

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:2569

ANSWERED ON:25.11.2010

PENDING CASES

Naik Shri Shripad Yesso

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

- (a) the details of cases pending in Supreme Court, High Courts, Session courts, lower courts and local courts till 31 March, 2010;
- (b) whether the Government has formulated any scheme in order to reduce the number of pending cases and to overcome the delays thereof;
- (c) if so, the details thereof along with the time by which the above scheme is likely to be implemented; and
- (d) the reasons for delay of cases?

Answer

MINISTER OF LAW AND JUSTICE (Dr. M. VEERAPPA MOILY)

(a): 54,864 cases were pending in the Supreme Court as on 31.3.2010. The number of cases pending in the High Courts and the Subordinate Courts were 41,08,555 and 2,73,74,908 respectively as on 31.3.2010.

(b) to (c): Disposal of case in the courts is within the domain of the judiciary. However, in order to facilitate expeditious disposal of cases in Courts Government has taken a number of measures as mentioned below;

(i) Government has accepted the recommendations of the Thirteenth Finance Commission to provide a grant of f 5 000 crore to the States for improving the justice delivery system in the country. With the help of these grants, the States can, inter-alia, set up morning/evening/ shift/ special magistrates` courts, organise more Lok Adalats and strengthen mediation with a view to reduce court pendencies. A grant of Rs. 500 crore has already been released to the States.

(ii) In order to modernise the judicial infrastructure, Government is also implementing a Central Sector Scheme (E-Courts Project) for computerization of the District and Subordinate Courts in the country at an estimated cost of Rs. 935 crore.

(iii) Fast Track Courts were set up to expedite disposal of long pending Sessions cases and the cases involving under-trial prisoners.

(iv) Civil Procedure Code has been amended which, inter-alia, provides for limiting the number of adjournments to three which can be granted to a party, speedy process service by speed post, courier services, fax or e-mail and authorizing the courts to fix time limit for oral arguments.

(v) With a view to ensuring speedy disposal of criminal cases, appropriate changes have been made in the Code of Criminal Procedure. The concept of plea bargaining has also been introduced.

(vi) Alternative modes of disposal including mediation, conciliation and arbitration have been encouraged.

(vii) The Gram Nyayalayas Act, 2008 has been notified and brought into force w.e.f. 02nd October, 2009. Government provides financial assistance to the States for setting up and operation of Gram Nyayalayas.

(viii) The Government has decided, in principle, to set up a `National Mission for Justice Delivery and Legal Reforms` with the objective of reducing backlog of cases in courts from an average of 15 years at present to 3 years by taking a series of strategic initiatives.

(d): Some of the main reasons for pendency in the Courts as identified by various Commissions and Committees including the Law Commission are given below:

(i) Increase in institution of fresh cases.

(ii) Inadequacy of Judges` strength.

(iii) Delays in filling up of vacancies in the Courts.

(iv) Inadequate staff attached to the courts.

(v) Granting of frequent adjournments.

(vi) Inadequate physical infrastructure of the courts.