2020

RAJYA SABHA REPLIES

Budget Session – Two Hundred and Fifty First Session of the Rajya Sabha

[31st January, 2020 to 3rd April, 2020]

INDEX

Sl.No.	Question No.	Question Type	Date	Subject	Division	Page No.
1.	587	Unstarred	06.02.2020	Launch of SUVAS APP	Justice.I	1
2.	588	Unstarred	06.02.2020	Vision document of NALSA	LAP/A2J	4
3.	589	Unstarred	06.02.2020	Backlog of cases in the Supreme Court of India	NM	7
4.	590	Unstarred	06.02.2020	Disposal of cases by various courts	NM	9
5.	591	Unstarred	06.02.2020	Vacant post of Judges in courts	Appointment Division	12
6.	592	Unstarred	06.02.2020	ICT enabled courts in country	eCourts	14
7.	594	Unstarred	06.02.2020	Timely disposal of court cases	NM	17
8.	595	Unstarred	06.02.2020	Budget for upgradation of courts	JR Desk	21
9.	596	Unstarred	06.02.2020	Slow disposal of Judicial cases	A2J/LAP	23
10.	598	Unstarred	06.02.2020	e-Courts in the country	eCourts	25
11.	156	Starred	05.03.2020	Pendency of cases in Supreme Court/High Courts	NM	28
12.	159	Starred	05.03.2020	Delayed justice delivery in crimes against women	NM	34
13.	163	Starred	05.03.2020	Disposal of pending cases	NM	37
14.	1701	Unstarred	05.03.2020	Pending cases against legislators and MPs	NM	41
15.	1702	Unstarred	05.03.2020	Infrastructure facilities for judiciary in Maharashtra	NM	43
16.	1703	Unstarred	05.03.2020	Judge-population ratio	NM	48
17.	2166	Unstarred	12.03.2020	Slow-paced justice delivery system	NM	53
18.	2167	Unstarred	12.03.2020	Memorandum of Procedure for appointment of judges	Appointment of Division	58

Sl.No.	Question No.	Question Type	Date	Subject	Division	Page No.
19.	2168	Unstarred	12.03.2020	Loopholes in judicial system against justice delivery	NM	60
20.	2170	Unstarred	12.03.2020	Cases pending in lower judiciary	NM	62
21.	2174	Unstarred	12.03.2020	Regional Benches of Supreme Court/High Courts	Appointment Division	66
22.	2176	Unstarred	12.03.2020	Fast Track Courts in Gujarat	Justice.II	70
23.	2177	Unstarred	12.03.2020	Timeline for appointment of judges in High Courts	Appointment Division	72
24.	2178	Unstarred	12.03.2020	Development of infrastructure facilities for Judiciary in Gujarat	JR Desk	74
25.	2179	Unstarred	12.03.2020	Establishment of National Courts of Appeals	Appointment Division	76
26.	277	Starred	19.03.2020	All India Judicial Services Exams	NM	78
27.	2975	Unstarred	19.03.2020	Requirement of changes in judicial system	NM	81
28.	2976	Unstarred	19.03.2020	Appointment of judges in lower judiciary	NM	84
29.	2977	Unstarred	19.03.2020	Suggestion of Law Commission on judges to population ratio	NM	89
30.	2979	Unstarred	19.03.2020	Consensus on All India Judicial Service	NM	91
31.	2980	Unstarred	19.03.2020	Fast Track Special Courts for POCSO Cases	Justice.II	99
32.	2982	Unstarred	19.03.2020	Change in the name of 'Bombay High Court' to 'Mumbai High Court'	Appointment Division	101
33.	2985	Unstarred	19.03.2020	e-Courts in the country	eCourts	103

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Justice-I

RAJYA SABHA

UNSTARRED QUESTION NO. 587

TO BE ANSWERED ON THURSDAY, THE 06th FEBRUARY, 2020

LAUNCH OF SUVAS APP

587 DR. VIKAS MAHATME:

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

a) by when the newly launched 'Supreme Court Vidhik Anuvaad Software' (SUVAS) App launched by the Supreme Court would be operational;

b) in how many languages the app would provide updates regarding the legal procedures;

c) whether there are provisions for access to information by the visually challenged as well, if not, the reasons therefor; and

d) whether any other new digitization initiatives are going to be taken to increase access to legal information for all Indians including print disabled citizens in the near future?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a) With a view to enable common people of India to understand the judgments of Supreme Court in easy manner in local languages, SUVAS (Supreme Court Vidhik Anuvaad Software) has been developed as a path breaking initiative by the Supreme Court of India in collaboration and with technical support from the Ministry of Electronics

and Information Technology, Government of India aided by experts from IIT and IIIT.

This pilot development of SUVAS is at present in testing, training and refinement phase in 18 High Courts in the country. The work covers translating judgments related to cases arising under the appellate jurisdiction of the Supreme Court of India in relation to the following subject categories:

1. Labour matters;
2. Rent Act matters;
3. Land Acquisition and Requisition matters;
4. Service matters;
5. Compensation matters;
6. Criminal matters;
7. Family Law matters;
8. Ordinary Civil matters;
9. Personal Law matters;
10. Religious and Charitable Endowments matters;
11. Simple money and Mortgage matters;
12. Eviction under the Public Premises(Eviction) Act matters;
13. Land Laws and Agriculture Tenancies; and
14. Matters relating to Consumer Protection.

The translation is functional from English language into Hindi, Bengali, Gujarati, Kannada, Malayalam, Marathi, Punjabi, Tamil and Telugu languages. Once the pilot phase of testing, training and refinement, as mentioned above, is completed, and the facility becomes functional, it would be rolled out fully in the relevant High Courts.

(b) The Official Multilingual Mobile App of Supreme Court of India, provides updates about the legal proceedings in six languages i.e. English, Hindi, Kannada, Marathi, Tamil and Telugu.

(c) At present the Official Mobile App of Supreme Court is not separately equipped with accessibility of information to visually impaired.

(d) Through computerization of 16,845 District & Subordinate Courts and ICT enablement under the eCourts Project Phase-II, several services have been provided to litigants, lawyers and Judiciary which facilitate expeditious delivery of judicial services. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centers (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Integration of eCourts Services through Common Service Centers (CSCs) has been successfully completed. eCourt CNR Service has been enabled through Digital Seva Portal in all CSC locations across the country. National Judicial Data Grid (NJDG) for District & Subordinate Courts, created as an online platform under the Project, provides information relating to judicial proceedings/decisions of computerized district and subordinate courts of the country. Currently, all stakeholders including Judicial Officers can access case status information in respect of over 12.97 crore pending and disposed cases and more than 11.15 crore orders / judgments pertaining to these computerized courts. Video Conferencing facility has been enabled between 3240 court complexes & 1272 corresponding jails.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE
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RAJYA SABHA

UNSTARRED QUESTION NO. 588

TO BE ANSWERED ON THURSDAY, THE 6th FEBRUARY, 2020

Vision document of NALSA

588. SHRIMATI VIJILA SATHYANANTH:

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

(a) whether Government is considering to implement the vision document brought out by the National Legal Services Authority of India (NALSA) for providing early legal aid to the poor;

(b) if so, the details thereof;

(c) whether Government is considering to strengthen the legal services clinics in jails and spreading legal aid to aspirational districts so that no poor is denied justice; and

(d) if so, the details thereof?

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a)&(b) National Legal Services Authority (NALSA) has prepared a vision document (called Vision 2020) of promoting inclusive legal system by strengthening and improving the delivery of legal services to the weaker and marginalised section of society, with better responsiveness at the ground level. The Vision 2020 consists of the following goals and the legal services authorities will be implementing the various activities envisaged under these goals to achieve the vision:

(i) To increase quality of legal aid in court based matters.

(ii) Enhancing legal assistance to prisoners.

(iii) Strengthening Front Offices and Legal Services Clinics.

(iv) Maximizing Access to Justice by coordinating with Law Colleges and NGOs.

(v) Target oriented outreach programmes aligned with local needs.

(vi) Legal assistance to Victims of Crime.

(vii) Strengthening Lok Adalats.

(viii) Promoting Legal assistance at early stages of Criminal Justice.

(c)&(d)Legal Services Institutions have been set up under the Legal Services Authorities Act, 1987 at all levels from Taluk Courts to Supreme Court for providing free legal services to the persons eligible under Section 12 of the said Act. The Legal Services Institutions have set up Front Offices to provide legal advice to the visitors. More than 23,000 Legal Services Clinics have also been set up in Jails, courts, Juvenile Justice Boards (JJBs), community centres, villages/rural areas and law colleges/universities. In these centres, free legal services are provided. To strengthen Front Offices and Legal Services Clinics, NALSA has following vision:

(i) Engaging Front Office coordinators and Front Office lawyers.

(ii) Maintaining data of legal aided cases & applications and daily cause lists of legal aided cases at Front Offices.

(iii) Increasing the frequency of functional days of legal services clinics in 115 aspirational districts.

(iv) Dedicating one Clinic exclusively for women in each of the 115 aspirational districts.

In addition, Tele-Law programme of Department of Justice which identifies and connects citizens in need of Legal advice with lawyers through phone or video

conferencing facility, has been launched in 115 aspirational districts of the country from September, 2019.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 589

TO BE ANSWERED ON THURSDAY, THE 06th FEBRUARY, 2020.

Backlog of cases in the Supreme Court of India

589. SHRI K.K.RAGESH:

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

(a) the details about backlog of cases in the Supreme Court of India;

(b the reasons therefor;

(c) whether establishing Supreme Court benches outside Delhi is under consideration; and

(d) if so, the details thereof?

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) :As per information available on the website of the Supreme Court of India 59,859 cases were pending in Supreme Court of India as on 02.01.2020.

(b): So far as reasons for pendency of cases in the Supreme Court are concerned, there is no conspicuous reason which can be depicted for pendency of cases. However, with the increase in the population of the country and awareness of their rights amongst the public, filing of fresh cases is increasing year after year. Another reason for pendency of cases is inadequate number of Judges/population ratio in the country and also the insufficient strength of Judges.

(c) & (d): According to Article 130 of the Constitution, 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.

Representations have been received at various times from various quarters for establishment of Benches of Supreme Court in various parts of the country. The Law Commission, in its 229th Report 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, the Southern region at Chennai, Hyderabad, the Eastern region at Kolkata and the Western region at Mumbai.

However, the idea of a separate Bench of Supreme Court outside Delhi has not found favour with the Supreme Court of India. A Writ Petition (Civil) No.36 of 2016 has been filed in the Supreme Court on the subject of establishment of National Court of Appeal.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 590

TO BE ANSWERED ON THURSDAY, THE 06th FEBRUARY, 2020.

Disposal of cases by various courts

590. SHRI VIJAY PAL SINGH TOMAR:

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

(a) the details of various types of Judicial Magistrate courts, etc. particularly Morning/Evening and Special Courts functioning in the country as on date, State-wise;

(b) the total number of cases disposed of by these courts during each of the last three years, State-wise; and

(c) whether Government has issued any direction to State Governments for setting up of more such courts in their States and if so, the details thereof, State-wise?

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) : As per information received from High Courts there are five states viz. Gujarat, Tamil Nadu, Andhara Pradesh, Delhi and Telangana where Morning/ Evening courts are functional. 341 Morning/Evening/Holiday courts were functioning at the start of the year.

A total of 10 Special Courts are functional in 09 States [NCT of Delhi-02, Andhra Pradesh-01, Telangana-1, Karnataka-1, Tamil Nadu-1, Maharashtra-1, Madhya Pradesh-1, Uttar Pradesh-1, and West Bengal-1] for expeditious trial and disposal of

criminal cases involving elected Members of Parliament(MP) /Members of Legislative Assemblies(MLA).

(b): The number of cases disposed of by Morning /Evening Courts during last three years is as under:-

Year	**No. of cases disposed of**
2016	518768
2017	518311
2018	550317
1.1.19 to 30.6.19	281401

The number of cases disposed of by MP/MLA Special Courts is in the **Annexure.**

(c): In pursuance to the Criminal Law (Amendment) Act, 2018, the Union of India, has finalized a scheme for setting up of a total of 1023 Fast Track Special Courts (FTSCs) across the country for expeditious trial and disposal of pending cases pertaining to Rape and Prevention of Children from Sexual Offences (POCSO) Act, 2012, in a time-bound manner under a Centrally Sponsored Scheme. Further, in keeping with the directions of the Hon'ble Supreme Court in SUO MOTU WRIT (CRIMINAL) NO.1/2019 dated 25th July, 2019, it is proposed to set up 1023 FTSCs including 389 exclusive POCSO courts. Vide letter dated 5.9.2019, the State Governments/UT Administration have been contacted and asked to furnish required details for release of Central Share. 26 States/UTs have conveyed their concurrence to the scheme. Till date, out of allocated amount of Rs.100 cr, an amount of Rs. 99.35625 crore has been released to 26 States/UTs (Nagaland, Maharashtra, Jharkhand, Kerala, Madhya Pradesh, Manipur, Odisha, Telangana, Assam, Tamil Nadu, Rajasthan, Tripura, Uttarakhand, Karnataka, Gujarat, Chhattisgarh, Haryana, Delhi, Chandigarh Administration, Punjab, Himachal Pradesh, UP, Bihar, Andhra Pradesh, Meghalaya and Mizoram) for setting up of 648 FTSCs including 363 exclusive POCSO courts. Other remaining five States/UTs viz. West Bengal, A&N Islands, Goa, J&K and Arunachal Pradesh are being expedited to join the scheme of FTSCs).

Annexure

State/High Court	No. of Special MP/ MLA Courts	No. of cases disposed of	
Sl. No.		2018	2019
Andhra Pradesh,	1	1	5
Uttar Pradesh	1	42	357
Maharashtra	1	44	0
West Bengal	1	33	20
Delhi	2	145	26
Karnataka	1	55	20
Madhya Pradesh	1	42	48
Tamilnadu	1	0	03
Telangana	1	15	10
	10	377	489

Appointment DVN

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 591

TO BE ANSWERED ON THURSDAY, THE 06.02.2020

Vacant post of Judges in courts

591. SHRI RIPUN BORA:

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

a) whether it is a fact that number of posts of Judges are lying vacant in different High Courts of the country including the Supreme Court;
b) if so, whether the last Government promised to fill up all vacant post within a time-frame period;
c) if so, the reason behind not to fulfill the commitment and present status of vacancies thereof; and
d) the time-frame proposal of filling up all the vacancies therein?

ANSWER
MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) to (d): As on 01.02.2020, there is one post of Judge vacant in the Supreme Court and there are 396 vacancies of Judges in the various High Courts.

Government is committed to filling up of vacancy expeditiously and in time-bound manner. However, the Chief Justices of High Courts are often not initiating the proposals for filling up vacancies of judges six months prior to the occurrence of vacancies, as stipulated in the Memorandum of Procedure for appointment and transfer of Chief Justices and Judges of High Courts (MoP).

Filling up of vacancies in the High Courts is a continuous, integrated and collaborative process, between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities. Hence, the time for filling up of vacancies of the Judges in the higher Judiciary cannot be indicated.

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.

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eCourts

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)

RAJYA SABHA
UNSTARRED QUESTION No. 592
TO BE ANSWERED ON THURSDAY, THE 6th FEBRUARY, 2020

ICT enabled courts in country

592. SHRI KANAKAMEDALA RAVINDRA KUMAR:

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

(a) whether Government has rolled out any scheme for Information and Communication Technology (ICT) enablement of District and Subordinate Courts including Family Courts and Magistrate Courts across the country;

(b) if so, the details thereof, State-wise; and

(c) if not, the reasons therefor ?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) and (b) : Yes, Sir. The Government is implementing the e-Courts Mission Mode Project for Information and Communication Technology (ICT) enablement of District and Subordinate Courts including Family Court and Magistrate Court across the country in association with the eCommittee, Supreme Court of India. The eCourts Mission Mode Project Phase-II commenced its implementation in 2015. The target set out under the project is computerization of 16,845 District and Subordinate Courts, which has been completed. Against the financial outlay of Rs.1670 crores for this Phase, the Government has released a sum of Rs.1250 crore as on date to various organizations involved in the implementation of the project. This includes a sum of Rs. 955.86 crore released to all High Courts, out of which a sum of Rs.764.04 crore has been utilized.

As per information received from eCommittee of Supreme Court of India, 16845 courts have been computerized. The High Court wise details status of implementation of eCourts Project Phase-II are as Annexure.

(c) : Does not arise in view of (a) and (b) above.

Unstarred Question No.592

ICT enabled courts in the country

ANNEXURE

Sl. No.	Name of the High Court	Number of computerized district and subordinate courts
1	Allahabad	2072
2	Andhra Pradesh & Telangana	1078
3	Bombay	2079
4	Calcutta	811
5	Chattisgarh	357
6	Delhi	427
7	Gauhati	496
8	Gujarat	1108
9	Himachal Pradesh	119
10	Jammu & Kashmir	218
11	Jharkhand	351
12	Karnataka	897
13	Kerala	486
14	Madras	1032
15	Madhya Pradesh	1293
16	Manipur	37
17	Meghalaya	39
18	Orissa	534
19	Patna	1025
20	Punjab & Haryana	1018
21	Rajasthan	1094
22	Sikkim	19
23	Uttarakhand	186
24	Tripura	69
	Total	**16845**

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 594

TO BE ANSWERED ON THURSDAY, THE 06th FEBRUARY, 2020.

Timely disposal of court cases

594. SHRI NEERAJ SHEKHAR:

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

(a) whether Government would make efforts for timely disposal of court cases by ensuring adequate number of judges, supporting court staffs and physical infrastructure and timely investigation reports;

(b) if so, the details thereof along with the details of measure taken for the same during the last three years;

(c) if not, the reasons therefor; and

(d) the details of measures taken for strict adherence of Supreme Court's directions regarding zero pendency of cases pending since last 10 years?

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a) and (b): Disposal of cases in courts is within the domain of judiciary. Timely disposal of cases in courts depends on several factors which , *inter-alia*, include availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures.

However, the Union Government is committed to speedy disposal of cases and reduction in pendency of cases. The National Mission for Justice Delivery and Legal Reforms has adopted many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases. The major steps taken during the last five years under various initiatives are as follows:

(a) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs. 7,453.10 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. Out of this, Rs.4, 008.80 crores (which is 53.79% of the total amount released till date) have been released to the States and UTs since April, 2014. The number of court halls has increased from 15,818 as on 30.06.2014 to 19,632 as on 29.01.2020 and number of residential units has increased from 10,211 as on 30.06.2014 to 17,412 as on 29.01.2020 under this scheme. In addition, 2,713 court halls and 1,893 residential units are under construction.

(b) Leveraging Information and Communication Technology (ICT) for improved justice delivery: Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased from 13,672 to 16,845 registering an increase of 3,173 during 2014 till date. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). Currently, case status information in respect of over 12.97 crore pending and disposed cases and more than 11.15 crore orders / judgments pertaining to these

computerized courts is available on NJDG. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails.

(c) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 30.01.2020, 35 Judges were appointed in Supreme Court. 515 new Judges were appointed and 435 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1079 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
29.01.2020	23,782	18,812

(d) Reduction in Pendency through / follow up by Arrears Committees: In pursuance of resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts.

(e) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory pre-institution mediation and settlement 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.

(f) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial

system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution form 32% to 42% to meet such requirements. As on 30.09.2019, 704 Fast Track Courts are functional for heinous crimes, crimes against women and children, family and matrimonial disputes, etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi) and proportionate funds have been released to these States by the Government. Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 26 States/UTs have joined the scheme for setting up of 648 FTSCs including 363 exclusive POCSO courts. Rs.99.35 crore (out of the total allocation of Rs.100 crore) has already been released as the first installment to these 26 States.

(c): Does not arise in view of (a) and (b) above.

(d): Pursuant to the Joint Conference of the Chief Ministers of the States and Chief Justices of the High Courts in 2015 it was resolved that all High Courts would constitute an Arrears Committee. The then Minister of Law and Justice had written to the Chief Justices of High Courts requesting them to apprise the Government of the steps being taken by them to address the issue of pendency especially regarding cases pending for more than 5 years. As per available information, all the High Courts and District & Subordinate Courts have established Arrears Committees. Arrears Committee has also been established in the Supreme Court of India.

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JR Desk

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 595

TO BE ANSWERED ON THURSDAY, THE 6TH FEBRUARY, 2020

Budget for upgradation of courts

595. DR. BANDA PRAKASH:

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

(a) the breakdown of budget allocated and utilized for upgradation of courts for the years 2015, 2016, 2017 and 2018; and
(b) the breakdown of budget utilized for provision of housing to Upper Subordinates and Lower Subordinates in the Judiciary and the amount of funds released respectively?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a) & (b): The Central Government has been administering a Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary since 1993-94. The Scheme covers construction of court buildings and residential accommodation for Judges / Judicial Officers of District and Subordinate Courts. A sum of Rs. 7,453 crore has so far been released to State Governments / UTs under the Scheme since its inception.

As per the General Financial Rules, the Utilization Certificate should be submitted within 12 months of the closure of the financial year in which financial assistance was released to the State Government. Utilization Certificates for a sum of Rs. 6.0894 crore are now pending with the State Governments / UT Administrations for the funds released till 2017-18. A State-wise release of funds from 2014-15 to 2017-18 *vis-à-vis* the amount of pending Utilization Certificates is at ***Annexure-I.***

Annexure-I

Statement referred to Rajya Sabha Unstarred Question No. 595 for Reply on 06.02.2020

Statement showing State-wise release funds and Utilization Certificate of Grants under Centrally Sponsored Scheme for development of Infrastructure facilities for subordinate judiciary

(Rs. in lakh)

Sl. No.	States	Release 2014-15	Release in 2015-16	Release in 2016-17	Release in 2017-18	Release in 2018-19	Amount of pending Utilization Certificate
1	Andhra Pradesh	0.00	0.00	0.00	0.00	1000.00	0.00
2	Bihar	4909.35	0.00	5000.00	4290.00	6204.00	0.00
3	Chhattisgarh	2176.60	0.00	0.00	0.00	1968.00	0.00
4	Goa	0.00	0.00	0.00	0.00	315.00	0.00
5	Gujarat	10000.00	5000.00	5000.00	5000.00	1502.00	0.00
6	Haryana	0.00	5000.00	0.00	1500.00	1191.00	0.00
7	Himachal Pradesh	0.00	0.00	819.00	0.00	408.00	0.00
8	Jammu & Kashmir	3429.00	1325.00	2104.00	1000.00	1901.00	0.00
9	Jharkhand	3044.00	3044.00	0.00	5000.00	959.00	0.00
10	Karnataka	16370.00	5000.00	5000.00	5000.00	3812.00	0.00
11	Kerala	0.00	0.00	0.00	2500.00	3082.00	0.00
12	Madhya Pradesh	6141.00	5000.00	0.00	5000.00	7942.00	0.00
13	Maharashtra	9975.00	5000.00	4975.00	5000.00	1058.00	0.00
14	Odisha	0.00	0.00	0.00	0.00	2250.00	0.00
15	Punjab	9805.00	5000.00	4800.00	5000.00	2647.00	0.00
16	Rajasthan	0.00	5000.00	4374.00	1734.00	1741.00	0.00
17	Tamilnadu	0.00	0.00	5000.00	0.00	609.00	0.00
18	Telangana	0.00	0.00	0.00	0.00	1000.00	0.00
19	Uttarakhand	3559.05	0.00	0.00	2500.00	2202.00	0.00
20	Uttar Pradesh	12531.00	5000.00	5000.00	7500.00	12806.00	0.00
21	West Bengal	2000.00	0.00	0.00	1734.00	3522.00	0.00
	Total (A)	**83940**	**44369.00**	**42072.00**	**52758.00**	**58119.00**	**0.00**
	NE States						
1	Arunachal Pradesh	1000.00	1593.00	0.00	0.00	0.00	0.00
2.	Assam	0.00	0.00	0.00	2000.00	3209.00	0.00
3.	Manipur	2000.00	2000.00	0.00	0.00	887.00	0.00
4.	Meghalaya	1709.00	2037.00	2000.00	863.00	1482.00	0.00
5.	Mizoram	1085.00	0.00	0.00	2000.00	594.00	0.00
6.	Nagaland	2016.00	0.00	2000.00	2000.00	321.00	0.00
7.	Sikkim	0.00	0.00	0.00	0.00	257.00	0.00
8.	Tripura	1550.00	0.00	0.00	0.00	0.00	0.00
	Total (B)	**9360**	**5630.00**	**4000.00**	**6863.00**	**6750.00**	**0.00**
	UTs						
1.	A & N	0.00	0.00	259.68	0.00	131.00	0.00
2.	Chandigarh	0.00	0.00	0.00	0.00	0.00	171.26
3.	D&N Haveli	0.00	0.00	0.00	0.00	0.00	0.00
4.	D & Diu	0.00	0.00	42.43	0.00	0.00	0.00
5.	Delhi	0.00	6040.32	5000.00	2500.00	0.00	0.00
6.	Lakshadweep	0.00	0.00	0.00	0.00	0.00	13.86
7.	Puducherry	0.00	259.68	2500.00	0.00	0.00	423.82
	Total (C)	**0.00**	**6300**	**7802.11**	**2500.00**	**131.00**	**608.94**
Grand Total (A+B+C)		**93300.00**	**56299.00**	**53874.11**	**62121.00**	**65000.00**	**608.94**

A2J/LAP

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

RAJYA SABHA

UNSTARRED QUESTION NO. 596

TO BE ANSWERED ON THURSDAY, THE 6th FEBRUARY, 2020

Slow disposal of Judicial cases

†596. SHRI MOTILAL VORA:

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

(a) whether it is a fact that a large number of innocent people are imprisoned due to slow pace of execution of judicial cases in the country and a large number out of them have been jailed for a period exceeding their prescribed punishment/penalty;

(b) if so, the steps taken by Government to free such people; and

(c) if not, the reasons therefor?

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a) to (c)'Prisons and Prisoners' is a State subject. Therefore, the management of prisons and prisoners is the responsibility of the State Governments. However, in order to address the issue related to undertrial prisoners, the Government of India has taken the following steps:

(i) Section 436A has been inserted in the Code of Criminal Procedure, which provides for release of an under-trial prisoner on bail after undergoing detention for a period extending up to one-half of the maximum period of imprisonment specified for an offence under any law (not being an offence for which the punishment of death has been specified as one of the punishments under that law).

(ii) The E-prisons portal provides the facility to State Jail authorities to access the data of inmates in a quick and easy mode which can assist them in identifying inmates whose cases are due for consideration by the Under Trial Review Committees (UTRCs) and take up their cases appropriately. UTRCs have been established in all the districts. The said committee holds quarterly meetings. UTRCs are headed by the District & Session Judges, who are also the Chairperson of the DLSAs. Secretary, DLSA is also a member of the Committee.

(iii) On directions of the Hon'ble Supreme Court of India, National Legal Services Authority (NALSA) had prepared a Standard Operating Procedure (SOP) for Under-Trial Review Committees. This SOP was circulated by the Ministry of Home Affairs to States and UTs on 18th February 2019.

(iv) The Model Prison Manual, 2016 circulated to all States and UTs also has a Chapter on 'Legal Aid' which provides details of the facilities that may be provided to undertrials viz. legal defence, interview with lawyer, signing of Vakalatnama, application to Courts for legal aid at Government cost etc.

(v) NALSA provides a range of services including providing free legal services, drafting of petitions, preparation of paper books etc. The persons in custody are entitled category of persons under Section 12 of the Legal Services Authorities Act, 1987. Legal Services Clinics are also functioning in jails for providing free legal services to the prisoners. Legal services has been provided to 1,75,656 during 2018-19 and to 1,34,083 prisoners during 2019-20 (upto November 2019).

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eCourts

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)

RAJYA SABHA
UNSTARRED QUESTION No. 598
TO BE ANSWERED ON THURSDAY, THE 6th FEBRUARY, 2020

E-courts in the country

598. SHRI M.P. VEERENDRA KUMAR:

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

(a) the current status of e-courts in the country to remove the increasing burden of cases in courts;

(b) whether e-courts are fully capable for effective and timely disposal of cases; and

(c) if so, the details thereof and the financial outlay for the project in various States of the country?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a): The Government is implementing the e-Courts Mission Mode Project for Information and Communication Technology (ICT) enablement of District and Subordinate Courts across the country in association with the eCommittee of the Supreme Court of India. The eCourts Mission Mode Project Phase-II commenced its implementation in 2015. The target set out under the project is computerization of 16,845 District and Subordinate Courts, which has been completed. Against the financial outlay of Rs.1670 crores for this Phase, the Government has released a sum of Rs. 1250 crore as on date to various organizations involved in the implementation of the project. This includes a sum of Rs. 955.86 crore released to all High Courts, out of which a sum of Rs.764.04 crore has been utilized.

As per information received from eCommittee of Supreme Court of India, 16845 courts have been computerized. The High Court wise status of implementation of eCourts Project Phase-II is at Annexure.

(b): Disposal of cases in courts is primarily within the domain of judiciary. Timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures to monitor, track and bunch cases for hearing.

However, through computerization of 16,845 District & Subordinate Courts and ICT enablement under the eCourts Project Phase-II, several services have been provided to litigants, lawyers and Judiciary which facilitate expeditious delivery of judicial services. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. National Judicial Data Grid (NJDG) for District & Subordinate Courts, created as an online platform under the Project, provides information relating to judicial proceedings/decisions of computerized district and subordinate courts of the country. Currently, all stakeholders including Judicial Officers can access case status information in respect of over 13.01 crore pending and disposed cases and more than 11.19 crore orders / judgments pertaining to these computerized courts. Video Conferencing facility has been enabled between 3240 court complexes & 1272 corresponding jails.

(c): The details of implementation of eCourts Project Phase-II have been provided in Part (a) above.

ANNEXURE

Sr.No	High Court	Number of computerized district and subordinate courts	Total Funds released and Utilized by High Court	
			Released (Cr.)	Utilized (Cr.)
1	Allahabad	2072	82.14	80.54
2	Bombay	2079	116.38	86.88
3	Calcutta	811	32.16	14.84
4	Chhattisgarh	357	20.52	20.41
5	Delhi	427	23.80	10.69
6	Gauhati (Arunachal Pradesh)	496	9.14	3.49
7	Gauhati (Assam)		47.50	38.10
8	Gauhati (Mizoram)		6.34	5.79
9	Gauhati (Nagaland)		5.63	5.60
10	Gujarat	1108	69.34	46.23
11	Himachal Pradesh	119	9.18	8.09
12	Jammu & Kashmir	218	17.98	15.82
13	Jharkhand	351	15.74	15.74
14	Karnataka	897	51.95	46.41
15	Kerala	486	33.19	20.75
16	Madhya Pradesh	1293	56.56	51.82
17	Madras	1032	65.42	59.17
18	Manipur	37	6.60	3.42
19	Meghalaya	39	7.71	6.71
20	Orissa	534	29.57	27.54
21	Patna	1025	43.29	36.79
22	Punjab & Haryana	1018	49.58	39.42
23	Rajasthan	1094	61.07	55.52
24	Sikkim	19	4.18	2.70
25	Telangana & Andhra Pradesh	1078	70.29	47.36
26	Tripura	69	10.22	9.79
27	Uttarakhand	186	10.37	4.42
	Total	**16845**	**955.86**	**764.04**

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

STARRED QUESTION NO. *156

TO BE ANSWERED ON THURSDAY, 05th MARCH, 2020.

Pendency of cases in Supreme Court/High Courts

***156. DR. KIRODI LAL MEENA:**

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

(a) **the total number of civil and criminal cases pending in the Supreme Court and different High Courts of India;**
(b) **out of these cases, the number of cases pending in each court for a period of less than five years and more than five years along with the period of less than ten years and more than ten years; and**
(c) **whether any measures have been adopted by Government to speed up the process of disposal of the cases?**

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(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. *156 FOR ANSWER ON 05th MARCH, 2020.

(a) & (b): As per the information provided by the Supreme Court, total 60,603 cases are pending in Supreme Court, out of which 49,088 are Civil matters and 11,515 are Criminal matters as on 03.03.2020. As per data available on the National Judicial Data Grid (NJDG), details of pending cases in High Courts as on 29.02.2020 is as under:

(Number in lakh)

	Number of pending cases in High Courts			**Number of cases pending in High Courts, age-wise**		
Civil	Criminal	Writ	Total	For less than 5 years	More than 5 years and less than 10 years	More than 10 years
19.23	13.24	13.67	46.15	27.86	9.25	8.97

High Court-wise details of pending cases for less than five years, for five to ten years and for more than ten years as on 29.02.2020 are given in a statement at ***Annexure***.

(c): Disposal of cases in courts is within the domain of the judiciary. Government has no role in disposal of cases in courts. However, the Union Government is committed to speedy disposal of cases and reduction in pendency of cases. The National Mission for Justice Delivery and Legal Reforms has adopted many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases. The major steps taken during the last five years under various initiatives are as follows:

(a) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs. 7,453.10 crores have been released since the

inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. Out of this, Rs.4,008.80 crores (which is 53.79% of the total amount released till date) have been released to the States and UTs since April, 2014. The number of court halls has increased from 15,818 as on 30.06.2014 to 19,694 as on 29.02.2020 and number of residential units has increased from 10,211 as on 30.06.2014 to 17,432 as on 29.02.2020 under this scheme. In addition, 2,814 court halls and 1,843 residential units are under construction.

(b) Leveraging Information and Communication Technology (ICT) for improved justice delivery: Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased from 13,672 to 16,845 registering an increase of 3,173 during 2014 till date. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). Currently, case status information in respect of over 13.13 crore pending and disposed cases and more than 11.46 crore orders / judgments pertaining to these computerized courts is available on NJDG. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails.

(c) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 29.02.2020, 35 Judges were appointed in Supreme Court. 522 new Judges were appointed and 443 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1079 currently. Sanctioned and working strength of

Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
29.02.2020	24,018	19,160

Filling up of vacancies in Subordinate judiciary falls within the domain of the State Governments and High Courts concerned.

(d) Reduction in Pendency through / follow up by Arrears Committees: In pursuance of resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts.

(e) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory pre-institution mediation and settlement 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.

(f) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution form 32% to 42% to meet such requirements. As on 31.12.2019, 828 Fast Track Courts are functional for heinous crimes, crimes against women and children, family and matrimonial disputes, etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi) and proportionate funds have been released to these States by the Government. Further, Government has approved a scheme for setting

up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 27 States/UTs have joined the scheme for setting up of 649 FTSCs including 363 exclusive POCSO courts. Rs.99.43 crore (out of the total allocation of Rs.100 crore) has already been released as the first instalment for FTSCs.

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Annexure

Details of Pending Cases in the Country High Court - Wise

Sl. No	Name of High Courts	Less than 5years	More than 5 years & Less than 10 years (5-10 years)	More than 10 years
1.	Allahabad High Court	283636	171635	277466
2.	Calcutta High Court	3986	4200	8385
3.	Gauhati High Court	41862	5736	617
4.	High Court for the State of Telangana	133635	57611	29186
5.	High Court of Andhra Pradesh	115482	53613	29073
6.	High Court of Bombay	131214	56846	79749
7.	High Court of Chhattisgarh	53743	12560	4394
8.	High Court of Delhi	58005	14424	8984
9.	High Court of Gujarat	92856	24435	14246
10.	High Court of Himachal Pradesh	52423	8118	1608
11.	High Court of Jammu & Kashmir	42830	24392	8382
12.	High Court of Jharkhand	50038	17345	15553
13.	High Court of Karnataka	185983	54154	7631
14.	High Court of Kerala	131244	48325	19687
15.	High Court of Madhya Pradesh	192852	96755	74193
16.	High Court of Manipur	3118	323	313
17.	High Court of Meghalaya	1117	38	0
18.	High Court of Punjab & Haryana	385147	83044	86758
19.	High Court of Rajasthan	330049	69638	77725
20.	High Court of Sikkim	231	3	0
21.	High Court of Tripura	2022	16	1
22.	High Court of Uttarakhand	30572	5405	4351
23.	Madras High Court	246580	56196	96895
24.	Orissa High Court	84905	40046	28446
25.	Patna High Court	133197	21002	23372
	Total	**2786727**	**925860**	**897015**

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NM

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

STARRED QUESTION NO. 159
TO BE ANSWERED ON THURSDAY, THE 5th MARCH, 2020

Delayed justice delivery in crimes against women

***159. SHRI R.K.SINHA:**

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

(a) **whether it is a fact that delayed justice delivery in cases of crime against women is a cause of concern and has been much debated; and**
(b) **Whether Government has taken note of the `Disha Act` passed in Andhra Pradesh Legislative Assembly and whether Government has any plans or proposal to recommend such Legislation in Parliament?**

ANSWER
MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

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

STATEMENT REFERRED TO IN REPLY TO PARTS (a) and(b) of RAJYA SABHA STARRED QUESTION NO. *159 FOR ANSWER ON 5th MARCH, 2020.

(a): Yes, Sir. Expeditious disposal of cases related to crime against the women is a priority of this government. Disposal of cases in courts is within the domain of the judiciary. Government has no role in disposal of cases in courts. The Union Government is committed to speedy disposal of cases and reduction in pendency of cases. The National Mission for Justice Delivery and Legal Reforms has adopted many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases. However, timely disposal of cases in courts also depends on several other factors which, inter-alia, include availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures to monitor, track and bunch cases for hearing.

The central government has enacted The Criminal Law (Amendment) Act, 2018 making the punishment for offences like rape more stringent by including death penalty for rape of a girl below the age of 12 years. The Act also, inter-alia, mandates completion of investigation and trials within 2 months each. Further, in order to ensure that the amendments in law effectively translate at ground level, and to enhance women safety in the country, the Government has undertaken a number of measures for implementation. These include an online analytic tool for police launched on 19th February 2019 called "Investigation Tracking System for Sexual Offences" to monitor and track time-bound investigation in sexual assault cases in accordance with Criminal Law (Amendment) Act 2018; launch of National Database on Sexual Offenders (NDSO)

on 20th September 2018 to facilitate investigation and tracking of sexual offenders across the country by law enforcement agencies; sanction of Safe City Projects in phase-I in 8 cities (Ahmedabad, Bengaluru, Chennai, Delhi, Hyderabad, Kolkata, Lucknow and Mumbai) under Nirbhaya Fund for using technology to aid smart policing and safety management; and steps taken to improve investigation by strengthening DNA analysis units in Central and State Forensic Science Laboratories, which includes setting up of a State-of-the-Art DNA Analysis Unit in Central Forensic Science Laboratory, Chandigarh. Guidelines have been notified for collection of forensic evidence in sexual assault cases and the standard composition in a sexual assault evidence collection kit. For building adequate capacity in manpower, training and skill building programs for Investigation Officers, Prosecution Officers and Medical Officers have commenced.

(b): The State Government of Andhra Pradesh has forwarded two Bills, passed by the State Legislature and reserved by the Governor, for consideration of the Hon'ble President of India under Article 201 of the Indian Constitution namely, (i) The Andhra Pradesh Disha Bill- Criminal Law (Andhra Pradesh Amendment) Bill, 2019 and (ii) The Andhra Pradesh Disha Bill-Andhra Pradesh Special Courts for Specified Offences against Women and Children Bill, 2019. Ministry of Home Affairs has received these two Bills on 20.01.2020 and 27.01.2020 respectively.

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NM

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

STARRED QUESTION NO. *163
TO BE ANSWERED ON THURSDAY, THE 5th MARCH, 2020

Disposal of pending cases

***163. LT. GEN. (DR.) D.P.VATS (RETD.):**

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

(a) whether it is a fact that a large number of cases are lying pending in different courts of the country for the last several years, if so, the details thereof;
(b) whether there is any proposal from the judiciary to increase the working hours of the court for speedy and quick disposal of pending cases and if so, the details thereof ; and
(c) whether Government has established new benches of High Courts in large States of the country, if so, the details thereof?

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(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. *163 FOR ANSWER ON 05th MARCH, 2020.

(a) : As per information available, details of cases pending in Supreme Court during last three years and the current year are given below:-

Year	Pendency
2016	62,537
2017	55,588
2018 (As on 01.12.2018)	56,994
2019 (As on 02.12.2019)	59,535
2020(As on 01.02.2020)	59,670

As per information / data furnished by High Courts and also information / data available on web-portal of National Judicial Data Grid (NJDG), details of High Court – wise and State / UT-wise pendency of cases in District and Subordinate Courts during last three years are given in Statements at ***Annexure-I*** and ***Annexure – II*** respectively.

(b): Working days/hours in the Supreme Court and in the High Courts in the country are regulated by rules framed by the respective courts and is a matter which falls within the domain of the judiciary.

(c): High Court Benches, at a place other than its Principal seat 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 incorporating readiness to provide infrastructure and meet the expenditure, along with the consent of the Chief Justice of the concerned High Court and the consent of the Governor of the concerned State.

A new Circuit Bench of Calcutta High Court, at Jalpaiguri, West Bengal has recently been established vide Presidential Order dated 7th February, 2019.

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Annexure - I

Details of High Court-wise pendency of Cases during the last three years and current year.

Sl. No	High Court	As on 31.12.2017*	As on 21.12.2018*	As on 30.06.2019*	As on 29.02.2020*
1.	Allahabad**		7,24,726	7,30,255	732737
2.	Punjab & Haryana	3,84,098	3,93,953	4,52,221	554949
3.	Madras	3,14,345	3,98,997	4,00,276	399671
4.	Madhya Pradesh	3,07,384	3,30,554	3,46,365	363800
5.	Andhra Pradesh	3,25,119	3,60,574	1,77,949	198168
6.	Bombay	4,64,074	4,64,074	2,67,809	267809
7.	Rajasthan	2,63,103	7,41,193	4,32,038	477412
8.	Karnataka	2,11,110	2,36,161	2,43,841	247768
9.	Calcutta	2,32,116	2,43,456	21,589	21971
10.	Orissa	1,68,375	1,67,072	1,53,045	153397
11.	Kerala	1,81,114	1,93,371	1,94,398	199256
12.	Patna	1,45,056	1,49,920	1,60,715	177571
13.	Gujarat	1,09,709	1,13,511	1,22,594	131537
14.	Jharkhand	57,944	87,997	86,733	82936
15.	Delhi	69,546	74,252	78,718	81413
16.	Jammu & Kashmir and Ladakh**		91,994	73,487	75604
17.	Chhattisgarh	59,463	63,359	65,292	70697
18.	Uttarakhand	36,910	55,751	56,567	40328
19.	Himachal Pradesh	37,955	36,066	39,285	62149
20.	Gauhati	39,191	40,457	41,235	48215
21.	Manipur	16,889	7,308	3,797	3817
22.	Tripura	2,798	2,964	3062	2039
23.	Meghalaya	951	1,069	1,174	1155
24.	Sikkim	212	254	273	234
25.	Telangana#			2,10,492	220432
Total		**34,27,462**	**49,79,033**	**43,63,210**	**46,15,065**

*As per data available on the web-portal (National Judicial Data Grid) uploaded by concerned High Courts.
**Data as on 31.12.2017 was not available on National Judicial Data Grid (NJDG).
New High Court established after bifurcation of the State of Andhra Pradesh.

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Annexure - II

Details of State / UT-wise pendency of Cases during the last three years and current year.

Sl. No	Name of States/UTs	As on 31.12.2017*	As on 20.12.2018*	As on 30.06.2019*	As on 29.02.2020*
1.	A & N Island**	11,185	0	0	0
2.	Andhra Pradesh	4,99,246	5,22,776	5,48,025	559392
3.	Telangana	4,16,164	5,16,297	5,35,505	566507
4.	Arunachal Pradesh	---	0	0	0
5.	Assam	2,23,954	2,85,390	2,93,361	300449
6.	Bihar	16,58,292	24,68,897	27,17,081	2890320
7.	Chandigarh	38,628	43,288	47,037	48389
8.	Chhattisgarh	2,72,888	2,59,949	2,65,930	275491
9.	D & N Haveli	3,552	2,717	3,092	2976
10.	Daman & Diu	1,746	1,859	2,203	2276
11.	Delhi	6,07,036	7,19,078	7,90,389	865037
12.	Goa	39,745	44,105	27,563	48191
13.	Gujarat	16,41,355	16,23,470	16,97,830	1577049
14.	Haryana	6,45,647	7,24,636	8,06,042	878011
15.	Himachal Pradesh	2,09,938	2,57,784	2,80,525	295591
16.	Jammu & Kashmirand Ladakh	1,21,754	1,59,065	1,69,453	178084
17.	Jharkhand	3,33,494	3,54,629	3,66,035	376247
18.	Karnataka	13,81,438	12,82,800	16,33,824	1552242
19.	Kerala	11,52,056	11,67,809	12,53,778	1303050
20	Ladakh	NA	NA	NA	636
20.	Lakshadweep	---	0	0	0
21.	Madhya Pradesh	13,25,053	13,80,822	14,45,560	1443950
22.	Maharashtra	33,36,574	35,59,170	37,01,766	3880717
23.	Manipur	9,604	9,939	9,909	9769
24.	Meghalaya	7,032	6,728	7,367	8851
25.	Mizoram	3,306	3,646	2,335	2544
26.	Nagaland	---	0	0	0
27.	Odisha	10,22,635	11,30,261	11,84,560	1248084
28.	Punjab	5,68,232	5,99,240	6,24,832	640058
29.	Rajasthan	14,24,560	15,14,581	15,48,198	1582563
30.	Sikkim	1,400	1,316	1,301	1315
31.	Tamil Nadu	10,10,381	10,96,937	11,57,521	1149557
32.	Puducherry	---	0	0	0
33.	Tripura	25,191	23,301	23,178	26686
34.	Uttar Pradesh	61,61,822	70,06,224	74,78,001	7700658
35.	Uttarakhand	2,10,587	2,37,781	2,29,141	209539
36.	West Bengal	17,59,635	22,07,120	22,71,079	2296694
Total		**2,61,24,130**	**2,92,11,615**	**3,11,22,421**	**3,19,20,923**

***Source: NJDG Web portal / Data is uploaded by District and Subordinate Courts.Note:** Data on District and Subordinate Courts in the States of **Arunachal Pradesh, Nagaland**, and Union Territories of **Lakshadweep** and **Puducherry** are not available on the web-portal of NJDG.

Data in respect of **Andaman & Nicobar Islands as on 20.12.2018 and 30.06.2019 is not available on NJDG Portal.

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GOVERNMENT OF INDIA

MINISTRY OF LAW & JUSTICE

(DEPARTMENT OF JUSTICE)

RAJYA SABHA

UNSTARRED QUESTION NO. 1701

TO BE ANSWERED ON THURSDAY, THE 5TH MARCH, 2020

Pending cases against legislators and MPs

1701. DR. BANDA PRAKASH:

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

(a) the details of the exact number of cases pending against legislators and Members of Parliament (MPs) in the country;
(b) the steps being taken by Government to ensure that this data is updated regularly;
(c) whether Government plans to institute special courts for disposal of such cases, if so, whether these courts would be permanent in nature or would be dissolved after disposal of such pending cases; and
(d) whether Government plans to fix a timeline for disposal of such cases by the special courts?

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) and (b) : As per information made available by Registrar General of High Courts, there were 3465 cases pending pertaining to legislators and Members of Parliament in the country till December, 2019. Data relating to cases pending pertaining to legislators and Members of Parliament in the country are maintained by respective High Courts. Central Government has no role in this regard.

(c) : Setting up of subordinate courts, including Fast Track Courts (FTCs) for speedy trial of cases related to legislators and MPs, lies within the domain of the State Governments, which set up such Courts as per their need and resources, in consultation with the concerned High Courts. The Supreme Court of India in its Order in WP (Civil) No. 699/2016 (Ashwini Kumar Upadhyay vs UOI & Anr) dated the 01st November, 2017 had directed the Union Government to prepare a scheme for setting up of Special Courts exclusively to deal with criminal cases involving elected MPs/MLAs on the lines of Fast Track Courts (FTCs). Presently 10 such Special Courts in 9 States are functioning.

(d): Supreme Court in WP (Civil) No.536 of 2011 in Public Interest Foundation & Others v/s Uol and another, vide order dated 10th March, 2014,inter-alia, passed direction that in respect of sitting MPs and MLAs who have charges framed against them for the offences specified in Sections 8 (1), 8(2) and 8 (3) under Representation of People Act, the trial shall be concluded as speedily and expeditiously as may be possible and in no case later than one year from the date of the framing of change. In such cases, as far as possible, the trial shall be conducted on a day-to-day basis. Pursuant to above directions of Supreme Court, an Advisory on Fast-Tracking of Criminal Trials against sitting MLAs & MPs had been issued by the Ministry of Home Affairs on 24.06.2014 to all States / UTs to take steps for ensuring the compliance of the directions of the Supreme Court.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. †1702

TO BE ANSWERED ON THURSDAY, THE 5TH MARCH, 2020

Infrastructure facilities for judiciary in Maharashtra

†1702. SHRI NARAYAN RANE:

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

(a) whether Government has implemented the Centrally Sponsored Scheme for development of infrastructure facilities for the judiciary in the districts of Konkan region of Maharashtra;
(b) if so, the details thereof;
(c) the details of funds allocated/ released/spent by Government on the districts of Konkan region of Maharashtra under the said programme during the last three years; and
(d) the reforms brought in judicial structure in Konkan region of Maharashtra till date and the details thereof?

A N S W E R

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a) to (c) : The Union Government has been implementing a Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary by providing financial assistance to all State Governments / UTs including in the district of Konkan region in Maharashtra. In respect of Maharashtra, the prescribed fund sharing pattern between Centre and the State is 60:40. The Scheme is being implemented since 1993-94. It covers the construction of court buildings and residential accommodations for Judicial Officers of District and Subordinate Judiciary. Till date, Central Government has sanctioned Rs. 7,453 crore to States/UTs since the inception of the Scheme. Out of this, Rs. 680.84 crore has been sanctioned to the State Government of Maharashtra. As per information made

available by the State Government of Maharashtra, the scheme is being implemented in Konkan region covering the districts of Mumbai, Thane, Raigad, Ratnagiri & Sindhudurg, The list of Works and funds spent on the work in last three years is at ***Annexure-I.***

(d): As per information made available by the Government of Maharashtra, the following Courts have been established in Konkan Region till date:

1. Civil Court (S.D.) established in Khed, Dist Ratnagiri
2. District and Additional Session Court established at Raigad, Dist Raigad
3. District and Additional Session Court established at Chiplun, Dist Ratnagiri
4. Family Court established at Raigad-Alibaug
5. Three Additional Courts of District Judge cadre established at Thane (Thane), Palghar (Vasai), Raigad-Alibaug (Mangaon) and one Court of Civil Judge, Senior Division at Mumbai (CMM).
6. Four Fast Track Courts of District Judge cadre established at Thane (Kalyan-1 and Thane-1), Ratnagiri and Mumbai and Two Fast Track Courts of Civil Judge, Senior Division cadre established at Thane (Kalyan) and Raigad Alibaug (Panvel).

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Annexure-I

Statement referred to Rajya Sabha Unstarred Question No. †1702 for Reply on 05.03.2020

Statement showing Works and funds spent on the work in the last three years

Sl. No.	Name of Work	District	Allocated Amount	Amount Spent on work
			Rupees in Thousand	
1	2	3	4	5
	Court Building			
1	Construction of family court building (Stilt+11) at Bandra, Mumbai	Mumbai	814828	321714
2	Construction of Court Building at Kannamwar Nagar, Vikhroli, Mumbai.	Mumbai	435098	145481
3	Renovation work including sitting arrangement, Electrical Work & Furniture etc. at Third floor of Gokuldas Tejpal Hospital, Campus Fort, Mumbai.	Mumbai	40896	29966
4	Construction of additional third floor on the existing court building at Kurla, Mumbai.	Mumbai	31881	22293
5	Addition & alteration to Court No.35 for children court in City Civil and Sessions Court Building at Mumbai.	Mumbai	2353	2350
6	Construction of new Court building (G+17) after demolishing existing court building at Mazgaon, Mumbai	Mumbai	3870000	1399304
7	Development of plot reserved for Chief Metropolitan Magistrate and construction of compound wall at Malwani, Taluka Borivali, Mumbai	Mumbai	12651	84035
8	Renovation of Fast Tract court buiding at Shivdi Dist.Mumbai	Mumbai	80221	49055
9	Construction of New Court Building at Dadar Mumbai (Gr+12)	Mumbai	66090	New Work
10	Construction of Bldg of Maharashtra Judicial academy and Mediation Centre and Training Instt at Uttan, Dist Thane	Thane	686555	853625
11	Construction of court building at Wada, Dist Thane	Thane	26532	28881
12	Construction of court building at Shahapur, Dist Thane	Thane	42645	54918
13	Construction of additional 2 floor above the Fast-track Court Building at Kalyan, Dist. Thane.	Thane	27106	27106
14	Construction of Court building (Stilt +6) at C.B.D. Belapur New Mumbai,	Thane	280702	280830

15	Construction of Civil & Session Court Building (G+3) at Mira-Bayandar, District Thane.	Thane	124882	89737
16	Construction of Court Building at Jawhar, Dist. Thane.	Thane	32741	27350
17	Construction of extention court building (G+2) at Palghar, Dist. Thane.	Thane	36859	28642
18	Construction of compound wall for land accquired for Court Bldg. & Resi. Quarter for Judges at Shahapur, Dist. Thane	Thane	9223	7800
19	Construction of additional work of court building (Stilt+6) at C.B.D. Belapur, Navi Mumbai. (Phase-2)	Thane	279819	97593
20	Renovation & buitification of Maharashtra Judicial Academy at Uttan, Dist. Thane	Thane	11498	9662
21	Furniture works in the new Court Building at Wada, Dist. Thane	Thane	8625	4528
22	Construction of new court building at Bhiwandi, Dist. Thane	Thane	381570	47785
23	Construction of new court building (Basement +Stilt+ 10 floors) in the compound of district court Thane	Thane	747981	4157
24	Construction of additional work in the compound of the court building, vada Dist.Palghar	Thane	7687	2890
25	Construction of new court building (G+3) at Achole, Tal.Vasai, Dist. Thane	Thane	363106	0
26	Renovation of district court buiding Dist Thane	Thane	32948	24365
27	Constrcution of court building at chikhloli, Dist Thane	Thane	190080	47299
28	Construction of court extension building at Mangaon, Dist.Raigad.	Raigad	6311	6938
29	Construction of 4 Court Room & Bar Room in the premises of District & Session Court at Alibag, Dist. Raigad	Raigad	14111	14502
30	Construction of Court building (G+1) at Panvel, Dist. Raigad-Alibaug	Raigad	119950	70910
31	Construction of Compound wall for court building at pali dist Raigad	Raigad	4302	4416
32	Construction of Compound wall for court building at roha dist Raigad	Raigad	1704	1614
33	Construction of court building at Rajapur, Dist. Ratnagiri	Ratnagiri	40170	20139
34	Construction of court building at Dapoli, Dist. Ratnagiri	Ratnagiri	33158	16980
35	Construction of Court Building at Deorukh, Dist. Ratnagiri.	Ratnagiri	31941	23750

36	Construction of Ex. Court Building in the premises of District Court Ratnagiri	Ratnagiri	170269	170269
37	Construction of Civil & Session Court building at Guhugar, Dist. Ratnagiri	Ratnagiri	49105	49072
38	Construction of compound wall, internal roads and providing furniture to the court building at Guhagar, Dist. Ratnagiri.	Ratnagiri	24501	4466
39	Providing Furniture for New Court Building ar Ratnagiri	Ratnagiri	31394	22217

	Resi. Quarters & others			
1.	Construction of 2 Residential Quarter for Civil Judge,J.D. at Shahapur, Dist. Thane.	Thane	3641	3641
2.	Construction of 20 Residential Quarters for Judicial Officers at C.B.D. Belapur, Navi Mumbai, Dist. Thane. (Dec., 2012) (Revised A.A.)	Thane	98927	77805
3.	Construction of 6 residential quarters for Judicial officers at Ghodbunder, Mira-Bhayender, Dist. Thane. (July,	Thane	14273	15483
4.	Construction of 12 residential quarters for judicial officers at Vasai, Dist Thane (July, 2015)	Thane	49972	4347
5.	Furniture and repairs works for 3 quarters Type 6 of Director and Joint Director of Maharashtra Judicial Academy and Indian Mediation Centre & Training Institute at 'Juan, Dist. Thane	Thane	9234	5342
6.	Construction of additional work in the compound of the residential quarter building, vada Dist Palghar (July-2017)	Thane	2524	2498
7.	Construction of Residential Quarter for Civil Judge,J.D. at Pali-Sudhagad,Dist. Raigad (March 2011)	Raigad	1836	2000
8.	Construction of 8 residential quarters for Judicial Officers at Panvel, District Raigad. (March, 2013)	Raigad	21405	11263
9.	Construction of residential quarter for Civil Judge (J.D.) at Panvel Alibaug, Dist.Raigad (Dec-2017)	Raigad	8214	3043
10.	Constrcution of Compound Wall for residential quarter of judge at Pali	Raigad	1723	1723

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

RAJYA SABHA

UNSTARRED QUESTION NO. 1703

TO BE ANSWERED ON THURSDAY, THE 05TH MARCH, 2020.

Judge- population ratio

1703. SHRI PARIMAL NATHWANI:

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

(a) whether the Judge- population ratio has deteriorated in the country during the last three years, if so, the details thereof and the reasons therefor;
(b) whether there is a huge gap between sanctioned and actual strength of judges in Supreme Court, High Courts and Subordinate Courts of the country, if so, the details thereof, State/UT-wise along with its impact on the functioning of the judiciary in the country;
(c) the number of judges appointed in the said courts during the said period, State/ UT-wise; and
(d) the steps taken by Government to improve the judge- population ratio in the country?

ANSWER
MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) to (d): Based on the population as per Census 2011 and as per available information regarding sanctioned strength of Judges in Supreme Court, High Courts and District & Subordinate Courts in the year 2019, the judge - population ratio in the country works out to be 20.52 Judges per million population in comparison to 17.48 Judges per million population in the year 2014. The sanctioned strength of Judges of High Courts has increased from 906 judges in June 2014 to 1079 judges in December, 2019 and the

sanctioned strength of Judges of District / Subordinate Courts has increased from 20,214 in the year 2014 to 23,721 in the year 2019. The sanctioned strength of Judges in Supreme Court is 34.

The High Court – wise details of sanctioned / working strength and vacancies of Judges in the Supreme Court and High Courts are given in a Statement at ***Annexure – I***. The State / UT-wise details of sanctioned / working strength and vacancies of Judges in District and Subordinate Courts are given in a Statement at ***Annexure – II***.

As per the Constitution, the selection and appointment of judges in subordinate courts is the responsibility of State Governments and the High Courts concerned. As per information made available by the High Courts and respective State Governments, sanctioned strength of Judges of District / Subordinate Courts has increased from 20,214 in the year 2014 to 23,721 in the year 2019. The working strength of Judges of District and Subordinate Courts is increased from 15,634 in the year 2014 to 18,810 in the year 2019. The State / UT-wise details of sanctioned / working strength of Judges of District / Subordinate Courts in the years 2014 and 2019 are given in a Statement at ***Annexure-III.***

The appointment of Judges and Judicial Officers in the District and Subordinate Courts falls within the domain of the High Courts and State Governments concerned in which the Central Government has no role. However, in order to facilitate regular filling up of these vacancies in a smooth and time-bound manner, the Department of Justice *vide* its letter dated 28th April, 2017 suggested certain options to the Hon'ble Supreme Court for creation of a Central Selection Mechanism. The Hon'ble Supreme Court *suo motu* converted the Government's suggestions into a writ petition on 09th May, 2017 and directed all State Governments (including Union Territories) to file their responses and suggestions by way of affidavits. The above matter is *subjudice* at present.

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Annexure-I

Statement referred to Rajya Sabha Unstarred Question No.1703 for reply on 05.03.2020
Statement showing Sanctioned and Working Strength of Judges in the Supreme Court of India and the High Courts as on 29.02.2020.

Sl. No.	Name of the Court	Approved Strength	Working Strength	Vacancies as per approved Strength
A.	**Supreme Court of India**	**34**	**33**	**1**
B.	**High Court**	**Total**	**Total**	**Total**
1	Allahabad	160	105	55
2	Andhra Pradesh	37	18	19
3	Bombay	94	71	23
4	Calcutta	72	40	32
5	Chhattisgarh	22	15	7
6	Delhi	60	35	25
7	Gauhati	24	21	3
8	Gujarat	52	30	22
9	Himachal Pradesh	13	10	3
10	Common High Court for the UT of Jammu and Kashmir and UT of Ladakh	17	09	8
11	Jharkhand	25	18	7
12	Karnataka	62	42	20
13	Kerala	47	33.	14
14	Madhya Pradesh	53	31	22
15	Madras	75	55	20
16	Manipur	05	04	1
17	Meghalaya	04	03	1
18	Orissa	27	14	13
19	Patna	53	26	27
20	Punjab& Haryana	85	55	30
21	Rajasthan	50	21	29
22	Sikkim	03	03	0
23	Telangana	24	13	11
24	Tripura	04	03	1
25	Uttarakhand	11	10	1
Total		**1079**	**685**	**394**

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Annexure – II

Statement referred to Rajya Sabha Unstarred Question No.1703 for reply on 05.03.2020

Sanctioned Strength, Working Strength and Vacancies of Judicial Officers of District and Subordinate Courts as on 29.02.2020.

Sl. No.	States & Uts	Approved Strength	Working Strength	Vacancies as per approved Strength
1	Andaman and Nicobar	0	13	-13
2	Andhra Pradesh	599	526	73
3	Arunachal Pradesh	41	27	14
4	Assam	441	409	32
5	Bihar	1925	1437	488
6	Chandigarh	30	29	1
7	Chhattisgarh	480	393	87
8	D & N Haveli	3	3	0
9	Daman & Diu	4	3	1
10	Delhi	799	678	121
11	Goa	50	40	10
12	Gujarat	1521	1183	338
13	Haryana	772	475	297
14	Himachal Pradesh	175	163	12
15	Jammu and Kashmir	290	232	58
16	Jharkhand	677	458	219
17	Karnataka	1346	1098	248
18	Kerala	536	456	80
19	Lakshadweep	3	3	0
20	Madhya Pradesh	2021	1651	370
21	Maharashtra	2189	1940	249
22	Manipur	55	41	14
23	Meghalaya	97	49	48
24	Mizoram	64	45	19
25	Nagaland	33	26	7
26	Odisha	920	771	149
27	Puducherry	26	11	15
28	Punjab	675	577	98
29	Rajasthan	1428	1119	309
30	Sikkim	25	19	6
31	Tamil Nadu	1257	1080	177
32	Telangana	474	383	91
33	Tripura	120	95	25
34	Uttar Pradesh	3634	2581	1053
35	Uttarakhand	294	228	66
36	West Bengal	1014	918	96
	Total	**24018**	**19160**	**4858**

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Annexure-III

Statement referred to Rajya Sabha Unstarred Question No.1703 for reply on 05.03.2020

State-UT wise comparative Statement of Sanctioned / Working Strength of Judges in District and Subordinate Courts in the years 2014 and 2018.

Sl. No	States	Sanctioned Strength as on 31.12.2014	Sanctioned Strength as on 31.12.2019	Working Strength as on 31.12.2014	Working Strength as on 31.12.2019
1	Andhra Pradesh & Telangana	1034	597	884	529
2	Telangana*		413*		334*
2	Arunachal Pradesh	16	41	15	27
3	Assam	403	441	312	412
4	Bihar	1670	1925	1027	1149
5	Chhattisgarh	354	468	302	394
6	Goa	52	50	40	43
7	Gujarat	1963	1521	1216	1185
8	Haryana	644	772	485	475
9	Himachal Pradesh	146	175	128	153
10	Jammu & Kashmir	244	290	221	232
11	Jharkhand	578	677	382	461
12	Karnataka	1085	1345	832	1106
13	Kerala & Lakshadweep	447	539	431	460
14	Madhya Pradesh	1460	2021	1243	1620
15	Maharashtra	2072	2189	1784	1942
16	Manipur	40	55	30	39
17	Meghalaya	55	97	30	49
18	Mizoram	67	64	31	46
19	Nagaland	27	33	25	25
20	Orissa	690	919	569	770
21	Punjab	672	675	505	579
22	Rajasthan	1145	1428	831	1121
23	Sikkim	18	25	15	19
24	Tamil Nadu	997	1255	876	1080
25	Tripura	104	120	78	96
26	Uttar Pradesh	2097	3416	1761	2578
27	Uttarakhand	289	294	191	228
28	West Bengal and A & N Island	994	1014	868	931
29	Chandigarh	30	30	30	29
30	D & N Haveli and Daman & Diu	7	7	6	6
31	Delhi	793	799	476	681
32	Pondicherry	21	26	10	11
Total		**20,214**	**23,721**	**15,634**	**18,810**

***Post bifurcation of High Court.**

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 2166
TO BE ANSWERED ON THURSDAY, THE 12th MARCH, 2020

Slow-paced justice delivery system

2166. DR. L. HANUMANTHAIAH:
DR. AMEE YAJNIK:

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

(a) whether Government is contemplating any plan to address people's grievances against the slow-paced justice delivery system in the country;
(b) if so, the details thereof and if not, the reasons therefor; and
(c) whether Government is considering/ allowing e-petitions and e-filing of cases as part of an effort to speed up judicial processes and to modernise judicial systems through digital technology and if so, the details thereof?

ANSWER
MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) to (b): National Mission for Justice Delivery and Legal Reforms was set up 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 computerisation, increase in strength of subordinate judiciary, policy and legislative measures in the

areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.The major steps taken during the last five years under various initiatives are as follows:

(a) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs. 7,453.10 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. Out of this, Rs.4,008.80 crores (which is 53.79% of the total amount released till date) have been released to the States and UTs since April, 2014. The number of court halls has increased from 15,818 as on 30.06.2014 to 19,694 as on 29.02.2020 and number of residential units has increased from 10,211 as on 30.06.2014 to 17,432 as on 29.02.2020 under this scheme. In addition, 2,814 court halls and 1,843 residential units are under construction.

(b) Leveraging Information and Communication Technology (ICT) for improved justice delivery: Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased from 13,672 to 16,845 registering an increase of 3,173 during 2014 till date. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). Currently, case status information in respect of over 13.13 crore pending and disposed cases and more than 11.46 crore orders / judgments pertaining to these computerized courts is available on NJDG. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video

Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails.

(c) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 29.02.2020, 35 Judges were appointed in Supreme Court. 522 new Judges were appointed and 443 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1079 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
29.02.2020	24,018	19,160

Filling up of vacancies in Subordinate judiciary falls within the domain of the State Governments and High Courts concerned.

(d) Reduction in Pendency through / follow up by Arrears Committees: In pursuance of resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts.

(e) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory pre-institution mediation and settlement 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.

(f) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the

judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution form 32% to 42% to meet such requirements. As on 31.12.2019, 828 Fast Track Courts are functional for heinous crimes, crimes against women and children, family and matrimonial disputes, etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi) and proportionate funds have been released to these States by the Government. Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 27 States/UTs have joined the scheme for setting up of 649 FTSCs including 363 exclusive POCSO courts. Rs.99.43 crore (out of the total allocation of Rs.100 crore) has already been released as the first instalment for FTSCs.

(g) In order 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.

(c): e-Filing application was launched on 14th August, 2018 by the Supreme Court of India. It is made available at efiling.ecourts.gov.in where online registration of lawyers and litigants can be done. Through the application, one can file cases from any part of India to any court after registration. e-Filing application has been developed and is integrated with Case Information Software (CIS 3.0), which is the standard application software across all District and Subordinate Courts of the country. Integration with CIS 1.0 software of High Courts is also complete. e-Filing

module with e-payment of court fees is ready for courts in the states of Telangana, Andhra Pradesh, Maharashtra, Punjab and Haryana. The e-filing facility is live and working in selected pilot district courts at Punjab and Haryana High Courts such as Gurugram District Court, Haryana. Further, pursuant to the directions of Delhi High Court, e-filing facility integrated with CIS 3.1 has been implemented with effect from 01st March, 2020 in respect of all commercial disputes in Delhi District Courts. The e-filing facility is live and working in Mumbai District Courts.

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Appointment DVN

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 2167

TO BE ANSWERED ON THURSDAY, THE 12.03.2020

Memorandum of Procedure for appointment of judges

2167. SHRI SUSHIL KUMAR GUPTA:

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

(a) whether it is a fact that new Memorandum of Procedure (MoP) for the appointment of judges to the higher judiciary is yet to be finalised because of continued disagreements over the issue for more than four years after the Supreme Court asked the Centre to draft the document; and

(b) if so, the reasons for this delay?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) and (b): The Supreme Court vide its Order dated 16.12.2015 on improvement in the Collegium System have directed that the Government of India may finalize the existing Memorandum of Procedure (MoP) by supplementing in consultation with the Supreme Court Collegium taking into account aspects such as transparency, secretariat, eligibility criteria and complaint mechanism.

Accordingly, the Government of India has drafted modified MoP. The draft MoP was sent to the Supreme Court Collegium vide letter

dated 22.03.2016. The response of the Collegium was received on 25.5.2016 and 1.7.2016. The views of the Government were conveyed to the Chief Justice of India on 03.08.2016. The inputs on the MoP of the Supreme Court Collegium were received from Chief Justice of India vide letter dated 13.03.2017.

Meanwhile, in another judgment dated 04.07.2017 of Supreme Court in a suo moto contempt proceeding against a Judge of the Calcutta High Court, the Supreme Court has underlined the need to revisit the process of selection and appointment of Judges to the Constitutional Courts. The Government of India has conveyed the need to make improvement on the draft MoP to the Secretary General of the Supreme Court vide letter dated 11.07.2017.

As the process of finalization of the revised Memorandaum of Procedire (MoP) for appointment of Judges to Supreme Court and High Courts was likely to take some time, on the initiative of the Government of India the matter was taken up with the Supreme Court and the process of appointment of Judges was resumed, pending finalization of the revised MoP. During the last 4 years, the following appointments have been made in the Supreme Court and High Courts:-

Appointment/Transfer of Judges	**2016**	**2017**	**2018**	**2019**	**2020** (upto 9.3.2020)	**Total**
Judges appointed in the Supreme Court	04	05	08	10	-	27
Judges appointed in the High Courts	126	115	108	81	29	459
Additional Judges made Permanent in High Courts	131	31	115	68	13	358

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

RAJYA SABHA

UNSTARRED QUESTION NO. 2168

TO BE ANSWERED ON THURSDAY, THE 12th MARCH, 2020

Loopholes in judicial system against justice delivery

2168. SHRI ANIL DESAI:

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

(a) whether there is a number of instances of delaying tactics adopted by litigants/lawyers in various courts including the Supreme Court;

(b) whether Government is also aware about the fact that there are a number of loopholes in the judicial system which is being used to delay justice delivery; and

(c) whether in Nirbhaya case justice could not be delivered expeditiously due to these loopholes including lack of time-limit for filing mercy and curative petitions by the accused persons, the details thereof?

ANSWER
MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) to (c): Disposal of cases in courts including Supreme Court falls within the domain of the judiciary. Timely disposal of cases in courts depends on several factors which, *inter-alia*, include availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper

application of rules and procedures. Government has no role in hearings of cases in courts. However, the Union Government is committed to speedy disposal of cases and reduction in pendency of cases. National Mission for Justice Delivery and Legal Reforms was set up 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 computerisation, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 2170
TO BE ANSWERED ON THURSDAY, THE 12th MARCH, 2020

Cases pending in lower judiciary

2170. SHRI NEERAJ SHEKHAR:

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

(a) the details of criminal and civil cases pending at the level of lower judiciary in the country as on date separately, Statewise;
(b) the details of average time taken by lower judiciary to dispose of the civil and criminal cases separately, State-wise;
(c) the details of vacancies at the level of lower judiciary as on date along with the details of vacancies filled up during 2019 and 2020 till date, State-wise;
(d) whether assessment for impact on disposal of cases due to vacancies in judiciary has been carried out in the recent future; and
(e) if so, the details thereof?

ANSWER
MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a): Details of Civil and Criminal cases pending in District and Subordinate Courts in the country, State-wise as on date is at **Annexure-I**.

(b): No such data is available with the Central Government. Disposal of cases falls within the purview of the judiciary.

(c): The appointment of Judges and Judicial Officers in the District and Subordinate Courts falls within the domain of the High Courts and State Governments concerned in which the Central Government has no role. There were 4,858 vacant posts of Judicial Officers/Judges in District and Subordinate courts in the country as on 29.02.2020.The details of vacancies at the level of District and Subordinate Courts, State-wise as on date is at **Annexure-II**.

(d): No, Sir.

(e): Does not arise.

Annexure-I

Details of Civil and Criminal pending Cases in the country State / UT-wise

Sl. No	Name of States/UTs	Pending Cases (Civil)	Pending Cases (Criminal)	Total Number of Cases pending in District and Subordinate Courts as on 09.03.2020
1.	A & N Island*	------	------	------
2.	Andhra Pradesh	309434	252797	562231
3.	Telangana	246858	323489	570347
4.	Arunachal Pradesh*	--------	--------	---------
5.	Assam	70824	235060	305884
6.	Bihar	402622	2489714	2892336
7.	Chandigarh	18204	30417	48621
8.	Chhattisgarh	56301	219518	275819
9.	D & N Haveli	1353	1626	2979
10.	Daman & Diu	1139	1133	2272
11.	Delhi	199777	666340	866117
12.	Goa	21695	26262	47957
13.	Gujarat	422254	1163246	1585500
14.	Haryana	317391	563158	880549
15.	Himachal Pradesh	125152	171608	296760
16.	Jammu & Kashmir	74284	104927	179211
17.	Jharkhand	68837	307227	376064
18.	Karnataka	746481	809123	1555604
19.	Kerala	401232	904085	1305317
20.	Ladakh	327	303	630
21.	Lakshadweep*	--------	---------	--------
22.	Madhya Pradesh	327080	1119509	1446589
23.	Maharashtra	1233712	2660562	3894274
24.	Manipur	6106	3631	9737
25.	Meghalaya	2353	6486	8839
26.	Mizoram	1160	1381	2541
27.	Nagaland*	-------	--------	--------
28.	Orissa	261560	987445	1249005
29.	Punjab	277364	357884	635248
30.	Rajasthan	434436	1151635	1586071
31.	Sikkim	490	806	1296
32.	Tamil Nadu	650368	500190	1150558
33.	Pondicherry*	-------	-------	-------
34.	Tripura	7692	19104	26796
35.	Uttar Pradesh	1740990	5979658	7720648
36.	Uttarakhand	34643	174515	209158
37.	West Bengal	514045	1782895	2296940
Total		**8976164**	**23015734**	**31991898**

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

Annexure-II

Sanctioned Strength / Working Strength and vacancies in Subordinate Courts as on 29.02.2020

Sl. No.	States & Uts	Total Sanctioned Strength	Total Working Strength	Total Vacancy
1	Andaman and Nicobar	0	13	-13
2	Andhra Pradesh	599	526	73
3	Arunachal Pradesh	41	27	14
4	Assam	441	409	32
5	Bihar	1925	1437	488
6	Chandigarh	30	29	1
7	Chhattisgarh	480	393	87
8	D & N Haveli	3	3	0
9	Daman & Diu	4	3	1
10	Delhi	799	678	121
11	Goa	50	40	10
12	Gujarat	1521	1183	338
13	Haryana	772	475	297
14	Himachal Pradesh	175	163	12
15	Jammu and Kashmir	290	232	58
16	Jharkhand	677	458	219
17	Karnataka	1346	1098	248
18	Kerala	536	456	80
19	Lakshadweep	3	3	0
20	Madhya Pradesh	2021	1651	370
21	Maharashtra	2189	1940	249
22	Manipur	55	41	14
23	Meghalaya	97	49	48
24	Mizoram	64	45	19
25	Nagaland	33	26	7
26	Odisha	920	771	149
27	Puducherry	26	11	15
28	Punjab	675	577	98
29	Rajasthan	1428	1119	309
30	Sikkim	25	19	6
31	Tamil Nadu	1257	1080	177
32	Telangana	474	383	91
33	Tripura	120	95	25
34	Uttar Pradesh	3634	2581	1053
35	Uttarakhand	294	228	66
36	West Bengal	1014	918	96
TOTAL	**TOTAL**	**24018**	**19160**	**4858**

Appointment DVN

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 2174

TO BE ANSWERED ON THURSDAY, THE 12.03.2020

Regional Benches of Supreme Court/ High Courts

2174. SHRI PARIMAL NATHWANI:

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

a) whether Government has received proposals from various State Governments for setting up of Regional Benches of Supreme Court and High Courts in their respective States;
b) if so, the details thereof and the status of the proposals received till date, Statewise including Jharkhand and Gujarat;
c) the details of the criteria adopted by Government for setting up of additional Benches of High Courts in the States; and
d) the number of such benches set up so far and number of Benches proposed to be set up in the country, State-wise?

ANSWER
MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) to (d): No proposal has been received from State Governments for setting up of Regional Benches of Supreme Court. However, representations have been received from time to time from various quarters for establishment of Benches of Supreme Court in various parts of the

country. The Law Commission, in its 229th Report 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, the Southern region at Chennai/Hyderabad, the Eastern region at Kolkata and the Western region at Mumbai. The idea of a separate Bench of Supreme Court outside Delhi has not found favour with the Supreme Court of India.

High Court Benches, at a place other than its Principal seat 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 incorporating readiness to provide infrastructure and meet the expenditure, alongwith the consent of the Chief Justice of the concerned High Court and the consent of the Governor of the concerned State.

The request of the State Government for establishment of Bench of Jharkhand High Court at Dumka was received in 2015. The Central Government had requested the Jharkhand High Court to provide its views. The Jharkhand High Court has not agreed to the proposal due to inadequate number of Judges and no suitable place to locate the Circuit Court.

Also, at present there is no proposal complete in all aspects for establishment of High Court Bench from any State including the State of Gujarat, pending for consideration of the Central Government.

A statement showing Benches of High Courts State-wise is at **Annexure**.

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Annexure

A statement showing the High Courts and their Benches State-wise referred to in part (a) to (d) of Rajya Sabha Unstarred Question No. 2174 to be answered on 12.03.2020

Sl. No.	High Court(States)	Principal Seat	Jurisdiction	Permanent Bench and Date from which the Bench began functioning
1.	Allahabad(Uttar Pradesh)	Allahabad	Uttar Pradesh	**1)** Lucknow **(01.07.1948)**
2.	Andhra Pradesh (01.01.2019)	Amaravati	Andhra Pradesh	-
3.	Telangana	Hyderabad	Telangana	-
4.	Bombay(Maharashtra)	Mumbai	Maharashtra; Goa; Daman & Diu; Dadra & Nagar Haveli;	**2)** Nagpur **(01.05.1960),** **3)** Panaji **(01.07.1948),** **4)** Aurangabad **(27.08.1984)**
5.	Calcutta(West Bengal)	Kolkata	West Bengal & Andaman & Nicobar Islands	**5) Circuit Bench at Jalpaiguri** vide Presidential Order dated 7th February, 2019. **6) Circuit Bench at Port Blair.**
6.	Chattisgarh	Bilaspur	Chattisgarh	-
7.	Delhi(NCT of Delhi)	New Delhi	NCT of Delhi	-
8.	Gauhati(Assam)	Guwahati	Assam, Nagaland, Mizoram & Arunachal Pradesh	**7)** Kohima **(10.02.1990),** **8)** Aizawl **(05.07.1990),** **9)** Itanagar **(12.08.2000)**
9.	Gujarat	Sola (Ahmedabad)	Gujarat	-

10.	Himachal Pradesh	Shimla	Himachal Pradesh	-
11.	High Court for the Union Territory of Jammu & Kashmir and Union Territory of Ladakh (as per Jammu & Kashmir reorganization Act, 09.08.2019)	Jammu & Srinagar	Jammu & Kashmir (UT), Ladakh(UT)	-
12.	Jharkhand	Ranchi	Jharkhand	-
13.	Karnataka	Bangalore	Karnataka	**10)** Dharwad **(24.08.2013)**, **11)** Gulbarga **(31.08.2013)**
14.	Kerala	Ernakulam (Kochi)	Kerala & Lakshadweep Islands	-
15.	Madhya Pradesh	Jabalpur	Madhya Pradesh	**12)** Gwalior **(01.11.1956)**, **13)** Indore **(01.11.1956)**
16.	Madras(Tamil Nadu)	Chennai	Tamil Nadu & Pondicherry	**14)** Madurai **(24.07.2004)**
17.	Orissa	Cuttack	Orissa	-
18.	Patna(Bihar)	Patna	Bihar	-
19.	Punjab & Haryana	Chandigarh	Punjab, Haryana & Chandigarh	-
20.	Rajasthan	Jodhpur	Rajasthan	**15)** Jaipur **(31.01.1977)**
21.	Sikkim	Gangtok	Sikkim	-
22.	Uttarakhand	Nainital	Uttarakhand	-
23.	Manipur	Imphal	Manipur	
24.	Meghalaya	Shillong	Meghalaya	
25.	Tripura	Agartala	Tripura	

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE
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Jus. II
RAJYA SABHA

UNSTARRED QUESTION NO. +2176

TO BE ANSWERED ON THURSDAY, THE 12th March, 2020

Fast Track Courts in Gujarat

+2176. SHRI NARANBHAI J. RATHWA:

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

(a) whether fast track courts have been established in Gujarat;

(b) if so, the details thereof;

(c) whether the required funds are not being released for smooth operation of the fast track courts and the reaction of Government thereto; and

(d) the details of funds released to Gujarat for the above mentioned task during the last three years?

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a)to(d): Setting up of subordinate courts including Fast Track Courts (FTCs) and its functioning come within the domain of the State Governments in consultation with the respective High Courts. The proposal of Union of India for setting up of 1800 Fast Track Courts (FTCs) during 2015-2020 for dealing specific natured cases of heinous nature, women, children, senior citizens, other vulnerable sections

of society and civil cases pending for 5 years had been endorsed by the 14th Finance Commission. The Commission had urged State Governments to utilize enhanced fiscal space available through tax devolution (32% to 42%) for the above. Union Government has also asked states to set up requisite number of FTCs. There are 828 such FTCs functioning in the country. As per information obtained from High Court, there is no functional FTC in the State of Gujarat (as on 31st Dec, 2019).

In furtherance to The Criminal Law (Amendment) Act, 2018, taking special efforts, the Union Government has finalized a new scheme of Fast Track Special Court (FTSC) for speedy trial and disposal of cases related to rape and POCSO act and communicated state Governments and Union Territory administrations to open up FTSCs including exclusive POCSO courts in Sep 2019. After receipt of consent from the State Government of Gujarat, first installment of central share of funds has been released for setting up of 35 FTSC including 24 exclusive POCSO courts on 28th November, 2019.

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Appointment DVN

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 2177

TO BE ANSWERED ON THURSDAY, THE 12.03.2020

Timeline for appointment of judges in High Courts

2177. SHRI NARESH GUJRAL:

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

(a) whether there were 410 vacancies in the High Courts as on 1st December, 2019, if so, how many have been filled since then;

(b) whether the appointment of approximately 100 judges as on 6th December, 2019 recommended by the collegium has not been notified, if not, the status of the same; and

(c) whether Government is planning to revise the Memorandum of Procedure (MoP) defining a strict timeline for Government to appoint judge's post the collegiums recommendation?

ANSWER
MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) to (c): There are 410 number of posts of the judges vacant in various High Courts as on 01.12.2019. The recommendations of 197 vacancies were not received from various High Courts. Out of remaining 213 proposals, 43 appointments have been notified as on 09.03.2020; 17 proposals have been rejected by Supreme Court Collegium and hence, remitted to concerned High Court and the remaining proposals are under various stages of processing with the Government and Supreme Court Collegium as per procedure prescribed in MoP.

The Supreme Court vide its Order dated 16.12.2015 on improvement in the Collegium System have directed that the Government of India may finalize the existing Memorandum of Procedure (MoP) by supplementing in consultation with the Supreme Court Collegium taking into account aspects such as transparency, secretariat, eligibility criteria and complaint mechanism.

Accordingly, the Government of India has drafted modified MoP. The draft MoP was sent to the Supreme Court Collegium vide letter dated 22.03.2016. The response of the Collegium was received on 25.5.2016 and 1.7.2016. The views of the Government were conveyed to the Chief Justice of India on 03.08.2016. The inputs on the MoP of the Supreme Court Collegium were received from Chief Justice of India vide letter dated 13.03.2017.

Meanwhile, in another judgment dated 04.07.2017 of Supreme Court in a suo moto contempt proceeding against a Judge of the Calcutta High Court, the Supreme Court has underlined the need to revisit the process of selection and appointment of Judges to the Constitutional Courts. The Government of India has conveyed the need to make improvement on the draft MoP to the Secretary General of the Supreme Court vide letter dated 11.07.2017.

Filling up of vacancies in the High Courts is a continuous, integrated and collaborative process, between the Executive and the Judiciary. It requires consultation and approval from various constitutional authorises both at the State and Centre level. Hence, the time for filling up of vacancies of the Judges in the Higher Judiciary cannot be indicated.

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JR Desk

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. †2178

TO BE ANSWERED ON THURSDAY, THE 12TH MARCH, 2020

Development of Infrastructure Facilities for Judiciary in Gujarat

†2178. SHRI NARANBHAI J. RATHWA:

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

(a) whether Government has implemented Centrally Sponsored Scheme for Development of Infrastructure Facilities for the Judiciary in Gujarat;

(b) if so, the details thereof;

(c) the amount sanctioned/released/spent by Government in respect of Gujarat under the Development of Infrastructure Facilities for the Judiciary during the last three years; and

(d) the measure of improvements done in Judicial Infrastructure in Gujarat till now and the details thereof?

A N S W E R

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a) & (b): The Union Government has been implementing a Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary by providing financial assistance to State Governments / UTs in the prescribed fund sharing pattern between Centre and States. The Scheme is being implemented since 1993-94. It covers the construction of court buildings and residential accommodations for Judicial Officers of District and Subordinate Judiciary. Till date, Central Government has sanctioned Rs. 7,453 crore to States/UTs since the inception of the Scheme. Out of this, Rs. 534.15 crore has been sanctioned to the State Government of Gujarat.

(c): The Status of funds released by the Central Government under the Scheme and the amount of Utilization Certificates submitted by the State Government of Gujarat against the funds released during the last three years and the current financial year is as follows:

(In Rs. crore)

State	Funds released during				Amount of Utilization Certificate(s) furnished for the funds released since 2016-17.
	2016-17	2017-18	2018-19	2019-20 (as on 09.3.2020)	
Gujarat	50.00	50.00	15.02	16.49	115.02

(d): The primary responsibility of development of Infrastructure facilities for judiciary rests with the State Government. To augment the resources of the State Governments, funds are released under the Scheme by the Central Government for construction of court buildings and residential accommodations for Judicial Officers of District and Subordinate Judiciary. As per information available, the number of court halls in Gujarat has increased from 1354 in 2017 to 1509 as on 09.03.2020. Similarly, the number of residential units for Judicial Officers in Gujarat has increased from 1224 in 2017 to 1323 as on 09.03.2020. In addition, presently 158 court halls and 51 residential units are under construction in the State of Gujarat.

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Appointment DVN

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 2179

TO BE ANSWERED ON THURSDAY, THE 12.03.2020

Establishment of National Courts of Appeals

2179. SHRI P. WILSON:

Will the Minister of **LAW AND JUSTICE** be pleased to state whether any steps have been taken to establish National Courts of Appeal region-wise or Regional Benches of Supreme Court by Constitutional amendment to reduce the pending cases in Supreme Court and to make the justice easily accessible at affordable cost?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

According to Article 130 of the Constitution, 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.

Representations have been received from time to time from various quarters for establishment of Benches of Supreme Court in various parts of the country. The Law Commission in its 229th Report 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, the Southern region at Chennai/Hyderabad, the Eastern region at Kolkata and the Western region at Mumbai.

The matter was referred to the Chief Justice of India, who has 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.

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.

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NM

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

STARRED QUESTION NO. *277

TO BE ANSWERED ON THURSDAY, 19th MARCH, 2020

All India Judicial Services Exams

***277. SHRI TIRUCHI SIVA:**

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

(a) whether the Ministry propose to conduct an All India Judicial Services Exams for appointment of Judges to the district level judiciary;
(b) if so, the language in which the exams will be conducted and the details regarding the manner in which the exams will be conducted; and
(c) the details of the laws that would be formulated to set up an All India Authority to conduct such exams?

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(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. *277 FOR ANSWER ON 19th MARCH, 2020.

(a) to (c) : In Government's view, a properly framed All India Judicial Service is important to strengthen the overall justice delivery system, especially at the district and subordinate court level. This will give an opportunity for induction of suitably qualified fresh legal talent selected through a proper all-India merit selection system, who would be put to intensive training for developing professional skills. This would also address the issue of social inclusion by enabling suitable representation to marginalized and deprived sections of society and also reflect the diversity of Indian legal talent.

A comprehensive proposal was formulated for the constitution of an All India Judicial Service (AIJS) and the same was approved by the Committee of Secretaries in November, 2012. Besides attracting some of the best talent in the country, it may also facilitate inclusion of competent persons from marginalized sections and women in the judiciary. The proposal was included as an agenda item in the Conference of Chief Ministers and Chief Justices of the High Courts held in April, 2013 and it was decided that the issue needs further deliberation and consideration. The views of the State Governments and High Courts were sought on the proposal. There was divergence of opinion among the State Governments and among the High Courts on the constitution of All India Judicial Service. While some State Governments and High Courts favoured the proposal, some were not in favour of creation of All India Judicial Service while some others wanted changes in the proposal formulated by the Central Government.

The matter regarding creation of a Judicial Service Commission to help the recruitment to the post of district judges and review of selection process of judges / judicial officers at all level was also included in the agenda for the Chief Justices Conference, which was held on 03rd and 04th April, 2015, wherein it was resolved to leave it open to the respective High Courts to evolve appropriate methods within the existing system to fill up the vacancies for appointment of District judges expeditiously. The proposal for constitution of All India Judicial Service with views from the High

Courts and State Governments received thereon was included in the agenda for the Joint Conference of Chief Ministers and Chief Justices of the High Courts held on 05th April, 2015. However, no progress was made on the subject.

The proposal of setting up of an All India Judicial service was again discussed on points of eligibility, age, selection criteria, qualification, reservations etc in a meeting chaired by Minister of Law and Justice on 16th January 2017 in the presence of Minister of State for Law and Justice, Attorney General of India, Solicitor General of India, Secretaries of Department of Justice, Legal affairs and Legislative Department. In view of the existing divergence of opinion amongst the stakeholders the Government is engaged in a consultative process with the stakeholders to arrive at a common ground.

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GOVERNMENT OF INDIA

MINISTRY OF LAW AND JUSTICE

DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 2975

TO BE ANSWERED ON THURSDAY, THE 19th MARCH, 2020.

Requirement of changes in judicial system

2975. LT.GEN. (DR.) D.P.VATS (RETD.):
SHRI HARNATH SINGH YADAV:
SHRI VIJAY PAL SINGH TOMAR:

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

(a) whether the present system of the judiciary has some shortcomings as the genuine cases are not being finalised on time and persons concerned are not getting justice and in order to get justice are wondering around the courts, in view of the numerous cases pending before the Subordinate Courts and High Courts across the country for the past several years;

(b) if so, whether there is urgent need to change country`s present system of judiciary so that people can get justice on time; and

(c) if so, the details thereof?

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS, ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) to (c): Disposal of cases in courts is within the domain of judiciary. Timely disposal of cases in courts depends on several factors which, *inter-alia*, include availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures.

The Supreme Court of India with an objective to revisit and implement the recommendations of Law Commission of India in its various reports to promote Court Management, Case Management and improve Administration of Justice, established the scheme of National Court Management Systems (NCMS) in 2012 for enhancing timely justice under overall control of Chief Justice of India. A National Court Management System Committee(NCMS Committee) was constituted by the Supreme Court to facilitate development of policy initiative in order to reform and strengthen the judicial system and enhance quality, responsiveness and timely of judicial administration. The Policy and Action Plan of the NCMS provides for proposals to be developed by the NCMS Committee on setting measurable performance standards for courts, adoption of case management systems, standardization of judicial data and statistics and adoption of human resource plan for courts. The plan, *inter-alia*, outlines a broad framework for case management, which includes settling issues, encouraging parties to resort to Alternate Dispute Resolution, extensive use of Order X of Code of Civil Procedure, 1908 in civil matters and fixing a time schedule for resolution of cases. However, it was left open to High Courts to implement the recommendations relating to case management.

However, the Union Government is committed to speedy disposal of cases and reduction in pendency of cases to improve access to justice in line with the mandate under Article 39A of the Constitution. The National Mission for Justice Delivery and Legal Reforms, established by the Union Government in 2011, has adopted many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases.

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

RAJYA SABHA

UNSTARRED QUESTION NO. 2976
TO BE ANSWERED ON THURSDAY, THE 19th MARCH, 2020

Appointment of judges in lower judiciary

2976. SHRI KUMAR KETKAR:

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

(a) the State-wise list of number of judges in lower judiciary appointed from 2014;
(b) what is the budget fixed for court infrastructure, State-wise; and
(c) whether the number of judges have increased as per increasing population in that territory?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) : As per the Constitutional framework, the selection and appointment of judges in subordinate courts is the responsibility of the High Courts and State Governments concerned. At the end of year 2014, as against Sanctioned Strength of 20,214, there were 15,634 filled up and 4,580 vacant posts of judges in District and Subordinate Courts. The State-wise list of Sanctioned/Working strength of judges for the year 2014 is not available. The State-wise list of Sanctioned/Working strength and vacancy position of the judges in District and Subordinate Courts for the years 2015 onwards is at **Annexure I & II**. The Supreme Court, through a judicial order in January 2007 in Malik Mazhar Sultan case, stipulated that process for recruitment of judges in subordinate courts would commence on 31st March of a calendar year and end by 31st October of the same year. Again in 2018, in the said case, the Supreme Court, taking suo motu cognisance of large number of judicial vacancies in lower courts, directed State Governments/UTs and Registrars General of

jurisdictional High Courts to inform the position regarding filling up of judicial vacancies. The Supreme Court is monitoring the filling up of vacancies under the said judicial order.

(b): It is the primary responsibility of the State Governments to provide Judicial Infrastructure and Court Rooms in District and Subordinate Courts. The Union Government has been administering a Centrally Sponsored Scheme (CSS) for Development of Infrastructure facilities for Judiciary in order to augment the resources of State Governments, in association with the States/UT Governments. The Scheme is being implemented since 1993-94. It covers the construction of court halls and court complexes and residential complexes and residential accommodations of judicial officers of District and Subordinate Judiciary. State/UT-wise details of amount released during 2019-20 under the Centrally Sponsored Scheme for Development of Infrastructure in District and Subordinate judiciary is at **Annexure-III**.

(c): In the case of Imtiyaz Ahmed versus State of Uttar Pradesh and others, 2012, the Supreme Court had asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts required to clear the backlog of cases. In 245th report (2014), the Law Commission observed that filing of cases per capita varies substantially across geographic units as filings are associated with economic and social conditions of the population. As such the Law Commission did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. The Law Commission found that in the absence of complete and scientific approach to data collection across various High Courts in the country, 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, is more pragmatic and useful.

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Annexure - I

Sanctioned Strength / Working Strength and Vacancies of Judicial Officers in District and Subordinate Courts during the years 2015, 2016 and 2017.

Sl. No	Name of States/UTs	Position of Judicial Officers as on 31.12.2015			Position of Judicial Officers as on 31.12.2016			Position of Judicial Officers as on 31.12.2017		
		Sanctioned Strength	Working Strength	Vacancies	Sanctioned Strength	Working Strength	Vacancies	Sanctioned Strength	Working Strength	Vacancies
1.	Andhra Pradesh &Telangana	1034	785	249	1025	929	96	986	920	66
2.	Arunachal Pradesh	17	15	2	26	17	9	28	17	11
3.	Assam	424	319	105	424	311	113	429	352	77
4.	Bihar	1727	1067	660	1825	1002	823	1828	993	835
5.	Chhattisgarh	385	341	44	395	356	39	398	335	63
6.	Goa	57	49	8	57	50	7	55	43	12
7.	Gujarat	1939	1170	769	1502	1111	391	1496	1121	375
8.	Haryana	644	474	170	644	501	143	645	496	149
9.	Himachal Pradesh	152	134	18	155	147	8	159	148	11
10.	Jammu & Kashmir	245	220	25	246	219	27	253	224	29
11.	Jharkhand	592	466	126	673	448	225	672	419	253
12.	Karnataka	1122	820	302	1300	913	387	1303	976	327
13.	Kerala	457	442	15	491	427	64	535	450	85
14.	Madhya Pradesh	1350	1132	218	2021	1240	781	2021	1293	728
15.	Maharashtra	2251	1917	334	2094	1969	125	2097	1930	167
16.	Manipur	41	35	6	34	25	9	49	40	09
17.	Meghalaya	57	29	28	57	41	16	97	39	58
18.	Mizoram	63	30	33	63	30	33	63	46	17
19.	Nagaland	27	25	2	34	25	9	34	22	12
20.	Odisha	716	598	118	862	601	261	862	656	206
21.	Punjab	672	490	182	674	546	128	674	538	136
22.	Rajasthan	1191	985	206	1205	1076	129	1225	1122	103
23.	Sikkim	18	14	4	23	13	10	23	18	5
24.	Tamil Nadu	1015	969	46	1047	939	108	1108	908	200
25.	Tripura	104	68	36	106	77	29	107	76	31
26.	Uttar Pradesh	2104	1827	277	3142	1728	1414	3204	1856	1348
27.	Uttarakhand	280	206	74	291	218	73	291	230	61
28.	West Bengal	959	900	59	1013	913	100	956	916	40
29.	A & N Island							11	11	0
30.	Chandigarh	30	30	0	30	30	0	30	30	0
31.	D & N Haveli and Daman & Diu	7	6	1	7	6	1	7	7	0
32.	Delhi	793	490	303	793	489	304	799	482	317
33.	Lakshadweep	3	3	0	3	3	0	3	2	1
34.	Puducherry	26	14	12	26	13	13	26	12	14
Total		**20502**	**16070**	**4432**	**22288**	**16413**	**5875**	**22474**	**16728**	**5746**

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Annexure - II

Sanctioned Strength/Working Strength and Vacancies of Judicial Officers in District and Subordinate courts during the years 2018, 2019 and Current Year.

S.No.	Name of States/Uts	Position of Judicial officers as on 31.12.2018			Position of Judicial officers as on 31.12.2019			Position of Judicial officers as on 29.02.2020		
		Sanctioned Strength	Working Strength	Vacancies	Sanctioned Strength	Working Strength	Vacancies	Sanctioned Strength	Working Strength	Vacancies
1	Andaman and Nicobar	11	11	0	0	13	-13	0	13	-13
2	Andhra Pradesh	494	445	49	597	529	68	599	526	73
3	Arunachal Pradesh	30	25	5	41	27	14	41	27	14
4	Assam	430	383	47	441	412	29	441	409	32
5	Bihar	1845	1205	640	1925	1149	776	1925	1437	488
6	Chandigarh	30	30	0	30	29	1	30	29	1
7	Chhattisgarh	452	397	55	468	394	74	480	393	87
8	D & N Haveli	3	3	0	3	3	0	3	3	0
9	Daman & Diu	4	4	0	4	3	1	4	3	1
10	Delhi	799	541	258	799	681	118	799	678	121
11	Goa	50	42	8	50	43	7	50	40	10
12	Gujarat	1506	1150	356	1521	1185	336	1521	1183	338
13	Haryana	651	489	162	772	475	297	772	475	297
14	Himachal Pradesh	159	149	10	175	153	22	175	163	12
15	Jammu and Kashmir	310	224	86	290	232	58	290	232	58
16	Jharkhand	676	460	216	677	461	216	677	458	219
17	Karnataka	2614	2181	433	1345	1106	239	1346	1098	248
18	Kerala	496	433	63	536	457	79	536	456	80
19	Lakshadweep	3	3	0	3	3	0	3	3	0
20	Madhya Pradesh	1872	1361	511	2021	1620	401	2021	1651	370
21	Maharashtra	2011	1844	167	2189	1942	247	2189	1940	249
22	Manipur	55	40	15	55	39	16	55	41	14
23	Meghalaya	97	39	58	97	49	48	97	49	48
24	Mizoram	67	46	21	64	46	18	64	45	19
25	Nagaland	33	26	7	33	25	8	33	26	7
26	Odisha	911	755	156	919	770	149	920	771	149
27	Puducherry	26	19	7	26	11	15	26	11	15
28	Punjab	674	530	144	675	579	96	675	577	98
29	Rajasthan	1337	1108	229	1428	1121	307	1428	1119	309
30	Sikkim	23	19	4	25	19	6	25	19	6
31	Tamil Nadu	1143	905	238	1255	1080	175	1257	1080	177
32	Telangana	493	445	48	413	334	79	474	383	91
33	Tripura	115	75	40	120	96	24	120	95	25
34	Uttar Pradesh	3225	2037	1188	3416	2578	838	3634	2581	1053
35	Uttarakhand	293	234	59	294	228	66	294	228	66
36	West Bengal	1013	938	75	1014	918	96	1014	918	96
Total		**23951**	**18596**	**5355**	**23721**	**18810**	**4911**	**24018**	**19160**	**4858**

Annexure - III

Amount Sanctioned during the year 2019-20 under Centrally Sponsored Scheme for the Development of Infrastructure Facilities for District and Subordinate Judiciary (Rs. in lakh) (As on 16.03.2020)

S. NO.	State/Uts	2019-2020
1.	Andhra Pradesh	1000.00
2.	Bihar	7762.00
3.	Chhattisgarh	983.00
4.	Goa	406.00
5.	Gujarat	1649.00
6.	Haryana	1406.00
7.	Himachal Pradesh	572.00
8.	Jammu & Kashmir	1000.00
9.	Jharkhand	1374.00
10.	Karnataka	3404.00
11.	Kerala	1582.00
12.	Madhya Pradesh	4690.00
13.	Maharashtra	2109.00
14.	Odisha	3569.00
15.	Punjab	1978.00
16.	Rajasthan	3421.00
17.	Tamilnadu	2871.00
18.	Telangana	565.00
19.	Uttarakhand	850.00
20.	UttarPradesh	12194.00
21.	West Bengal	4143.00
22.	Arunachal Pradesh	269.00
23.	Assam	3154.00
24.	Manipur	666.00
25.	Meghalaya	1285.00
26.	Mizoram	524.00
27.	Nagaland	0.00
28.	Sikkim	278.00
29.	Tripura	1382.00
30.	A&N Islands	200.00
31.	Chandigarh	0.00
32.	Dadra & Nagar Haveili	0.00
33.	Daman & Diew	0.00
34.	Delhi	4669.00
35.	Lakshadweep	0.00
36.	Puducherry	331.00
Total		**70286.00**

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 2977

TO BE ANSWERED ON THURSDAY, THE 19TH MARCH, 2020.

Suggestion of Law Commission on judges to population ratio

2977. SHRI PRABHAT JHA:

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

(a) whether there are only 18 judges for every ten lakh people in the country, at present, whereas the Law Commission had suggested that there should be 50 judges in place for every ten lakh people;
(b) if so, the details thereof ;
(c) whether Government is taking adequate steps to balance the ratio of population and judges, in the light of the suggestions given by the Law Commission;and
(d) if so, the details thereof?

ANSWER
MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) and (b): Based on the population as per Census 2011 and as per available information regarding sanctioned strength of Judges in Supreme Court, High Courts and District & Subordinate Courts in the year 2019, the judge - population ratio in the country works out to be 20.52 Judges per million population. In the case of Imtiyaz Ahmed versus State of Uttar Pradesh and others, 2012, the Supreme Court had asked

the Law Commission of India to evolve a method for scientific assessment of the number of additional courts required to clear the backlog of cases. In 245th report (2014), the Law Commission observed that filing of cases per capita varies substantially across geographic units as filings are associated with economic and social conditions of the population. As such the Law Commission did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. The Law Commission found that in the absence of complete and scientific approach to data collection across various High Courts in the country, 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, is more pragmatic and useful.

In August 2014, the Supreme Court asked the National Court Management System Committee (NCMS Committee) to examine the recommendations made by the Law Commission and to furnish its recommendations in this regard. NCMS Committee submitted its report to the Supreme Court in March, 2016. The report, inter-alia, observes that in the long term, the judge strength of the subordinate courts will have to be assessed by a scientific method to determine the total number of "Judicial Hours" required for disposing of the case load of each court. In the interim, the Committee has proposed a "weighted" disposal approach i.e. disposal weighted by the nature and complexity of cases in local conditions.

(c) and (d):The appointment of Judges and Judicial Officers in the District and Subordinate Courts falls within the domain of the High Courts and State Governments concerned in which the Central Government has no role. However, in order to facilitate regular filling up of these vacancies in a smooth and time-bound manner, the Department of Justice *vide* its letter dated 28th April, 2017 suggested certain options to the Hon'ble Supreme Court for creation of a Central Selection Mechanism. The Hon'ble Supreme Court *suo motu* converted the Government's suggestions into a writ petition on 09th May, 2017 and directed all State Governments (including Union Territories) to file their responses and suggestions by way of affidavits. The above matter is *subjudice* at present.

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 2979
TO BE ANSWERED ON THURSDAY, THE 19th MARCH, 2020

Consensus on All India Judicial Service

2979. SHRI RAJKUMAR DHOOT:

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

(a) whether it is a fact that there is a mixed response from States, Union Territories and various High Courts on creation of All India Judicial Service;

(b) if so, the details thereof, State/Union Territory-wise and High Court-wise; and

(c) what efforts Government has made/ proposes to make to evolve consensus on this important issue?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) to (c) : In Government's view, a properly framed All India Judicial Service is important to strengthen overall justice delivery system. This will give an opportunity for induction of suitably qualified fresh legal talent selected through a proper all-India merit selection system as well as address the issue of social inclusion by enabling suitable representation to marginalized and deprived sections of society.

A comprehensive proposal was formulated for the constitution of an All India Judicial Service (AIJS) and the same was approved by the Committee of Secretaries in November, 2012. Besides attracting some of the best talent in the country, it may also facilitate inclusion of competent persons from marginalized sections and women in the judiciary. The proposal was included as an agenda item in the Conference of Chief Ministers and Chief Justices of the High Courts held in April, 2013 and it was decided that the issue needs further deliberation and consideration. The views of the State Governments and High Courts were sought on the proposal. There was divergence of opinion among the State Governments and among the High Courts on the constitution of All India Judicial Service. While some State Governments and High Courts favoured the proposal, some were not in favour of creation of All India Judicial Service while some others wanted changes in the proposal formulated by the Central Government. State/Union Territory-wise and High Court-wise response on creation of All India Judicial Service at **Annexure I & II**.

The matter regarding creation of a Judicial Service Commission to help the recruitment to the post of district judges and review of selection process of judges / judicial officers at all level was also included in the agenda for the Chief Justices Conference, which was held on 03rd and 04th April, 2015, wherein it was resolved to leave it open to the respective High Courts to evolve appropriate methods within the existing system to fill up the vacancies for appointment of District judges expeditiously. The proposal for constitution of All India Judicial Service with views from the High Courts and State Governments received thereon was included in the agenda for the Joint Conference of Chief Ministers and Chief Justices of the High Courts held on 05th April, 2015. However, no progress was made on the subject.

The proposal of setting up of an All India Judicial service was again discussed on points of eligibility, age, selection criteria, qualification, reservations etc in a meeting chaired by Minister of Law and Justice on 16th January 2017 in the presence of Minister of State for Law and Justice, Attorney General of India, Solicitor General of India, Secretaries of Department of Justice, Legal affairs and Legislative Department. In view

of the existing divergence of opinion amongst the stakeholders, the Government is engaged in a consultative process with the stakeholders to arrive at a common ground.

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Annexure - I

Views / responses of the High Courts on the proposal formulated by the Central Government for creation of All India Judicial Service (AIJS)

Sr. No.	Name of the High Court	Comments / vies of the High Court
1.	Allahabad	Allahabad High Court has suggested changes with regard to the age and qualifications for AIJS. Further, it has proposed that the High Court in whose jurisdiction, the officers of All India Judicial Service are posted should exercise complete control over the officer as per Article 235 of the Constitution of India.
2.	Andhra Pradesh	Majority of Hon'ble Judges of Andhra Pradesh High Court **have not accepted** the proposal for creation of All India Judicial Service (AIJS)
3.	Bombay	The issue of formation of All India Judicial Service was placed before full Court meeting on 20.09.2014, when it was **decided NOT** to recommend formation of an All India Judicial Service.
4.	Chhattisgarh	There may be All India Higher Judicial Services **to the extent of 15% of the total vacancy from the Bar.**
5.	Delhi	Delhi High Court **has reservation** about AIJS.
6.	Gujarat	Gujarat High Court is **not in favour** of AIJS.
7.	Himachal Pradesh	The High Court **agrees in principle** to entrust the selection of 25% direct recruits to the Higher Judicial Service being made by the National Commission on all India basis in consonance with the recommendations of the Shetty Commission.
8.	Jammu and Kashmir	The State Government has mentioned that provisions of the Constitution of India for formation of All India Judicial Service (AIJS) have been incorporated in the Constitution by 42nd Amendment Act, 1976. The said provisions of Constitution are not applicable to the State of Jammu and Kashmir. No response has been received from Jammu and Kashmir High Court.
9.	Jharkhand	The matter regarding creation of All India Judicial Services (AIJS) is **pending consideration**.
10.	Karnataka	Karnataka High Court is **not agreeable** for creation of All

		India Judicial Service.
11.	Kerala	The Full Court expressed its concern with regard to proficiency in local language, which the candidate should possess while discharging their duties. The Full Court further opined that after posting, the officers **shall be under the control of concerned High Court under Article 235** of the Constitution of India and for selection, the qualification as required under Article 233 (2) shall continue to operate.
12.	Madhya Pradesh	High Court of M.P. has **expressed reservation** to the formation of All India Judicial Service.
13.	Madras	Madras High Court **is not in favour of** All India Judicial Service
14.	Manipur	Implementation of All India Judicial Service has to be subject to settlement of certain issues, like allocation of cadre and language *etc.*
15.	Meghalaya	Meghalaya High Court is open to All India Judicial Service provided that the officers of the Service are given option for elevation to the High Courts of three States.
16.	Orissa	Recruitment upto 25% posts in the Higher Judicial Service to be filled up by direct recruitment may be entrusted to a National Commission **subject to** the condition that the Officers promoted to the Higher Judicial Service in the State shall also be included in the same cadre (All India Judicial Service).
17.	Patna	The Hon'ble High Court is of the opinion that the Judicial Service is **not comparable** with that of Civil Services. The Court, therefore, **does not favour** the formation of All India Judicial Services as proposed.
18.	Punjab and Haryana	The constitution of All India Judicial Service **will seriously erode** the federal structure contemplated by the Constitution. The constitution of 'All India Judicial Service' with power of disciplinary action by the President (Central Government) completely oust the control and supervision of the District Courts vested with High Court under Article 235 of the Constitution.
19.	Rajasthan	The matter regarding creation of All India Judicial Services (AIJS) is **pending consideration**.

20.	Sikkim	Sikkim High Court **concurs** with proposal and also the features suggested by the Central Government.
21.	Tripura	High Court of Tripura is in favour of All India Judicial Service.
22.	Uttarakhand	High Court of Uttarakhand has made suggestions for changes in age induction level, recruitment body, qualifications, allocations to States, Quota, training, court language *etc.*

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Annexure - II

Views / responses of the State Governments on the proposal formulated by the Central Government for creation of All India Judicial Service (AIJS)

Sr. No.	Name of the State/UT	Comments
1.	Arunachal Pradesh	State is of the view that considering the fact that the Arunachal Pradesh is purely a tribal state with its own peculiar and distinct tribal customs and ethos and the modes of rendering justice varies from tribes to tribes, the proposition of having a common judicial services would not be the right proposition and would create chaos and instability in their administration of justice.
2.	Bihar	State Government is open to creation of AIJS but wants major changes in the proposal formulated by Central Government.
3.	Chhattisgarh	State Government of Chhattisgarh wants only 15% of vacancies at level of Additional District Judge and above from the Bar to be filled up through AIJS.
4.	Haryana	The proposal for creation of All India Judicial Service (AIJS) seems to be justified.
5.	Himachal Pradesh	Keeping in view the ground realities, it will not be appropriate to have All India Judicial Service. As such, the State of Himachal Pradesh is not in favour of the creation of an All India Judicial Service.
6.	Jammu and Kashmir & Ladakh (UT)	Provisions of the Constitution of India for formation of All India Judicial Service (AIJS) have been incorporated in the Constitution by 42nd Amendment Act, 1976. The said provisions of Constitution are not applicable the State of Jammu and Kashmir.
7.	Karnataka	Government of Karnataka is not agreeable for creation of All India Judicial Service.
8.	Madhya Pradesh	The State Government had earlier forwarded the comments of M.P. High Court. The High Court is not in favour of formation of All India Judicial Service.
9.	Maharashtra	The State Government does not agree with the proposal of Central Government. They want recruitment to be done at JMFC level.
10.	Manipur	State Government is open to AIJS but wants certain changes in the proposal formulated by Central Government.
11.	Meghalaya	State Government is of the opinion that formation of AIJS is not desirable.
12.	Mizoram	Government of Mizoram supports creation of AIJS on the lines of IAS, IPS and other Central Services.
13.	Nagaland	Nagaland Judicial Officers are recruited by the High Court. Hence, they cannot be at par with the IAS / IPS.

		The State Government of Nagaland has reservation for creation of All India Judicial Service (AIJS).
14.	Orissa	The State Governments wants changes in the proposal. They are insisting on minimum experience of ten years and upper age limit of forty years.
15.	Punjab	The State Government does not favour creation of AIJS
16.	Uttarakhand	State Government agrees with the views of High Court of Uttarakhand that changes are required in the proposal formulated by Central Government.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Jus. II

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RAJYA SABHA

UNSTARRED QUESTION NO. 2980

TO BE ANSWERED ON THURSDAY, THE 19th March, 2020

Fast Track Special Courts for POCSO Cases

2980. SHRI RAVI PRAKASH VERMA :

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

(a) the number of Fast Track Special Courts set up across the country by Government under the National Mission for the Safety of Women for the time-bound trial and disposal of pending cases related to rape and POCSO Act; and

(b) the number of Fast Track Special Courts established across the country to exclusively deal with POCSO cases, State or district-wise list?

ANSWER

MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a)&(b): Government has finalized a scheme for Setting up of 1023 Fast Track Special Courts (FTSCs) with 389 exclusive Prevention of Children from Sexual Offences (POCSO) courts across the country under the National Mission for the Safety of Women for the time-bound trial and disposal of pending cases related to rape and POCSO Act. After receipt of consent from the State Governments/UTs, first installment of Central Share of funds have so far been released to 28 States for setting up of 651 FTSCs with 363 exclusive POCSO courts out of which 366 FTSCs with 273 exclusive POCSO courts have been established as per information received from High Courts. State-wise details is given at Annexure.

Annexure

Status of FTSCs with exclusive POCSO courts set up across the country under the National Mission for the Safety of Women for trial and disposal of pending cases related to rape and POCSO Act
(as on 16-03-2020)

S.No **(col. no-1)**	**State/UTs** **(col. no-2)**	**No of FTSCs set up for trial and disposal Rape& POCSO act** **(col. no-3)**	**No of Exclusive POCSO courts (out of col. no-3)** **(col. no-4)**
1.	Andhra Pradesh	08	08
2.	Assam	04	04
3.	Chhattisgarh	15	11
4.	Delhi	16	11
5.	Gujarat	35	24
6.	Goa	01	0
7.	Haryana	16	12
8.	Himachal Pradesh	03	03
9.	Jharkhand	22	08
10.	Madhya Pradesh	56	26
11.	Maharashtra	30	30
12.	Mizoram	03	01
13.	Meghalaya	04	04
14.	Nagaland	01	0
15.	Punjab	03	03
16.	Rajasthan	45	26
17.	Tamil Nadu	14	14
18.	Telangana	09	09
19.	Tripura	03	01
20.	Uttarakhand	04	04
21.	Uttar Pradesh	74	74
	Total	**366**	**273**

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Appointment DVN

RAJYA SABHA

UNSTARRED QUESTION NO. 2982

TO BE ANSWERED ON THURSDAY, THE 19.03.2020

Change in the name of 'Bombay High Court' to 'Mumbai High Court'

2982. Shri Husain Dalwai :

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

a) whether any proposal for change in the name of Bombay High Court to Mumbai High Court has been referred by Government;
b) if so, the details thereof;
c) what are the reasons for the delay in the change of name of the High Court; and
d) how much further time Government is likely to take in a decision on change of name of the High Court?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) to (d) : High Courts (Alteration of Names) Bill 2016 was introduced in Lok Sabha on 19th July, 2016 to enable the change of names of High Courts of Bombay, Calcutta and Madras as High Courts of Mumbai, Kolkata and Chennai respectively. Subsequently, the State Government of Tamil Nadu suggested the re-naming of High Court of Madras to High Court of Tamil Nadu. High Court of Calcutta also did not agree to the

proposed change in the name of Calcutta High Court to Kolkata High Court. State Government of West Bengal also agreed with the views of the Calcutta High Court. Meanwhile with the dissolution of the 16th Lok Sabha, the aforesaid Bill has lapsed. No time frame for introduction/ approval of revised Bill can be indicated.

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eCourts

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)

RAJYA SABHA
UNSTARRED QUESTION No. 2985
TO BE ANSWERED ON THURSDAY, THE 19TH MARCH, 2020

e-Courts in the country

2985. SHRI VIJAY GOEL:

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

(a) the steps Government has taken to roll out e-Courts in the country:

(b) the details thereof;

(c) how many courts across India already offer e-Court services;

(d) whether Government is contemplating to revamp consumer court system and make it online as well in the future; and

(e) if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) to (c) : The Government is implementing the e-Courts Mission Mode Project for Information and Communication Technology (ICT) enablement of District and Subordinate Courts across the country in association with the eCommittee, Supreme Court of India. The eCourts Mission Mode Project Phase-II commenced its implementation in 2015. The target set out under the project is computerization of 16,845 District and Subordinate Courts, which has been completed (Annexure 1). Against the financial outlay of Rs.1670 crores for this Phase, the Government has

released a sum of Rs.1391.20 crore as on date to various organizations involved in the implementation of the project. This includes a sum of Rs. 1042.82 crore released to all High Courts, out of which a sum of Rs.767.38 crore has been utilized.

ECourts mobile app with the facility of QR Code was launched on 22.07.2017 for use of litigants and lawyers. Services under different captions viz. Search by CNR, Case Status, Cause List and My Cases are available on this application, which is available on both Google Play and Apple Store.

Furthermore, the facility of providing case information services through SMS has also been implemented and the process of disseminating system-generated SMSs is operational. The case details can also be obtained by sending unique CNR number (Case Number Record) to a mobile number through SMS. Cause lists, judgements, case status etc. can be received in the litigants' mailbox on registration of email address. Information Kiosks have been setup at all computerized court complexes for disseminating judicial information related to cause lists and other case related information to the lawyers and litigants.

The eFiling application was launched on 14thAugust, 2018 and is made available at efiling.ecourts.gov.in where online registration of lawyers and litigants can be done. e-filing application has been developed and is integrated with Case Information Software (CIS 3.0), which is the standard application software across all district and subordinate courts of the country.

The eCourts Project equips the Judiciary to use ICT enabled tools to improve court and case management. The availability of online database enables judiciary to plan court administration. It leads to making the justice delivery system across the country more transparent, more accessible and affordable. Availability of case data online imparts transparency to the functioning of courts and facilitates easy access of such data to lawyers and litigants. Thus, ICT enablement of courts increases efficiency

of justice delivery system through organised and easy access to case information, and transparency is the eventual outcome.

(d) and (e) : In so far as Department of Consumer Affairs is concerned, an e-filing module to facilitate e-filing in Consumer Commissions has been developed and integrated with the payment gateway.

ANNEXURE 1

Sl. No.	Name of the High Court	Number of computerized district and subordinate courts
1	Allahabad	2072
2	Andhra Pradesh & Telangana	1078
3	Bombay	2079
4	Calcutta	811
5	Chattisgarh	357
6	Delhi	427
7	Gauhati	496
8	Gujarat	1108
9	Himachal Pradesh	119
10	Jammu & Kashmir	218
11	Jharkhand	351
12	Karnataka	897
13	Kerala	486
14	Madras	1032
15	Madhya Pradesh	1293
16	Manipur	37
17	Meghalaya	39
18	Orissa	534
19	Patna	1025
20	Punjab & Haryana	1018
21	Rajasthan	1094
22	Sikkim	19
23	Uttarakhand	186
24	Tripura	69
	Total	**16845**
