>418</b>	<b>137680</b>	<b>87996</b>

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Annexure-B referred to in reply to Part C of Rajya Sabha Unstarred Question No. 109 for answer on 2.2.2023 Fund released under CSS for Judicial Infrastructure

(Amount Rs.in Crore)

Sl. No.	State/UTs	Release in 2019-20	Release in 2020-21	Release in 2021-22	Release in 2022-23
1	Andhra Pradesh	20.00	10.28	0.00	0.00
2	Bihar	87.62	65.72	0.00	0.00
3	Chhattisgarh	19.83	7.84	0.00	60.00
4	Goa	4.06	3.80	3.20	25.00
5	Gujarat	16.49	13.50	0.00	0.00
6	Haryana	14.06	22.00	0.00	0.00
7	Himachal Pradesh	5.72	5.50	0.00	0.00
8	Jammu & Kashmir	10.00			
9	Jharkhand	13.74	9.05	6.00	12.50
10	Karnataka	44.04	29.72	27.00	82.01
11	Kerala	15.82	13.00	50.00	0.00
12	Madhya Pradesh	66.90	45.60	55.00	125.00
13	Maharashtra	61.09	23.11	18.00	100.00
14	Odisha	35.69	0.00	0.00	0.00
15	Punjab	39.78	16.48	16.50	12.50
16	Rajasthan	64.21	29.90	41.50	71.66
17	Tamil Nadu	38.71	18.17	35.66	133.85
18	Telangana	5.65	16.00	0.00	0.00
19	Uttarakhand	28.50	5.86	80.00	0.00
20	Uttar Pradesh	169.66	111.00	219.00	0.00
21	West Bengal	61.43	31.07	0.00	0.00
22	Arunachal Pradesh	2.69	5.00	4.09	32.38
23	Assam	36.54	25.00	27.40	0.00
24	Manipur	9.66	5.00	0.00	12.85
25	Meghalaya	22.85	7.71	28.02	50.00
26	Mizoram	5.24	5.00	9.50	0.00
27	Nagaland	3.42	5.00	13.27	0.00
28	Sikkim	2.78	2.95	0.00	0.00
29	Tripura	18.82	7.74	0.00	0.00
30	A & N Islands	0.17	0.35	0.00	0.00
31	Chandigarh	0.00	0.00	0.00	0.00
32	Dadra & Nagar Haveli	0.00	0.00	0.00	0.00
33	Daman & Diu	0.00	0.00	0.00	0.00
34	Delhi	48.52	45.00	30.00	0.00
35	Lakshadweep	0.00	0.00	0.00	0.00
36	Puducherry	3.31	0.00	0.00	9.55
37	Jammu and Kashmir	5.00	6.65	20.00	12.60
38	Ladakh	0.00	0.00	0.00	0.00
	<b>Grand Total</b>	<b>982.00</b>	<b>593.00</b>	<b>684.14</b>	<b>739.91</b>

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

**RAJYA SABHA**

**UNSTARRED QUESTION NO. 110**

**ANSWERED ON 02/02/2023**

**Number of Supreme Court and High Court judges**

AS(LARA)

✓ 110. Shri Sushil Kumar Modi:

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

- a) total number of Supreme Court and High Court (HC) judges appointed during the last five years, year-wise;
- b) number and proportion of these appointed judges coming from Scheduled Castes (SCs), Scheduled Tribes (STs), Other Backward Classes (OBCs) and religious-minorities, year-wise;
- c) number and proportion of women in these judicial appointments, year-wise;
- d) number and proportion of judges from SCs, STs, OBCs, religious-minorities and women appointed in district/subordinate courts during the last five years, year-wise;
- e) whether the Chief Justices of HCs and the Supreme Court have responded to Government's requests for enhancing social diversity in higher judiciary; and
- f) if so, details thereof?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (f): 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. A statement showing total number of judges appointed each year in the Supreme Court and High Courts since 2018 may be seen at Annexure-I.



However, the available information regarding the category/caste of High Court Judges, which is indicated by the recommendee at the time of their recommendation for appointment as High Court Judge by the High Court Collegium (HCC), has been compiled and its breakup is produced below:-

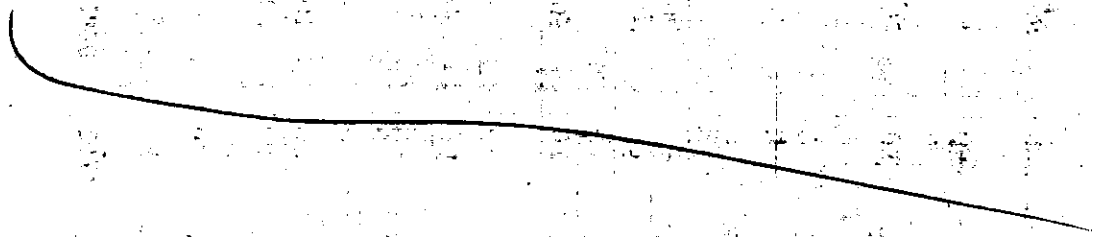
Year	General	SC	ST	OBC	Minority	Not Available	Total	Women
2018	82	2	2	5	6	11	108	11
2019	64	3	1	8	3	2	81	7
2020	52	2	-	11	1	-	66	13
2021	85	5	2	15	13	-	120	17
2022	137	6	-	17	5	-	165	34
2023	10	1	1	2	-	-	14	2
<b>Total</b>	<b>430</b>	<b>19</b>	<b>6</b>	<b>58</b>	<b>27</b>	<b>14</b>	<b>554</b>	<b>84</b>

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.

Under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vest with the concerned High Court. Further, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Government, in consultation with the High Court, frames the Rules and Regulations regarding the issues of appointment, promotion, reservations, etc. of Judicial Officers in the State Judicial Service. Hence, 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. Central Government has no direct role in the matter.

The information related to religious-minorities is not centrally maintained. However, the current position of working strength of SC/ST/OBC and women judges, cadre-wise in District and Subordinate Courts as on 30.01.2023 is at Annexure-II.

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## Annexure-II

Working Strength of SC/ST/OBC and women judges in District and Subordinate Courts as on 30.01.2023

Sl. No.	States &UTs	Civil Judge(Junior Division)				Civil Judge(Senior Division)				District Judge/DJ			
		SC	ST	OBC	Women	SC	ST	OBC	Women	SC	ST	OBC	Women
1	Andhra Pradesh	39	16	113	0	32	12	45	0	19	1	45	0
2	Delhi	55	6	0	165	9	1	0	19	8	1	0	95
3	Karnataka	76	15	134	194	49	7	135	120	59	9	92	89
4	Rajasthan	65	58	103	260	46	29	119	121	47	22	88	125
5	Nagaland	0	0	0	6	0	0	0	2	0	0	0	7
6	Puducherry	0	0	4	2	0	0	0	0	0	0	4	3
7	Tamil Nadu	120	6	364	216	57	3	233	99	43	1	212	111
8	Telangana	33	18	80	116	17	11	53	50	13	7	52	50
9	D & N Haveli	0	0	1	0	0	0	1	0	0	0	0	0
10	Daman & Diu	0	0	0	0	0	0	0	0	0	0	1	0
11	Goa	0	2	0	15	0	0	1	8	0	0	1	5
12	Maharashtra	140	2	266	346	43	3	128	139	44	2	106	112
13	Sikkim	0	2	5	5	0	0	3	3	0	5	8	5
14	Meghalaya	0	19	0	14	0	14	0	9	0	15	0	9
15	Manipur	1	4	3	5	1	5	4	10	1	4	0	4
16	Jharkhand	20	55	19	85	0	0	0	38	0	0	0	10
17	Andaman and Nicobar	0	0	0	0	0	0	0	0	0	0	0	0
18	West Bengal	0	0	0	210	0	0	0	80	0	0	0	40
19	Arunachal Pradesh	0	12	0	5	0	11	0	4	0	9	1	1
20	Assam	15	22	0	116	7	16	0	58	0	0	0	30
21	Bihar	115	9	254	256	62	5	22	33	35	1	50	38
22	Chandigarh	3	0	2	6	0	0	0	0	1	0	0	4
23	Chhattisgarh	27	65	34	97	19	31	13	39	27	27	36	44
24	Gujarat	54	1	30	103	50	4	154	75	9	0	34	50
25	Haryana	38	0	34	69	25	0	16	59	22	0	15	50
26	Himachal Pradesh	9	4	8	35	7	2	3	14	7	2	2	7
27	Jammu and Kashmir	9	8	2	39	6	6	2	19	7	3	2	13
28	Kerala	16	1	82	114	13	0	50	41	7	1	109	51
29	Ladakh	0	2	0	1	0	2	0	1	0	1	0	1
30	Lakshadweep	0	0	0	0	0	1	0	1	0	0	1	0
31	Madhya Pradesh	125	97	133	384	59	81	45	132	74	56	98	103

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32	Odisha	17	0	53	183	0	0	0	114	0	0	0	44
33	Punjab	79	0	45	156	36	0	20	59	27	0	18	55
34	Tripura	5	7	0	18	4	9	0	16	4	7	0	4
35	Uttar Pradesh	193	15	273	406	151	11	189	170	143	7	343	218
36	Uttarakhand	16	3	13	44	16	4	15	39	15	8	11	22
37	Mizoram	0	16	0	13	0	10	0	2	0	15	0	6
<b>TOTAL</b>		<b>1270</b>	<b>465</b>	<b>2055</b>	<b>3684</b>	<b>710</b>	<b>278</b>	<b>1251</b>	<b>1574</b>	<b>612</b>	<b>204</b>	<b>1329</b>	<b>1406</b>

**Annexure-I**  
**(As on 30.01.2023)**

Statement referred to in reply to part (a) to (f) of the Unstarred Question No. 110 regarding "Number of Supreme Court and High Court judges", to be answered on 02.02.2023.

		Years						Total
Supreme Court		2018	2019	2020	2021	2022	2023	
		08	10	-	09	03		30
<b>High Courts</b>								
Sl. No.	Name	2018	2019	2020	2021	2022	2023	Total
1.	Allahabad	28	19	04	17	13	-	72
2.	Andhra Pradesh	-	02	07	02	14	2	27
3.	Bombay	04	11	04	06	19	1	45
4.	Calcutta	11	05	01	08	16	-	42
5.	Chhattisgarh	04	-	-	03	3	-	10
6.	Delhi	05	04	-	02	17	-	28
7.	Garhathi	02	04	-	05	2	-	14
8.	Gujarat	04	05	07	07	-	-	21
9.	Himachal Pradesh	-	02	-	01	2	-	5
10.	J&K & Ladakh	02	-	05	02	4	-	13
11.	Jharkhand	03	02	-	04	-	-	10
12.	Karnataka	12	10	10	05	6	2	46
13.	Kerala	04	01	06	12	1	-	24
14.	Madhya Pradesh	08	02	-	08	6	-	24
15.	Madras	08	01	10	05	4	-	28
16.	Manipur	-	-	01	-	-	-	1
17.	Meghalaya	01	01	-	-	-	-	2
18.	Orissa	01	01	02	04	6	-	14
19.	Patna	-	04	-	06	11	-	21
20.	Punjab & Haryana	07	10	01	06	21	-	45
21.	Rajasthan	-	03	06	08	2	9	28
22.	Sikkim	-	-	-	-	-	-	-
23.	Telangana	-	03	01	07	17	-	28
24.	Tripura	01	-	01	-	-	-	2
25.	Uttarakhand	03	01	-	-	-	-	4
<b>Total</b>		<b>108</b>	<b>81</b>	<b>66</b>	<b>120</b>	<b>165</b>	<b>14</b>	<b>554</b>

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 111**

JR

**ANSWERED ON 02/02/2023**

JS (NRR)

**GRAM NYAYALAYAS IN THE COUNTRY**

**111. PROF. MANOJ KUMAR JHA:**

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

- (a) the number of Gram Nyayalayas in the country, State-wise details thereof;
- (b) whether certain States are opposing the establishment of Gram Nyayalayas, if so, the reasons therefor;
- (c) the details of funds allocated and released for establishment of Gram Nyayalayas during the last five years;
- (d) the number of Gram Nyayalayas that stopped for the reasons the promulgation of Gram Nyayalayas Act, 2008;
- (e) whether Government has conducted any survey on functioning of Gram Nyayalayas; and
- (f) if so, the details thereof?

/N/

**THE MINISTER OF LAW AND JUSTICE  
(SHRI K. VENKATESH)**

(a) to (c): In terms of Section 3 (1) of the Gram Nyayalayas Act, 2008, it is for the State Governments to establish Gram Nyayalayas in consultation with the respective High Courts. State-wise progress of setting up of Gram Nyayalayas and the financial assistance provided to State Governments during the last five years is as under:

Sl. No.	Name of the State/UTs	Gram Nyayalayas Notified	Gram Nyayalayas Operationalised	Amount released (Rs. in Lakhs)				
				2018-19	2019-20	2020-21	2021-22	2022-23
1.	Punjab	9	2	110.00	0.00	0.00	0.00	0.00
2.	Kerala	30	30	450.22	2.78	0.00	0.00	0.00
3.	Maharashtra	36	23	0.00	159.82	163.18	0.00	0.00
4.	Rajasthan	45	45	0.00	0.00	0.00	0.00	0.00
5.	Andhra Pradesh	42	0	0.00	0.00	436.82	0.00	0.00
6.	Odisha	23	19	0.00	0.00	0.00	107.00	80.00

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7.	Jharkhand	6	1	0.00	0.00	0.00	0.00	0.00
8.	Karnataka	2	2	0.00	0.00	0.00	0.00	0.00
9.	Goa	2	0	0.00	0.00	0.00	0.00	0.00
10.	Telangana	55	0	0.00	0.00	0.00	693.00	0.00
11.	Ladakh	2	0	0.00	0.00	0.00	0.00	0.00
12.	Jammu and Kashmir	20	0	0.00	0.00	0.00	0.00	0.00
13.	Madhya Pradesh	89	89	0.00	637.40	0.00	0.00	0.00
14.	Haryana	2	2	0.00	0.00	0.00	0.00	0.00
15.	Uttar Pradesh	113	51	349.78	0.00	0.00	0.00	0.00
<b>Total</b>		<b>476</b>	<b>264</b>	<b>800.00</b>	<b>800.00</b>	<b>600.00</b>	<b>800.00</b>	<b>80.00</b>

Majority of States have now set up regular courts at Taluka level. Though no state has opposed setting up of Gram Nyayalayas, however reluctance of police officials and other State functionaries to invoke jurisdiction of Gram Nyayalayas, lukewarm response of Bar, non-availability of notaries and stamp vendors, problem of concurrent jurisdiction of regular courts are other issues indicated by the States, which are coming in the way of operationalization of the Scheme.

(d): As per information available in the Department, one Gram Nyayalaya in the State of Maharashtra has stopped functioning.

(e) & (f): Based on evaluation of Gram Nyayalayas scheme undertaken by DMEO, NITI Aayog through M/s KPMG Advisory Services Pvt. Ltd. in 2019, the Scheme of Gram Nyayalayas has been extended from 2021-22 to 2025-26 along with the extension of Centrally Sponsored Scheme for the development of infrastructure facilities for judiciary with a financial outlay of Rs. 50 crore for Gram Nyayalaya out of Rs. 5357 crores allocated (Central Scheme) for Centrally Sponsored Scheme, subject to the condition that review be undertaken after one year to assess whether Gram Nyayalaya Scheme has successfully achieved its objectives.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE

RAJYA SABHA  
UNSTARRED QUESTION NO. 112

JR

ANSWERED ON 02/02/2023

JS (CIRK)

LADIES' TOILETS AND WAITING ROOM FACILITIES IN COURTS

✓ 112. DR. RADHA MOHAN DAS AGRAWAL:

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

- (a) the total number of High Courts, District Courts and Tehsil Courts in the country; and  
(b) the State-wise details of ladies' toilets and waiting rooms facilities available in the said courts?

ANSWER

THE MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) & (b): Total number of High Courts in the country is 25. With regard to number of District Courts and Tehsil Courts in the country, the same is not being centrally maintained by this Department. However, as per information on National Judicial Data Grid (District and Taluka Courts of India), the total number of court complexes is 3449. The Registry of Supreme Court of India has compiled data on the status of judicial infrastructure and court amenities, as per which 74% of court complexes have separate ladies toilets. Information in respect of State-wise details of ladies' toilets and waiting rooms facilities available in the said courts is not being centrally maintained by this Department.



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DEPARTMENT OF CHEMISTRY  
5800 S. UNIVERSITY AVENUE  
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**GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE**

**RAJYA SABHA**

**UNSTARRED QUESTION NO. 113**

**ANSWERED ON 02.02.2023**

AS(L&A)

**Recommendation of collegium for appointment of Judges**

✓ 113. Shri Raghav Chadha:

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

- a) whether it is a fact that Government has received several recommendations from Supreme Court collegium for appointment to the post of judges in the country including the Supreme Court which are still lying vacant;
- b) if so, total number of proposals that have been received during the last four years from the collegium and the number of recommendations that have been accepted/decided so far on the said recommendations; and
- c) present status of recommendations of the collegium since January, 2019 and the time by which the vacancies in the Supreme Court and High Courts are likely to be filled up?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (c): 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. As per the Memorandum of Procedure for appointment of Judges in the Supreme Court and High Courts, the Government appoints only those persons who are recommended by Supreme Court Collegium (SCC).

As on 30.01.2023, against the sanctioned strength of 34 Judges, 27 Judges are working in the Supreme Court leaving 07 vacancies. Out of these 7 vacancies, proposal for appointment of 5 judges in the Supreme Court is under consideration with Government and in the meantime proposal for remaining 02 (two) vacancies has been received on 31.01.2023 from the Supreme Court Collegium.

As on 30.01.2023, against the sanctioned strength of 1108 judges in various High Courts, 775 judges are working and 333 post of Judges are vacant in the High Courts. Against these vacancies 142 proposals recommended by the High Court Collegiums (HCC) are at various stages of processing with the Government. The details are as follows:-

Total Number of proposals received from High Court Collegium (HCC)	142
Number of proposals recommended by HCC and are in the process of being sent to SCC	67
Number of HCC recommendations sent to SCC and recommended by SCC and under various stages of processing	64
Proposals deferred by SCC	11

As per records, from 2019 to January, 2023, 22 judges were appointed in the Supreme Court and 446 judges were appointed in various High Courts. While every effort is made to fill up the existing vacancies expeditiously, vacancies of judges do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in strength of Judges. Government is committed to filling up the post of judges in the higher judiciary expeditiously.

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

**RAJYA S A B H A  
UNSTARRED QUESTION No. 114  
ANSWERED ON 02/02/2023**

**Uniform Civil Code Bill**

*Leg. III Sec.*

**114. SHRI K. VANLALVENA**

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

- (a) whether Government has any plan to pass the Uniform Civil Code (UCC) Bill;
- (b) if so, whether the UCC will effect Article 371(G) of the Indian Constitution;  
and
- (c) if so, whether different customary laws of different communities within Indian Union will be violated by UCC ?

**A N S W E R**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

(a) to (c) Government had requested the 21<sup>st</sup> Law Commission of India to undertake examination of various issues relating to uniform civil code and to make recommendations thereon. The term of the 21<sup>st</sup> Law Commission ended on 31.8.2018. As per the information received from the Law commission, the matter related to uniform civil code may be taken up by the 22<sup>nd</sup> Law Commission for its consideration. Therefore, no decision on implementation of uniform civil code has been taken as of now.

\*\*\*\*

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. This is essential for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. These methods are designed to provide a comprehensive and detailed view of the organization's performance and trends.

3. The third part of the document describes the process of identifying and addressing key areas of concern. This involves a thorough analysis of the data and a focus on finding effective solutions to the identified problems.

4. The fourth part of the document discusses the importance of communication and collaboration in the implementation of the findings. This involves working closely with all stakeholders to ensure that the recommendations are understood and accepted.

5. The fifth part of the document outlines the steps for developing and implementing a strategic plan. This involves setting clear goals and objectives, and identifying the resources and actions needed to achieve them.

6. The sixth part of the document discusses the importance of monitoring and evaluating the progress of the strategic plan. This involves regularly reviewing the data and making adjustments as needed to stay on track.

7. The seventh part of the document describes the process of reporting the results of the analysis and the implementation of the strategic plan. This involves providing clear and concise information to all stakeholders.

8. The eighth part of the document discusses the importance of maintaining a strong relationship with the external environment. This involves staying up-to-date on industry trends and developments, and seeking opportunities for collaboration and growth.

9. The ninth part of the document outlines the steps for developing and implementing a risk management plan. This involves identifying potential risks and developing strategies to mitigate them.

10. The tenth part of the document discusses the importance of continuous improvement and learning. This involves regularly reviewing the organization's performance and seeking ways to enhance it.

11. The eleventh part of the document describes the process of developing and implementing a change management plan. This involves identifying the need for change and developing strategies to manage the transition.

12. The twelfth part of the document discusses the importance of building a strong organizational culture. This involves promoting values and behaviors that support the organization's mission and vision.

13. The thirteenth part of the document describes the process of developing and implementing a succession plan. This involves identifying key positions and developing strategies to ensure a smooth transition of leadership.

14. The fourteenth part of the document discusses the importance of maintaining a strong relationship with the community. This involves engaging with the community and seeking ways to support its needs and interests.

15. The fifteenth part of the document describes the process of developing and implementing a sustainability plan. This involves identifying the organization's environmental and social responsibilities and developing strategies to address them.



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

**RAJYA SABHA**

**UN STARRED QUESTION NO. 115**

**ANSWERED ON 02/02/2023**

AS(LARA)

**Nominee of the Government in Collegium System**

✓ **115. SHRI VIVEK K. TANKHA :  
SERI SUSHIL KUMAR GUPTA:**

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

- a) whether it is a fact that a suggestion has been made to the Supreme Court to include a nominee of the Government in Collegium for appointments to higher judiciary;
- b) whether this suggestion is the official stance of Government in this matter;
- c) whether any consultations with the Law Ministry and other stakeholders were done before making the suggestions; and
- d) if so, the details thereof?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

- (a). No Sir.
- (b) to (d): Question does not arise.

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UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

MEMORANDUM

TO : SAC, [illegible]

FROM : [illegible]

SUBJECT: [illegible]

[illegible text]

[illegible text]

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

**RAJYA SABHA  
UNSTARRED QUESTION NO.116  
ANSWERED ON 02/02/2023**

NM

JS (GHR)

**CASES PENDING FOR MORE THAN 25 YEARS**

✓

**116 # SHRI RAM NATH THAKUR:**

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

- (a) the number of cases pending in the courts of the country for more than 25 years;
- (b) whether any study has been undertaken to find out the cost incurred in long pending cases so that the extent of economic pressure which a common man has to undergo to get justice, can be ascertained; and
- (c) the reasons for extremely long pendency of the cases?

**ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

**(a):** The number of cases pending for more than 25 years, in Supreme Court of India as per the data retrieved from the Integrated Case Management Information System (ICMIS) as on 27.01.2023 is 81. As per the data available on the National Judicial Data Grid (NJDG), as on 30.01.2023 the number of cases pending for more than 25 years in the High Courts and in the District & Subordinate courts are, 1,24,810 and 2,76,208 respectively.

**(b):** No such study has been undertaken to find out the cost incurred in long pending cases so that the extent of economic pressure which a common man has to undergo to get justice could be ascertained.



(c): The pendency of cases is a multi-faceted problem. With an increase in the population of the country and enhanced awareness among the public about their rights, filing of fresh cases is also increasing, year after year. There are several reasons for large pendency of cases in the courts which, inter-alia, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing, 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. Further, the pandemic which set around 2020 also contributed significantly in increasing the pendency in the last three year. It may be noted that the Criminal Justice System functions on the assistance of various agencies viz. Police, Prosecution, Forensic Labs, Handwriting Experts and Medico-Legal Experts. The delay in providing mutual assistance by the allied agencies also leads to delay in disposal of cases.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 117  
ANSWERED ON 02/02/2023**

**Representation of Government in the appointment of Judges**

✓ AS(LARA)  
**117# SHRI RAM NATH THAKUR:**

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

- (a) whether Government is heading towards appointing its representative in the process of appointment of judges; and
- (b) whether Government is considering to set up an independent regulator like Union Public Service Commission (UPSC) for appointment of judges?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (b): 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) 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

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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 consultations with the Supreme Court Collegium, the Government has made suggestions in line with the Supreme Court Order dated in WP(C) 13 of 2015, including the need for a Screening cum Evaluation Committee at the Supreme Court and High Court levels to assist the Collegiums of Supreme Court and High Courts respectively. It was proposed that the Committees may screen and evaluate relevant material on the suitability of the prospective candidates and would act as a facilitator. The decision to make recommendations will continue to be exercised by the respective Collegiums of the Supreme Court and High Courts. However, the Supreme Court did not agree to set up such Committees.

In its recent communication dated 06.01.2023 to Supreme Court of India, the Government has emphasized the need to finalize the MoP in view of various judicial pronouncements and *inter-alia* suggested that the Search-cum-Evaluation Committee in respect of appointment of Judges in the Supreme Court and Chief Justices of High Courts should consist of a representative nominated by Government of India. For appointment of Judges in the High Courts, the Committee should consist of a representative nominated by Government of India and a representative of State Government(s) under the jurisdiction of High Court as nominated by the Chief Minister(s). It has been proposed that for appointment and transfer of Chief Justices and Judges of High Courts the names recommended by the Chief Minister can be received by the Search-cum-Evaluation Committee along with the names taken from senior Judges outside the Collegium and eligible candidates taken from the database (Judicial Officers and Advocates) as maintained by the proposed Secretariat. The High Court Collegium may deliberate upon panel of names drawn up by the Search-cum-Evaluation Committee and recommend the names of most

uitable candidates for appointment of Judges in the Supreme Court, Chief Justices and Judges High Courts. The Collegium at appropriate level may address the above requirements of drawing up panel of eligible candidates from aforementioned sources and draw up their proceedings by rendering requisite reasons and thereafter send the proposal to the Government with relevant documents.

The above mentioned Search-cum-Evaluation Committees will be entrusted to prepare a panel of eligible candidates from which the respective Collegiums will make recommendation. This, alongwith other measures suggested will pave the way for a more transparent, accountable and expeditious mechanism for appointment of Judges to the Constitutional Courts.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 118  
ANSWERED ON 02/02/2023**

Leg. II. Sec.

**AADHAAR AS THE PRIME AUTHENTICATOR OF VOTER ID**

**118. Shri Shaktisinh Gohil :**

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

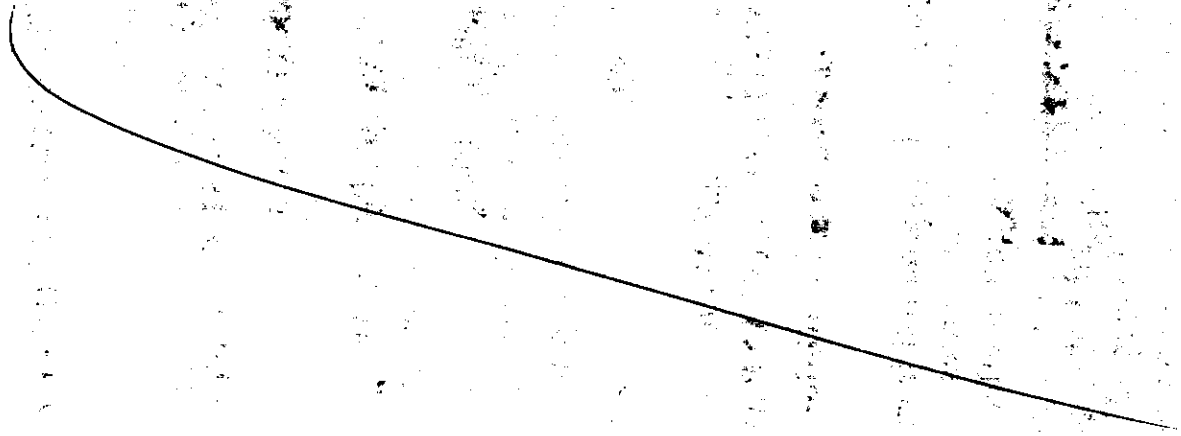
- (a) reason for choosing the Aadhaar database as the prime authenticator for the Voter ID database when both databases serve two different purposes;
- (b) whether Government has made any efforts to reduce the number of fake entries within the Aadhaar database;
- (c) if so, the details thereof and if not, the reasons therefor; and
- (d) the total number of persons enrolled in the Voter ID database and on the Aadhaar database, as on date?

**ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

(a): The process of purification of electoral roll is an ongoing process and involves various stakeholders including political parties, at every stage starting from enrolment of voters, amendment in the roll to effect material changes by virtue of change of residence, marriage, etc. In the process, the electoral registration officer relies upon various documents and undertakes physical verification and also disposes objections, if any. The Election Laws (Amendment) Act, 2021 *inter-alia* envisaged that the electoral registration officer may also require the Aadhaar number for the purposes of authentication of entries in electoral roll. Therefore, Aadhaar is only one of several documents for authentication and identification for the purposes of purifying the electoral rolls.

(b) to (d): According to the Election Commission of India, with regard to persons enrolled on Voter ID database, as per the final publication of electoral roll as on 01.01.2023, the total number of persons enrolled were 94,50,25,694. Another information is being collected and will be laid on the Table of the House.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO.119  
ANSWERED ON 02/02/2023**

NM

✓ JS(GRR)

**SEARCH PANEL TO CHOOSE JUDGES**

**119. SHRI MUKUL BALKRISHNA WASNIK:**

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

- (a) the number of cases pending in the Supreme Court and High Courts, as on 31st December, 2022;
- (b) the number of vacancies of judges in the Supreme Court and High Courts;
- (c) the reasons for delay in filling up the vacancies, if any;
- (d) whether Government seeks a search panel with its nominee to choose Judges; and
- (e) if so, the reasons therefor and the response of the Judiciary thereon?

**ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

**(a):** As per data obtained from Supreme Court website, 69,768 cases are pending in Supreme Court of India as on 01.01.2023. As per data available on National Judicial Data Grid (NJDG), the total number of pending cases in the different High Courts as on 31.12.2022 is at *Annexure*.

**(b)& (c):** As on 31.01.2023, against the sanctioned strength of 34 Judges, 27 Judges are working in the Supreme Court leaving a vacancy of 07 Judges to be filled.



against the sanctioned strength of 1108 Judges, 775 Judges are working in High Courts, leaving a vacancy of 333 Judges yet to be filled.

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. 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.

**(d) & (e):** The Five-Judges Bench of the Hon'ble Supreme Court, which heard W.P. No. 13 of 2015 Supreme Court Advocates on Record Association and Others Vs. Union of India also known as NJAC case, vide its order dated 16.12.2015, laid down that the Government of India may finalize the existing Memorandum of Procedure by supplementing it in consultation with the Chief Justice of India. It was also mentioned in para 10 of the order *ibid* that the Chief Justice of India will take a decision based on the unanimous view of the collegium comprising the four senior-most puisne Judges of the Supreme Court. 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. Subsequently, the then Chief Justice of India, vide letter dated 13.03.2017 sent the MoP. Besides, a number of other suggestions, the Government also suggested a Screening cum Evaluation Committee at the Supreme Court and High Court levels to assist the Collegia of Supreme Court and High Courts respectively. The Committees were to go through the material connected with evaluation the suitability of the prospective candidates and would be only a facilitator, as the decision to recommend will still be with the Collegia of the Supreme Court and High Courts.

**Annexure****HIGH COURT-WISE PENDENCY OF CASES AS ON 31.12.2022**

Sl. No.	Name of the High Court	Pendency as on 31.12.2022
1	Allahabad High Court	1032228
2	Bombay High Court	610734
3	Calcutta High Court	207898
4	Gauhati High Court	58501
5	High Court for State of Telangana	254089
6	High Court of Andhra Pradesh	240238
7	High Court of Chhattisgarh	91184
8	High Court of Delhi	105271
9	High Court of Gujarat	161929
10	High Court of Himachal Pradesh	91210
11	High Court of Jammu & Kashmir	44526
12	High Court of Jharkhand	87992
13	High Court of Karnataka	304444
14	High Court of Kerala	197314
15	High Court of Madhya Pradesh	429743
16	High Court of Manipur	4865
17	High Court of Meghalaya	1188
18	High Court of Odisha	164709
19	High Court of Punjab and Haryana	447886
20	High Court of Rajasthan	633787
21	High Court of Sikkim	165
22	High Court of Tripura	1601
23	High Court of Uttarakhand	45023
24	Madras High Court	550083
25	Patna High Court	212106
<b>Total</b>		<b>5978714</b>

Source:- National Judicial Data Grid.

In its recent communication dated 06-01-2023 to Supreme Court of India, the Government has emphasized the need to finalize the MoP in view of various judicial pronouncements and inter-alia suggested that the Committee in respect of Supreme Court Judges should consist of a representative nominated by Government of India. For appointment of Judges in the High Courts, the Search-cum Evaluation Committee should consist of a representative nominated by Government of India and a representative of State Government(s) under the jurisdiction of High Court as nominated by the Chief Minister. The above mentioned Search-cum-Evaluation Committees will be entrusted to prepare a panel of eligible candidates from which the respective Collegiums will make recommendation. This, along with other measures suggested will pave the way for a more transparent, accountable and expeditious mechanism for appointment of Judges to the Constitutional Courts

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

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**RAJYA SABHA  
UNSTARRED QUESTION NO.120  
ANSWERED ON 02/02/2023**

*Judl. Sec.*

**VACANCIES OF PRESIDING OFFICERS/CHAIRMEN IN VARIOUS  
TRIBUNALS**

**120 SHRI KANAKAMEDALA RAVINDRA KUMAR:**

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

- (a) the details of the Tribunals that have been set up by Government as on date;
- (b) the details of the sanctioned strength including the Presiding Officer/Chairman and current staff position of the Tribunals that have been set up by Government;
- (c) reasons for non-filling up of the Presiding Officer/Chairman and other staff in the Tribunals; and
- (d) steps taken by Ministry to fill the sanctioned posts including the Presiding Officers/Chairmen of various Tribunals that have been established?

**ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

(a) : The Tribunals set up by the Government are as under :-

- i. Central Government Industrial Tribunal;
- ii. Income Tax Appellate Tribunal;
- iii. Customs, Excise and Service Tax Appellate Tribunal;
- iv. Appellate Tribunal under the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976;
- v. Central Administrative Tribunal;
- vi. Railway Claims Tribunal;
- vii. Securities Appellate Tribunal;

- viii. Debts Recovery Tribunal;
- ix. Debts Recovery Appellate Tribunal;
- x. Telecom Disputes Settlement and Appellate Tribunal;
- xi. National Company Law Tribunal;
- xii. National Company Law Appellate Tribunal;
- xiii. National Consumer Disputes Redressal Commission;
- xiv. Appellate Tribunal for Electricity;
- xv. Armed Forces Tribunal; and
- xvi. National Green Tribunal.

(b) : The sanctioned strength and vacancies for the posts of Chairman/President and other adjudicating Members of the Tribunals are at **Annexure**.

(c) : Filling up of vacancies of Chairman/Presiding Officer/Members/Other Secretarial staff is a continuous process and are filled from time to time as per respective statutory provisions. The vacancies at all level of posts in the Tribunal occur on account of retirement, resignation, promotion and voluntary retirement etc. The non-filling of posts of Chairman/ Presiding Officer/Members in Tribunals is also due to some administrative reasons and pending litigation/court cases in different judicial fora with regard to the rules governing the conditions of service of Chairman/Members of Tribunal.

(d) Consequent to the enactment of the Tribunals Reforms Act, 2021 and notification of Tribunal (Conditions of Service) Rules, 2021 and also decision of Hon'ble Supreme Court in *Madras Bar Association vs. Union of India*, the selection process of the Chairman and Members of various tribunals have been initiated with the constitution of Search-cum-Selection Committee (SCSC) headed by a sitting judge of the Supreme Court. The selection process for these posts in all tribunals has been initiated and in some cases it has already been finalized by the SCSC and the recommendations have been submitted for approval of the Competent Authority.

ANNEXURE

Annexure as referred to in reply to Rajya Sabha Unstarred Question No. 120 for  
2<sup>nd</sup> February, 2023

S. No.	Name of the Tribunal	Posts	Sanctioned Strength	Current Positions of Vacancies
1	Central Government Industrial Tribunal	Presiding Officer	20	9
2	Income Tax Appellate Tribunal (ITAT)	Judicial Member	63	18
		Accountant Member	63	25
3	Customs, Excise and Service Tax Appellate Tribunal (CESTAT)	President	1	0
		Member (Judicial)	16	7
		Member (Technical)	16	12
4	Appellate Tribunal under the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 (SAFEMA)	Chairman	1	0
		Member	4	0
5	Central Administrative Tribunal (CAT)	Chairman	1	0
		Judicial Members	34	9
		Administrative Members	35	12

6	Railway Claims Tribunal (RCT)	Chairman	1	0
		Vice-Chairman (Judicial)	2	2
		Vice-Chairman (Technical)	2	2
		Judicial Member	20	16
		Technical Member	21	8
7	Securities Appellate Tribunal (SAT)	Presiding Officer	1	0
		Judicial Member	1	0
		Technical Member	2	1
8	Debts Recovery Tribunal (DRT)	Presiding Officer	39	4
9	Debts Recovery Appellate Tribunal (DRAT)	Chairperson	5	0
10	Telecom Disputes Settlement and Appellate Tribunal	Chairman	1	0
		Member	2	0
11	National Company Law Tribunal (NCLT)	President	1	0
		Judicial Member	31	12
		Technical Member	31	11
12	National Company Law Appellate Tribunal (NCLAT)	Chairperson	1	0
		Judicial Member	5	1
		Technical Member	6	1
13	National Consumer Disputes Redressal Commission	President	1	0
		Member	11	1
14	Appellate Tribunal For Electricity	Chairperson	1	1
		Judicial Member	1	1
		Technical Member	3	1
15	Armed Forces Tribunal (AFT)	Judicial Members (including one post of Chairperson)	17	7
		Administrative Members	17	3

16	National Green Tribunal	Chairperson	1	0
		Judicial Member	10	4
		Expert Member	10	5



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

**RAJYA SABHA  
UNSTARRED QUESTION NO.121  
ANSWERED ON 02/02/2023**

NM

✓ JS (WRR)

**EVALUATION STUDY OF CRIMINAL JUSTICE SYSTEM**

**121. SHRI M. MOHAMED ABDULLA:**

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

- (a) whether Government had done any evaluation study of criminal justice system during the past five years to take affirmative steps for its reformation; and
- (b) if so, the details thereof and if not, the reasons therefor?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

(a) & (b): The Department-related Parliamentary standing Committee on Home Affairs, in its 146<sup>th</sup> Report dated 23.06.2010, had recommended that there is a need for a comprehensive review of the Criminal Justice System of the country. Earlier the Parliamentary Standing Committee in its 111<sup>th</sup> and 128<sup>th</sup> Reports had also stressed upon the need to reform and rationalize the criminal law of the country by introducing a comprehensive legislation in Parliament rather than bringing about piecemeal amendments.

The need to re-visit the Criminal Laws from time to time cannot be over emphasized. However, amendments in criminal laws is a continuous process which involves wider consultations with all stakeholders and examination of Law

Commission's Reports, various Courts Judgements, various Committees reports on the subject. Meanwhile, the Government has brought out Criminal Law (Amendment) Act, 2018, *inter alia*, amending the Indian Penal Code, 1860 and Protection of Children from Sexual Offences Act, 2012 (POCSO) providing for increased minimum punishment for the offence of rape and gang rape of women and minor girls. In case of rape and gang rape of women below 12 years of age, the minimum punishment of twenty years extendable of life imprisonment or death has been prescribed.

A comprehensive review of criminal laws viz. Indian Penal Code (IPC), Criminal Procedure Code (CrPC) and Indian Evidence Act is an ongoing process for bringing out further comprehensive legislation by taking into account the suggestions of all stakeholders.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 122  
ANSWERED ON 02/02/2023**

✓ AS(L&A)

**System of appointment of judges in higher judiciary**

**122 SHRI RAJEEV SHUKLA:**

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

- (a) whether there is any proposal to bring an alternative mechanism or to tweak the present system of appointment of judges in higher judiciary;
- (b) if so, the details thereof;
- (c) whether there is any proposal to include Government's representative in National Judicial Appointment Commission (NJAC); and
- (d) if so, the details thereof?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (d): 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

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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.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 123  
ANSWERED ON 02/02/2023**

AS(ARA)

**Proportion and strength of women judges and lawyers**

✓ 123. SHRI RAKESH SINHA:

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

- (a) the total strength of women judges in the High Courts of the country;
- (b) its proportion to male judges and percentage of total strength and occupied strength of judges;
- (c) the number of women chief justices of the High Courts;
- (d) the total strength of registered women practicing lawyers in High Courts and its proportion to total number of registered and practising lawyers; and
- (e) the strength of women judges in the Supreme Court during the last three decades since 1990?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (e): As on 31.01.2023, in the High Courts, against the sanctioned strength of 1108 Judges 775 Judges are working out of which 106 are women Judges and 669 are male Judges. The percentage of women Judges is 9.5% of the total strength and 13.6% of the working strength of High Court Judges. At present no women Chief Justice is working in any High Court of the country.

As per the data for 15 States provided by the Bar Council of India there are 284507 women lawyers enrolled out of the total 1542855 advocates, accounting for 15.31%.

As per the data available from the website of the Supreme Court of India, since 1990, 11, women judges have been appointed in the Supreme Court of India.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 124  
ANSWERED ON 02/02/2023**

**Return of collegium proposals by Government**

✓ AS (ARA)  
**124 DR. JOHN BRITTAS:**

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

- (a) total number of collegium proposals returned by Government on its own to Supreme Court Collegium during the last three years;
- (b) the reasons therefor;
- (c) the number of proposals resubmitted by Supreme Court Collegium out of the proposals so returned and actions taken thereon; and
- (d) the number of returned proposals concurred with by the Collegium?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (b): As per existing Memorandum of Procedure on appointment of High Court Judges, the proposal is initiated by the Chief Justice of the High Court in consultation with two senior most puisne Judges of the High Court. The views of State Constitutional Authorities on the proposals are also obtained. The Union Minister of Law & Justice consider the recommendations in the light of such other reports as may be available to the Government in respect of the names under consideration. The complete material is then forwarded to the Chief Justice of India for his advice. Accordingly, the Government sends all proposals received from the High Court Collegiums to the Supreme Court Collegium (SCC) for advice. Government appoints only those persons whose names have been recommended by the SCC as Judges of the Supreme Court and High Courts.

(c) to (d): Government can seek reconsideration on names recommended by the SCC, and as on 31.01.2023 there are total 18 proposals on which reconsideration of SCC has been sought. SCC decided to reiterate 06 cases, in 07 cases SCC has desired updated inputs from the High Court Collegiums, and 05 cases have been decided to be remitted by the SCC to the High Courts.

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**(CHIEF JUSTICE)**

**MINISTER OF LAW AND JUSTICE**

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**(CHIEF JUSTICE)**

**MINISTER OF LAW AND JUSTICE**

**PARLIAMENT**

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

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 125  
ANSWERED ON 02/02/2023**

**Proposal of reservation in judiciary**

✓ AS(ARA)  
**125 Shri Akhilesh Prasad Singh:**

**Dr. Anbumani Ramadoss:**

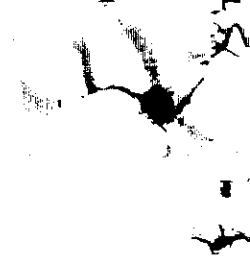
**Will the Minister of Law and Justice be pleased to state:**

- (a) the details regarding the Supreme Court and High Court judges appointed during the last five years;
- (b) whether Government proposes to bring Constitutional amendment for reservation in appointment of Supreme Court and High Court judges;
- (c) if so, the details thereof, if not, the reasons therefor;
- (d) whether any proposals regarding the implementation of a reservation policy in Higher Judiciary have been made by Government to Collegium for proportional representation in appointment of Supreme Court and High Court judges; and
- (e) if so, the details thereof?

**ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

(a) to (e): 30 judges have been appointed in the Supreme Court from 1.1.2018 to 30.1.2023. During the above period, 554 fresh appointments of judges have been made in various High Courts. Appointment of judges of the Supreme Court and High Court is made under Article 124, 217 and 224 of the Constitution of India which do not provide for reservation for any caste or class of persons. The Government has, however, 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 the High Courts.

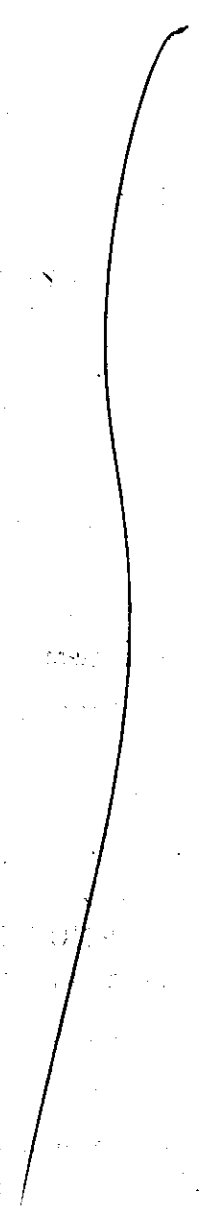
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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE  
RAJYA SABHA  
STARRED QUESTION NO. 78  
TO BE ANSWERED ON THURSDAY, THE 09.02.2023

✓ ALARA

**Differences with the top Judiciary**

78\*. SHRI JAWHAR SIRCAR:

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

- (a) the details regarding sharp points of difference between the Supreme Court and Government on important issues like the power and procedure of appointing Judges to the High Courts and the Supreme Court;
- (b) the status regarding the Supreme Court's recommendations made for filling up the posts of Judges in High Courts and the Supreme Court; and
- (c) whether Government proposes to introduce any Bill in this regard?

**ANSWER**

MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJU)

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

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**Statement referred to in reply to parts (a) to (c) of Rajya Sabha Starred Question No. \*78 due for answer on 09.02.2023 regarding "Differences with the top Judiciary"**

(a) to (b): Appointment of Judges in Higher Judiciary is a collaborative and integrated process involving both the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities. Differences of opinion if any are mutually reconciled by the Executive and the Judiciary to ensure that only the appropriate person is appointed to the high constitutional post of a Judge.

As on 06.02.2023 against the sanctioned strength of 34 Judges, 32 Judges are working in the Supreme Court and recommendation to fill up remaining 02 vacancies received from the Supreme Court Collegium is at various stages of processing.

In the High Courts, against the sanctioned strength of 1108 Judges, 771 Judges are working and 337 posts of Judges are vacant. Appointment in respect of 13 Judges in various High Courts has been notified on 06.02.2023. Against these vacancies 127 proposals recommended by High Court Collegium are at various stages of processing and recommendations against 210 vacancies in the High Courts are yet to be received from the High Court Collegiums.

(c) No Sir.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE

NM

RAJYA SABHA  
STARRED QUESTION NO. \*80  
ANSWERED ON 09/02/2023

JS(WMJKR)

✓ STATUS OF PENDENCY OF CASES IN HIGH COURTS AND SUPREME COURT

80. SHRI KANAKAMEDALA RAVINDRA KUMAR:

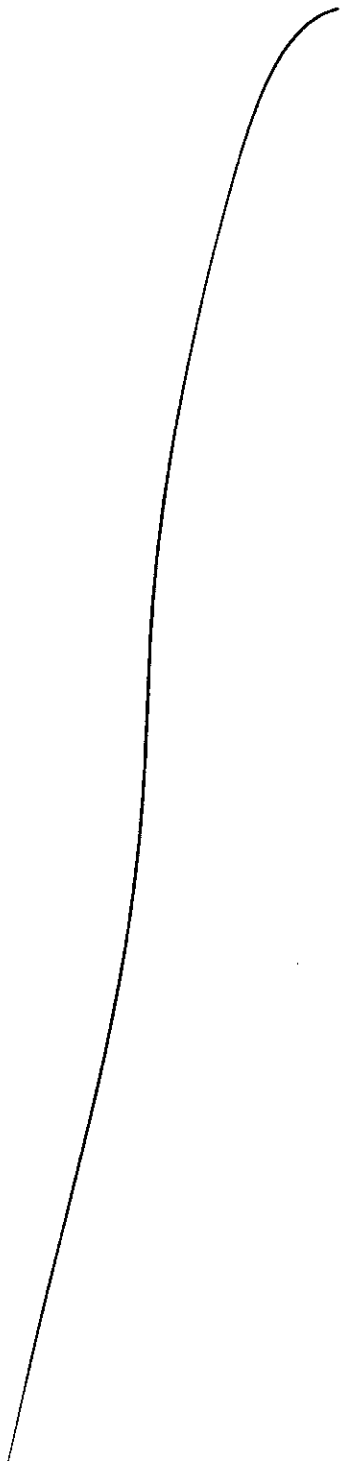
Will the Minister of LAW AND JUSTICE be pleased to state :-

- (a) the details of pendency of cases in the Supreme Court, as on 1st February, 2023;
- (b) the details of pendency of cases in the High Court of States across the country, as on 1st February, 2023; and
- (c) the details of the steps/plan/measures that are being taken by Government to reduce/minimize the pendency of cases in the Supreme Court as well as High Courts of States across the country?

ANSWER  
MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)

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

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**STATEMENT REFERRED TO IN REPLY TO PART (A) TO (C) OF RAJYA SABHA STARRED QUESTION NO. 80 FOR REPLY ON 09.02.2023 REGARDING 'STATUS OF PENDENCY OF CASES IN HIGH COURTS AND SUPREME COURT' ASKED BY SHRI KANAKAMEDALA RAVINDRA KUMAR '.**

- (a): As per the information provided by the Supreme Court of India on its official website, there are 69,511 cases pending in the Supreme Court as on 1<sup>st</sup> February, 2023.
- (b): There are 59,87,477 cases pending in the High Courts across the country as per the information available on National Judicial Data Grid (NJDG) on 1st February, 2023. The detailed statement on High Court-wise pendency of cases as on 1st February, 2023 is placed at ANNEXURE.
- (c): The disposal of pending cases in the Supreme Court and High Courts lies exclusively within the domain of the judiciary. The Central Government has no direct role in the matter.

However, the Government has taken several initiatives to provide suitable environment for expeditious disposal of cases by the judiciary. Central Government started 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. The Mission has been pursuing a coordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia*, involves better infrastructure for courts, including computerization, an 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 major steps taken under various initiatives of the Department of Justice to assist in reducing/minimizing the pendency of cases in the courts and their outcomes are as follows:



- i. **Improving infrastructure for Judicial Officers of District and Subordinate Courts:** As on date, Rs. 9490.45 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 21,245 as on 30.01.2023, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,726 as on 30.01.2023, under this scheme. In addition, 2,780 court halls and 1652 residential units are under construction (as per Nyaya Vikas Portal). The Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary has been extended till 2025-26 at a total cost of Rs. 9,000 crores, out of which the central share will be Rs. 5,307 crores. Besides, the construction of court halls and residential units, it would also cover the construction of lawyer's halls, toilet complexes, and digital computer rooms.
  
- ii. **Leveraging Information and Communication Technology (ICT) for improved justice delivery:** The Government has been implementing the e-Courts Mission Mode Project throughout the country for information and communication technology 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. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized district and subordinate courts. All stakeholders, including judicial officers can access information relating to judicial proceedings/decisions of computerized district & subordinate courts and high courts on the National Judicial Data Grid (NJDG). As on 02.02.2023, litigants can access the case status of over 22.09 crore cases and 20.43 crore orders/judgments pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through the eCourts web portal, Judicial Service Centers (JSC) in all computerized courts, the eCourts

Mobile App, email service, and SMS push, and pull services. A video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. With a view to handling the COVID-19 challenges better and making the transition to virtual hearings smoother, 619 e-SewaKendras 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. Rs. 5.01 crore has been allocated for providing equipment in video conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crore has been allocated for 1,732 help desk counters for e-filing in various court complexes.

21 virtual courts have been set up in 17 States/UTs viz. Delhi (2), Haryana, Tamil Nadu, Karnataka, Kerala (2), Maharashtra (2), Assam, Chhattisgarh, Jammu & Kashmir (2), Uttar Pradesh, Odisha, Meghalaya, Himachal Pradesh, Madhya Pradesh, Tripura, West Bengal, and Rajasthan to try traffic offences. As on 02.01.2023, these courts have handled more than 2.40 crore cases and realized more than Rs. 347.86 crore in fines.

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. Since Covid lockdown began, the district courts heard 1,82,20,040 cases while the high courts heard 77,01,697 cases (total 2.59 crore) via video conferencing till 30.12.2022. The Supreme Court had 3,79,954 hearings since the lockdown period upto 24.12.2022.

- iii. **Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts:** From 01.05.2014 to 06.02.2023, 52 Judges were appointed in Supreme Court. 870 new judges were appointed and 626 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 1108 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
06.02.2023	25,135	19,376

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

- iv. **Reduction in Pendency through / follow up by Arrears Committees:** 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. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in high courts and district courts. In the past, Minister of Law & Justice has taken up the matter with the Chief Justices of High Courts and the Chief Ministers of states drawing their attention to the cases pending for more than five years and to take up pendency reduction campaign. The Department of Justice has developed an online portal for reporting by all High Courts on the compliance of Arrears Eradication Scheme guidelines of the Malimath Committee Report.
- v. **Initiatives to Fast Track Special Type of Cases:** The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in states which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements. As on 31.12.2022, 848 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 (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal, and 2 in NCT of Delhi). 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. Rs.140 crore was released in the financial year 2019-20, Rs. 160 crore has been released during the financial year 2020-21 and Rs. 134.557 crore has been released during the financial year 2021-22 for the scheme Rs. 186.93 crore has been released during current FY upto December, 2022. 768 FTSC are functional including 418 exclusive POCSO Courts, which disposed more than 1,37,000 cases as on 31.12.2022.

- vi. In addition, 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. **Emphasis on Alternate Dispute Resolution (ADR):** Commercial Courts Act, 2015 (as amended on 20<sup>th</sup> August, 2018) stipulates mandatory Pre-institution Mediation and Settlement (PIMS) 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

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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. In order to reduce the pendency of cases in courts and also to settle the disputes at pre-litigation stage, Lok Adalats are organized by Legal Services Institutions at such intervals as it deems fit. Lok Adalat is not a permanent establishment. However, as per Section 19 of the LSA Act, 1987, Lok Adalats are organized by Legal Services Institutions as per requirement. 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 two years are as under:-

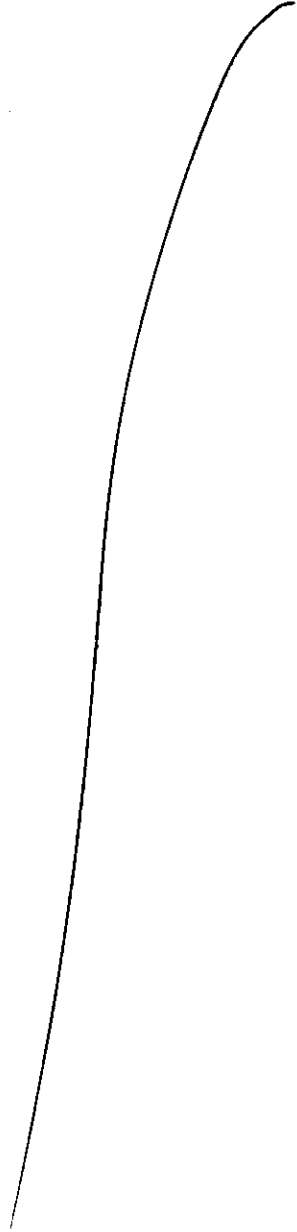
Years	Pre-litigation Cases	Pending Cases	Grand Total
2021	72,06,294	55,81,743	1,27,88,037
2022	3,10,15,215	1,09,10,795	4,19,26,010
Total	3,82,21,509	1,64,92,538	5,47,14,047

- 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.

Category	Total Advice Enabled	%
SC	10,00,641	31.62 %
ST	5,62,169	17.77 %
OBC	9,26,006	29.26 %
Women	10,59,373	33.48 %
General	6,75,574	21.35 %
As on 31 <sup>st</sup> January, 2023	<b>31,64,390</b>	

- 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.

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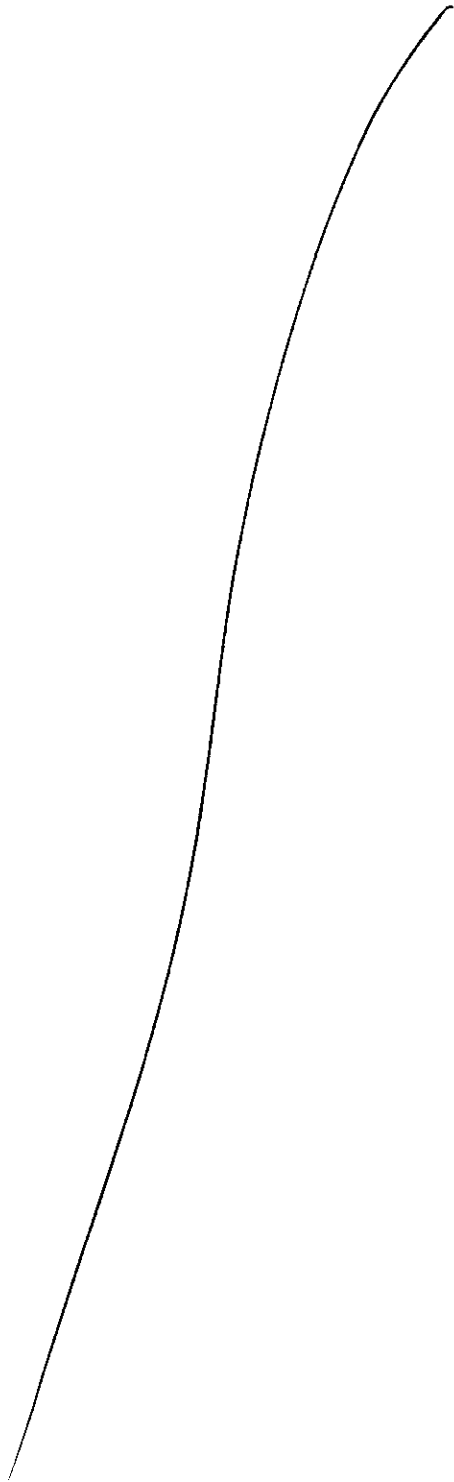
## Annexure-I

Pendency of Cases in various High Courts as on 1<sup>st</sup> February, 2023

Sr No.	High Court	Both
1	Allahabad High Court	1030185
2	High Court Of Rajasthan	640267
3	Bombay High Court	620586
4	Madras High Court	550926
5	High Court of Punjab and Haryana	445056
6	High Court of Madhya Pradesh	431727
7	High Court of Karnataka	304556
8	High Court for State of Telangana	253358
9	High Court of Andhra Pradesh	241465
10	Patna High Court	213158
11	Calcutta High Court	206720
12	High Court of Kerala	195349
13	High Court of Gujarat	161036
14	Orissa High Court	160451
15	High Court of Delhi	106078
16	High Court Of Chhattisgarh	91683
17	High Court of Himachal Pradesh	91189
18	High Court of Jharkhand	86881
19	Gauhati High Court	58501
20	High Court of Uttarakhand	45554
21	High Court of Jammu and Kashmir	45052
22	High Court of Manipur	4884
23	High Court of Tripura	1469
24	High Court of Meghalaya	1175
25	High Court of Sikkim	171
<b>Total</b>		<b>5987477</b>

Source: - National Judicial Data Grid (NJDG)





GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

RAJYA SABHA  
STARRED QUESTION NO. 85  
TO BE ANSWERED ON THURSDAY, 9<sup>th</sup> FEBRUARY, 2023.

Free legal aid to the poor

LAP

✓ JS (WKS)

85. Shri Sanjay Raut:

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

- (a) the details of authorities/institutions involved in providing free legal aid to the poor in the country;
- (b) whether Government proposes to strengthen these authorities/institutions, including the National Legal Services Authority (NALSA), if so, the details thereof;
- (c) whether Government has also launched the Nyaya Bandhu (Pro-Bono Legal Services) programme and if so, the details thereof; and
- (d) the number of Pro-Bono advocates along with the number of beneficiaries that have been registered under the programme?

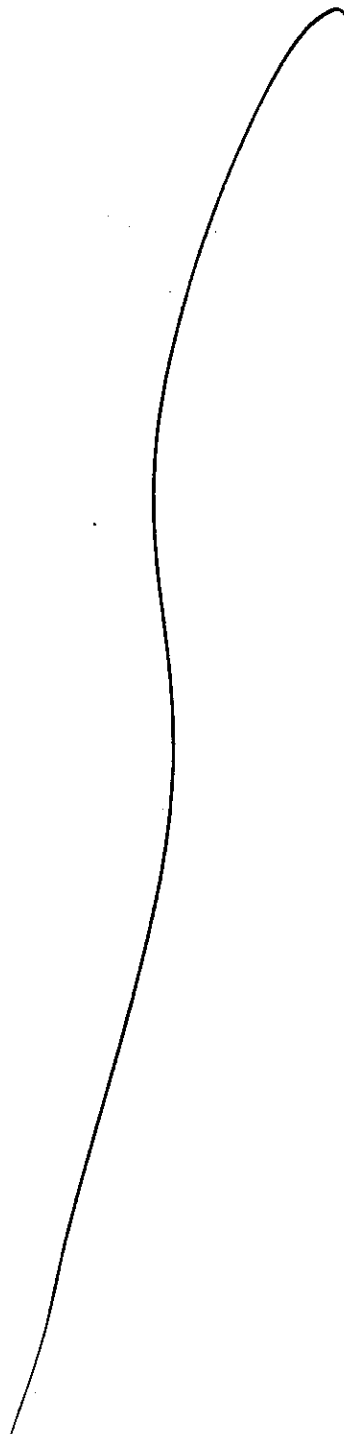
ANSWER

MINISTER OF LAW & JUSTICE  
(SHRI KIREN RIJJU)

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

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**Statement referred to in reply to parts (a) to (d) of Rajya Sabha Starred Question No. 85 for reply on 09.02.2023 regarding 'Free legal aid to the poor' asked by Shri Sanjay Raut.**

(a) The following Authorities/Institutions are established to provide free legal aid to poor and weaker sections of the society :-

- i. National Legal Services Authority (NALSA) at National level
- ii. Supreme Court Legal Services Committee (SCLSC) at Supreme Court level
- iii. 39 High Court Legal Services Committees (HCLSCs) at High Court level
- iv. 37 State Legal Services Authorities (SLSAs) at State level
- v. 676 District Legal Services Authorities (DLSAs) at District level
- vi. 2361 Taluk Legal Services Committees (TLSCs) at Taluk level

(b) The Government extends all support to strengthen the legal services authorities/institutions in the form of Grants-in-Aid. During the last 3 years i.e. 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 by the Government to NALSA for various legal aid activities like free legal assistance, Lok Adalats, legal awareness programmes across the country etc.

(c) and (d) Yes Sir. The Government launched Nyaya Bandhu (Pro-bono Legal Services) with the primary aim of advancing the culture of pro bono and creating a framework for dispensation of offering pro bono legal services across the country. It links the persons eligible to avail free legal aid under Section 12

of Legal Services Authorities (LSA) Act, 1987 with the pro-bono lawyers. Under the programme, practicing advocates, interested in undertaking legal pro bono work, are connected, via mobile application, with eligible marginalised beneficiaries, for delivery of pro bono (free of charge) legal services. As on 31<sup>st</sup> January, 2023 there are total 5817 advocates enrolled and 2097 cases of the beneficiaries registered.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO. 821**  
TO BE ANSWERED ON THURSDAY, THE 09.02.2023

**Supreme Court Collegium recommendations**

✓ AS(A&A)  
821 SHRI MALLIKARJUN KHARGE:

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

- (a) whether it is a fact that Government has returned the recommendations made by the Supreme Court Collegium, which the Collegium had previously reiterated;
- (b) if so, under what rules and procedure were such recommendations again sent back to the Supreme Court Collegium despite their reiteration;
- (c) whether Government has taken into consideration the comments made by the Supreme Court in regard to the appointment of Judges and pending recommendations of the Collegium; and
- (d) if so, the details thereof?

**ANSWER**

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (d): As per existing Memorandum of Procedure on appointment of High Court Judges, the proposal is initiated by the Chief Justice of the High Court in consultation with two senior most puisne Judges of the High Court. The views of State Constitutional Authorities on the proposals are also obtained. The Union Minister of Law & Justice considers the recommendations in the light of such other reports as may be available to the Government in respect of the names under consideration. The complete material is then forwarded to the Chief Justice of India for his advice. Accordingly, the Government sends all proposals received from the High Court Collegiums to the Supreme Court Collegium (SCC) for advice. Government appoints only those persons whose names have been recommended by the SCC as Judges of the Supreme Court and High Courts.

10 proposals reiterated by SCC were recently referred back to the SCC for reconsideration. Out of these 10 proposals, SCC has reiterated its earlier recommendation for appointment in respect of 03 proposals. On the remaining 07 reiterated proposals, SCC has sought additional inputs from the High Court Collegium.

In view of various reports/ input received by Government, which in the opinion of the Government warrant further consideration by the Collegium, the Government has sent such reiterated cases for

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: 2 :

reconsideration as was done in the past as well. There have been instances in the past when the SCC had agreed to the views expressed by the Government and recalled its reiterated recommendations.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 906

TO BE ANSWERED ON THURSDAY, THE 09.02.2023

AS (AR A)

**Draft MoP for appointment of Judges**

✓ 906. SHRI SUSHIL KUMAR MODI:

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

- (a) the number of draft Memorandums of Procedure (MoPs) for appointment of Judges exchanged between the Supreme Court (SC) and the Government since 2018;
- (b) whether the MoP is pending finalisation since 2018, and if so, the reasons therefor;
- (c) the details of the recent communication made by Government with SC on restructuring the Collegium in the MoP; and
- (d) whether a response has been received from the SC, if so, details thereof?

**ANSWER**

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (d) : 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.



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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. It was laid down that 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 revised MoP to Hon'ble Chief Justice of India on 22.3.2016 and the response of the Supreme Court Collegium on the said revised draft MoP was received on 25.05.2016 and 01.07.2016. The views of the Government in response to the views of the SCC was conveyed to the CJI on 03.08.2016. Subsequent comments of SCC on the views of Government on the draft MoP were received on 13.03.2017.

Thereafter, the Supreme Court in a judgment dated 04.07.2017 in a 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 as High Court Judge inter-alia highlighting the need to revisit the process of selection and appointment of Judges to the Constitutional Courts. The views of the Government on the relevant points were conveyed to Supreme Court of India vide letter dated 11.07.2017.

A two-judge Bench of Supreme Court vide its judgment dated 28.03.2018 in Criminal Appeal No. 470 of 2018, brought out deficiencies in the system and emphasized the need to improve the process of appointment of Judges to the Constitutional Courts.

In another case, while hearing a matter involving M/s PLR Projects Pvt Ltd. vs Mahanadi Coalfield Ltd. and Ors [Transfer Petition (civil) no: 2419 of 2019] regarding issue of appointment of High Court Judges, the three-judge Bench of the Supreme Court, vide order dated 20.04.2021, laid down additional timelines in respect of the time taken by the Government

in processing the proposal for appointment of Judges of High Courts. However, these timelines are not yet a part of MoP.

The Supreme Court, while hearing another case No. WP(C) 1236 of 2019 on the matter of appointment of retired judges at sittings of High Courts under Article 224A of the Constitution of India, vide its judgment dated 20.04.2021 has laid down fresh criterion for their appointment. After detailed deliberation, Government has submitted its views to the Chief Justice of India on 18.08.2021 to supplement para 24 of existing MoP which provides for the appointment of retired judges at the sitting of High Courts under Article 224A. The issue is still under consideration of the Supreme Court.

While sending the proposal for supplementation of MoP on the criteria fixed in Supreme Court order dated 16.12.2015 in W.P.(C) 13 of 2015 in NJAC matter, Government has made suggestions including the need for a Screening-cum- Evaluation Committee at the Supreme Court and High Court levels to assist the Collegiums of Supreme Court and High Courts, respectively. It was proposed that the Committees may screen and evaluate relevant material on the suitability of the prospective candidates and would act as a facilitator. The decision to make recommendations will continue to be exercised by the respective Collegiums of the Supreme Court and High Courts. However, the Supreme Court did not agree to set up such Committees.

In its recent communication dated 06.01.2023 to the Chief Justice of India, the Government has emphasized the need to finalize the MoP in view of various judicial pronouncements and *inter-alia* suggested that the Search-cum-Evaluation Committee in respect of appointment of Judges in the Supreme Court and Chief Justices of High Courts should consist of a representative nominated by Government of India. For appointment of Judges in the High Courts, the Committee should consist of a representative nominated by Government of India and a representative of State Government(s) under the jurisdiction of High Court as nominated by the Chief Minister(s). The existing MoP stipulates that if the Chief Minister desires to recommend the name of any person, he/she should forward the same for consideration. However, since this has not been put in actual practice, the names recommended by the Chief Minister can also be received by the Search-cum-Evaluation Committee along with the names taken from senior Judges outside the Collegium and eligible candidates taken from the database (Judicial Officers and Advocates) as maintained by the proposed Secretariat. The High Court Collegium may

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deliberate upon panel of names drawn up by the said Committee and recommend the names of the most suitable candidates for appointment as Judges of the Supreme Court; Chief Justices and Judges of the High Courts. The Collegium at appropriate level may address the above requirements of drawing up panel of eligible candidates from aforementioned sources and draw up their proceedings by rendering requisite reasons and thereafter send the proposal to the Government with relevant documents. The said Committees will be entrusted to prepare a panel of eligible candidates from which the respective Collegiums will make recommendation. A response from the Supreme Court is awaited.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

RAJYA SABHA  
UNSTARRED QUESTION NO.907  
ANSWERED ON-09/02/2023

A2J

JUDICIAL PROCESS IN LOCAL LANGUAGES

✓ JS(WRGS)

907. # SHRI MITHLESH KUMAR:

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

- (a) whether Government proposes to launch any scheme to introduce the use of local language in the judicial process to provide a speedy justice to the people, if so, the details thereof; and
- (b) the number of courts proposed to function in that mode across the country, the State-wise details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

**(a)&(b):** No, 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. 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 use of Hindi was authorized in the proceedings of High Court of Rajasthan (Year 1950), Uttar Pradesh (Year 1969), Madhya Pradesh (Year 1971) and Bihar (Year 1972).

In order to make the judicial proceedings and judgements more comprehensive for the grasp of common citizen, specific efforts have been made for translation of proceedings and judgements from English to other regional languages.

As informed by the Registry of the Supreme Court, Hon'ble Supreme Court passes verdicts in many subject categories out of which verdicts passed in 14 subject categories are being translated into any of the related 14 vernacular languages i.e. Assamese, Bengali, Garo,

Hindi, Kannada, Khasi, Malayalam, Marathi, Nepali, Odia, Punjabi, Tamil, Telugu and Urdu through respective High Courts.

Further, SUVAS (Supreme Court Vidhik Anuwad Software) which is an Artificial Intelligence based software has the ability to translate judicial domain documents from English to Hindi, Kannada, Tamil, Telugu, Punjabi, Marathi, Gujarati, Malayalam, Bengali, Urdu and vice-versa.

Under the aegis of the Ministry of Law and Justice, the Bar Council of India has constituted "Bhartiya Bhasa Samiti" chaired by former Chief Justice of India, Hon'ble Mr. Justice S.A. Bobde. The Committee is developing a common core vocabulary close to all Indian languages for the purpose of translating legal material into regional languages.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE  
RAJYA SABHA  
UNSTARRED QUESTION NO. 908  
ANSWERED ON 09/02/2023

N/M

JS(WMJK)

VACANCY OF JUDGES IN DISTRICT COURTS

✓ 908. SHRI VIKRAMJIT SINGH SAHNEY:

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

- (a) whether it is a fact that District Courts in the country have a total vacancy of 5,850 Judges, if so, the reasons therefor;
- (b) the number of vacant posts of Judges in District Courts during the last five years, year-wise, State-wise and district-wise for Punjab;
- (c) by when Government is planning to fill vacant positions of Judges in District Courts in the country, especially District Courts of Punjab; and
- (d) the details of the number of pending cases in District Courts during the last five years, year-wise, State-wise and district-wise for Punjab?

ANSWER

MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJU)

(a): As per the information available with the Department as on 3<sup>rd</sup> February 2023, there is a total vacancy of 5768 judicial officers in the District and Subordinate Courts

against the sanctioned and working strength of 25077 and 19309 judicial officers respectively.

As far as filling up of the vacancies of Judges in District Courts are concerned, the Central Government has no direct role. 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 High Courts, frame the Rules and Regulations regarding the issues of appointment, recruitment 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.

(b) & (c): The detailed statement depicting the vacant posts of judges in District Courts, year-wise and State-wise for the last five years is at *Annexure-I*.

As per the information provided by the Punjab and Haryana High Court, no separate district-wise vacancy position of judicial officers during the last five years in the State of Punjab is being maintained. The Punjab and Haryana High Court has further informed that the judicial officers in District and Subordinate Courts are posted as per pendency of cases in such courts.

As per the Constitutional provisions under Article 309 read with Articles 233 and 234 of the Constitution, 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. Central Government has no direct role in filling up vacant positions of Judges in District Courts.

As far as expeditious filling up of vacancies is concerned, the Hon'ble Supreme Court of India, through a judicial order in January 2007 in *Malik Mazhar Sultan* case,

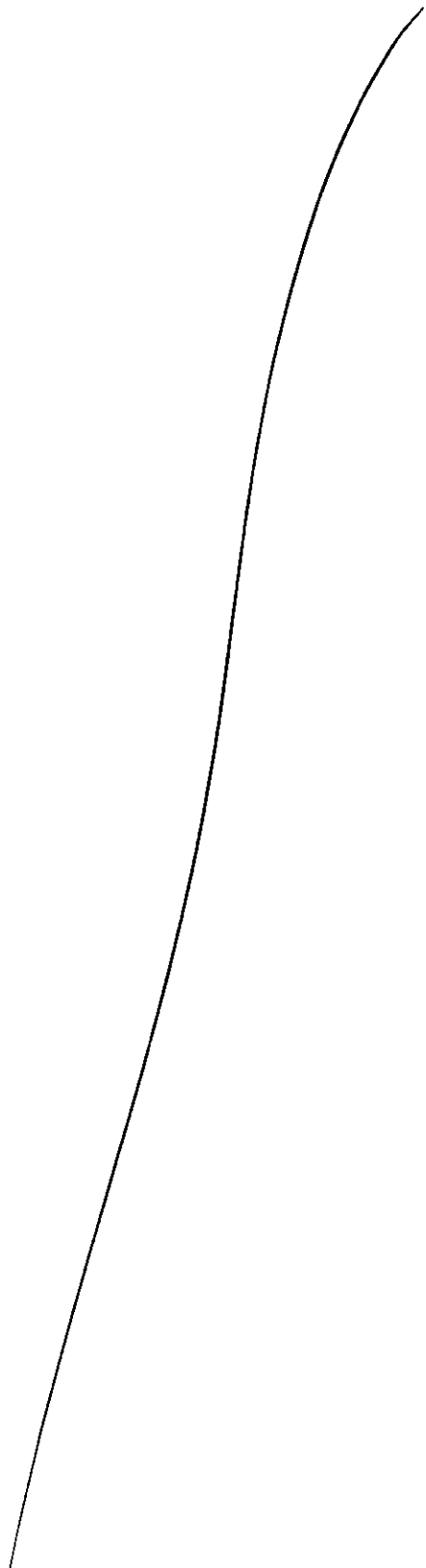
stipulated that process for recruitment of judges in subordinate courts would commence on 31<sup>st</sup> March of a calendar year and end by 31<sup>st</sup> October of the same year. In the said case, the Supreme Court, taking suo-motu cognizance of large number of judicial vacancies in lower courts, directed State Governments/UTs and Registrars General of jurisdictional High Courts to inform the position regarding filling up of judicial vacancies. The Supreme Court is monitoring the filling up of vacancies under the said judicial order.

As per the information provided by Punjab and Haryana High Court, there are a total of 208 vacancies in Subordinate Judiciary in the State of Punjab as on 5<sup>th</sup> February, 2023. In case of vacancies in the cadre of Punjab Superior Judicial Service, for the vacancies under the 65% quota (to be filled by way of regular promotion), the recruitment process is at final stage. In case of 10% quota of seats to be filled through Limited Competitive Examination, no candidate was found to be suitable. Lastly, for the remaining 25% vacant posts to be filled through direct recruitment, the process of recruitment is being initiated. For the lower judiciary [P.C.S (Judicial Branch)] cadre of judicial officers, the process to fill up 159 vacancies has been initiated.

(d): The detailed statement showing number of pending cases in District Courts, year-wise and State-wise for the last five years is at *Annexure-II*. As per information provided by Punjab and Haryana High Court, the detailed statement showing District-wise number of pending cases in District Courts of Punjab during the last 5 years is at *Annexure-III*.

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## ANNEXURE I

## Vacancy Position for Past 5 years in District and Subordinate Courts.

S. No.	State/UTs	Vacancy position as on 31 <sup>st</sup> December of each year				
		2018	2019	2020	2021	2022
1	Uttarakhand	59	66	42	28	30
2	Andhra Pradesh	49	68	97	115	73
3	Arunachal Pradesh	5	14	9	9	8
4	Assam	47	29	54	31	60
5	Bihar	640	776	503	560	667
6	Chandigarh	0	1	4	0	0
7	Chhattisgarh	55	74	93	73	90
8	D & N Haveli	0	0	1	1	1
9	Daman & Diu	0	1	0	0	0
10	Delhi	258	118	150	173	203
11	Goa	8	7	10	10	10
12	Gujarat	356	336	369	400	431
13	Haryana	162	297	279	290	308
14	Himachal Pradesh	10	22	14	15	16
15	Jammu and Kashmir	86	58	41	59	91
16	Jharkhand	216	216	131	152	186
17	Karnataka	725	531	286	286	233
18	Kerala	63	79	68	81	122
19	Ladakh	-	-	8	8	8
20	Lakshadweep	0	0	0	0	0
21	Madhya Pradesh	511	401	411	469	372
22	Maharashtra	167	247	250	250	250
23	Manipur	15	16	18	17	17
24	Meghalaya	58	48	48	48	48
25	Mizoram	21	18	21	23	33
26	Nagaland	7	8	7	10	10
27	Odisha	156	149	194	191	234
28	Puducherry	7	15	15	15	17
29	Punjab	144	96	99	85	208
30	Rajasthan	229	307	197	274	331
31	Sikkim	4	6	5	8	9
32	Tamil Nadu	238	175	249	234	272
33	Telangana	48	79	96	49	150
34	Tripura	40	24	23	25	20
35	Uttar Pradesh	1188	838	1053	1092	1173
36	Andaman and Nicobar	0	-13	-13	-13	-13
37	West Bengal	75	96	96	96	96
<b>TOTAL</b>		<b>5647</b>	<b>5203</b>	<b>4928</b>	<b>5164</b>	<b>5764</b>

Source: MIS Portal, Department of Justice

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## ANNEXURE II

**REGARDING DETAILS OF CASES PENDING IN DISTRICT AND SUBORDINATE COURTS DURING THE LAST FIVE YEARS**

S.No	State/UT	Pendency Position (as on 31 <sup>st</sup> December)				
		2018*	2019*	2020**	2021**	2022**
1.	Andhra Pradesh	1068400	567096	635220	773952	829147
2.	Andaman & Nicobar	10229	9795	0	0	11886
3.	Arunachal Pradesh	9652	10658	Not available on NJDG		
4.	Assam	291960	301427	357197	417788	488800
5.	Bihar	2502204	2714344	3158070	3379229	3445159
6.	Chandigarh	56357	62955	57418	69502	79526
7.	Chhattisgarh	267429	285025	324273	376220	411599
8.	Delhi	834813	882366	955850	1082415	1293571
9.	Diu and Daman			2777	2878	2901
10.	DNH at Silvassa	5468	5344	3502	3681	3770
11.	Goa	42783	49049	56545	59370	56375
12.	Gujarat	1447459	1595813	1890667	1951550	1743723
13.	Haryana	728097	853375	1100904	1281697	1458270
14.	Himachal Pradesh	256640	293706	416564	455949	476137
15.	Jammu & Kashmir	163520	172769	215803	243026	299716
16.	Jharkhand	330607	365642	438567	495108	519156
17.	Karnataka	1494608	1531008	1746886	1823103	1893265
18.	Kerala	1652509	1614277	1798342	1943255	1933363
19.	Ladakh			749	824	1154
20.	Lakshadweep	364	397	Not available on NJDG		
21.	Madhya Pradesh	1354602	1455435	1690053	1876194	2000268
22.	Maharashtra	3531425	3821487	4516311	4881718	4982911
23.	Manipur	6216	6516	10794	12802	12269
24.	Meghalaya	13584	13673	10403	14622	16135
25.	Mizoram	6154	6589	4699	5882	5142
26.	Nagaland	4994	3361	1539	2603	2966
27.	Odisha	1319031	1433522	1382538	1519106	1559338
28.	Puducherry	27161	30094	0	34029	29831
29.	Punjab	602014	642327	843791	945609	923581
30.	Rajasthan	1732308	1769823	1830462	2029814	2123475
31.	Sikkim	1208	1142	1570	1926	1843
32.	Tamil Nadu	1084286	1137684	1288573	1363917	1432575
33.	Telangana		580193	674301	805622	1059401
34.	Tripura	58261	27491	41032	39204	40012
35.	Uttar Pradesh	6987417	7807863	8572092	9822224	10973480
36.	Uttarakhand	232338	195281	260564	301001	327350
37.	West Bengal	1950492	2048697	2380633	2589993	2772290
<b>Total</b>		<b>30074590</b>	<b>32296224</b>	<b>36668689</b>	<b>40605813</b>	<b>43210385</b>

\*Data Source: Supreme Court of India.

\*\*Data Source: NJDG Portal.

## ANNEXURE III

**REGARDING DETAILS OF CASES PENDING DISTRICT-WISE IN PUNJAB DISTRICT AND SUBORDINATE COURTS DURING THE LAST FIVE YEARS**

S.No	Name of District	Pendency Position (as on 31 <sup>st</sup> December)				
		2018*	2019*	2020**	2021**	2022**
1.	Amritsar	49973	58810	77983	87399	83670
2.	Barnala	9085	9312	11943	13433	14652
3.	Bathinda	29839	32257	43807	48520	47661
4.	Faridkot	9694	10333	14529	17307	17966
5.	Fatehgarh Sahib	15513	16516	19844	20146	20363
6.	Fazilka	22025	23559	29217	34366	31067
7.	Ferozepur	17822	18689	25036	32322	30445
8.	Gurdaspur	23985	27065	37127	41723	40577
9.	Hoshiarpur	27517	27815	36122	39872	40193
10.	Jalandhar	55613	60899	77160	84736	77891
11.	Kapurthala	19209	17994	25275	26065	25631
12.	Ludhiana	120671	122801	160881	168611	161452
13.	Mansa	11826	12436	18502	20133	20094
14.	Moga	13698	14939	20260	23621	22649
15.	Pathankot	9604	10911	13718	16755	18298
16.	Patiala	51492	54019	69039	76537	76068
17.	Rupnagar	18275	17869	22338	25089	25050
18.	SAS Nagar	24511	28070	38358	50574	51221
19.	Sangrur	31346	35623	45928	51732	53232
20.	SBS Nagar	10700	10837	13982	16730	14920
21.	Sri Muktsar Sahib	13950	15857	21855	25444	25566
22.	Tarn Taran	15666	15716	20887	24494	24915
	<b>TOTAL</b>	<b>602014</b>	<b>642327</b>	<b>843791</b>	<b>945609</b>	<b>923581</b>

Source: Punjab and Haryana High Court



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GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE

RAJYA SABHA  
UNSTARRED QUESTION NO. 910

ANSWERED ON 09/02/2023

JUDICIAL INFRASTRUCTURE

JR

✓ JS (W/MJR)  
910. SHRI PRABHAKAR REDDY VEMIREDDY:

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

- (a) whether Government is implementing Centrally Sponsored Scheme (CSS) to provide infrastructural facilities for judiciary;
- (b) if so, the details of infrastructure and other facilities proposed to be provided to judiciary in the State of Andhra Pradesh;
- (c) whether it is a fact that Government has allocated ₹ 20 crore in 2019-20 and ₹ 10.28 crore in 2020-21 for judicial infrastructure in Andhra Pradesh;
- (d) if so, the reasons for budget not been allocated in 2021-22 and 2022-23;
- (e) the funds allocated for the budget in FY 2023-24; and
- (f) the efforts being made to take up the infrastructure and other facilities for judiciary in Andhra Pradesh?

**ANSWER**

THE MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)

(a) to (f): The primary responsibility of development of Infrastructure facilities for judiciary rests with the State Governments. Since 1993-94, the Union Government has been implementing a Centrally Sponsored Scheme for Development of Infrastructure Facilities in district and subordinate courts by providing financial assistance to State Governments / UTs in the prescribed fund sharing pattern. The Government has approved the continuance of this CSS for a further period of 5 years from 01.04.2021 to 31.03.2026, with a total budgetary outlay of Rs.9000 crores, including Central share of Rs.5307 crores. The scheme components have been expanded, to also cover the construction of toilets, digital computer rooms and Lawyers' Hall, in addition to the Court Halls & Residential Units in the district and

subordinate courts. Till date, the Central Government has released Rs. 9749.30 crore under this Scheme to States/UTs, out of which an amount of Rs. 199.92 crore has been released to the State of Andhra Pradesh, including Rs. 20 crore and Rs. 10.28 crore in 2019-20 and 2020-21 respectively. During the financial year 2022-23, an amount of Rs. 848.00 crore has been allocated for the scheme, out of which Rs. 739.90 crore has been released till date, and allocation of Rs. 12.29 crore has been made for the State of Andhra Pradesh. However the release of funds to any State is subject to fulfillment of laid down conditions viz submission of Utilization Certificate(s) for the unspent balance of Central and State share lying unutilized with the State Government, compliance of revised Public Financial Management System guidelines and complete Action Plan for the projects to be taken up. For better monitoring and tracking of funds, the Ministry of Finance, Department of Expenditure in April, 2021 introduced a new system of fund release through Single Nodal Account (SNA) under which, all the States have to on-board onto the PFMS portal and to ensure that all expenditure gets timely captured / reflected on the relevant reports of the PFMS portal. However, in case of Andhra Pradesh the utilization of Rs.4.70 crore of year 2020-21 is yet to be provided by the State Government. Further, in case of Andhra Pradesh no expenditure is getting shown / captured on the PFMS portal. Thus due to non fulfillment of laid down conditions/compliances, release of funds to Andhra Pradesh could not be considered in the current financial year also.

Besides, regularly sending letters for expediting fulfillment of all the pre-conditions for release of funds under the scheme, the Department of Justice has been holding bi-monthly review meetings with the State Governments and High Courts and other Stakeholders to monitor the progress of ongoing projects and utilization of unspent balance and to resolve the State specific issues pertaining to PFMS compliances so as to facilitate release of funds to the States.

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

RAJYA SABHA

DOLA

UNSTARRED QUESTION NO. 911  
TO BE ANSWERED ON THURSDAY, THE 9<sup>th</sup> FEBRUARY, 2023

Pilot project on arbitration law

911 # Shri Brijlal:

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

- (a) whether a pilot project on arbitration law has been initiated in 18 districts of the State under the initiative of the Supreme Court and supervision of the Chhattisgarh High Court and if so, the details thereof;
- (b) the extent to which the pendency of court cases is likely to be reduced by this pilot project; and
- (c) whether Government is also considering to implement this arbitration law across the country and if so, by when it is likely to be implemented?

ANSWER

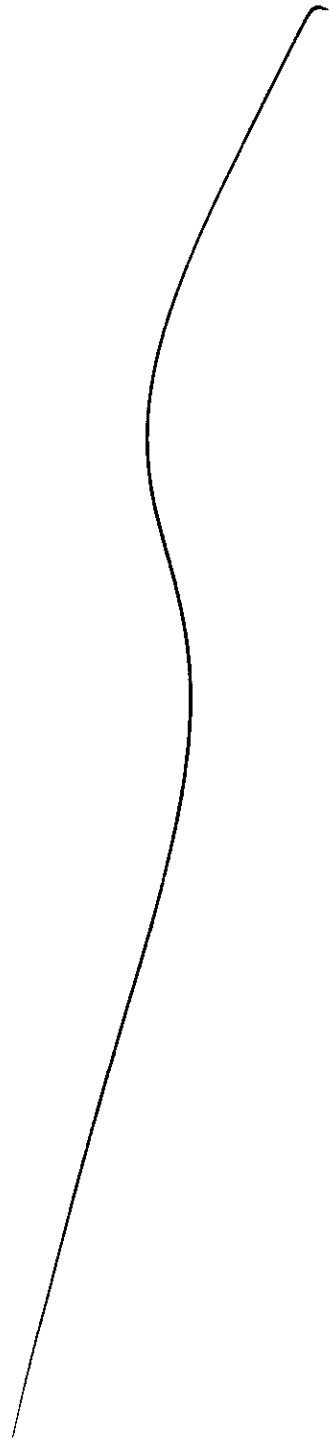
MINISTER OF LAW & JUSTICE  
(SHRI KIREN RIJJU)

(a) and (b) : No Pilot project on "arbitration law" has been implemented in the State of Chhattisgarh.

(c) : The Arbitration & Conciliation Act, 1996, extends to whole of India.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
(DEPARTMENT OF JUSTICE)  
**RAJYA SABHA**  
**UNSTARRED QUESTION No. 912**  
ANSWERED ON 09/02/2023

**Operational e-Courts in Tamil Nadu**

*e-courts*

✓ SS(PPP)

912. Dr. Kanimozhi NVN Somu:

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

- (a) the number of operational e-courts in the State of Tamil Nadu, district-wise;
- (b) the number of cases that have been disposed of by these e-courts so far;
- (c) whether e-courts have increased or decreased the pendency in cases in comparison to physical hearings of cases, the details thereof; and
- (d) the advantages of e-courts as noted by Government, especially with regard to the integration of land records for speedy redressal of land disputes?

**ANSWER**

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a): As per NJDG data, district wise number of courts covered under eCourts project in the State of Tamil Nadu is enclosed at Annexure I.

(b) & (c): As per NJDG data, total number of cases disposed of by the District and Subordinate Courts in the state of Tamil Nadu from 01.03.2020 till 31.01.2023 is 39,38,123 which includes 6,59,372 Civil cases and 32,78,751 Criminal Cases. No comparative data as such is maintained on the impact of physical hearings of cases vis-à-vis eCourts on the pendency of cases.

(d): The advantages of eCourts especially with regards to the integration of land records inter alia includes:

- The courts will have first-hand information on substantive and authentic evidence of Record of Rights, Cadastral map including geo referenced and legacy data.
- The information is helpful to the courts in deciding admission as well as disposal of the disputes. Courts are /will be able to easily know whether any case relating to a particular property is pending in any court.
- Prospective buyers will be able to know the dispute status in respect of landed property which will enable them to take an informed decision after considering risk factor in transacting such property.

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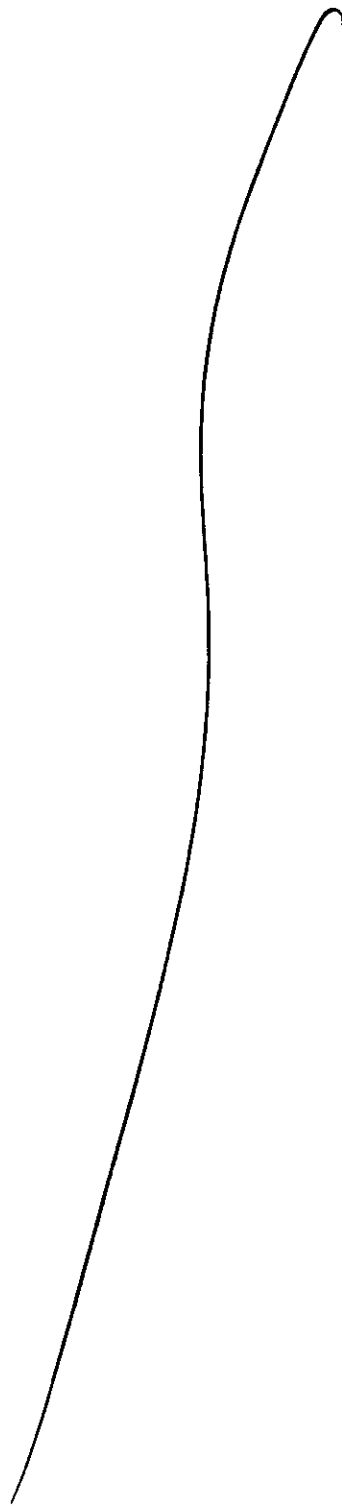
- The system is likely to reduce number of land disputes since prospective buyers/sellers can take informed decisions as information of land related disputes pending in all courts of law will be readily available. In the long run it will reduce dubious land transactions and help in dispute containment and reduce clogging of the courts.

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**Annexure-I**

Statement referred to in reply of Rajya Sabha Unstarred Question No. 912 for 09/02/2023 regarding Operational e-Courts. The district wise details of courts in State of Tamil Nadu covered under eCourts project are as below:

Sl. No.	District	Court Covered
1	Ariyalur	24
2	Chennai	151
3	Coimbatore	59
4	Cuddalore	46
5	Dharmapuri	30
6	Dindigul	34
7	Erode	39
8	Kancheepuram	48
9	Kanniyakumari	36
10	Karur	24
11	Krishnagiri	32
12	Madurai	59
13	Nagapattinam	23
14	Namakkal	29
15	Perambalur	16
16	Pudukkottai	23
17	Ramanathapuram	26
18	Salem	62
19	Sivagangai	27
20	Thanjavur	40
21	The Nilgiris	19
22	Theni	24
23	Thoothukudi	32
24	Tiruchirappalli	47
25	Tirunelveli	55
26	Tiruppur	38
27	Tiruvallur	45
28	Tiruvannamalai	34
29	Tiruvarur	21
30	Vellore	56
31	Viluppuram	57
32	Virudhunagar	35
	<b>Total</b>	<b>1291</b>



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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 914**

**TO BE ANSWERED ON THURSDAY, 9<sup>th</sup> FEBRUARY, 2023**

*Leg. II Sec.*

**REMOTE VOTING PLAN**

**914. Shri V. Vijayasai Reddy:**

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

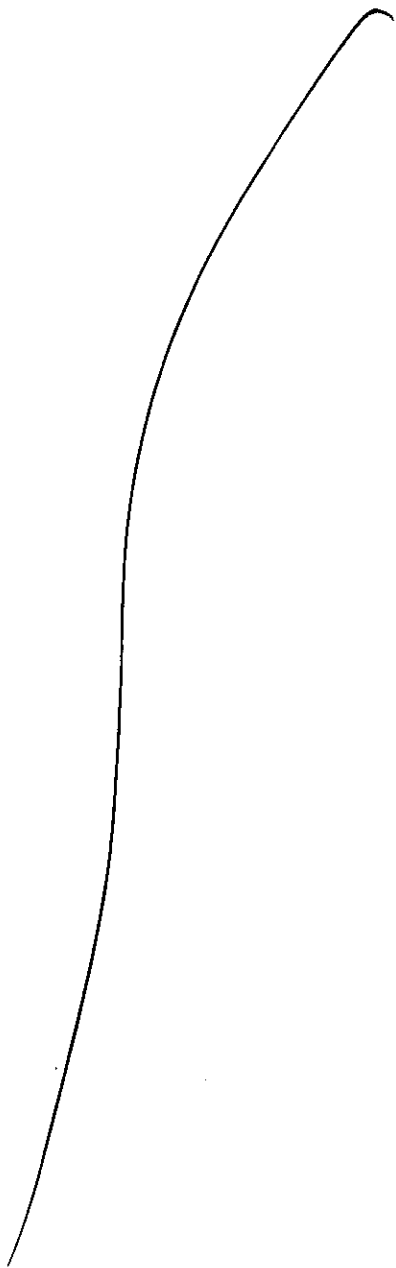
- (a) the details of the remote voting plan propounded by the Election Commission of India (ECI);
- (b) whether it is a fact that the ECI had called all political parties for a meeting on the remote voting plan in January, 2023;
- (c) whether it is also a fact that there is no definition of 'domestic migrant'; and
- (d) if so, Government's justification to proposal for the introduction of a Remote Voting Machine?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

**(a) to (d):** A Concept Note on improving voter participation of domestic migrants using remote voting dated 28/12/2022 was circulated by the Election Commission of India (ECI) to all National/State political parties inter alia including matters like defining a 'Migrant voter', addressing the territorial concept, the method of remote voting and counting of votes, enforcement of Model Code of Conduct, setting up of controlled environment to ensure free and fair voting and so on. Subsequently, a discussion with the political parties was conducted on 16/01/2023. The ECI has solicited written views/comments of the Political Parties by 28/02/2023 on various legal, administrative and technological issues as contained in the Concept Note and beyond.

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

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**RAJYA SABHA  
UNSTARRED QUESTION NO.915  
TO BE ANSWERED ON THURSDAY, THE 9<sup>th</sup> February, 2023**

*Admn. III, LA*

**VACANCIES IN LAW COMMISSION**

**915.SMT. PRIYANKA CHATURVEDI:**

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

- (a) whether it is fact that the post of Chairperson of the Law Commission has been vacant, if so, the reasons therefor; and
- (b) the criteria of selection, tenure and appointment of Chairperson of the Law Commission, the details thereof?

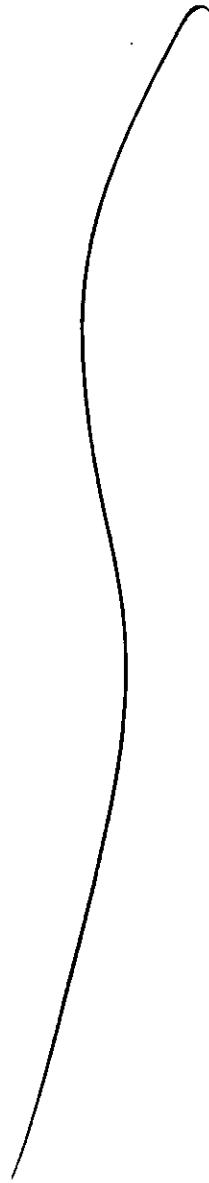
**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

**(a) & (b):** The 22<sup>nd</sup> Law Commission of India (LCI) was constituted for a period of three years w.e.f. 21<sup>st</sup> February, 2020. It is headed by a full-time Chairperson. The Chairperson of the 22<sup>nd</sup> LCI has assumed office w.e.f. the forenoon of 9<sup>th</sup> November, 2022. A persons eligible for appointment as Chairperson of 22<sup>nd</sup> Law Commission may either be serving Judge of Supreme Court / High Court or from other category of persons, which includes retired Judge. The tenure of Chairperson of 22<sup>nd</sup> LCI is co-terminus with term of the Commission.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE

RAJYA SABHA

NM

UNSTARRED QUESTION NO. 916

ANSWERED ON 09/02/2023

✓ JS(WMTR)

VACANCIES IN LOWER COURTS AND HIGH COURTS

916. SHRI NEERAJ SHEKHAR:

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

- (a) the details of vacancies in lower judiciary under the jurisdiction of various High Courts as on 31st January, 2023 and on 1st July, 2022, High Court-wise;
- (b) the details of retirement in lower judiciary under the jurisdiction of various High Courts between July, 2022 and January, 2023, High Court-wise; and
- (c) the details of recruitment in lower judiciary under the jurisdiction of various High Courts from July, 2022 till date, High Court-wise?

ANSWER

MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)

(a): The detailed statement showing the High Court-wise vacancies in lower judiciary of District and Subordinate Courts under jurisdiction of those respective High Courts as on 31<sup>st</sup> January, 2023 and 1<sup>st</sup> July, 2022 is at *Annexure*.

**(b) & (c):** 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 High Courts, frame the Rules and Regulations regarding the issues of appointment, recruitment and retirement 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. 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. Further, Under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vest with the concerned High Court.

Therefore, the Central Government has no direct role in either recruitment or retirement in lower judiciary under the jurisdiction of the various High Courts and no data on the same is centrally maintained.

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2K

## Annexure

## High Court-wise vacancies in lower judiciary of District and Subordinate Courts

S.no.	Name of High Court	Vacancy position in District and Subordinate Courts	
		As on 1 <sup>st</sup> July 2022	As on 31 <sup>st</sup> January 2023
1	Allahabad	1126	1173
2	Andhra Pradesh	124	76
3	Bombay	261	261
4	Chhattisgarh	43	90
5	Delhi	201	205
6	Gujarat	351	431
7	Guwahati	94	111
8	Himachal Pradesh	13	16
9	Jammu & Kashmir	78	91
	Ladakh*	8	8
10	Jharkhand	92	186
11	Karnataka	299	234
12	Kerala	92	122
13	Calcutta	83	83
14	Madhya Pradesh	482	372
15	Madras	270	288
16	Manipur	17	17
17	Meghalaya	48	48
18	Orissa	202	234
19	Patna	600	667
20	Punjab & Haryana	393	516
21	Rajasthan	317	331
22	Sikkim	7	7
23	Telangana	100	150
24	Tripura	13	20
25	Uttarakhand	28	30
<b>TOTAL</b>		<b>5342</b>	<b>5767</b>

Source: MIS portal, Department of Justice

\*under jurisdiction of Jammu &amp; Kashmir High Court

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE  
**RAJYA SABHA**  
**STARRED QUESTION No. \*166**  
ANSWERED ON 16.03.2023

**Alternative Panel for SC Collegium**

✓ AS(L&A)  
\*166 SHRI M. SHANMUGAM:

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

- (a) whether Government has suggested an alternative panel in place of Supreme Court Collegium and to include a nominee of Central Government in the Collegium;
- (b) if so, the details thereof;
- (c) whether Government proposed formation of search-and-evaluation panel, with Government representatives, to shortlist and suggest names to Collegium for appointing Judges;
- (d) whether it is not contrary to the Supreme Court direction which asked the Government to work, in consultation with the Collegium, and to have a transparent Memorandum of Procedure; and
- (e) if so, the response of Government thereto?

**ANSWER**

MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)

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

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Statement referred to in reply to parts (a) to (e) of Rajya Sabha Starred Question No. \*166 due for answer on 16.03.2023 regarding "Alternative Panel for SC Collegium"

(a) to (b): No Sir.

(c) to (e): Hon'ble Supreme Court while hearing WP(C) 13 of 2015 in NJAC matter issued a detailed order on 16-12-2015 on supplementing the Memorandum of Procedure (MoP) which 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 the following factors may be taken 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 by 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 prepared and sent the revised draft MoP to the Hon'ble Chief Justice of India on 22.3.2016 on which the response of the Supreme Court Collegium was received on 25.05.2016 and 01.07.2016. The views of the Government in response to the views of the SCC were conveyed to the CJI on 03.08.2016. Further comments of SCC on the views of the Government on the draft MoP were received on 13.03.2017.

However, in a subsequent development, the Supreme Court in a Suo-Moto Contempt proceedings against a Judge of Calcutta High Court pronounced a judgment on 04.07.2017 bringing 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 highlighting the need to revisit the process of selection and appointment of Judges to the Constitutional Courts. The views of the Government on the relevant points were 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 conveyed to the Supreme Court vide letter dated 18.8.2021 suggestions on the draft for supplementing para 24 of the MoP:

In its regular exchange of views and consultations with the Supreme Court Collegium, the Government has made suggestions in line with the Supreme Court Order in WP(C) 13 of 2015,

including the need for a Screening cum Evaluation Committee at the Supreme Court and High Court levels to assist the Collegiums of Supreme Court and High Courts respectively to enhance transparency and objectivity in the entire selection process. It was proposed that the Committees may screen and evaluate relevant material on the suitability of the prospective candidates and would act as a facilitator while the decision to make recommendations will continue to be exercised by the respective Collegiums of the Supreme Court and High Courts. However, the Supreme Court in their responses to the draft MoP did not convey its consent to set up such Committees.

Since the response of the SC Collegium on the views of the Government on the revised draft MoP sent vide its last letter dated 11.07.2017 and 18.08.2021 were not yet received, the Government in its recent communication dated 06.01.2023 to Supreme Court of India, has emphasized the need to finalize the MoP at the earliest in view of various judicial pronouncements and *inter-alia* suggested that the Search-cum-Evaluation Committee in respect of appointment of Judges in the Supreme Court and Chief Justices of High Courts should also consist of a representative nominated by Government of India. For appointment of Judges in the High Courts, the Committee should consist of a representative nominated by Government of India and a representative of State Government(s) under the jurisdiction of High Court as nominated by the Chief Minister(s). It has been proposed that for appointment and transfer of Chief Justices and Judges of High Courts the names recommended by the Chief Minister can be received by the Search-cum-Evaluation Committee along with the names taken from senior Judges outside the Collegium and eligible candidates taken from the database (Judicial Officers and Advocates) as maintained by the proposed Secretariat. The High Court Collegium may deliberate upon panel of names drawn up by the Search-cum-Evaluation Committee and recommend the names of most suitable candidates for appointment of Judges in the Supreme Court, Chief Justices and Judges of the High Courts. The Collegium at appropriate level may address the above requirements of drawing up panel of eligible candidates from aforementioned sources and draw up their proceedings by rendering requisite reasons and thereafter send the proposal to the Government with relevant documents.

Thus, the above mentioned Search-cum-Evaluation Committees will be entrusted to prepare a panel of eligible candidates from which the respective Collegiums will make recommendation. This, alongwith other measures suggested shall pave the way for a more transparent, accountable and expeditious mechanism for appointment of Judges to the Constitutional Courts.

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

**RAJYA SABHA**

**STARRED QUESTION NO.\*175**

J-II

**ANSWERED ON 16.03.2023**

**Delays in disposal of POCSO cases**

JS(PPP)

✓ \*175. DR. L. HANUMANTHAIAH:

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

- (a) whether it is a fact that there is an insurmountable pendency of cases in POCSO courts since 2020;
- (b) if so, the details thereof and reasons for the considerable delay in disposal of POCSO cases;
- (c) the details of steps taken by Government to increase the number of exclusive POCSO courts to expedite disposal of such cases; and
- (d) the steps taken by Government to conduct virtual hearings in POCSO cases?

**ANSWER  
MINISTER OF LAW & JUSTICE  
(SHRI KIREN RIJJU)**

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



STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF THE RAJYA SABHA STARRED QUESTION NO. \*175 FOR THE 16<sup>th</sup> MARCH, 2023 REGARDING 'DELAYS IN DISPOSAL OF POCSO CASES'

(a) & (b): The State/UT wise pending POCSO Act cases since 2020, as intimated by the National Crime Record Bureau (NCRB) and High Courts, is given at **Annexure**. The disposal of pending cases in the Courts including POCSO cases, lies exclusively within the domain of the judiciary. Pendency of court cases is a multi-faceted problem. Due to the increase in the population of the country and awareness of their rights amongst the public, filing of fresh cases is also increasing with leaps and bounds year after year. There are several reasons for large pendency of cases in the courts which, inter-alia, include paucity of judges and judicial officers, supporting court staff and physical infrastructure, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing, 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. In case of pendency of criminal cases including POCSO Cases, 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 causes delay in disposal of cases.

(c): The Government has taken several initiatives to provide suitable environment for expeditious disposal of cases by the judiciary. Central Government started 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. The Mission has been pursuing a coordinated approach for phased liquidation of arrears and pendency in judicial administration, which, inter-alia, involves better infrastructure for courts, including computerization, an 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. Further, the Central Government has enacted The Criminal Law (Amendment) Act, 2018 making the punishment for offences like rape more stringent by including death penalty for rape of a girl below the age of 12 years. The Act also, inter-alia, mandates completion of investigation and trials within 2 months each. Hon'ble Supreme Court of India in *Suo Moto 1/2019* dated 25.7.2019 directed "in each district of the country, if there are more than 100 cases under the POCSO Act, an exclusive/designated special Court will be set up, which will try no other offence except those under the POCSO Act". 389 districts were identified across the Country where more than 100 POCSO Act cases were pending as on 30.06.2019. Accordingly, in pursuance to the Criminal Law (Amendment) Act 2018, Union of India Started a Centrally Sponsored Scheme in October 2019 for setting up of 1023 Fast Track Special Court (FTSC) out of which 389 exclusive POCSO (e-POCSO) Courts were earmarked for expeditious disposal of cases related to Rape and POCSO Act. The Central Share of the Scheme is funded

from Nirbhaya Fund. The scheme which was initially for one year, has been extended up to 31.03.2023. As per information provided by the High Courts, 764 FTSCs with 411 e-POCSO Courts are functional in 28 States/UTs. The e-POCSO Courts have disposed 92,226 cases while 1,30,966 cases are still pending in these e-POCSO Courts as on 31<sup>st</sup> January, 2023. For further extension of the scheme beyond 31.03.2023 a Third Party Evaluation by Indian Institute of Public Administration (IIPA) has been undertaken which has inter-alia recommended for continuation of the scheme.

(d): Under eCourts Phase-II, Government of India has released Rs.111.29 Crore for installation of Video Conferencing equipment in courts and jails. VC facilities have been provided to 3240 court complexes and 1272 jails. One video conference equipment each has been provided to all Court Complexes including taluk level courts and additionally funds have been sanctioned for additional VC equipment for 14,443 court rooms. All VC facilities are available for POCSO courts also. 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.

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## Annexure for reply to Rajya Sabha Starred Question No. 175 for answer on 16.03.2023

## Details of Pending POCSO Cases

S.No	State/UTs	December 2020	December 2021	December 2022	January 2023
1.	Andhra Pradesh	1863	2295	7245	8137
2.	A & N island	384	381	0	0
3.	Arunachal Pradesh	70	96	318	395
4.	Assam	4720	5988	6908	6875
5.	Bihar	4853	6117	15585	15594
6.	Chandigarh	8	5	158	158
7.	Chhattisgarh	6231	7617	5452	5332
8.	D&N Haveli	NA	NA	43	39
9.	Delhi	9981	11489	9115	9108
10.	Diu & Daman	89	98	43	44
11.	Goa	7	8	63	62
12.	Gujarat	10731	12647	7846	3043
13.	Haryana	4255	5228	4776	4688
14.	Himachal Pradesh	62	66	426	417
15.	Jammu & Kashmir	242	478	653	644
16.	Jharkhand	1398	1848	4403	4408
17.	Karnataka	8568	10027	1027	919
18.	Kerala	5564	7724	3428	3381
19.	Ladakh	1	1	4	4
20.	Lakshadweep	29	46	0	0
21.	Madhya Pradesh	13805	16760	10474	10066
22.	Maharashtra	30530	34879	32988	33072
23.	Manipur	241	300	100	103
24.	Meghalaya	1158	1454	1511	1531
25.	Mizoram	436	505	275	276
26.	Nagaland	69	94	0	0
27.	Odisha	6661	8608	11952	11940
28.	Puducherry	209	312	245	244
29.	Punjab	1154	1514	2308	2250
30.	Rajasthan	2942	3133	8780	8921
31.	Sikkim	274	325	284	284
32.	Tamil Nadu	7293	9539	9610	9753
33.	Telangana	5267	6828	10589	10605
34.	Tripura	759	832	397	406
35.	Uttar Pradesh	28199	32720	67615	67153
36.	Uttarakhand	1434	2027	1214	1221
37.	West Bengal	10784	13045	21931	22164
	<b>Total</b>	<b>170271</b>	<b>205034</b>	<b>247766</b>	<b>243237</b>

NA-Not Available

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

**Rajya Sabha  
Unstarted Question No. 1868  
ANSWERED ON 16.03.2023**

*Judl. Sec. (LA)*

**Pendency of Courts Cases Involving Government**

**1868. Dr. Ashok Bajpai**

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

- (a) the details of the institutions, pendency and disposal of matters/cases during the last five years in the various High Courts and the Supreme Court wherein the Central Government is a party with year-wise and ministry/department-wise;
- (b) the details of the policy, if any, to ensure the early disposal of the cases by the High Courts and the Supreme Court, wherein the Central Government is a party; and
- (c) whether Government is aware that delay often occurs on account of non-filing of responses by Government?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJU)**

- (a) Information regarding pendency, where Central Government is a party, before Hon'ble Supreme Court as on date 15.03.2023 is as follows:-

Year	No. of filed cases	No. of pending cases as on 15.03.2023 (out of cases filed in the year)	No. of cases disposed in the year
2018	4,214	830	3,691
2019	4,635	1,329	4,174
2020	4,002	1,176	2,591
2021	3,475	973	2,446
2022	3,922	1,808	5,160
2023 (till 15.03.2023)	922	738	825

- (b) 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, witness and litigations and proper application of rules and procedure.
- (c) Yes sir. Instructions have been issued by Department of Legal Affairs, from time-to-time, impressing upon the Ministries/Departments to follow the time-line for filing statutory appeals, review and other affidavits, to avoid delay in the matter.

10

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

RAJYA SABHA  
UNSTARRED QUESTION No. 1869  
ANSWERED ON - 16/03/2023

e-convst

Virtual hearings in Courts

✓ TS (PPP)

1869. Dr. Ashok Bajpai:

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

- (a) whether Government has taken initiative, by writing and having dialogue with the Chief Justice of the Supreme Court and of High Courts, to promote virtual hearings of the cases;
- (b) if so, the details thereof;
- (c) the details of the status of implementation of each of the recommendations made in the 103rd Report of the Standing Committee regarding virtual courts; and
- (d) whether Government is aware that virtual hearing of the matters by the Courts would help to have easy access to justice?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) & (b): Holding of court proceedings is an administrative matter and falls strictly under the domain of judiciary. It is for courts to decide whether court proceedings are to be held physically or online. The e-Committee of Supreme Court of India, currently headed by CJI, is responsible for overall planning, policy, and implementation of the e-Courts Project in close coordination with the Department of Justice. To bring about uniformity and standardization in the conduct of Video Conferencing, an overarching order (Suo Motu Writ (Civil) No. 5/2020) 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 Video Conferencing. Further, Video Conferencing rules were framed by a 5-judge committee which was circulated to all the High Courts for adoption after local contextualization. A DO letter dated 09.03.2023, was written to Chief Justices of all High Courts emphasising the role of virtual hearings and saturation of eSewa Kendras in all court complexes for providing these services.

As part of IEC campaign several initiatives have been taken to educate the Judicial Officers, lawyers and public about the facilities available under eCourts Project. Training and awareness programmes on the ICT have been conducted by e-Committee, SCI covering nearly 5,13,080 stakeholders including Judges of States, Courts staff and Advocates.

(c) An Action Taken Report on the various observations and recommendations of the 103<sup>rd</sup> interim report of the Department related Parliamentary Standing Committee has been furnished to the Rajya Sabha Secretariat on 16.12.2020. The same is under consideration before the Parliamentary Standing Committee.

(d) Yes sir. Virtual hearing of cases helps to have easy access to justice. Following are some of the advantages of virtual hearing:

- The lawyers and litigants can appear before the court from any location (far-flung areas as well) of their choice.
- There is considerable saving of time and money thus helping under privileged litigants
- The lawyers can attend hearings at multiple locations at short notice.
- Production of witnesses becomes easy as they can be at their own safe locations.
- Movement of under trial prisoners can be done very economically and conveniently.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE  
RAJYA SABHA  
UNSTARRED QUESTION NO. 1870  
ANSWERED ON - 16/03/2023

✓ (10) (CLARA)  
**Proposals from Supreme Court Collegium for appointment of judges**

1870. SHRI P. WILSON:

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

- (a) the number of proposals which were received from the Supreme Court Collegium for consideration of appointment of judges for Supreme Court and High Courts and the status of the proposals;
- (b) the reasons for delay in processing the recommendations of the Collegium for appointment of the judges;
- (c) the reasons for not maintaining any service records/details of judges belonging to different caste/communities since 1950;
- (d) whether Government has taken steps to adhere to social diversity in memorandum of procedure during appointment of the judges to Supreme Court and High Courts; and
- (e) if so, details thereof and if not, reasons therefor?

**ANSWER**

MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)

(a) to (e): As on 10.03.2023 there is no vacancy in the Supreme Court. As far as the High Courts are concerned, against the sanctioned strength of 1114 Judges, 780 Judges are working and 334 posts of Judges are vacant. Presently, there are a total of 118 proposals recommended by High Court Collegiums which are at various stages of processing. The recommendations against 216 vacancies in the High Courts are yet to be received from the High Court Collegiums.

While filling up of vacancies in the High Courts is a continuous, integrated and collaborative process requiring consultation and approval from various constitutional authorities, vacancies keep on arising on account of retirement, resignation or elevation of Judges. Government is committed to filling up of vacancy expeditiously in time-bound manner.

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). Hence, data after 2018 has been maintained.

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.

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

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**RAJYA SABHA  
UNSTARRED QUESTION NO. 1871**

**ANSWERED ON – 16/03/2023**

**SHORTAGE OF STAFF IN INDIAN LEGAL SERVICE**

*Admn. I Section LA*

**1871. Shri Sujcet Kumar:**

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

(a) whether it is a fact that Indian Legal Service (ILS) cadre under the Department of Legal Affairs, who are the Principal Legal Advisers to the Government, is operating at 50 per cent of its strength; and

(b) if so, the reasons behind the shortage of staff and the steps taken or proposed to be taken by Government to address the issue?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**  
**(SHRI KIREN RIJJU)**

(a) to (b) – Presently around 72 out of 157 posts in the Indian Legal Service cadre are vacant, which works out to 46% of the total cadre strength in the Indian Legal Service cadre. The vacancies occur due to superannuation, promotion, resignation, death etc. Filling up of vacancies through various modes, viz. direct recruitment, promotion etc., as per the laid down procedure and schedule are regularly taken up with Union Public Service Commission, the nodal authority to recommend appointments. Necessary steps to expedite filling-up of these vacancies are carried out on an ongoing basis.

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

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RAJYA SABHA

UNSTARRED QUESTION NO. 1872  
ANSWERED ON – 16/03/2023

Admn. III Section LA

**NEW DEPARTMENT FOR INTERNATIONAL TREATIES**

1872 SMT. VANDANA CHAVAN:

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

- (a) whether Government has plans to establish a Department of International Law specifically committed towards framing/ approving/negotiating the provisions of international covenants /multilateral/bilateral treaties or agreements;
- (b) if so, the details thereof, including the anticipated timeline for the commencement of its operations; and
- (c) if not, the reasons therefor?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

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(a) to (c):The Government has no proposal to set up Department of International Law.

As regards, practice concerning negotiation and conclusion of international treaties and related aspects, the Ministry of External Affairs (MEA) vide letter dated 02th April, 2018 has circulated a revised Standard Operating Procedures (SoPs) with respect to entering into MoU's/Agreements with foreign countries.

As per the SoP, the MEA is overall in-charge of international treaty making activities. The administrative Ministry is the nodal agency for preparing the drafts, consultations and negotiation in any bilateral treaties formalities. As regards, Multilateral treaties are concerned, they are mostly negotiated in international conferences. After the negotiation and finalisation of a treaty, the administrative Ministry after due consultation with MEA, moves the Cabinet Note for taking approval of the Union Cabinet.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE  
RAJYA SABHA  
UNSTARRED QUESTION No. 1873  
ANSWERED ON - 16/03/2023

✓ ACLAQA  
**Representation of marginalized sections in the higher judiciary**

**1873 SHRI MASTHAN RAO BEEDA:**

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

- (a) whether Government has planned to set up the Indian Judicial Service (IJS) as an All India Service to fill the vacancies in the higher judiciary and give representation to marginalized sections of the society therein ;
- (b) if so, the details and status thereof and if not, the reasons therefor; and
- (c) the details of other steps taken, if any, by Government to ensure representation of marginalized sections of the society in higher judiciary and if no steps taken, the reasons therefor ?

**ANSWER**

MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)

(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, 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.

Article 312 of the Constitution provides for the establishment of All India Judicial Service (AIJS), which shall not include any post inferior to that of a District Judge. The constitutional provision enables creation of the AIJS at District Judiciary. In Government's view, a properly framed All India Judicial Service, with entry at District Judge level, 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. Besides attracting some of the best talent in the country, it may also facilitate inclusion of competent persons from marginalized sections and women in the judiciary. 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 level was also included in the agenda for the Chief Justices Conference, which was held on 03<sup>rd</sup> and 04<sup>th</sup> 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 proposal for constitution of All India Judicial Service with views from the High Courts and State Governments received thereon was also included in the agenda for the Joint Conference of Chief Ministers and Chief Justices of High Courts held on 05<sup>th</sup> April, 2015.

The proposal of setting up of an All India Judicial Service was again discussed on points of eligibility, age, selection criteria, qualification, reservations etc. in a meeting chaired by Minister of Law and Justice on 16<sup>th</sup> 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. 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.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 1874

ANSWERED ON 16/03/2023

JS(WKS)  
✓

**EFFORTS FOR EASY ACCESSIBILITY OF JUSTICE**

**1874. SHRI MASTHAN RAO BEEDA:**

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

- (a) whether any efforts are being made by Government to ensure easy, accessible and affordable judicial system for the people belonging to socially and economically backward classes;
- (b) if so, the details thereof, if not, the reasons therefor;
- (c) whether the court premises and proceedings have become more accessible for Persons with Benchmark Disabilities; and
- (d) if so, the details thereof and if not, the manner in which Government proposes to do the same?

**ANSWER**

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) & (b): The efforts made by the Government to ensure easy, accessible and affordable judicial system for the people belonging to socially and economically backward classes are as follows :

- i. The Legal Services Authorities (LSA) Act, 1987 was enacted with a view 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.
  - ii. Under the aegis of the Legal Services Act, Lok Adalats are organised to promote justice on a basis of equal opportunities. For this purpose, the legal services institutions have been setup from the Taluk Court level to the Supreme Court.
  - iii. 9.75 lakhs persons have been provided with free legal services during the period April, 2022 to January, 2023 and 5.54 crore cases (pending in courts and disputes at pre-litigation stage) have been settled through Lok Adalats April, 2022 to February, 2023.
  - iv. In addition, the Government has launched Nyaya Bandhu (Pro-bono Legal Services) programme to link the persons eligible to avail free legal aid under Section 12 of LSA Act, 1987 with the pro-bono lawyers. 5954 pro bono advocates have been registered under the programme and 2180 cases have been registered by the beneficiaries.
  - v. Tele-law programme, being run by the Government provides legal advice to public including persons entitled for free legal aid under Section 12 of LSA Act, 1987, at pre-litigation stage by the Panel Lawyers through the Common Service Centre (CSC) at the Panchayats. Tele-law has served more than 33.54 lakh beneficiaries till date.
- (c) & (d):** The responsibility for the development of infrastructure facilities including facilitating accessibility for persons with benchmark disabilities rests primarily with the respective State Governments. The Central Government only supplements the resources



of the States in this regard through the Centrally Sponsored Scheme for Judicial Infrastructure in District and Subordinate Courts.

Under the Centrally Sponsored Scheme for the development of infrastructure facilities for the Judiciary, funds are provided for construction of court buildings, residential units, lawyers hall, toilet complexes and digital computer rooms for the convenience of lawyers and litigants. However, funds are released to the States/UTs only when their project proposals mandatorily comply with disable friendly norms/accessibility standards as laid down by CPWD/Department of Empowerment of Persons with Disabilities, Ministry of Social Justice and Empowerment. A certificate to this effect is also asked for from the States as part of the CSS guidelines. Under the Scheme, the States have enough liberty to provide for additional facilities including those that facilitate easy accessibility for persons with benchmark disabilities to the court premises.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE

RAJYA SABHA  
UNSTARRED QUESTION NO. 1875

ANSWERED ON 16/03/2023

JR

INSUFFICIENT JUDICIAL INFRASTRUCTURE

✓ JS(NW/JR)  
1875. SMT. PHULO DEVI NETAM:

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

- (a) whether it is a fact that the number of courtrooms available for lower courts in the country is less than the sanctioned strength of judges in the subordinate judiciary, if so, the details thereof;
- (b) the details of infrastructural facilities and constraints, if any, being faced by Government in dealing with infrastructural challenges faced by lower judiciary and the steps taken to address the same; and
- (c) the details of the tangible plan to overcome the gap of around 3500 between sanctioned strength and availability of court halls and gap of around 6200 between sanctioned strength and available residential units?

ANSWER

THE MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)

(a) to (c): As against sanctioned strength of 25,189 and working strength of 19,521 judicial officers, there are 21295 Court Halls and 18742 Residential Units that are available for the District & Subordinate judiciary in the country. Compared with the Sanctioned strength of 25189 Judicial Officers, there is a gap of 3894 court halls and 6447 residential units but, when compared with the actual working strength of Judicial Officers, there is no shortage of courts halls, and a small shortage of residential units. However, there are already 1655 number of Residential Units and 2806 number of Court Halls that are under construction. The State-wise details are at *Annexure*.

The primary responsibility of development of infrastructure facilities for judiciary rests with the State Governments. However, to augment 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 by providing financial assistance to them in the prescribed fund-sharing pattern between the Centre and States. The scheme is being implemented since 1993-94. It covers the construction of court buildings and residential accommodations for judicial officers of district and subordinate judiciary. 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 crores. Besides the construction of court halls and residential quarters, the scheme now also covers the construction of lawyers' halls, digital computer rooms, and toilet complexes in the district and subordinate courts. A sum of Rs. 9812.82 crores has been released under the scheme so far since its inception, out of which Rs. 6368.51 crores (64.90 %) has been released since 2014-15.

As regards constraints, the COVID-19 pandemic led to general slowdown of the spending on infrastructure projects by the States/UTs, Further, it was observed by the Ministry of Finance that the funds being released to the States/UTs under the CSS' were not being put to use in a time bound manner, resulting in huge unspent balances with the State Governments. The Government introduced a revised Public Financial Management System(PFMS) for release of funds to the CSS' to ensure that the central funds and corresponding state share of funds are used appropriately and are invested solely in that specific scheme. Owing to fulfillment of a number of procedural and technical requirements, the states/UTs had some problems in on-boarding the PFMS. However, with passages of time all those technical problems were got rectified/settled and all the states have now on-boarded the PFMS and are making expenditure through PFMS only.

Besides writing to the States regularly, the Central Level Monitoring Committee of the Department of Justice held bi-monthly meetings on regular basis with the States/UTs during which, all the States and UTs were urged to utilize the unspent balance available with them expeditiously.

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**Annexure**

Statement referred to Rajya Sabha Unstarred Question No. 1875 for reply on 16.03.2023, State/UT-wise details of Sanctioned/Working Strength and Court Halls/Residential Units as on 10.03.2023

Sl. No.	States & Uts	Total Sanctioned Strength	Total Working Strength	Total Court Halls	Total Residential Units
1	Andaman and Nicobar	0	13	17	10
2	Andhra Pradesh	618	548	647	574
3	Arunachal Pradesh	41	33	29	29
4	Assam	485	425	424	371
5	Bihar	2016	1350	1505	1197
6	Chandigarh	30	30	31	30
7	Chhattisgarh	552	437	475	461
8	D & N Haveli	3	2	3	3
9	Daman & Diu	4	4	5	5
10	Delhi	887	709	694	348
11	Goa	50	40	53	26
12	Gujarat	1582	1151	1524	1341
13	Haryana	772	574	561	518
14	Himachal Pradesh	179	163	170	153
15	Jammu and Kashmir	314	222	199	122
16	Jharkhand	694	505	658	609
17	Karnataka	1375	1134	1185	1142
18	Kerala	601	471	563	538
19	Ladakh	17	9	9	6
20	Lakshadweep	4	4	3	3
21	Madhya Pradesh	2028	1644	1543	1681
22	Maharashtra	2190	1940	2350	2055
23	Manipur	59	42	43	16
24	Meghalaya	99	51	53	26
25	Mizoram	74	41	47	37
26	Nagaland	34	24	30	39
27	Odisha	1001	814	814	707
28	Puducherry	28	11	36	29
29	Punjab	797	589	589	625
30	Rajasthan	1587	1249	1338	1137
31	Sikkim	30	23	20	15
32	Tamil Nadu	1343	1061	1215	1343
33	Telangana	560	419	533	475
34	Tripura	128	108	82	91
35	Uttar Pradesh	3694	2494	2758	2349
36	Uttarakhand	299	269	253	210
37	West Bengal	1014	918	836	421
<b>TOTAL</b>		<b>25189</b>	<b>19521</b>	<b>21295</b>	<b>18742</b>

Source: MIS Portal (Department of Justice)

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 1876**

**ANSWERED ON – 16/03/2023**

*Leg II Section LD*

**PARTICIPATION OF OVERSEAS INDIANS/NRIs IN ELECTIONS**

1876. Shri G.V.L. Narasimha Rao :

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

- (a) present election rules for overseas Indians to enrol as eligible voters in Assembly and Parliamentary elections;
- (b) specific provisions in election rules in this regard with their date of commencement, and number of overseas Indians registered as eligible voters as per such provisions;
- (c) whether Election Commission of India (ECI) proposed ETPBS facility to overseas Indians, details thereof;
- (d) Government's response to ECI's e-ballot proposal;
- (e) any other voting provisions under consideration of the Government for overseas Indians; and
- (f) the reason for dropping the proposal of proxy voting facility to overseas Indians after the Bill was passed by Lok Sabha?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

(a) and (b): Section 20A of the Representation of the People Act, 1950 provides for the special provisions for citizens of India residing outside India. Rules 8A and 8B of the Registration of Electors Rules, 1960 provides for the registration of citizen of India residing outside India as overseas electors and inclusion of their names in the electoral rolls. The total number of overseas electors with respect to 1<sup>st</sup> January, 2023 as the qualifying date is 115696 as per Special Summary Revision-2023 conducted by the Election Commission of India.

(c) to (e): The Election Commission of India has taken up a proposal to amend the Conduct of Elections Rules, 1961 to facilitate Electronically Transmitted Postal Ballot System for overseas electors. The matter is under discussions with the Ministry of External Affairs to iron out the logistical challenges involved in the implementation of the proposal.

(f): On the recommendation of the Election Commission of India, a Bill, namely, the Representation of the People (Amendment) Bill, 2018, to enable the overseas electors to cast their votes either in person or by proxy, was passed by the Lok Sabha on 09.08.2018. The Bill was pending in the Rajya Sabha for consideration but lapsed due to the dissolution of the 16<sup>th</sup> Lok Sabha.

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ASLARA

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE  
RAJYA SABHA  
UNSTARRED QUESTION NO. 1877  
ANSWERED ON - 16/03/2023

Uniform process for implementation of Collegium recommendation

✓ 1877. SHRI RAGHAV CHADHA:

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

- (a) whether there is any uniform process for implementing Collegium recommendations on the appointment and transfer of judges throughout the country;
- (b) if so, the details thereof;
- (c) whether Government proposes to modify the Collegium System and formulate a new Memorandum of Procedure for appointment of Judges; and
- (d) if so, the details thereof, if not, the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJU)

(a) to (d): 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.

Judges of the Supreme Court of India and High Courts are appointed under Article 124, 217 and 224 of the Constitution of India and according to 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 MoP, initiation of proposal for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while initiation of proposal for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court. All the names recommended by High Court Collegium are sent with the views of the Government to the Supreme Court Collegium (SCC) for advice. Government, however, appoints only those persons as Judges of High Courts who are recommended by SCC.

Judges of High Courts are transferred as per Article 222 of the Constitution of India and according to the procedure laid down in the Memorandum of Procedure prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with the advisory opinion of October 28, 1998 (Third Judges case). As per the existing MoP, the proposal for transfer of High Court Judges is initiated by the Chief Justice of India in consultation with four senior-most puisne Judges of the Supreme Court. 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. No timeline has been prescribed in the MoP for transfer of judges from one High Court to another.

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 a detailed order on 16-12-2015 on supplementing the Memorandum of Procedure (MoP), which 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 the following factors may be taken 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 by 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 prepared and sent the revised draft MoP to Hon'ble Chief Justice of India on 22.3.2016 on which the response of the Supreme Court Collegium was received on 25.05.2016 and 01.07.2016. The views of the Government in response to the views of the SCC was conveyed to the CJI on 03.08.2016. Further comments of SCC on the views of Government on the draft MoP were received on 13.03.2017.

However, in a subsequent development, the Supreme Court in a Suo-Motu Contempt proceedings against a Judge of Calcutta High Court pronounced a judgement on 04.07.2017 bringing 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 highlighting the need to revisit the process of selection and appointment of Judges to the Constitutional Courts. The views of the Government on all these relevant points were conveyed to the 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 conveyed to the Supreme Court vide letter dated 18.8.2021 suggestions on 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.

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

RAJYA SABHA

Unstarred Question No. 1878

TO BE ANSWERED ON THURSDAY, THE 16.03.2023

Cases of Central Ministries/Departments pending before Courts

*Judicial Section LA*

1878. Shri Sushil Kumar Modi:

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

- (a) The total number of cases of Central Ministries/Departments pending before the Supreme Court, High Courts and District and Sessions Courts as of February 2023, Ministry/Department-wise;
- (b) the present share of Government litigation in total pending cases in the country;
- (c) the share of contempt cases in total pending caseload of Central Ministries/Departments associated with inaction on Court orders;
- (d) the expenditure incurred by the Government on litigation during the last five years, year-wise; and
- (e) the extent by which the National Litigation Policy has reduced pendency of Government cases?

ANSWER

MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJU)

- (a) Information in respect of total number of cases pertaining to Central Ministry/Departments pending before various courts has been compiled from the data available on LIMBS (Legal Information Management & Briefing System) portal, which has been uploaded by the respective ministries/departments and the same is Annexure-A.
- (b) As per National Judicial Data Grid (NJDG) portal there are total 4,87,99,450 pending cases before various courts in the country. This portal does not maintain separate information about the cases in which Central Government is a party. LIMBS is a portal maintained by Ministry of Law & Justice and it has information relating to litigation where Central Government is one of the party. As per information available in LIMBS portal, 5,94,584 cases are pending in which Central Government is a party.

- (c) As per data available on LIMBS portal which is entered by users of 55 Ministries/Departments, the share of contempt cases in total pending caseload of Central Ministries/ Departments associated with inaction on court orders is 0.4%.
- (d) Information has been compiled and is as per Annexure-B.
- (e) National Litigation Policy was formulated by the Department of Legal Affairs in the year 2010. The draft Note for the Cabinet was circulated to all the Ministries/Departments. However, it could not be placed before the Cabinet. National Litigation Policy of 2010 was reformulated and the revised policy, after a number of consultations/deliberations at various levels including Inter-ministerial, Committee of Secretaries (CoS), informal team of Ministers and Law Commission, was re-submitted for consideration of the Committee of Secretaries. In its meeting held on 14.09.2017, CoS had, inter-alia, recommended that there may be no need for bringing in the proposed National Litigation Policy. The same objectives can be achieved through the issue of comprehensive guidelines for reducing litigation. However different Ministries / Departments are taking steps for reducing litigation by issuing separate instructions suitable to their own requirements.

Annexure (A)				
Supreme Court, High Courts & District and Sessions Courts Cases				
S.No.	Ministry	Supreme Court	High Courts Cases	District and Session Courts
1	AGRICULTURE AND FARMERS WELFARE	65	1653	553
2	AYUSH	26	744	1
3	CENTRAL VIGILANCE COMMISSION	11	110	1
4	CHEMICALS AND FERTILIZERS	24	579	43
5	CIVIL AVIATION	22	337	9
6	COAL	191	3218	370
7	COMMERCE AND INDUSTRY	163	3459	126
8	COMMUNICATION TELECOMMUNICATION (DoT)	185	1278	112
9	COMMUNICATIONS (DoP)	117	3959	1468
10	COMPTROLLER AND AUDITOR GENERAL OF INDIA	78	15285	788
11	CONSUMER AFFAIRS FOOD AND PUBLIC DISTRIBUTION	74	801	5
12	CORPORATE AFFAIRS	260	8189	1010
13	CULTURE	41	1185	313
14	DEFENCE	1235	14973	8794
15	DEPARTMENT OF ATOMIC ENERGY	21	519	63
16	DEPARTMENT OF SPACE	7	155	36
17	DEVELOPMENT OF NORTH EASTERN REGION	1	13	7
18	EARTH SCIENCES	3	114	3
19	EDUCATION (MoE)	597	12310	691
20	ELECTION COMMISSION	73	342	3
21	ENVIRONMENT FOREST AND CLIMATE CHANGE	396	1410	15
22	EXTERNAL AFFAIRS	24	879	173
23	FINANCE	9074	63157	2284
24	FISHERIES ANIMAL HUSBANDRY AND DAIRYING	49	207	8
25	FOOD CORPORATION OF INDIA	278	4210	1126
26	FOOD PROCESSING INDUSTRIES	1	52	3
27	HEALTH AND FAMILY WELFARE	305	3802	101
28	HEAVY INDUSTRIES	22	315	7
29	HOME AFFAIRS	967	18373	1661
30	HOUSING AND URBAN AFFAIRS	184	1463	682
31	INFORMATION AND BROADCASTING	67	826	80
32	JAL SHAKTI(DEPT OF WATER RESOURCES)	94	602	96
33	JAL SHAKTI(DRINKING WATER AND SANITATION)	8	30	0
34	LABOUR AND EMPLOYMENT	321	23388	15534
35	LAW AND JUSTICE	175	517	5

36	MEITY	72	504	27
37	MICRO, SMALL AND MEDIUM ENTERPRISES	11	516	128
38	MINES	68	979	170
39	MINORITY AFFAIRS	33	0	0

**ANNEXURE-B**

S. No.	Financial year	Expenditure incurred (Rs.)
1.	2018-19	50,85,65,984/-
2.	2019-20	60,40,71,128/-
3.	2020-21	58,01,97,187/-
4.	2021-22	48,37,38,253/-
5.	2022-23 (upto Feb. 2023)	45,36,83,824/-

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
LEGISLATIVE DEPARTMENT

RAJYA SABHA  
UNSTARRED QUESTION NO. 1879

ANSWERED ON 16.03.2023

REMOTE VOTING FOR DOMESTIC MIGRANTS

Leg II Section 60

1879. Shri Rajeev Shukla :

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

- (a) whether there is any proposal for introducing remote voting for domestic migrants;
- (b) if so, the details thereof;
- (c) whether Government has conducted any study to understand the vulnerabilities associated with this system, if so, the details thereof;
- (d) whether any consultation was done with political stakeholders in this regard; and
- (e) if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)

(a): No sir.

(b): Does not arise, in view of (a) above.

(c): No sir.

(d) to (e): The Election Commission of India (ECI) has informed that a concept Note on improving voter participation of domestic migrants using remote voting dated 28/12/2022 was circulated by them to all National/State political parties inter alia including matters like defining a 'Migrant voter', addressing the territorial concept, the method of remote voting and counting of votes, enforcement of Model Code of Conduct, setting up of controlled environment to ensure free and fair voting and so on. Subsequently, a discussion with the political parties was conducted on 16/01/2023. The ECI has solicited written views/comments of the Political Parties by 28/02/2023 on various legal, administrative and technological issues as contained in the Concept Note and beyond.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE  
RAJYA SABHA  
UNSTARRED QUESTION No.1880  
ANSWERED ON – 16/03/2023

**Legal status of live-in relationships**

✓ *Parl. Section*  
1880. SMT. PRIYANKA CHATURVEDI:

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

- (a) whether Government intends to legally recognise and register live-in relationships in the light of recent incident of murder of a live-in partner in Delhi;
- (b) whether Government has any data with respect to population living in live-in relationships;
- (c) if so, the details thereof;
- (d) whether the Ministry intends to extend legal protection through legislation to live-in couples beyond judicial decisions;
- (e) whether Government intends to recognize same-sex live-in relationships; and
- (f) if so, the details thereof, if not, the reasons therefor?

**ANSWER**

MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJU)

**(a) to (f):** The sub-section (f) of section (2) of 'The Protection of Women from Domestic Violence Act, 2005' (PWDVA), enacted by the Ministry of Women and Child Development, provides for more effective protection of the rights of women who are victims of violence of any kind occurring within the family and for matters connected therewith or incidental thereto. As per the aforesaid Act 'domestic relationship' means relationship between two persons who live or have, at any point of time, lived together in a shared household, when they are related by consanguinity, marriage, or through a relationship in the nature of marriage, adoption or are family members living together as a joint family. The Hon'ble Supreme Court and other Hon'ble Courts in a number of judgements have held the view that 'live-in-relationship', which are in the nature of marriage are covered under the provisions of PWDVA.



GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

RAJYA SABHA  
UNSTARRED QUESTION NO.1882  
ANSWERED ON 16.03. 2023

A25

Legal literacy programs and awareness campaigns

✓ 1882 SMT. SULATA DEO:

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

- 35 (W/K/G)
- the number of legal literacy programs and awareness campaigns conducted, State-wise, during the last two years;
  - the quantum of funds allocated for the conduct of these programs during the last two years;
  - whether Government plans to introduce these programs in secondary and senior secondary schools as well; and
  - if so, the details thereof?

ANSWER

MINISTER OF LAW & JUSTICE  
(SHRI KIREN RIJJU)

- The State-wise details of legal awareness programs organized by Legal Service Authorities and persons participated during the year 2021-22 and 2022-23 (upto January, 2023) is at Annexure-A.
- Allocation of funds to State/UT Legal Services Authorities is made for all activities including expenses to be incurred in organization of legal awareness programs. During the last and current financial year, Rs. 145 crore and Rs. 190 crore, respectively, have been allocated to National Legal Services Authority (NALSA) for conduct of their various activities including for legal awareness programs.

(c) and (d) Towards realizing the common goal of equal access to justice, Legal Services Authorities are striving to equip children with legal literacy and rights awareness. In order to empower the future generation, Legal Literacy Clubs have been opened across the nation. Around 18,745 such clubs are functioning in schools including secondary and senior secondary schools across the country wherein 41,224 legal awareness programs were organized during the year 2022.

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Statement as referred to in reply to Rajya Sabha Unstarred Question No. 1882 for answering on 16.03.2023 raised by Smt. Sulata Deo , MP - Legal literacy programs and awareness campaigns

Statement containing the information in respect of Legal Literacy/Legal Awareness Camps/ Program organized during the years 2021-22 and 2022-23 (upto January, 2023)					
S.No.	Name of the State Authority	2021-22		2022-23 (Upto January, 2023)	
		No. of Programmes Held	No. of Persons Attended	No. of Programmes Held	No. of Persons Attended
1	Andaman & Nicobar Islands	22	1,828	14	1,397
2	Andhra Pradesh	21,992	75,22,254	11,336	9,30,763
3	Arunachal Pradesh	413	32,097	340	29,547
4	Assam	5,338	63,59,024	3,280	7,72,199
5	Bihar	5,165	36,00,375	5,803	51,66,578
6	Chhattisgarh	50,880	71,24,928	30,046	22,55,460
7	Dadra & Nagar Haveli	66	3,534	34	2,560
8	Daman & Diu	50	1,847	65	7,298
9	Delhi	5,861	73,14,429	5,682	5,37,007
10	Goa	227	17,115	334	27,726
11	Gujarat	46,416	11,82,69,527	21,823	26,59,464
12	Haryana	80,304	54,64,044	54,626	36,75,736
13	Himachal Pradesh	26,777	23,45,013	2,843	8,39,416
14	Jammu & Kashmir	5,315	1,84,562	4,515	4,39,506
15	Jharkhand	28,803	31,50,773	15,841	14,89,192
16	Karnataka	53,278	1,23,31,071	24,241	47,71,826
17	Kerala	44,394	5,20,215	5,015	3,38,124
18	Lakshadweep	0	0	0	0
19	Madhya Pradesh	15,929	1,65,66,410	19,476	1,61,84,695
20	Maharashtra	25,147	1,60,42,014	13,874	43,85,958
21	Manipur	564	2,39,837	372	25,063
22	Meghalaya	432	37,493	562	55,790
23	Mizoram	293	35,372	116	13,702
24	Nagaland	433	51,216	292	20,128
25	Odisha	2,051	1,31,201	3,088	3,67,758
26	Puducherry	262	51,730	261	7,113
27	Punjab	68,910	53,45,500	38,497	36,20,562
28	Rajasthan	77,474	59,11,169	1,22,056	57,62,041
29	Sikkim	643	14,642	327	12,859
30	Tamil Nadu	20,661	23,73,049	10,066	11,85,244
31	Telangana	29,371	76,22,560	2,992	3,99,923
32	Tripura	528	92,801	953	1,17,805
33	Chandigarh	1,112	1,23,384	1,243	1,07,799
34	Uttar Pradesh	2,80,634	22,75,12,916	6,025	13,67,516
35	Uttarakhand	26,724	1,14,94,868	10,340	38,56,917
36	West Bengal	2,07,186	11,62,18,603	10,529	8,41,033
37	Ladakh	431	19,426	159	21,030
	<b>Grand Total</b>	<b>11,34,086</b>	<b>58,41,26,827</b>	<b>4,27,066</b>	<b>6,22,96,735</b>

Government of India  
Ministry of Law & Justice  
Department of Legal Affairs

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RAJYA SABHA  
UNSTARRED QUESTION NO. 1883  
ANSWERED ON 16.03. 2023

*Imple Cell LA*

**Tackling problem of fake lawyers**

**1883. Dr.Prashanta Nanda:**

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

- (a) whether Government is aware of the number of fake lawyers posing as advocates and soliciting work in the country;
- (b) if so, whether measures are being taken to tackle the problem of fake lawyers, the details thereof; and
- (c) if not, the reasons therefor?

**ANSWER**

**MINISTER OF LAW & JUSTICE  
(SHRI KIREN RIJJU)**

(a) to (c) : The Bar Council of India (BCI) has informed that it is a fact that many persons (without any Law Degree or enrolment Certificate) are posing as advocates to solicit work. The BCI, realising that such practice is degrading the standard of legal profession, and also with the object to weed out fake lawyers in the country has framed Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015, under Section 49(1)(ag),(ah),(i) of the Advocates Act, 1961. The said Rule has been notified on 12<sup>th</sup> January 2015.

As per these rules, all the Advocates who had obtained a degree in law before the Academic year 2010 and are enrolled as adyocates were required to apply/fill up verification forms with respective State Bar Councils in prescribed proforma mentioning their qualifications such as Matric, Intermediate, Graduation and LL.B. Degrees etc. Also, the Advocates graduating in law in the Academic year 2009-2010 and onwards are required to sit for All India Bar Exam (AIBE) within 2 years of passing LL.B. After they clear the exam they are issued a Certificate of Practice.

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**Government of India  
Ministry of Law & Justice  
Department of Legal Affairs**

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**RAJYA SABHA  
UNSTARRED QUESTION NO. 1884  
ANSWERED ON 16.03.2023**

*Imple Cell LA*

**Stipend for young advocates**

**1884. Shri Manas Ranjan Mangaraj :**

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

- (a) whether Government has any plan to introduce a system of stipend for young advocates to tackle with the severe under payment faced by them;
- (b) if so, whether Central Rules will be enacted to facilitate the same; and
- (c) if so, the details thereof, if not, the reasons therefor?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (c) The Government has no plan to introduce any system of stipend for young advocates.

Once a law graduate enrolls as an advocate, he/she learns the skills of advocacy in the process of gaining requisite experience. Further, it is the discretion of a litigant to engage any advocate in its case as per choice and financial capacity.

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

RAJYA SABHA  
UNSTARRED QUESTION No. 1885  
ANSWERED ON - 16/03/2023

*e-Court*

**e-Courts project for online hearing**

✓ TS(PPP)

**1885. Shri Vaiko:  
Shri M. Shanmugam:**

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

- (a) the status of e-courts project in various High Courts and other Subordinate Courts in the country;
- (b) the amount allotted for the infrastructure development of e-courts during the last three years, year-wise and State-wise;
- (c) the number of Courts which have started online court hearings, having virtual appearance of lawyers and clients, the details thereof;
- (d) whether any training programmes were organised for Chief Justices and High Court Judges to familiarize them with the technology for conducting online hearings; and
- (e) if so, the details thereof and if not, the reasons therefor?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) : The Government has launched the eCourts Integrated Mission Mode Project in the country for computerization of District and subordinate courts with the objective of improving access to justice using technology. As part of the National eGovernance Plan, the project is under implementation since 2007 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". eCourts project is being implemented in association with e-Committee Supreme Court of India and Department of Justice. Phase I of the project was implemented during 2011-2015. Phase II of the project started in 2015 under which 18,735 District & Subordinate courts have been computerised so far.

Towards enhancement of ICT enablement of Courts, following initiatives have been taken under eCourts project by the eCommittee of the Supreme Court and the Department of Justice:

- i. Under the Wide Area Network (WAN) Project, 2976 court sites have been commissioned with 10 Mbps to 100 Mbps bandwidth speed.
- ii. Case Information Software (CIS) which forms the basis for the e-Court services is based on customized Free and Open-Source Software (FOSS) which has been developed by NIC. 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.
- iii. 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 22.38 crore cases and more than 20.83 crore orders / judgments (as on 01.03.2023). Open APIs have been introduced in 2020 to allow Central and State Governments and institutional litigants including local bodies to access NJDG data to improve pendency monitoring and compliance.
- iv. 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 1.64 cr. downloads till 31<sup>st</sup> January 2023) and JustIS app for judges (18,407 downloads till 31<sup>st</sup> December 2022). JustIS mobile app is now available in iOS as well.
- v. 21 Virtual Courts in 17 States/UTs have been operationalized to handle traffic challan cases. More than 2.40 crore cases have been handled by 21 virtual courts and in more than 33 lakhs (33,57,972) cases online fine of more than Rs. 359.34 crore has been realised till 31.01.2023.
- vi. The Supreme Court of India emerged as a global leader by conducting 4,02,937 hearings (till 31.01.2023 since the beginning of lockdown period). The High Courts (77,67,596 cases and Subordinate Courts 1,84,95,235 cases) have conducted 2.63 crore virtual hearings till 24.12.2022. 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. A sum of Rs. 7.60 crore has been released for procurement of 1732 Document Visualizers.

- vii. 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 31.01.2023. Additionally, under the jurisdiction of 25 High Courts, 19 District Courts have adopted the model rules of e-Filing as on 31.01.2023
- viii. 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 ePayments in their respective jurisdictions. The Court Fees Act has been amended in 21 High Courts till 31.12.2022.
- ix. 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.
- x. 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.
- xi. To make effective use of database created through National Judicial Data Grid (NJDG) and to make the information available to public 39 LED Display Message Sign Board System called Justice Clocks, have been installed in 25 High Courts.
- xii. Towards creating widespread awareness and familiarization of eFiling and eCourts services and to address "skill divide", a manual on eFiling and a Brochure on "How to register for eFiling" has been made available in English, Hindi and 11 regional languages for the use of the lawyers. A YouTube channel has been created in the name of the e Court services with video tutorials on eFiling. The eCommittee of the Supreme Court of India has conducted trainings and awareness programmes on the ICT services. These programmes have covered nearly 5,13,080 stakeholders, including High Court Judges, Judges of the District Judiciary, Court Staff, Master Trainers among Judges/DSA, Technical Staff of High Courts, and Advocates.



The phase II of the project is nearing its completion and Detailed Project Report (DPR) for e-Courts Phase III has been finalized and approved by eCommittee, Supreme Court of India on 21<sup>st</sup> October 2022. The meeting of the Expenditure Finance Committee (EFC) Meeting was held on 23.02.2023. Other, requisite approvals of eCourts Project Phase-III are at advance stage. Phase III of the project envisions facilitation of various new features, few of which are the digital initiatives that encompass Digital and Paperless Courts that aim to bring court proceedings under a digital format in a court; Online Court that focus on eliminating the presence of litigants or lawyers in the court through exploration and adoption of different forms of digitally enabled hearings; expansion of scope of Virtual Courts beyond adjudication of Traffic Violations ; use of emerging technologies like Artificial Intelligence and its subsets like Optical Character Recognition (OCR) etc for analysis of case pendency, forecasting future litigation, etc.

(b) : Funds released during the last three years for infrastructure development of e-Courts are given in Annexure-I.

(c) : The details of courts where virtual hearing is taking place is given in Annexure-II.

(d) : Yes Sir, training programmes were organised for Judges of High Court to familiarize them with the technology for conducting online hearings.

(e) : The details of the academic programmes that were conducted by the National Judicial Academy on e-Courts / e-Committee for High Court Judges are given below:

S/N	Prog. No.	Programme Name	Prog. Date	No. of Participants
1	P-1276	Workshop for High Court Justices on ICT enablement of Indian Judiciary through E-Courts Project and the evolving concept of Artificial Intelligence	08 & 09/01/2022	24
2	P-1300	Master Trainer Programme for High Court Judges (e-committee)	21/08/2022	25

3	P-1313	e-committee Conference committee)	National (e-	06/11/2022	31
4	P-1334	Ecourts Programme & Skills Programme - Level I & II (e-committee)	Introductory & Computer Enhancement	05/03/2023	31

In addition to the above exclusive programmes on e-Courts, two sessions are fully dedicated on e-Courts in each of the Regional Conferences being organized by the National Judicial Academy for the current academic year 2022-23. During the current academic year i.e; 2022-23, NJA has scheduled 8 Regional Conferences, of which, 5 programmes have been conducted so far in which the total number of participants was 625 (which includes High Court Justices and Judicial Officers).

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**Annexure-I**

Statement referred to in reply of Rajya Sabha Question No.1885 for 16/03/2023 regarding e-Courts project for online hearing. The funds released during the last three years for infrastructure development are:

S.No.	High Courts	2019-20	2020-21	2021-22
1	Allahabad	15.04	13.79	0.00
2	Andhra Pradesh	0.00	1.96	0.00
3	Bombay	0.00	8.86	0.00
4	Calcutta	0.00	4.93	0.00
5	Chhattisgarh	4.44	2.34	0.00
6	Delhi	0.00	3.00	0.00
7 (a)	Gauhati (Arunachal Pradesh)	0.98	1.52	1.26
7 (b)	Gauhati (Assam)	13.68	6.11	3.49
7 (c)	Gauhati (Mizoram)	0.51	0.72	0.30
7 (d)	Gauhati (Nagaland)	0.70	0.83	0.84
8	Gujarat*	0.00	3.48	0.00
9	Himachal Pradesh	0.00	2.00	0.00
10	Jammu & Kashmir and Ladakh	0.00	1.00	0.00
11	Jharkhand	5.53	2.98	0.00
12	Karnataka	9.15	4.29	0.00
13	Kerala	0.00	2.83	1.58
14	Madhya Pradesh	11.21	6.28	0.00
15	Madras	0.00	4.73	0.00
16	Manipur	0.61	1.30	0.76
17	Meghalaya	0.92	2.32	2.23
18	Orissa	13.46	3.37	0.00
19	Patna	7.08	5.44	0.00
20	Punjab & Haryana	0.00	4.55	0.00
21	Rajasthan	1.29	10.58	1.62
22	Sikkim	1.61	1.01	0.77
23	Telangana	0.00	1.79	0.00
24	Tripura	2.24	4.44	0.95
25	Uttarakhand	0.00	1.28	0.00
<b>Total</b>		<b>88.44</b>	<b>107.74</b>	<b>13.80</b>

\*Gujarat High Court surrendered Rs.13.12 Cr. Total utilization included surrendered funds.

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

**RAJYA SABHA**

**STARRED QUESTION NO.\*247**

**ANSWERED ON 23/03/2023**

ADMN.I(LD)

**Law to appoint ECs and CEC**

**\*247 SHRI MUKUL BALKRISHNA WASNIK:**

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

- (a) whether Government has any plans to enact a law for the appointment of Election Commissioners (ECs) and the Chief Election Commissioner (CEC) that will ensure the integrity of the Election Commission of India for the conduct of free and fair elections; and
- (b) if so, the details thereof and if not, the reasons therefor?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) and (b): A Statement is laid on the Table of the House.

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**STATEMENT REFERRED TO IN RESPECT OF RAJYA SABHA**  
**STARRED QUESTION NO. \*247 FOR ANSWER ON 23 MARCH 2023**

(a) and (b): Election Commission of India is a permanent constitutional body established in accordance with Article 324(1) of the Constitution of India. As per Article 324(2) of the Constitution of India, the Election Commission shall consist of the Chief Election Commissioner and such number of Election Commissioners, if any, as the President may from time to time fix and that the appointment of the Chief Election Commissioner and other Election Commissioners shall, subject to the provisions of any law made in that behalf by Parliament, be made by the President. Originally, the Commission was headed by the lone Chief Election Commissioner. In order to ensure transparency in the working of the Commission and for conduct of free and fair elections in the country, the government of the day appointed two additional Commissioners in October 1989, who continued only till January 1990. Later, on 1<sup>st</sup> October 1993, two Election Commissioners were appointed and the concept of present-day multi-member Commission is in vogue since then.

No specific law has been made by the Parliament as envisaged under Article 324 (2) of the Constitution of India for appointment of Chief Election Commissioner and the Election Commissioners. According to Rule 8 of the Government of India (Transaction of Business) Rules, 1961 read with Sl. No. 22 of the Third Schedule to the said Rules, appointment of the Chief Election Commissioner and other Election Commissioners requires the approval of the Prime Minister and the President. So far the senior members of Civil Service and / or other serving or retired officers of the rank of Secretary to the Government of India/ Chief Secretary of the State Governments are appointed as Election Commissioners and the senior-most among the three Election Commissioners, as Chief Election Commissioner. The appointments to the posts

of Chief Election Commissioner and the Election Commissioners are in consonance with the constitutional values that uphold the integrity and credibility of the Commission.

Recently, in Writ Petition (Civil) No.104 of 2015, *Anoop Baranwal v. Union of India*, with Writ Petition (Civil) No.1043 of 2017, 569 of 2021 and 998 of 2022, the Supreme Court of India has *inter alia* held in its judgment dated the 02 March, 2023 that until the Parliament makes a law in consonance with Article 342(2) of the Constitution the appointment of the Chief Election Commissioner and the Election Commissioners shall be made on the recommendations made by a three-member Committee comprising the Prime Minister, Leader of the Opposition of the Lok Sabha and in case no Leader of Opposition is available, the Leader of the largest opposition party in the Lok Sabha in terms of numerical strength and the Chief Justice of India.

The judgement of Supreme Court is being examined by the Government and appropriate action will be taken.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO.2663  
ANSWERED ON 23.03.2023**

LAP

JS(WK6)

**Meeting of Under Trial Review Committees**

✓ 2663 SHRI BINOY VISWAM:

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

- (a) the details of the meetings held by the Under Trial Review Committees (UTRCs) since 2019, year-wise and State Legal Services Authority-wise; and
- (b) the details of the number of Under Trial Prisoners (UTPs) released by UTRCs since 2019?

**ANSWER**

**MINISTER OF LAW & JUSTICE  
(SHRI KIREN RIJJU)**

- (a) to (b) The State-wise details of meetings held by the Under Trial Review Committees (UTRCs) and number of inmates/Under Trial Prisoners released pursuant to UTRCs recommendations during the years 2019, 2020, 2021 and 2022 is at Annexure-A.

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Statement as referred to in reply to Rajya Sabha Unstarred Question No. 2663 for answering on 23.03.2023 raised by Shri Binoy Viswam, MP - Meeting of Under Trial Review Committees.

Statement showing details of meetings held by the Under Trial Review Committees (UTRCs) and number of inmates/Under Trial Prisoners (UTPs) released pursuant to UTRCs recommendations during the years 2019, 2020, 2021 and 2022									
S.No.	State/UT Legal Services Authority	2019		2020		2021		2022	
		No. of meetings of UTRCs held	No. of inmates/UTPs released	No. of meetings of UTRCs held	No. of inmates/UTPs released	No. of meetings of UTRCs held	No. of inmates/UTPs released	No. of meetings of UTRCs held	No. of inmates/UTPs released
1	ANDHRA PRADESH	127	1004	78	326	47	529	101	1160
2	ARUNACHAL PRADESH	72	26	95	82	103	34	139	10
3	ASSAM	132	620	247	592	323	1576	323	1274
4	BIHAR	249	101	344	95	238	185	364	506
5	CHHATISGARH	174	2252	76	686	87	162	129	299
6	GOA	8	45	48	7	19	2	14	12
7	GUJARAT	235	149	495	20	224	54	176	146
8	HARYANA	217	221	790	259	745	392	725	1525
9	HIMACHAL PRADESH	91	27	423	3	523	1	532	127
10	JAMMU & KASHMIR	18	0	43	7	31	5	37	2
11	JHARKHAND	169	8	313	47	309	208	265	570
12	KARNATAKA	245	15	356	19	710	124	1318	8810
13	KERALA	0	98	23	9	31	1	55	72
14	MADHYA PRADESH	314	606	432	802	324	357	386	944
15	MAHARASHTRA	274	1739	594	3047	643	857	661	3757



16	MANIPUR	65	43	24	33	29	16	45	16
17	MEGHALAYA	11	72	79	190	11	32	145	78
18	MIZORAM	0	151	0	0	2	0	3	15
19	NAGALAND	39	16	84	42	37	36	33	5
20	ODISHA	30	106	1170	1229	1440	2571	1440	3536
21	PUNJAB	151	323	625	1608	662	649	686	2121
22	RAJASTHAN	404	613	1087	791	1057	2668	725	1569
23	SIKKIM	32	1	152	4	201	0	199	5
24	TELANGANA	48	610	32	409	33	65	49	309
25	TAMIL NADU	77	458	91	745	102	1478	190	1906
26	TRIPURA	16	1	109	157	187	190	135	167
27	UTTAR PRADESH	186	1640	541	2212	692	1110	605	2654
28	UTTARAKHAND	27	845	268	484	218	1577	166	713
29	WEST BENGAL	99	312	530	885	410	1266	262	2124
30	ANDAMAN & NICOBAR ISLANDS	0	0	13	2	38	0	41	0
31	CHANDIGARH	7	0	19	0	2	0	3	0
32	DADRA & NAGAR HAVELI	3	0	0	0	0	0	4	1
33	DAMAN & DIU	12	0	6	0	8	0	6	0
34	DELHI	90	367	315	481	334	875	339	1044
35	LAKSHADWEEP	0	0	0	0	0	0	0	0
36	PUDUCHERRY	4	9	5	0	7	0	14	3
37	LADAKH	NA	NA	NA	NA	7	0	6	0
	<b>Total</b>	<b>3626</b>	<b>12478</b>	<b>9507</b>	<b>15273</b>	<b>9834</b>	<b>17020</b>	<b>10321</b>	<b>35480</b>

**Note: Ladakh Legal Services Authority was constituted in the month of February, 2021.**

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

**UNSTARRED QUESTION NO-2664**

**ANSWERED ON -23/03/2023**

A2J  
LAP

JS (NKK)

**Legal aid to poor and marginalized sections**

✓ **2664.SHRI PRABHAKAR REDDY VEMIREDDY:**

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

- (a) whether, under Article 39A of the Constitution, Government has to provide free legal service to weaker and marginalized sections of society;
- (b) if so, whether Government is achieving the objectives of Article 39A through NALSA, DISHA, Nyaya Bandhu and through other interventions;
- (c) how Tele-Law is helping in providing legal aid to poor and the marginalized, with a particular reference to women, SCs and STs, State-wise;
- (d) allocation made in 2023-24 budget for above purposes; and
- (e) reasons that allocation for Department of Justice has come down from 61% of total Budget of the Ministry to just 37% in 2023-24?

**ANSWER**

**THE MINISTER OF LAW & JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (d) Yes, Sir. The Legal Services Authorities (LSA) Act, 1987 constituted under Article 39A of the Indian Constitution, provides 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 a basis of equal opportunities. For this purpose, the legal services institutions have been setup from the Taluk Court level to the Supreme Court. 9.75 lakhs persons have been provided with free legal services during April, 2022 to January, 2023 and more than 5.53 crore cases (pending in courts and

disputes at pre-litigation stage) have been settled through Lok Adalats April, 2022 to February, 2023. A sum of Rs.200 crores in the Budget Estimates during the financial year 2023-24 has been allocated to NALSA.

In addition, Department of Justice initiated a scheme titled Designing Innovative Solutions for Holistic Access to Justice (DISHA) to provide for easy, accessible and affordable delivery of legal services. Its key initiatives include Tele-Law: Reaching the Unreached that aims to strengthen pre-litigation advice and consultation to all citizens at the Gram Panchayat level and Nyaya Bandhu (Pro Bono Legal Services) that aims to enable a pan India Pro Bono dispensation framework for delivery of legal services. Tele-Law seeks to connect the beneficiary with the Lawyer via tele/ conferencing facilities available at the Common Service Centers and through Tele-Law Citizens Mobile Application. As on 28th February, 2023, Tele-Law services is available across 1 lakh Gram Panchayats in 755 districts across 36 States and UTs and has rendered legal advice to 33,54,545 beneficiaries, which includes women, children, Scheduled Caste, Scheduled Tribe etc. The Nyaya Bandhu platform enables seamless connect on the Nyaya Bandhu Application (available on Android/ iOS) between the interested Pro Bono Advocates and registered beneficiaries entitled for free legal aid under section 12 of Legal Services Authorities Act, 1987. As on 28th February, 2023, there are 5954 Pro Bono advocates and 69 law schools have constituted Pro Bono Clubs to facilitate the culture of Pro bono among law students. Panel Lawyers of NALSA has been onboarded to provide Tele-Law Services and to provide Pro Bono Legal services at the district level. A total budget of Rs 40 Crore in the Budget Estimates for the Financial Year 2023-2024 has been allocated under DISHA.

e) The Ministry of Finance makes the final allocations under BE/RE. The allocation for Department of Justice has increased from 33.05% in the FY 2022-2023 to 34.16% in the FY 2023-2024. Details of the BE/RE for the Financial Year 2022 -2023 and 2023 -2024 is placed at **Annexure A**.

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**Statement as referred to in reply to part (e) Rajya Sabha Unstarred Question No.2664 for answering on 23.03.2023 raised by Shri Prabhakar Reddy Vemireddy on details of allocation made to Department of Justice and Ministry of Law and Justice**

**Statement containing the information of B.E allocation year-wise.**

	B.E-2022-2023	%	B.E 2023-2024	%
Department of Justice	1121.80	33.05	1358.31	34.16
Total Ministry of Law and Justice	3393.48		3875.43	

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**GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE  
RAJYA SABHA  
UNSTARRED QUESTION NO. 2665  
ANSWERED ON 23/03/2023**

NM

**JUDICIAL REFORMS**

JS (NMJR)

✓ 2665. SMT. PHULO DEVI NETAM:

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

- (a) whether Government has any proposal to implement judicial reform measures;**
- (b) if so, the details thereof; and**
- (c) the time by which such reform measures are likely to be implemented?**

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

**(a) to (c):** Judicial reforms is a collaborative and a continuous process. Government has 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. The Mission has been pursuing a coordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia*, involves better infrastructure for courts, including computerization, an 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. 9755.51 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 21,271 as on 28.02.2023, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,734 as on 28.02.2023, 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. 689 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. 21 virtual courts have been set up in 17 States/UTs. As on 31.01.2023, these courts have handled more than 2.53 crore cases and realized more than Rs. 359 crores in fines. E-courts Phase III is about to begin which intends to incorporate latest technology such as 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 07.03.2023, 54 Judges were appointed in Supreme Court. 887 new Judges were appointed and 646 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:

<b>As on</b>	<b>Sanctioned Strength</b>	<b>Working Strength</b>
31.12.2013	19,518	15,115
07.03.2023	25,188	19,414

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 31.01.2023, 843 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 wholeheartedly. Accordingly, the Commercial Courts Act, 2015 was amended on 20<sup>th</sup> 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.** LokAdalat 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 LokAdalat 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.. LokAdalat is not a permanent establishment. National LokAdalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date. The details of the case disposed off in LokAdalats 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 (till Feb)	1,75,98,095	30,25,724	2,06,23,819
<b>Total</b>	<b>5,58,19,604</b>	<b>1,95,18,262</b>	<b>7,53,37,866</b>



- 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**

<b>Till 28<sup>th</sup> Feb, 2023</b>	<b>Cases Registered</b>	<b>% Wise Break Up</b>	<b>Advice Enabled</b>	<b>% Wise Break Up</b>
<b>Gender Wise</b>				
Female	11,46,046	33.43	11,23,504	33.49
Male	22,82,642	66.57	22,31,041	66.51
<b>Caste Category Wise</b>				
General	7,31,346	21.33	7,12,646	21.24
OBC	10,08,050	29.40	9,83,336	29.31
SC	10,86,611	31.69	10,66,037	31.78
ST	6,02,681	17.58	5,92,526	17.66
<b>Total</b>	<b>34,28,688</b>		<b>33,54,545</b>	

- 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 NyayaBandhu (Android & iOS and Apps). NyayaBandhu 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.

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

**UNSTARRED QUESTION NO.2666  
ANSWERED ON 23/03/2023**

N M

JS (N M TR)

**MEASURES FOR QUICK DISPOSAL OF COURT CASES**

✓ **2666. SHRI SUSHIL KUMAR GUPTA:**

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

- (a) whether Government proposes to adopt a policy and contemplates having adequate legislative measures in the areas prone to excessive litigation;**
- (b) if so, the details thereof and if not, the reasons therefor; and**
- (c) whether Government would consider re-engineering of court procedure for quick disposal of cases?**

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

**(a)& (b):** Government has adopted several steps/measures to check excessive litigation specially in the areas which are prone to it. They include:-

- (i)** Ministry of Railways has issued instructions for effective monitoring of Court cases at all levels. Zonal Railways and Production Units have been asked to take effective steps to reduce the number of cases in which the Government is a party and reduce the burden of courts, expedite finalization of all the cases in all courts at the

earliest and to cut down the expenditure in contesting court cases. For achieving this, emphasis has been laid on effective monitoring of cases by having regular meetings with empanelled advocates, for briefing and necessary directions to be given at the highest level, besides ensuring timely submission of replies, counter replies and necessary documents to the advocates.

(ii) The Central Board of Direct Taxes (CBDT) and the Central Board of Indirect Taxes and Customs (CBIC) under the Department of Revenue, have issued a slew of instructions and brought in several measures, for reducing litigations and the resultant burden on Courts. While the CBDT has issued circulars directing the field Officers that pending appeals before Income Tax Appellate Tribunals/High Courts/Supreme Court with tax effect below the specified limits may be withdrawn/not pressed, and in the process facilitating a better and concerted focus on high demand litigations. CBDT has also clarified to the field officers that appeals should not be filed merely because the tax effect in a particular case exceeds the prescribed monetary limits and the filing of an appeal should be decided strictly on the merits of the case. Similarly, the field formations under the CBIC have been instructed to withdraw appeals pending in High Courts/Customs Excise and Service Tax Appellate Tribunal, where the Supreme Court has decided on identical matter. Besides, CBIC has also instructed its field formations not to contest further in appeal where the issue has been lost in two stages of appeals. It has been decided, however, that in cases where it is felt that the issue is fit for further appeal, then on proper justification and approval of the Zonal Chief Commissioner, an appeal can be filed for the third time. Also, the field formation have been instructed to forward only those SLP proposals where in the issue involves substantial question of law or gross perversity or illegality in the appreciation of evidence. In this direction, both the CBDT and the CBIC have also enhanced the threshold monetary limit for filing appeals.

(iii) The alternative mechanism for the resolution of Inter-Ministerial/Departmental disputes also provide for an institutionalized mechanism for resolution of such disputes, namely, Administrative Mechanism for Resolution of Disputes (AMRD). This was

framed by the Department of Legal Affairs and circulated *vide* O.M. dated 31.03.2020. This mechanism, applicable to disputes other than taxation disputes, will reduce litigations in courts and resolve the cases outside the court system, where both parties are Govt. Department or where one party is Govt. Department and other is its instrumentalities, (CPSEs/Boards/ Authorities, etc.). To resolve the commercial disputes between Central Public Sector Enterprises *inter-se* and Central Public Sector Enterprises and Government Departments/ Organizations in place of the earlier 'Permanent Machinery of Arbitration', a new scheme, namely, "Administrative Mechanism for Resolution of CPSE Disputes (AMRCD)" evolved by Department of Public Enterprises has been brought into effect w.e.f. 22.05.2018.

(iv) The Commercial Courts Act, 2015 was amended in 2018 to inter-alia provide for Pre-Institution Mediation and Settlement (PIMS) mechanism. Under this mechanism a party which does not contemplate any urgent interim relief in a subject-matter of commercial dispute of specified value of Rs.3 lakh and above has to first exhaust the remedy of PIMS to be conducted by the authorities constituted under the Legal Services Authorities Act, 1987, before approaching the Court.

(v) Further for facilitating quick disposal of disputes outside the court systems by way of alternate dispute redressal mechanism of mediation, the Mediation Bill, 2021 has been introduced in the Rajya Sabha which *inter-alia* providing for pre-litigation mediation by the parties.

(vi) For the purpose of monitoring of litigation of Union of India, a web-based platform namely, Legal Information Management & Briefing System (LIMBS) was created in the year 2016. LIMBS Ver.2 has also been launched in the year 2019 to overcome the existing technological gaps in the application. The vision of LIMBS Ver.2 is ***'to be a single platform for Litigation of GoI along with establishment of a synchronized regime for monitoring of Litigation'*** across all Ministries / Departments of Government of India. Details regarding Central Government cases are updated on LIMBS portal by the 57 user Ministries / Departments. Data on LIMBS portal is user

based which is entered by user of respective Ministry / Department and not centrally by the Department of Legal Affairs.

(c): While disposal of pending cases lies in the exclusively domain of judiciary and the Central Government has no direct role in the matter, the government has taken several initiatives to provide suitable environment for expeditious disposal of cases by the judiciary.

Central Government started 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. The Mission has been pursuing a coordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia*, involves better infrastructure for courts, including computerization, an 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.

Department of Justice with the active support of High Courts of Delhi, Mumbai, Karnataka and Calcutta has established dedicated commercial courts in Delhi(35), Mumbai(6), Bengaluru(10) and Kolkata(2). These dedicated commercial courts have made several efforts to improve the quality of judicial process through re-engineering of the court proceedings by way of automatic and random allocation of cases, imposing three adjournment rules and the color banding, introducing electronic case management tools for judges and lawyers, court automation through e-filing, e-summons, etc.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 2667**

**ANSWERED ON 23/03/2023**

*LEG. II SEC*

**DELIMITATION OF PARLIAMENTARY AND ASSEMBLY  
CONSTITUENCIES**

✓ **2667. Shri G.V.L. Narasimha Rao :**

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

- (a) the procedure followed for delimitation of Parliamentary and Assembly constituencies in 2008;
- (b) the organizations from which the Delimitation Commission received assistance in redrawing boundaries;
- (c) the role of State Governments in redesigning the borders of constituencies;
- (d) whether the Sachar Committee recommendation to not reserve constituencies with high Muslim population for scheduled castes was adopted by the Delimitation Commission;
- (e) whether any public hearings or meetings with political parties were conducted after preparing the draft report of delimited constituencies to seek feedback, if so, details thereof, if not, reasons therefor; and
- (f) time frame for conducting the next delimitation exercise?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

- (a): The delimitation of Parliamentary and Assembly constituencies was done according to the procedure laid down in the Delimitation Act, 2002.
- (b): The Election Commission of India (ECI) has informed that in accordance with the provisions of the Delimitation Act, 2002 (33 of 2002), the Delimitation Commission received assistance in redrawing boundaries from State Election

Commissioners, Chief Electoral Officers and Associate Members from the States concerned as well as with the Registrar General & Census Commissioner of India and simultaneously suggestions were also taken from stakeholders.

- (c): The State Governments have no role in redesigning the borders of constituencies.
- (d): The seats for Scheduled Castes and Scheduled Tribes were reserved as per the Constitutional and Legal provisions *i.e.* articles 330 and 332 of the Constitution of India read with sections 9(1)(c) and 9(1)(d) of the Delimitation Act, 2002.
- (e): As informed by the ECI, under the provisions of the Delimitation Act, 2002, the then Delimitation Commission had conducted public sittings in all concerned States/Union territories to hear the suggestions/ objections received from the public/political parties/organisations or otherwise *w.r.t.* its draft proposals published in the Central and State Gazettes. Further, after consideration of all suggestions/objections as received *w.r.t.* draft proposals or in the public sittings, the Delimitation Commission published its final orders in the Central and State Gazettes for public information. The details information is already in public domain on the Commission's website <http://eci.gov.in> under the head "Delimitation".
- (f): As per existing law, the next delimitation exercise may be conducted after the first census to be taken after the year 2026.

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**GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE  
RAJYA SABHA  
UNSTARRED QUESTION NO.2668  
ANSWERED ON 23/03/2023**

JS (NMJR)

Nm

**ASSESSMENT OF IMPACT OF VACANCIES ON PENDENCY OF CASES**

✓2668. SHRI NEERAJ SHEKHAR:

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

- (a) the details of number of vacancies in District Courts in Uttar Pradesh and Bihar under Allahabad High Court and Patna High Court, respectively, State-wise and district-wise;**
- (b) the details of posts of judges filled up during the last three years in above States, district-wise and year-wise;**
- (c) whether High Courts have assessed the impact of vacancies on the pendency of cases; and**
- (d) if so, the details thereof?**

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

**(a)& (b):** As per the information provided by Allahabad High Court, presently there are 1080 vacant posts of Judicial Officers in the District Courts of Uttar Pradesh. The



district-wise details of number of vacancies in District Courts, Uttar Pradesh is at *Annexure-I*.

As per the information provided by Patna High Court, there are a total of 457 vacant posts of Judicial Officers in District Courts of Bihar as on 01.03.2023. Patna High Court has intimated that vacancy status of judicial officers are not being maintained District-wise.

The details of posts of judges filled up during the last three years, district-wise and year-wise, in the state of Uttar Pradesh and Bihar is given below

#### UTTAR PRADESH

Name of the Cadre		Year of notification of appointment			
		2020	2021	2022	Total
Higher Judicial Services	Direct Recruitment	45	28	0	73
	Promotion	67	6	1	74
Civil Judge (Senior Division) (Promotion)		37	8	4	49
Civil Judge (Junior Division) (Direct Recruitment)		47	140	0	187
<b>Total</b>		<b>196</b>	<b>182</b>	<b>5</b>	<b>383</b>

Source: Allahabad High Court

#### BIHAR

Name of the Cadre	Year of notification of appointment			
	2020	2021	2022	Total
District Judge (25% Direct from Bar Quota)	3	16	1 (appointment on reinstatement)	20
District Judge (65% Quota)	1	69	0	70
District Judge (10% Limited Competitive Examination)	0	21	0	21
Civil Judge (Senior Division)	19	23	0	42
Civil Judge (Junior Division)	344	0	10+211	565
<b>Total</b>	<b>367</b>	<b>129</b>	<b>222</b>	<b>718</b>

Source: Patna High Court

**(c) &(d):** No specific assessment of the co-relation between vacancy and pendency has been made by any of the High Courts. However, Allahabad High Court has intimated that in its additional report, the Arrears Committee has suggested that timely recruitment and appointment of judicial officers as well as their supporting staff is required to be taken.

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District-wise chart consisting number of vacant Courts/Posts of Judicial Officers is as under:-

Courts/Posts of Judicial Officers Vacant in the District Courts of Uttar Pradesh		
Sl. No.	Name of the District	No. of Vacant Courts/Posts
1	Agra	29
2	Aligarh	17
3	Allahabad	24
4	Ambedkarnagar at Akbarpur	12
5	Amethi*	6
6	Amroha	6
7	Auraiya	8
8	Azamgarh	25
9	Baghpat	3
10	Bahraich	17
11	Ballia	17
12	Balrampur	12
13	Banda	12
14	Barabanki	12
15	Bareilly	18
16	Basti	20
17	Bhadohi at Gyanpur	13
18	Bijnor	12
19	Budaun	20
20	Bulandshahar	19
21	Chandauli	12
22	Chitrakoot	8
23	Deoria	21
24	Etah	17
25	Etawah	10
26	Faizabad	17
27	Farrukhabad	21
28	Fatehpur	9
29	Firozabad	9
30	Gautambudh Nagar	33

31	Ghaziabad	14
32	Ghazipur	26
33	Gonda	19
34	Gorakhpur	17
35	Hamirpur	14
36	Hapur	6
37	Hardoi	20
38	Hathras	11
39	Jalaun at Orai	11
40	Jaunpur	28
41	Jhansi	11
42	Kannauj	9
43	Kanpur Nagar	18
44	Kasganj	2
45	Kaushambi	10
46	Kushinagar at Padrauna	20
47	LakhimpurKheri	16
48	Lalitpur	6
49	Lucknow	14
50	Maharajganj	15
51	Mahoba	5
52	Mainpuri	13
53	Mathura	12
54	Mau	14
55	Meerut	21
56	Mirzapur	13
57	Moradabad	11
58	Muzaffar Nagar	16
59	Pilibhit	8
60	Pratapgarh	17
61	Rae-bareli	13
62	Ramabai Nagar	18
63	Rampur	11
64	Saharanpur	14
65	Sambhal	8

66	SantKabir Nagar	10
67	Shahjahanpur	12
68	Shamli	7
69	Shrawasti at bhinga	4
70	Siddarth Nagar	12
71	Sitapur	20
72	Sonbhadra	15
73	Sultanpur	14
74	Unnao	17
75	Varanasi	29
	<b>Total</b>	<b>1080</b>

Source : Allahabad High Court

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

**RAJYA SABHA  
UNSTARRED QUESTION No. 2670  
ANSWERED ON - 23/03/2023**

*e-wt*

*52 (PPP)*

**Computerization of District Courts**

✓ **2670. Shri Harbhajan Singh:**

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

- (a) the status of the proposal for computerization of all District Courts in the country;
- (b) whether Punjab has been given funds for the computerization of lower courts;
- (c) if so, the details thereof;
- (d) whether courts in Punjab have been given Central assistance for development of infrastructure; and
- (e) if so, the details thereof?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) :The Government has launched the eCourts Integrated Mission Mode Project for computerization of District and subordinate courts in the country with the objective of improving access to justice using technology. The Phase I of eCourts was concluded in 2015. Phase II of the project started in 2015 and 18,735 District & Subordinate courts have been computerised till phase II. The detailed break-up of computerization of court complexes has been attached in Annexure-I.

(b)& (c) : Yes Sir. A sum of Rs. 54.12 crore. have been released to Punjab and Haryana High Court under the e-Courts Project Phase-II for computerization of District and Subordinate Courts

(d) & (e) : Yes Sir. The Department of Justice has been administering a Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary since the year 1993-

94. Though the primary responsibility of Infrastructure development for the subordinate judiciary rests with the State Governments, the Central Government through this CSS augments the resources of the State Governments by releasing financial assistance. The scheme presently covers construction of court buildings, residential quarters, digital computer rooms, toilets and lawyers' halls in District and Subordinate Courts of all the States/UTs. The scheme allows new construction and upgradation or renovation of existing court buildings but does not allow routing maintenance or upkeep. A sum of Rs. 583.58 crore have been released to the State Government of Punjab under the scheme since 1993-94 which included a sum of Rs. 12.50 crore released during the current financial year.

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**Annexure-I**

Statement referred to in reply of Rajya Sabha Unstarred Question No.2670 for 23/03/2023 regarding Computerization of District Courts. The details of court complex and computerization of courts are as under:

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	1	3
		Daman and Diu	2	2
		Goa	17	39
		Maharashtra	471	2157
4	Calcutta	Andaman & Nicobar Islands	4	14
		West Bengal	89	827
5	Chhattisgarh	Chhattisgarh	93	434
6	Delhi	Delhi	6	681
7	Gauhati	Arunachal Pradesh	14	28
		Assam	74	408
		Mizoram	8	69
		Nagaland	11	37
8	Gujarat	Gujarat	376	1268
9	Himachal Pradesh	Himachal Pradesh	50	162
10	Jammu & Kashmir and Ladakh	Union Territory of Jammu & Kashmir and Union Territory of Ladakh	86	218
11	Jharkhand	Jharkhand	28	447
12	Karnataka	Karnataka	207	1031
13	Kerala	Kerala	158	484
		Lakshadweep	1	3
14	Madhya Pradesh	Madhya Pradesh	213	1363
15	Madras	Puducherry	4	24
		Tamil Nadu	263	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	1	30
		Haryana	53	500
		Punjab	64	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
	<b>Total</b>		<b>3452</b>	<b>18735</b>



GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
LEGISLATIVE DEPARTMENT

RAJYA SABHA  
UNSTARRED QUESTION NO. 2671

LEG. II SEC.

TO BE ANSWERED ON THURSDAY, 23<sup>rd</sup> MARCH, 2023

STATUS OF FORM 6B SUBMISSION

✓ 2671. Shri Narayana Koragappa :

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

- (a) whether any maximum days have been stipulated for acceptance or rejection of Form 6B submission;
- (b) the current turnaround days taken for Form 6B acceptance or rejection;
- (c) whether ECI portal in each State has dashboard display of Form 6B status vide submission/accepted/rejected numbers;
- (d) total number of first time voters with EPIC-Aadhaar link, as on date, State-wise;
- (e) the total number of Form 6B submitted, accepted and rejected, as on date, in the country; and
- (f) the total number of Form 6B submitted, accepted and rejected, as on date, in Karnataka, district-wise?

ANSWER

MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)

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

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

**RAJYA SABHA  
UNSTARRED QUESTION NO-2672  
ANSWERED ON -23/03/2023**

A2J

J2 (YK 2)

**STUDY ON ACCESS TO LEGAL SERVICES IN THE COUNTRY**

✓ **2672. SHRI VIKRAMJIT SINGH SAHNEY:**

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

- (a) the details of funds allocated and utilized under the Designing Innovative Solutions for Holistic Access to Justice (DISHA) Scheme during the last two years, year-wise, State-wise including for Punjab, district-wise;
- (b) the number of people from marginalized sections, especially transgender people, who got free legal assistance under Nyaya Bandhu Programme during the last two years, year-wise, State-wise, including for Punjab, district-wise;
- (c) whether Government has conducted any study on access to legal services in India during the last five years, if so, year-wise, State-wise details thereof; and
- (d) if not, the reasons therefor?

**ANSWER**

**THE MINISTER OF LAW & JUSTICE**

**(SHRI KIREN RIJJU)**

- (a) The details of funds allocated and utilized under Designing Innovative Solutions for Holistic Access to Justice in India" (DISHA) during the last two years is at **Annexure 'A'**. Since this is a central sector scheme, no state wise allocation of funds are made under it.
- (b) Nyaya Bandhu (Pro Bono Legal Services) provides for free legal assistance to those entitled for free legal aid under Section 12 of Legal Services Authorities Act, 1987. No beneficiary from transgender category has availed service under Nyaya Bandhu (Pro Bono Legal Services) from the State of Punjab. As on 28<sup>th</sup> Feb, 2023, a total of 1781 beneficiaries have been rendered legal assistance. The State/UT wise details of number of beneficiaries is at **Annexure – 'B'**

**(c)& (d)** Department of Justice, Government of India conducted third party evaluation of its programmes in 2019 which includes Tele-Law: Reaching the Unreached; Nyaya Bandhu Pro Bono Legal Services Programme, Nyaya Mitra and Access to Justice in North -Eastern States. In addition, National Legal Service Authority (NALSA) has conducted three Evaluation and Impact Assessment by the third-party agencies on the following subject:

- (i) Evaluation and Impact Assessment of Practice and Procedure of Empanelment, Capacity Building, Engagement and Management of lawyer empanelled with Legal Services Authorities.
- (ii) Evaluation of Legal Aid provided in Civil and Criminal matters in Courts, Tribunals, Quasi-Judicial Body & Jails.
- (iii) Evaluation & Impact Assessment of Para Legal Volunteers (PLVs).

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## ANNEXURE –‘A’

**Statement as referred to in reply to part (a) Rajya Sabha Unstarred Question No.2672 for answering on 23.03.2023 raised by Shri Vikramjit Singh Sahney, MP on details of funds allocated and utilized under the Designing Innovative Solutions for Holistic Access to Justice (DISHA) Scheme during the last two years, year-wise.**

**Statement containing the information of funds allocation and utilisation year-wise.**

Name of the Scheme	2021-2022			2022-2023		
	BE	RE	Actual Expenditure	BE	RE	Actual Expenditure (Utilized as on 15.03.2023)
Designing Innovative Solutions for Holistic Access to Justice in India (DISHA)	40.00	40.00	39.96	40.00	48.15	35.24

**Statement as referred to in reply to part (b) Rajya Sabha Unstarred Question No.2672 for answering on 23.03.2023 raised by Shri Vikramjit Singh Sahney, MP on details legal assistance under Nyaya Bandhu Programme**

**Statement containing the information of State/UT wise beneficiaries served by the Nyaya Bandhu Programme.**

Sr.No.	STATE/UTs	Number of Beneficiaries as on 28 <sup>th</sup> Feb 2023
1	Andaman & Nicobar Islands	2
2	Andhra Pradesh	86
3	Assam	15
4	Bihar	92
5	Chandigarh	7
6	Chhattisgarh	22
7	Delhi	133
8	Goa	3
9	Gujarat	52
10	Haryana	49
11	Himachal Pradesh	8
12	Jammu & Kashmir	7
13	Jharkhand	40
14	Karnataka	72
15	Kerala	10
16	Madhya Pradesh	60
17	Maharashtra	339
18	Manipur	9
19	Odisha	111
20	Puducherry	1
21	Punjab	29
22	Rajasthan	49
23	Sikkim	3
24	Tamil Nadu	31
25	Telangana	81
26	Tripura	4
27	Uttar Pradesh	275

28	Uttarakhand	23
29	West Bengal	167
30	Nagaland	1
31	Mizoram	0
32	Arunachal Pradesh	0
33	Lakshadweep	0
34	Dadra & Nagar Haveli	0
35	Daman & Diu	0
36	Meghalaya	0
<b>Total</b>		<b>1781</b>

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

**RAJYA SABHA**

**UNSTARRED QUESTION No. 2673**

LEG. I. SEC.

**TO BE ANSWERED ON THURSDAY, THE 23<sup>RD</sup> MARCH 2023.**

**REWORKING ON EXISTING PRONOUNS IN THE CONSTITUTION OF INDIA**

✓ 2673. SMT.SULATA DEO

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

- (a) Whether, based on the recent introduction of the “she/her” pronouns while referring to all genders in the Digital Data Protection Bill, 2022, Government plans to rework the existing pronouns in the Constitution of India; and
- (b) if so, the details thereof; and if not, the reasons therefor ?

**A N S W E R**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

- (a) & (b) Drafting of legislations in line with the Government’s philosophy of empowering of women is an evolving and innovative practice and no such proposal to rework the Constitution is under consideration at present.

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

RAJYA SABHA  
UNSTARRED QUESTION No. 2674  
ANSWERED ON - 23/03/2023

e-Court

Digitisation of High Court records

JS (PPP)

✓ 2674.Smt. Sulata Deo:

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

- (a) the quantum of data pertaining to digitisation of High Court records under the e-Courts scheme, State-wise, for the last two years;
- (b) whether Government is aware of the considerably low levels of digitisation in High Courts; and
- (c) if so, whether measures are being taken to improve on the rate of digitisation, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a)& (b) :A sub-committee was constituted by eCommittee,Supreme Court of Indiafor 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 byeCommittee, Supreme Court of India under the chairmanship of Chief Justice of India, D.Y. Chandrachudon 21st October 2022. As per the details given in SOP, the quantumof data pertaining to digitisation of High Court records is enclosed at Annexure I.

(c) : The phase II of the project is nearing its completion and DPR for e-Courts Phase III has been finalized and approved by eCommittee, Supreme Court of India on 21st October 2022 wherein there is a provision of digitization of entire court record including legacy data. The meeting of the Expenditure Finance Committee (EFC) to consider the DPR of eCourts Phase III was held on 23.02.2023 and approval of EFC has been received. Other, requisite approvals are at an advancedstage.

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**ANNEXURE I**

Statement referred to in reply of part (a) of Rajya Sabha Unstarred Question No. 2674 for 23/03/2023 regarding Digitisation of High Court records. The progress of digitization of court records are as under:

<b>High Court wise Status of Current Digitization</b>		
<b>Sr. No.</b>	<b>High Court Location</b>	<b>Total Number of Digitized pages</b>
1	Gauhati High Court Itanagar, Arunachal Pradesh	0
2	Calcutta High Court West Bengal	1,22,00,000
3	Allahabad High Court	19,68,00,000
4	Delhi High Court, New Delhi	17,90,00,000
5	Andhra Pradesh High Court	Not Available
6	Guwahati High Court, Assam	2,92,17,338
7	High Court of Himachal Pradesh	75,34,000
8	Gauhati High Court Kohima Bench	2,80,000
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, Cuttak, Odhisa	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 AND JUSTICE  
DEPARTMENT OF JUSTICE**

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**RAJYA SABHA**

**UNSTARRED QUESTION NO. 2675**

**ANSWRED ON 23 /03/ 2023**

**SPEEDY DISPOSAL OF POCSO CASES**

✓ **2675. MS. SUSHMITA DEV:**

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

- (a) whether it is a fact that about 2 lakh cases are pending before the POCSO courts across the country;
- (b) the reasons for such a large pendency of cases despite the establishment of Fast Track Courts (FTCs) specifically to deal with POCSO cases; and
- (c) the steps Government proposes to take to ensure the speedy disposal of POCSO cases in these courts?

**ANSWER**

**MINISTER OF LAW & JUSTICE  
(SHRI KIREN RIJJU)**

(a): As per information made available by High Courts, 2,43,237 cases related to offences under POCSO Act, were pending as on 31<sup>st</sup> January, 2023 in various courts of the country. Details are given at **Annexure –I**.

(b): Pendency of court cases is due to multiple factors. With the increase in the population of the country and awareness of rights amongst the general public, filing of fresh cases is increasing exponentially year after year. Reasons for large pendency of cases in the courts inter-alia, include complexity of facts involved; nature of evidence; co-operation of stake holders viz. bar,

investigation agencies, witnesses and litigants; proper application of rules and procedures, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing and also paucity of judges and judicial officers, supporting court staff and physical infrastructure. In case of criminal cases including POCSO Cases, it is to be taken into account 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 is instrumental in causing delay in disposal of cases.

(c):To ensure speedy disposal of cases related to sexual offences against women & children, a time limit of 2 months each for investigation and trial is prescribed through the Criminal Law (Amendment) Act, 2018 vide Sections 173(1A) and Section 309 of Criminal Procedure Code. Though investigation and trial comes under the domain of State Governments and Judiciary, efforts are made to ensure compliance of these provisions through regular review meetings taken by Department of Justice with functionaries of States and High Courts and also through Inter-State Council Secretariat Meetings held on regular basis. Further, in pursuance to the Criminal Law Amendment Act, 2018, and the direction of Hon'ble Supreme Court of India in Suo Moto 1/2019 dated 25.7.2019, Union of India started a Centrally Sponsored Scheme in October, 2019 for setting up of 1023 Fast Track Special Courts (FTSCs) including 389 exclusive POCSO Courts in 31 States/UTs for expeditious trial and disposal of cases related to rape and POCSO Act. Initially, the Scheme was for 1 year

which has been continued up to 31.03.2023. Details of fund released for FTSCs are given below:

<b>Financial Year</b>	<b>Amount In Rs. Cr.</b>
2019-20	140
2020-21	160
2021-22	134.56
2022-23	198.84 (till date)

The details of FTSCs along with the cases disposed is as under:

<b>Courts</b>	<b>Number of Courts</b>	<b>Cases Disposed</b>
FTSCs dealing exclusively POCSO Courts	411	92,226
FTSCs dealing POCSO and rape cases	353	51,943
<b>Total</b>	<b>764</b>	<b>1,44,169</b>

For further extension of the scheme beyond 31.03.2023, a Third-Party Evaluation by Indian Institute of Public Administration (IIPA) has been undertaken which has inter-alia recommended for continuation of the scheme.

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## Annexure for Rajya Sabha Unstarred Question Number 2675 to be replied on 23/3/2023

Status of cases pending in POCSO courts of the country (As on 31<sup>st</sup> January, 2023)

S.No	State/UTs	No of cases pending in POCSO Courts
1.	Andhra Pradesh	8137
2.	A & N island	0
3.	Arunachal Pradesh	395
4.	Assam	6875
5.	Bihar	15594
6.	Chandigarh	158
7.	Chhattisgarh	5332
8.	D&N Haveli	39
9.	Delhi	9108
10.	Diu & Daman	44
11.	Goa	62
12.	Gujarat	3043
13.	Haryana	4688
14.	Himachal Pradesh	417
15.	Jammu & Kashmir	644
16.	Jharkhand	4408
17.	Karnataka	919
18.	Kerala	3381
19.	Ladakh	4
20.	Lakshadweep	0
21.	Madhya Pradesh	10066
22.	Maharashtra	33072
23.	Manipur	103
24.	Meghalaya	1531
25.	Mizoram	276
26.	Nagaland	0
27.	Odisha	11940
28.	Puducherry	244
29.	Punjab	2250
30.	Rajasthan	8921
31.	Sikkim	284
32.	Tamil Nadu	9753
33.	Telangana	10605
34.	Tripura	406
35.	Uttar Pradesh	67153
36.	Uttarakhand	1221
37.	West Bengal	22164
	<b>Total</b>	<b>243237</b>

**GOVERNMENT OF INDIA**  
**MINISTRY OF LAW & JUSTICE**  
**DEPARTMENT OF JUSTICE**  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO. 2676**  
**ANSWERED ON 23/03/2023**

JSC(NMJR)

NM

**PROVISION ON BARRING LEGAL REMEDIES**

✓2676 # SHRI HARNATH SINGH YADAV:

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

- (a) whether the Parliament of India or the Government of India is vested with an authority to shut the doors of the court of law on any citizen of this country;**
- (b) if so, the details thereof;**
- (c) whether Government has violated its legislative powers by making a provision on barring the legal remedies available to aggrieved Hindus, Sikhs, Jains and Buddhists against the wrongful acts committed by foreign invaders; and**
- (d) if so, the details thereof?**

**ANSWER**

MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)

**(a) to (d):** No, Sir. The Constitution of India is the fundamental law of the land with great authority and sanctity that describes the basic principles of the State, the structures and processes of governance, fundamental rights of citizens and also envisions a path of growth and development for the nation. The organs of the Government owe their origin

to the Constitution and derive their authority from and discharge their responsibilities assigned to them within the framework of the Constitution.

The Parliament enacts laws within its competency and the power of judicial review is an element of the basic structure of the Constitution. Article 226 along with Article 32 of the Constitution of India guarantees every citizen the Right to Constitutional Remedies. A citizen of India can directly invoke the jurisdiction of the Supreme Court under Article 32 for enforcement of their fundamental rights and similarly, a citizen of India has a right to approach High Court under Article 226 for enforcement of fundamental rights along with the rights of other matter. In fact, the Constitution, under Article 39A also obligates the State to secure that the operation of the legal system promotes justice, on the basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 2677  
ANSWERED ON-23/03/2023**

J-I

JS (MKG)

**PROMOTION OF REGIONAL LANGUAGES IN COURTS**

**2677. SHRI SYED NASIR HUSSAIN :  
DR. AMEYAJNIK:**

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

- (a) the details of the High Courts in the country which are using regional languages in their proceedings;
- (b) whether Government has received any request/representation for use of regional languages in the respective High Courts of various States;
- (c) if so, the details thereof and the reaction of Government thereto;
- (d) whether Government has held any meeting with the Bar Council of various States to develop a mechanism to facilitate people in court proceedings/cases, if so, the result thereof; and
- (e) whether Government has prepared a common legal dictionary for the use of courts to be published in regional languages?

**ANSWER**

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJU)

(a) to (c): 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.

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 Tami, 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.

(d)& (e): Under the aegis of the Ministry of Law and Justice, the Bar Council of India has constituted 'BharatiyaBhashaSamiti' chaired by former Chief Justice of India, Hon'ble Mr. Justice S.A. Bobde. The committee is developing a Common Core Vocabulary close to all Indian languages for the purpose of translating legal material into regional languages. In addition, Legislative Department of Ministry of Law and Justice has prepared a legal glossary of 65,000 words in Hindi for digitization and making available in public domain in searchable format for the usage of all.

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

e-court

**RAJYA SABHA  
UNSTARRED QUESTION No. 2678  
ANSWERED ON 23/03/2023**

IS (PPP)

**Availability of digitalized records online**

✓ **2678 Dr. Ashok Bajpai:**

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

- (a) whether Government is aware that the records digitalized by the Allahabad High Court, which are funded by Government are not available online on its website;
- (b) whether Government is aware that in the absence of online availability of such digitalized records, the principal purpose of digitalization is not being served; and
- (c) the details of initiatives, if any, taken by Government for availability of digitalized records online?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) :Digitization is an administrative matter and falls under the domain of respective High Courts. During eCourts Phase – II, funds were not released to Allahabad High Court for digitization of court records as digitization was not a component included under Phase-II of eCourts Project. 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. Chandrachudon 21st October 2022. As per the details given in SOP, 19,68,00,000 pages have been digitized by Allahabad High Court.

(b) & (c) :To make online availability of digitalized records, Department of Justice has undertaken the 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 1.64 Cr downloads till 31<sup>st</sup> January 2023) and JustIS app for judges (18,407 downloads till 31<sup>st</sup>December 2022).
- 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 22.38 Cr cases and more than 20.83 Cr orders and judgments. Delay reasons added and open APIs introduced as on 01.03.2023.

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, Const. 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. To track cases related to land disputes, Land Records data of 26 States have been linked with NJDG. 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.

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

*Coordination*

**RAJYA SABHA  
UNSTARRED QUESTION No.2679  
ANSWERED ON 23.3.2023**

**Pronoun-specific appearance slips for Advocates**

✓ **2679. SHRI MANAS RANJAN MANGARAJ:**

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

- (a) whether Government is aware of the request for introducing pronoun-specific appearance slips in the Supreme Court; and
- (b) whether such a move shall be effectuated through a policy measure across States, if so, the details thereof and if not, the reasons therefor?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

**(a)and(b):**The guidelines regulating the procedures of administration of the Supreme Court proceedings falls within the domain of the Supreme Court of India. The Appearance Slip, which is prescribed in Form 30 to the Supreme Court Rules, 2013, is gender neutral. It is a pre-requisite for the Advocate-on-Record or party-in-person to fill up the names in the Appearance Slip. The new process for Appearance Slip as prescribed in the 'Advocate Appearance Portal' on the Supreme Court website provides for receiving appearance slips online. Any amendment to Form No.30 is considered by the Rules Amendment Committee of the Supreme Court of India.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 2680  
ANSWERED ON 23.03.2023**

AS (A.P.)

**Shifting of High Court of Andhra Pradesh**

✓ **2680. SHRI KANAKAMEDALA RAVINDRA KUMAR:**

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

- (a) whether Government has received a proposal from the State Government of Andhra Pradesh regarding shifting of the High Court of Andhra Pradesh to Kurnool;
- (b) if so, the details thereof;
- (c) whether Government has expressed its opinion/view/stand on the said proposal of the State Government; and
- (d) if so, the details thereof and if not, the reasons therefor?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (d): In pursuance of Article 214 of the Constitution and order dated 29.10.2018 issued by Supreme Court in the matter of Union of India Vs. T. Dhangopal Rao and Ors [SLP (Civil) Dy. No. 29890 of 2018], a separate High Court for State of Andhra Pradesh namely High Court of Andhra Pradesh with principal seat at Amaravati has been established under Andhra Pradesh Reorganisation act, 2014 w.e.f. 01.01.2019 in consultation with State Government of Andhra Pradesh and the then common High Court of Judicature at Hyderabad for the States of Telangana and Andhra Pradesh.

The Chief Minister, Andhra Pradesh in February, 2020 proposed for shifting of principal seat of Andhra Pradesh High Court from Amaravati to Kurnool. In the meantime, Writ Petitions No. 13203 of 2020 & Ors. were filed in the Andhra Pradesh High Court against the proposal of the State Government of Andhra Pradesh to have 3 Capitals i.e. Executive at Vizag, Legislative at Amaravati and Judicial Capital at Kurnool. The High Court vide its interim order dated 04.08.2020 directed the State Government of Andhra Pradesh to maintain the status quo until further orders. Subsequently, the High Court vide latest Order dated 03.03.2022 directed that the State and APCRDA to complete the process of development and infrastructure in the Amaravati Capital City and Region.

: 2 :

Shifting of Principal Seat of High Court is to be decided by the State Government in consultation with concerned High Court. The State Government is responsible for meeting the expenditure for running the High Court of the State. Similarly, the Chief Justice of the concerned High Court is responsible for running the day to day administration of the Court. Both the State Government and High Court have to form their opinion regarding shifting of High Court to Kurnool. The matter is sub-judice.

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**Government of India**

**Ministry of Law & Justice**

**Department of Legal Affairs**

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**RAJYA SABHA**

**UNSTARRED QUESTION NO.2681**

**ANSWERED ON 23/03/2023**

*IMPL. SEC.*

**Promotion of legal education amongst female population**

✓ 2681 Shri S Niranjan Reddy:

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

- (a) the steps that have been taken by the Central Government to ensure higher enrollment of women in legal courses keeping into consideration the All India Survey on Higher Education 2020-21 which shows a decline in enrollment of females in LL.B courses; and
- (b) whether the Central Government intends to formulate any special scholarships/schemes on par with STEM courses for women to pursue legal education?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

- (a) : The enrollment of students especially women students in legal courses is a matter of their own choice and interest and it depends on other related social and family circumstances which determine the decision of the students.
- (b) : In order to provide education to students different National Law Universities (NLUs) have adopted different methods. The NLUs provide 'Merit-cum-Means' scholarship, financial aid to its students to support their education. Extra seats are provided under the EWS category in some of NLUs. The Central Government is also sanctioning scholarship to students belonging to SC/ST and physically disabled students through various Central Government Schemes. Some State Governments are also providing scholarship to students belonging to SC/ST/OBC through various State Government Scheme and also providing education loans on very easy terms to these students. Ministry of Social Justice and Empowerment and Ministry of Tribal Affairs also provide scholarship to these students.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO.3946  
ANSWERED ON 06.04.2023**

LAP

**Implementation of Lok Adalat scheme**

JS(WRG)  
**3946 DR. FAUZIA KHAN:**

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

- (a) whether the concept of Lok Adalat has been implemented to reduce the burden on the courts;
- (b) the number of people who have participated in Lok Adalats in the country, State-wise, since 2019 and the number of cases which have been settled;
- (c) whether, considering that the Lok Adalat is held only on certain days, Government is of the view that the objective will be achieved if regular and more frequent Lok Adalats are held at district and taluka levels for this purpose; and
- (d) if so, Government's proposed action in this regard?

**ANSWER**

**MINISTER OF LAW & JUSTICE  
(SHRI KIREN RIJJU)**

- (a) to (b) The Lok Adalats are one of the effective mode of Alternative Dispute Resolution (ADR) mechanism in reducing the burden on the courts. The details of number of people who participated in Lok Adalats are not maintained centrally. However, State/UT-wise and year-wise details of number of Lok Adalats organised and cases disposed of by State Lok Adalats, National Lok Adalats and Permanent Lok Adalats (Public Utility Services) since 2019 are at Annexure-A, Annexure-B and Annexure-C respectively.



**(c) to (d)** Every year, NALSA issues calendar for organising National Lok Adalats. During 2023, National Lok Adalats are scheduled to be held on 11<sup>th</sup> February, 13<sup>th</sup> May, 9<sup>th</sup> September and 9<sup>th</sup>December. State Lok Adalats are organised by State Legal Services Authorities as per local conditions and needs. The State Legal Services Authorities have been issued guidelines/ directions by National Legal Services Authority (NALSA) vide National Legal Services Authority (Lok Adalat) Regulations, 2009 to organise more Lok Adalats so that pendency of cases could be reduced. Further in view of Covid, E-Lok Adalat was conceptualized which significantly improved access to justice for people who were otherwise unable to participate in the Lok Adalats. The first E-Lok Adalat was held on 27.06.2020 and since then E-Lok Adalats have been organized in 28 States / UTs; wherein 344.99 lakh cases were taken up and 61.09 lakh cases disposed of.

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**Annexure-A**

**Statement as referred to in reply to Rajya Sabha Unstarred Question No. 3946 for answering on 06.04.2023 raised by Dr.Fauzia Khan, MP - Implementation of Lok Adalat scheme**

**Statement containing the information of cases disposed of in the State Lok Adalats and benches constituted during the years 2019-20, 2020-21, 2021-22 and 2022-23 (upto January, 2023).**

S. No.	Name of the State/UT Legal Services Authority	2019-20		2020-21		2021-22		2022-23 (upto Jan.,23)	
		No. of Benches constituted	Cases Disposed of (Both Pre-litigative and Pending cases)	No. of Benches constituted	Cases Disposed of (Both Pre-litigative and Pending cases)	No. of Benches constituted	Cases Disposed of (Both Pre-litigative and Pending cases)	No. of Benches constituted	Cases Disposed of (Both Pre-litigative and Pending cases)
1	Andaman & Nicobar Islands	2	290	1	90	0	0	0	0
2	Andhra Pradesh	8493	11400	3585	30461	4874	12123	4766	6317
3	Arunachal Pradesh	47	118	6	25	24	91	1	4
4	Assam	419	33084	6	1	136	13672	0	0
5	Bihar	931	1256	28	97	1	6	9	574
6	Chandigarh	12	28	26	1	69	37	29	536
7	Chhattisgarh	610	1662	491	3475	187	228	124	139
8	Dadra & Nagar Haveli	0	0	0	0	0	0	0	0
9	Daman & Diu	0	0	0	0	0	0	0	0
10	Delhi	52	16340	300	195359	250	147103	14	6629
11	Goa	5	81	8	777	30	3209	42	1299
12	Gujarat	4542	20611	2851	21880	5157	15546	3767	19526
13	Haryana	66040	124952	33774	52789	54762	115797	43113	229828

14	Himachal Pradesh	1865	68651	90	3205	260	22031	134	3953
15	Jammu & Kashmir	145	16774	125	9469	24	3271	224	76459
16	Jharkhand	743	14341	607	79649	1310	22954	1235	8533
17	Karnataka	3890	45165	1912	121884	412	2524	229	2632
18	Kerala	1972	21408	721	4837	302	19226	478	22291
19	Lakshadweep	2	0	0	0	0	0	3	3
20	Madhya Pradesh	1166	10675	1714	14903	808	4110	1014	4079
21	Maharashtra	592	7932	22	605	6	28	10	183
22	Manipur	0	0	1	21	0	0	4	43
23	Meghalaya	0	0	0	0	23	89	0	0
24	Mizoram	112	552	27	147	17	204	37	1114
25	Nagaland	0	0	0	0	0	0	0	0
26	Odisha	101	45210	239	4628	12	326	5	453
27	Puducherry	49	699	24	392	42	262	39	561
28	Punjab	803	4242	0	0	339	1108	6	15
29	Rajasthan	3689	6522	607	34514	786	845	1004	1495
30	Sikkim	120	560	110	158	110	636	124	689
31	Tamil Nadu	2181	16621	767	13117	759	13066	903	9837
32	Telangana	1862	12352	1501	24327	2827	7363	2184	10558
33	Tripura	35	7353	12	6938	93	11624	19	2492
34	Uttar Pradesh	197	3916	200	100305	57	31414	21	121047
35	Uttarakhand	72	27258	121	6166	25	8605	106	23324
36	West Bengal	1307	25698	575	13853	774	74999	442	10098
37	Ladakh	0	0	0	0	4	32	4	240
	<b>Grand Total</b>	<b>102056</b>	<b>545751</b>	<b>50451</b>	<b>744073</b>	<b>74480</b>	<b>532529</b>	<b>60090</b>	<b>564951</b>

**Annexure-B**

**Statement as referred to in reply to Rajya Sabha Unstarred Question No. 3946 for answering on 06.04.2023 raised by Dr.Fauzia Khan, MP - Implementation of Lok Adalat scheme**

<b>Statement containing the information of cases disposed in National LokAdalats during the years 2019, 2020, 2021, 2022 and 2023.</b>						
<b>S. No.</b>	<b>Name of the State/UT Legal Services Authority</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023 (upto March)</b>
		<b>Cases disposed of</b>	<b>Cases disposed of</b>	<b>Cases disposed of</b>	<b>Cases disposed of</b>	<b>Cases disposed of</b>
1	Andaman & Nicobar Islands	0	248	3997	3310	266
2	Andhra Pradesh	97415	37896	122839	647956	275954
3	Arunachal Pradesh	588	104	1054	1071	170
4	Assam	21596	12188	39642	113989	37525
5	Bihar	164984	66451	151620	305483	91713
6	Chandigarh	11188	2569	16833	15569	8467
7	Chhattisgarh	57648	24464	134548	1125318	311607
8	Dadra & Nagar Haveli	2021	1768	172	1323	186
9	Daman & Diu	249	31	113	215	10326
10	Delhi	71377	83006	154992	535025	152400
11	Goa	1565	351	1680	3934	734
12	Gujarat	193150	41584	748722	1185571	385951
13	Haryana	103298	30298	123413	673487	187095
14	Himachal Pradesh	25432	5971	35556	111150	38274
15	Jammu & Kashmir	32177	13258	166544	390496	82517
16	Jharkhand	49228	53152	232473	1121405	461289
17	Karnataka	281849	334681	1277856	3444607	6413608

18	Kerala	128729	15010	68681	136101	14433
19	Lakshadweep	4	8	7	129	23
20	Madhya Pradesh	234433	108365	347333	419776	125902
21	Maharashtra	428376	215837	2440375	4754239	1312588
22	Manipur	1994	204	794	1343	338
23	Meghalaya	695	303	852	956	102
24	Mizoram	495	218	790	4432	340
25	Nagaland	973	251	941	888	168
26	Odisha	43197	18329	35557	337065	165754
27	Puducherry	4194	1738	5084	6405	1613
28	Punjab	89016	32528	138175	392256	134743
29	Rajasthan	219098	103060	286834	4572315	3047589
30	Sikkim	165	30	110	232	23
31	Tamil Nadu	340594	88819	191604	447536	102267
32	Telangana	110838	47560	349902	1611677	332656
33	Tripura	3354	382	1070	4814	887
34	Uttarakhand	26058	8088	20882	67438	20613
35	Uttar Pradesh	2484405	1171022	5551793	18698973	6709744
36	West Bengal	62890	28596	133736	788082	233970
37	Ladakh	0	0	1463	1444	296
	<b>Grand Total</b>	<b>5293273</b>	<b>2548368</b>	<b>12788037</b>	<b>41926010</b>	<b>20662131</b>

**Annexure-C**

Statement as referred to in reply to Rajya Sabha Unstarred Question No. 3946 for answering on 06.04.2023 raised by Dr.Fauzia Khan, MP - Implementation of Lok Adalat scheme

Statement containing the information of number of sittings of Permanent LokAdalats (PUS) and cases settled in these sittings during the years 2019-20, 2020-21, 2021-22 and 2022-23 (upto January, 2023)									
S. No.	Name of the State/UT Legal Services Authority	2019-20		2020-21		2021-22		2022-23 (upto Jan., 23)	
		Sitting during the year	Cases settled during the year	Sitting during the year	Cases settled during the year	Sitting during the year	Cases settled during the year	Sitting during the year	Cases settled during the year
1	Andaman & Nicobar Islands	0	0	0	0	0	0	0	0
2	Andhra Pradesh	1384	1608	431	1283	927	1406	876	513
3	Arunachal Pradesh	0	0	0	0	0	0	0	0
4	Assam	263	38	99	12	141	56	179	42
5	Bihar	1754	688	977	203	482	221	313	157
6	Chandigarh	246	582	246	108	240	687	201	7466
7	Chhattisgarh	918	96	346	32	1045	1199	1018	1300
8	Dadra & Nagar Haveli	0	0	0	0	0	0	0	0
9	Daman & Diu	0	0	0	0	0	0	0	0
10	Delhi	516	19439	532	14765	791	17395	643	13820
11	Goa	21	57	24	30	2	0	0	0
12	Gujarat	9	120	1	105	9	2238	1	8
13	Haryana	3578	45839	3413	9654	3547	30960	2809	47970
14	Himachal Pradesh	38	112	6	10	9	11	0	0
15	Jammu & Kashmir	0	0	0	0	0	0	0	0

16	Jharkhand	2738	10517	3554	1943	5144	32514	5188	18935
17	Karnataka	1578	6399	1069	3869	1292	5371	810	3491
18	Kerala	276	442	336	248	212	1104	196	2220
19	Lakshadweep	0	0	0	0	0	0	0	0
20	Madhya Pradesh	368	510	455	270	886	574	972	506
21	Maharashtra	797	3304	541	249	918	765	850	1067
22	Manipur	0	0	0	0	0	0	0	0
23	Meghalaya	0	0	0	0	0	0	0	0
24	Mizoram	0	0	0	0	0	0	0	0
25	Nagaland	0	0	0	0	0	0	0	0
26	Odisha	935	1870	583	1350	742	1561	557	1121
27	Puducherry	0	0	0	0	0	0	0	0
28	Punjab	4504	8391	2868	3987	4538	9967	4153	11146
29	Rajasthan	4545	5254	1123	806	2960	3228	3679	4364
30	Sikkim	0	0	0	0	0	0	0	0
31	Tamil Nadu	245	47	236	80	671	272	908	452
32	Telangana	181	3546	66	549	108	6674	96	6032
33	Tripura	147	208	1	0	44	81	62	143
34	Uttar Pradesh	4274	1230	2714	383	3961	1087	3196	846
35	Uttarakhand	461	379	156	522	484	765	490	447
36	West Bengal	0	0	0	0	0	0	0	0
37	Ladakh	0	0	0	0	0	0	0	0
	<b>Grand Total</b>	<b>29776</b>	<b>110676</b>	<b>19777</b>	<b>40458</b>	<b>29153</b>	<b>118136</b>	<b>27197</b>	<b>122046</b>

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
LEGISLATIVE DEPARTMENT

RAJYA SABHA  
UNSTARRED QUESTION NO. 3947  
ANSWERED ON 06/04/2023

Leg II Section 10

VOTER ID CARDS LINKED TO AADHAAR

3947. SHRI SYED NASIR HUSSAIN:

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

- (a) the details of voter ID cards linked to Aadhaar since enactment of the Election Laws (Amendment) Act, 2021;
- (b) whether the linking of voter ID card is voluntary and has been added after obtaining consent, if so, details of the manner in which consent was obtained from voters;
- (c) whether any target and time frame has been given to the election officials to link the voter card, if so, the details thereof; and
- (d) whether the names of voters whose voter ID is not linked with Aadhaar will be struck off from the voter list, if so, the details and the basis thereof?

ANSWER

MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)

- (a) : Section 23 of the Representation of the People Act, 1950 as amended by the Election Laws (Amendment) Act, 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. Further, the Election Commission of India (ECI) *vide* its instructions dated 4<sup>th</sup> July, 2022, has launched the programme to collect the Aadhaar number of existing and prospective electors on a voluntary basis from 1<sup>st</sup> August, 2022 in all the States and Union territories.
- (b) : The submission of Aadhaar number with Voter ID is voluntary and consent is obtained from the electors for Aadhaar in Form 6 B.
- (c) : Linking of Aadhaar is process driven and no targets or timelines have been given for linking Aadhaar with Electoral Photo Identity Card. Linking of Aadhaar with the Electoral Photo Identity Card has not yet started so far. Further, the time period to submit Aadhaar number has been extended for a period up to 31.03.2024.
- (d) : No sir.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 3948  
ANSWERED ON 06/04/ 2023**

*Leg. I Section, LD*      **Drafting of new legislations**

**3948. DR. ASHOK BAJPAI:**

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

- (a) whether Government is aware that one of the main reasons for litigation in High Courts and the Supreme Court is the defective and faulty drafting of legislations containing provisions admitting more than one interpretations;
- (b) whether Government has any proposal to take the assistance of the retired judges of the Supreme Court, High Courts and senior advocates in drafting new legislations for making them more accurate;
- (c) whether Government has any existing system to periodically overview the working of the legislations with a view to remove difficulties by legislative interventions; and
- (d) if so, the details thereof?

**A N S W E R**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

**(a) to (d):** The Legislative Department is mandated with drafting of laws on the basis of the policy decisions taken by the concerned administrative Ministries/Departments of the Government of India and as per the procedure prescribed by the Ministry of Parliamentary Affairs in the Manual of Parliamentary Procedure in the Government of India.

There is no proposal to take the assistance of retired Judges and senior advocates. The Legislative Department has been taking necessary steps to ensure

that legislative drafting is simple, plain, precise and unambiguous. Efforts are also being made to aim at clarity of expressions and use of appropriate words and expressions. A committee has been constituted in the Department to lay down the guidelines for simple and effective ways in the drafting of legislation.

The Legislative Department has requested all Ministries/ Departments of the Government of India to ensure that the legislative policies are made simple, non-complex and framed in easy to understand language. Further, draft persons are also given suitable training. As the process of drafting of laws is continuous and ongoing one, the Legislative Department will continue in its efforts to draft laws which are precise and accurate.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 3949  
ANSWERED ON 06.04.2023**

**High Court Benches**

✓ 3949. SHRI SANDOSH KUMAR P:  
As (A&A)

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

- (a) the number of High Court Benches established since 2016;
- (b) whether Government has any plan to start new High Court Benches in States; and
- (c) if so, the States selected for the purpose?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

**(a) to (c):** Since 2016, a Circuit Bench of the Calcutta High Court was established at Jalpaiguri w.e.f. 07.02.2019.

High Court Benches are established in accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P. (C) No. 379 of 2000 and after due consideration of a complete proposal from the State Government which has to provide necessary expenditure and infrastructural facilities and the Chief Justice of the concerned High Court who is 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. At present, there is no complete proposal pending with the Government for setting up of Bench (es) of any High Court.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 3950**

**ANSWERED ON 06/04/2023**

NM

**JUDICIAL INFRASTRUCTURE**

JS (NMTR)

✓3950. **SHRI MASTHAN RAO BEEDA:**

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

- (a) whether the courts in the country lack infrastructure, such as, court rooms with inadequate space and modern facilities and court complexes not having basic facilities such as separate toilets for women, medical aid centre, water purifier and libraries, making it difficult for them to perform effectively;
- (b) if so, details thereof along with the percentage of lower courts not having separate toilets for women;
- (c) the steps being taken by Government to improve judicial infrastructure to ensure ease of doing business; and
- (d) the details of funds provided or proposed to be provided by Government to the States?

**ANSWER**

**THE MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJIJU)**

(a) & (b): The primary responsibility of development of infrastructure facilities for judiciary rests with the State Governments. However, to augment 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, lawyer's halls and toilet complexes have also been added under the ambit of the above CSS. The data on state-wise availability of separate toilets for women, medical aid centre, water

purifier and libraries etc. is not compiled centrally. However, as per the data compiled by the Registry of Supreme Court of India, shared with this Department in 2021, 74% of court complexes have separate ladies toilets, 5% of court complexes are equipped with basic medical facilities, 54% court complexes have drinking water facility with purifiers and 51 % of court complexes have a library.

(c) & (d): The government is sensitive to the needs of providing suitable physical infrastructure to the subordinate courts and with this end in view, when the scheme was extended from 2021-22 to 2025-26, distinct targets have been set under the scheme, for the said period for the construction of court halls (3800) and residential units (4000), including 3 new components viz., lawyers halls (1450), toilet complexes (1450) and digital computer rooms (3800) for the convenience of lawyers and litigants. The Centrally Sponsored Scheme (CSS) for Development of Judicial Infrastructure provides for certain norms and specifications for construction of projects, however, the states have been provided the flexibility to alter these norms and specifications as per their needs to meet the local requirements. There are 1655 number of Residential Units and 2806 number of Court Halls that are under construction.

Under the Centrally Sponsored Scheme (CSS) for Development of Judicial Infrastructure, central share of funds are released in prescribed ratio to the States/UTs which is 60:40 (Centre: States) for all States, except 8 NER States and 2 Himalayan States (Uttarakhand and Himachal Pradesh) where the ratio is 90:10 and in case of Union Territories, no state share is involved. Till date, central share of Rs. 9866.59 crores has been released under the scheme since its inception in 1993-94, out of which Rs. 6422.28 crores (65.09%) has been released since 2014-15 including Rs. 857.20 crore during the 2022-23. State-wise detail of availability of courts halls and residential units in district and subordinate courts has been attached in *Annexure*.

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Statement referred to Rajya Sabha Unstarred Question No. 3950 for reply on 06.04.2023  
State-wise statement of Court Halls and Residential Units as on 31.03.2023

Sl. No.	States & UTs	Total Court Halls	Total Residential Units
1	Andaman and Nicobar	17	10
2	Andhra Pradesh	647	574
3	Arunachal Pradesh	29	29
4	Assam	424	371
5	Bihar	1505	1197
6	Chandigarh	31	30
7	Chhattisgarh	475	460
8	D & N Haveli	3	3
9	Daman & Diu	5	5
10	Delhi	694	348
11	Goa	53	26
12	Gujarat	1524	1341
13	Haryana	561	518
14	Himachal Pradesh	170	153
15	Jammu and Kashmir	199	122
16	Jharkhand	658	609
17	Karnataka	1185	1142
18	Kerala	564	538
19	Ladakh	9	6
20	Lakshadweep	3	3
21	Madhya Pradesh	1544	1692
22	Maharashtra	2350	2055
23	Manipur	43	16
24	Meghalaya	53	26
25	Mizoram	47	37
26	Nagaland	30	39
27	Odisha	814	707
28	Puducherry	36	29
29	Punjab	589	625
30	Rajasthan	1338	1137
31	Sikkim	20	15
32	Tamil Nadu	1215	1343
33	Telangana	533	475
34	Tripura	82	91
35	Uttar Pradesh	2758	2349
36	Uttarakhand	253	210
37	West Bengal	836	421
<b>TOTAL</b>		<b>21297</b>	<b>18752</b>

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

**RAJYA SABHA**

**UNSTARRED QUESTION NO. 3951**

ANSWERED ON 06.04.2023

AS (AR & A)

✓ **Allegations on former Judges being part of anti-India gang**

3951. SHRI JAVED ALI KHAN:  
SHRI RAM NATH THAKUR:

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

- (a) whether, as per the Union Minister for Law and Justice, few former Judges of Supreme Court are part of anti-India gang;
- (b) if so, the details thereof along with the source of information;
- (c) whether, in view of national security, Government has informed the Chief Justice of India and the Ministry of Home Affairs in this regard; and
- (d) if so, the details thereof and the details of action taken by the Chief Justice in this regard?

**ANSWER**

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) to (e): From time to time, complaints are received in the Department of Justice against sitting as well as retired Judges of Supreme Court and High Courts. Department of Justice is concerned only with the appointment and service

conditions of the sitting Judges of the Supreme Court and High Courts. Accountability in higher judiciary is maintained through “in-house mechanism”. The Supreme Court of India, in its full Court meeting on 7 May, 1997, the Supreme Court of India adopted two Resolutions namely (i) The Restatement of Values of Judicial Life” which lays down certain judicial standards and principles to be observed and followed by the Judges of the Supreme Court and High Courts (ii) “in-house procedure” for taking suitable remedial action against judges who do not follow universally accepted values of Judicial life including those included in the Restatement of Values of Judicial life.

As per the established “in-house mechanism” for the higher judiciary, the Chief Justice of India is competent to receive complaints against the conduct of Judges of the Supreme Court and the Chief Justices of the High Courts. Similarly, the Chief Justices of the High Courts are competent to receive complaints against the conduct of High Court Judges. The complaints/representations received by Department of Justice are forwarded to the Chief Justice of India or to the Chief Justice of the concerned High Court, as the case may be, for appropriate action. Complaints relating to the retired judges of the Supreme Court/High Courts are not handled by the Department.

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 3953**

**ANSWERED ON 06/04/2023**

NM

**CRECHES IN JUDICIAL COURTS**

✓ JS (WmJR)  
**3953. SHRI S NIRANJAN REDDY:**

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

- (a) whether Government intends to make the creation of creche facility a mandatory requirement under the Centrally Sponsored Scheme for judicial infrastructure;
- (b) the number of High Courts and District Courts in the country which have crèche facilities, the details thereof, State-wise;
- (c) the details of the budget that has been earmarked and spent for this purpose during the last two years; and
- (d) the number of wards who have been registered in these creches till date along with the occupancy rate, the details thereof, State-wise?

**ANSWER**

**THE MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

**(a):** The responsibility for development of infrastructure facilities for judiciary primarily rests with the State Governments. However, to augment 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. Apart from court halls and residential units, 3 new components viz., lawyers halls, toilet complexes and digital computer rooms for the convenience of lawyers and litigants have been included in the scheme when it was extended from 2021-22 to 2025-26. However, the states have been provided enough flexibility under the scheme to alter the norms and specifications as per their needs to meet the local requirements.

Information in respect of creche is not maintained centrally by the Government. However, the Registry of the Supreme Court of India has compiled a data on the status of judicial infrastructure and court amenities, shared with this Department in 2021, as per which 10% of the court complexes are equipped with Child Care Room/Facilities.

**(b) to (d):** Question does not arise in view of the above.

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

**Rajya Sabha  
Unstarted Question No. 3954  
ANSWERED ON 06.04.2023**

Judicial  
Section LA

**Female standing counsels on Government panels**

**3954 Shri S Niranjana Reddy:**

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

- (a) whether it is a fact that presently the number of female counsels on panels of Central Government Ministries/Departments is minuscule as compared to male counterparts;
- (b) the details of steps, which have been taken by Government, to ensure greater gender diversity in the appointment of counsel for its various Ministries/Departments; and
- (c) the Ministry/Department-wise number of male and female lawyers on the panel of Central Government?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

- (a) No, Sir.
- (b) The selection for empanelment of the Advocates on the panel of Ministries and Departments is made on the basis of suitability of the candidates from whom applications are received. There is no discrimination against any category of individual in the empanelment of Central Government Counsels for the Union of India.
- (c) The Central Government empanels Advocates before various Courts/Tribunals to represent Union of India as a whole. The number of counsels on present panel are as under:

S.No.	Ministry/Department	No. of Counsel	
		Male	Female
1.	Department of Legal Affairs	5382	411
2.	Department of Revenue (CBDT)	151	36
3.	Ministry of Forest, Environment & Climate Change	54	21

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

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**RAJYA SABHA  
UNSTARRED QUESTION NO. 3955  
ANSWERED ON 06/04/2023**

*Impl. Section, LA*

**Free legal aid by law schools**

**3955 Shri Abdul Wahab:**

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

- (a) the number of law schools in the country, State-wise;
- (b) the number of schools that come under sub-standard category which the Bar Council is planning to shut;
- (c) the number of the schools which operate legal services clinic providing professional training to students and free legal services for the socially and economically weaker sections of the society;
- (d) whether Government is taking any steps to promote legal services clinics across the country; and
- (e) if so, the details thereof and if not, the reasons therefor?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**  
**(SHRI KIREN RIJJU)**

- a. The details of law schools in the country, State-wise, as provided by the Bar Council of India is as under:

STATE	NO.OFCOLLEGES/CLES
ANDHRAPRADESH	39
ARUNACHALPRADESH	8
ASSAM	32
BIHAR	29
CHHATTISGARH	36
DELHI	29
GOA	2
GUJRAT	117
HARYANA	55

HIMACHALPRADESH	23
JAMMU&KASHMIR	13
JHARKHAND	22
KARNATAKA	124
KERALA	28
MADHYAPRADESH	161
MAHARASHTRA	201
MANIPUR	5
MEGHALAYA	7
MIZORAM	1
NAGALAND	3
ODISHA	33
PUDUCHERRY	4
PUNJAB	55
RAJASTHAN	125
SIKKIM	5
TAMILNADU	38
TELENGANA	32
TRIPURA	3
UTTRAKHAND	40
UTTAR PRADESH	339
WESTBENGAL	53
<b>TOTAL</b>	<b>1662</b>

**b.** Bar Council of India has constituted a high level committee headed by a former Chief Justice of a High Court to identify such Centres of Legal Education who are not complying with the infrastructural, faculty, library and other requirements as per Rules of Legal Education, which are required to be complied with by Centres of Legal Education. They conduct surprise Inspections on such CLEs. Once the inspection reports are received by the Committee set up by Bar Council of India, it takes action accordingly. Even otherwise, as per regular inspections when it is seen that there are deficiencies on the part of CLE's, they are not granted approval of affiliation, or when the deficiencies are not of such nature or of such nature which may be made up by way of compliance of such condition, then an opportunity is given to comply and make up the deficiencies and the matter is considered afresh after such deficiencies are made up.

**(c) to (e)** Schedule-III of Legal Education Rules, 2008 framed by BCI elaborately provides minimum infrastructure required for any Law College to apply for permission to run a Law Courses before the Bar Council of India and Clause 11 of Schedule-III of Legal Education Rules, 2008 mandates each and every Law College of the country to mandatorily establish and run Legal Aid Clinic by the Final Year students of the Institution in cooperation with the Legal Aid Authorities.

Clause 11 of Schedule-III of Legal Education Rules, 2008 is reproduced herein:-

***11. Legal Aid Centre: Each institution shall establish and run a Legal Aid Clinic under the supervision of a Senior Faculty Member who may administer the Clinic run by the Final year students of the Institution in cooperation with the Legal Aid Authorities with list of voluntary lawyers and other Non-Government Organizations engaged in this regard in the locality generally from which the student community of the Institution, hail from.***

Therefore, free Legal Aid is provided by each and every Law College of the country.

Also as per information made available by National Legal Services Authority (NALSA), Regulation 3 of the National Legal Services Authority (Legal Services Clinics) Regulations, 2011 provides for establishment of legal services clinic, subject to the financial resources available. As provided, the District Legal Services Authority shall establish legal services clinics in-

- (a) all villages, or for a cluster of villages, depending on the size of such Villages, which shall be called the village Legal Care and Support Centre; and
- (b) jails, educational institutions, community centres, protection homes, Courts, juvenile justice boards and other areas, especially where the people face geographical, social and other barriers for access to the legal services institutions.

In compliance of the aforesaid Regulations, 2011, the State Legal Services Authorities have established Legal Services Clinics in 1095 educational institutions like, Law Schools/colleges/universities.

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

**RAJYA SABHA  
UNSTARRED QUESTION No. 3956  
ANSWERED ON 06/04/ 2023**

**e-courts in Andhra Pradesh**

*e-court*

✓ JS(PPP)

**3956. Shri Kanakamedala Ravindra Kumar:**

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

- (a) the details of the e-courts that are operational in the State of Andhra Pradesh, district-wise;
- (b) the details of the operational mode of e-courts that are functioning in Andhra Pradesh;
- (c) whether Government had undertaken any assessment/survey regarding the operation of e-courts and the manner in which the people of the State perceive/receive the e-courts; and
- (d) if so, the details thereof and if not, the reasons therefor?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a)& (b) :Total 598 number of Courts are fully operational under eCourts Project in the state of Andhra Pradesh which are providing all eCourts related services to the lawyers, litigants etc. District-wise list of the Courts is enclosed at Annexure – I:

(c)&(d) :The eCourts Mission Mode Project Phase-II is being implemented by the Department of Justice in coordination with eCommittee, Supreme Court of India.

National Council of Applied Economic Research (NCAER) conducted evaluation of eCourts Phase II and key findings regarding people's perception are as follows:

- CPCs and NIC officials felt that the eCourts Project has led to an increase in the total number of cases filed in the courts and helped with easier access to information through online portals and mobile applications

- SJA and DLSA staff indicated a high level of satisfaction with the access and quality of the various ICT facilities provided under the eCourts project
- According to the vendors spoken to, the procurement process by the DoJ is well planned and all payments are received on time
- Judges are satisfied with the improvement in court time management and transparency of information that has resulted from implementation of eCourts project
- 90-100% of sample courts have provision of computers hardware and have installed Case Information System (CIS).
- High proportion of judges and court officials had received training in the use of CIS, NJDG and hardware. Almost all respondents were of the opinion that the trainings were very useful.
- Services like Case Information System (CIS), JustIS mobile app and The National Judicial Data Grid (NJDG) website are used very often and have an easy user interface.
- Majority of judges and court official feels that eCourts project has reduced pendency of cases because of easy access to cases laws resulting in better research.
- The pendency of cases over 5 years have displayed slow but steady decline over the years.
- Since 2017, a sharp increase in the clearance rate of district courts is also noticed.

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**Annexure – I**

Statement referred to in reply of Rajya Sabha Unstarred Question No. 3956 for 06/04/2023 regarding e-courts in Andhra Pradesh. The district wise Courts operational under eCourts Project in Andhra Pradesh are as under:

Sl. No.	District	No. of Courts operational under eCourts Project
1	Ananthapuramu	36
2	Chittoor	56
3	East Godavari	60
4	Guntur	60
5	Kadapa	37
6	Krishna	74
7	Kurnool	40
8	SPSR Nellore	38
9	Prakasam	35
10	Srikakulam	29
11	Visakhapatnam	65
12	Vizianagaram	23
13	West Godavari	45
	Total	598



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

**RAJYA SABHA**

**UNSTARRED QUESTION NO. 3957**

**ANSWERED ON 06.04.2023**

**Post-retirement appointments of judges**

✓ AS(A&A)  
**3957. DR. AMEE YAJNIK:**

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

- (a) whether a study by the Vidhi Center for Legal Policy states that out of 100 retired Supreme Court judges, 70 have taken up some assignment, if so, the manner in which Government assures that this will not affect the independence of the judiciary;
- (b) whether it is a fact that tribunals are becoming a haven for retired judicial officers, if so, whether this will affect the outcome of the judgments as Government itself is the litigant as well as the appointing authority; and
- (c) the details of judges who have got post-retirement appointments and whether the Government intends to continue post-retirement appointments?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (c): Department of Justice is concerned with the appointment and service conditions of the sitting Judges of the High Courts/Supreme Court only. Appointments of retired Supreme Court Judges to various Constitutional posts, Commissions, Tribunals etc. are made by different Ministries/Departments as per relevant rules laid down by the respective appointing authority. Therefore, the information is not centrally maintained.

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

**RAJYA SABHA**

**UNSTARRED QUESTION NO. 3958**

*Publication Section LD* **ANSWERED ON 06/04/ 2023**

**BULLDOZING OF HOUSES BY POLICE AND MUNICIPALITIES**

**3958. DR. AMEE YAJNIK:**

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

- (a) whether it is a fact that there is no provision under any criminal law for bulldozing a house even if a very serious matter is being investigated by an agency;
- (b) if so, the details of cases taken suo motu by courts regarding bulldozing of houses by police and municipalities, State-wise; and
- (c) whether it is also a fact that police and municipalities used bulldozers to demolish houses without the permission of the court, if so, the details thereof and the details of punitive action against those officers?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

**(a) to (c):** The Ministry of Home Affairs has informed that the “Police” and “Public Order” are State subjects under the Seventh Schedule to the Constitution of India.

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

RAJYA SABHA  
UNSTARRED QUESTION No. 3959  
ANSWERED ON 06/04/ 2023

Digitization in subordinate courts

✓ JS(PPP)

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3959. Shri Rajeev Shukla:

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

- (a) whether Government has taken note of the slow pace of digitization in subordinate courts across the country;
- (b) if so, whether Government has taken any step to ensure digitization of subordinate court records at a faster pace; and
- (c) if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (c): The e-Committee of Supreme Court of India, headed by the judge of the Supreme Court is responsible for overall planning, policy, and implementation of the e-Courts Project in close coordination with the Department of Justice. 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 Committee, Supreme Court of India on 21<sup>st</sup> October 2022. As per the details given in SOP, the quantum of data pertaining to digitization of High Court records is enclosed at **Annexure I**.

The phase II of the project is nearing its completion and DPR for e-Courts Phase III has been finalized and approved by eCommittee, Supreme Court of India on 21st October 2022 wherein there is a provision of digitization of entire court records including legacy data. The meeting of the Expenditure Finance Committee (EFC) to consider the DPR of eCourts Phase III was held on 23.02.2023 and approval of EFC has been received. Other, requisite approvals are at an advanced stage.

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Statement referred to in reply of part (a) of Rajya Sabha Unstarred Question No. 3959 for 06/04/2023 regarding Digitisation in subordinate courts. The progress of digitization of court records are as under:

<b>High Court wise Status of Current Digitization</b>		
<b>Sr. No.</b>	<b>High Court Location</b>	<b>Total Number of Digitized pages</b>
1	Gauhati High Court Itanagar, Arunachal Pradesh	0
2	Calcutta High Court West Bengal	1,22,00,000
3	Allahabad High Court	19,68,00,000
4	Delhi High Court, New Delhi	17,90,00,000
5	Andhra Pradesh High Court	Not Available
6	Guwahati High Court, Assam	2,92,17,338
7	High Court of Himachal Pradesh	75,34,000
8	Gauhati High Court Kohima Bench	2,80,000
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, Cuttak, Odhisa	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 AND JUSTICE  
DEPARTMENT OF JUSTICE**

**RAJYA SABHA  
UNSTARRED QUESTION NO - 3960  
ANSWERED ON 06/04/2023**

A2J

✓ JS(NKG)

**NYAYA MITRA SCHEME FOR THE POOR**

**3960 #SHRI NEERAJ DANGI:**

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

- (a) the details of assistance extended through Nyaya Mitra scheme to provide immediate help to the poor category of citizens in the country ;
- (b) the details of Nyaya Mitras appointed in the District Courts in the country, particularly in the State of Rajasthan;
- (c) the details of new districts included in the Nyaya Mitra scheme during the last two years; and
- (d) the details of those States wherein there are no Nyaya Mitras so far?

**ANSWER**

**THE MINISTER OF LAW & JUSTICE**

**(SHRI KIREN RIJU)**

(a) to (d) Nyaya Mitra programme was launched in April, 2017 with the objective to reduce pendency of cases in the Courts. It aims to facilitate disposal of 10 to 15 years old cases which would include 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 are not engaged in the States other than mentioned above. For the year 2021-2022 & 2022-2023, 11 Nyaya Mitras were engaged in the 11 District Courts of the country. District

wise details of engaged Nyaya Mitra is at **Annexure-A**. In the State of Rajasthan, during the year 2017-18, four (4) Nyaya Mitras were engaged one each at Jalore, Alwar, Shri Ganganagar and Bhilwara District Courts. Further, during the year 2018-19, three (3) Nyaya Mitra were engaged at Bhilwara, Alwar and Shri Ganganagar district courts. In the year 2019-20, two (2) Nyaya Mitra were engaged at Jodhpur Metro and Jaipur Metro District Court and in the year 2021-2022, two( 2) Nyaya Mitras were engaged from April 2022 one each at Kota and Jaipur Metro- I District Court.

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Statement as referred to in reply to part (b)-(c) Rajya Sabha Unstarred Question No. 3960 for answering on 06.04.2023 raised by SHRI NEERAJ DANGI, MP on Nyaya Mitra Scheme for the poor

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

1	Assam		-		-		-	NIL*	Cachar	1	2
									Kamrup Metro	1	
2	Bihar	Patna	1		-		-			-	1
3	Maharashtra		-		-	Aurangabad	1	NIL*	Nagpur	1	4
						Mumbai Civil Court	1				
						Nagpur	1				
4	Odisha		-		-	Puri	1	NIL*	Cuttack	1	4
						Ganjam	1		Khurda	1	
5	Rajasthan	Jalore	1	Bhilwara	1	Jodhpur Metro	1	NIL*	Kota	1	11
		Alwar	1	Alwar	1	Jaipur Metro	1				
		Ganganagar	1	Ganganagar	1						
		Bhildwara	1								
6	Tripura	West Tripura	1		-		-			-	1
7	Uttar Pradesh	Ghaziabad	1			Allahabad	1	NIL*	Agra	1	8
		Meerut	1								
		Varanasi	1								
		Gorakhpur	1								
		Kushinagar	1								
8	West Bengal	Howrah	1	North Paragnas	1	Burdwan	1	NIL*	Calcutta	1	8
		24 North Paragnas	1								
		Birbhum	1								
		Coochbehar	1								

\*No NyayaMitra 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 AND JUSTICE  
LEGISLATIVE DEPARTMENT**

**RAJYA SABHA  
UNSTARRED QUESTION NO. 3961**

*Leg. II Section, LD*

**ANSWERED ON 06/04/2023**

**RESERVATION OF SEATS FOR SC/ST IN THE HOUSE OF PEOPLE**

**3961. SHRI LUIZINHO JOAQUIM FALEIRO:**

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

(a) whether Government is aware of the provisions of Article 330 and 332 of the Constitution which mandated reservation of seats for Scheduled Tribes of Goa in the House of People;

(b) whether it is a fact that Parliamentary Committee on Welfare of SC and ST visited Goa in the month of January 2023 and that they have recommended reservation; and

(c) whether Government is aware of judgements of the Supreme Court in case of Writ Petition Civil No.540 of 2011/10.01.2012, High Court of Bombay at Goa in Writ Petition No. 230 of 2007 and High Court of Allahabad in Writ Petition No. 3078 of 2017?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

(a) and (c): Yes sir.

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

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