

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

UNSTARRED QUESTION NO:2496
ANSWERED ON:10.03.2011
POST OF JUDGES
Khaire Shri Chandrakant Bhaurao

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

- (a) whether the Government proposes to implement the suggestions of the Law Commission to increase the posts of Judges in order to dispose off large number of cases pending in different courts;
- (b) if so, the details thereof and the total number of cases pending in different courts of the country during the last three years; and
- (c) the steps taken/being taken by the Government for speedy disposal of such pending cases?

Answer

MINISTER OF LAW & JUSTICE (DR. M. VEERAPPA MOILY)

(a) : The Government has examined the suggestions of the Law Commission of India as contained in 230th Report on `Reforms in the Judiciary-Some suggestions. Chief Justices of all High Courts have been requested on 10.12.2010 to consider the recommendations for adoption particularly in clearing the backlog of cases. As regards increasing the number of posts in the subordinate judiciary, respective State Governments and High Courts are responsible to undertake a review of strength of judges. In respect of High Courts, a triennial review of strength of judges in the High Courts is taken to augment the strength of judges.

(b): A statement indicating pendency position of cases during the last three years in different courts is enclosed at Annexure.

(c): In order to facilitate expeditious disposal of cases in Courts, Government has taken a number of measures as mentioned below:

(i) The Government has accepted the recommendations of the Thirteenth Finance Commission to provide a grant of ` 5000 crore to the States for improving the justice delivery system in the country over a five year period 2010-15.

A grant of 1000 crore has already been released to the States during the year 2010-11. With the help of these grants, the States can, inter-alia, set up morning / evening / shift / special magistrates` courts, appoint court managers, establish ADR centres and provide training to mediators / conciliators, organise more Lok Adalats to reduce pendencies. The grants also provide for training of judicial officers, strengthening of State Judicial Academies, training of public prosecutors and maintainance of heritage court buildings.

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

(iii) The Gram Nyayalayas Act, 2008 has been notified and brought into force w.e.f. 02nd October, 2009 to provide for speedy justice to common man at grassroots level. Government provides financial assistance to the States for setting up and operation of Gram Nyayalayas. 144 Gram Nyayalayas have been notified out of which 47 are operational.

(iv) The Government has decided, in principle, to set up a `National Mission for Justice Delivery and Legal Reforms` with the objective of reducing pendency of cases in courts.

(v) Fast Track Courts were set-up to expedite disposal of long pending sessions cases and the cases of undertrial prisoners. As per the information received, 32.06 lakh cases have been disposed of by these courts since inception.

(vi) To augment the resources of the State Governments for provision of infrastructure facilities for the judiciary, a Centrally Sponsored Scheme is being implemented since 1993-94 under which central assistance is provided to the States/UTs for construction of court buildings and residential accommodation for Judges/Judicial Officers. The outlay for this Scheme for the Eleventh Plan Period (2007-12) is 701.08 crore against which an amount of 411.97 crore has been released to the State Governments during last three financial years.

(vii) It is proposed to increase the age of retirement of High Court judges from 62 to 65 years for which a Bill has been introduced in the Lok Sabha. It aims at retaining the judges for three more years which would avoid occurrence of vacancies and result in continuance of judges to clear the backlog of cases in the High Courts.