

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

STARRED QUESTION NO:59
ANSWERED ON:24.02.2011
JUSTICE TO POOR
Singh Alias Pappu Singh Shri Uday

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

- (a) Whether the Delhi High Court has recently observed that the poor are not getting timely justice in higher courts since these courts are mainly busy with cases involving persons with money or power;
- (b) if so, the facts regarding pending cases in High Courts and the Supreme Court; and
- (c) the steps taken by the Government to ensure equality in delivery of justice in the courts?

Answer

MINISTER OF LAW AND JUSTICE (DR. M. VEERAPPA MOHY)

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

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (c) OF LOK SABHA STARRED QUESTION NO. 59

(a): Yes, Madam. Recently, High Court of Delhi has delivered a judgement dated 02.12.2010 in `Rani Vs. State` wherein such like observation have been made.

(b): As per the available information, a statement indicating pendency of cases in High Courts and the Supreme Court is annexed.

(c): Equality of justice as enshrined under Article 14 of the Constitution of India is followed in letter and spirit. The Government is taking various initiatives to improve justice delivery system in the country. These are as under:

1. The Government has `in principle` approved setting up of National Mission for Justice Delivery and Legal Reforms. The National Mission would help implementing the two major goals of the Vision Document 2009, viz:

(i) increasing access by reducing delays and arrears in the system

(ii) enhancing accountability at all levels through structural changes and setting performance standards and facilitating enhancement of capacities for achieving such performance standards.

2. With the objective of improving justice delivery, Thirteenth Finance Commission has recommended a grant of Rs. 5000 crore to be utilized over a period of five years up to 2010-2015. This grant is aimed at providing support to improve judicial outcomes, and is allocated for the initiatives such as (i) Increasing the number of court working hours using the existing infrastructure by holding morning / evening / shift courts; (ii) Enhancing support to Lok Adalats to reduce the pressure on regular courts; (iii) Providing additional funds to State Legal Services Authorities to enable them to enhance legal aid to the marginalized and empower them to access justice; (iv) Promoting the Alternate Dispute Resolution (ADR) mechanism to resolve part of the disputes outside the court system; (v) Enhancing capacity of judicial officers and public prosecutors through training programmes; (vi) Supporting creation or strengthening of a judicial academy in each State to facilitate such training; (vii) Creation of the post of Court Managers in every judicial district and High Courts to assist the judiciary in their administrative functions and (viii) Maintenance of heritage court buildings.

3. The Government is implementing a central sector scheme for computerization of the District and Subordinate Courts (e-Courts project) in the country and for upgradation of the ICT infrastructure of the Supreme Court and the High Courts, at a cost of Rs. 935 crore for the first phase which will connect 14,229 courts in the country including video conferencing facilities. In the subsequent phase, digitization, library management, e-filing and establishment of data warehouse are expected to take place. The Project output would be beneficial to both improving court process and rendering citizen centric services. Automation of case flow would cover case scrutiny, registration, court proceedings and electronic monitoring of ail court-wise case pendency and performance assessment of Judges. In terms of citizen centric services, online availability of case status, copies of orders and judgments, cause list and eventually e-filing of cases will be available. This project will also achieve one of the important goals of the Vision Document 2009, namely, the creation of National Arrears Grid, with the last mile connectivity up to Taluqa courts. The complete coverage of the 14,249 courts in terms of hardware and software will be achieved by March 2014 and the largest number of courts (12,000) will be covered by March 2012. Re-engineering of the process in the courts is the ultimate aim for speeding justice delivery and this activity is also to start this year.

4. Enactment of the Gram Nyayalayas Act, 2008 which provides for establishment of Gram Nyayalayas to improve access to justice to common man. Under the scheme, the Government provides non recurring grant for creation of infrastructure and also recurring grant on annual basis. Rs. 20.92 crore have been provided to the States so far under this scheme.

5. A Centrally Sponsored Scheme for development of infrastructure facilities for the judiciary is being implemented since 1993-94 under which central assistance for construction of court buildings and residential quarters for judicial officers is released to augment the resources of the State Governments. The central grant is released with a rider that the State Governments would contribute at least the matching share. An amount of Rs. 412 crore has been released to the State Governments during the last three years. Central Grant for construction of High Court buildings is considered by the Planning Commission on 30:70 basis under Additional Central Assistance scheme.

6. For legal empowerment of the marginalized people in India an externally aided project `Access to Justice for Marginalized People in India` is being implemented, in the selected 07 States, with the support of UNDP.