

**GOVERNMENT OF INDIA  
LAW , JUSTICE AND COMPANY AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:4952

ANSWERED ON:19.04.2001

SPECIAL BENCHES OF HIGH COURTS

AMBATI BRAHMANAIAH;AMIR ALAM KHAN;HANNAN MOLLAH;NARESH KUMAR PUGLIA;NAWAL KISHORE RAI;SHYAMA SINGH;ZORA SINGH MANN

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

(a) whether the Supreme Court has asked the country's High Courts to constitute special benches to dispose of criminal cases pending before them for more than five years as reported in Hindustan Times dated March 23, 2001;

(b) if so, the details thereof;

(c) the number of criminal cases pending before each of the High Court for more than 5 years old; and

(d) the steps taken by the Government in this regard?

**Answer**

MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS AND SHIPPING (SHRI ARUN JAITLEY)

(a)&(b): Yes, Sir.

The Supreme Court in their judgement dated 22.3.2001 in Criminal Appeal No.320 of 2001, Smt.Akhtari Bi Vs State of M.P. has expressed concern over non-filling up of vacancies in the High Courts which is leading to delays in disposal of criminal cases in which prisoners are languishing in jails. It has directed the High Courts to find ways and means of ensuring that criminal appeals in cases where the accused persons are in jails are disposed of within five years. The Court has further directed that if an appeal is not disposed of within a period of five years, for no fault of the convicts, such convicts may be released on bail on such conditions as may be deemed fit by the Court.

(c): A statement is enclosed.

(d): The Minister of Law, Justice and Company Affairs has been addressing the Chief Justices of the High Courts and the Chief Justice of India periodically for filling up of vacancies of judges in the High Courts. The last such communication was made in February, 2001. Efforts are also being made to adopt alternative modes of dispute resolution, such as, arbitration, conciliation and settlement of cases through Lok Adalats. Measures like increasing use of Information Technology in courts and simplification of laws like the Civil Procedure Code and Criminal Procedure Code are also being taken to expedite disposal of cases.

All the High Courts have been requested to follow the steps taken by the Supreme Court such as more practical categorisation and grouping of cases, to take up for hearing all the cases listed for the particular day as far as possible, non-accumulation of defective matters, reservation of more and sufficient time slot for old pending cases in chronological order and streamlining of administration and manpower of the registry through computer network, for bringing down the pendency. The High Courts have favourably responded.

Efforts are being made with the help of the Chief Justice of India & the Chief Justices of the High Courts to fill up all vacant posts of judges in the High Courts to expedite disposal of pending cases.