

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

**LOK SABHA
UNSTARRED QUESTION NO. 47**

TO BE ANSWERED ON FRIDAY, THE 02.02.2024

Regional Benches of Supreme Court

**47. SHRI DUSHYANT SINGH:
SHRI BHAGIRATH CHOUDHARY:
SHRI ADHIKARI DEEPAK (DEV):**

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

- (a) the names of States of the country where the regional benches of the Supreme Court have been functioning;
- (b) whether the Government is planning to set up new regional/circuit benches of the Supreme Court for better access to justice and if so, the details thereof and if not, the reasons therefor;
- (c) whether the Government has a plan to establish a new Regional Bench of the Supreme Court at Ajmer in the State of Rajasthan, if so, the details thereof; and
- (d) whether the Government has undertaken any impact assessment of the National Mission for Justice Delivery and Legal Reforms and if so, the details thereof ?

ANSWER

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

(SHRI ARJUN RAM MEGHWAL)

(a) and (b): Article 130 of the Constitution of India provides that the Supreme Court shall sit in Delhi or in such other place or places as the Chief Justice of India may, with the approval of the President, from time to time, appoint.

The Eleventh Law Commission in its 125th Report titled “The Supreme Court - A Fresh Look”, submitted in 1988, reiterated the recommendations made by Tenth Law Commission in its 95th Report for splitting the Supreme Court into two namely (i) Constitutional Court at Delhi and (ii) Court of appeal or Federal Court sitting in North, South, East, West and Central India. The Eighteenth Law Commission in its 229th Report submitted in 2009 had also suggested that a Constitutional Bench be set up at Delhi and four Cassation Benches be set up in the Northern region at Delhi, Southern region at Chennai/Hyderabad, Eastern region at Kolkata and Western region at Mumbai.

The matter was referred to the Chief Justice of India, who has informed that after consideration of the matter, the Full Court in its meeting held on 18th February, 2010, found no justification for setting up of benches of the Supreme Court outside Delhi. The Chief Justice of India had earlier conveyed similar views in August, 2007.

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

Presently, there are no regional benches of the Supreme Court in the States.

(c): There is no proposal for establishing a new Regional Bench of the Supreme Court at Ajmer in the State of Rajasthan.

(d): No such specific impact assessment of the National Mission for Justice Delivery and Legal Reforms has been undertaken. However, the Mission has been relentlessly working to provide for better infrastructure to courts, including computerization, adopting various 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. Among the prominent initiatives of the National Mission, the ones delineated below are noteworthy: -

- 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. 10551.68 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 21,524 as on 31.12.2023, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,951 as on 31.12.2023, under this scheme.
- ii. Sanctioned and working strength of judicial officers in district and subordinate courts has increased as under: -

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
23.01.2023	25,348	20,018

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

- iii. 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.
- iv. Alternate Dispute Resolution methods have been promoted wholeheartedly. Accordingly, the Commercial Courts Act, 2015 was amended on 20th August, 2018 making Pre-institution Mediation and Settlement (PIMS) mandatory in case of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines. The recently enacted Mediation Act, 2023 lays down that mediation can be conducted in civil and commercial matters in terms of the provisions of the Mediation Act, 2023 barring such matters explicitly listed in the First Schedule of the Act which are not fit for mediation and in which mediation cannot be conducted. It can be seen from the exempted list in the first schedule that only major offences have been excluded, thus leaving majority of the petty offences under the ambit of Mediation Act, 2023
- v. Under the Commercial Courts Act, 2015, there is provision for case management hearing which provides for an efficient, effective and purposeful judicial management of a case so as to achieve a timely and qualitative resolution of a dispute. It assists in early identification of disputed issues of fact and law, establishment of procedural calendar for the life of the case and the exploration of possibilities of the resolution of the dispute. Another novel feature introduced for the commercial courts is the system of color banding which limits the number of adjournments that

can be granted in any commercial matter to three and alerts the judges about listing of the cases in accordance with their stage of pendency.

- vi. Under the e-Courts Mission Mode Project, information and communication technology (ICT) has been leveraged for IT enablement of district and subordinate courts. Furthering computerization of the district and subordinate courts with proper WAN connectivity, video conferencing facility, setting up of e-Sewa Kendras in the court complexes and virtual courts etc. under Phase-I and II of the e-Courts project. Recently, the Cabinet on 13.09.2023 has approved Phase-III of e-Courts with a budgetary outlay of Rs.7,210 crore. e-Courts Phase III envisages digitisation of the court records, both legacy records and pending cases; state of the art and latest Cloud based data repository for easy retrieval; e-Sewa Kendras at all court complexes across India; paperless courts; video conferencing facilities to be expanded to also cover district hospitals; Live Streaming of court proceedings and expansion of the scope of Virtual Courts. The project will help provide a smoother user experience by building a “smart” ecosystem. Registries will have less data entry and minimal file scrutiny facilitating better decision-making and policy planning. The e-Courts Phase-III may thus prove to be a game changer in ensuring ease of justice by making the Court experience convenient, inexpensive and hassle free to all the citizens of the country.
- vii. Lok Adalats have come up as a viable Alternative Disputes Resolution Mechanism available to common people. It is a forum where the disputes/cases pending in the court of law or at pre-litigation stage are settled/compromised amicably. Under the Legal Services Authorities (LSA) Act, 1987, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court. Lok Adalat is not a permanent establishment.

Three types of Lok Adalats: National Lok Adalats, State Lok Adalats and Permanent Lok Adalats are generally organized at regular intervals. Mobile Lok Adalats are also organized in different parts of the country, which travel from one location to another to resolve disputes through a mediated mechanism. Since June, 2020, online Lok Adalat/e-Lok Adalats have been organised virtually that facilitates party interaction and exchange of information, allowing people to effectively participate from their homes.
