

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

LOK SABHA

UNSTARRED QUESTION NO. †1642

TO BE ANSWERED ON WEDNESDAY, THE 13TH FEBRUARY, 2019.

Petty Cases Pending in Courts

†1642. SHRIMATI DARSHANA VIKRAM JARDOSH:

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

- (a) the total number of petty cases going on in the Supreme Court, High Courts and lower courts in the country;**
- (b) whether the Government has any plan to dispose of cases related to various public movements going on in the courts together; and**
- (c) if so, the details thereof?**

ANSWER

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

(a): As per the information made available by the Hon'ble Supreme Court, 58,029 cases including petty cases were pending in the Supreme Court as on 01.02.2019. As per data available on the National Judicial Data Grid (NJDG), 40.94 lakhs cases were pending in High Courts, and 2.96 crore cases were pending in District and Subordinate Courts as on 08.02.2019. NJDG does not separately provide the number of petty cases going on in the Supreme Court, High Courts and lower courts.

(b) & (c) : 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 judiciary more efficient are as follows:

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs.6,670.12 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, 3,225.82 crores (which are 48.36% 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 18,796 as on date and number of residential units has increased from 10,211 as on 30.06.2014 to 16,652 as on date under this scheme. In addition, 2,925 court halls and 1,756 residential units are under construction. The Central Government has approved continuation of the Scheme beyond the 12th 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: Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerised District & Subordinate courts has increased from 13,672 to 16,845 registering an increase of 3,173 during 2014 to 2018. New and user-friendly version of Case Information Software developed and deployed at all the computerized District and Subordinate Courts. QR Code facility made operational in the software, which enables to check current status of the case. 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 10.97 crore cases is 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. Information Kiosks have been setup at all computerized court complexes for disseminating judicial information related to cause lists and other case related information to the lawyers and litigants. 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 District and Subordinate Courts:

From 01.01.2014 to 31.12.2018, 27 Judges were appointed in Supreme Court. 446 new Judges were appointed and 379 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
31.12.2018	22,833	17,701

(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 20th August, 2018 whereby mandatory pre-Institution mediation mechanism has been introduced for settlement of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expecting 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, 731 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 has been enacted on 11.08.2018 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.
