

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

UNSTARRED QUESTION NO:3417

ANSWERED ON:12.02.2014

PENDING COURT CASES

Agarwal Shri Jai Prakash;Ananth Kumar Shri ;Mahajan Smt. Sumitra;Singh Rajkumari Ratna;Sule Supriya ;Thakur Shri Anurag Singh;Yadav Shri Ranjan Prasad

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

- (a) whether a number of criminal and civil cases are pending in various courts in the country;
- (b) if so, the details thereof and the reasons therefor; court-wise, State-wise and nature- wise during each of the last three years and the current year;
- (c) the number of pending cases disposed of by the Fast Track Courts (FTCs) and Gram Nyayaayayas since their inception;
- (d) whether the time taken by the courts in the country to dispose of cases is much more as compared to the time taken by the courts in other countries; and
- (e) if so, the details thereof and the reasons therefor alongwith the corrective measures taken by the Government for expeditious disposal of pending court cases?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW & JUSTICE AND COMMUNICATIONS & INFORMATION TECHNOLOGY
(SHRI KAPIL SIBAL)

(a) & (b) Details of number of civil and criminal cases pending in the High Courts during the last three years are given in a Statement at Annex - I, and State-wise details of number of civil and criminal cases pending in the Subordinate Courts during the last three years are given in Statement at Annex- II.

Disposal of cases in courts is within the domain of the judiciary. Data on the time taken for disposal of cases is not maintained by the Government. The 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.

(c) Setting up of subordinate courts is the responsibility of the State Governments under the Constitution of India. Fast Track Courts (FTCs) are set-up by the State Government in consultation with the respective High Court. Fast Track Courts (FTCs) were set-up to handle long pending cases on the recommendation of Eleventh Finance Commission (EFC). A statement indicating the State-wise number of cases disposed of by them as on 31.03.2011 is at Annex-III.

As per information available, 172 Gram Nyayaalayas have so far been notified by nine State Governments, out of which, 152 Gram Nyayaalayas in four States have started functioning. The cases disposed of by these Gram Nyayaalayas are not very significant.

(d) The Government is not aware of any empirical comparison having been made nor can such a comparison be valid between India and other 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.

(e) Taking into account the urgent need of Judicial Reforms, a National Mission for Justice Delivery and Legal Reforms has been set up for increasing access to justice 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 Mission has. taken several steps towards fulfillment of its objectives, including inter-alia formulation of draft legislations on Judicial Accountability and Standards, enhancement of Age of Retirement of Judges, and Judicial Appointments Commission; formulation of State Litigation Policies to reduce Government litigation; recommending amendments to the Negotiable Instruments (NI) Act to check increasing litigation relating to cheque bounce cases; Computerisation of over 13,000 courts at district and subordinate level; Infrastructure support to State Judicial Academies, and providing support to State Governments for establishing Alternate Dispute Resolution Centres through the 13th Finance Commission; and Implementation of the Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary. An important aspect of the judicial reforms relates to re-engineering court procedures and

court processes for early disposal of cases. A comprehensive scheme of National Court Management Systems (NCMS) has been formulated and notified by Hon'ble Supreme Court of India.