

**GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE**

**LOK SABHA**

**UNSTARRED QUESTION NO. 2509**

**TO BE ANSWERED ON WEDNESDAY, THE 26<sup>th</sup> DECEMBER, 2018.**

**Cases Pending in Various Courts**

**2509. SHRI R. DHRUVA NARAYANA:  
DR. KRISHAN PRATAP:  
SHRI S.P. MUDDAHANUME GOWDA:  
ADV. SHARADKUMAR MARUTI BANSODE:  
SHRI NAGAR RODMAL:  
SHRI LAKHAN LAL SAHU:**

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

- (a) whether the Government has formulated any special plan to reduce the number of cases / dispose of cases lying pending for long in various courts of the country;**
- (b) if so, the details thereof, courtwise along with the status of National Judicial Commission as well as Law Reforms Mission at present;**
- (c) the State-wise / year-wise number of cases lying pending in the Supreme Court, various High Courts and other Courts during the last two years and the current year till date; and**
- (d) the details of guidelines issued / steps taken for speedy disposal of such pending cases and time limit fixed for appointment of additional Judges as per requirement under the above stated special plan?**

**ANSWER**

**MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS  
(SHRI P. P. CHAUDHARY)**

(a), (b) & (d): Timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. No time frame has been prescribed for disposal of various kinds of cases by the respective courts.

The Government is, however, fully committed to speedy disposal of cases. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary. The National Mission for Justice Delivery and Legal Reforms established by the Government has adopted a coordinated approach for phased

liquidation of arrears and pendency in judicial administration through various strategic initiatives, including improving infrastructure for courts, leveraging Information and Communication Technology (ICT) for better justice delivery, and filling up of vacant positions of Judges in High Courts and Supreme Court. The major achievements during the last four years under various initiatives to make the functioning of subordinate judiciary more efficient are as follows:

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs.6,623.87 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. Out of this, 3,179.57 crores (which are 48% of the total amount released till date) have been released to the States and UTs since April, 2014. The number of court halls has increased from 15,818 as on 30.06.2014 to 18,731 as on date and number of residential units has increased from 10,211 as on 30.06.2014 to 16,539 as on date under this scheme. In addition, 2,906 court halls and 1,754 residential units are under construction. The Central Government has approved continuation of the Scheme beyond the 12<sup>th</sup> Five Year Plan period *i.e.* from 01.04.2017 to 31.03.2020 with an estimated additional outlay of Rs.3,320 crore.
- (ii) Leveraging Information and Communication Technology (ICT) for improved justice delivery: Number of computerised District & Subordinate courts has increased from 13,672 to 16,755 registering an increase of 3,083 during 2014 to 2018. National Judicial Data Grid (NJDG) provides citizens with online information about case filings, case status and electronic copies of orders and judgments from district and subordinate courts that have already been computerized. Information regarding 10.80 crore cases including more than three crore pending cases and more than 7.91 crore orders / judgments are available on this portal. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerised courts, eCourts Mobile App, email service, SMS push & pull services. eCourts Project has been consistently amongst the top 5 Mission Mode Projects of country.

(iii) Filling up of vacant positions in Supreme Court, High Courts and judicial officers in District and Subordinate Courts: As per the Constitutional framework, the selection and appointment of judges in subordinate courts is the responsibility of State Governments and the High Courts concerned. In so far as recruitment of judicial officers in the States is concerned, respective High Courts do it in certain States, whereas the High Courts do it in consultation with the State Public Service Commissions in other States.

Filling up of vacancies in the Supreme Court and the High Courts is a continuous and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities. Initiation of proposal for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while initiation of proposals for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court. While every effort is made to fill up the existing vacancies expeditiously, vacancies in High Courts keep on arising on account of retirement, resignation or elevation of Judges (to the Supreme Court) and also due to increase in the strength of Judges. During May 2014 – November 2018, 25 Judges were appointed in Supreme Court; 423 new Judges were appointed and 362 Additional Judges were made Permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1079 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has been increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
30.09.2018	22,644	17,509

Minister of Law & Justice vide letter dated 14<sup>th</sup> August, 2018 has written to the Chief Justices of High Courts and Chief Ministers of States to monitor the status of vacancies in the district and subordinate courts regularly and to ensure proper coordination with the State Public Service Commission so that the examination and the interviews are conducted in accordance with the time schedule prescribed by the Supreme Court in the Malik Mazhar Sultan case.

(iv) Reduction in Pendency through / follow up by Arrears Committees: Further, in pursuance of resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in 24 High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges

too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts.

- (v) Nyaya Mitra Scheme: In order to reduce cases pending in courts for over 10 years, the Government launched the Nyaya Mitra Scheme in April 2017. Under the Scheme, retired judicial officers are engaged and designated as '*Nyaya Mitra*' to facilitate expeditious disposal of the cases pending over 10 years. In the first Phase, 15 Nyaya Mitra have been engaged in 15 Districts of Rajasthan, West Bengal, Bihar, Uttar Pradesh and Tripura.
  
- (vi) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Act, 2018 has been enacted on 20<sup>th</sup> August, 2018 whereby mandatory pre-Institution mediation mechanism has been introduced for settlement of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 by the Arbitration and Conciliation (Amendment) Act 2015 is done to expedite the speedy resolution of disputes by prescribing timelines. The Arbitration and Conciliation (Amendment) Bill, 2018 passed by the Lok Sabha on 10.08.2018 seeks to set up Arbitration Council of India (ACI) to *inter-alia* grade arbitral institutions, accredit arbitrators and impart training and award certificate in the ADR field.
  
- (vii) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, *inter-alia*, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children *etc.*, and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements. At present, 708 such Fast Track Courts are functioning across the country. To fast track criminal cases involving elected MPs / MLAs, twelve (12) Special Courts have been set up in eleven (11) States (Andhra Pradesh, Telangana, Kerala, Karnataka, Tamil Nadu, Maharashtra, Madhya Pradesh, Uttar Pradesh, Bihar, West Bengal and NCT of Delhi) and proportionate funds have been released to these States by the Government. The Criminal Law (Amendment) Act, 2018 to amend the Indian Penal Code, Indian Evidence Act, 1872, the Code of Criminal

Procedure, 1973 and the Protection of Children from Sexual Offences Act, 2012 has been enacted on 11<sup>th</sup> August, 2018.

The Hon'ble Supreme Court vide Judgement dated 16.10.2015 struck down the Constitution (Ninety- ninth Amendment ) Act, 2014 and the National Judicial Appointment Commission, Act, 2014 as "unconstitutional and void" and declared the system of appointment of Judges to the Supreme Court and High Courts as existing prior to the Constitution (Ninety-ninth Amendment) Act, 2014 i.e. the "Collegium System" will remain operative.

(c): The details of number of cases pending in the Supreme Court during last two years and the current year is given below:

Court	Year	Number of Cases pending
Supreme Court	2016	62,537
	2017	55,588
	As on 01.12.2018	56,994

State-wise / year-wise details of cases pending in various District and Subordinate Courts during the last two years and the current year are given in a Statement at **Annexure – I**. High Court-wise / year-wise details of cases pending in various High Courts during the last two years and the current year are given at **Annexure – II**.

\*\*\*\*\*

Statement referred to Lok Sabha Unstarred Question No. 2509 for reply on 26.12.2018  
Year-wise (for last three years) and State-wise pending cases in District and Subordinate Courts

Sl. No	Name of States/UTs	Number of Cases pending in District and Subordinate Courts as on 31.12.2016\$	Number of Cases pending in District and Subordinate Courts as on 31.12.2017\$\$	Number of Cases pending in District and Subordinate Courts as on 20.12.2018\$\$
1.	A & N Island	8,767	11,185	0
2.	Andhra Pradesh	10,77,944	4,99,246	5,22,776
3.	Telangana		4,16,164	5,16,297
4.	Arunachal Pradesh	14,583	---	0
5.	Assam	2,58,639	2,23,954	2,85,390
6.	Bihar	21,28,325	16,58,292	24,68,897
7.	Chandigarh	38,907	38,628	43,288
8.	Chhattisgarh	2,90,434	2,72,888	2,59,949
9.	D & N Haveli	3,766	3,552	2,717
10.	Daman & Diu	1,720	1,746	1,859
11.	Delhi	6,06,181	6,07,036	7,19,078
12.	Goa	42,074	39,745	44,105
13.	Gujarat	18,22,311	16,41,355	16,23,470
14.	Haryana	5,47,736	6,45,647	7,24,636
15.	Himachal Pradesh	2,06,941	2,09,938	2,57,784
16.	Jammu & Kashmir	1,45,999	1,21,754	1,59,065
17.	Jharkhand	3,42,768	3,33,494	3,54,629
18.	Karnataka	13,62,167	13,81,438	12,82,800
19.	Kerala	14,82,667	11,52,056	11,67,809
20.	Lakshadweep	357	---	0
21.	Madhya Pradesh	10,97,634	13,25,053	13,80,822
22.	Maharashtra	32,39,540	33,36,574	35,59,170
23.	Manipur	6,978	9,604	9,939
24.	Meghalaya	15,239	7,032	6,728
25.	Mizoram	4,665	3,306	3,646
26.	Nagaland	4,450	---	0
27.	Odisha	10,49,325	10,22,635	11,30,261
28.	Punjab	5,04,320	5,68,232	5,99,240
29.	Rajasthan	11,48,704	14,24,560	15,14,581
30.	Sikkim	1,434	1,400	1,316
31.	Tamil Nadu	10,99,521	10,10,381	10,96,937
32.	Puducherry		---	0
33.	Tripura	43,568	25,191	23,301
34.	Uttar Pradesh	59,80,071	61,61,822	70,06,224
35.	Uttarakhand	1,90,948	2,10,587	2,37,781
36.	West Bengal	27,28,753	17,59,635	22,07,120
<b>Total</b>		<b>2,74,97,436</b>	<b>2,61,24,130</b>	<b>2,92,11,615</b>

\$ Source: High Courts

\$\$ Source: NJDG Web portal.

**Note:** Data on District and Subordinate Courts in the States of **Arunachal Pradesh**, **Nagaland**, and Union Territories of **Lakshadweep** and **Puducherry** are not available on the web-portal of NJDG. Data in respect of **Andaman & Nicobar Islands** as on 20.12.2018 is not available on NJDG Portal.

## Statement referred to Lok Sabha Unstarred Question No. 2509 for reply on 26.12.2018

## Details of Year-wise and High Court-wise pending cases

Sl. No	High Court	As on 31.12.2016*	As on 31.12.2017**	As on 21.12.2018**
1.	Allahabad	9,16,046	\$	<u>7,24,726</u>
2.	Punjab & Haryana	3,02,313	3,84,098	<u>3,93,953</u>
3.	Madras	2,97,617	3,14,345	<u>3,98,997</u>
4.	Madhya Pradesh	2,89,445	3,07,384	<u>3,30,554</u>
5.	Andhra Pradesh	2,91,761	3,25,119	<u>3,60,574</u>
6.	Bombay	2,61,649	4,64,074	<u>4,64,074</u>
7.	Rajasthan	2,54,131	2,63,103	<u>7,41,193</u>
8.	Karnataka	2,77,620	2,11,110	<u>2,36,161</u>
9.	Calcutta	2,19,064	2,32,116	<u>2,43,456</u>
10.	Orissa	1,68,003	1,68,375	<u>1,67,072</u>
11.	Kerala	1,66,735	1,81,114	<u>1,93,371</u>
12.	Patna	1,34,459	1,45,056	<u>1,49,920</u>
13.	Gujarat	75,098	1,09,709	<u>1,13,511</u>
14.	Jharkhand	85,757	57,944	<u>87,997</u>
15.	Delhi	67,082	69,546	<u>74,252</u>
16.	Jammu & Kashmir	59,404	\$	<u>91,994</u>
17.	Chhattisgarh	55,642	59,463	<u>63,359</u>
18.	Uttarakhand	32,004	36,910	<u>55,751</u>
19.	Himachal Pradesh	25,147	37,955	<u>36,066</u>
20.	Gauhati	29,469	39,191	<u>40,457</u>
21.	Manipur	3,286	16,889	<u>7,308</u>
22.	Tripura	2,545	2,798	<u>2,964</u>
23.	Meghalaya	700	951	<u>1,069</u>
24.	Sikkim	170	212	<u>254</u>
<b>Total</b>		<b>40,15,147</b>	<b>34,27,462</b>	<b>49,79,033</b>

\*As per information furnished by High Courts

\*\*As per data available on the web-portal (National Judicial Data Grid)

\$Data as on 31.12.2017 was not available on National Judicial Data Grid.

\*\*\*\*\*

