

2024

RAJYA SABHA REPLIES

BUDGET SESSION, 2024
[265th SESSION OF RAJYA SABHA]
[22nd July, 2024 to 09th August, 2024]

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

**RAJYA SABHA
STARRED QUESTION NO. *32**

Appointment

ANSWERED ON 25.07.2024

ESTABLISHMENT OF REGIONAL BENCHES OF SUPREME COURT

***32. SHRI P. WILSON:**

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

- (a) the steps taken on 133rd report of Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice and the details of steps taken to conduct a feasibility study for establishing regional benches of the Supreme Court in the country;
- (b) the steps taken by Government to ensure social diversity and social representation in the appointment of judges in the Supreme Court and High Courts;
- (c) whether Government is considering enhancing pay, allowances, pension, etc., for the judges of Supreme Court and High Courts; and
- (d) if not, the reasons therefor?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS
(SHRI ARJUN RAM MEGHWAL)**

- (a) to (d): A statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) IN RESPECT OF
RAJYA SABHA STARRED QUESTION NO. 32 FOR REPLY ON 25TH JULY, 2024
REGARDING ESTABLISHMENT OF REGIONAL BENCHES OF SUPREME
COURT ASKED BY SHRI P. WILSON.**

(a) to (d): Article 130 of the Constitution of India provides that the Supreme Court shall sit in Delhi or in such other place or places as the Chief Justice of India may, with the approval of the President, from time to time, appoint.

2. The Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice in its 133rd Report inter-alia, recommended that the Supreme Court of India may invoke Article 130 of the Constitution for establishment of regional benches at four or five locations in the Country.

3. The Eleventh Law Commission in its 125th Report titled "The Supreme Court - A Fresh Look", submitted in 1988, reiterated the recommendations made by Tenth Law Commission in its 95th Report for splitting the Supreme Court into two namely (i) Constitutional Court at Delhi and (ii) Court of appeal or Federal Court sitting in North, South, East, West and Central India. The Eighteenth Law Commission in its 229th Report submitted in 2009 had also suggested that a Constitutional Bench be set up at Delhi and four Cassation Benches be set up in the Northern region at Delhi, Southern region at Chennai/Hyderabad, Eastern region at Kolkata and Western region at Mumbai.

4. The matter was referred to the Chief Justice of India, who informed that after consideration of the matter, the Full Court in its meeting held on 18th February, 2010, found no justification for setting up of benches of the Supreme Court outside Delhi. The Chief Justice of India had earlier conveyed similar views in August, 2007.

5. In Writ Petition WP(C) No. 36/2016 on establishment of National Court of Appeal, the Supreme Court vide its judgment dated 13.07.2016 deemed it proper to refer the aforementioned issue to Constitutional Bench for authoritative pronouncement. The matter is currently sub-judice in the Supreme Court.

6. Appointment of Judges of the High Courts is made under Articles 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. Therefore, category-wise data pertaining to representation of OBCs, SCs, STs and Minorities among the Judges of High Courts are not centrally maintained.

7. However, since 2018 the recommendees for the post of High Court Judges are required to provide details regarding their social background in the prescribed format (prepared in consultation with the Supreme Court). Hence, since 2018 the data on appointees to that extent has been available. Out of 661 High Court Judges appointed since 2018, 21 belong to SC category, 12 belong to ST category, 78 belong to OBC category and 499 belong to General category (till 22.07.2024).

8. Pay, allowances, pension etc. in respect of Judges of Supreme Court and High Courts are governed by The Supreme Court Judges (Salaries and Conditions of service) Act, 1958 and The High Court Judges (Salaries and Conditions of service) Act, 1954 respectively. The salary, pension and allowances of Judges of Supreme Court and High Courts were last revised w.e.f. 01.01.2016 consequent upon implementation of 7th Central Pay Commission recommendation by the Government, through an amendment in both the applicable laws mentioned above. Presently, no proposal for enhancing pay, allowance and pension etc. for the judges of Supreme Court and High Court is under consideration of the Government.

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT**

RAJYA SABHA

14y. III Sec.

STARRED QUESTION No. 40

ANSWERED ON 25.07.2024

UNIFORM CIVIL CODE

***40. DR. JOHN BRITTAS:**

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

- (a) whether Government proposes to introduce Uniform Civil Code;
- (b) whether Government intends to rely on the proposed new report of the Law Commission of India in this matter;
- (c) whether it is a fact that the Law Commission, in its previous report submitted on 31st August, 2018, had categorically stated that a Uniform Civil Code is 'neither necessary nor desirable'; and
- (d) if so, the response of Government thereto?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY
OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS**

(SHRI ARJUN RAM MEGHWAL)

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

STATEMENT REFERRED TO IN REPLY TO RAJYA SABHA STARRED QUESTION No.40 FOR ANSWER ON 25/7/2024

(a) to (d): Article 44 of the Constitution provides that the State shall endeavour to secure for the citizens a uniform civil code. In view of the importance of the subject matter and sensitivity involved, the Law Commission of India was tasked to examine the entire gamut of issues relating to uniform civil code and make appropriate recommendations thereon. Accordingly to solicit views on the matter, the Law Commission uploaded a Consultation Paper titled 'Reforms of Family Law' on its website <https://www.lawcommissionofindia.nic.in> on 31.8.2018. However, it did not submit any report.

As about six years of the time had elapsed from the date of issuance of the earlier Consultation Paper, the 22nd Law Commission considered it prudent to deliberate afresh on the subject. Hence it (Law Commission) has decided vide its notice dated 14.06.2023 to solicit the views of the stakeholders on the Uniform Civil Code.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
STARRED QUESTION NO. 45

Appointment

ANSWERED ON 25.07.2024

VACANT POSTS OF JUDGES IN HIGH COURT OF GUJARAT

45 # SHRI SHAKTISINH GOHIL :

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

- (a) the number of vacant posts of judges in High Court of Gujarat as on 1st June, 2024;
- (b) the number of references received by Government from the Collegium of Supreme Court in the last three years with regard to judges;
- (c) the number of references, out of these, still pending with Government; and
- (d) by when Government will clear these pending references?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

- (a) to (d): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (d) of Rajya Sabha Starred Question No. 45# due for answer on 25.07.2024 regarding "Vacant posts of judges in High Court of Gujarat".

(a) to (d): As on 01st June, 2024 against the sanctioned strength of 52 Judges, 29 Judges were working and there were 23 vacancies in the Gujarat High Court.

2. On the basis of the recommendations of the Supreme Court Collegium (SCC), 29 Supreme Court Judges and 406 High Court Judges were appointed between 01.01.2021 and 22.07.2024. During the same period, 03 Chief Justices of India and 60 Chief Justices of High Courts were appointed. Besides, 235 Additional Judges were made Permanent in various High Courts and 74 Judges were transferred from one High Court to another.

3. The recommendations of the SCC which are under process as on 22.07.2024 are as follows:

Sl. No.	Description	Number(s)
1.	Appointment of Judges in High Courts	68
2.	Appointment of Chief Justices of High Courts	07
3.	Proposal for transfer of Chief Justices of High Courts	01
4.	Proposal for transfer of Judges of High Courts	05

4. The Judges of the Supreme Court and High Courts are appointed under Article 124, 217 and 224 of the Constitution of India and according to the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case).

5. As per the MoP, the responsibility for initiation of proposals for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while the responsibility for initiation of proposals for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court, in consultation with two senior-most puisne Judges of the High Court. For appointments to the High Courts, under the MOP, the views of concerned State Government are also obtained. The recommendations also have to be considered in the light of such other reports as may be available to the Government in respect of the names under consideration. The recommendations of the High Court Collegium, the State

Governments and the Government of India are then forwarded to the Supreme Court Collegium (SCC) for advice. Only those persons are appointed as Judges of the Supreme Court and High Courts whose names have been recommended by the SCC.

6. Appointment of the Judges of the Constitutional Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various constitutional authorities both at state and central level. While it is of utmost importance that the appointments are made expeditiously, at the same time it is also important to ensure that only the most suitable candidates are appointed as Judges in the High Courts under the collaborative process.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 414

Appointment

ANSWERED ON 25.07.2024

VACANCIES IN HIGH COURTS AND SUPREME COURT

414. SHRI HARIS BEERAN:

Will the Minister of *Law and Justice* be pleased to state:

- (a) the number of vacancies in High Courts and the Supreme Court along with the number of proposals recommended against the said vacancies;
- (b) the period of time since the Collegium of the Supreme Court recommended the said proposals;
- (c) whether Government is aware of delay in judicial appointments as well as transfers, if so, the reasons for the delay; and
- (d) the detailed reasons for non-clearance of names of judges of various High Courts recommended by the Collegium?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): The Supreme Court is functioning at full strength and as on date, there is no vacancy. Against the sanctioned strength of 1114 Judges in various High Courts, 757 Judges are working and 357 posts of Judges are vacant in various High Courts. The High Court-wise detail of sanctioned strength, working strength and vacancy as on 19.07.2024 is at Annexure.

As on 19.07.2024, 219 proposals for appointment of Judges received from various High Court Collegiums are at various stages of processing. Out of these 219 proposals, 90 proposals were sent to the Supreme Court Collegium (SCC) for seeking advice against which the SCC has provided advice on 82 proposals which are at various stages of processing. 129 fresh proposals received recently are being processed for seeking the advice of the SCC. The recommendations are yet to be received from High Court Collegiums in respect of the

remaining 138 vacancies. Further, 05 proposals for transfer of Judges are under consideration of the Government.

Judges of the Supreme Court and High Courts are appointed under Article 124, 217 and 224 of the Constitution of India and according to the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case). As per MoP, initiation of proposal for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court. Chief Justice of the High Court is required to initiate the proposal to fill up vacancy of a High Court Judge six months prior to the occurrence of vacancy. However, this timeline is often not adhered to by the High Courts. All the names recommended by High Court Collegium are sent with the views of the Government to the Supreme Court Collegium (SCC) for advice. Only those persons are appointed as Judges of High Courts, who are recommended by SCC.

Appointment of Judges in the High Courts is a continuous, integrated and collaborative process, involving approval from various Constitutional Authorities. The Government is committed to expeditious processing of appointment of Judges to the Constitutional Courts.

The proposal for transfer of High Court Judges is initiated by the Chief Justice of India, in consultation with four senior most puisne Judges of the Supreme Court. All transfers are to be made in public interest i.e. for promoting better administration of justice throughout the country. No timeline has been prescribed in the MoP for transfer of judges from one High Court to another.

ANNEXURE

(As on 19.07.2024)

Statement showing Sanctioned strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts

A.	Supreme Court	Sanctioned strength			Working strength			Vacancies		
		34			34			0		
B.	High Court	Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1	Allahabad	119	41	160	75	9	84	44	32	76
2	Andhra Pradesh	28	9	37	23	6	29	5	3	8
3	Bombay	71	23	94	49	17	66	22	6	28
4	Calcutta	54	18	72	34	10	44	20	8	28
5	Chhattisgarh	17	5	22	10	5	15	7	0	7
6	Delhi	45	15	60	34	5	39	11	10	21
7	Gauhati	22	8	30	19	5	24	3	3	6
8	Gujarat	39	13	52	29	0	29	10	13	23
9	Himachal Pradesh	13	4	17	12	0	12	1	4	5
10	J & K and Ladakh	13	4	17	12	3	15	1	1	2
11	Jharkhand	20	5	25	19	0	19	1	5	6
12	Karnataka	47	15	62	43	7	50	4	8	12
13	Kerala	35	12	47	29	10	39	6	2	8
14	Madhya Pradesh	40	13	53	36	0	36	4	13	17
15	Madras	56	19	75	50	13	63	6	6	12
16	Manipur	4	1	5	4	0	4	0	1	1
17	Meghalaya	3	1	4	3	1	4	0	0	0
18	Orissa	24	9	33	20	0	20	4	9	13
19	Patna	40	13	53	34	0	34	6	13	19
20	Punjab & Haryana	64	21	85	51	4	55	13	17	30
21	Rajasthan	38	12	50	33	0	33	5	12	17
22	Sikkim	3	0	3	3	0	3	0	0	0
23	Telangana	32	10	42	25	3	28	7	7	14
24	Tripura	4	1	5	4	1	5	0	0	0
25	Uttarakhand	9	2	11	7	0	7	2	2	4
	Total	840	274	1114	658	99	757	182	175	357

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

Rajya Sabha

Judicial Sec. (LA)

Unstarred Question No. 415

ANSWERED ON 25/07/2024

Percentage of Government litigation in court cases

415. Shri Neeraj Shekhar:

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

- (a) the details of percentage of Government litigation, out of total pending cases in courts, as-on-date, State and court-wise; and
- (b) the details of steps taken by Government to reduce Government litigation along with the details of other measures taken to reduce pendency in the court cases to provide relief to common people?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; AND MINISTER OF
STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS
(SHRI ARJUN RAM MEGHWAL)**

- (a) The data in this regard is dynamic and keeps changing. While the requisite data is not maintained by the Government in the form and manner sought in Question (a), however, the information

regarding litigation involving the Union of India is maintained by Legal Information Management & Briefing Systems (LIMBS), which has been placed at Annexure-I, II & III respectively. It may also be noted that the information regarding total litigation [both Government and Private] state-wise/court-wise (including pendency and disposal) is available at the webpage of National Judicial Data Grid [<https://njdg.ecourts.gov.in/njdgnew/index.php>].

(b) The reduction of pendency in court cases is within the domain of the judiciary as the adjudication of cases is done by the Courts. The Government has no role in the adjudication and timely disposal of cases in courts. However, the Central Government is fully committed to aid the speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. In order to provide an ecosystem for faster disposal of cases by the judiciary, the Government set-up National Mission for Justice Delivery and Legal Reforms in August, 2011 with the 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 co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, inter-alia, involves better infrastructure for courts including computerization, 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.

Some of the initiatives taken by Department of Justice to aid the cause of justice delivery are as under:-

- (i) Under the Centrally Sponsored Scheme for Judicial Infrastructure, funds are being released to States/UTs for construction of court halls, residential quarters for judicial officers, lawyers' halls, toilet complexes and digital computer rooms that would ease the life of lawyers and litigants, thereby aiding justice delivery. As on date, Rs. 11167.36 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for the Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 23,020 as on 30.06.2024, and number of residential units has increased from 10,211 as on 30.06.2014 to 20,836 as on 30.06.2024, under this scheme.
- (ii) Further under the e-Courts Mission Mode Project, information and communication technology (ICT) has been leveraged for IT enablement of the Indian Judiciary. The number of computerised district & subordinate courts has increased to 18,735 so far. WAN connectivity has been provided to 99.4% of court complexes. Video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. As on 30.04.2024, 1050 e-Sewa Kendras have been set up at court complexes to facilitate citizen centric services to

lawyers and litigants. As on 31.05.2024, 28 virtual courts have been set up in 21 States/UTs and these courts have handled more than 5.08 crore cases and realized more than Rs. 561.09 crores in fines.

- (iii) The Cabinet on 13.09.2023 has approved eCourts Phase-III with a budgetary outlay of Rs.7,210. Taking the gains of Phase-I and Phase-II to the next level, the main objective of the Phase-III is to create a unified technology platform for the judiciary, which will provide a seamless and paperless interface between the courts, the litigants and other stakeholders. The proposed timeframe for the Project is four years starting from 2023 onwards. It envisages digitization of the court records, both legacy records and pending cases; state of the art and latest Cloud based data repository for easy retrieval; eSewa Kendras at all court complexes across India; paperless courts; video conferencing facilities to be expanded to also cover district hospitals; Live Streaming of court proceedings and expansion of the scope of Virtual Courts. The project will help provide a smoother user experience by building a "smart" ecosystem. Registries will have less data entry and minimal file scrutiny facilitating better decision-making and policy planning. The eCourts Phase-III will thus prove to be a game changer in ensuring ease of justice

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by making the Court experience convenient, inexpensive and hassle free to all the citizens of the country.

- (iv) Under eCourts Phase III, out of Rs. 825 crores allotted in FY 23-24, highest ever funds amounting to 805.57 Crore were released in one single financial year under the Project. The funds were received in the month of October'23 and expenditure of Rs 768.25 Cr (93.11%) was made in the space of five months, which is the highest under eCourts Project till date. During FY 24-25 an allocation of Rs 1500 Cr. in the BE has been received, out of which Rs 464.98 Cr has already been released to the various High Courts
- (v) Government has been regularly filling up the vacancies in higher judiciary. From 01.05.2014 to 09.07.2024, 62 Judges were appointed in Supreme Court. 976 new Judges were appointed and 745 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 1114 currently. sanctioned and working strength of judicial officers in district and subordinate courts has increased as follow:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
10.07.2024	25,523	20,414

However, filling up of vacancies in subordinate judiciary falls within the domain of the State Governments and high courts concerned.

- (vi) In pursuance of a Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in all 25 High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District courts as well.
- (vii) Under the aegis of the Fourteenth Finance Commission, the Government has established Fast Track Courts for dealing with cases of heinous crimes; cases involving senior citizens, women, children etc. As of 31.05.2024, 866 Fast Track Courts are functional for trying cases of heinous crimes, crimes against women and children etc. To fast-track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs. Further, the Central Government has approved a Scheme for setting up Fast Track Special Courts (FTSCs) across the country for the expeditious disposal of pending cases of Rape and POCSO Act. As of 31.05.2024, a total of 755 FTSCs including 410 exclusive POCSO (ePOCSO) Courts are functional in 30 States/UTs across the country which have disposed of more than 2,53,000 cases.

- (viii) With a view to reduce pendency and unclogging of the courts, the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.
- (ix) Alternate Dispute Resolution methods have been promoted whole heartedly. Accordingly, the Commercial Courts Act, 2015 was amended on 20th August, 2018 making Pre-institution Mediation and Settlement (PIMS) mandatory in case of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines.
- (x) Lok Adalat is an important Alternative Disputes Resolution Mechanism available to common people. It is a forum where the disputes/ cases pending in the court of law or at pre-litigation stage are settled/ compromised amicably. Under the Legal Services Authorities (LSA) Act, 1987, an award made by a Lok Adalat is deemed to

be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court. Lok Adalat is not a permanent establishment. National Lok Adalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date. The details of the case disposed off in National Lok Adalats during the last three years are as under:-

Year	Pre-litigation	Pending Cases	Total Cases
2021	72,06,294	55,81,743	1,27,88,037
2022	3,10,15,215	1,09,10,795	4,19,26,010
2023	7,10,32,980	1,43,09,237	8,53,42,217
2024 (upto June,24)	2,86,75,168	56,88,231	3,43,63,399
Total	13,79,29,657	3,64,90,006	17,44,19,663

(xi) The Government launched the Tele-Law programme in 2017, which provided an effective and reliable e-interface platform connecting the needy and disadvantaged sections seeking legal advice and consultation with panel lawyers via video conferencing, telephone and chat facilities available at the Common Service Centres (CSCs) situated in Gram Panchayat and through Tele-Law mobile App.

***Percentage Wise break-up of Tele – Law Data**

Till 30th June, 2024	Cases Registered	% Wise Break Up	Advice Enabled	% Wise Break Up
Gender Wise				
Female	34,77,951	38.43	34,38,027	38.38
Male	55,73,180	61.57	55,19,687	61.62
Caste Category Wise				
General	21,09,811	23.31	20,81,215	23.23
OBC	28,25,925	31.22	27,95,376	31.21
SC	29,01,087	32.05	28,74,044	32.08
ST	12,14,308	13.42	12,07,079	13.48
Total	90,51,131		89,57,714	

(xii) Efforts have been made to institutionalize pro bono culture and pro bono lawyering the country. A technological framework has been put in place where advocates volunteering to give their time and services for pro bono work can register as Pro Bono Advocates on Nyaya Bandhu (Android & iOS and Apps). Nyaya Bandhu Services also available on UMANG Platform. Pro Bono Panel of advocates has been initiated in 22 High Courts at the State level. Pro Bono Clubs have been started in 89 Laws Schools to instill Pro Bono culture in budding lawyers.

Some of the initiatives taken under the Alternative Dispute Resolution Mechanism are as under-

(i) During the past decade, the Government of India has taken various initiatives in the realm of Alternative Dispute Resolution (ADR) mechanisms to address the issues of accelerating rise in the pendency of cases in judiciary, high costs and inordinate delay in litigation. The Government is promoting ADR mechanisms including arbitration and mediation as these mechanisms are less adversarial and are capable of providing a better substitute to the conventional methods of resolving disputes.

(ii) Various initiatives have been taken to strengthen these mechanisms and make them user friendly, cost effective and expeditious. The major initiatives taken by the Central Government over the years in this regard includes.

(iii) The Arbitration and Conciliation Act, 1996 has been progressively amended in the years 2015, 2019 and 2020. These amendments aim at ensuring timely conclusion of arbitration proceedings, neutrality of arbitrators, minimizing judicial intervention in the arbitral process and quick enforcement of arbitral awards. The amendments are further aimed at promoting institutional arbitration, updating the law to reflect best global practices and resolve ambiguities thereby establishing an arbitration ecosystem where arbitral institutions can flourish.

(iv) The India International Arbitration Centre Act, 2019, was enacted to provide for the establishment and incorporation of the India International Arbitration Centre (Centre) for the purpose of creating an independent, autonomous and world class body for facilitating institutional arbitration and to declare the Centre to be an institution of national importance. The Centre shall be providing world class arbitration related services at its facilities in a cost-effective manner for both domestic and international commercial disputes, including reputed empanelled arbitrators and requisite administrative support for the smooth conduct of arbitral proceedings.

(v) The Commercial Courts Act, 2015 was amended in the year 2018 to provide for Pre-Institution Mediation and Settlement (PIMS) mechanism. Under this mechanism, where a commercial dispute of specified value does not contemplate any urgent interim relief, the parties have to first exhaust the mandatory remedy of PIMS before approaching the Court. This is aimed at providing an opportunity to the parties to resolve the commercial disputes through mediation.

(vi) The Mediation Act, 2023, enacted recently, lays down the legal framework for mediation to be adopted by parties to a dispute, especially institutional mediation where various stakeholders have been identified to establish a robust and efficacious mediation ecosystem in the country.

Annexure- I As on 19 July 2024				
Statewise court bases (High Court and District & Session Court)				
Sr. No.	State	High Court	High Court	District & Session Court
1	ANDHRA PRADESH	9516	8857	659
2	ASSAM - GUWAHATI	5422	4430	992
3	BIHAR	10648	8028	2620
4	CHHATTISGARH	3332	2556	776
5	DELHI	29390	23098	6292
6	GUJARAT	17179	12122	5057
7	HIMACHAL PRADESH	4287	3239	1048
8	JHARKHAND	5467	5142	325
9	KARNATAKA	14550	10309	4241
10	KERALA	14183	13525	658
11	MADHYA PRADESH	17950	12146	5804
12	MAHARASHTRA	36044	27760	8284
13	MANIPUR	744	669	75
14	MEGHALAYA	620	345	275
15	ODISHA	10629	9003	1626
16	PUNJAB AND HARYANA	26821	16759	10062
17	RAJASTHAN	17027	13851	3176

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Annexure- I As on 19 July 2024				
Sr No	State/Union Territory	Total Cases	High Court	Principal Session Court
18	SIKKIM	85	58	27
19	TAMIL NADU	24681	20643	4038
20	TELANGANA	13285	12183	1102
21	TRIPURA	699	465	234
22	UTTARAKHAND	2804	2018	786
23	UTTAR PRADESH	28320	20138	8182
24	JAMMU & KASHMIR	5850	4646	1204
24	WEST BENGAL	32919	21083	11836
Total				
<p>*Details regarding Central Government cases are updated on LIMBS portal by the 56 Ministries / Departments. Data on LIMBS portal is user based, and is entered by users of respective Ministry / Department and not centrally by the Department of Legal Affairs.</p>				

Annexure- II			as on 19 July 2024
Sr No	Court Wise details of Total Pending Cases		
	Court Name	Total Pending Cases	
1	Supreme Court	17779	
2	High Court	253073	
3	Tribunals	275181	
4	District & Session Court	79379	
5	Other courts (Other than District & Sessions Courts)	73492	
Total Cases			698904
<p>*Details regarding Central Government cases are updated on LIMBS portal by the 57 Ministries / Departments. Data on LIMBS portal is user based, and is entered by users of respective Ministry / Department and not centrally by the Department of Legal Affairs.</p>			

Annexure- III		As on 19 July 2024
Sr No	Ministry/Departments	Total pending Cases*
1	AGRICULTURE AND FARMERS WELFARE	3641
2	AYUSH	963
3	CHEMICALS AND FERTILIZERS	792
4	CIVIL AVIATION	570
5	COAL	4114
6	COMMERCE AND INDUSTRY	5225
7	COMMUNICATION TELECOMMUNICATION (DoT)	12863
8	COMMUNICATIONS (DoP)	21004
9	COMPTROLLER AND AUDITOR GENERAL OF INDIA	24018
10	CONSUMER AFFAIRS FOOD AND PUBLIC DISTRIBUTION	1192
11	CORPORATE AFFAIRS	35322
12	CULTURE	2434
13	DEFENCE	95467
14	DEPARTMENT OF ATOMIC ENERGY	1020
15	DEPARTMENT OF SPACE	601
16	DEVELOPMENT OF NORTH EASTERN REGION	17
17	EARTH SCIENCES	269
18	EDUCATION (MoE)	17728
19	ELECTRONICS AND INFORMATION TECHNOLOGY	1135
20	ENVIRONMENT FOREST AND CLIMATE CHANGE	3013
21	EXTERNAL AFFAIRS	2473
22	FINANCE	189289
23	FISHERIES, ANIMAL HUSBANDRY AND DAIRYING	573
24	FOOD PROCESSING INDUSTRIES	64
25	HEALTH AND FAMILY WELFARE	10407
26	HEAVY INDUSTRIES	388
27	HOME AFFAIRS	24409
28	HOUSING AND URBAN AFFAIRS	3791
29	INFORMATION AND BROADCASTING	2476
30	JAL SHAKTI(DEPT OF WATER RESOURCES)	1326

Annexure- III		As on 19 July 2024
Sr No	Ministry/Departments	Total pending Cases*
31	JAL SHAKTI(DRINKING WATER AND SANITATION)	21
32	LABOUR AND EMPLOYMENT	79988
33	LAW AND JUSTICE	702
34	MICRO, SMALL AND MEDIUM ENTERPRISES	920
35	MINES	1675
36	MINORITY AFFAIRS	269
37	NEW AND RENEWABLE ENERGY	80
38	PANCHAYATI RAJ	13
39	PARLIAMENTARY AFFAIRS	3
40	PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS	3783
41	PETROLEUM AND NATURAL GAS	125
42	PORTS SHIPPING AND WATERWAYS	5275
43	POWER	655
44	RAILWAYS	114557
45	ROAD TRANSPORT AND HIGHWAYS	14837
46	RURAL DEVELOPMENT	945
47	SCIENCE AND TECHNOLOGY	862
48	SKILL DEVELOPMENT AND ENTREPRENEURSHIP	583
49	SOCIAL JUSTICE AND EMPOWERMENT	1703
50	STATISTICS AND PROGRAMME IMPLEMENTATION	411
51	STEEL	816
52	TEXTILES	1272
53	TOURISM	425
54	TRIBAL AFFAIRS	339
55	WOMEN AND CHILD DEVELOPMENT	900
56	YOUTH AFFAIRS AND SPORTS	804
TOTAL		698904
*Details regarding Central Government cases are updated on LIMBS portal by the 56 Ministries / Departments. Data on LIMBS portal is user based, and is entered by users of respective Ministry / Department and not centrally by the Department of Legal Affairs.		

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 416
ANSWERED ON 25/07/2024

NM

SHORTAGE OF STAFF IN COURTS OF BIHAR

416 # SMT. DHARMSHILA GUPTA:

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

- (a) whether thousands of civil and criminal cases are pending in the High Court, District Courts and other subordinate courts of Bihar;
- (b) whether there is a shortage of staff, including judges, in the courts as required for prompt disposal of the said cases; and
- (c) whether there is any plan to resolve these issues, if so, the details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a): Yes. As per information received from the High Court of Judicature at Patna, the pendency of civil and criminal cases in Bihar at the level of District and Subordinate Courts and the High Court is as under:-

Pendency of Cases (as on 30.06.2024)			
Sl. No	Nature of Cases	High Court	District & Subordinate Courts
1.	Civil Cases	107923	521750
2.	Criminal Cases	92191	3161289
3.	Total	200114	3683039

(b): The vacancy position of Judges in the High Court, District Courts and Subordinate courts of Bihar, is as under : -

Vacancy of Judges in High Court (as on 30.06.2024)	19 (34 working strength as against sanctioned strength of 53 Judges)
Vacancy of Judicial Officers in District & Subordinate Courts (as on 30.06.2024)	486 (as against sanctioned strength of 2019 Judicial Officers)*

*Source for Sanctioned Strength: MIS portal, Department of Justice

Further, the availability of manpower in the High Court, District Courts and Subordinate courts of Bihar, is as under : -

Manpower availability in High Court of Patna (as on 30.06.2024)	2325 (60.093% of manpower strength)
Manpower availability in District & Subordinate Courts of Bihar (as on 30.06.2024)	8165 (41.73% of manpower strength)

(c): It is stated that the following measures are being taken by the High Court to resolve the issues of pendency and manpower shortage:

(i) Filling up of vacancies of Judicial Officers in District & Subordinate Courts lies in the domain of respective High Courts and State Governments. As informed by the High Court, vacancies in the Bihar Superior Judicial Services, Civil Judge (Senior and Junior Divisions) are notified annually as per the schedule set by the Supreme Court in their Order passed on 4.01.2007 in the Malik Mazhar Sultan case and in accordance with the relevant recruitment rules in force. Expeditious steps are taken from time to time to fill up vacancies by way of regular monitoring and follow up by the High Court in respect of recruitment of District Judges (Direct Entry) and Civil Judges (Junior Division).

(ii) Regular process of recruitment and filling up of vacancies in various grades of court staff is carried out on a timely basis. This includes the posts of Assistants, Clerks, Stenographers, Court Readers-cum-Deposition Writers, Translators, by way of direct recruitment. Similarly, regular promotional exercises are carried out for the posts of Joint Registrar, Deputy Registrar, Assistant Registrar and Section Officers to mitigate the shortage of manpower faced by courts at all levels.

(iii) Further, the following steps have been taken by Arrears Committee of the High Court to reduce the pendency in Subordinate Courts of Bihar: -

- a. Each Court at District level has been given a target to dispose of 15 oldest cases pending as shown on National Judicial Data Grid (NJDG) in every quarter.
- b. All the District & Sessions Judges have been directed to monitor the disposal of old cases of every Court under their respective jurisdiction on the clearance day of every month through District Arrear Committee.
- c. All the District & Sessions Judges have also been directed to ensure that every Court must prepare quarterly plan for disposal of old cases of their respective courts.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO-417
ANSWERED ON 25/07/2024

LAP

UNDER-TRIALS LANGUISHING IN DIFFERENT JAILS ACROSS THE COUNTRY

417. SHRI C. VE. SHANMUGAM:

Will the Minister of Law and Justice be pleased to state:

- (a) whether it is a fact that there are a large number of under-trials languishing in different jails in various parts of the country, if so, the details thereof;
- (b) whether Government has any proposal to set up fast track courts for delivering speedy justice to such undertrials, if so, the details thereof;
- (c) whether Government has received any suggestions/proposals in this regard, if so, the details thereof; and
- (d) the details of the action taken/proposed to be taken by Government in this regard?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

- (a) As per Prison Statistics India-2022, released by National Crime Records Bureau on 01.12.2023, there are 4,34,302 undertrial prisoners in the Country as on 31.12.2022.
- (b) to (d) No separate suggestions/proposals have been received in Department of Justice in respect of setting up Fast Track Courts, for undertrial prisoners. However, the Government of India, in the light of the Budget announcement during presentation of Budget 2023-24, has formulated the 'Support to Poor Prisoners Scheme' for providing financial assistance to indigent prisoners to pay fine and obtain remission' through the State Governments with a budget provision of Rs 20 crore every year.

In addition, Section 436-A which was added to then Code of Criminal Procedure (CrPC), provides for release of an undertrial prisoner on bail after serving half of the maximum period of imprisonment prescribed for an offense under any law. The concept of “Plea Bargaining” was also introduced by inserting “Chapter XXIA” in the then CrPC, which facilitates pre-trial negotiations between the defendant and the prosecution. Section 436-A and Chapter XXIA in the then CrPC has now been replaced with Section 479 and Chapter XXIII respectively in the Bharatiya Nagarik Suraksha Sanhita, 2023.

Further, in order to facilitate early release of undertrial prisoners, a “Prison Management Application” (e-Prison Software) integrated with “Inter-Operable Criminal Justice System” has been introduced which facilitates State Prison Authorities to capture data of prisoners and identify those prisoners in a quick and efficient manner. It also helps to identify pending cases for consideration by the “Undertrial Prisoner Review Committee (UTRCs)”. The district level UTRCs, established in all the districts, are required to conduct quarterly meetings. During the period from 1st January 2020 to 31st March, 2024, National Legal Services Authority (NALSA) through State Legal Services Authorities (SLSAs) and District Legal Services Authorities (DLSAs) organized 39,968 UTRC meetings after which 1,04,577 inmates were released.

The SLSAs have also set up Legal Services Clinics in prisons, which provide free legal aid to needy persons. These Legal Services Clinics are managed by empanelled Legal Services Advocates and trained para-legal volunteers. Such clinics have been set up in jails to ensure that all prisoners have access to advocates to represent them and to provide them with legal aid and advice. About 3.87 lakh persons were provided legal assistance in the said clinics during April, 2023 to May, 2024. NALSA also organizes awareness camps in prisons to create awareness about the legal rights of prisoners, including the availability of free legal aid, plea bargaining, Lok Adalats and their right to bail.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 418
ANSWERED ON 25/07/2024

PENDENCY OF CASES

418. DR. SASMIT PATRA:
SHRI SANJEEV ARORA:

NM

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

- (a) the total number of cases pending in the Indian Judiciary from the District and Sessions Courts to the High Courts and the Supreme Court for the last five years in a court-wise and year-wise format;
- (b) the reasons for such pendency of cases;
- (c) the steps being taken to resolve these cases along with details on a segmented format specific to District Courts, High Courts and the Supreme Court; and
- (d) whether any steps are being taken to increase the induction/ appointment/ recruitment/ increase of Judges and Benches for the respective Courts where such pendency is continuing?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a): As per information available on National Judicial Data Grid (NJDG), total number of cases pending in the Indian Judiciary from the District Courts and Sessions Court to the High Courts and the Supreme Court for the last five years court-wise and year-wise is as under:-

Pendency in last 5 years					
Name of Courts	2019	2020	2021	2022	2023
Supreme Court	59,859	65,086	70,239	69,768	807,65
High Court	46,84,354	56,42,567	56,49,068	59,78,714	62,12,375
District Court and Sessions Court	3,22,96,224	3,66,39,436	4,05,79,062	4,32,09,164	4,44,09,480

(b): There are several reasons that lead to pendency of cases in courts which, *inter-alia*, include availability of physical infrastructure and supporting court staff, 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. Other factors that lead to

delay in disposal of cases include lack of prescribed timeframe by respective courts for disposal of various kinds of cases, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing. Moreover, in case of pendency of criminal cases, the criminal justice system functions on assistance by various agencies viz. Police, Prosecution, Forensic Labs, Handwriting Experts and Medico-Legal Experts. Delay in providing assistance by allied agencies also entails delay in disposal of cases.

(c): The resolution of pending cases in courts is within the exclusive domain of the judiciary. However, the Government is committed towards facilitating an ecosystem for expeditious disposal of cases by judiciary and reducing pendency as mandated under Article 21 of the Constitution. To this end, the Government set up the National Mission for Justice Delivery and Legal Reforms in 2011, with the 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 co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, inter-alia, involves improved infrastructure for courts including computerization, 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.

(d): Due to consistent efforts on part of the Government and the Judiciary, there has been a marked increase in the judges' strength, with the sanctioned strength of Judges of Supreme Court increased from 31 in year 2014 to 34 Judges at present. Since May 2014, the Government has appointed 62 Supreme Court Judges. Further, in case of High Courts, the sanctioned strength of High Court Judges has increased from 906 in year 2014 to 1114 Judges, as on date, with a total of 208 new posts of High Court Judges created since year 2014. A total of 976 High Court Judges have been appointed since year 2014.

Presidential Order for constitution of High Court for the State of Andhra Pradesh with effect from 1st January, 2019 with the principal seat at Amaravati was issued on 26.12.2018. Presidential Order for establishment of Circuit Bench of Calcutta High Court at Jalpaiguri was issued on 07.02.2019.

High Court Benches are established in accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P. (C) No. 379 of 2000 and after due consideration of a complete proposal from the State Government

consenting to provide necessary expenditure and infrastructural facilities along with the consent of the Chief Justice of the concerned High Court who is required to look after the day to day administration of the High Court. The proposal to be complete should also have the consent of the Governor of the concerned State.

In case of District and Subordinate Courts, the induction / appointment / recruitment / increase of Judicial Officers in the District Courts of the country is the responsibility of the High Court and State Government concerned. The Central Government has no direct role in the said matter.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 419

ANSWERED ON 25/07/2024

Appointment

RESERVATION IN JUDICIAL APPOINTMENTS

419. SHRI RYAGA KRISHNAIAH:

Will the Minister of *Law and Justice* be pleased to state:

- (a) whether Government is contemplating to raise the number of posts of Judges in context of the suggestion of the Supreme Court;
- (b) whether Government is going to introduce reservations in the judicial appointments ;
- (c) if so, the details thereof; and
- (d) if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): The Supreme Court (Number of Judges) Act, 1956 was amended to increase the sanctioned strength of Supreme Court of India from 30 to 33 (excluding CJI). The Supreme Court (Number of Judges) Amendment Act, 2019 came into force w.e.f. 9.8.2019. During the period from 01.07.2014 to 19.07.2024, the Judges' strength of the High Courts was increased from 906 to 1114.

The appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. However, the Government has been requesting the Chief Justices of High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and Women to ensure social diversity in appointment of Judges in High Courts. Only those persons are appointed as Judges, who are recommended by the Supreme Court Collegium.

As per the Constitutional framework, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Governments in consultation with the respective High Courts frame the rules and regulations regarding the issues of appointment and recruitment of Judicial Officers in the respective State Judicial Service. Thus, the selection and appointment of judicial officers in the Subordinate/District Courts to fill up different quotas in Subordinate/District courts is the responsibility of the High Court and State Government concerned.

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

**RAJYA SABHA
UNSTARRED QUESTION NO. 420**

Appointment

ANSWERED ON 25/07/2024

SETTING UP OF REGIONAL BENCHES OF SUPREME COURT

420. SHRI ANIL KUMAR YADAV MANDADI:

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

- (a) whether Government has any proposal to set up regional benches of the Supreme Court, if so, the details thereof; and
- (b) whether Government has fixed any time-frame to set up such regional benches, if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) and (b): Article 130 of the Constitution of India provides that the Supreme Court shall sit in Delhi or in such other place or places as the Chief Justice of India may, with the approval of the President, from time to time, appoint.

The Eleventh Law Commission in its 125th Report titled "The Supreme Court - A Fresh Look", submitted in 1988, reiterated the recommendations made by Tenth Law Commission in its 95th Report for splitting the Supreme Court into two namely (i) Constitutional Court at Delhi and (ii) Court of appeal or Federal Court sitting in North, South, East, West and Central India. The Eighteenth Law Commission in its 229th Report submitted in 2009 had also suggested that a Constitutional Bench be set up at Delhi and four Cassation Benches be set up in the Northern region at Delhi, Southern region at Chennai/Hyderabad, Eastern region at Kolkata and Western region at Mumbai.

The matter was referred to the Chief Justice of India, who has informed that, the Full Court in its meeting held on 18th February, 2010 found no justification for setting up of benches of the Supreme Court outside Delhi. The Chief Justice of India had earlier conveyed similar views in August, 2007.

In Writ Petition WP(C) No. 36/2016 on establishment of National Court of Appeal, the Supreme Court vide its judgment dated 13.07.2016 deemed it proper to refer the aforementioned issue to Constitutional Bench for authoritative pronouncement. The matter is sub-judice in the Supreme Court.

Presently, there is no proposal for establishment of regional bench(es) of the Supreme Court.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 422
ANSWERED ON – 25/07/2024

INCREASE IN POCSO CASES

J-II

422. SHRI SANJAY SINGH:

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

- (a) the details of total cases registered under POCSO Act since 2019 till date, State-wise and year-wise;
- (b) the details of Fast Track Special Courts for POCSO cases, State-wise; and
- (c) the details of total cases registered under POCSO Act in these courts during the said period along with the number of cases disposed of till date, State-wise?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (c) : Pursuant to the Criminal Law Amendment Act, 2018, the Central Government is implementing a Centrally Sponsored Scheme for setting up of Fast Track Special Courts (FTSCs) including exclusive POCSO Courts since October, 2019 for expeditious trial and disposal of pending cases pertaining to Rape and Protection of Children from Sexual Offences (POCSO) Act in a time-bound manner. As per the information received from the High Courts, as on 31/5/2024, 410 exclusive POCSO Courts have been made functional across the country. Out of 299759 cases registered, a total number of 162497 cases have been disposed of since 2019. State-wise details of the number of exclusive POCSO courts and the total number of cases registered and disposed of under exclusive POCSO Courts till 31.05.2024 are at **Annexure**.

Sl. No.	State/UT	No. of exclusive POC SO Courts	Cases registered under exclusive POC SO Courts since 2019 till 31.05.2024	Cumulative Disposal by exclusive POC SO Courts since 2019 till 31.05.2024
1	Andhra Pradesh	16	11774	4899
2	Assam	17	11756	5893
3	Bihar	46	30203	11798
4	Chandigarh	0	0	0
5	Chhattisgarh	11	5749	4044
6	Delhi	11	3985	1262
7	Goa	0	34	34
8	Gujarat	24	14524	9793
9	Haryana	12	7649	4675
10	Himachal Pradesh	3	1504	1126
11	J&K	2	421	101
12	Jharkhand	16	7663	4537
13	Karnataka	17	9947	6657
14	Kerala	14	7983	6123
15	Madhya Pradesh	57	29419	22456
16	Maharashtra	7	12991	11530
17	Manipur	0	0	0
18	Meghalaya	5	1509	462
19	Mizoram	1	83	55
20	Nagaland	0	3	3
21	Odisha	23	15989	9521
22	Puducherry	1	292	83
23	Punjab	3	2430	2061
24	Rajasthan	30	14938	10138
25	Tamil Nadu	14	11679	7225
26	Telangana	0	2731	2731
27	Tripura	1	273	186
28	Uttarakhand	0	0	0
29	Uttar Pradesh	74	90822	34998
30	West Bengal	5	3408	106
31	A&N Islands*	0	0	0
32	Arunachal Pradesh*	0	0	0
	TOTAL	410	299759	162497

*Union Territory of A&N Islands and the State of Arunachal Pradesh have not joined the Scheme.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO.423
ANSWERED ON 25/07/2024

NM

DIRECTIONS OF SUPREME COURT ON JUDGES RATIO

423. SHRI V. VIJAYASAI REDDY:

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

- (a) whether it is a fact that the Supreme Court in 2017 directed Government to make sure that there are 50 judges per million population;
- (b) whether it is also a fact that the Law Commission in its 120th Report also recommended for achieving 50 judges per one million population;
- (c) if so, details thereof and timeframe given to achieve the above;
- (d) the efforts being made by Government in this regard;
- (e) whether Government is considering helping States through monetary and other means for appointing District and Subordinate court judges; and
- (f) if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a): The Supreme Court of India, in the case of *Imtiyaz Ahmed versus State of Uttar Pradesh* [(2017) 3 SCC 658], had reiterated its previous judgement dated 21.03.2002 delivered in the matter of *All India Judges' Assn. (3) v. Union of India*; directing *inter-alia*, that a Judge to Population ratio of fifty (50) Judges per million be achieved.

(b) & (c): The Law Commission of India in its 120th report on *Manpower Planning in Judiciary: A Blue Print*, submitted in July 1987, had recommended that the present strength (at the time of submission of 120th Report) of 10.5 judges per million population be increased to 50 judges per million population in a phased manner. However, later in its 245th report submitted in year the 2014, the Law Commission concluded that it did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country.

Law Commission found the "Rate of Disposal" method (to calculate the number of additional judges required to clear the backlog of cases as well as to ensure that new backlog is not created) more pragmatic and useful.

(d): The appointment of Judges and increase in judges' strength in the Higher Judiciary is a continuous and collaborative exercise between the Executive and Judiciary. Further, in case of District and Subordinate courts, the determination of appropriate number of judges and their consequent appointment lies in the domain of respective High Courts and the State Governments.

Owing to consistent collaborative efforts, there has been a marked increase in the judges' strength with the sanctioned strength of Judges of Supreme Court being increased from 31 in year 2014 to 34 Judges with no vacancy at present. Since May 2014, 62 Judges of the Supreme Court have been appointed. The working strength of Supreme Court Judges has also increased from 28 in year 2014 to 34 Judges, as on date.

Further, the sanctioned strength of High Court Judges has increased from 906 in year 2014 to 1114 Judges, as on date, with a total of 208 new posts of High Court Judges being created since 2014. A total of 976 High Court Judges have been appointed since 2014.

The District Judiciary's sanctioned strength has increased from 19,518 judicial officers in the year 2014 to 25,523 judicial officers, as on date. Similarly, the working strength of Judges has also increased from 15,115 in year 2014 to 20,414 judicial officers as on date.

(e) & (f): In case of District and Subordinate courts, the filling up of vacant positions of judicial officers is the responsibility of the High Courts and State Governments concerned.

However, under the Centrally Sponsored Scheme for Judicial Infrastructure, funds are being released by Central Government to States/UTs for construction of court halls, residential quarters for judicial officers, lawyers' halls, toilet complexes and digital computer rooms in District and Subordinate Courts that would ease the life of lawyers and litigants, thereby aiding justice delivery. As on date, Rs. 11167.36 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for the Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 23,020 as on date, and number of residential units has increased from 10,211 as on 30.06.2014 to 20,836 as on date, under this Scheme.

Moreover, pursuant to Criminal Law Amendment Act, 2018, the Central Government Centrally Sponsored Scheme (CSS) for setting up of Fast Track Special

Courts (FTSCs) including exclusive POCSO (e-POCSO) Courts since October, 201, expeditious trial and disposal of pending cases pertaining to rape and Prevention of Children from Sexual Offences(POCSO) Act, in a time-bound manner. Presently, 755 FTSCs including 410 exclusive POCSO (e-POCSO) Courts are functional in 30 State/UTs across the country. The funds are released on CSS pattern to cover salaries of 1 Judicial Officer along with 7 support staff and a Flexi Grant for meeting day-to-day expenses. As on date, Rs. 917.33 crore has been released as Central share of funds to the States/UTs for smooth functioning of FTSCs.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 424
ANSWERED ON 25/07/2024

NM

DEVELOPMENT OF INFRASTRUCTURE FACILITIES FOR JUDICIARY

424. DR. ASHOK KUMAR MITTAL:

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

- (a) the projects proposed under the Centrally Sponsored Scheme (CSS) for development of infrastructure facilities for judiciary;
- (b) the details of funds/grants sanctioned, allocated and utilised for basic facilities created for judiciary and the number of subordinate courts benefited therefrom since the inception of CSS, State-wise; and
- (c) whether a number of District/Subordinate courts are still facing infrastructural problems and lack basic facilities like court rooms, computer rooms, library and record rooms which are causing hindrance to objective of providing justice for all and if so, the Government's reaction thereto and the corrective measures being taken in this regard?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a): The primary responsibility for the development of infrastructure facilities for judiciary rests with the State Governments. The Union Government supplements the resources of the State/UTs Governments, by way of financial assistance through the Centrally Sponsored Scheme (CSS) for Development of Judicial Infrastructure. The scheme covers construction of Court Halls and Residential units for Judicial officers along with Lawyer Halls, Toilet Complexes and Digital Computer room. **Further, as per the extant guidelines, the Government of India grants funds in lump-sum to the States/UTs.**

Monitoring of progress of judicial infrastructure under the scheme is done through Nyaya Vikas portal 2.0. As per information made available on this portal, as on 15.07.2024, there are 420 proposed projects under the Scheme.

(b) As on date, central share of Rs.11294.80 crores has been released under the scheme since its inception in 1993-94, out of which Rs. 10,489.14 crore has been utilized as on 20.07.2024. There are 23,079 number of court halls and 20,890 number of residential units available in the district and subordinate courts against the working strength of 20,414 Judges/Judicial Officers as on 20.07.2024. The State/UT-wise details of the funds sanctioned/allocated and utilized is *Annexed.*

(c) The Union Government is sensitive to the needs of building better infrastructure for the judiciary of the District and subordinate courts. During last ten years, 7,256 Court Halls and 10678 Residential Units have been constructed for subordinate judiciary. Further, as per Nyaya Vikas Portal, 2,990 Court Halls and 2,492 residential units are under construction as on date. A monitoring mechanism is in place for time bound implementation of the Scheme, as per its guidelines.

There is a High Court Level Monitoring Committee in the State, chaired by the Chief Justices of the respective High Courts and comprising other stake holders including, Registrar General of the High Court, portfolio judges, Law/Home Secretary of the State and Secretary of the State PWD as members. This committee periodically meets to review the physical /financial progress of the projects. Besides, a Central Level Monitoring Committee, chaired by Secretary, Department of Justice, Government of India reviews the progress of the projects and settles the implementation related issues.

**STATEMENT REFERRED TO PART (B) OF THE RAJYA SABHA UNSTARRED QUESTION NO. 424 FOR
REPLY ON 25.07.2024**

STATEMENT SHOWING FUNDS SANCTIONED/ALLOCATED AND UTILIZED TO PART (B) OF THE RAJYA
SABHA UNSTARRED QUESTION NO. 424 FOR REPLY ON 25.07.2024

SL. No.	Name of State	Funds Sanctioned/Allocated (since 1993-94 to till date 20.07.2024) (Rs. in crore)	Funds utilized (since 1993-94 to till date 20.07.2024) (Rs. in crore)
1	Andhra Pradesh	272.24	247.57
2	Bihar	519.41	498.44
3	Chhattisgarh	203.03	196.55
4	Goa	52.25	48.73
5	Gujarat	649.50	617.81
6	Haryana	225.93	215.68
7	Himachal Pradesh	58.24	52.31
8	Jammu & Kashmir	194.82	194.82
9	Jharkhand	257.57	249.57
10	Karnataka	942.67	930.77
11	Kerala	218.40	200.79
12	Madhya Pradesh	863.45	827.79
13	Maharashtra	1,011.59	1,011.59
14	Odisha	227.24	226.26
15	Punjab	602.00	593.29
16	Rajasthan	509.37	480.71
17	Tamil Nadu	433.79	398.89
18	Telangana	58.26	43.91
19	Uttar Pradesh	1656.41	1579.21
20	Uttarakhand	271.94	263.68
21	West Bengal	294.81	275.86
Total(A)		9,522.92	9,154.23
1	Arunachal Pradesh	91.72	71.27
2	Assam	336.75	323.05
3	Manipur	99.51	97.62
4	Meghalaya	249.71	241.94
5	Mizoram	91.56	91.18
6	Nagaland	137.25	133.89
7	Sikkim	59.57	56.49
8	Tripura	137.58	121.55
Total(B)		1203.65	1137.01
1	Andaman & Nicobar Islands	14.34	14.34
2	Chandigarh	39.01	37.30
3	Dadra & NH	7.06	7.06
4	Daman & Diu	2.32	2.32
5	Lakshadweep	0.51	0.37
6	Ladakh	2.40	2.40
Total(C)		65.64	63.79
1	Delhi	354.39	337.34
2	Puducherry	71.95	65.41
3	Jammu & Kashmir	76.25	55.43
Total(D)		502.59	458.57
Grand Total(A+B+C+D)		11294.80	10,813.60

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)
RAJYA SABHA
UNSTARRED QUESTION NO-425
ANSWERED ON – 25/07/2024

e-Court

e-COURTS PROJECT

425. SHRI KRISHAN LAL PANWAR:
DR. LAXMIKANT BAJPAYEE:

Will the Minister of *Law and Justice* be pleased to state:

- (a) the number of e-Courts projects running in the country, State-wise; and
- (b) the steps taken by Government in respect of various phases of works to make e-Courts projects effective and the progress made therein, the details thereof, State-wise?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) and (b): As part of the National eGovernance Plan, the eCourts Mission Mode Project is under implementation for Information and Communication Technologies (ICT) development of the Indian Judiciary based on the “National Policy and Action Plan for Implementation of Information and Communication Technology in the Indian Judiciary”. This project is being implemented by the Department of Justice, in close coordination with the eCommittee, Supreme Court of India.

2. The phase I of the eCourts Mission Mode Project was implemented during 2011-2015, which focused on the basics of computerisation like setting up computer hardware, ensuring internet connectivity, and operationalizing the e-Courts platform. Against the financial outlay of Rs.935 crore, a total expenditure of Rs.639.41 crore was incurred. The following initiatives were undertaken in this phase:

- i. 14,249 District and Subordinate courts were computerized.

- ii. LAN was installed at 13,683 courts, hardware provided in 13,436 courts and software was installed in 13,672 courts.
- iii. Laptops were provided to 14,309 judicial officers and change management exercise completed in all High Courts.
- iv. Over 14,000 Judicial Officers were trained in the use of UBUNTU-Linux Operating System.
- v. More than 3900 court staff were trained in Case Information System (CIS) as System Administrators.
- vi. Video Conferencing facility was operationalised between 493 court complexes & 347 corresponding jails.

3. The phase II of the eCourts Mission Mode Project was implemented during 2015-2023, which focused mainly on ICT enablement of District & Subordinate Courts and various citizen centric initiatives. Against the financial outlay of Rs.1670 crores, an amount of Rs. 1668.43 crore was spent. Till 2023, 18,735 courts have been computerised. The High Court wise/State-wise details are at Annexure-I. The following initiatives have been undertaken to make justice accessible and available for all stakeholders through digitization of legal procedures, thereby enhancing efficiency and transparency in the legal system: -

- i. Under the Wide Area Network (WAN) Project, connectivity has been provided to 99.4% (2977 out of earmarked 2992) of total Court Complexes across India with 10 Mbps to 100 Mbps bandwidth speed.
- ii. National Judicial Data Grid (NJDG) is a database of orders, judgments, and cases, created as an online platform under the eCourts Project. It provides information relating to judicial proceedings/decisions of all computerized district and subordinate courts of the country. Litigants can access case status information in respect of over 26.044 crore cases and more than 26.047 crore orders / judgments (as on 01.07.2024).
- iii. Case Information Software (CIS) based on customized Free and Open-Source Software (FOSS) has been developed. Currently CIS National Core Version 3.2 is being implemented in District Courts and the CIS National Core Version 1.0 is being implemented for the High Courts.
- iv. 7 platforms have been created to provide real time information on case status, cause lists, judgements etc. to lawyers/Litigants through SMS Push and Pull (2,00,000 SMS sent daily), Email (2,50,000 sent daily), multilingual and tactile eCourts services Portal (35 lakh hits daily), JSC (Judicial Service centres) and Info Kiosks. In addition, Electronic

Case Management Tools (ECMT) have been created with Mobile App for lawyers (total 2.42 crore downloads till 31.05.2024) and JustIS app for judges (19,893 downloads till 31.05.2024).

- v. India has emerged as a global leader in conducting court hearing through Video Conferencing. The District & Subordinate courts heard 2,33,67,497 cases while the High Courts heard 86,35,710 cases (totalling 3.20 crore) till 31.05.2024 using video conferencing system. The Hon'ble Supreme Court of India held 7,54,443 hearings through video conferencing till 04.06.2024.
- vi. Live Streaming of court proceedings has been started in High Courts of Gujarat, Gauhati, Orissa, Karnataka, Jharkhand, Patna, Madhya Pradesh, Uttarakhand & Constitutional Bench of Hon'ble Supreme Court of India, thus allowing media and other interested persons to join the proceedings.
- vii. 28 Virtual Courts in 21 States/UTs have been operationalized to handle traffic challan cases. Over 5.08 crore cases have been handled by 28 virtual courts and in over 54 lakhs (54,72,772) cases, online fine of more than Rs. 561.09 crore has been realized till 31.05.2024.
- viii. New e-filing system (version 3.0) has been rolled out for the electronic filing of legal papers with upgraded features. Draft eFiling rules have been formulated and circulated to the High Courts for adoption. A total of 25 High Courts have adopted the model rules of e-Filing as on 31.05.2024.
- ix. e-Filing of cases requires the option for electronic payment of fees which includes court fees, fines and penalties which are directly payable to the Consolidated Fund. A total of 22 High Courts have implemented e-payments in their respective jurisdictions. The Court Fees Act has been amended in respect of 23 High Courts till 31.05.2024.
- x. To bridge the digital divide, 1057 eSewa Kendras have been rolled out with the intention of facilitating the lawyer or litigant who needs any kind of assistance ranging from information to facilitation and eFiling. It also assists the litigants in accessing online eCourts services and acts as a saviour for those who cannot afford the technology or are located in far-flung areas. It also aids to addresses the challenges caused by illiteracy among citizens at large and provides benefits in terms of saving time, avoidance of exertion, travelling long distances, and saving cost by offering facilities of e-filing of cases across the country, to conduct the hearing virtually, scanning, accessing e-Courts services etc.

- xi. A new “Judgment Search” portal has been started with features such as search by Bench, Case Type, Case Number, Year, Petitioner/ Respondent Name, Judge Name, Act, Section, Decision: From Date, To Date and Full Text Search. This facility is being provided free of cost to all.
 - xii. To make effective use of database created through National Judicial Data Grid (NJDG) and to make the information available to public, LED Display Message Sign Board System called “Justice Clock” have been installed. The purpose of Justice Clock is to bring awareness to the public about the Justice Sector. A total of 39 Justice Clocks in 25 High Courts have been installed. A Virtual Justice Clock is also hosted online.
4. As Phase II of eCourts Mission Mode Project was coming to an end, the Union Cabinet on 13.09.2023 has approved Phase-III of eCourts Project, with a budgetary outlay of Rs.7,210 crore for a period of 4 years starting from 2023 onwards. Taking the gains of Phase-I and Phase-II to the next level, e-Courts Phase-III aims to usher in a regime of maximum ease of justice by moving towards digital, online and paperless courts, through digitization of the entire court records including legacy records and by bringing in universalization of e-Filing/ e-Payments through saturation of all court complexes with e-Sewa Kendras. eCourts Phase III intends to put in place intelligent smart systems enabling data-based decision making for judges and registries while scheduling or prioritizing cases. The main objective of the Phase-III is to create a unified technology platform for the judiciary, thus providing a seamless and paperless interface between the courts, the litigants and other stakeholders. The project envisages a smoother user experience by building a “smart” ecosystem. The eCourts Phase-III may thus prove to be a game changer in ensuring ease of justice by making the Court experience convenient, inexpensive and hassle free to all the citizens of the country. The various components of eCourts Phase III including digitization of 3108 crore pages of legacy records, cloud infrastructure, 4400 fully functional eSewa Kendras in all court complexes, and use of emerging technologies like Artificial Intelligence/Machine Learning, etc along with its financial details are placed at Annexure II. Funds under eCourts Mission Mode Project are released to various High Courts on the recommendation of eCommittee, Supreme Court of India.
5. During FY 2024-25, a sum of Rs. 1500 crore has been allocated in BE under eCourts Project Phase III, of which Rs. 465.74 crore has been released, till July 2024.

Annexure-I

Statement referred to in reply of Rajya Sabha Unstarred Question No. 425 for 25/07/2024 regarding e-Courts Project. The State-wise details of operational eCourts in the country is as under:

S.No	High Court	State	Courts
1	Allahabad	Uttar Pradesh	2222
2	Andhra Pradesh	Andhra Pradesh	617
3	Bombay	Dadra and Nagar Haveli	3
		Daman and Diu	2
		Goa	39
		Maharashtra	2157
4	Calcutta	Andaman & Nicobar Islands	14
		West Bengal	827
5	Chhattisgarh	Chhattisgarh	434
6	Delhi	Delhi	681
7	Gauhati	Arunachal Pradesh	28
		Assam	408
		Mizoram	69
		Nagaland	37
8	Gujarat	Gujarat	1268
9	Himachal Pradesh	Himachal Pradesh	162
10	Jammu & Kashmir and Ladakh	Union Territory of Jammu & Kashmir and Union Territory of Ladakh	218
11	Jharkhand	Jharkhand	447
12	Karnataka	Karnataka	1031
13	Kerala	Kerala	484
		Lakshadweep	3
14	Madhya Pradesh	Madhya Pradesh	1363
15	Madras	Puducherry	24
		Tamil Nadu	1124
16	Manipur	Manipur	38
17	Meghalaya	Meghalaya	42
18	Orissa	Odisha	686
19	Patna	Bihar	1142
20	Punjab & Haryana	Chandigarh	30
		Haryana	500
		Punjab	541
21	Rajasthan	Rajasthan	1240
22	Sikkim	Sikkim	23
23	Telangana	Telangana	476
24	Tripura	Tripura	84
25	Uttarakhand	Uttarakhand	271
	Total		18735

Annexure-II

Statement referred to in reply of Rajya Sabha Unstarred Question No. 425 for 25/07/2024 regarding e-Courts Project. The components of eCourts Phase III along with financial details are as under:

S.No.	Scheme Component	Cost Estimate (Total (In Rs. Cr.))
1	Scanning, Digitization and Digital Preservation of Case Records	2038.40
2	Cloud Infrastructure	1205.23
3	Additional hardware to existing courts	643.66
4	Infrastructure in newly set up courts	426.25
5	Virtual Courts	413.08
6	eSewa Kendra	394.48
7	Paperless Court	359.20
8	System and Application Software Development	243.52
9	Solar Power Backup	229.50
10	Video Conferencing set-up	228.48
11	e- filing	215.97
12	Connectivity (Primary + Redundancy)	208.72
13	Capacity Building	208.52
14	CLASS (Courtroom Live-Audio Visual Streaming System)	112.26
15	Project Management Unit	56.67
16	Future Technological Advancements	53.57
17	Judicial process re-engineering	33.00
18	Disabled friendly ICT enabled facilities	27.54
19	NSTEP	25.75
20	Online Dispute Resolution (ODR)	23.72
21	Knowledge Management System	23.30
22	e-Office for High Courts & District Courts	21.10
23	Integration with Inter-Operable Criminal Justice System (ICJS)	11.78
24	S3WAAS platform	6.35
	TOTAL	7210

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 426
ANSWERED ON – 25/07/2024

J-II

FAST TRACK SPECIAL COURTS

426. SHRI KRISHAN LAL PANWAR:

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

- (a) the steps taken by Government to implement the Fast Track Special Courts Scheme; and
- (b) the major achievements and outcome of the said scheme?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS
(SHRI ARJUN RAM MEGHWAL)

(a)&(b): Pursuant to the Criminal Law Amendment Act, 2018, the Central Government has been implementing a Centrally Sponsored Scheme for setting up of Fast Track Special Courts (FTSCs), including exclusive POCSO Courts since October, 2019 for expeditious trial and disposal of pending cases pertaining to Rape and Protection of Children from Sexual Offences (POCSO) Act, in a time-bound manner.

The Scheme was initially implemented for one year, which was extended upto March, 2023. The Scheme has now been extended till 31.03.2026, at an outlay of Rs. 1952.23 cr. with Rs. 1207.24 cr. as Central Share to be incurred from Nirbhaya Fund. The funds are released on CSS pattern (60:40, 90:10) to cover the salaries of 1 Judicial Officer along with 7 support Staff and a Flexi Grant for meeting the day-to-day expenses.

As per the information received from the High Courts up to May, 2024, 755 FTSCs including 410 exclusive POCSO (e-POCSO) Courts are functional in 30 States/UTs across the country, which have disposed of over 2,53,000 cases. The State-wise details of number of functional Fast Track Special Courts along with the number of cases disposed of as on 31.05.2024 is placed at **Annexure**.

The establishment of Fast Track Special Courts demonstrates the unwavering commitment of the Government towards women security, combating sexual and gender-based violence, reducing the backlog of pending cases related to Rape & POCSO Act, and providing enhanced access to justice for

survivors of sexual crimes. With professional and experienced judges and support staff specialized in handling sensitive sexual offense cases, these courts ensure consistent and expert-guided legal proceedings offering victims of sexual offences swift resolution in mitigating the trauma and distress, and enabling them to move forward. Fast Track Special Courts have notably adopted the approach of setting up Vulnerable Witness Deposition Centres within the courts to facilitate the victims and to make the courts into Child-Friendly Courts for providing crucial support for a compassionate legal system.

**Annexure as referred to in Reply to the Rajya Sabha UnStarred Question No. 426
for 25th July 2024**

**State/UT-wise details of number of functional Fast Track Special Courts along with the number of
cases disposed as of May, 2024**

S.NO.	State/UT	Functional Courts		Cumulative Disposal since the inception of the Scheme		
		FTSCs including exclusive POC SO	exclusive POC SO	FTSCs	exclusive POC SO	Total
1	Andhra Pradesh	16	16	0	4899	4899
2	Assam	17	17	0	5893	5893
3	Bihar	46	46	0	11798	11798
4	Chandigarh	1	0	265	0	265
5	Chhattisgarh	15	11	924	4044	4968
6	Delhi	16	11	555	1262	1817
7	Goa	1	0	32	34	66
8	Gujarat	35	24	2263	9793	12056
9	Haryana	16	12	1572	4675	6247
10	Himachal Pradesh	6	3	416	1126	1542
11	J&K	4	2	91	101	192
12	Jharkhand	22	16	2279	4537	6816
13	Karnataka	31	17	3740	6657	10397
14	Kerala	55	14	13530	6123	19653
15	Madhya Pradesh	67	57	3894	22456	26350
16	Maharashtra	14	7	7258	11530	18788
17	Manipur	2	0	146	0	146
18	Meghalaya	5	5	0	462	462
19	Mizoram	3	1	148	55	203
20	Nagaland	1	0	61	3	64
21	Odisha	44	23	4992	9521	14513
22	Puducherry*	1	1	0	83	83
23	Punjab	12	3	2055	2061	4116
24	Rajasthan	45	30	4502	10138	14640
25	Tamil Nadu	14	14	0	7225	7225
26	Telangana	36	0	5993	2731	8724
27	Tripura	3	1	203	186	389
28	Uttarakhand	4	0	1614	0	1614
29	Uttar Pradesh	218	74	34091	34998	69089
30	West Bengal	5	5	0	106	106
	TOTAL	755	410	90624	162497	253121

*Puducherry specially requested to join the Scheme and has since operationalized one exclusive POC SO Court in May 2023.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 427
ANSWERED ON 25/07/2024

NM

**VACANT POSTS OF JUDICIAL OFFICERS IN DISTRICT COURTS AND
SUBORDINATE COURTS IN BIHAR**

427. # DR. BHIM SINGH:

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

- (a) number of civil and criminal cases pending in the High Court, District Courts and other Subordinate Courts in Bihar;
- (b) details of the number of cases pending for less than 5 years, 5 to 10 years and for 10 years and more in all the above categories, respectively;
- (c) the number of posts of Judicial Officers lying vacant in the District and Subordinate Courts of Bihar;
- (d) whether Government has taken any measures to clear the backlog of previous vacancies, the details thereof; and
- (e) whether any measures have been taken to expedite the process of disposal of cases?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a): As per information received from the High Court, the pendency of cases in the High Court of Judicature at Patna and District Courts of Bihar as on 30.06.2024 is as under:-

Nature of Cases	High Court	District and other Subordinate Courts
Civil	107923	521750
Criminal	92191	3161289
Total	200114	3683039

(b): Age-wise Pendency of cases in the High Court of Judicature at Patna and District and Subordinate Court of Bihar as on 30.06.2024 is as under: -

Age-wise Pendency of cases in the High Court of Judicature as on 30.06.2024			
Nature of Cases	0-5 Years old	5-10 Years old	10 Years and Above
Civil	59307	35381	13235
Criminal	52044	17610	22537
Total	111351	52991	35772

Age-wise Pendency of Cases in District and other subordinate Courts as on 30.06.2024			
Nature of Cases	0-5 Years old	5-10 Years old	10 Years and Above
Civil	299085	134944	87287
Criminal	1666762	920080	568134
Total	1965847	1055024	655421

(c): The number of posts of Judicial Officers lying vacant in District and other subordinate Courts as on 30.06.2024 is as under: -

Cadre	Vacancy
Superior Judicial Service	85
Civil Judge (Senior Division)	106
Civil Judge (Junior Division)	295
Total	486

(d): Filling up of vacancies of Judicial Officers in District & Subordinate Courts lies in the domain of respective High Courts and State Governments. As informed by the High Court, vacancies in the Bihar Superior Judicial Services, Civil Judge (Senior and Junior Divisions) are notified annually as per the schedule set by the Supreme Court in their Order passed on 04.01.2007 in the Malik Mazhar Sultan Case and in accordance with the relevant recruitment rules in force. Expeditious steps are taken from time to time to fill up vacancies by way of regular monitoring and follow up by the High Court in respect of recruitment of District Judges (Direct Entry) and Civil Judges (Junior Division).

(e): The disposal of cases is within the exclusive domain of the Judiciary. However, the following steps have been taken by Arrears Committee of the High Court to reduce the pendency in Subordinate Courts: -

- (i) Each Court at District level has been given target to dispose of 15 oldest cases pending as shown on NJDG in every quarter.
- (ii) All the District & Sessions Judges have been directed to monitor the disposal of old cases of every Court under their respective jurisdiction on the clearance day of every month

through District Arrear Committee.

(iii) All the District & Sessions Judges have also been directed to ensure that every Court must prepare quarterly plan for disposal of old cases of their respective courts.

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT**

**RAJYA SABHA
UNSTARRED QUESTION NO. 435**

**ANSWERED ON 25/07/2024
COMPLAINTS OF BOOTH CAPTURING**

*Leg. II sec.
(LD)*

435. Smt. Priyanka Chaturvedi:

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

- (a) the number of booths capturing complaints received by the Election Commission in the last five years, States/UT-wise;
- (b) the number of people arrested in such cases; and
- (c) whether the Election Commission took any action in this regard, if so, the details thereof, if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (c): The information provided by the Election Commission of India is placed at Annexure.

Sl.No.	Name of the State	No. of the Complaints of Booth Capture	No. of people arrested	Remarks/Action taken by the Commission
1.	Arunachal Pradesh	1 (Simultaneous Election, 2024)	2	Chief Electoral Officer, Arunachal Pradesh was instructed to take fresh poll and was further instructed to direct the concerned Returning Officer to initiate swift action/investigation in the case. A case has been registered at Khenwwa Police Station, East Kameng District. The case is under investigation. One person is still under Judicial custody.
2.	Bihar	110 [General Election to the Lok Sabha, 2019: 50 General Election to the Legislative Assembly 2020: 13 General Election to the Lok Sabha, 2024: 47]	0	All complaints were found false on verification and were disposed of.
3.	Odisha	2 [Simultaneous Election 2024]	12	12 persons were apprehended and served notice under Section 41 of Criminal Procedure Code.

				Further, a re-poll at two polling stations i.e. 26-Kirasiraand and 28-Maheswarpinda under the 85-Kantamal Assembly Constituency had been successfully conducted.
4.	West Bengal	875 [General Election to the Lok Sabha, 2024]	0	As no case was substantiated, the Complaints were disposed of as per the report of concerned District Electoral Officer, Superintendent of Police/Commissioner of Police.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
STARRED QUESTION NO. 110
ANSWERED ON 01.08.2024

NM

VACANCIES OF JUDGES IN COURTS OF KERALA

*110. SHRI SANDOSH KUMAR P:

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

- (a) the number of vacancies of Judges in the High Court of Kerala, District Courts and Sub-ordinate Courts as of 31st March, 2024;
- (b) whether Government has taken any steps to fill the vacant posts in the judiciary in Kerala;
- (c) if so, the details thereof; and
- (d) if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

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

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF RAJYA SABHA
STARRED QUESTION NO. *110 FOR ANSWER ON 01.08.2024 REGARDING
'VACANCIES OF JUDGES IN COURTS OF KERALA.'**

(a): The Status of vacancies of Judges in Kerala is as under:

S. No.	Name of Court	Vacancy as on 31.03.2024
1	High Court	06
2	District and Subordinate Courts	55*

*Excludes 3 non – judicial deputation posts in the cadre of District and Sessions Judge based on the new policy of High Court restricting deputation to such posts.

(b) to (d): The Judges of High Courts are appointed under Article 217 and 224 of the Constitution of India and according to the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to Supreme Court Judgement of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case).

As per the MoP, the responsibility for initiation of proposals for appointment of Judges in the High Court vests with the Chief Justice of the concerned High Court, in consultation with two senior-most puisne Judges of the High Court. For appointments of judge to the High Court, under the MoP, the views of concerned State Government is also obtained. The recommendations also have to be considered in the light of such other reports as may be available to the Government in respect of the names under consideration. The recommendations of the High Court Collegium, the State Government and the Government of India are then forwarded to the Supreme Court Collegium (SCC) for advice. Only those persons are appointed as Judge of High Courts whose names have been recommended by the SCC.

Appointment of Judges in Supreme Court and High Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various constitutional authorities both at State and Central level. While every effort is made to fill up the existing vacancies expeditiously, vacancies of Judges in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the strength of Judges.

The filling up of vacant positions in the District Courts of the country is the responsibility of the High Courts and State Governments concerned. As per the Constitutional framework, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Government in consultation with the High Court frames the rules and regulations regarding the issues of appointment and recruitment of Judicial Officers in the respective State Judicial Service. In some States, the respective High Court

undertakes the recruitment process, whereas in other States, the High Court does it in consultation with the State Public Service Commission. The Hon'ble Supreme Court vide judicial order passed in January 2007 in the Malik Mazhar Sultan case, has stipulated certain timelines which are to be followed by the States and the respective High Courts for initiating the recruitment process of judges in subordinate courts.

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT**

RAJYA SABHA

Leg. II Sec. (1b)

STARRED QUESTION NO. 120*

ANSWERED ON 01.08.2024

**IMPLEMENTATION OF THE CONSTITUTION (ONE
HUNDRED AND SIXTH AMENDMENT) ACT**

*120. Shri Vivek K. Tankha:

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

- (a) by when will the exercise for implementation of the Constitution (One Hundred and Sixth Amendment) Act, concerning reservation for women in Parliamentary and Assembly elections, be done; and
- (b) whether Government has considered a timeframe for implementing the amendment, if so, the details thereof?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY
OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS**

(SHRI ARJUN RAM MEGHWAL)

(a) and (b): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN RESPECT OF
PART (a) AND (b) OF THE RAJYA SABHA STARRED
QUESTION NO. 120* DATED 01st AUGUST, 2024

(a) and (b): As per the provisions of the Constitution (One Hundred and Sixth Amendment) Act, 2023, the reservation of seats for women in the House of the People, the Legislative Assembly of a State and the Legislative Assembly of the National Capital Territory of Delhi shall come into effect after an exercise of delimitation is undertaken for this purpose after the relevant figures for the first census taken after commencement of the Constitution (One Hundred and Sixth Amendment) Act, 2023 have been published.

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT**

**RAJYA SABHA
UNSTARRED QUESTION NO. 1231**

*Leg. II Sec.
(LD)*

ANSWERED ON 01/08/2024

SINGLE VOTER LIST FOR DIFFERENT ELECTIONS

1231. Shri Javed Ali Khan:
Shri Ramji Lal Suman:

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

- (a) the reasons why there are separate voter lists for various elections, like, Lok Sabha, Assembly and Local Bodies, in the country;
- (b) whether Election Commission proposes a single voter list for all elections to be held in the country;
- (c) if so, by when; and
- (d) if not, how Government can hold 'One Nation, One Election' without 'One Nation, One Voter List' in the country?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

- (a) : As per section 13D of the Representation of the People Act, 1950, the electoral roll for every parliamentary constituency shall consist of electoral rolls for all the assembly constituencies comprised within that parliamentary constituency

and it shall not be necessary to prepare or revise separately the electoral roll for both Lok Sabha and the State Assembly Elections as of now. Electoral rolls for conduct of elections to the urban local bodies and panchayati raj institutions are prepared by the respective State Election Commissions (SECs). Presently, various State Governments and Union territories are using the electoral roll data prepared by the Election Commission of India for preparing the electoral roll for local bodies/ panchayat elections. As per article 243K and 243ZA of the Constitution, the superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the Panchayats and Municipalities vests in the respective SECs.

(b) : No.

(c) : Does not arise.

(d) : One Nation, One Voter List would require amendments to the Constitution of India.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 1232
ANSWERED ON 01/08/2024

NM

VACANCIES OF JUDGES

1232. SHRI RAJEEV SHUKLA:

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

- (a) the total number of judicial vacancies existing across Indian judiciary in terms of Judges;
- (b) the Court-wise and State/UT-wise details thereof;
- (c) the reasons behind not filling up of such vacancies;
- (d) whether Government is taking measures to fill these vacancies in order to ensure speedy delivery of justice; and
- (e) if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) & (b): The status of vacancies of Judges across the country is as under:

S. No.	Name of Court	Vacancy as on date
1.	Supreme Court	0
2.	High Courts	359
3.	District and Subordinate Courts	5,238

Further, the details of existing vacancies in Supreme Court of India & in all High Courts and District & Subordinate Courts across India are at *Annexure-I* and *Annexure-II* respectively.

(c) to (e): Appointment of Judges in Supreme Court and High Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various constitutional authorities both at State and Central level. While every effort is made to fill up the existing vacancies expeditiously, vacancies of Judges in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the strength of Judges.

The filling up of vacant positions in the District Courts of the country is the responsibility of the High Courts and State Governments concerned. As per the Constitutional framework, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Government in consultation with the High Court frames the rules and regulations regarding the issues of appointment and recruitment of Judicial Officers in the respective State Judicial Service. In some States, the respective High Court undertakes the recruitment process, whereas in other States, the High Court does it in consultation with the State Public Service Commission. The Hon'ble Supreme Court vide judicial order passed in January 2007 in the Malik Mazhar Sultan case, has stipulated certain timelines which are to be followed by the States and the respective High Courts for initiating the recruitment process of judges in subordinate courts.

STATEMENT REFERRED TO IN REPLY TO PART (A) & (B) OF RAJYA SABHA UNSTARRED QUESTION NO. 1232 FOR ANSWER ON 01.08.2024 REGARDING 'VACANCIES OF JUDGES'.

Vacant Positions of Judges in the Supreme Court of India and the High Courts as on 26.07.2024

A.	Supreme Court	0
B.	High Court	
1	Allahabad	076
2	Andhra Pradesh	9
3	Bombay	28
4	Calcutta	28
5	Chhattisgarh	7
6	Delhi	21
7	Gauhati	6
8	Gujarat	23
9	Himachal Pradesh	5
10	J & K and Ladakh	2
11	Jharkhand	7
12	Karnataka	12
13	Kerala	8
14	Madhya Pradesh	17
15	Madras	12
16	Manipur	1
17	Meghalaya	0
18	Orissa	13
19	Patna	19
20	Punjab & Haryana	30
21	Rajasthan	17
22	Sikkim	0
23	Telangana	14
24	Tripura	0
25	Uttarakhand	4
	Total	359

STATEMENT REFERRED TO IN REPLY TO PART (A) & (B) OF RAJYA SABHA UNSTARRED QUESTION NO. 1232 FOR ANSWER ON 01.08.2024 REGARDING 'VACANCIES OF JUDGES'.

Vacant Positions of Judicial Officers in District & Subordinate Court as on 26.07.2024

Sl. No.	State & UT	Total Vacancy
1.	Andhra Pradesh	74
2.	Arunachal Pradesh	11
3.	Assam	25
4.	Bihar	483
5.	Chandigarh	0
6.	Chhattisgarh	195
7.	D & N Haveli	1
8.	Daman & Diu	0
9.	Delhi	81
10.	Goa	10
11.	Gujarat	535
12.	Haryana	217
13.	Himachal Pradesh	19
14.	Jammu and Kashmir	100
15.	Jharkhand	203
16.	Karnataka	244
17.	Kerala	66
18.	Ladakh	8
19.	Lakshadweep	2
20.	Madhya Pradesh	319
21.	Maharashtra	250
22.	Manipur	13
23.	Meghalaya	43
24.	Mizoram	29
25.	Nagaland	10
26.	Odisha	167
27.	Puducherry	19
28.	Punjab	73
29.	Rajasthan	320
30.	Sikkim	12
31.	Tamil Nadu	339
32.	Telangana	115
33.	Tripura	24
34.	Uttar Pradesh	973
35.	Uttarakhand	28
36.	Andaman and Nicobar*	242
37.	West Bengal*	
TOTAL		5238

*Combined vacancy of UT Andaman & Nicobar Island and State of WB as shown against State of West Bengal

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 1233

Appointment

ANSWERED ON 01/08/2024

SOCIAL DIVERSITY IN APPOINTMENT OF JUDGES

1233. SHRI MUKUL BALKRISHNA WASNIK:

Will the Minister of *Law and Justice* be pleased to state:

- (a) the latest information on the social status of High Courts and Supreme Court Judges;
- (b) whether it is a fact that there exists a social diversity deficit in the higher judiciary;
- (c) if so, whether Government has any plans to ensure that social diversity gets reflected in the appointment of Judges in the High Courts and the Supreme Court; and
- (d) if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): Appointment of Judges to the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. Therefore, category-wise data pertaining to representation of SCs, STs and OBCs among the Judges of High Courts are not centrally maintained. However, since 2018, the recommendees for the post of High Court Judges are required to provide details regarding their social background in the prescribed format (prepared in consultation with the Supreme Court). Hence, since 2018 the data on appointees to that extent is available. Out of 661 High Court Judges appointed since 2018, 21 belong to SC category, 12 belong to ST category, 78 belong to OBC category and 499 belong to General category (till 25.07.2024).

2. As per the Memorandum of Procedure (MoP), the responsibility for initiation of proposals for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while the responsibility for initiation of proposals for appointment of Judges in the High Courts vests with

the Chief Justice of the concerned High Court, in consultation with two senior-most puisne Judges of the High Court. However, the Government has been requesting the Chief Justices of High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and Women to ensure social diversity in the appointment of Judges in High Courts. As per the Memorandum of Procedure for appointment of Judges in the Supreme Court and High Courts, only those persons are appointed as Judges of the Supreme Court and High Courts whose names have been recommended by the Supreme Court Collegium.

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT**

Leg. II sec. (LD)

**RAJYA SABHA
UNSTARRED QUESTION NO. 1234**

ANSWERED ON 01/08/2024

**RECOMMENDATIONS OF THE PANEL ON ONE NATION, ONE
ELECTION**

1234. Shri Mukul Balkrishna Wasnik:

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

- (a) whether the panel constituted for the purposes of giving recommendations on simultaneous Lok Sabha and Vidhan Sabha elections held consultations with various stakeholders, including political parties and constitutional experts;
- (b) if so, the details thereof;
- (c) whether Government has received any report from this panel on "One Nation, One Election"; and
- (d) if so, the details on the recommendations made and the reaction of Government thereon?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY
OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS**

(SHRI ARJUN RAM MEGHWAL)

- (a) and (b) : Yes. A High-Level Committee was constituted by the Central Government on the subject of holding of simultaneous elections in the country, under the chairpersonship of Shri Ram Nath Kovind,

former President of India vide Gazette Notification dated 2nd September, 2023. The Committee submitted its Report on 14th March, 2024 after inviting suggestions, viewpoints and comments from various stakeholder including political parties. Experts on law, including former Chief Justices of India and former Chief Justices of High Courts, former Chief Election Commissioners of India, and State Election Commissioners were invited for interaction in person with the Committee. Expert bodies like the Law Commission of India were also invited by the Committee. A public notice was also issued in the newspapers and social media to invite suggestions and comments from citizens and organisations. Other stakeholders such as the Bar Council of India and apex business organisations like the Confederation of Indian Industry (CII), Federation of Indian Chambers of Commerce and Industry (FICCI), Associated Chambers of Commerce and Industry of India (ASSOCHAM) were also given opportunities to place their points of view. Eminent economists of the country also interacted with the Committee. The Committee held 65 meetings and after extensive deliberation submitted its recommendations to the Government.

(c) and (d) : Yes. The Government has published the complete report of the High Level Committee (HLC) including its various recommendations on the official website which can be accessed at <https://onoe.gov.in/HLC-Report-en>.

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT**

RAJYA SABHA

UNSTARRED QUESTION NO. 1235

ANSWERED ON 01/08/2024

Steps taken to simplify legal language

1235. Smt. Jebi Mather Hisham:

Will the Minister of **Law and Justice** be pleased to state:

- (a) whether steps have been taken to simplify legal language to make it accessible for the general public, promote inclusivity and transparency, which in turn paves the way for easy access to justice and empowerment of citizens, if so, the details thereof; and
- (b) the details of spending made over the last five years for the initiatives of simplifying the civil laws?

A N S W E R

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN
THE MINISTRY OF PARLIAMENTARY AFFAIRS**

(SHRI ARJUN RAM MEGHWAL)

(a) Yes. The Legislative Department is mandated with drafting of laws on the basis of the policy decisions taken by the concerned administrative Ministries/Departments of the Government of India and as per the procedure prescribed by the Ministry of Parliamentary Affairs in the Manual of Parliamentary Procedure in the Government of India.

The Legislative Department has been taking necessary steps to ensure that legislative drafting is simple, plain, precise and unambiguous. Efforts

are also being made to aim at clarity of expressions and use of appropriate words and expressions.

The Legislative Department has requested all Ministries/ Departments of the Government of India to ensure that the legislative policies are made simple and framed in easy-to-understand language. Further, Draftspersons are also given suitable training.

The Institute of Legislative Drafting and Research (ILDR) offers training in legislative drafting with the focus on drafting the legislations in simple/ plain language to make it accessible for the general public.

Simple words in the standard Legal Glossary are included. Only those words, expression and phrases are included which have been decided as Hindi synonyms of English words according to specific contexts while preparing the Hindi text of Central Acts, etc. While deciding the words, expression and phrases of legal or technical nature used in Central Acts in the Legal Glossary, an effort has been made to make the Hindi synonyms such that they are simple and easily understandable and whose meaning is exact according to the English word.

(b) Government resources are being used and no quantified spending on simplifying civil laws has been incurred.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 1236
ANSWERED ON 01/08/2024

NM

IMPACT OF VACANCIES ON PENDENCY OF CASES

1236. SHRI DIGVIJAYA SINGH:

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

- (a) the total number of vacancies of Judges in District Courts and High Courts across various States, State-wise;
- (b) the details of posts of Judges filled up during the last five years in various Courts, State-wise and year-wise; and
- (c) whether Government has assessed the impact of vacancies on the huge pendency of cases in the country, if so, the details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a): The status of vacancies of Judges across the country is as under:

S. No.	Name of Court	Vacancy as on date
1	High Courts	359
2.	District and Subordinate Courts	5,238

Further, the details of State-wise vacancies of Judges in High Courts and District & Subordinate Courts across various states are at *Annexure-I* and *Annexure-II* respectively.

(b): The statement showing posts of Judges filled up during the last five years in High Courts and Supreme Court is as under:

Sl No.	Name of the Court	Year					
		2019	2020	2021	2022	2023	2024 (as on 29.07.2027)
1	Supreme Court	10	--	09	03	14	03
2	High Court	81	66	120	165	110	11

A statement of vacancies of Judges filled up during the last five years in High Courts of all states is at *Annexure-III*.

Further, in case of District & Subordinate courts, filling up of vacant positions in the District Courts of the country is the responsibility of the High Courts and State Governments concerned. As per the Constitutional framework, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Government in consultation with the High Court frames the rules and regulations regarding the issues of appointment and recruitment of Judicial Officers in the respective State Judicial Service. In some States, the respective High Court undertakes the recruitment process, whereas in other States, the High Court does it in consultation with the State Public Service Commission. The Hon'ble Supreme Court vide judicial order passed in January 2007 in the Malik Mazhar Sultan case, has stipulated certain timelines which are to be followed by the States and the respective High Courts for initiating the recruitment process of judges in subordinate courts. A statement showing sanctioned strength and vacancies over the last five years in district and subordinate courts, state wise is at *Annexure-IV*.

(c): The Government is aware of the impact of the vacancies on the huge pendency in the country. However, the vacancy of judges is not the sole reason for affecting the disposal of cases in courts. The disposal of cases in courts is also affected by several other factors which, inter-alia, include availability of physical infrastructure and supporting court staff, 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. Other factors that lead to delay in disposal of cases include lack of prescribed timeframe by respective courts for disposal of various kinds of cases, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing.

**STATEMENT REFERRED TO IN REPLY TO PART (A) OF RAJYA SABHA
UNSTARRED QUESTION NO. 1236 FOR ANSWER ON 01.08.2024
REGARDING 'IMPACT OF VACANCIES ON PENDENCY OF CASES'.**

Vacant Positions of Judges in the High Courts as on 29.07.2024

Sl. No.	Name of High Court	Total Vacancy
1	Allahabad	076
2	Andhra Pradesh	9
3	Bombay	28
4	Calcutta	28
5	Chhattisgarh	7
6	Delhi	21
7	Gauhati	6
8	Gujarat	23
9	Himachal Pradesh	5
10	J & K and Ladakh	2
11	Jharkhand	7
12	Karnataka	12
13	Kerala	8
14	Madhya Pradesh	17
15	Madras	12
16	Manipur	1
17	Meghalaya	0
18	Orissa	13
19	Patna	19
20	Punjab & Haryana	30
21	Rajasthan	17
22	Sikkim	0
23	Telangana	14
24	Tripura	0
25	Uttarakhand	4
	Total	359

**STATEMENT REFERRED TO IN REPLY TO PART (A) OF RAJYA SABHA
UNSTARRED QUESTION NO. 1236 FOR ANSWER ON 01.08.2024
REGARDING 'IMPACT OF VACANCIES ON PENDENCY OF CASES'.**

Vacant Positions of Judicial Officers in District & Subordinate Court as on 29.07.2024

Sl. No.	State & UT	Total Vacancy
1.	Andhra Pradesh	74
2.	Arunachal Pradesh	11
3.	Assam	25
4.	Bihar	483
5.	Chandigarh	0
6.	Chhattisgarh	195
7.	D & N Haveli	1
8.	Daman & Diu	0
9.	Delhi	81
10.	Goa	10
11.	Gujarat	535
12.	Haryana	217
13.	Himachal Pradesh	19
14.	Jammu and Kashmir	100
15.	Jharkhand	203
16.	Karnataka	244
17.	Kerala	66
18.	Ladakh	8
19.	Lakshadweep	2
20.	Madhya Pradesh	319
21.	Maharashtra	250
22.	Manipur	13
23.	Meghalaya	43
24.	Mizoram	29
25.	Nagaland	10
26.	Odisha	167
27.	Puducherry	19
28.	Punjab	73
29.	Rajasthan	320
30.	Sikkim	12
31.	Tamil Nadu	339
32.	Telangana	115
33.	Tripura	24
34.	Uttar Pradesh	973
35.	Uttarakhand	28
36.	Andaman and Nicobar*	242
37.	West Bengal*	
TOTAL		5238

*Combined vacancy of UT Andaman & Nicobar Island and State of WB as shown against State of West Bengal

**STATEMENT REFERRED TO IN REPLY TO PART (B) OF RAJYA SABHA
UNSTARRED QUESTION NO. 1236 FOR ANSWER ON 01.08.2024
REGARDING 'IMPACT OF VACANCIES ON PENDENCY OF CASES'.**

Fresh Appointments of Judges in Various High Courts in Last 5 Years.							
S.No.	High Court	2019	2020	2021	2022	2023	2024
1	Allahabad	10	4	17	13	9	0
2	Andhra Pradesh	2	7	2	14	6	0
3	Bombay	11	4	6	19	9	0
4	Calcutta	6	1	8	16	0	0
5	Chhattisgarh	0	0	3	3	2	1
6	Delhi	4	0	2	17	5	0
7	Gauhati	4	0	6	2	5	0
8	Gujarat	3	7	7	0	8	1
9	Himachal Pradesh	2	0	1	2	3	0
10	J & K and Ladakh	0	5	2	4	0	1
11	Jharkhand	2	0	4	1	0	1
12	Karnataka	10	10	6	6	5	0
13	Kerala	1	6	12	1	3	7
14	Madhya Pradesh	2	0	8	6	14	0
15	Madras	1	10	5	4	13	0
16	Manipur	0	1	0	0	2	0
17	Meghalaya	1	0	0	0	1	0
18	Orissa	1	2	4	6	2	0
19	Patna	4	0	6	11	2	0
20	Punjab & Haryana	10	1	6	21	4	0
21	Rajasthan	3	6	8	2	9	0
22	Sikkim	0	0	0	0	0	0
23	Telangana	3	1	7	17	3	0
24	Tripura	0	1	0	0	2	0
25	Uttarakhand	1	0	0	0	3	0
	Total	81	66	120	165	110	11

**STATEMENT REFERRED TO IN REPLY TO PART (B) OF RAJYA SABHA UNSTARRED QUESTION NO. 124 FOR
ANSWER ON 01.08.2024 REGARDING 'IMPACT OF VACANCIES ON PENDENCY OF CASES'.**

Sanctioned Strength and Vacancies of Judicial Officers in District and Subordinate Courts for last five years													
Sl.No	Name of the State/Uts	As on 31.12.2018		As on 31.12.2019		As on 31.12.2020		As on 31.12.2021		As on 31.12.2022		As on 31.12.2023	
		Sanctioned Strength	Vacancies	Sanctioned Strength	Vacancies	Sanctioned Strength	Vacancies	Sanctioned Strength	Vacancies	Sanctioned Strength	Vacancies	Sanctioned Strength	Vacancies
1	Andhra Pradesh	494	49	597	68	607	97	607	116	607	73	618	83
2	Telangana	493	48	413	79	474	96	474	49	560	150	560	115
3	Auranchal Pradesh	30	5	41	14	41	9	41	9	41	8	44	10
4	Assam	430	47	441	29	466	54	467	31	485	60	485	46
5	Bihar	1845	640	1925	776	1936	503	1954	560	2016	667	2016	1550
6	Chandigarh	30	0	30	1	30	4	30	0	30	0	30	1
7	Chattisgarh	452	55	468	75	480	93	482	73	527	90	562	139
8	D & N Haveli	3	0	3	0	3	1	3	1	3	1	3	1
9	Daman & Diu	4	0	4	1	4	0	4	0	4	0	4	0
10	Delhi	799	258	799	118	799	151	884	192	884	203	887	89
11	Goa	50	8	50	7	50	10	50	10	50	10	50	10
12	Gujarat	1506	356	1521	336	1521	369	1523	400	1582	431	1720	545
13	Haryana	651	162	772	297	772	279	772	290	772	308	772	208
14	Himachal Pradesh	159	10	175	22	175	14	175	15	179	16	179	21
15	Jammu and Kashmir	310	86	290	58	296	41	300	59	314	91	317	94
16	Ladakh					16	8	17	8	17	8	17	7
17	Jharkhand	676	216	677	216	675	131	675	152	694	186	693	181
18	Karnataka	3972	725	2703	534	1357	286	1363	276	1365	233	1375	225
19	Kerela	496	63	536	79	538	68	569	81	595	122	605	91

20	Lakshadweep	3	0	3	0	3	0	3	0	4	0	4	1
21	Madhya Pradesh	1872	511	2021	401	2021	411	2021	469	2021	372	2028	298
22	Maharashtra	2011	167	2189	247	2190	250	2190	250	2190	250	2190	250
23	Manipur	55	15	55	16	54	18	59	17	59	17	59	10
24	Meghalaya	97	58	97	48	97	48	97	48	99	48	99	42
25	Mizoram	67	21	64	18	64	21	65	23	74	33	74	33
26	Nagaland	33	7	33	8	33	7	34	10	34	10	34	10
27	Odisha	911	156	919	149	950	194	976	191	1001	234	1008	205
28	Puducherry	26	7	26	15	26	15	26	15	28	17	29	19
29	Punjab	674	144	675	96	692	99	692	85	797	208	797	212
30	Rajasthan	1337	229	1428	308	1489	197	1549	275	1587	331	1638	296
31	Sikkim	23	4	25	6	25	5	28	8	30	9	35	12
32	Tamil Nadu	1143	238	1255	175	1298	249	1316	234	1340	272	1371	331
33	Tripura	115	40	120	24	120	23	122	25	128	20	128	20
34	Uttar Pradesh	3225	1188	3416	838	3634	1053	3634	1092	3647	1173	3696	1247
35	Uttarkhand	293	59	294	66	297	42	299	28	299	30	298	27
36	West Bengal	1013	75	1014	96	1014	96	1014	96	1014	96	1014	96
37	A & N Island	11	0	0	-13	0	-13	0	-13	0	-13	0	-13
Total		25309	5647	25079	5208	24247	4929	24515	5175	25077	5764	25439	5428

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 1237
ANSWERED ON 01/08/2024

A2J

Popularizing understanding of the Constitution

1237# Dr. Kalpana Saini:

Shri Narhari Amin:

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

- (a) the steps taken by Government to popularize understanding of the Constitution and increase awareness about legal rights;
- (b) the major achievements and outcome of such measures; and
- (c) the measures planned to be taken in future?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (c) : The Government of India has taken various steps to popularize the understanding of the Constitution and to increase the awareness about the legal rights. The Government of India, through the Department of Justice as the nodal department, launched the Citizens' Duties Awareness Programme (CDAP) on November 26, 2019. With an aim to enhance awareness of the Constitution with a focus on Fundamental Duties, CDAP was able to reach over 48.6 crore citizens through effective implementation of various programmes by all departments and ministries of the Government of India, States/UTs, Judiciary, NSS/NYK Volunteers. The program utilized tools such as online Preamble reading (21.86 lakh), online Pledge taking (1.90 lakh), Webinars (10,600), messaging through E-tickets (14.5 Cr), and social media (10.95 Cr). Over 86 ministries/departments engaged in the year-long CDAP activities. Additionally, 31 lakh elected Gram Panchayat representatives and 14,500 Special Gram Sabhas promoted the concept of Fundamental Duties among citizen. The DoJ launched a grassroots campaign in 1000 digital villages through the CSC network, covering 200

districts across 16 states. This effort included 2409 awareness sessions, reaching over 4,84,000 villagers, 9000 wall paintings, and signature banners displayed on fundamental duties in all digital villages.

During the current year, the Department of Justice has initiated a pan-India, year-long nationwide campaign titled 'Hamara Samvidhan Hamara Samman' to celebrate the 75th year of India as a Republic and the adoption of India's Constitution. The campaign was launched on January 24, 2024, by the Hon'ble Vice-President of India. Following this, regional events were organized in Bikaner, Rajasthan, on March 9, 2024, and in Prayagraj, Uttar Pradesh, on July 16, 2024, to ensure decentralized outreach of the campaign. The campaign aims to reaffirm our collective commitment to the principles enshrined in the Constitution of India and to celebrate the shared values that bind our nation. This nationwide initiative provides opportunities for every citizen to participate in various ways, empowering them to contribute meaningfully through its sub-campaigns: Sabko Nyaya Har Ghar Nyaya, Nav Bharat Nav Sankalp, and Vidhi Jagriti Abhiyaan.

Through the network of Village Level Entrepreneurs (VLEs) of the Common Service Centres (CSCs), over 2.5 lakh gram panchayats have been engaged in reading the Panch Pran Pledge in regional languages. In 25 states and Union Territories, citizen-centric service fairs called "Nyaya Sewa Melas" have been organized. Online competitions such as the Samvidhan Quiz, Panch Pran Rangotsav (poster-making), and Panch Pran Anubhav (reel-making) were launched on the MyGov platform. To enhance constitutional education, the campaign has involved law students and partnered with agencies like Doordarshan and IGNOU's Gyan Vani and Gyan Darshan platforms. As of June 30, 2024, 1.60 lakh citizens have participated in the 'Hamara Samvidhan Hamara Samman' campaign nationwide. Information to popularize the understanding of the Constitution as part of this campaign is regularly updated on the Department of Justice website <https://doj.gov.in/>.

The Department of Justice (DoJ) is also implementing a dedicated program for legal literacy and legal awareness under the scheme of the "Designing Innovative Solutions for Holistic Access to Justice" (DISHA), introduced in 2021. As of June 30, 2024, the legal awareness has reached 15.30 lakh individuals through community engagement, webinars, and the dissemination of educational materials on the Constitution, legal rights, and duties.

The National Legal Services Authority (NALSA), through its Legal Services Authorities at the state, district, and taluk levels, conducts legal literacy and awareness programs and campaigns to educate the general public about their rights, benefits, and privileges guaranteed by the Constitution and other enactments. NALSA through the Legal Services Authorities has

undertaken the following steps to popularize the understanding of the Constitution and to increase the awareness about the legal rights:

(i) A six-week-long Pan India Legal Awareness and Outreach Campaign was organized from October 2 to November 14, 2021, as part of the 'Azadi Ka Amrit Mahotsav'. Conducted in four phases, the campaign reached 6.7 lakh villages and 4100 municipal towns across the country to raise awareness about the availability of free legal services. Additionally, 1623 Legal Services Mega Camps (NALSA Module) were held in 735 districts, benefiting 75,64,236 people.

(ii) A nationwide legal awareness and outreach program titled "Empowerment of Citizens through Legal Awareness and Outreach" was conducted from October 31 to November 13, 2022. The campaign aimed to bridge the gap between institutions and the underprivileged by spreading legal awareness and ensuring the delivery of legal entitlements to eligible beneficiaries. It was organized across all villages and subdivisions of every district in India. Concurrently, the "Haq_humara_bhi_to_hai@75" campaign was launched, focusing on providing basic legal assistance to individuals confined in prisons and child care institutions.

Further, the Legal Services Authorities have conducted a range of legal awareness programs covering various laws and schemes related to children, laborers, disaster victims, SC/ST communities, and persons with disabilities. Additionally, they have created and distributed booklets and pamphlets in accessible language to inform the public about these laws. To effectively reach vulnerable sections of society, NALSA has developed and implemented a Module for Legal Services Camps through Legal Services Institutions. This approach marks a shift from traditional methods of general legal awareness to a model focused on true empowerment, grounded in need-based analysis and targeted action. The Legal Empowerment Camps are designed to serve not only the weak and marginalized sections but also those residing in remote and far-flung areas, aiming to bridge information gaps and ensure access to citizens' rightful entitlements. Since the framework's approval in December 2017, these camps have been organized nationwide with a three-fold objective: firstly, to spread awareness about various welfare legislations and schemes; secondly, to identify and reach out to individuals who need legal assistance; and lastly, to provide tailored solutions to legal issues. In 2023-2024 alone, 30,043 legal awareness camps were organized, benefiting 11.46 lakh citizens. To further enhance and educate citizens on existing awareness programs, campaigns, and other legal aid avenues, NALSA leverages mass media platforms and Legal Services Institutions.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 1238
ANSWERED ON 01/08/2024

NM

PENDING COURT CASES IN THE COUNTRY

1238. SHRI RAJEEV SHUKLA:

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

- (a) the total number of pending cases across various courts in the country;
- (b) the court-wise and State/UT-wise details thereof;
- (c) whether Government is taking measures to ensure faster disposal of such cases;
- (d) if so, the details thereof and if not, the reasons therefor; and
- (e) the measures proposed to be taken by Government to deal with the pendency situation?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) & (b): As per information available on National Judicial Data Grid (NJDG), the total number of pending cases across various courts in the country is as under:

S. No.	Name of Court	Total no. of pending cases as on date
1.	Supreme Court	83,798
2.	High Courts	60,02,383
3.	District and Subordinate Courts	4,53,97,157

The detailed statement showing State/UT-wise pending cases in District & Subordinate courts is placed at *Annexure-I*.

(c) to (e): The resolution of pending cases in courts is within the exclusive domain of the judiciary. However, the Government is committed towards facilitating an ecosystem for expeditious disposal of cases by judiciary and reducing pendency as mandated under Article 21 of the Constitution. To this end, the Government set up the National Mission for Justice Delivery and Legal Reforms in 2011, with the 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 co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, inter-alia, involves improved infrastructure for courts including computerization, 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.

There are several reasons that lead to pendency of cases in courts which, inter-alia, include availability of physical infrastructure and supporting court staff, 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. Other factors that lead to delay in disposal of cases include lack of prescribed timeframe by respective courts for disposal of various kinds of cases, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing. Moreover, in case of pendency of criminal cases, the criminal justice system functions on assistance by various agencies viz. Police, Prosecution, Forensic Labs, Handwriting Experts and Medico-Legal Experts. Delay in providing assistance by allied agencies also entails delay in disposal of cases.

STATEMENT REFERRED TO IN REPLY TO PARTS (A) AND (B) OF LOK SABHA UNSTARRED QUESTION NO. 1238 FOR ANSWER ON 01.08.2024 REGARDING 'PENDING COURT CASES IN THE COUNTRY'.

Detailed statement showing State/UT-wise pending cases in District Courts

S.No.	State/UT	Total no. of pending cases as on date
1	Uttar Pradesh	11843447
2	Maharashtra	5448506
3	Bihar	3572352
4	West Bengal	3136410
5	Rajasthan	2313672
6	Karnataka	2040588
7	Madhya Pradesh	2016956
8	Kerala	1803020
9	Odisha	1633351
10	Gujarat	1552084
11	Tamil Nadu	1494818
12	Haryana	1430534
13	Delhi	1326935
14	Telangana	931818
15	Punjab	871930
16	Andhra Pradesh	872829
17	Himachal Pradesh	657860
18	Jharkhand	550956
19	Assam	468604
20	Chhattisgarh	414525
21	Uttarakhand	371008
22	Jammu and Kashmir	323006
23	Chandigarh	110593
24	Goa	59155
25	Tripura	49051
26	Puducherry	34920
27	Meghalaya	15472
28	Manipur	12787
29	Arunachal Pradesh	11269
30	Andaman and Nicobar	8978
31	Mizoram	5408
32	DNH at Silvassa	4464
33	Diu and Daman	3170
34	Nagaland	2959
35	Sikkim	1771
36	Ladakh	1553
37	Lakshadweep	398
	TOTAL	45397157

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 1239

ANSWERED ON 01/08/2024

Appointment

VACANCIES IN COURTS

1239. DR. JOHN BRITTAS:

Will the Minister of *Law and Justice* be pleased to state:

- (a) the sanctioned strength and vacancies of Judges in High Courts and Supreme Court as on date;
- (b) the number of proposals for appointments in High Courts which are pending with Supreme Court Collegium or Government as on date;
- (c) the vacancies in High Courts which are yet to be recommended by the High Court Collegiums to Government as per the extant Supreme Court instructions in this regard;
- (d) the number of women Judges and Judges hailing from SC, ST and OBC communities in the Supreme Court and High Courts as on date; and
- (e) the State-wise and category-wise details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (e): As on 25.07.2024, the Supreme Court is functioning at its full strength of 34 Judges (including the CJI). As regards the High Courts, against the sanctioned strength of 1114 Judges, 755 Judges are working and 359 posts of Judges are vacant in various High Courts. 205 proposals for appointment of High Court Judges are at various stages of processing between the Government and the Supreme Court Collegium. The recommendations against 154 vacancies are yet to be received from the High Court Collegiums.

2. At present, 03 women Judges are working in the Supreme Court and 106 women Judges are working in various High Courts.

3. Appointment of Judges to the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. Therefore, category-wise data pertaining to representation of SCs, STs and OBCs among the Judges of High Courts are not centrally maintained. However, since 2018, the recommendees for the post of High Court Judges are required to provide details regarding their social background in the prescribed format (prepared in consultation with the Supreme Court). Hence, since 2018 the data on appointees to that extent is available. Out of 661 High Court Judges appointed since 2018, 21 belong to SC category, 12 belong to ST category and 78 belong to OBC category (till 25.07.2024).

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 1240

ANSWERED ON 01/08/2024

Appointment

RECOMMENDATIONS OF SC COLLEGIUM

1240. SHRI P. WILSON:

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

- (a) the details of all pending SC Collegium recommendations for appointment of High Court Judges, including recommended date, expected timeline taken and the reasons for delay for each recommendation, if pending for more than 3 months;
- (b) the steps taken to fix strength of High Court and Supreme Court Judges according to population ratio, the details thereof; and
- (c) whether Government has taken any steps to enhance pay, allowance and pension, etc., for the Judges of Supreme Court and High Courts considering the burden of work and the fact that it has not been revised since 2017, if so, details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (c): As on 25.07.2024, 24 proposals recommended by the Supreme Court Collegium for appointment of High Court Judges, are under various stages of processing. Appointment of the Judges of the Constitutional Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various constitutional authorities both at state and central level. Judges of the High Courts are appointed under Article 217 and 224 of the Constitution of India and according to the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case).

read with their Advisory Opinion of October 28, 1998 (Third Judges case). As per MoP, initiation of proposal for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court. Chief Justice of the High Court is required to initiate the proposal to fill up of vacancy of a High Court Judge six months prior to the occurrence of vacancy. However, this timeline is often not adhered to by the High Courts. All the names recommended by High Court Collegium are sent with the views of the Government to the Supreme Court Collegium (SCC) for advice. Only those persons are appointed as Judges of High Courts who are recommended by SCC.

2. In the Joint Conference of Chief Justices and Chief Ministers held on 07.4.2013, a recommendation was made to increase the number of Judges of the High Courts by 25%. Accordingly, since 1.07.2014, Government increased the Judge strength of the High Courts from 906 to 1114 (i.e. by 208 posts). The Supreme Court (Number of Judges) Act, 1956 was amended to increase the sanctioned strength of the Judges of the Supreme Court of India from 30 to 33 (excluding CJI). The Supreme Court (Number of Judges) Amendment Act, 2019 came into force w.e.f. 9.8.2019.

3. Pay, allowances, pension etc. in respect of Judges of Supreme Court and High Courts are governed by The Supreme Court Judges (Salaries and Conditions of service) Act, 1958 and The High Court Judges (Salaries and Conditions of service) Act, 1954 respectively. The salary, pension and allowances of Judges of Supreme Court and High Courts were last revised w.e.f. 01.01.2016 consequent upon implementation of 7th Central Pay Commission recommendation by the Government, through an amendment in both the applicable laws mentioned above. Presently, no proposal for enhancing pay, allowance and pension etc. for the judges of Supreme Court and High Court is under consideration of the Government.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 1242
ANSWERED ON 01/08/2024

JR

EXPENDITURE ON JUDICIAL INFRASTRUCTURE

1242. SHRI SANJAY RAUT;

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

- (a) whether ₹ 9,000 crore have been allocated for Centrally Sponsored Scheme to provide judicial infrastructure in the country;
- (b) whether, so far, just ₹ 1,000 crore have been spent on the above Scheme;
- (c) if so, the details of expenditure made and assets created so far, State-wise, under the above Scheme, particularly in the State of Maharashtra; and
- (d) whether new components have been added under the above Scheme and, if so, the details thereof?

ANSWER

THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a): The Union Government has been implementing a Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities in District and Subordinate Courts by providing financial assistance to State/UT Governments in the prescribed fund sharing pattern. The Government has approved the continuance of this CSS for a further period of 5 years from 01.04.2021 to 31.03.2026, at an outlay of Rs.9000 Crore, including Central share of Rs.5307 Crore.

(b) & (c): Since 2021-22 till date, the Central Government has released Rs. 2986.80 crore under this Scheme to States/UTs, of which, a sum of Rs. 267.64 crore has been released to Maharashtra. The State-wise expenditure of funds since 2021-22 is at *Annexure-I*.

Since inception of the scheme in 1993-94, 23,074 number of court halls and 20,889 number of residential units have been constructed in the District and Subordinate Courts, against the working strength of 20,371 Judicial Officers as on date. In case of State of Maharashtra, 3,683 court halls and 3,597 residential units have been constructed under the scheme as on date. The state-wise availability of Court Halls and Residential Units along with court halls and residential units under construction are at *Annexure-II*.

(d): The scheme aims at progressively improving the physical infrastructure of the Subordinate Courts as also meeting the housing needs for judicial officers of District and Subordinate Courts in the country, with a view to facilitate improved justice delivery. Till 2021, there were only two components covered under the scheme i.e. construction of Court Halls and Residential Units for Judicial Officers. However, while giving extension to the scheme in 2021, three additional components were added to the scheme, which are (i) construction of lawyers' halls, (ii) toilet complexes and (iii) digital computer rooms for the convenience of lawyers and litigants.

**STATEMENT REFERRED TO PART (C) OF THE RAJYA SABHA UNSTARRED QUESTION NO.1242
FOR REPLY ON 01.08.2024**

STATEMENT SHOWING FUNDS SANCTIONED/ALLOCATED AND UTILIZED AS ON DATE

Sl. No.	Name of State	Funds sanctioned / allocated (since 2021-22 to as on date) (Rs. in crore).	Funds utilized (since 2021-22 to as on date) (Rs. in crore).
1	Andhra Pradesh	72.32	47.92
2	Bihar	106.44	85.74
3	Chhattisgarh	83.87	79.39
4	Goa	33.25	29.73
5	Gujarat	101.84	74.08
6	Haryana	20.10	9.85
7	Himachal Pradesh	11.62	5.69
8	Jharkhand	63.32	56.26
9	Karnataka	242.18	232.17
10	Kerala	72.89	55.30
11	Madhya Pradesh	320.40	284.74
12	Maharashtra	267.64	267.64
13	Odisha	96.05	78.03
14	Punjab	47.42	39.02
15	Rajasthan	222.75	194.13
16	Tamil Nadu	169.51	134.70
17	Telangana	26.61	16.21
18	Uttar Pradesh	396.08	318.88
19	Uttarakhand	109.89	101.63
20	West Bengal	40.22	21.27
Total(A)		2,504.40	2,132.38
1	Arunachal Pradesh	36.47	16.02
2	Assam	105.41	91.71
3	Manipur	14.56	12.67
4	Meghalaya	120.53	112.76
5	Mizoram	18.36	18.36
6	Nagaland	17.66	14.96
7	Sikkim	4.96	1.88
8	Tripura	40.48	24.83
Total(B)		358.43	293.19
1	Andaman & Nicobar Island	0.95	0.95
2	Chandigarh	0.00	0.00
3	Dadra & NH	0.00	0.00
4	Daman & Diu	0.00	0.00
5	Lakshadweep	0.00	0.00
6	Ladakh	2.40	2.40
Total(C)		3.35	3.35
1	Delhi	46.50	29.84
2	Puducherry	9.55	3.01
3	Jammu & Kashmir	64.60	43.78
Total(D)		120.65	76.63
Grand Total(A+B+C+D)		2,986.83	2,505.55

STATEMENT REFERRED TO PART (C) OF THE RAJYA SABHA UNSTARRED QUESTION NO 1242 FOR REPLY ON 01.08.2024.

STATE-WISE STATEMENT OF AVAILABILITY OF JUDICIAL INFRASTRUCTURE AS ON DATE

Sl. No.	States & Uts	Total Court Halls	Total Court Halls Under Construction*	Total Residential Units	Total Residential Units Under Construction*
1	Andaman and Nicobar	15	0	11	0
2	Andhra Pradesh	648	90	600	13
3	Arunachal Pradesh	34	5	32	2
4	Assam	421	72	385	19
5	Bihar	1541	184	1202	308
6	Chandigarh	29	1	29	0
7	Chhattisgarh	495	58	453	837
8	D & N Haveli	3	0	3	0
9	Daman & Diu	5	3	5	0
10	Delhi	699	0	348	70
11	Goa	47	32	20	0
12	Gujarat	1509	97	1360	65
13	Haryana	575	75	558	65
14	Himachal Pradesh	178	10	155	7
15	Jammu and Kashmir	202	46	138	8
16	Jharkhand	650	12	583	0
17	Karnataka	1230	166	1185	47
18	Kerala	571	67	555	30
19	Ladakh	11	0	4	0
20	Lakshadweep	3	0	3	0
21	Madhya Pradesh	1602	392	1769	154
22	Maharashtra	3683	531	3597	144
23	Manipur	42	8	16	6
24	Meghalaya	70	25	69	90
25	Mizoram	47	32	38	8
26	Nagaland	30	4	39	0
27	Odisha	836	156	736	97
28	Puducherry	34	0	27	0
29	Punjab	610	21	624	33
30	Rajasthan	1385	350	1175	157
31	Sikkim	20	6	15	1
32	Tamil Nadu	1242	40	1363	7
33	Telangana	549	21	472	5
34	Tripura	83	27	80	33
35	Uttar Pradesh	2835	329	2555	258
36	Uttarakhand	253	66	212	3
37	West Bengal	887	96	473	26
TOTAL		23074	3022	20889	2493

* As per Nyaya Vikas Portal

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 1243

Appointment

ANSWERED ON 01/08/2024

VACANCY OF JUDGES IN CALCUTTA HIGH COURT

1243. SHRI SAMIK BHATTACHARYA:

Will the Minister of *Law and Justice* be pleased to state:

- (a) the total number of sanctioned posts and the actual number of Judges currently serving in the Calcutta High Court;
- (b) whether a significant percentage of the sanctioned posts of Judges in the Calcutta High Court are lying vacant, leading to a backlog of cases;
- (c) if so, the details on the extent of these vacancies and the reasons for these posts remaining unfilled for an extended period; and
- (d) the steps which Government is taking to expedite the appointment of Judges to fill the vacant posts in the Calcutta High Court?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): As on 25.07.2024, against the sanctioned strength of 72 Judges, 44 Judges are working in the Calcutta High Court thus leaving 28 vacancies. At present, the proposals for filling up 12 vacancies in the Calcutta High Court are at various stages of processing. The recommendations in respect of the remaining 16 vacancies of Judges are yet to be received from the High Court Collegium.

2. As per the Memorandum of Procedure (MoP), for the appointment of Judges of High Court, the Chief Justice of the High Court is required to initiate the proposals in consultation with two senior-most Judges from amongst the eligible candidates from the concerned State Judicial Service six months prior to the occurrence of vacancies.

recommendations also have to be considered in the light of such other reports as may be available to the Government in respect of the names under consideration. The recommendations of the High Court Collegium, the State Governments and the Government of India are then forwarded to the Supreme Court Collegium (SCC) for advice. Only those persons are appointed as Judges of the Supreme Court and High Courts whose names have been recommended by the SCC.

3. The issues concerning disposal of pending cases in courts is within the domain of the judiciary. Timely disposal of cases in courts depends on several factors which, inter-alia, include supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, involvement of various stake holders viz. advocates, investigation agencies, witnesses, litigants etc.

4. Appointment of the Judges of the Constitutional Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various constitutional authorities both at state and central level. While it is of utmost importance that the appointments are made expeditiously, at the same time it is also important to ensure that only the most suitable candidates are appointed as Judges in the High Courts under the collaborative process.

7
GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)
RAJYA SABHA
UNSTARRED QUESTION NO- 1244
ANSWERED ON 01/08/2024

2-Cont

eCOURTS PROJECT PHASE III

1244. SHRI KAPIL SIBAL :

Will the Minister of *Law and Justice* be pleased to state:

- (a) whether Government has proposed to develop Phase III of the eCourt Project for operation in various courts, including High Courts and District Courts across the country;
- (b) if so, the State-wise details of progress made there under, including establishment of virtual benches of the High Courts;
- (c) whether Government has conducted an assessment of usefulness of Phase I and Phase II in enabling citizens' access to justice, if so, the details thereof; and
- (d) whether Government has formulated any SOPs for Phase III, if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a): On 13.09.2023, the Union Cabinet has approved Phase-III of the eCourts Project for the ICT development of the Indian Judiciary, at an outlay of Rs.7,210 crore for a period of 4 years starting from 2023. Taking the gains of Phase-I and Phase-II to the next level, e-Courts Phase-III aims to usher in a regime of maximum ease of justice by moving towards digital, online and paperless courts through digitization of the entire court records including legacy records and by bringing in universalization of e-Filing/ e-Payments through saturation of all court complexes with e-Sewa Kendras. The eCourts Project Phase-III intends to put in place intelligent smart systems enabling data-based decision making for judges and registries while scheduling or prioritizing cases. The main objective of the Phase-III is to create a unified technology platform for the judiciary, thus providing a seamless and paperless interface

between the courts, the litigants and other stakeholders. The project envisages a smoother user experience by building a “smart” ecosystem. The eCourts Phase-III may thus prove to be a game changer in ensuring ease of justice by making the Court experience convenient, inexpensive and hassle free to all the citizens of the country. The various components of eCourts Phase-III includes digitization of 3108 crore pages of legacy records, cloud infrastructure, 4400 fully functional eSewa Kendras in all court complexes, and use of emerging technologies like Artificial Intelligence/Machine Learning, etc.

(b): Under the eCourts Project, funds are released by Department of Justice on the recommendation of eCommittee, Supreme Court of India to the High Courts and not to specific States, as High Courts are the implementing agency. The details of funds allocated under eCourts Phase III along with the expenditure incurred in FY 2023-24 and FY 2024-25 is as under:

(Amount in Rs. Cr)							
Financial year	Funds allocated	Expenditure incurred					Total
		High Courts*	NICSI	BSNL	eCommittee	Misc.	
2023-24	825.00	611.88	101.26	54.79	0.24	0.07	768.25
2024-25	1500.00	464.98	-	-	0.75	-	465.74

* The High Court wise release of funds for FY 2023-24 and FY 2024-25 is at Annexure I.

Further, the establishment of Virtual Bench is an administrative matter which falls strictly within the purview and domain of the respective State Governments and the concerned High Court. The Central Government as such has no direct role to play in the matter.

(c): Third-Party Evaluation has been conducted by National Council of Applied Economic Research (NCAER) for eCourts Project Phase II and the key findings are as follows:

- The eCourts Project has led to an increase in the total number of cases filed in the courts and helped with easier access to information through online portals and mobile applications.
- A high level of satisfaction was expressed with the access and quality of various ICT facilities provided under the eCourts project.
- The procurement process by the eCommittee, Supreme Court of India is well planned and all payments are received on time.
- Judges are satisfied with the improvement in court time management and transparency of information that has resulted from implementation of eCourts project.

- 90-100% of sample courts have provision of computers hardware and have installed Case Information System (CIS).
- High proportion of judges and court officials had received training in the use of CIS, NJDG and hardware. Almost all respondents were of the opinion that the trainings were very useful.
- Services like Case Information System (CIS), JustIS mobile app and The National Judicial Data Grid (NJDG) website are used very often and have an easy user interface.
- Majority of judges and court official feel that eCourts project has reduced pendency of cases because of easy access to case laws resulting in better research.
- The pendency of cases over 5 years have displayed slow but steady decline over the years.
- Since 2017, a sharp increase in the clearance rate of district courts is also noticed.

(d): eCourts project is being implemented in association with eCommittee, Supreme Court of India, presently headed by Hon'ble the Chief Justice of India, and Department of Justice, in a decentralized manner through the respective High Courts. The eCommittee is responsible for the policy planning, strategic direction and guidance for implementation of eCourts project and works in collaborative partnership with Department of Justice, which is responsible for providing necessary funding for the project.

The Detailed Project Report of the e-Courts Project Phase-III was approved by the eCommittee on 21st October 2022 which formed the basis for approval of Phase-III by the Union Cabinet on September 13th, 2023. In addition, the eCommittee has issued various Standard Operating Procedures (SOPs) for various activities like Video Conferencing, e-Filing, Digitization, etc. and circulated to all the High Courts for their guidance.

Statement referred to in reply of Rajya Sabha Unstarred Question No. 1244 for 01/08/2024 regarding eCourts Project Phase III. The details of High Court wise release of funds in FY 2023-24 and FY 2024-25 is as under:

		Phase III	
1	Allahabad	95.87	34.94
2	Andhra Pradesh	25.44	17.82
3	Bombay	69.54	48.36
4	Calcutta	16.73	31.54
5	Chhattisgarh	16.27	18.28
6	Delhi	17.89	15.09
7	Gauhati (Arunachal Pradesh)	2.03	2.59
8	Gauhati (Assam)	24.97	9.05
9	Gauhati (Mizoram)	3.12	1.88
10	Gauhati (Nagaland)	1.79	1.29
11	Gujarat	27.72	39.98
12	Himachal Pradesh	6.06	4.36
13	Jammu & Kashmir	6.52	5.29
14	Jharkhand	10.59	8.92
15	Karnataka	32.37	22.87
16	Kerala	15.40	10.00
17	Madhya Pradesh	22.90	28.99
18	Madras	90.69	41.29
19	Manipur	11.12	2.72
20	Meghalaya	3.33	2.17
21	Orissa	6.77	17.25
22	Patna	32.43	37.44
23	Punjab & Haryana	14.58	4.71
24	Rajasthan	19.80	30.81
25	Sikkim	1.71	1.25
26	Telangana	22.03	16.39
27	Tripura	0.53	2.17
28	Uttarakhand	13.68	7.42
			464.98

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 1245
ANSWERED ON 01/08/2024**

Notaries Cell (LA)

Appointments of Central Notaries in Goa

1245. Shri Sadanand Mhalu Shet Tanavade:

Will the Minister of **Law and Justice** be pleased to state:

- (a) whether an adequate number of Central Notaries is available in proportion to each state's population in Country, if so, the details thereof;
- (b) the statistics on total number of Central Notaries appointed versus the current requirement in Goa;
- (c) the selection procedure specific to Goa for Central Notary appointments by Government;
- (d) the timeline and stages involved in the notary application and appointment process in Goa; and
- (e) whether there are plans to increase the number of Central Notary positions in Goa to meet their rising demand, the details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a): In pursuance of the recommendations made by the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law & Justice in its 138th and 140th Report, the number of Notaries to be appointed by the Central Government in various States and UTs has been reviewed and based on such review, the strength of Notaries to be appointed by the Central Government in various States, including Goa, has been revised vide the Notaries (Amendment) Rules, 2024.

(b) to (d): 320 applicants, whose online applications were received up to 31.03.2023, were called for online interviews. 297 candidates appeared in the said interviews. On the basis of assessment of suitability of the applicants by the interview boards, 296 candidates have been provisionally appointed by the Central Government as Notaries for the State of Goa.

(e): There is no proposal to further revise the number of Notaries to be appointed by the Central Government for the State of Goa.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)
RAJYA SABHA
UNSTARRED QUESTION NO- 1246
ANSWERED ON 01/08/2024

e-loast

VIRTUAL BENCH OF RAJASTHAN HIGH COURT

1246. SHRI CHUNNILAL GARASIYA :

Will the Minister of *Law and Justice* be pleased to state:

- (a) whether Government has decided to set up Virtual High Court Benches to speed up the judicial process in the country;
- (b) if so, the details of the High Court benches to be set up, State/UT wise;
- (c) whether Government proposes to set up a Virtual Bench of the Rajasthan High Court in tribal area of Udaipur; and
- (d) if so, by when and if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): No. The establishment of Virtual Bench is an administrative matter which falls strictly within the purview and domain of the respective State Governments and the concerned High Court. The Central Government as such has no direct role in the matter.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT

RAJYA SABHA

Leg. II Sec. (LD)

STARRED QUESTION NO.183*

ANSWERED ON 08.08.2024

IMPLEMENTATION OF 'ONE NATION ONE ELECTION' PROPOSAL

183. Shri Haris Bearan:

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

- (a) the details of key findings and recommendations from the report of the High Level Committee, headed by former President of India, constituted to examine the issue of simultaneous elections;
- (b) the current status of implementation of the 'One Nation One Election' proposal;
- (c) the key challenges identified by Government in implementing the proposal; and
- (d) whether any consultations are being undertaken with various stakeholders, including political parties, on the implications and feasibility of the 'One Nation One Election', if so, the details thereof?

ANSWER:

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN RESPECT OF PART (a) to (d) OF THE
RAJYA SABHA STARRED QUESTION NO. 183* DATED 08th AUGUST,
2024

(a) : The High Level Committee (HLC) headed by former President Shri Ram Nath Kovind submitted its Report to the Hon'ble President on 14th March, 2024, on the subject of Simultaneous Elections in India. The HLC as a part of its deliberations invited suggestions, viewpoints and comments from various stakeholders including political parties. Experts on law, including former Chief Justices of India and former Chief Justices of High Courts, former Chief Election Commissioners of India, and State Election Commissioners were invited for interaction in person with the Committee. Expert bodies like the Law Commission of India was also invited by the Committee. A public notice was also issued in the newspapers to invite suggestions and comments from citizens and organisations. Other stakeholders such as the Bar Council of India and apex business organisations like the Confederation of Indian Industry (CII), Federation of Indian Chambers of Commerce and Industry (FICCI), Associated Chambers of Commerce and Industry of India (ASSOCHAM) were also given opportunities to place their points of view. Eminent economists of the country also interacted with the Committee. The Committee held 65 meetings and after extensive deliberation submitted its recommendations to the Government. The Government has published the complete report of the High Level Committee including its various recommendations and key challenges in implementing "One nation, One election" on the official website of HLC on One Nation, One Election (ONOE).

(b) to (d): As per the recommendations of the HLC on ONOE, the implementation of the same would require amendments in the Constitution of India. The decision regarding implementation of the Committee's recommendations is contingent upon examination of various aspects including legal and constitutional aspects.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
STARRED QUESTION NO. *191
ANSWERED ON 08.08.2024

e-court

SETTING UP SPECIAL COURTS FOR TECH-RELATED DISPUTES

***191. SHRI S NIRANJAN REDDY:**

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

- (a) whether Government has evaluated the need for establishing Special Courts to adjudicate disputes related to critical and emerging technology, if so, the details thereof and if not, the reasons therefor;
- (b) whether Government has provided specialized training on emerging and critical technologies to Judicial Officers and Judges to equip them better to deal with tech-related disputes; and
- (c) whether Government is considering to create a Special Bench within NCLAT for adjudicating disputes related to digital markets, if so, the details thereof and if not, the reasons therefor?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE
IN THE MINISTRY OF PARLIAMENTARY AFFAIRS**

(SHRI ARJUN RAM MEGHWAL)

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

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (c) OF THE
RAJYA SABHA STARRED QUESTION NO. *191 FOR THE 08th
AUGUST, 2024 REGARDING 'SETTING UP SPECIAL COURTS FOR
TECH-RELATED DISPUTES'**

(a): Special Courts in India are judicial bodies set up to expedite the legal process for specific types of cases, often involving complex issues. These Courts are established under various laws/ statutes and operate alongside the regular judicial system. Their primary objective is to ensure the expeditious disposal of cases that require specialized knowledge or handling due to their nature. The primary responsibility of setting up and functioning of Special Courts falls within the domain of the State/UT Governments in consultation with their respective High Courts, as per its need and availability of resources. At present, there are no specialized courts to deal with matters pertaining to critical and emerging technologies.

The disputes arising under and from a Technology Development Agreement fall within the ambit of contractual disputes and are covered under the Commercial Courts Act 2015. The Commercial Courts Act, 2015 provides for the constitution of Commercial Courts, Commercial Appellate Courts, Commercial Division and Commercial Appellate Division in the High Courts for adjudicating commercial disputes of specified value and matters connected therewith or incidental thereto. As per available information, there are 115 Dedicated Commercial Courts and 1231 Designated Commercial Courts across the country as of October, 2023.

Further, in terms of the Finance Act 2017(7 of 2017), the Telecom Disputes Settlement and Appellate Tribunal (TDSAT) was vested with powers to act as Appellate Tribunal under the Information Technology Act, 2000 and for matters that lay before the Cyber Appellate Tribunal.

(b): During the Academic Year 2023-24, the National Judicial Academy (NJA) conducted specialized training programs involving emerging technological advances for judges and judicial officers. These were undertaken either as specialized topics, or as part of different programs in individualized sessional topics. Apart from the trainings undertaken by NJA on emerging technological advances, the 25 State Judicial Academies (SJAs) are also undertaking regular programs on emerging technology. This ensures training of judges pan India on the specialized areas. The training modules included dedicated training programs and sessions on Information and Communication Technology (ICT), cybercrimes, law related to electronic evidence etc. Further, the sessions on tech-related disputes arising out of commercial laws, intellectual Property Rights (IPR), Alternate Dispute Resolution (ADR) etc. formed part of the discourse. Besides, regular sessions on medical forensics, digital forensics and such other seminal areas, like court and case management, are included in the training curriculum to enable capacity building of judges in the advanced techno-legal domain. The said sessions/programs were designed for participating judges from pan-India (including all the High Courts and senior members from the District Judiciaries). Judges from foreign countries (viz, Bangladesh, Myanmar and Maldives) were also trained on emerging technological advances at the NJA. The detailed programme is placed at Annexure.

(c): As per the inputs provided by the Ministry of Corporate Affairs, there is currently no proposal under consideration to create a Special Bench within the National Company Law Appellate Tribunal (NCLAT) for adjudicating disputes related to digital markets.

ANNEXURE**STATEMENT REFERRED TO IN REPLY TO PART (B) OF RAJYA
SABHA STARRED QUESTION NO. *191 FOR ANSWER ON 08.08.2024
REGARDING 'SETTING UP SPECIAL COURTS FOR TECH-
RELATED DISPUTES'.**

Sr No.	Program	Number of Conferences	Participant(s)	Brief Details	Event type
1.	Regional Conference	08	High Court Justices + District Judiciary	A complete day was dedicated to discuss ICT and enabling technologies. Domain experts including Judges, advocates deliberated on emerging technologies	National
2.	ICT	07	High Court Justices + District Judiciary	Including special programs proposed by e-Committee	National – (06 nos.) International – (01 No.)
3.	Commercial Courts	04	High Court + District Judiciary	Included sessions on IPR, discourse on contract law etc.	National
4.	Cyber Law/Cybercrime + Electronic Evidence	06	High Court Justices + District Judiciary	Programs included outreach programs and workshops dealing with technology related issues	National + International collaborations with (FJC & CEELI)

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
STARRED QUESTION NO. 193

Appointment

ANSWERED ON 08.08.2024

REPRESENTATION OF MINORITIES AND WOMEN IN JUDICIARY

*193. SHRI DEREK O' BRIEN:

Will the Minister of *Law and Justice* be pleased to state:

- (a) the number of women Judges in the Supreme Court;
- (b) the number of women Judges in High Courts; and
- (c) the number of Judges from minority communities in the above Courts?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS;

(SHRI ARJUN RAM MEGHWAL)

(a) to (c): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (c) of Rajya Sabha Starred Question No. *193 due for answer on 08.08.2024 regarding "Representation of minorities and women in judiciary"

As on 02.08.2024, there are 03 women Judges working in the Supreme Court and 106 women Judges in various High Courts.

2. Appointment of Judges to the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. Therefore, category-wise data pertaining to representation of SCs, STs, OBCs and minorities among the Judges of High Courts are not centrally maintained. However, since 2018, the recommendees for the post of High Court Judges are required to provide details regarding their social and religious background in the prescribed format (prepared in consultation with the Supreme Court). Hence, since 2018 the data on appointees to that extent is available, according to which 37 Judges belonging to the minority Communities were appointed in various High Courts since the year 2018.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)
RAJYA SABHA
UNSTARRED QUESTION NO - 2030
ANSWERED ON 08/08/2024

e-court

COMPUTERISATION OF COURTS

2030. SHRI V. VIJAYASAI REDDY:
SHRI NARAYANA KORAGAPPA:

Will the Minister of *Law and Justice* be pleased to state:

- (a) whether the e-Courts Mission Mode Project has been taken up for universal computerisation of the High Courts and the Supreme Court;
- (b) whether there has been installation of touchscreen-based kiosks, use of e-filing, e-payment, mobile applications and composite set of services through Judicial Service Centres under this scheme in every State; and
- (c) the details of the implementation of the project, State-wise?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) and (b): As part of the National eGovernance Plan, the eCourts Mission Mode Project is under implementation for Information and Communication Technologies (ICT) development of the Indian Judiciary based on the "National Policy and Action Plan for Implementation of Information and Communication Technology in the Indian Judiciary". This project is being implemented by the Department of Justice, in close coordination with the eCommittee, Supreme Court of India.

2. The phase I of the eCourts Mission Mode Project was implemented during 2011-2015, which focused on the basics of computerisation like setting up computer hardware, ensuring internet connectivity, and operationalizing the e-Courts platform. Against the

financial outlay of Rs.935 crore, a total expenditure of Rs.639.41 crore was incurred. The following initiatives were undertaken in this phase:

- i. 14,249 District and Subordinate courts were computerized.
- ii. LAN was installed at 13,683 courts, hardware provided in 13,436 courts and software was installed in 13,672 courts.
- iii. Laptops were provided to 14,309 judicial officers and change management exercise completed in all High Courts.
- iv. Over 14,000 Judicial Officers were trained in the use of UBUNTU-Linux Operating System.
- v. More than 3900 court staff were trained in Case Information System (CIS) as System Administrators.
- vi. Video Conferencing facility was operationalised between 493 court complexes & 347 corresponding jails.

3. The phase II of the eCourts Mission Mode Project was implemented during 2015-2023, which focused mainly on ICT enablement of District & Subordinate Courts and various citizen centric initiatives. Against the financial outlay of Rs.1670 crores, an amount of Rs. 1668.43 crore was spent. Till 2023, 18,735 courts have been computerised. The following initiatives have been undertaken to make justice accessible and available for all stakeholders through digitization of legal procedures, thereby enhancing efficiency and transparency in the legal system: -

- i. Under the Wide Area Network (WAN) Project, connectivity has been provided to 99.4% (2977 out of earmarked 2992) of total Court Complexes across India with 10 Mbps to 100 Mbps bandwidth speed.
- ii. National Judicial Data Grid (NJDG) is a database of orders, judgments, and cases, created as an online platform under the eCourts Project. It provides information relating to judicial proceedings/decisions of all computerized district and subordinate courts of the country. Litigants can access case status information in respect of over 26.06 crore cases and more than 26.91 crore orders / judgments (as on 01.08.2024).
- iii. Case Information Software (CIS) based on customized Free and Open-Source Software (FOSS) has been developed. Currently CIS National Core Version 3.2 is being implemented in District Courts and the CIS National Core Version 1.0 is being implemented for the High Courts.

- iv. 7 platforms have been created to provide real time information on case status, cause lists, judgements etc. to lawyers/Litigants through SMS Push and Pull (2,00,000 SMS sent daily), Email (2,50,000 sent daily), multilingual and tactile eCourts services Portal (35 lakh hits daily), JSC (Judicial Service centres) and Info Kiosks. In addition, Electronic Case Management Tools (ECMT) have been created with Mobile App for lawyers (total 2.47 crore downloads till 30.06.2024) and JustIS app for judges (20,362 downloads till 30.06.2024).
- v. India has emerged as a global leader in conducting court hearing through Video Conferencing. The District & Subordinate courts heard 2,35,64,731 cases while the High Courts heard 87,08,727 cases (totalling 3.22 crore) till 30.06.2024 using video conferencing system. The Hon'ble Supreme Court of India held 7,54,443 hearings through video conferencing till 04.06.2024.
- vi. Live Streaming of court proceedings has been started in High Courts of Gujarat, Gauhati, Orissa, Karnataka, Jharkhand, Patna, Madhya Pradesh, Uttarakhand & Constitutional Bench of Hon'ble Supreme Court of India, thus allowing media and other interested persons to join the proceedings.
- vii. 28 Virtual Courts in 21 States/UTs have been operationalized to handle traffic challan cases. Over 5.26 crore cases have been handled by 28 virtual courts and in over 56 lakhs (56,51,204) cases, online fine of more than Rs. 579.40 crore has been realized till 30.06.2024.
- viii. New e-filing system (version 3.0) has been rolled out for the electronic filing of legal papers with upgraded features. Draft eFiling rules have been formulated and circulated to the High Courts for adoption. A total of 25 High Courts have adopted the model rules of e-Filing as on 30.06.2024.
- ix. e-Filing of cases requires the option for electronic payment of fees which includes court fees, fines and penalties which are directly payable to the Consolidated Fund. A total of 22 High Courts have implemented e-payments in their respective jurisdictions. The Court Fees Act has been amended in respect of 24 High Courts till 30.06.2024.
- x. To bridge the digital divide, 1072 eSewa Kendras have been rolled out with the intention of facilitating the lawyer or litigant who needs any kind of assistance ranging from information to facilitation and eFiling. It also assists the litigants in accessing online eCourts services and acts as a saviour for those who cannot afford the technology or are located in far-flung areas. It also aids to addresses the challenges caused by illiteracy among citizens at large and provides benefits in terms of saving time, avoidance of

exertion, travelling long distances, and saving cost by offering facilities of e-filing of cases across the country, to conduct the hearing virtually, scanning, accessing e-Courts services etc.

- xi. A new "Judgment Search" portal has been started with features such as search by Bench, Case Type, Case Number, Year, Petitioner/ Respondent Name, Judge Name, Act, Section, Decision: From Date, To Date and Full Text Search. This facility is being provided free of cost to all.
- xii. To make effective use of database created through National Judicial Data Grid (NJDG) and to make the information available to public, LED Display Message Sign Board System called "Justice Clock" have been installed. The purpose of Justice Clock is to bring awareness to the public about the Justice Sector. A total of 39 Justice Clocks in 28 High Courts have been installed. A Virtual Justice Clock is also hosted online.

The Union Cabinet on 13.09.2023 has approved Phase-III of eCourts Project, at an outlay of Rs.7,210 crore for a period of 4 years starting from 2023 onwards. The e-Courts Phase-III aims to usher in a regime of maximum ease of justice by moving towards digital, online and paperless courts through digitization of the entire court records including legacy records and by bringing in universalization of e-Filing/ e-Payments through saturation of all court complexes with e-Sewa Kendras. It will put in place intelligent smart systems enabling data-based decision making for judges and registries while scheduling or prioritizing cases. The main objective of the Phase-III is to create a unified technology platform for the judiciary, which will provide a seamless and paperless interface between the courts, the litigants and other stakeholders. The main features of the eCourts Phase-III includes Digitisation of the court records, both legacy records and pending cases; state of the art and latest Cloud based data repository for easy retrieval; e-Sewa Kendras planned to be established at all court complexes across India to provide easy access to the citizen who is not having the necessary know-how or computer equipments; Paperless Courts aiming to bring court proceedings under a digital format leading to transparency and accountability in the Indian Judiciary and speedy disposal of cases; Video conferencing facilities to be expanded to cover district hospitals, more courts and jails, police station, etc.; Live Streaming of court proceedings thereby allowing the stakeholder as well as students to see the live working of the Courts thereby encouraging transparency in the court system; Online Courts aimed at eliminating the presence of litigants or lawyers in the court, thus saving time and money; Online Dispute Resolution to work towards providing an alternative dispute resolution machinery; expansion of scope of Virtual

Courts beyond adjudication of traffic challans. The project will help provide a smoother user experience by building a “smart” ecosystem. Registries will have less data entry and minimal file scrutiny facilitating better decision-making and policy planning. The eCourts Phase-III may prove to be a game changer in ensuring ease of justice by making the Court experience convenient, inexpensive and hassle free to all the citizens of the country.

Under eCourts Phase III, out of Rs. 825 crores allotted in FY 23-24, an expenditure of Rs 768.25 Cr (93.11%) has been made. During FY 2024-25, an allocation of Rs 1500 Cr. in the BE has been received and Rs 465.74 crore has already been released.

(c): The State-wise details of operational eCourts across the country is at Annexure-I.

Annexure-I

Statement referred to in reply of Rajya Sabha Unstarred Question No. 2030 for 08/08/2024 regarding Computerization of courts. The State-wise details of operational eCourts in the country is as under:

S.No	High Court	State	Courts
1	Allahabad	Uttar Pradesh	2222
2	Andhra Pradesh	Andhra Pradesh	617
3	Bombay	Dadra and Nagar Haveli	3
		Deenan and Diu	2
		Goa	39
		Maharashtra	2157
4	Calcutta	Andaman & Nicobar Islands	14
		West Bengal	227
5	Chhattisgarh	Chhattisgarh	434
6	Delhi	Delhi	681
7	Gauhati	Arunachal Pradesh	28
		Assam	408
		Mizoram	69
		Nagaland	37
8	Gujarat	Gujarat	1268
9	Himachal Pradesh	Himachal Pradesh	162
10	Jammu & Kashmir and Ladakh	Union Territory of Jammu & Kashmir and Union Territory of Ladakh	218
11	Jharkhand	Jharkhand	447
12	Karnataka	Karnataka	1031
13	Kerala	Kerala	484
		Lakshadweep	3
14	Madhya Pradesh	Madhya Pradesh	1363
15	Madras	Puducherry	24
		Tamil Nadu	1124
16	Manipur	Manipur	38
17	Meghalaya	Meghalaya	42
18	Orissa	Odisha	686
19	Patna	Bihar	1142
20	Punjab & Haryana	Chandigarh	30
		Haryana	500
		Punjab	541
21	Rajasthan	Rajasthan	1240
22	Sikkim	Sikkim	23
23	Telangana	Telangana	476
24	Tripura	Tripura	84
25	Uttarakhand	Uttarakhand	271
	Total		18735

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 2031

Appointment

ANSWERED ON 08/08/2024

SETTING UP OF A HIGH COURT BENCH IN WESTERN ODISHA

2031. DR. SASMIT PATRA:

Will the Minister of *Law and Justice* be pleased to state:

- (a) whether Government is considering setting up a High Court Bench in Western Odisha;
- (b) if so, the steps being taken in this regard; and
- (c) if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS;

(SHRI ARJUN RAM MEGHWAL)

- (a): No.
- (b): Does not arise.
- (c): High Court Benches are established in accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P.(C) No. 379 of 2000 and after due consideration of a proposal from the State Government which has to provide necessary expenditure and infrastructural facilities, and the consent of the Chief Justice of the concerned High Court.

The Government of Odisha had requested for setting up of Benches of the Orissa High Court in the Western and Southern regions of Odisha. The Government of Odisha was requested to work out details of the proposed Benches including their location in consultation with High Court of Orissa. However, a response is awaited from the State Government.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 2032
ANSWERED ON 08/08/2024

JR

ESTABLISHMENT OF COURTS IN RAJASTHAN

2032.# SHRI CHUNNILAL GARASIYA:

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

- (a) whether Government proposes to provide adequate financial assistance as per the recommendations of the Rajasthan High Court for the establishment of 800 courts, pending due to limited financial resources of the State Government of Rajasthan;
- (b) if so, by when; and
- (c) if not, the reasons therefor?

ANSWER

THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (c): The recommendations from time to time are forwarded by the Rajasthan High Court, to the State Government for establishment of Courts. As on date, recommendations for creation of 928 courts have been forwarded to the State Government by the Rajasthan High Court. The State Government has established around 243 courts at various levels across the State. Further, as informed by the State Government, keeping in mind the availability of financial resources, the pendency of cases, and other factors, the State Government may decide on the other proposals.

The primary responsibility for providing suitable Judicial Infrastructure for the District / Subordinate Courts rests with the State Government. To augment the resources of the State Governments, the Central Government has been administering a Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary by providing financial assistance to the State/UT Governments in the prescribed fund sharing pattern between Centre and States since the year 1993-94. The scheme has five components, viz., court halls, residential units, toilet

complexes, digital computer rooms and lawyers hall. The table indicating the total financial assistance to the State of Rajasthan under the CSS is as under: -

Sl. No.	Year	Total Annual Budget Under the CSS Scheme (Rs. in crore)	Funds released to the State of Rajasthan (Rs. in crore)
1.	1993-94 to 2013-14	3444.3	64.02
2.	2014-15	933.00	0.00*
3.	2015-16	562.99	50.00
4.	2016-17	538.74	43.74
5.	2017-18	621.21	17.34
6.	2018-19	650.00	17.41
7.	2019-20	982.00	64.21
8.	2020-21	593.00	29.90
9.	2021-22	684.14	41.50
10.	2022-23	857.20	71.66
11.	2023-24	1060.16	80.40
12.	2024-25	998.00	29.1750
TOTAL		11924.74	509.355

* Funds could not be released in some years as the State had not utilized the funds released to it in earlier years.

It may be seen from the table above that the State of Rajasthan has received a total of Rs. 509.355 crore since the inception of the scheme in terms of the Central share. Of this, an amount of Rs. 475.33 crore (87.43% of the total funds released to Rajasthan) has been released since April, 2014.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 2034
ANSWERED ON 08/08/2024

JR

GRAM NYAYALAYAS IN BIHAR

2034. SHRI MANOJ KUMAR JHA:

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

- (a) the number of Gram Nyayalayas that have been notified and set up in Bihar and the number out of them currently operational, location-wise;
- (b) the total number of cases filed and currently pending in each of the operational Gram Nyayalayas in Bihar;
- (c) the steps being taken by Government to expedite the resolution of pending cases in the Gram Nyayalayas there;
- (d) whether there are any plans to establish additional Gram Nyayalayas at other locations in Bihar; and
- (e) if so, the details of the proposed locations and the timelines for their establishment?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a): The Gram Nyayalayas Act, 2008 came into effect from 02nd October, 2009 with the avowed objective of providing affordable and quick access to justice to the citizens at their doorsteps. However, the Act does not make establishment of Gram Nyayalayas mandatory for the State Governments. As per Section 3(1) of the Gram Nyayalayas Act, 2008, "*for the purpose of exercising the jurisdiction and powers conferred on a Gram Nyayalaya by this Act, the State Government, after consultation with the HighCourt, may, by notification, establish one or more Gram Nyayalayas for every Panchayat at intermediate level or a group of*

contiguous Panchayats at intermediate level in a district or where there is no Panchayat at intermediate level in any State, for a group of contiguous Gram Panchayats”.

As far as the State of Bihar is concerned, there are no Gram Nyayalayas functioning in the State. Instead, the State has a system of Gram Kutcheharies, as the court of first resort, functioning in every Gram Panchayat, established under the Bihar Panchayati Raj Act, 2006, to adjudicate on local issues and provide legal redressal. These Gram Kutcheharies are democratically elected judicial bodies, presided over by the elected Sarpanch who is assisted by Panchayat Sachiva and Nyay Mitra.

(b) & (c): Does not arise in light of part (a) above.

(d) & (e): As per information provided by the State Government of Bihar, the main reason for non-establishment of Gram Nyayalayas is the likely conflict with and infringement upon the jurisdiction of Gram Kutcheharies established under the Bihar Panchayati Raj Act, 2006. Moreover, the system of Gram Kutcheharies which is working satisfactory does not warrant the setting up of a parallel system.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 2035
ANSWERED ON 08/08/2024

NM

DEVELOPMENT AND RENOVATION OF HIGH COURT OF PUNJAB AND HARYANA

2035. SHRI SATNAM SINGH SANDHU:

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

- (a) the steps taken by Government for development and renovation of High Court of Punjab and Haryana;
- (b) the allocations made towards the same during the last five years;
- (c) whether Government is considering construction/renovation of parking and sewage system in the High Court; and
- (d) the details of proposed plans for development, expansion or renovation of the High Court, if any?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF
LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS**

(SHRI ARJUN RAM MEGHWAL)

(a): The Centrally Sponsored Scheme (CSS) for the development of judicial infrastructure does not cover construction, renovation of High Court buildings. As per information provided by the High Court of Punjab and Haryana, the details of major works/steps taken by the State Governments for the development and renovation of High Court are at *Annexure-I*.

(b): The details of the budget allocation for the last five years are as under:

Sl. No.	Financial Year	Budget Allocation (Rs. in crore)
1.	2019-20	3.49
2.	2020-21	3.31

3.	2021-22	2.60
4.	2022-23	18.54
5.	2023-24	16.18
Total		44.12

Source: High Court of Punjab & Haryana

(c): As per the information provided by High Court of Punjab and Haryana, the Department of Urban Planning has issued conceptual plan for construction of multi-level underground parking, opposite the existing multi-level parking. The proposed project is 3 level underground parking of size 434 feet x 510 feet having parking capacity of appx. 5600 cars. The sewage system is already functional as per present planning. As such there is no new proposal for sewage system.

(d): The details of proposed plans for the development, expansion / renovation of the High Court as provided by the High Court of Punjab and Haryana are at ***Annexure-II***.

STATEMENT REFERRED TO PART (A) OF RAJYA SABHA UNSTARRED QUESTIONS NO. 2035 FOR REPLY ON 08.08.2024

Sl. No.	Major works undertaken in the Hon'ble Punjab and Haryana High Court (showing the year of completion) in the last 20 years:
1.	Multi utility lawyers chamber and multi-level parking (Year 2011).
2.	Auditorium building & parking (Year 2014).
3.	Judges' Library. (Year 2014)
4.	High Court Crèche. (Year 2016)
5.	High Court Guest House (Year 2013).
6.	16 Court Rooms (Year 2012).
7.	04 Court Rooms (Year 2014)
8.	Conversion of rooms into 6 nos. Court Rooms (Year 2015).
9.	Mediation Centre (Year 2008).
10.	Lok Adalat (Year 2009 & 2022)
11.	Indian Law Institute (Year 2011).
12.	High Court Dispensary (Year 2015).
13.	Additional floor on Bar Room (Year 2014).
14.	Record Keeping Judicial Building (Year 2018).
15.	Arbitration Centre (Year 2014).
16.	High Court Museum (Year 2005).
17.	Store & Drivers' Shed building (Year 2006).
18.	Secretaries Cabin (Year 2012, 2013 & 2014).
19.	Electricity Sub Station (Year 2006).
20.	Restoration of heritage part of the High Court premises (Year 2018).
21.	Renovation of the existing buildings / rooms has been undertaken based on the requirement of High Court on year to year basis.

STATEMENT REFERRED TO PART (D) OF RAJYA SABHA UNSTARRED QUESTIONS NO.2035 FOR REPLY ON 08.08.2024

<p>Expansion Plan: Holistic Plan Development of Punjab and Haryana High Court.</p>	<p>Proposal prepared by consultant for 3 lakh sqft. area as per Design competition organize and as per scope of work finalized by Hon'ble Punjab and Haryana High Court in 4 no. building blocks comprises of 20 court rooms for Hon'ble Judges, Working area for Judicial and General branches, Working area for the offices for Lawyers, Space for Bar Council along with other facilities such as bank, post office, spaces for employees, canteen, space for typist and Oath Commissioner, parking for 804 cars and 615 two wheelers.</p>
<p>Expansion of building adjacent to Security Personnel building near Open Hand Monument.</p>	<p>Proposal with area of 27337 sq.ft. for accommodating 249 officials in 5-6 halls has been prepared.</p>
<p>Multilevel Underground Parking</p>	<p>Proposal for Multilevel Underground Parking has been prepared in 3 level with total area of 11,56,540 sqft. area accommodating 3075 cars in Ist Phase and 6235 cars in Puzzle System.</p>
<p>Renovation Plan (Drawings Issued)</p>	<p>i. Iron Grill Fencing all around the perimeter of Hon'ble High Court.</p> <p>ii. Providing of workstations in confidential/ gazette-I and Cash Branches of High Court</p> <p>iii. Permission to utilize the corridor like spaces at 1, 2nd and 3rd floor of Old Lawyers Chamber building (above SBI) for keeping computers with internet facility.</p> <p>iv. Expansion of DRR Branch for implementation of e-filing and provision of more workstations in DRR and CRC Branch.</p> <p>v. Barrier free Provisions for differently abled persons in all buildings of Punjab and Haryana High Court (except Main High Court Heritage Block).</p> <p>vi. Extension of existing partitions in the Registrar Offices in main Heritage Block of Punjab and Haryana High Court.</p>

vii. Exploring feasibility for providing additional lift at Gate no. 6 having access to all the floors of Extension Block Building.

viii. Beautification! Improvement of Advocates corridor in Punjab and Haryana High Court

ix. Re-modelling of parking area at gate no.5 in the High Court premises.

x. Provision/ Installation of covered racks/ cupboards for keeping record of Judicial Officers in Vigilance Branch of this Hon'ble Court.

xi. Setting up of gymnasium for Hon'ble Judges.

xii. Expansion of Physiotherapy at the top floor of Judges Library.

xiii. Provision of washroom/ toilet in Physiotherapy Centre

xiv. Renovation of washrooms behind cafeteria on Annexe Building.

xv. Provision of cabins for Drivers at Gate no.6.

xvi. Repair/ renovation of washroom in the 3rd floor of Lawyer Chamber Block.

xvii. Remodelling/ Upgradation of reception counter at Gate No.1.

xviii. Renovation of washroom attached with Chambers of Court room no.16.

xix. Display Hoardings relating to Mediation.

xx. Landscaping/ Beautification works of Lawns.

xxi. Remodelling of Parking Area at Gate no. 6.

xxii. Raising of additional structure on the both side for keeping Judicial record in Judicial Archives Building.

xxiii. Provision of cabins in existing Mediation and Conciliation Centre in Room no. B-19.

xxiv. Additions/ Alterations in Secretary Cabins in room nos. B-10, B-11, B-12, B-16, B-17, B-22, B-23, B-24, B-28, B- 29.

xxv. Beautification of accent wall in the corridor near Pantry

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

RAJYA SABHA

J-I

UNSTARRED QUESTION NO. 2036

ANSWERED ON 08/08/2024

Using regional languages in courts

2036. Dr. Dharmasthala Veerendra Heggade:

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

- (a) whether the inability to explain principles of law to the general public in simpler terms was shortcoming of the legal profession and education;
- (b) if so, whether Government proposes to use regional languages in legal proceedings to make the case understandable for general litigants and if so, the details thereof;
- (c) whether Government has received any request for establishment of a permanent bench of the Supreme Court at Bengaluru and if so, details thereof and view of Government thereon; and
- (d) the steps taken to mitigate transportation problems and language issues faced by litigants from southern part of the country?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN
THE MINISTRY OF PARLIAMENTARY AFFAIRS**

(SHRI ARJUN RAM MEGHWAL)

(a) & (b): Article 348(1)(a) of the Constitution of India states that all proceedings in the Supreme Court and in every High Court, shall be in English language. However, Article 348 (2) of the Constitution of India provides that the Governor of a State may, with the previous consent of the President,

authorize the use of Hindi Language, or any other language used for any official purposes of the State, in proceedings in the High Court having its principal seat in that State. Further, Section 7 of the Official Language Act, 1963 states that the Governor of a State may, with the previous consent of the President, authorize the use of Hindi or the official language of the State, in addition to the English Language, for the purposes of any judgment, decree or order passed or made by the High Court for that State and where any judgment, decree or order is passed or made in any such language (other than the English Language), it shall be accompanied by a translation of the same in the English Language issued under the authority of the High Court.

The Committee of the Cabinet appointed to consider the different aspects of the official language policy in its meeting held on 21.05.1965 has stipulated that consent of the Hon'ble Chief Justice of India be obtained on any proposal relating to use of a language other than English in the High Court.

The use of Hindi in the proceedings of High Court of Rajasthan was authorized under Article 348(2) of the Constitution in 1950. After the Cabinet Committee's decision dated 21.05.1965 as mentioned above, the use of Hindi was authorized in the High Courts of Uttar Pradesh (1969), Madhya Pradesh (1971) and Bihar (1972) in consultation with the Chief Justice of India.

Government of India had received proposals from the Government of Tamil Nadu, Gujarat, Chhattisgarh, West Bengal and Karnataka to permit use of Tamil, Gujarati, Hindi, Bengali and Kannada in the proceedings of the Madras High Court, Gujarat High Court, Chhattisgarh High Court, Calcutta High Court and Karnataka High Court respectively. The advice of Chief Justice of India was sought on these proposals as per the Cabinet Committee's decision taken in 1965 and the Chief Justice of India vide his D.O. letter dated 16.10.2012

intimated that the Full Court in its meeting held on 11.10.2012, after due deliberations, decided not to accept the proposals.

Based on another request from the Government of Tamil Nadu, the Government requested the Chief Justice of India to review the earlier decisions in this regard and convey the consent of the Supreme Court of India in July, 2014. The Chief Justice of India vide his D.O. letter dated 18.01.2016 conveyed that the Full Court, after extensive deliberations, unanimously resolved that the proposals could not be accepted.

(c): Article 130 of the Constitution of India provides that the Supreme Court shall sit in Delhi or in such other place or places as the chief Justice of India may, with the approval of the President, from time to time, appoint. Based on the representations received from time to time from various quarters for establishment of Benches of Supreme Court in various parts of the Country as well as the 125th report of the Eleventh Law Commission titled "the Supreme Court – A Fresh Look", the matter was referred to the Chief Justice of India, who informed that after consideration of the matter, the Full Court in its meeting held on 18th February, 2010, found no justification for setting of benches of the Supreme Court outside Delhi.

In Writ Petition WP(C) No. 36/2016 on establishment of National Court of Appeal, the Supreme Court vide its judgement dated 13.07.2016 deemed it proper to refer the aforementioned issue to Constitutional Bench of authoritative pronouncement. The matter is currently sub-judice in the Supreme Court.

(d): In order to make the judicial proceedings and judgments more comprehensive for the grasp of common citizen, specific efforts have been made for translation of proceedings and judgments from English to other regional languages. As informed by the Supreme Court of India, Hon'ble Chief

Justice of India has constituted the AI Assisted Legal Translation Advisory Committee, headed by Hon'ble Mr. Justice Abhay S. Oka, Judge, Supreme Court of India, for translation of e-SCR Judgments into vernacular languages by using AI Tool. As on 02.12.2023, by using AI translation tools, 31,184 judgments of Supreme Court, have been translated into 16 languages viz. Hindi (21,908), Punjabi (3,574), Kannada (1,898), Tamil (1,172), Gujarati (1,110), Marathi (765), Telugu (334), Malayalam (239), Odia (104), Bengali (39), Nepali (27), Urdu (06), Assamese (05), Garo (01), Khasi (01), Konkani (01). The details of the judgments of Supreme Court translated into 16 languages, as on 02.12.2023, is available on the e-SCR Portal of the Supreme Court website.

A similar Committee has been constituted in all the High Courts, headed by the Judges of the respective High Courts. As of now, the Supreme Court is collaborating with the High Courts in translation of e-SCR Judgments into 16 vernacular languages. As per the information received from the High Courts, 4,983 judgments have been translated into vernacular language and uploaded by the High Courts on their respective websites.

Under the aegis of the Ministry of Law and Justice, the Bar Council of India has constituted 'Bharatiya Bhasha Samiti' chaired by former Chief Justice of India, Hon'ble Mr. Justice S.A. Bobde. The committee is developing a Common Core Vocabulary close to all Indian languages for the purpose of translating legal material into regional languages.

A limited Glossary has also been developed so far in few Regional Languages viz., Gujarati, Malayalam, Marathi, Punjabi, Tamil, Telugu and Urdu. These Glossaries are available on the website of the Legislative Department on the web link <http://legislative.gov.in/glossary-in-regional-language/> for the use of all stakeholders of the legal system.

7

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 2037

ANSWERED ON 08/08/2024

Post-retirement freezing period for Judges

J-I

2037. Shri P. Wilson :

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

- (a) whether Government has considered bringing a freezing period for Judges to join political organizations, tribunals, quasi-judicial bodies and Government bodies after retirement/ resignation/ voluntary retirement, if so, details thereof;
- (b) if not, reason therefor;
- (c) details of steps taken to make virtual court mandatory across High Courts, Supreme Court, District Courts and Tribunals constituted under act of Parliament considering huge investment made to establish infrastructure facilities;
- (d) whether any steps have been taken to ensure periodical maintenance of infrastructural facilities, including upgradation; and
- (e) if so, details of grants provided to High Court, Supreme Court, District Court and Tribunals, if not, reason therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN
THE MINISTRY OF PARLIAMENTARY AFFAIRS;

(SHRI ARJUN RAM MEGHWAL)

(a) & (b) Article 124(7) of the Constitution of India prohibits a retired Judge of the Supreme Court to plead or act in any Court or before any authority within the territory of India. Similarly, Article 220 of the Constitution prohibits a retired Judge of a High Court to plead or act in any Court or before any authority in India except the Supreme Court and the other High Courts. These restrictions are based on legal ethics, i.e. a person who has held office of a Judge in Supreme Court or High Court shall not plead or act before any authority where he is capable of influencing decisions.

There are series of Parliamentary enactments in which provisions have been made that the post of Chairman of Tribunal/Commission can be filled up either by appointing a sitting Judge or a person qualified to be judge of the Supreme Court/High Court or by Judges retired from Supreme Court, High Court and the State Judicial Services. The retired Judges represent a pool of talent, well versed in the art of adjudication and conversant with the process of delivering justice. Therefore, their services are often utilized by the Union/State Governments by appointing them to various Tribunals, Commissions of Inquiries, etc.

(c) The establishment of Virtual Court is an administrative matter which falls strictly within the purview and domain of the concerned High Court. The Central Government has no direct role in the matter. Department of Justice in association with eCommittee, Supreme Court of India has been implementing eCourts Mission Mode Project in a decentralized manner through respective High Courts. The eCommittee, Supreme Court of India is responsible for the policy planning, strategic direction and guidance for implementation of eCourts project. It is pertinent to mention that the Hon'ble Supreme Court of India, in its judgment in the case of Sarvesh Mathur vs The Registrar General, High Court of Punjab & Haryana [WP (Cr.) No. 351 of 2023] has issued directions for increasing the utilization of video conferencing. In addition, the Apex Court, in its judgment in

the case of The State of Uttar Pradesh & Ors. versus Association of Retired Supreme Court and High Court Judges at Allahabad & Ors [Civil Appeal Nos 23-24 of 2024] has endorsed a Standard Operating Procedure (SOP) specifically addressing the appearance of Government Officials before the Courts, which emphasizes allowing the Government officials, as a first option, to appear before the courts through video conferencing, thus saving huge official time spent in appearing in-person.

(d) & (e) The primary responsibility for providing suitable Judicial Infrastructure to the District / Subordinate Courts rests with the State Governments. However, to augment the resources of the State Governments, the Central Government has been administering a Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for subordinate judiciary by providing financial assistance to the State/UT Governments in the prescribed fund sharing pattern between Centre and States since the year 1993-94. The scheme has five components, viz., court halls, residential units, toilet complexes, digital computer rooms and lawyers hall. As per the guidelines, routine maintenance is not covered under the scheme. However, major renovation/upgradation of the existing structures are allowed under the scheme.

Since inception of the scheme in 1993-94, the Central Government has released Rs. 11332.975 crore under this Scheme to various States/UTs. Further, since 2021-22 till date, the Central Government has released Rs. 3007.73 crore under this Scheme to various States. As per the CSS guidelines, the Central Assistance to the States / UTs is restricted to the budgetary provision available under the Scheme during the financial year. However, States / UTs are at liberty to spend additional amount as per their requirement from their own resources. The fund releases to States/UTs over the years under the scheme is given below:

Sl. No.	Year	Releases under the Scheme (Rs. in crore)
1.	1993-94 to 2013-14	3444.3
2.	2014-15	933.00
3.	2015-16	562.99
4.	2016-17	538.74
5.	2017-18	621.21
6.	2018-19	650.00
7.	2019-20	982.00
8.	2020-21	593.00
9.	2021-22	684.60
10.	2022-23	857.20
11.	2023-24	1060.16
12.	2024-25 as on	405.775
TOTAL		11332.975

In addition to the above, the eCourts Mission Mode Project Phase I and Phase II were meant for the ICT development of the District & Subordinate Courts only. The Supreme Court and the High Courts did not form part of the project. Tribunals are outside the purview of eCourts project and they fall under the domain of respective Ministries. However, funds to all Subordinate Courts

were provided through the concerned High Courts only, as they are the implementing agency under the eCourts Project. In Phase II of the project, against an outlay of Rs.1670 crore, an amount of Rs. 1668.43 crore was spent. The Union Cabinet on 13.09.2023 has approved the Phase-III of eCourts Project, at an outlay of Rs.7,210 crore for a period of 4 years starting from 2023 onwards. Under eCourts Phase III, out of Rs. 825 crores allotted in FY 23-24, an expenditure of Rs 768.25 Cr (93.11%) has been made. During FY 2024-25, a budget allocation of Rs 1500 Cr. in the BE has been received and Rs 465.74 has already been released.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 2038
ANSWERED ON 08/08/2024

JK

DEVELOPMENT OF INFRASTRUCTURE FACILITIES FOR THE JUDICIARY

2038. SMT. SULATA DEO:

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

- (a) the funds allocated to the State of Odisha under the Centrally Sponsored Scheme (CSS) for development of Infrastructure facilities for the judiciary in the last five years;
- (b) whether Government is considering the introduction of collaborative initiatives with private stakeholders to enhance and develop the judicial infrastructure; and
- (c) whether, considering the needs of differently-abled individuals and vulnerable populations, is there a provision under this scheme to make the infrastructure more inclusive?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

- (a): The primary responsibility for providing suitable Judicial Infrastructure to the District / Subordinate Courts rests with the State Governments. However, to augment the resources of the State Governments, the Central Government has been administering a Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for subordinate judiciary by providing financial assistance to the State/UT Governments in the prescribed fund sharing pattern between Centre and States since the year 1993-94. The scheme has five components, viz., court halls, residential units, toilet complexes, digital computer rooms and lawyers hall.

The funds sanctioned to the State of Odisha under the Centrally Sponsored Scheme (CSS) for development of infrastructure facilities for the judiciary in the last five years and the current financial year is as under:

(Rs. in crore)

2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	Total
35.69	0.00	0.00	30.69	30.88	34.48	131.74

(b): No such proposal is under consideration.

(c): As per the CSS guidelines, the State / UTs have to ensure that the infrastructure projects being taken up under the scheme are friendly towards the differently abled and meet the requisite norms / accessibility standards as laid down by CPWD / Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment. A certificate to this effect is also required to be duly submitted by the States / UTs. Among the norms and specifications listed out in the guidelines, facilities for adequate size of ramps with proper handrails, warning tiles etc. have been specifically provided.

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

RAJYA SABHA
UNSTARRED QUESTION NO. 2039
ANSWERED ON 08/08/2024

✓
Impl. Sec. (LA)

Crisis of funds in NLUs

2039. Shri Ravi Chandra Vaddiraju:

Will the Minister of Law and Justice be pleased to state:

- (a) whether National Law Universities (NLUs) are facing day-to-day funding problems, if so, the details thereof;
- (b) whether it is a fact that this problem is going to multiply as the State withdraws its funding and leave them to generate their own resources; and
- (c) if so, the details thereof and steps being taken in this regard?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN
THE MINISTRY OF PARLIAMENTARY AFFAIRS**

(SHRI ARJUN RAM MEGHWAL)

(a) to (c) The National Law Universities (NLUs) have been established under the respective Acts enacted by the respective State Legislatures and as such they are the State Universities. They are benefitted from allocations of land, infrastructure support, financial grants and other development assistance from the State Governments, besides generating their own revenues. Being creations of State legislations, funding issues relating to NLUs fall within the purview of the concerned NLUs and respective State Governments.

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

**RAJYA SABHA
UNSTARRED QUESTION NO. 2040**

ANSWERED ON 08/08/2024

Impd. Sec. (L.A.)

Accessibility for PWDs in legal profession

2040. **Smt. Phulo Devi Netam:**

Will the Minister of **Law and Justice** be pleased to state:

- (a) the number and details of law schools which have provided intimation to the Bar Council of India (BCI) about a list of disabled persons admitted to each course every year;
- (b) the initiative, if any, undertaken by the BCI in the last three years to ensure accessibility for persons with disabilities (PWDs) in law schools; and
- (c) whether the BCI has an Equal Opportunity Policy as required under Section 21 of the Right of Persons with Disabilities Act, 2016?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN
THE MINISTRY OF PARLIAMENTARY AFFAIRS**

(SHRI ARJUN RAM MEGHWAL)

(a) The Bar Council of India (BCI) has no specific data available with them regarding list of disabled persons admitted to each course, every year.

(b) Over the past three years, the Bar Council of India has undertaken several initiatives to promote accessibility for persons with disabilities in law schools. The BCI mandates that all institutions seeking approval for their law programs must demonstrate compliance with accessibility standards. This includes the installation of ramps, lifts, and other facilities to accommodate students with physical disabilities. Additionally, law schools are required to provide accessible learning materials, such as Braille books and digital resources, to ensure that students with visual impairments can fully participate in their courses.

The BCI also monitors compliance through periodic inspections and feedback mechanisms to ensure that legal education institutions are continuously improving their facilities and

services for students with disabilities. These measures are designed to create an inclusive educational environment that supports the diverse needs of all students.

Furthermore, Bar Council of India has requested and directed all the Centres of Legal Education to make provisions to equip them with the appropriate facilities in terms of the physical infrastructure, academic infrastructure and any other facilities required for the effective participation of disabled students, teachers and staff in their respective activities by construction of ramps, installation of elevators or lifts with auditory signals for visually impaired persons, and incorporate Braille symbols to make the college accessible for differently abled students.

(c) Regarding the Equal Opportunity Policy, the Bar Council of India operates with a commitment to ensuring equal opportunities for all candidates, including those with disabilities, as required under Section 21 of the Rights of Persons with Disabilities Act, 2016. The BCI's approach ensures that there is no differential treatment in the legal education and profession.

The Bar Council of India is committed to promoting accessibility and equal opportunities within the legal profession. Through its regulatory framework, monitoring practices, and specific accommodations in examinations, the BCI strives to support and facilitate the inclusion of persons with disabilities in legal education and in the broader legal field.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 2048
ANSWERED ON 08/08/2024

A25

Accessibility of justice to socially and economically backward classes

2048. **Shri Ryaga Krishnaiah:**

Shri Golla Baburao:

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

- (a) whether any efforts are being made by Government to ensure easy, accessible and affordable judicial system for the people belonging to socially and economically backward classes;
- (b) if so, the details thereof and if not, the reasons therefor; and
- (c) whether the court premises and proceedings have become more accessible for Persons with Benchmark Disabilities, if so, the details thereof and if not, the manner in which Government proposes to do the same?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS
(SHRI ARJUN RAM MEGHWAL)**

(a) & (b): The efforts made by the Government to ensure an easy, accessible, and affordable judicial system for people belonging to socially and economically backward classes are as follows:

- i. The Legal Services Authorities (LSA) Act, 1987 has been enacted to provide free and competent legal services to socially and economically backward classes, including beneficiaries covered under Section 12 of the Act which includes - (a) a member of a Scheduled Caste or Scheduled Tribe; (b) a victim of trafficking in human beings or begar as referred to in article 23 of the Constitution; (c) a woman or a child; (d) a person with disability (e) a person under circumstances of underserved want such as being a victim of a mass disaster, ethnic, violence, caste atrocity, flood, drought, earthquake or industrial disaster; or (f) an industrial workman; or (g) in custody, (h) in receipt of annual income less than rupees nine thousand or such other higher amount

as may be prescribed by the State Government to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

- ii. Under the aegis of the Legal Services Authorities Act, Lok Adalats are organized to promote justice on the basis of equal opportunities. Lok Adalats provide an affordable, accessible, and speedy justice delivery system. Legal services institutions have been set up from the Taluk Court level to the Supreme Court for this purpose.
- iii. 18.86 lakh persons have been provided with free legal services, and 12.08 crore cases (pending in courts and disputes at the pre-litigation stage) have been settled through Lok Adalats during the period from April 2023 to June 2024.
- iv. In addition, the Government has been implementing the Nyaya Bandhu (Pro Bono Legal Services) program to link persons eligible for free legal aid under Section 12 of the LSA Act, 1987, with pro-bono lawyers. 11,227 pro bono advocates have been registered under the program and 3,474 cases have been registered by the beneficiaries.
- v. The Tele-law program, run by the Government, provides legal advice to the public including persons entitled to free legal aid under Section 12 of the LSA Act, 1987, at the pre-litigation stage by Panel Lawyers through the Common Service Centers (CSCs) at the Panchayats. Tele-law has served more than 93.19 lakh beneficiaries till date.

(c) The responsibility for developing infrastructure facilities, including ensuring accessibility for persons with benchmark disabilities, primarily rests with the respective State Governments. The Central Government supplements the resources of the States through the Centrally Sponsored Scheme (CSS) for Judicial Infrastructure in District and Subordinate Courts. Under the CSS for the development of infrastructure facilities for the Judiciary, funds are provided for constructing court buildings, essential units, lawyers' halls, toilet complexes, and digital computer rooms for the convenience of lawyers and litigants. However, funds are released to the States/UTs only when their project proposals comply with accessibility norms for persons with disabilities, as laid down by CPWD/Department of Empowerment of Persons with Disabilities, Ministry of Social Justice and Empowerment. A certificate to this effect is also required from the States as part of the CSS guidelines. Under the Scheme, the States have the liberty to provide additional facilities, including those that facilitate easy accessibility for persons with benchmark disabilities to the court premises.

The eCourts Integrated Mission Mode Project is a national eGovernance initiative aimed at facilitating faster case disposal and enhancing accessibility to the judicial proceedings. The eCourt project addresses accessibility issues with various digital interventions involving process reforms, advanced technology features, and support systems. These features remove structural and systemic barriers, facilitating easy access to services, particularly for persons with disabilities. The eCourts Services Portal and Mobile App offer 24/7 access to case status, orders, and judgments, which helps individuals avoid physical visits to courts. ePayments enable electronic payment of court fees and fines, reducing the need for in-person transactions. Virtual Courts handle traffic violation cases online, operational in 28 courts across 21 States/UTs, eliminating the need for physical presence. Video conferencing allows online trial attendance, reducing travel costs and time. Live streaming provides remote access to court proceedings for those unable to attend in person. eFiling eliminates the need for physical document submission, besides reducing the errors. eSewa Kendras, with 1072 centers operational, offer judicial services, especially benefiting those need help in accessing the services and those without technology access. The NJDG platform increases transparency by making case information publicly accessible, and NSTEP offers real-time status updates for process serving, enhancing accessibility for all, including those with disabilities. These initiatives remove structural barriers, making court procedures more accessible, reducing associated costs and time, and creating systematic changes to benefit persons with disabilities.
