

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

STARRED QUESTION NO:284  
ANSWERED ON:13.12.2012  
DISPOSAL OF COURT CASES  
Nagar Shri Surendra Singh

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

- (a) whether any study / assessment has been made about the average time taken for disposal of cases by the courts in the country, category-wise;
- (b) if so, the details thereof;
- (c) whether the courts in the country are taking a longer period of time in disposing the cases when compared to the courts in the developed countries;
- (d) if so, the facts in this regard; and
- (e) the steps being taken / proposed to be taken to expedite disposal of cases by the courts in the country?

**Answer**

MINISTER OF LAW AND JUSTICE (DR. ASHWANI KUMAR)

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

STATEMENT REFERRED IN REPLY TO PARTS (a) to (e) OF LOK SABHA STARRED QUESTION NO. 284 FOR ANSWER ON 13th DECEMBER, 2012.

No formal study / assessment has been made. The actual time taken for disposal of a case depends on several factors such as category of the case (civil or criminal), complexity of the facts involved, nature of evidence, co-operation of stake-holders viz. bar, investigation agencies, witnesses and litigants besides the availability of physical infrastructure, supporting court staff and applicable rules of procedure. A number of expert committees including Law Commission of India have gone into reasons for delayed disposal and, consequent, pendency of cases. Based on the recommendations made, Government has carried out amendments to Code of Civil Procedure (C. P. C.) and Criminal Procedure Code (Cr. P. C.) for expediting the disposal of cases and, consequent, reduction in pendency in courts.

The Government is not aware of any such empirical comparison having been made nor can such a comparison be valid between India and developed countries for reasons of difference in availability of infrastructure facilities, use of technology, number of judicial officers per million of population (judge-population ratio), docket-ratio (population-case filing ratio), provisions of substantive laws and procedures in courts and court/case management etc. These differ widely from country to country.

Taking into account the urgent need of Judicial Reforms to improve the access to justice to the people, a National Mission for Justice Delivery and Legal Reforms has been set up with 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 has been pursuing a coordinated approach for phased liquidation of arrears and pendency in judicial administration which, inter alia, involves 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.

The Mission has taken several steps in the strategic areas towards fulfilment of its objectives. An Inter-Ministerial Group (IMG) has been constituted to suggest necessary amendments to the Negotiable Instruments Act, 1881 along with other policy and administrative measures to check increasing litigations relating to cheque bounce cases. For the re-engineering of court procedures and court processes for early disposal of cases, a National Court Management System (NCMS) has been notified by the 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.

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 with effect from 2010-11.

Rs. 595 crore has been released as central assistance to States / UTs for infrastructure development of subordinate judiciary during 2011-12. Out of budget of Rs 660 crore in the current financial year, Rs. 557 crore has been released to States / UTs till 30th November, 2012.

On the recommendations of 13th Finance Commission, the Government has sanctioned Rs. 5000 crore as grants to the States for 5 years between 2010-15 for undertaking 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 Alternative Dispute Resolution (ADR) mechanism to resolve part of the disputes outside the court system.