

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

UNSTARRED QUESTION NO:320

ANSWERED ON:09.08.2012

PENDING COURT CASES

Agarwal Shri Jai Prakash;Chowdhury Shri Adhir Ranjan;Gandhi Shri Dilip Kumar Mansukhlal;Jawale Shri Haribhau Madhav;Kashinath Shri Taware Suresh;Maadam Shri Vikrambhai Arjanbhai;Rajaram Shri Wakchaure Bhausaheb;Semmalai Shri S. ;Vijayan Shri A.K.S.

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

- (a) the total number of cases pending in Supreme Court and various High Courts, other courts, court-wise, State-wise in the country till date;
- (b) whether the Government has formulated any special plan to reduce / dispose of the long pending cases in different courts of the country;
- (c) if so, the details thereof with special reference to the present status of National Mission for Justice Delivery and Legal Reforms; and
- (d) the time by which the said plan is likely to be implemented?

Answer

MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHID)

(a) : The data on pendency of cases is maintained by the Supreme Court and High Courts. As per the information obtained from website of Supreme Court, 63,342 cases are pending in the Supreme Court as on 31.07.2012. Out of them, 21,208 matters are up to one year old and are not in arrears. If connected matters are excluded, the pendency is only 35,961 cases as on 31.7.2012. Based on the information made available by High Courts, Statements indicating pendency of cases in High Courts and Subordinate Courts as on 31.12.2011, are at Annex 1 and Annex 2 respectively.

(b) to (d) : Disposal of pending cases in various courts is within the domain of the judiciary. However, with a view to assist judiciary in addressing the problem of pendency of cases, the Government has set up a National Mission for Justice Delivery and Legal Reforms. The Mission has twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission will pursue a coordinated approach for phased liquidation of arrears and pendency in judicial administration which would, inter alia, involve better infrastructure for courts including computerisation, increase in strength of subordinate judiciary, 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. The National Mission has a time frame of five years (2011-16) to pursue them.

In short span of its existence, the Mission has taken several steps in the strategic areas towards fulfillment of its objectives. A Constitution Amendment Bill for raising the retirement age of High Court Judges is before the Parliament. A comprehensive proposal has been formulated for constitution of All India Judicial Service which is before the Committee of Secretaries. An Inter-Ministerial Group (IMG) has been constituted to suggest necessary amendments to the Negotiable Instruments Act along with other policy and administrative measures to check increasing litigation relating to cheque bounce cases.

An important aspect of the judicial reforms relates to re-engineering court procedures and court processes for early disposal of cases. A National Court Management System has been recently notified by the Hon'ble Supreme Court for addressing the issues of case management, court management, setting measurable standards for performance of the courts and the National System of Judicial Statistics in the country. A Sub Group on improving the court procedure and court processes for better criminal justice system has been constituted under the Chairman, Law Commission to suggest necessary changes in this regard.

Infrastructure development for the subordinate judiciary is a major thrust area for the National Mission. With a view to enhancing the resources of the State Governments, the Government has increased the central share by revising the funding pattern from 50:50 to 75:25 (for States other than North Eastern States) under modified Centrally Sponsored Scheme for development of infrastructure facilities for the judiciary from the year 2011-12 onwards. The funding pattern for North-Eastern States has been kept as 90:10 w.e.f 2010-11.

An amount of Rs.595 crore was released as central assistance to States / UTs for infrastructure development of subordinate judiciary during 2011-12. A budget provision of Rs.660 crore has been made for this scheme during the current financial year. An amount of Rs.206 crore has already been released to States / UTs till 31st July, 2012.

The 13th Finance Commission has allocated a grant of ` 5000 crore for the States over a period of 5 years between 2010-2015 for various initiatives such as increasing the number of court working hours using the existing infrastructure by holding morning / evening / shift courts; enhancing support to Lok Adalats to reduce the pressure on regular courts; providing additional funds to State Legal Services Authorities to enable them to provide legal aid to the marginalized and empower them to access justice; promoting the Alternate Dispute Resolution (ADR) mechanism to resolve part of the disputes outside the court system.

Besides, the Government had launched a pendency reduction drive from July 2011 to December, 2011. Chief Justices of the High Courts were requested to initiate a campaign mode approach towards clearing long pending cases and cases relating to marginalized sections of the society. As per feedback received from various High Courts, total pendency was reduced by over 6 lakh cases, out of which about 1.36 lakh cases belonged to targeted groups such as senior citizens, disabled, minors and marginalized sections of society.

A similar drive has been undertaken this year as well from July, 2012 to December, 2012. The main focus of pendency reduction drive this year is to make our judicial system 'five plus' free. Simultaneously, emphasis is being laid on increasing the number of judges in subordinate judiciary by filling the existing vacancies and creating additional posts so that disposal of cases is expedited and there is reduction in overall pendency.