

2014

RAJYA SABHA REPLIES

**BUDGET SESSION, 2014 [232nd
SESSION OF RAJYA SABHA] [7th
July, 2014 to 14th August, 2012]**

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

Jus. II

**RAJYA SABHA
UNSTARRED QUESTION NO. 448**

TO BE ANSWERED ON FRIDAY, THE 11TH JULY 2014

Central funding for setting up of Fast Track Courts

448. DR. R. LAKSHMANAN:

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

- (a) whether Government has any plan to restart Central funding for setting up of Fast Track Courts (FTCs) in States which was done away in the year 2011; if so, the details thereof;
- (b) whether Government would extend strategic and financial help to States to set up Fast Track Courts particularly when States have been asked to set up such Courts for trial of rape cases as well as offences against women, children, differently abled persons, senior citizens and marginalized sections of the society; and
- (c) if so, the steps taken by Government in this regard?

**A N S W E R
MINISTER OF LAW & JUSTICE AND
COMMUNICATIONS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a): No, Sir.

(b)&(c): The Central Government has decided to provide funds on a matching basis upto 31.03.2015 from the 13th Finance Commission Award for salaries of the 10% additional positions of Judges being created in the subordinate Judiciary following the direction of Supreme Court in the case of Brij Mohan Lal Vs. Union of India. The State Governments and Chief Justices of High Courts have been requested that they may utilise these positions for creation of Fast Track Courts also.

In the Conference of Chief Ministers and Chief Justices held in New Delhi on 7th April, 2013, It has been resolved that the State Governments shall, in consultation with the Chief Justices of the respective High Courts, take necessary steps to establish suitable number of Fast Track Courts relating to offences against women, children, differently abled persons, senior citizens and marginalized sections of the society and provide adequate funds for the purpose of creating and continuing Fast Track Courts.

Desk Side

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

RAJYA SABHA

UNSTARRED QUESTION NO.449

TO BE ANSWERED ON 11.07.2014

Vacancies of Supreme Court Judges

449. SHRI P. RAJEEV:

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

- (a) the number of vacancies of judges that exist in Supreme Court of the country;
- (b) whether Government has taken any steps to fill these vacancies, if so, the details thereof;
- (c) whether the collegium has submitted any panel of lawyers and High Court Judges for elevation to the Supreme Court;
- (d) if so, whether Government has accepted these proposals; and
- (e) if not, the reasons for rejecting any of these names?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS & INFORMATION
TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) and (b) : Against a sanctioned strength of 31 judges including that of Chief Justice of India, there are 27 judges in position as on 8.7.2014, leaving 4 vacancies of Judges to be filled up in Supreme Court. Pursuant to the Supreme Court Judgment of 1993, the entire process of initiation of proposal for appointment of Judges in the Supreme Court rests with the Chief Justice of India. The recommendations of the Collegium headed by the Chief Justice of India are processed by the Government, as and when they are received.

(c) to (e) : The Supreme Court Collegium vide minutes of its meeting held on May 06, 2014, had recommended the appointment of Chief Justices of Calcutta and Orissa High Courts and

two senior Advocates as Judges of the Supreme Court of India. While appointment for three judges was notified on 25th June, 2014, name of one Senior Advocate was referred back to the Supreme Court for re-consideration by the Collegium. Subsequently, the Chief Justice of India has informed that the said senior Advocate has withdrawn his consent for appointment as a Judge of the Supreme Court.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 450

TO BE ANSWERED ON FRIDAY, THE 11TH JULY, 2014

Construction of court complex and residential accommodation in Chhattisgarh

450. SHRI MOTILAL VORA:

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

- (a) whether Government of Chhattisgarh has sent letters in May, 2013 and August, 2013 under Centrally Sponsored Scheme (CSS) for making available a fund of Rs. 3540.86 lacs for completion of under construction court complex and residential accommodations for judicial officers in the year 2012-13;
- (b) if so, Government's reaction thereto;
- (c) by when the required funds will be made available for construction of court complex and residential accommodations for judicial officers; and
- (d) the reasons behind delay in disbursement of the abovesaid fund?

ANSWER

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

(a) to (d): Development of infrastructure facilities for Judiciary is the primary responsibility of the State Governments. However, in order to augment the resources of the State Governments, a Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary has been in operation since 1993-94. On receipt of the complete proposals from the State Governments including utilization certificates for the funds released earlier necessary financial assistance is sanctioned to the State Governments in terms of the guidelines of the scheme.

The State Government of Chhattisgarh had been released an amount of Rs. 50 crores under the scheme of which Rs. 20.97 crores was released in 2011-12. The proposals for release of further financial assistance were received from the State Government in 2013-14, however, the State Government had not furnished the utilization certificate for the entire amount sanctioned in 2011-12. The State Government has recently furnished a report on physical and financial progress of projects under the Scheme based on which a sanction order has been issued for release of further grant of Rs. 21.76 crore to State Government of Chhattisgarh on 8th July, 2014.

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 451

TO BE ANSWERED ON FRIDAY, THE 11TH JULY, 2014

Pendency of court cases and shortage of judicial staff

451. SHRI MOTILAL VORA:

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

- (a) whether Government has noticed the report of the Parliamentary Committee as per which more than 2 crore 68 lakh cases are lying pending in the lower courts of the country and there is a shortage of more than 3000 judicial staff;
- (b) if so, the recommendations of the Committee regarding the cases pending in the lower courts;
- (c) the reaction of the Government thereto; and
- (d) whether Government would take steps to address this problem by setting up "Fast Track Courts" across the country?

ANSWER

**MINISTER OF LAW & JUSTICE AND COMMUNICATIONS & INFORMATION
TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) to (d): Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice in its 67th Report has observed that there are a large number of pending cases and shortage of judicial personnel in subordinate courts. The Committee is of the view that both these issues are closely related to each other. The Committee has inter-alia recommended that recruitment and training of judicial personnel and subordinate staff may help in reducing the pendency of cases.

The Government has taken up this matter with the High Courts and State Governments requesting them to operationalise all sanctioned courts by filling up vacant posts of judicial officers. They have also been requested to organize Pendency Reduction Campaigns and Mega Lok Adalats to reduce the pendency of cases in courts. Regular training programmes of judicial officers and other court functionaries both at induction level and during in-service training are being held at National Judicial Academy and State Judicial Academies.

High Courts / State Governments have also been requested to set up Fast Track Courts for trial of cases relating to crime against women, children, differently-abled persons, senior citizens and marginalised sections of society.

Desk side

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

RAJYA SABHA

UNSTARRED QUESTION NO. 452

TO BE ANSWERED ON FRIDAY THE 11.07.2014

Retirement age of High Court Judges

452. SHRI H.K. DUA:

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

- (a) whether Government is aware of the suggestion made by a former Chief Justice favouring a fixed tenure for the Chief Justice of India, if so, whether Government is going to accept the suggestion;
- (b) by when Government would bring forward a Bill to raise the retirement age of High Court Judges from 62 years to 65 years as has been recommended by the Standing Committee for Law and Justice; and
- (c) whether there are plans to raise the retirement age of Supreme Court judges also?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS &
INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

- (a) No proposal has been received from the former Chief Justice of India for a fixed tenure for the Chief Justice of India.
- (b) The Constitution (One Hundred and Fourteenth Amendment) Bill, 2010 for increasing the retirement age of High Court Judges from 62 years to 65 years was introduced in the Lok Sabha on 25.08.2010. However, the Bill could not be considered in the Parliament. With the dissolution of the 15th Lok Sabha the Bill has lapsed.
- (c) There is no proposal for increasing the retirement age of Supreme Court Judges

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 453

TO BE ANSWERED ON FRIDAY, THE 11TH JULY, 2014

Pending rape cases in High Court of Andhra Pradesh

453. SHRI C. M. RAMESH:

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

- (a) whether it is a fact that 390 rape cases are pending in the High Court of Andhra Pradesh;
- (b) if so, the details of cases which are pending for more than five, ten and fifteen years and the reasons for such pendency; and
- (c) the special efforts Government is making to ensure that every rape case is disposed of in one year?

ANSWER

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

(a) and (b): As per the information made available by High Court of Andhra Pradesh, 302 Criminal Appeal Cases and 140 Criminal Revision Cases relating to Rape Cases are pending as on 07.07.2014 in the High Court of Andhra Pradesh. 74 Criminal Appeal Cases and 56 Criminal Revision Cases are pending for over five years. The pendency is on account of high institution of cases vis-à-vis working strength of judges in the High Court.

(c): In order to expedite the trial of criminal cases, in general, and for certain serious offences relating to crime against women, in particular, Section 309 of the Code of Criminal Procedure, 1973, *inter alia*, provides that in every enquiry or trial, proceedings shall be held as expeditiously as possible, and in particular, when examination of witnesses has once begun, the same shall be continued from day-to-day until all the witnesses in attendance have been examined, and unless the court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded. This Section has further been amended through the Criminal Law (Amendment) Act, 2013 to provide that when the inquiry or trial relates to an offence under Section 376, Section 376 A, Section 376 B, Section 376 C or Section 376 D of the Indian Penal Code, the inquiry or trial shall, as far as possible be completed within a period of two months from the date of filing of the charge-sheet. The Government on its

part has been pursuing the matter with the State Governments / High Courts for setting up of Fast Track Courts to *inter-alia* expedite the trial of cases relating to Crime Against Women.

AM

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

STARRED QUESTION NO. *161

TO BE ANSWERED ON FRIDAY, THE 18TH JULY, 2014

Pendency of cases in High Courts

*161. SHRI PRAMOD TIWARI:

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

- (a) whether it is a fact that the number of cases pending in various High Courts has increased tremendously over the past few years;
- (b) if so, the details thereof; and
- (c) the measures being initiated by Government to clear the backlog of pending cases?

ANSWER

MINISTER OF LAW & JUSTICE AND COMMUNICATIONS & 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. *161 FOR ANSWER ON 18TH JULY, 2014.**

As per the information made available by High Courts, the pendency of cases in High Courts has increased from 40.61 lakhs cases in the year 2009 to 44.63 lakh cases in the year 2013. High Court wise details of pendency as on 31.12.2013 are given in a Statement Annexed.

Disposal of cases is in the domain of the judiciary. However, to enable the High Courts to clear the backlog of cases, the Chief Justice of India has given in-principle concurrence to the joint recommendation in the Chief Ministers / Chief Justices Conference to increase the sanctioned strength of High Courts by 25% of the existing strength. The High Courts and State Governments have been requested to convey their consent to the proposal, keeping in view the existing vacancies, as also the requirements of additional court room infrastructure, staff and budgets. Specific proposals in respect of the High Courts of Delhi, Himachal Pradesh, Jammu & Kashmir, Madhya Pradesh and Punjab & Haryana have been received from the State Governments, and approved by the Hon'ble Chief Justice of India. In the case of the other High Courts, the State Governments have been reminded to expedite their concurrence.

Further, emphasis is also being laid on filling up of existing and anticipated vacancies of Judges in High Courts. The attention of Chief Justices of High Courts has also been drawn to the existing vacancies, as also the vacancies likely to arise out of retirements over the next three years, and they have been requested to expedite the processes for appointment of Judges. Filling of these vacancies will contribute to the reduction in the pendency of cases in the High Courts.

Statement referred to in Rajya Sabha Starred Question No. *161 *Annex*
 "Pendency of cases in High Courts" for reply on 18th July 2014 regarding

Pendency of Cases in High Courts in 2013

S. No.	Name of High Court	Pendency of Cases as on 31.12.2013
1	Allahabad	1043398
2	Andhra Pradesh	232459
3	Bombay	349837
4	Calcutta	280006
5	Delhi	64652
6	Gujarat	91953
7	Gauhati	40912
8	Himachal Pradesh	60073
9	Jammu & Kashmir	93038
10	Karnataka	196972
11	Kerala	132159
12	Madras	557479
13	Madhya Pradesh	261611
14	Orissa	206822
15	Patna	132155
16	Punjab & Haryana	262760
17	Rajasthan	307640
18	Sikkim	120
19	Uttarakhand	20686
20	Chhattisgarh	44139
21	Jharkhand	72958
22	Tripura*	5834
23	Manipur*	3853
24	Meghalaya*	1189
	Total	4462705

*Operationalization of 3 new High Courts was notified on 23rd March 2013.

Desk Side

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO.1151

TO BE ANSWERED ON 18.07.2014

Vacancies in Supreme Court and High Courts

1151. SHRI SHANTARAM NAIK:

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

- (f) the number of vacancies in the post of judges in Supreme Court and various High Courts, at present;
- (g) by when Government proposes to fill these posts; and
- (h) the reasons for these posts lying vacant along with details thereof?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS & INFORMATION
TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a): The Statement showing the vacancies of judges in the Supreme Court of India and the High Courts as on 1.7.2014 is at Annexure.

(b) and (c): Pursuant to the Supreme Court Judgement of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of a Judge of the Supreme Court rests with Chief Justice of India and for the appointment of a Judge of the High Court rests with the Chief Justice of that High Court. In this arrangement, a number of posts have remained vacant for want of proposals to fill the positions. The Chief Justices of the High Courts are reminded periodically by the Union Government to initiate proposals, well in time, for filling up the existing vacancies as well as anticipated vacancies in the High Courts. Filling up of the vacancies in the High Courts is a continuous consultative process among Constitutional authorities to select suitable candidates for higher judiciary, and is a time consuming

process. While every effort is made to fill up the existing vacancies expeditiously, they do keep on arising on account of retirement, resignation or elevation of Judges.

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Annexure referred to in reply to part (a) of Rajya Sabha
Unstarred Question No.1151 for answer on 18.07.2014.

Sl. No.	Name of the Court	Vacancies of Judges as on 1.7.2014
A.	Supreme Court of India	03
B.	High Court	
1	Allahabad	72
2	Telangana & Andhra Pradesh	18
3	Bombay	11
4	Calcutta	19
5	Chhattisgarh	05
6	Delhi	10
7	Gauhati	11
8	Gujarat	11
9	Himachal Pradesh	03
10	Jammu & Kashmir	04
11	Jharkhand	10
12	Karnataka	17
13	Kerala	03
14	Madhya Pradesh	11
15	Madras	16
16	Manipur	02
17	Meghalaya	0
18	Orissa	03
19	Patna	08
20	Punjab & Haryana	20
21	Rajasthan	12
22	Sikkim	0
23	Tripura	0
24	Uttarakhand	04
Total		270

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

Jns. II

**RAJYA SABHA
UNSTARRED QUESTION NO. 1154**

TO BE ANSWERED ON FRIDAY, THE 18TH JULY 2014

Grants for family courts

+1154. DR. CHANDAN MITRA:

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

- (a) whether Government is providing grants to State Governments for setting up and operation of family courts;**
- (b) if so, the quantum of amount provided to various States including Madhya Pradesh for this purpose during the last three years; and**
- (c) the steps taken by Government to ensure that the entire amount is spent by State Governments on the setting up of family courts and in their operation on time?**

**A N S W E R
MINISTER OF LAW & JUSTICE AND
COMMUNICATIONS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a): A scheme of Central financial assistance was started in 2002-03 for setting up of Family Courts. As per the scheme, Central Government provides 50% of the cost of construction of the building of Family Court and residential accommodation of the Judge subject to a ceiling of Rs. 10 lakh as a one-time grant as Plan support and Rs. 5 lakh annually as the recurring cost under Non-Plan. The State Government is required to provide matching share. A statement indicating number of Family Courts functional in the States is enclosed at Annexure-I.

(b): A statement indicating central grant released to States for Family Courts during the last three years is enclosed at Annexure-II. During the period, no grant was released to Madhya Pradesh for Family Courts.

(c): Setting-up and operation of Family Courts is within the purview of the respective State Government. Central grant for construction of buildings for Family Courts is considered after notification for setting up the courts is furnished by the State Government. Grant for meeting recurring expenditure is considered when the State Government reports that the Family Courts have become functional.

As per the conditions for release of grant, the State Government is required to furnish a utilisation certificate indicating utilisation of central grant for the purpose for which it was sanctioned and also the release and utilization of matching State share. Further grant is considered only after these conditions are fulfilled by the State Government.

STATEMENT REFERRED TO IN REPLY TO PART (a) OF RAJYA SABHA UNSTARRED QUESTION NO. 1154
FOR 18/7/2014 REGARDING GRANTS FOR FAMILY COURTS

Statement in respect of number of family courts set up

Sl. No	Name of States/UTs	Number of family court
1.	Andhra Pradesh	27
2.	Arunachal Pradesh	-
3.	Assam	2
4.	Bihar	32
5.	Chattisgarh	19
6.	Delhi	9
7.	Goa	-
8.	Gujarat	9
9.	Haryana	-
10.	Himachal Pradesh	-
11.	Jammu & Kashmir	-
12.	Jharkhand	17
13.	Karnataka	10
14.	Kerala	28
15.	Madhya Pradesh	15
16.	Maharashtra	22
17.	Manipur	4
18.	Meghalaya	-
19.	Mizoram	4
20.	Nagaland	2
21.	Odisha	5
22.	Punjab	0
23.	Rajasthan	6
24.	Sikkim	1
25.	Tamil Nadu	6
26.	Tripura	3
27.	Uttar Pradesh	15
28.	Uttarakhand	7
29.	West Bengal	2
30.	Andaman & Nicobar Islands	-
31.	Chandigarh	-
32.	Dadra & Nagar Haveli	-
33.	Daman & Diu	-
34.	Lakshadweep	-
35.	Puducherry	1
	Total	246

ANNEXURE-II

STATEMENT REFERRED TO IN REPLY TO PART (b) OF RAJYA SABHA UNSTARRED QUESTION NO. 1154
FOR 18/7/2014 REGARDING GRANTS FOR FAMILY COURTS

**Grants released to States under the Scheme of Family Courts
during the last three years**

Sl. No.	Name of the state	Grants released for Family Courts (Rs. in lakh)					
		Under Plan			Under Non-Plan		
		2011- 12	2012- 13	2013- 14	2011- 12	2012- 13	2013- 14
1	Bihar	-	-	-	-	-	500.00
2	Madhya Pradesh	0	0	0	0	0	0
3	Maharashtra	-	-	-	100.0	-	-
4	Nagaland	-	-	-	40.00	-	-
5	Odisha	20.00	-	-	-	-	-
6	Tripura	-	-	-	-	75.00	-
Total		20.00	-	-	140.00	75.00	500.00

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

RAJYA SABHA

UNSTARRED QUESTION NO. 1155

TO BE ANSWERED ON FRIDAY, THE 18TH JULY, 2014

Delivery of judicial verdicts

1155. SHRI TARUN VIJAY:

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

- (a) whether Government is aware of the delays in providing justice to the litigants;
- (b) if so, the volume of delayed and pending trials in the courts; and
- (c) whether there is a plan to expedite the judicial verdicts and bring a change in the present system, if so, the details thereof?

ANSWER

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

(a) to (c): Justice delivery system in the country is constrained by backlog of cases and pendency in courts. Age-wise details of cases pending in High Courts and Subordinate Courts are given in Statements at Annex-I and Annex-II.

In order to create an enabling environment for judiciary, the Government has set up National Mission for Justice Delivery and Legal Reforms. The major initiative under the National Mission relate to Infrastructure Development for Subordinate Judiciary and Computerization of Courts. The Central Government has provided financial assistance to the tune of Rs. 2,198 crores to State Governments and Union Territories for upgradation / construction of court complexes and residential units for judicial officers in the last three years. Under the eCourts Project 13,227 courts have been computerized by 31st March, 2014. Computerization of courts would enable the courts to exercise greater control over management of cases in the docket. It will also provide designated services to the litigants and the lawyers. In order to reduce government litigation in courts the Central Government has encouraged the States to notify their litigation policies which contain provisions for weeding out infructuous cases and promote dispute resolution through alternative mechanisms. The Government is also looking into the areas prone to excessive litigation for adopting suitable policy and legislative measures to curb such litigation.

Statement referred to in Rajya Sabha Unstarred Question No.1155 for reply on 18th July, 2014 regarding Delivery of judicial verdicts. **Annex-I**

Age – Wise Pendency In High Courts As on 31.12.2013

Sl. No	Name of High Court	Type of Case	Age – wise pendency				Total Pendency as on 31.12.2013
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
1.	Allahabad	Civil	70180	194964	184330	245977	695431
		Criminal	44677	112961	105609	84720	347967
		Total	114837	307925	289939	330697	1043398
2.	Andhra Pradesh	Civil	34433	90171	58328	18493	201425
		Criminal	8080	17054	5893	7	31034
		Total	42513	107225	64221	18500	232459
3.	Bombay	Civil	64028	115984	71983	47936	299931
		Criminal	12448	18768	11921	6769	49906
		Total	76476	134752	83904	54705	349837
4.	Calcutta	Civil	24156	58739	56321	24137	163353
		Criminal	4718	12085	14120	6051	36975
		Total	28874	70825	70441	30188	280006
5.	Delhi	Civil	13052	24865	8492	2591	49000
		Criminal	5419	6525	2508	1200	15652
		Total	18471	31390	11000	3791	64652
6.	Gujarat	Civil	15316	20282	9085	15448	60131
		Criminal	7074	9939	5357	9452	31822
		Total	22390	30221	14442	24900	91953
7.	Gauhati	Civil	10842	20223	2468	1	33534
		Criminal	2928	3402	1050	0	7378
		Total	13768	23625	3518	1	40912
8.	Himachal Pradesh	Civil	16104	29095	7705	1111	54015
		Criminal	1489	3389	1182	18	6058
		Total	17573	32484	8887	1129	60073
9.	Jammu & Kashmir	Civil	26891	40085	16198	4620	87794
		Criminal	2146	2676	329	93	5244
		Total	29037	42761	16527	4713	93038
10.	Karnataka	Civil	75834	91007	12021	517	179379
		Criminal	5940	10673	914	66	17593
		Total	81774	101680	12935	583	196972
11.	Kerala	Civil	28536	56718	12598	3721	99573

		Criminal	5132	16195	10965	293	32586
		Total	31668	72913	23564	4014	132159
12	Madras	Civil	183450	198882	90061	17990	490383
		Criminal	44690	17968	3909	529	67096
		Total	228140	216850	93970	18519	557479

Sl. No	Name of High Court	Type of Case	Age – wise pendency				Total Pendency as on 31.12.2013
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
13	Madhya Pradesh	Civil	35283	94061	38331	6990	174665
		Criminal	17792	38287	20233	10634	86946
		Total	53075	132348	58564	17624	261611
14	Orissa	Civil	24900	71322	43447	29125	168794
		Criminal	17762	8876	7633	3757	38028
		Total	42662	80198	51080	32882	206822
15	Patna	Civil	24055	38870	6068	10903	79896
		Criminal	18313	21092	8300	4554	52259
		Total	42368	59962	14368	15457	132155
16	Punjab & Haryana	Civil	40831	62628	40359	56731	200549
		Criminal	20645	25166	14237	2163	62211
		Total	61476	87794	54596	58894	262760
17	Rajasthan	Civil	50884	118429	51866	22641	244020
		Criminal	15283	19810	15359	13168	63620
		Total	66167	138239	67225	36009	307640
18	Sikkim	Civil	69	24	2	0	95
		Criminal	25	0	0	0	25
		Total	94	24	2	0	120
19	Uttarakhand	Civil	4063	8979	2041	186	15269
		Criminal	2200	2487	688	42	5417
		Total	6263	11466	2729	228	20686
20	Chhattisgarh	Civil	5724	12344	6878	2200	27146
		Criminal	2588	7048	3725	3632	16993
		Total	8312	19392	10603	5832	44139
21	Jharkhand	Civil	9359	21407	5673	1562	38001
		Criminal	8492	13840	10154	2471	34957
		Total	17851	35247	15827	4033	72958
22	Tripura	Civil	1934	1992	810	7	4743
		Criminal	414	401	276	0	1091
		Total	2348	2393	1086	7	5834
23	Manipur	Civil	1034	2253	461	13	3761
		Criminal	41	51	0	0	92
		Total	1075	2304	461	13	3853

24	Meghalaya	Civil					
	a		539	574	2	0	1115
		Criminal	47	27	0	0	74
		Total	586	601	2	0	1189
All High Courts Total civil			759477	1373898	725528	513100	3372003
All High Courts Total criminal			248321	368721	244363	149619	1011024
Grand Total of all High Courts			1007798	1742619	969891	662719	4462705

Source: Above statement is compiled on the basis of figures received from the High Court

*Age wise breakup of miscellaneous cases of High court (Appellate side) and Circuit bench at A & N Island is not available.

Statement referred to in Rajya Sabha Unstarred Question No.1155 for reply on 18th July, 2014 regarding Delivery of judicial verdicts. **Annex-II**

Age-wise Breakup of Pending Cases in Subordinate Courts as on 31.12.2013

Sl. No	Name of State / UT	Case Type	Age-wise pendency				Total Pendency as on 31.12.2013
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
1.	Andhra Pradesh	Civil	153153	283680	33678	5036	475547
		Crimina	202623	277464	22727	5521	508335
		Total	355776	561144	56405	10557	983882
2.	Arunachal Pradesh	Civil	204	260	211	111	786
		Criminal	2337	1169	826	958	5290
		Total	2541	1429	1037	1069	6076
3.	Assam	Civil	21972	42725	4129	730	69556
		Crimina	68351	92959	15175	2431	178916
		Total	90323	135684	19304	3161	248472
4.	Bihar	Civil	79449	101330	70769	34665	286213
		Crimina	415025	603161	389750	113633	1521569
		Total	494474	704491	460519	148298	1807782
5.	Chhattisgarh	Civil	17363	31526	7448	4775	61112
		Crimina	63127	100357	31616	12904	208004
		Total	80490	131883	39064	17679	269116
6.	Goa	Civil	8931	6675	1740	1706	19052
		Crimina	8592	3486	440	133	12651
		Total	17523	10161	2180	1839	31703
7.	Gujarat	Civil	110504	263531	155695	100578	630308
		Crimina	484714	679622	276331	155396	1596063
		Total	595218	943153	432026	255974	2226371
8.	Haryana	Civil	99151	137622	8401	421	245595
		Crimina	149264	149060	11442	308	310074
		Total	248415	286682	19843	729	555669
9.	Himachal Pradesh	Civil	33130	44183	6310	467	84090
		Crimina	94128	72542	7758	273	174701
		Total	127258	116725	14068	740	258791
10.	Jammu & Kashmir	Civil	43086	25550	5899	1337	75872
		Crimina	47382	41902	9280	1231	99775
		Total	90448	67452	15179	2568	175647

11.	Jharkhand	Civil	16557	34110	11267	4551	66485
		Crimina	63696	131617	38525	7530	241368
		Total	80253	165727	49792	12081	307853
12.	Karnataka	Civil	212844	310787	68815	12217	604663
		Crimina	220390	302305	54063	8914	585672
		Total	433234	613092	122878	21131	1190335
13.	Kerala	Civil	178355	207745	25272	3890	415262
		Crimina	497606	424892	15890	729	939117
		Total	675961	632637	41162	4619	1354379

Sl. No	Name State / UT	Case Type	Age-wise pendency				Total Pendency
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
14.	M. P.	Civil	111898	111252	24863	7242	255255
		Crimina	417756	351676	60883	12088	842403
		Total	529654	462928	85746	19330	1097658
15.	Maharashtra	Civil	366048	435426	158753	79528	1039755
		Crimina	770078	655139	256155	163271	1844643
		Total	1136126	1090565	414908	242799	2884398
16.	Manipur	Civil	2476	2093	584	121	5274
		Crimina	3372	2197	1192	872	7633
		Total	5848	4290	1776	993	12907
17.	Meghalaya	Civil	308	765	621	231	1925
		Crimina	714	1235	421	146	2516
		Total	1022	2000	1042	377	4441
18.	Mizoram	Civil	1048	423	39	1	1511
		Crimina	1020	568	1	0	1589
		Total	2068	991	40	1	3100
19.	Nagaland	Civil	733	407	75	101	1316
		Crimina	738	740	189	335	2002
		Total	1471	1147	264	436	3318
20.	Orissa	Civil	57463	111322	43565	20864	233214
		Crimina	138139	356821	222221	185253	901234
		Total	195602	466943	265786	206117	1134448
21.	Punjab	Civil	102651	139801	14044	1481	257977
		Crimina	132514	121083	11482	703	265782
		Total	235165	260884	25526	2184	523759
22.	Rajasthan	Civil	109967	226222	66096	25892	428177
		Crimina	250777	512804	202630	57493	1023704
		Total	360744	739026	268726	83385	1451881
23.	Sikkim	Civil	171	85	3	2	261
		Crimina	390	188	6	0	584
		Total	561	273	9	2	845
24.	Tamil Nadu	Civil	375865	378783	72957	17599	843204
		Crimina	117343	246685	62680	18403	445111
		Total	493208	623468	135637	36002	1288315

25.	Tripura	Civil	4089	3966	476	319	8850
		Crimina	40420	13864	2614	3967	60865
		Total	44509	17830	3090	4286	69715
26.	Uttar Pradesh	Civil	430104	529097	259579	187444	1406224
		Crimina	1401900	1687631	709108	400122	4198761
		Total	1832004	2216728	968687	587566	5604985
27.	Uttarakhand	Civil	10965	15690	2504	1251	30410
		Crimina	53355	58592	7548	2749	122244
		Total	64320	74282	10052	4000	152654
28.	West Bengal	Civil	116850	246815	121574	62322	547561
		Crimina	658565	971144	325911	58081	2013701
		Total	775415	1217959	447485	120403	2561262

Sl. No.	Name of State / UT	Case Type	Age-wise pendency				Total Pendency
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
29.	A & N Island	Civil	870	1435	251	74	2630
		Criminal	2985	4657	1067	66	8775
		Total	3855	6092	1318	140	11405
30.	Chandigarh	Civil	6886	11405	2117	206	20614
		Criminal	27600	9900	1454	144	39098
		Total	34486	21305	3571	350	59712
31.	Daman & Diu	Civil	310	263	201	67	841
		Criminal	502	246	88	26	862
		Total	812	509	289	93	1703
32.	D & N Haveli	Civil	288	204	80	21	593
		Criminal	840	504	911	161	2416
		Total	1128	708	991	182	3009
33.	Delhi	Civil	56349	63307	14699	6197	140552
		Criminal	144596	162893	58625	15501	381615
		Total	200945	226200	73324	21698	522167
34.	Lakshadweep	Civil	22	121	8	4	155
		Criminal	62	132	4	1	199
		Total	84	253	12	5	354
35.	Puducherry	Civil	7066	8173	1510	364	17113
		Criminal	2895	9249	1573	119	13636
		Total	9761	17422	3083	483	30749
Grand total of Civil cases			2737126	3774779	1184233	581815	8277953
Grand total of Criminal cases			6483576	8047284	2800586	1229462	18560908
Grand total of all Subordinate Courts			9220702	11822063	3984819	1811277	26838861

Desk Side

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

RAJYA SABHA

UNSTARRED QUESTION NO.1156

TO BE ANSWERED ON 18.07.2014

Setting up of National Judicial Commission

1156. SHRI SHADI LAL BATRA:

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

- (i) whether Government has any proposal to set up a National Judicial Commission for appointment of Judges to the Supreme Court and the High Courts, if so, the details thereof, and if not, the reasons therefor; and
- (ii) by when the said Commission is likely to be set up?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS & INFORMATION
TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) and (b) : The Government had introduced two bills titled the 'Constitution (One Hundred and Twentieth Amendment) Bill, 2013' and the 'Judicial Appointments Commission Bill, 2013' in the Rajya Sabha to change the existing system for appointment and transfer of Judges in the Supreme Court and High Courts by establishing a Judicial Appointments Commission (JAC). The objective of the Bills was to broad base the process of appointment, and make it more participatory to ensure greater transparency and objectivity in the appointments to the higher judiciary. The Bills proposed that the JAC would be headed by the Chief Justice of India (CJI) and would consist of two other Judges of the Supreme Court next to the CJI in seniority, Union Minister in charge of Law and Justice and two eminent persons to be nominated by Collegium consisting of the Prime Minister, CJI and the Leader of Opposition in the House of People. One of such eminent person shall be nominated by rotation from

amongst the persons belonging to the Scheduled Castes, Scheduled Tribes, Other Backward Classes, and Minorities.

The 'Constitution (One Hundred and Twentieth Amendment) Bill, 2013', which was an enabling legislation for JAC, was passed by the Rajya Sabha on 5th September, 2013 as the 'Constitution (Ninety Ninth Amendment) Bill, 2013'. However, 'The Judicial Appointments Commission Bill, 2013' was referred to the Department-Related Parliamentary Standing Committee (PSC) on Personnel, Public Grievances, Law and Justice for examination.

The Parliamentary Standing Committee presented its report on the Judicial Appointments Commission, Bill, 2013 on 9th December, 2013 to Parliament. After examining the report, necessary amendments were made in the Constitution (One Hundred and Twentieth Amendment) Bill and the Judicial Appointments Commission Bill, 2013. However, the Bills could not be considered in the last Session of the Parliament. The Constitution (One Hundred and Twentieth Amendment) Bill has lapsed consequent to the dissolution of the 15th Lok Sabha. The 'Judicial Appointments Commission Bill, 2013' is pending in the Rajya Sabha. The Government is considering consulting eminent Jurists and other stakeholders on the proposal for setting up of a 'Judicial Appointments Commission'.

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

Tab. II

**RAJYA SABHA
UNSTARRED QUESTION NO. 1157**

TO BE ANSWERED ON FRIDAY, THE 18TH JULY 2014

Special courts to try cases of harassment/rape of women

1157. SHRI BAISHNAB PARIDA:

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

- (a) whether it is a fact that special courts have since been set up to try rape cases/women harassment complaints in all the States/Union Territories;
- (b) if so, the details thereof, State/Union Territory-wise;
- (c) whether these courts have been funded by the Centre; and
- (d) the details of women harassment/rape complaints that have been filed in various such courts of the country, indicating as to how many of such cases have been disposed of, punishment awarded, etc., to the guilty and number of cases still pending, State-wise details thereof?

**A N S W E R
MINISTER OF LAW & JUSTICE AND
COMMUNICATIONS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a)to(c): The Government has written to the Chief Ministers of all States and Chief Justices of all High Courts to set up Fast Track Courts (FTCs) for concluding trial in rape cases. The Central Government has decided to provide funds upto a maximum of Rs. 80 crore per annum on a matching basis upto 31.03.2015 from the 13th Finance Commission Award for meeting expenditure on salaries of the 10% additional positions of Judges being created in the subordinate Judiciary following the direction of Supreme Court in the case of Brij Mohan Lal Vs. Union of India. The State Governments and Chief Justices of High Courts have been requested that they may utilise these positions for creation of Fast Track Courts also.

A statement indicating the state-wise number of courts set up/designated for crime against women is enclosed at Annexure-I.

(d): A statement indicating the details of total cases for trial, cases in which trial has been completed, cases in which conviction has been made and cases which are pending in matters of rape, assault on women with intent to outrage her modesty and insult to modesty of women during 2013 is enclosed at Annexure-II.

Annexure-I

Statement referred to in reply to part (b) of Rajya Saba Unstarred Question No. 1157 for 18/7/2014 regarding Special courts to try cases of harassment/rape of women

Number of Courts set up/designated
for crime against women

Sl. No.	Name of the State	Number of courts
1	2	3
1	Madhya Pradesh	9
2	Tamil Nadu	32
3	Jharkhand	11
4	Odisha	30
5	Karnataka	10
6	Kerala	1
7	Punjab	20
8	Assam	3
9	Rajasthan	9
10	Andhra Pradesh	24
11	Delhi	6
12	Meghalaya	1
13	Jammu & Kashmir	5
14	Tripura	2
15	Sikkim	1
16	West Bengal	48
	Total	212

STATEMENT OF CASES FOR THE YEAR 2013

SL. NO.	STATE/UT	Under rape (Section 376 IPC)				Under assault on woman (Section 354 IPC)				Under insult of women (Section 509 IPC)			
		TOT	TCM	CON	PDT	TOT	TCM	CON	PDT	TOT	TCM	CON	PDT
1	ANDHRA PRADESH	4233	907	105	3317	11885	2428	265	9000	8473	2273	638	5015
2	ARUNACHAL PRADESH	579	2	1	577	483	15	7	476	15	0	0	15
3	ASSAM	6963	884	123	6079	3931	813	55	2788	19	5	0	13
4	BIHAR	4386	566	180	3820	2581	318	44	2221	103	11	1	85
5	CHHATTISGARH	5013	1313	384	3695	10182	1695	553	8199	772	105	28	641
6	GOA	170	7	2	163	194	22	3	171	66	10	3	54
7	GUJARAT	3831	229	43	3600	9653	519	32	8124	1013	79	12	933
8	HARYANA	1878	899	287	979	2817	693	213	2124	1466	459	191	1007
9	HIMACHAL PRADESH	726	228	58	498	1915	190	38	1690	320	10	0	304
10	JAMMU & KASHMIR	1283	374	22	913	6204	1321	89	4531	1728	424	122	1293
11	JHARKHAND	2701	653	264	2031	1219	387	98	830	59	13	7	46
12	KARNATAKA	2504	425	90	2078	9932	1029	75	7897	252	103	5	141
13	KERALA	6009	351	92	5648	17938	1554	238	16274	1921	282	94	1654
14	MADHYA PRADESH	12508	4369	1079	8042	31215	4102	1819	24555	2545	585	174	1775
15	MAHARASHTRA	15978	1002	181	14919	34760	2546	303	31715	10817	882	76	10007
16	MANIPUR	89	4	2	85	72	0	0	72	1	0	0	1
17	MEGHALAYA	319	13	7	306	310	5	2	302	4	0	0	4
18	MIZORAM	198	59	39	139	160	77	55	83	0	0	0	0
19	NAGALAND	56	21	18	34	31	18	17	13	3	2	2	1
20	ODISHA	6808	675	108	6134	23827	1703	106	21924	1681	162	12	1519
21	PUNJAB	1319	926	382	393	1183	260	104	902	83	15	5	68
22	RAJASTHAN	5605	852	270	4622	12275	1582	877	10258	112	17	11	94
23	SIKKIM	148	80	58	68	61	39	24	22	0	0	0	0
24	TAMIL NADU	2952	507	133	2445	4854	1358	378	3495	1281	538	250	723
25	TRIPURA	1038	121	21	909	1480	210	35	1232	21	10	4	10
26	UTTAR PRADESH	6827	1234	683	5574	14559	2096	1336	12334	275	250	155	25
27	UTTARAKHAND	430	197	111	233	598	99	58	499	525	64	48	481
28	WEST BENGAL	16751	1197	151	15554	20069	806	96	19258	729	369	187	352
	TOTAL (STATES)	111712	18135	4853	93356	222878	26686	6743	190939	34260	6408	2025	28241
29	A&N ISLANDS	121	14	3	107	254	9	3	245	48	2	1	44
30	CHANDIGARH	92	43	18	39	181	52	12	129	58	17	4	41
31	D&N HAVELI	16	3	0	13	24	0	0	24	3	0	0	3
32	DAMAN & DIU	12	1	0	11	0	0	0	0	0	0	0	0
33	DELHI	2790	636	227	2154	6235	753	308	5488	1239	174	61	1052
34	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0	0	0
35	PUDUCHERRY	52	1	0	51	257	18	9	234	90	3	1	85
	TOTAL (UTS)	3073	698	248	2375	6961	842	330	6100	1436	198	87	1235
	TOTAL (ALL-INDIA)	114785	18833	5101	95731	229839	27528	7073	197039	35696	6604	2112	27476

SOURCE: CRIME IN INDIA

TOT- Total cases for trial

TCM- Cases in which trials completed

CON- Cases convicted

PDT- Cases pending trial

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

RAJYA SABHA

STARRED QUESTION NO. *266

TO BE ANSWERED ON FRIDAY, THE 25TH JULY, 2014

Pendency of court cases

*266. SHRI AVINASH RAI KHANNA:

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

- (a) the number of cases pending in the country from Supreme Court to Lower Courts till date, the court-wise detail thereof;
- (b) whether Government is planning to reduce the pendency of cases in different courts, if so, the steps Government is taking in this regard;
- (c) whether Government is planning to reduce the number of holidays observed in Courts, if not, the reasons therefor; and
- (d) whether Government is planning to give 7/8 units to a Sub-Judge if he gets the matter compromised, if not, why?

ANSWER

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

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

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (d) of RAJYA SABHA
STARRED QUESTION NO. *266 FOR ANSWER ON 25TH JULY, 2014.**

(a) to (e): The data on pendency of cases is maintained by the Supreme Court and High Courts. As per the information available, 65,970 cases were pending in Supreme Court as on 01.07.2014. Details of cases pending in the High Courts and District and Subordinate Courts as on 31.12.2013 are given in Statements at **Annex – I and Annex – II.**

Disposal of pending cases in various courts is within the domain of the Judiciary. To enable the High Courts to clear the backlog of cases, the Chief Justice of India has given *in-principle* concurrence to the joint recommendation in the Chief Ministers / Chief Justices Conference to increase the sanctioned strength of High Courts by 25% of the existing strength. The High Courts and State Governments have been requested to convey their consent to the proposal, keeping in view the existing vacancies, as also the requirements of additional court room infrastructure, staff and budgets. Specific proposals in respect of the High Courts of Delhi, Himachal Pradesh, Jammu & Kashmir, Madhya Pradesh and Punjab & Haryana have been received from the State Governments, and approved by the Hon'ble Chief Justice of India. In the case of the other High Courts, the State Governments have been reminded to expedite their concurrence.

Government has written to the Chief Ministers and Chief Justices of the High Courts in June, 2014 to operationalise all sanctioned Courts by filling up vacant posts of Judicial Officers in Subordinate Judiciary. They have also been requested to organize Pendency Reduction Campaigns and Mega Lok Adalats to bring down pendency of cases in Courts.

In order to create an enabling environment for judiciary to deal with the problem of pendency and backlog of cases, the Government has set up National Mission for Justice Delivery and Legal Reforms. The major initiative under the National Mission relate to Infrastructure Development for Subordinate Judiciary and Computerization of Courts. The Central Government has provided financial assistance to the tune of Rs. 2,198 crores to State Governments and Union Territories for upgradation / construction of court complexes and residential units for judicial officers in the last three years. Under the eCourts Project 13,227 courts have been computerized by 31st March, 2014. Computerization of courts would enable the courts to exercise greater control over management of cases in the docket. It will also provide designated services to the litigants and the lawyers. In order to reduce government litigation in courts the Central Government has encouraged the States to notify their litigation policies which contain provisions for weeding out infructuous cases and promote dispute resolution through alternative mechanisms. The Government is also looking into the areas prone to excessive litigation for adopting suitable policy and legislative measures to curb such litigation.

Holidays in Supreme Court and High Courts are regulated by the respective Courts. Holidays in subordinate courts are regulated by the respective High Courts. The Supreme Court has notified the Supreme Court Rules, 2013 on 27th May, 2014 wherein, inter-alia, it is provided that the period of summer vacation shall not exceed seven

weeks. It is further provided that the length of the summer vacation and the number of holidays for the Court and the offices of the Court shall be such as may be fixed by the Chief Justice and notified in the official Gazette so as not to exceed one hundred and three days, excluding Sundays not falling in the vacation and during holidays. The Supreme Court Rules, 2013 will come into force with effect from 19th August, 2014.

The issue of assigning 7/8 units to a Sub- Judge for getting matters compromised, relates to the system of performance appraisal of Judges. Government has no role in performance appraisal of Judges / Judicial Officers, since administrative control over district and subordinate judiciary vests with the concerned High Court in terms of the provisions contained in the Constitution of India. Every High Court has its own rules / guidelines for assigning credit for disposal of various categories of cases, including cases compromised/ settled through alternative dispute resolution mechanisms.

Statement referred to in Rajya Sabha Starred Question No. ^266 regarding "Pendency of court cases" for reply on 25th July 2014 Annex-1

Pendency of Cases in High Courts in 2013

Sl. No.	Name of High Court	Pendency of Cases as on 31.12.2013
1	Allahabad	1043398
2	Andhra Pradesh	232459
3	Bombay	349837
4	Calcutta	280006
5	Delhi	64652
6	Gujarat	91953
7	Gauhati	40912
8	Himachal Pradesh	60073
9	Jammu & Kashmir	93038
10	Karnataka	196972
11	Kerala	132159
12	Madras	557479
13	Madhya Pradesh	261611
14	Orissa	206822
15	Patna	132155
16	Punjab & Haryana	262760
17	Rajasthan	307640
18	Sikkim	120
19	Uttarakhand	20686
20	Chhattisgarh	44139
21	Jharkhand	72958
22	Tripura*	5834
23	Manipur*	3853
24	Meghalaya*	1189
	Total	4462705

*Operationalization of 3 new High Courts was notified on 23rd March 2013.

Annex-II

Statement referred to in Rajya Sabha Starred Question No. *266 regarding
 "Pendency of court cases" for reply on 25th July 2014

Pendency of Cases in District and Subordinate Courts in the year 2013

Sl. No.	Name of State / UT	Pendency as on 31.12.2013
1	Andhra Pradesh	983882
2	Arunachal Pradesh	6076
3	Assam	248472
4	Bihar	1807782
5	Chhattisgarh	269116
6	Goa	31703
7	Gujarat	2226371
8	Haryana	555669
9	Himachal Pradesh	258791
10	Jammu & Kashmir	175647
11	Jharkhand	307853
12	Karnataka	1190335
13	Kerala	1354379
14	Madhya Pradesh	1097658
15	Maharashtra	2884398
16	Manipur	12907
17	Meghalaya	4441
18	Mizoram	3100
19	Nagaland	3318
20	Orissa	1134448
21	Punjab	523759
22	Rajasthan	1451881
23	Sikkim	845
24	Tamil Nadu	1288315
25	Tripura	69715
26	Uttar Pradesh	5604985
27	Uttarakhand	152654
28	West Bengal & A&N Islands	2572667
29	Chandigarh	59712
30	D & N Haveli and Daman & Diu	4712
31	Delhi	522167
32	Lakshadweep	354
33	Pondicherry	30749
Total		26838861

MM

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. †1922

TO BE ANSWERED ON FRIDAY, THE 25TH JULY, 2014

Village courts

†1922. DR. SATYANARAYAN JATIYA:

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

- (a) the year in which Gram Nyayalaya Act was passed and the names of the States where it is in effect, State-wise;
- (b) the reasons for delay in the expansion of village courts and the solution for doing away with the delay; and
- (c) whether measures would be taken for setting up mobile courts and courts at panchayat centres in the first phase?

ANSWER

MINISTER OF LAW AND JUSTICE & COMMUNICATION AND INFORMATION
TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) to (c): The Gram Nyayalayas Act, 2008 was notified in January, 2009. It provides for establishment of Gram Nyayalayas at intermediate panchayat level for the purpose of providing access to justice to the citizens at their doorsteps. It extends to whole of India except the State of Jammu & Kashmir, the State of Nagaland, the State of Arunachal Pradesh, the State of Sikkim and to the tribal areas. The Act authorises Nyayadhikari to hold Mobile Court and conduct proceedings outside its headquarters under certain conditions.

As per information available, 180 Gram Nyayalayas have been notified so far by nine State Governments. Year-wise and State-wise details of Gram Nyayalayas notified are given in Statement *annexed*.

Besides the fact that the number of States have set up regular courts at Taluka level, the other causes for slow progress of Gram Nyayalayas are overlapping jurisdiction of Gram Nyayalayas with regular courts and shortage of first Class Judicial Magistrates to man the positions of Nyayadhikaris in Gram Nyayalayas. Lukewarm response of Bar, reluctance of police officials and other State functionaries to invoke jurisdiction of Gram Nyayalayas and non-availability of notaries, stamp vendors etc are other factors affecting the progress.

The issues affecting the implementation of the Gram Nyayalayas scheme were discussed in the Conference of Chief Justices of High Courts and Chief Ministers of the States on 7th April, 2013. It has, inter-alia, been decided in the Conference that the State Governments and High Courts should decide the question of establishment of Gram Nyayalayas wherever feasible, taking into account their local problems. The focus is on covering those Talukas under the Gram Nyayalayas scheme where regular courts have not been set up.

Annexure

Statement referred to in Rajya Sabha unstarred Question No. 1922 regarding "Village Courts" to be replied on 25th July, 2014

YEAR-WISE PROGRESS OF GRAM NYAYALAYAS NOTIFIED

Sl. No.	State	2009-10	2010-11	2011-12	2012-13	2013-14	Total
1	Madhya Pradesh	40	49	-	-	-	89
2	Rajasthan	45	-	-	-	-	45
3	Maharashtra	9	-	1	-	8	18
4	Jharkhand	-	-	-	6	-	6
5	Orissa	1	-	7	6	-	14
6	Karnataka	-	-	2	-	-	2
7	Goa	-	-	-	2	-	2
8	Punjab	-	-	-	2	-	2
9	Haryana	-	-	-	2	-	2
	Total	95	49	10	18	8	180

LAP

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

RAJYA SABHA

UNSTARRED QUESTION NO. 1925
TO BE ANSWERED ON FRIDAY, THE 25TH JULY, 2014

Prison inmates not having access to legal aid

1925. DR. KANWAR DEEP SINGH:

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

- (a) whether it is a fact that a number of prison inmates of the country do not have access to legal aid despite implementation of the National Legal Services Authorities Act;
- (b) if so, the number of prisoners who do not have access to legal aid, State-wise;
- (c) the number of prisons covered by the service of 'duty counsels', State-wise;
- (d) whether Government has any plan under consideration to increase the access to lawyers and justice of prisoners who are below poverty line; and
- (e) if so, the details thereof?

ANSWER

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

(a)&(b): No, Sir. All the prison inmates have access to legal aid as they are eligible for legal aid under section 12 of the Legal Services Authorities Act, 1987.

(c): The information is being collected and will be laid on the Table of the House.

(d)&(e): While it is the endeavour of the Government to provide prisoners access to lawyers and justice, no separate plan for prisoners who are below poverty line, is under consideration, at present.

Desk Side

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

RAJYA SABHA

UNSTARRED QUESTION NO.1926

TO BE ANSWERED ON 25.07.2014

Shortage of judges

1926. SHRI D.P. TRIPATHI:

SHRIMATI SASIKALA PUSHPA:

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

- (k) whether it is a fact that there is a shortage of judges in various courts of the country;
- (l) if so, the details thereof, State-wise;
- (m) the reasons for delay in appointment of judges; and
- (n) the steps Government is taking to fill the vacancies at the earliest?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS & INFORMATION
TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) : Yes, Sir.

(b) : A Statement showing the vacancies of judges in the Supreme Court of India and various High Courts as on 21.07.2014 and vacancies of Judicial Officers in District and Subordinate Judiciary as on 31.12.2013 is given at Annexure.

(c) and (d): Pursuant to the Supreme Court Judgment of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of a Judge in the Supreme Court rests with the Chief Justice of India and for appointment of a Judge of a High Court rests with the Chief Justice of the concerned High Court. In this arrangement, number of posts have remained vacant for want of proposals from the High Courts to fill the positions.

Filling up of the vacancies in the High Courts is a continuous consultative process among Constitutional authorities to select suitable candidates for higher judiciary, which is a time consuming process. While every effort is made to fill up the existing vacancies expeditiously, they do keep on arising on account of retirement, resignation or elevation of Judges. The Government has been periodically reminding the Chief Justices of the High Courts to initiate proposals in time for filling the existing as well as the anticipated vacancies in the High Courts.

Under Article 235 of the Constitution of India, the administrative control over the members of subordinate judiciary in the States vests with the concerned High Court and State Government. Thus, as regards the judge strength in the District and subordinate courts and filling them up is concerned, the responsibility vests with the respective State Governments and the High Courts.

Annexure referred to in reply to part (b) of Rajya Sabha Unstarred Question No.1926 for answer on 21.07.2014

Sl. No.	Name of the High Court	Vacancies of Judges as on 21.07.2014	Vacancies of Judicial Officers in District and Subordinate Judiciary as on 31.12.2013
A	Supreme Court of India	05	--
B	High Court		
1	Allahabad	71	184
2	Telangana & Andhra Pradesh	18	146
3	Bombay	11	278
4	Calcutta	19	140
5	Chhattisgarh	05	294
6	Delhi	11	718
7	Gauhati	11	178
8	Gujarat	11	6
9	Himachal Pradesh	03	18
10	Jammu & Kashmir	04	360
11	Jharkhand	10	30
12	Karnataka	17	109
13	Kerala	05	194
14	Madhya Pradesh	11	90
15	Madras	16	616
16	Manipur	02	398
17	Meghalaya	0	296
18	Orissa	03	6
19	Patna	09	72
20	Punjab & Haryana	20	43
21	Rajasthan	13	165
22	Sikkim	0	6
23	Tripura	0	0
24	Uttarakhand	03	35
Total		273	4382

ANNA

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 1927

TO BE ANSWERED ON FRIDAY, THE 25TH JULY, 2014

Assistance to Goa under various schemes of the Ministry

1927. SHRI SHANTARAM NAIK:

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

- (a) whether financial assistance is given to the Government of Goa under various schemes of the Ministry; and
- (b) if so, the scheme-wise details of assistance given during the last five years?

ANSWER

**MINISTER OF LAW AND JUSTICE & COMMUNICATION AND INFORMATION
TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a) and (b): The details of financial assistance released to the State Government of Goa under the Scheme for Development of Infrastructure Facilities for Judiciary and the Scheme for establishment and operationalisation of Gram Nyayalayas during last five years and under the Thirteenth Finance Commission Award (2010-15) are given in the Statement annexed.

Annex

STATEMENT REFERRED TO RAJYA SABHA UNSTARRED QUESTION NO 1927 FOR 25.7.2014 BY SHRI SHANTARAM NAIK REGARDING ASSISTANCE TO GOA UNDER VARIOUS SCHEMES OF THE MINISTRY

(i) Assistance released to Government of Goa under the Centrally Sponsored Scheme for development of infrastructure facilities for judiciary during last five years upto 31.3.2014

(Rs. in lakh)

Year	2009-10	2010-11	2011-12	2012-13	2013-2014
Amount	00	00	172.00	00	00

(ii) Assistance released to Government of Goa for setting up of Gram Nyayalayas during last five years upto 31.3.2014

(Rs. in lakh)

Year	2009-10	2010-11	2011-12	2012-13	2013-2014
Amount	00	00	00	25.20	00

(iii) Assistance released to Government of Goa under Thirteenth Finance Commission Award (2010-2015) upto 31.3.2014

(Rs. in lakh)

S No	Item	Amount
	Morning /Evening /Shift Courts	154.00
2	Lok Adalat and Legal Aid	18.00
3	Training of Judicial Officers	15.00
4	Training of Public Prosecutors	9.00
5	Heritage Court Buildings	28.00
6	ADR Centres/ Training to Mediators	54.00
7	Court Managers	22.00
	Total	300.00

Desk Side

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

RAJYA SABHA

UNSTARRED QUESTION NO.1928

TO BE ANSWERED ON 25.07.2014

Setting up of National Judicial Commission

1928. SHRIMATI WANSUK SYIEM:

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

- (o) whether Government has resumed consultations for setting up of a National Judicial Commission that will replace the present Collegium system of appointments to the Supreme Court and High Courts;
- (p) whether there are many instances in the last five years wherein many recommendations sent by the Supreme Court Collegium and High Courts had to be returned due to allegations; and
- (q) if so, the details thereof?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS & INFORMATION
TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) : Yes, Sir. The Government proposes to consult eminent jurists and various political parties on setting up of a 'Judicial Appointments Commission' for appointment of Judges of the Supreme Court and High Courts.

(b) and (c) : There have been a few instances in the recent past wherein some the recommendations made by the Supreme Court Collegium have been referred back to the Supreme Court for clarification/reconsideration. These proposals related to the appointment of an advocate as a Judge of the Supreme Court, appointment of Judges in the High Courts of Andhra Pradesh, Allahabad, Bombay, Delhi, Jammu & Kashmir, Madras and Patna. Besides, proposal for transfer of a Judge from Allahabad to Patna High Court and a Judge from

Karnataka to Punjab & Haryana High Court were also referred back to the Supreme Court for clarification/reconsideration.

Desk Side

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO.1929

TO BE ANSWERED ON FRIDAY THE 25.07.2014

Changing the name of Bombay High Court as Mumbai High Court

†1929. SHRI RAMDAS ATHAWALE:

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

- (a) whether Government has received any request from the Government of Maharashtra for changing the name of Bombay High Court into Mumbai High Court;
- (b) if so, the details and the current status of the proposal; and
- (c) by when this proposal is to be finalised and the reason for its delay?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS &
INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) to (c): The Government of Maharashtra in 2008, conveyed no objection to the proposal for changing the name of 'Bombay High Court' as the "Mumbai High Court". The proposal has been considered together with similar cases pertaining to changing the names of High Courts of Madras and Calcutta. The process involves consultation with all the stake holders such as the concerned State Government and High Court. It also involves examination of legal and relevant constitutional provisions for changing the name of a High Court.

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

RAJYA SABHA

UNSTARRED QUESTION NO.1930

TO BE ANSWERED ON FRIDAY THE 25.07.2014

Creation of Indian Judicial Service

†1930. SHRI RAMCHANDRA PRASAD SINGH:

Will the Minister of LAW AND JUSTICE be pleased to state whether Government proposes to create an Indian Judicial Service (IJS) on the lines of IAS and IPS, if so, from when and if not, the reasons therefor?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS &
INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

A comprehensive proposal was formulated for constitution of an All India Judicial Service (AIJS) and the same was approved by the Committee of Secretaries in November, 2012. The proposal was included as an agenda item in the Conference of Chief Ministers of the States and Chief Justices of the High Courts held in April, 2013 and it was decided that the issue needs further deliberations and consideration. The views of the State Governments and High Courts have been sought on the proposal.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. †1931

TO BE ANSWERED ON FRIDAY, THE 25TH JULY, 2014

Justice through Grama Nyayalaya

†1931. DR. SATYANARAYAN JATIYA:

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

- (a) the number of places where efforts have been made to provide justice through Mobile Courts after coming into effect of Grama Nyayalaya Act for making judicial process simple and accessible through "Grama Nyayalaya" and "Mobile Courts" in villages, State-wise; and
- (b) the time-bound target for expansion of said facilities during next five years, year-wise?

ANSWER

MINISTER OF LAW AND JUSTICE & COMMUNICATION AND INFORMATION
TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) & (b): The Gram Nyayalayas Act, 2008 has come into force with effect from 2nd October, 2009. It provides for establishment of Gram Nyayalayas at intermediate panchayat level for the purpose of providing access to justice to the citizen at their door steps. The Act authorises Nyayadhikari to hold Mobile Court and conduct proceedings outside its headquarters under certain conditions.

As per information available, 180 Gram Nyayalayas have been notified so far by nine State Governments. Year-wise and State-wise details of Gram Nyayalayas notified are given in Statement *annexed*.

In terms of section 3(1) of the Gram Nyayalayas Act, 2008, it is for the State Governments to establish Gram Nyayalayas in consultation with the respective High Courts. The issues affecting the implementation of the Gram Nyayalayas scheme were discussed in the Conference of Chief Justices of High Courts and Chief Ministers of the States on 7th April, 2013. It has, inter-alia, been decided in the Conference that the State Governments and High Courts should decide the question of establishment of Gram Nyayalayas wherever feasible, taking into account their local problems. The focus is on covering those Talukas under the Gram Nyayalayas scheme where regular courts have not been set up.

Annexure

Statement referred to in Rajya Sabha Unstarred Question No. 1931 regarding
"Justice through Grama Nyayalaya for reply on 25th July, 2014

YEAR-WISE PROGRESS OF GRAM NYAYALAYAS NOTIFIED

Sl. No.	State	2009-10	2010-11	2011-12	2012-13	2013-14	Total
1	Madhya Pradesh	40	49	-	-	-	89
2	Rajasthan	45	-	-	-	-	45
3	Maharashtra	9	-	1	-	8	18
4	Jharkhand	-	-	-	6	-	6
5	Orissa	1	-	7	6	-	14
6	Karnataka	-	-	2	-	-	2
7	Goa	-	-	-	2	-	2
8	Punjab	-	-	-	2	-	2
9	Haryana	-	-	-	2	-	2
	Total	95	49	10	18	8	180

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Tab. I

RAJYA SABHA

UNSTARRED QUESTION NO.1932

TO BE ANSWERED ON FRIDAY, THE 25th JULY, 2014

Keeping courts open round the year

1932. SHRI B.K. HARIPRASAD:

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

(a) whether Government is aware of any proposal mooted recently to keep the courts open round the year and doing away with the traditions practiced from colonial era to go for a summer break;

(b) whether India has a work schedule of 193 days of work a year in Supreme Court, 210 days in High Courts and 245 days in trial courts, while in US and France courts are never closed for summer vacation; and

(c) whether the Bar Associations across the country have expressed reservations on the practicality of the no-summer vacation proposal?

ANSWER

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

(a) to (c) : From the media reports, it has come to the notice of the Government that the Chief Justice of India has suggested to keep the Supreme Court, High Courts and trial courts open 365 days in a year by preparing a calendar for arranging the benches in the Supreme Court and High Courts to ensure that judiciary functions throughout the year. The media has also reported reservations expressed by the Bar Associations in this regard.

The practice of vacation in Courts is continuing since pre-independence in India. The duration of vacations is governed by the Rules/Regulations framed by

the concerned High Courts and the Supreme Court. The Supreme Court has notified the Supreme Court Rules, 2013 on 27th May, 2014 wherein, inter-alia, it is provided that the period of summer vacation shall not exceed seven weeks. It is further provided that the length of the summer vacation and the number of holidays for the Court and the offices of the Court shall be such as may be fixed by the Chief Justice and notified in the official Gazette so as not to exceed one hundred and three days, excluding Sundays not falling in the vacation and during Court holidays. The Supreme Court Rules, 2013 will come into force with effect from 19th August, 2014.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 1933

TO BE ANSWERED ON FRIDAY, THE 25TH JULY, 2014

Disposal of rape cases

1933. SHRIMATI JHARNA DAS BAIDYA:

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

- (e) the details of number of rape cases pending in various High Courts and Supreme court till date; State-wise; and
- (f) the details of number of such cases disposed till date during last five years?

ANSWER

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

(a) to (b): The data on pendency of cases is maintained by Supreme Court and High Courts. As per information available, details of pendency and disposal of rape cases in Supreme Court and High Courts are given in Statement **Annexed**.

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) AND (b) OF RAJYA SABHA
UNSTARRED QUESTION NO. 1933 DUE FOR ANSWER ON 25th JULY, 2014**

I. Pending Rape Cases in Supreme Court and Rape Cases disposed of by Supreme Court

Number of Cases relating to sexual harassment, kidnapping & abduction including rape pending as on 17.07.2014.	Number of Cases relating to sexual harassment, kidnapping & abduction including rape disposed of during 01.01.2009 to 17.07.2014.
310	1,455

II. Pending Rape Cases in High Courts and Cases disposed of by High Courts during last three years.

(As on 31.01.2014)

Sr. No.	Name of High Court	Number of pending Rape Cases as on as on 31.01.2014	Number of Rape Cases disposed during last three years.
1.	Allahabad	10,740	298
2.	Madhya Pradesh	4,602	1,304
3.	Punjab & Haryana	3,511	512
4.	Rajasthan	2,951	741
5.	Chhattisgarh	2,015	242
6.	Patna	1,442	3,429
7.	Bombay	1,220	1,098
8.	Orissa	1,183	41
9.	Delhi	1,008	1,112
10.	Jharkhand	502	2,312
11.	Andhra Pradesh	440	235
12.	Gujarat	397	225
13.	Kerala	286	2,407
14.	Madras	228	429
15.	Himachal Pradesh	223	393
16.	Gauhati	210	277
17.	Uttarakhand	184	285
18.	Karnataka	101	45
19.	Jammu & Kashmir	82	36
20.	Tripura*	53	22
21.	Calcutta	5	6
22.	Sikkim	3	4
23.	Meghalaya*	0	0
24.	Manipur*	0	0
Total		31,386	15,453

*Operationalisation of three New High Court was notified on 23rd March, 2013.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Justice-I

RAJYA SABHA

UNSTARRED QUESTION NO.1934

TO BE ANSWERED ON FRIDAY, THE 25th JULY, 2014

Language used in High Courts

1934. SHRI AMBETH RAJAN:

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

(a) whether in any High Court, any language other than English, is used as language of court proceedings, at present as provided under Art. 348(2) of the Constitution of India;

(b) if so, the details thereof;

(c) whether any request to use any language other than Hindi to be a court language is pending with Government;

(d) whether Government has acceded to such request; and

(e) if so, the details thereof?

ANSWER

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

(a) & (b) : Use of Hindi has been authorised in the proceedings of the High Courts of the States of Rajasthan, Uttar Pradesh, Madhya Pradesh and Bihar.

(c) to (e) : Government of India received requests from the Governments of Tamil Nadu and Gujarat regarding use of Tamil and Gujarati in the proceedings of the Madras High Court and Gujarat High Court respectively. Government had taken up these requests with the Chief Justice of India. The Full Court of the Supreme Court considered the requests for use of Hindi and regional languages in the High Courts in its meeting held on 11th October, 2012 and reiterated the earlier similar resolutions of the Full Court adopted in 1997 and 1999 to not accept the requests. The Government has abided by this decision.

The Government recently again received a request from the Government of Tamil Nadu for use of Tamil in the proceedings of the Madras High Court and has written to the Chief Justice of India in this regard.

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

RAJYA SABHA

STARRED QUESTION NO. *341

TO BE ANSWERED ON FRIDAY, THE 1ST AUGUST, 2014

Disposal of cases pending for twenty years

***341. SHRI VIJAY GOEL:**

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

- (a) whether Government has any plan to quash all those cases which are pending for the last twenty years and on which no action is being taken;
- (b) if so, the steps being taken by Government to implement it; and
- (c) whether there is any plan to set up special courts to dispose of these cases?

ANSWER

**MINISTER OF LAW & JUSTICE AND COMMUNICATIONS & 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. *341 FOR ANSWER ON 1st AUGUST, 2014.**

(a) to (c): No specific provision exists in law for quashing of cases which are pending for the last twenty years. Disposal of cases in various Courts including by quashing of proceedings under certain circumstances falls within the domain of the judiciary.

District and Subordinate Courts, including Special Courts, are set up by the State Governments in consultation with the respective High Courts. Government has written to the Chief Ministers and Chief Justices of the High Courts in June, 2014 to consider designating Special Courts and / or earmarking special days in a week to address long pending cases. Government has also requested Chief Justices of High Courts to operationalise all sanctioned Courts by filling up vacant posts of Judicial Officers in Subordinate Judiciary expeditiously.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Jus-I

RAJYA SABHA

STARRED QUESTION NO.358

TO BE ANSWERED ON FRIDAY, THE 1st AUGUST, 2014

Use of Tamil as court language in Tamil Nadu

*358. DR. E.M. SUDARSANA NATCHIAPPAN:

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

(a) whether Government is aware that Madras High Court and Government of Tamil Nadu have concurred to use Tamil as court language under Article 348(2); and

(b) if so, whether Central Government will support Government of Tamil Nadu financially as the Madras High Court is expected to spend on translation of laws, proceedings etc. and such other facilities?

ANSWER

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

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

Statement referred in reply to Rajya Sabha Starred Question No.358
due for answer on 01.08.2014.

(a) & (b) : Government of Tamil Nadu has requested that consent of the President may be obtained under Article 348(2) of Constitution of India to their proposal for the use of Tamil in the proceedings of the Madras High Court, mentioning, inter-alia, that the Madras High Court is, in principle, in favour of the proposal.

As provided under Article 229 (3) of the Constitution of India, the administrative expenses of a High Court are to be borne by the respective State Government. No request for financial support has been received from the State Government of Tamil Nadu in this regard.

Jus-II

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

RAJYA SABHA
UNSTARRED QUESTION NO. 2535

TO BE ANSWERED ON FRIDAY, THE 1ST AUGUST, 2014

Setting up of Morning/Evening/Special courts

2535. SHRI MOHD. ALI KHAN:

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

- (a) whether Government has made a provision for setting up of Morning/Evening Shift/Special Judicial Magistrates' Courts;
- (b) if so, the details thereof and the action taken thereon;
- (c) whether certain States have set up Morning/Evening Courts so as to dispose of pending cases;
- (d) if so, the details thereof, State-wise including Telangana; and
- (e) its impact in disposing of pending cases?

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

(a)&(b): Setting up and functioning of Morning /Evening/Shift/Special Judicial Magistrate Courts is within the domain of the State Governments and the High Courts. 13th Finance Commission has made a provision of Rs.2500 crore for the States for increasing the working hours of Courts through setting up Morning/Evening/Shift/Special Judicial Magistrate Courts utilising the existing infrastructure. This arrangement is primarily aimed at disposal of petty cases so as to clear the backlog of cases and to relieve pressure on judicial time. The scheme envisaged utilization of the services of regular judicial officers on payment of additional compensation or the services of retired officers.

(c)to(e): As per the reports received, 2137 Morning/Evening/Shift courts have been set-up in various States in the Country including Andhra Pradesh. No separate report has been received from the State of Telangana. A statement indicating state-wise number of Morning/ Evening/ Shift courts set up and the cases disposed as reported by the State Governments is at Annexure.

**STATEMENT REFERRED TO IN REPLY TO PARTS (c) TO (e) OF THE RAJYA
SABHA UNSTARRED QUESTION NO. 2535 TO BE ANSWERED ON 1ST AUGUST 2014**

Number of Morning /Evening/Shift/Special Judicial Magistrate Courts set up and number of cases disposed by these courts

Sl. No.	Name of State	Number of Morning /Evening/Shift/Special Judicial Magistrate Courts set up	number of cases disposed by these courts
1	Andhra Pradesh	259	31436
2	Telangana		
3	Assam	263	61263
4	Bihar	38	845
5	Gujarat	169	350367
6	Haryana	109	433643
7	Himachal Pradesh	2	Not available
8	Kerala	5	40033
9	Maharashtra	394	866516
10	Odisha	198	500
11	Punjab	148	634223
12	Tamil Nadu	10	4218
13	Tripura	177	98080
14	Uttar Pradesh	340	30868
15	Uttarakhand	25	341
	Total	2137	2552333

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 2536

TO BE ANSWERED ON FRIDAY, 1st August, 2014

Disposal of pending court cases

2536. SHRI VIJAY GOEL
SHRI PRABHAT JHA

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; and
(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?

ANSWER

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

(a) to (b) : The data on pendency of cases is maintained by Supreme Court and High Courts. As per the information available, 65,970 cases were pending in Supreme Court of India as on 1.7.2014. Details of cases pending in the High Courts and District and Subordinate Courts as on 31.12.2013 are given in Statements at **Annex – I** and **Annex – II**.

Working hours and holidays in Supreme Court and High Courts are regulated by the respective Courts. Working hours and holidays in District and Subordinate Courts are regulated by the respective High Courts. The Supreme Court has notified the Supreme Court Rules, 2013 on 27th May, 2014 wherein, inter-alia, it is provided that the period of summer vacation shall not exceed seven weeks. It is further provided that the length of the summer vacation and the number of holidays for the Court and the offices of the Court shall be such as may be fixed by the Chief Justice and notified in the official Gazette so as not to exceed one hundred and three days, excluding Sundays not falling in the vacation and during holidays. The Supreme Court Rules, 2013 will come into force with effect from 19th August, 2014.

Annex-I

Statement referred to in Rajya Sabha Unstarred Question No. 2536 regarding "Disposal of pending Court Cases" for reply on 1st August 2014

Age-wise Breakup of Pending Cases in High Court as on 31.12.2013

Sl. No	High Court	Type of Case	Years				Total
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
1	Allahabad	Civil	70160	194984	184330	245977	695431
		Criminal	44677	112961	105609	84720	347967
		Total	114837	307925	289939	330697	1043398
2	Andhra Pradesh	Civil	34433	90171	58328	18493	201425
		Criminal	8080	17054	5893	7	31034
		Total	42513	107225	64221	18500	232459
3	Bombay	Civil	64028	115984	71983	47936	299931
		Criminal	12448	18788	11921	6769	49906
		Total	76476	134752	83904	54705	349837
4	Calcutta	Civil	24158	58739	56321	24137	163353
		Criminal	4718	12086	14120	6051	36975
		Misc. Cases of High court(Appellate Side)*	-	-	-	-	79343
		Circuit bench situated in the A & N Island*	-	-	-	-	335
		Total	28874	70825	70441	30188	280006
5	Delhi	Civil	13052	24865	8492	2591	49000
		Criminal	5419	6525	2508	1200	15652
		Total	18471	31390	11000	3791	64652
6	Gujarat	Civil	15316	20282	9085	15448	60131
		Criminal	7074	9939	5357	9452	31822
		Total	22390	30221	14442	24900	91953
7	Guhati	Civil	10842	20223	2468	1	33534
		Criminal	2926	3402	1050	0	7378
		Total	13768	23625	3518	1	40912
8	Himachal Pradesh	Civil	16104	29095	7705	1111	54015
		Criminal	1469	3389	1182	18	6058
		Total	17573	32484	8887	1129	60073
9	Jammu & Kashmir	Civil	26891	40085	16198	4620	87794
		Criminal	2146	2876	329	93	5244
		Total	29037	42761	16527	4713	93038
10	Karnataka	Civil	75834	91007	12021	517	179379
		Criminal	5940	10873	914	66	17593
		Total	81774	101680	12935	583	196972
11	Kerala	Civil	26536	56718	12598	3721	99573

		Criminal	5132	16195	10966	293	32586
		Total	31668	72913	23564	4014	132159
12	Madras	Civil	183450	198882	90061	17990	490383
		Criminal	44690	17968	3909	529	67096
		Total	228140	216850	93970	18519	557479

Age-wise Breakup of Pending Cases in High Court as on 31.12.2013

Sl. No	High Court	Type of Case	Years				Total
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
13	Madhya Pradesh	Civil	35283	94061	38331	6990	174665
		Criminal	17792	38287	20233	10634	86946
		Total	53075	132348	58564	17624	261611
14	Orissa	Civil	24900	71322	43447	29125	168794
		Criminal	17762	8876	7633	3757	38028
		Total	42662	80198	51080	32882	206822
15	Patna	Civil	24055	38870	6068	10903	79896
		Criminal	18313	21092	8300	4554	52259
		Total	42368	59962	14368	15457	132155
16	Punjab & Haryana	Civil	40831	62628	40359	56731	200549
		Criminal	20645	25166	14237	2163	62211
		Total	61476	87794	54596	58894	262760
17	Rajasthan	Civil	50884	118429	51866	22841	244020
		Criminal	15283	19810	15359	13188	63620
		Total	66167	138239	67225	36009	307640
18	Sikkim	Civil	69	24	2	0	95
		Criminal	25	0	0	0	25
		Total	94	24	2	0	120
19	Uttarakhand	Civil	4063	8978	2041	186	15269
		Criminal	2200	2487	688	42	5417
		Total	6263	11466	2729	228	20686
20	Chhattisgarh	Civil	5724	12344	6878	2200	27146
		Criminal	2588	7048	3725	3632	16993
		Total	8312	19392	10603	5832	44139
21	Jharkhand	Civil	9359	21407	5673	1562	38001
		Criminal	8492	13840	10154	2471	34957
		Total	17851	35247	15827	4033	72958
22	Tripura	Civil	1934	1992	810	7	4743
		Criminal	414	401	276	0	1091
		Total	2348	2393	1086	7	5834
23	Manipur	Civil	1034	2253	461	13	3761

		Criminal	41	51	0	0	92
		Total	1075	2304	461	13	3853
24	Meghalaya	Civil	539	574	2	0	1115
		Criminal	47	27	0	0	74
		Total	586	601	2	0	1189
All High Courts Total civil			759477	1373898	725528	513100	3372003
All High Courts Total criminal			248321	368721	244363	149619	1011024
Grand Total of all High Courts			1007798	1742619	969891	662719	4462705

*Age wise breakup of miscellaneous cases of High court (Appellate side) and Circuit bench at A & N Island is not available.

Annex-II

Statement referred to in Rajya Sabha Unstarred Question No. 2536 regarding "Disposal of pending Court Cases" for reply on 1st August 2014

Age-wise Breakup of Pending Cases in Subordinate Courts as on 31.12.2013

Sl. No	States/UTs	Case Type	Years				Total
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
1	Andhra Pradesh	Civil	153153	283680	33678	5036	475547
		Criminal	202623	277454	22727	5521	508335
		Total	355776	561144	56405	10557	983882
2	Arunachal Pradesh	Civil	204	260	211	111	786
		Criminal	2337	1169	526	958	5290
		Total	2541	1429	1037	1069	6076
3	Assam	Civil	21972	42725	4129	730	59556
		Criminal	68351	92959	15175	2431	178915
		Total	90323	135684	19304	3161	248472
4	Bihar	Civil	79449	101330	70769	34865	286213
		Criminal	415025	603181	389750	113533	1521569
		Total	494474	704491	460519	148298	1807782
5	Chhattisgarh	Civil	17353	31526	7446	4775	51112
		Criminal	63127	100357	31616	12904	208004
		Total	80480	131883	39064	17679	269116
6	Goa	Civil	8931	6675	1740	1708	19052
		Criminal	8592	3486	440	133	12851
		Total	17523	10161	2180	1839	31703
7	Gujarat	Civil	110504	253531	155895	100578	630308
		Criminal	484714	879822	276331	155366	1598063
		Total	595218	943153	432026	255974	2226371
8	Haryana	Civil	99151	137622	8401	421	245595
		Criminal	149254	149050	11442	308	310074
		Total	248415	286682	19843	729	555669
9	Himachal Pradesh	Civil	33130	44183	6310	457	84080
		Criminal	94128	72542	7758	273	174701
		Total	127258	116725	14068	740	258791
10	Jammu & Kashmir	Civil	43088	25560	5859	1337	75872
		Criminal	47362	41902	9280	1231	99775
		Total	90448	67462	15179	2568	175647
11	Jharkhand	Civil	16557	34110	11267	4551	56485
		Criminal	63696	131617	38525	7530	241368
		Total	80253	165727	49792	12081	307853
12	Karnataka	Civil	212844	310757	68815	12217	504653
		Criminal	220390	302305	54063	8914	585672
		Total	433234	613062	122878	21131	1190335
13	Kerala	Civil	178355	207745	25272	3890	415262
		Criminal	497908	424892	15690	729	939117
		Total	675961	632637	41162	4619	1354379
14	Madhya Pradesh	Civil	111898	111252	24863	7242	255255
		Criminal	417756	351675	60883	12098	842403
		Total	529654	462928	85746	19330	1097658
15	Maharashtra	Civil	366048	435428	158753	79528	1039755
		Criminal	770075	655139	256155	163271	1844643
		Total	1136126	1090565	414908	242799	2884398

Age-wise Breakup of Pending Cases in Subordinate Courts as on 31.12.2013

Sl. No	States/UTs	Case Type	Years				Total
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
16	Manipur	Civil	2478	2093	564	121	5274
		Criminal	3372	2197	1192	872	7533
		Total	5848	4290	1776	993	12907
17	Meghalaya	Civil	308	765	621	231	1925
		Criminal	714	1235	421	146	2516
		Total	1022	2000	1042	377	4441
18	Mizoram	Civil	1045	423	39	1	1511
		Criminal	1020	558	1	0	1589
		Total	2068	991	40	1	3100
19	Nagaland	Civil	733	407	75	101	1316
		Criminal	738	740	189	335	2002
		Total	1471	1147	264	436	3318
20	Odisha	Civil	57453	111322	43555	20864	233214
		Criminal	138139	355621	222221	185253	901234
		Total	195602	466943	265786	206117	1134448
21	Punjab	Civil	102851	139801	14044	1451	257977
		Criminal	132514	121083	11482	703	265782
		Total	235365	260884	25526	2184	523759
22	Rajasthan	Civil	109967	226222	66095	25862	428177
		Criminal	250777	512804	202830	57493	1023704
		Total	360744	739026	268726	83385	1451881
23	Sikkim	Civil	171	85	3	2	261
		Criminal	300	188	6	0	584
		Total	561	273	9	2	845
24	Tamil Nadu	Civil	375885	376783	72957	17599	843204
		Criminal	117343	246665	62680	18403	445111
		Total	493208	623468	135637	36002	1288315
25	Tripura	Civil	4089	3956	476	319	8850
		Criminal	40420	13864	2614	3967	60965
		Total	44509	17830	3090	4286	69715
26	Uttar Pradesh	Civil	430104	529067	259679	187444	1405224
		Criminal	1401900	1867631	709105	400122	4195761
		Total	1832004	2216728	968687	587566	5604985
27	Uttarakhand	Civil	10985	16690	2504	1251	30410
		Criminal	53355	58592	7549	2749	122244
		Total	64320	74282	10052	4000	152654
28	West Bengal	Civil	116850	246815	121574	62322	547561
		Criminal	658585	971144	325911	58081	2013701
		Total	775415	1217959	447485	120403	2561262
29	A & N Island	Civil	870	1435	251	74	2630
		Criminal	2985	4657	1067	55	8755
		Total	3855	6092	1318	140	11405
30	Chandigarh	Civil	5556	11405	2117	206	20614
		Criminal	27500	9900	1454	144	30000
		Total	34486	21305	3571	350	59712

Age-wise Breakup of Pending Cases in Subordinate Courts as on 31.12.2013

Sl No	States/UTs	Case Type	Years				Total
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
31	Daman & Diu	Civil	310	263	201	87	841
		Criminal	502	246	88	28	862
		Total	812	509	289	93	1703
32	D & N Haveli	Civil	288	204	80	21	593
		Criminal	840	504	911	161	2416
		Total	1128	708	991	182	3009
33	Delhi	Civil	56349	63307	14699	6197	140552
		Criminal	144596	162893	59625	15501	381615
		Total	200945	226200	73324	21698	522167
34	Lakshadweep	Civil	22	121	8	4	155
		Criminal	62	132	4	1	199
		Total	84	253	12	5	354
35	Puducherry	Civil	7066	8173	1510	364	17113
		Criminal	2695	9249	1573	119	13636
		Total	9761	17422	3083	483	30749
Grand total of Civil cases			2737126	3774779	1184233	581815	8277953
Grand total of Criminal cases			6483576	8047284	2800586	1229462	18560908
Grand total of all Subordinate Courts			9220702	11822063	3984819	1811277	26838861

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 2537

TO BE ANSWERED ON FRIDAY, 1st August, 2014

Justice at low cost

2537. SHRI ISHWARLAL SHANKARLAL JAIN

Will the Minister of LAW AND JUSTICE be pleased to state whether Government is taking any steps or making any effort to provide justice to people at minimum cost and to provide them better access to judicial system of the country, if so, details thereof, and if not, reasons therefor?

ANSWER

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

The Gram Nyayalayas Act, 2008 was enacted for establishment of Gram Nyayalayas at Intermediate Panchayat Level for the purpose of providing access to justice to citizens at their doorstep. Central Government is encouraging States to set up Gram Nyayalayas by providing financial assistance as per prescribed norms. 9 States have so far notified 180 Gram Nyayalayas.

Further, free legal services are provided under the Legal Services Authorities Act, 1987 to the poor and weaker sections of the society viz., members of Scheduled Castes / Scheduled Tribes, women, children persons with disability and persons in custody. For this purpose, Legal Services Authorities have been constituted at National, State and District level under the above Act.

Desk Side

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO.2540

TO BE ANSWERED ON FRIDAY THE 01.08.2014

Judicial Standards and Accountability Bill

2540. DR. PRADEEP KUMAR BALMUCHU:

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

- (a) whether Government has decided to do away with the Judicial Standards and Accountability Bill following strong resistance and objections from Judges, if so, the details thereof; and
- (b) if not, the action being taken by Government for smooth passage of the bill?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS &
INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) to (b) : The Judicial Standards and Accountability Bill was passed by the Lok Sabha on 29.03.2012. However, the Bill could not be considered in the last Session of the Parliament and lapsed due to dissolution of the 15th Lok Sabha. The matter requires further consideration in consultation with various stakeholders.

7th I

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO.2545

TO BE ANSWERED ON FRIDAY, THE 1st AUGUST, 2014

Use of regional language by High Courts

2545. SHRI MANSUKH L. MANDAVIYA:

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

(a) the action taken by Central Government in consultation with Supreme Court and Ministry of Home Affairs for use of regional languages of concerned States for judicial proceedings in High Courts; and

(b) whether Government intends to request Supreme Court once again to review its earlier decision regarding allowing regional language in judicial proceedings?

ANSWER

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

(a) & (b) : Proposals relating to the use of Tamil, Gujarati and Hindi in the proceedings of the Madras High Court, Gujarat High Court and Chhattisgarh High Court respectively had been earlier received from the Governments of Tamil Nadu, Gujarat and Chhattisgarh. These proposals were sent to the Supreme Court for the considered opinion of the Chief Justice of India. The Full Court of the Supreme Court considered these proposals in its meeting held on 11th October, 2012 and reiterated the earlier similar resolutions of the Full Court adopted in 1997 and 1999 to not accept the proposals. The Government has abided by this decision.

Based on another request received on 10th June, 2014 from the Government of Tamil Nadu, the Government has again written to the Chief Justice of India on 04.07.2014 in this regard.

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

RAJYA SABHA

UNSTARRED QUESTION NO. 2546

TO BE ANSWERED ON FRIDAY, 1st August, 2014

Pending court cases

2546. SHRI PRAMOD TIWARI

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

- (a) the current status of pending cases as on 1 January, 2013 in Supreme Court, High Courts of the country and districts courts of all States and Union Territories;
- (b) the number of cases pending for more than 20 years, greater than 10 years and less than 20 years and greater than 5 years and less than 10 years, respectively; and
- (c) the measures being taken for speedy delivery of justice?

ANSWER

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

(a) to (c) : The data on pendency of cases is maintained by Supreme Court and High Courts. As per the information available, 65970 cases were pending in Supreme Court of India as on 1.7.2014. Details of age wise cases pending in the High Courts and District and Subordinate Courts as on 31.12.2013 are given in Statements at **Annex – I** and **Annex – II**.

Disposal of cases in courts falls within the domain of judiciary. In order to create an enabling environment for judiciary to deal with the problem of pendency and backlog of cases, the Government has set up National Mission for Justice Delivery and Legal Reforms. The major initiative under the National Mission relate to Infrastructure Development for Subordinate Judiciary and Computerization of Courts. The Central Government has provided financial assistance to the tune of Rs. 2,198 crores to State Governments and Union Territories for upgradation / construction of court complexes and residential units for judicial officers in the last three years. Under the e-Courts Project 13,227 courts have been computerized by 31st March, 2014. Computerization of courts would enable the courts to exercise greater control over management of cases in the docket. It will also provide designated services to the litigants and the lawyers. In order to reduce government litigation in courts the Central Government has encouraged the States to notify their litigation policies which contain provisions for weeding out infructuous cases and promote dispute resolution through alternative mechanisms. The Government is also looking into the areas prone to excessive litigation for adopting suitable policy and legislative measures to curb such litigation.

Annex-I

Statement referred to in Rajya Sabha Unstarred Question No. 2546 regarding "Pending court cases" for reply on 1st August 2014

Age-wise Breakup of Pending Cases in High Court as on 31.12.2013

Sl. No	High Court	Type of Case	Years				Total
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
1	Allahabad	Civil	70160	194964	184330	245977	695431
		Criminal	44677	112961	105809	84720	347967
		Total	114837	307925	289939	330697	1043398
2	Andhra Pradesh	Civil	34433	90171	58328	18493	201425
		Criminal	8080	17054	5893	7	31034
		Total	42513	107225	64221	18500	232459
3	Bombay	Civil	64028	115984	71983	47936	299931
		Criminal	12448	18768	11921	8769	49906
		Total	76476	134752	83904	54705	349837
4	Calcutta	Civil	24156	58739	56321	24137	183353
		Criminal	4718	12086	14120	6051	36975
		Misc. Cases of High court(Appellate Side)*	-	-	-	-	79343
		Circuit bench situated in the A & N Island^	-	-	-	-	335
		Total	28874	70825	70441	30188	280006
5	Delhi	Civil	13052	24865	8492	2591	49000
		Criminal	5419	6525	2508	1200	15652
		Total	18471	31390	11000	3791	64652
6	Gujarat	Civil	15318	20282	9085	15448	60131
		Criminal	7074	9939	5357	9452	31822
		Total	22390	30221	14442	24900	91953
7	Guhati	Civil	10842	20223	2468	1	33534
		Criminal	2926	3402	1050	0	7378
		Total	13768	23625	3518	1	40912
8	Himachal Pradesh	Civil	16104	29095	7705	1111	54015
		Criminal	1469	3389	1182	18	6058
		Total	17573	32484	8887	1129	60073
9	Jammu & Kashmir	Civil	26891	40085	16198	4620	87794
		Criminal	2146	2676	329	93	5244
		Total	29037	42761	16527	4713	93038
10	Karnataka	Civil	75834	91007	12021	517	179379
		Criminal	5940	10673	914	68	17593
		Total	81774	101680	12935	583	196972
11	Kerala	Civil	26536	56718	12598	3721	99573

		Criminal	5132	16195	10966	293	32586
		Total	31668	72913	23564	4014	132159
12	Madras	Civil	183450	198882	90061	17990	490383
		Criminal	44690	17968	3909	529	67096
		Total	228140	216850	93970	18519	557479

Age-wise Breakup of Pending Cases in High Court as on 31.12.2013

Sl. No	High Court	Type of Case	Years				Total
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
13	Madhya Pradesh	Civil	35283	94061	38331	6990	174665
		Criminal	17792	38287	20233	10634	86946
		Total	53075	132348	58564	17624	261611
14	Orissa	Civil	24900	71322	43447	29125	168794
		Criminal	17762	8876	7633	3757	38028
		Total	42662	80198	51080	32882	206822
15	Patna	Civil	24055	38870	6068	10903	79896
		Criminal	18313	21092	8300	4554	52259
		Total	42368	59962	14368	15457	132155
16	Punjab & Haryana	Civil	40831	62628	40359	56731	200549
		Criminal	20645	25166	14237	2163	62211
		Total	61476	87794	54596	58894	262760
17	Rajasthan	Civil	50884	118429	51866	22841	244020
		Criminal	15283	19810	15359	13168	63620
		Total	66167	138239	67225	36009	307640
18	Sikkim	Civil	69	24	2	0	95
		Criminal	25	0	0	0	25
		Total	94	24	2	0	120
19	Uttarakhand	Civil	4063	8979	2041	186	15269
		Criminal	2200	2487	688	42	5417
		Total	6263	11466	2729	228	20686
20	Chhattisgarh	Civil	5724	12344	6878	2200	27146
		Criminal	2588	7048	3725	3632	16993
		Total	8312	19392	10603	5832	44139
21	Jharkhand	Civil	9359	21407	5673	1562	38001
		Criminal	8492	13840	10154	2471	34957
		Total	17851	35247	15827	4033	72958
22	Tripura	Civil	1934	1992	810	7	4743
		Criminal	414	401	278	0	1091
		Total	2348	2393	1086	7	5834
23	Manipur	Civil	1034	2253	481	13	3761
		Criminal	41	51	0	0	92

		Total	1075	2304	461	13	3853
24	Meghalaya	Civil	539	574	2	0	1115
		Criminal	47	27	0	0	74
		Total	586	601	2	0	1189
All High Courts Total civil			759477	1373898	725528	513100	3372003
All High Courts Total criminal			248321	368721	244363	149619	1011024
Grand Total of all High Courts			1007798	1742619	969891	662719	4462705

*Age wise breakup of miscellaneous cases of High court (Appellate side) and Circuit bench at A & N Island is not available.

Annex-II

Statement referred to in Rajya Sabha Unstarred Question No. 2546 regarding "Pending Court Cases" for reply on 1st August 2014

Age-wise Breakup of Pending Cases in Subordinate Courts as on 31.12.2013

Sl. No	States/UTs	Case Type	Years				Total
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
1	Andhra Pradesh	Civil	153153	283580	33678	5035	475547
		Criminal	202623	277464	22727	5521	508335
		Total	355776	561144	56405	10557	983882
2	Arunachal Pradesh	Civil	204	280	211	111	786
		Criminal	2337	1169	826	958	5290
		Total	2541	1429	1037	1069	6076
3	Assam	Civil	21972	42725	4129	730	69556
		Criminal	68351	92959	15175	2431	179916
		Total	90323	135684	19304	3161	248472
4	Bihar	Civil	79449	101330	70759	34665	286213
		Criminal	415025	603161	389750	113633	1521569
		Total	494474	704491	460519	148298	1807782
5	Chhattisgarh	Civil	17363	31526	7448	4775	61112
		Criminal	53127	100357	31616	12904	208004
		Total	80490	131883	39064	17679	269116
6	Goa	Civil	8931	6675	1740	1706	19052
		Criminal	8592	3485	440	133	12651
		Total	17523	10161	2180	1839	31703
7	Gujarat	Civil	110504	263531	155695	100578	630308
		Criminal	484714	579622	276331	155396	1596063
		Total	595218	843153	432026	255974	2226371
8	Haryana	Civil	99151	137622	8401	421	245595
		Criminal	149254	149050	11442	308	310074
		Total	248415	286682	19843	729	555669
9	Himachal Pradesh	Civil	33130	44183	6310	467	84090
		Criminal	94128	72542	7758	273	174701
		Total	127258	116725	14068	740	258791
10	Jammu & Kashmir	Civil	43086	25550	5899	1337	75872
		Criminal	47362	41902	9260	1231	99755
		Total	90448	67452	15179	2568	175647
11	Jharkhand	Civil	16557	34110	11257	4551	66485
		Criminal	53698	131617	38525	7530	241368
		Total	80253	165727	49792	12081	307853
12	Karnataka	Civil	212844	310787	68815	12217	604863
		Criminal	220390	302305	54063	8914	585672
		Total	433234	613092	122878	21131	1190335
13	Kerala	Civil	178355	207745	25272	3690	415262
		Criminal	497606	424892	15890	729	939117
		Total	675961	632637	41162	4619	1354379
14	Madhya Pradesh	Civil	111898	111252	24863	7242	255255
		Criminal	417758	351678	80883	12088	842403
		Total	529654	462928	85746	19330	1097658
15	Maharashtra	Civil	366048	435426	158753	79528	1039755
		Criminal	770076	655139	256155	183271	1844643
		Total	1136126	1090565	414908	242799	2884398

Age-wise Breakup of Pending Cases in Subordinate Courts as on 31.12.2013

Sl. No	States/UTs	Case Type	Years				Total
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
16	Manipur	Civil	2476	2093	584	121	5274
		Criminal	3372	2197	1192	872	7633
		Total	5848	4290	1776	993	12907
17	Meghalaya	Civil	308	765	621	231	1925
		Criminal	714	1235	421	146	2516
		Total	1022	2000	1042	377	4441
18	Mizoram	Civil	1048	423	39	1	1511
		Criminal	1020	558	1	0	1589
		Total	2068	991	40	1	3100
19	Nagaland	Civil	733	407	75	101	1316
		Criminal	738	740	189	336	2002
		Total	1471	1147	264	436	3318
20	Odisha	Civil	57453	111322	43565	20854	233214
		Criminal	138139	355521	222221	186253	901234
		Total	195602	466943	265786	206117	1134448
21	Punjab	Civil	102651	139801	14044	1491	257977
		Criminal	132514	121083	11462	703	265762
		Total	235165	260884	25526	2184	523759
22	Rajasthan	Civil	109967	226222	65096	25892	428177
		Criminal	250777	512604	202630	57493	1023704
		Total	360744	739026	268726	83385	1451881
23	Sikkim	Civil	171	85	3	2	261
		Criminal	390	188	6	0	584
		Total	561	273	9	2	845
24	Tamil Nadu	Civil	375865	376783	72957	17599	843204
		Criminal	117343	246685	62660	18403	445111
		Total	493208	623468	135637	36002	1288315
25	Tripura	Civil	4089	3906	476	319	8550
		Criminal	40420	13864	2614	3957	60655
		Total	44509	17830	3090	4286	69715
26	Uttar Pradesh	Civil	430104	529097	259679	187444	1405224
		Criminal	1401900	1867631	709106	400122	4195761
		Total	1832004	2216728	968687	587566	5604985
27	Uttarakhand	Civil	10955	15690	2504	1251	30410
		Criminal	53355	58592	7548	2749	122244
		Total	64320	74282	10052	4000	152654
28	West Bengal	Civil	116850	246815	121574	62322	547561
		Criminal	658585	971144	325911	58081	2013701
		Total	775415	1217959	447485	120403	2561262
29	A & N Island	Civil	570	1435	251	74	2530
		Criminal	2985	4657	1067	66	8775
		Total	3855	6092	1318	140	11405
30	Chandigarh	Civil	6886	11405	2117	206	20614
		Criminal	27600	9900	1454	144	39098
		Total	34486	21305	3571	350	59712

Age-wise Breakup of Pending Cases in Subordinate Courts as on 31.12.2013

Sl. No	States/UTs	Case Type	Years				Total
			0 to 1 year old	1 to 5 years old	5 to 10 years old	More than 10 years old	
31	Daman & Diu	Civil	310	263	201	87	861
		Criminal	502	246	88	26	862
		Total	812	509	289	93	1703
32	D & N Haveli	Civil	288	204	80	21	593
		Criminal	840	504	911	161	2416
		Total	1128	708	991	182	3009
33	Delhi	Civil	56349	63307	14699	6197	140552
		Criminal	144596	162893	58625	15501	381615
		Total	200945	226200	73324	21698	522167
34	Lakshadweep	Civil	22	121	8	4	155
		Criminal	62	132	4	1	199
		Total	84	253	12	5	354
35	Puducherry	Civil	7065	8173	1510	364	17113
		Criminal	2695	9249	1573	119	13636
		Total	9761	17422	3083	483	30749
Grand total of Civil cases			2737126	3774779	1184233	581815	8277953
Grand total of Criminal cases			6483576	8047284	2800586	1229462	18560908
Grand total of all Subordinate Courts			9220702	11822063	3984819	1811277	26838861

Desk Side

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO.2547

TO BE ANSWERED ON FRIDAY THE 01.08.2014

Accountability in judiciary

2547. SHRI AAYANUR MANJUNATHA:

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

- (a) whether corruption in judiciary is on the rise in the country;
- (b) if so, the details of the number of corruption cases reported against judges in various courts including Supreme Court, High Courts and district courts, State-wise;
- (c) the action taken thereon; and
- (d) the steps proposed to be taken by Government to enforce greater accountability in judiciary?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS &
INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) to (c) Allegations of corruption in the judiciary have come to the notice of the Government and have been reported in the media also from time to time. As per the "in-house mechanism" for the higher judiciary, Chief Justice of India is competent to receive

complaints against the conduct of the Judges of the Supreme Court and the Chief Justice of the High Courts. Similarly, the Chief Justices of the High Courts are competent to receive complaints against the conduct of their Courts. Administrative control over the members of the subordinate judiciary in the States vests with the concerned High Court and State Government. In view of this, the Central Government do not maintain records of such complaints and has no mechanism to monitor the action taken on the same.

(d) : There is a proposal to change the existing system for investigation into the complaints of misbehaviour or incapacity of a Judges of the Supreme Court or High Courts as well as to enforce greater accountability. A Bill titled "The Judicial Standards and Accountability Bill" was moved by the Government in the previous Lok Sabha. The Bill provides for a comprehensive mechanism for handling complaints made by citizens on grounds of alleged misbehaviour and incapacity against judges of the Supreme Court and High Courts and for taking action against those found guilty after investigation. The Bill also lays down judicial standards and makes it incumbent on the Judges to declare their assets/liabilities. However, the Bill could not be passed and lapsed due to dissolution of 15th Lok Sabha.

Desk Side

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

RAJYA SABHA

STARRED QUESTION NO.447

(7th Position)

TO BE ANSWERED ON 08.08.2014

Appointment of judges in Supreme Court and High Courts

***447. SHRI K.N. BALAGOPAL:**

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

- (a) whether there is a practice of Government writing to the Judiciary on appointment of judges in Supreme Court and High Courts;
- (b) If so, the details thereof for the last ten years; and
- (c) whether Government has any proposal for changing the present system of appointment of judges, if so, the details thereof?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS &
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 the Rajya Sabha Starred Question No.447 to be answered on 08.08.2014 regarding 'Appointment of judges in Supreme Court and High Courts'.

(a) and (b) : Pursuant to the Supreme Court Judgement of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the entire process of initiation of proposal for appointment of a Judge of the Supreme Court and the Chief Justices of the High Courts rests with the Chief Justice of India and for the appointment of Judges of the High Court rests with the Chief Justice of the concerned High Court. However, the Government periodically reminds the Chief Justices of the High Courts to initiate proposals in time for filling up the existing as well as the anticipated vacancies in the High Courts.

(c) : There is a proposal to change the existing system for appointment of Judges in the Supreme Court and High Courts and transfer of Judges of the High Courts. The matter is under active consideration of the Government.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

Jus-I

STARRED QUESTION NO.448

TO BE ANSWERED ON FRIDAY, THE 8th AUGUST, 2014

Reducing pendency of cases

*448. SHRI BIRENDER SINGH:

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

(a) whether it is a fact that higher courts and Government Departments do not work on Saturdays and courts enjoy twenty holidays in a year, besides Christmas and winter holidays;

(b) whether it is also a fact that lower courts sit on Saturdays; and

(c) whether Government is examining suggestions of the Chief Justice of India that courts should work 365 days a year to clear the huge pendency of cases?

ANSWER

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

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

Statement referred in reply to Rajya Sabha Starred Question No.441 due for answer on 08.08.2014.

(a) and (b) : Central Government administrative offices do not work on Saturdays and observe not more than 17 holidays including Christmas, in a calendar year, besides 2 restricted holidays. There are no winter/summer holidays.

Working days/hours in the Supreme Court and in the High Courts in the country are regulated by Rules framed by the respective Court. The working days as well as working hours of the District/Subordinate Courts are regulated by the respective High Court. The Supreme Court and High Courts do not work on Saturdays. As per information available, the High Courts function from Monday to Friday, but their Registry/offices also function on Saturdays, except on second or last Saturday of each month. High Courts generally enjoy twenty holidays in a year besides Christmas and Winter holidays. Lower courts generally function on Saturdays except the second or last Saturday of each month.

(c) : No formal communication has been received from Chief Justice of India in this regard. However, from the media reports, it appears that the Chief Justice of India has suggested to keep the Supreme Court, High Courts and trial Courts open 365 days in a year by preparing a calendar for arranging the benches in the Supreme Court and High Courts to ensure that judiciary functions throughout the year.

MM

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

RAJYA SABHA

UNSTARRED QUESTION NO. 3316

TO BE ANSWERED ON FRIDAY 08TH AUGUST, 2014

Infrastructure development of subordinate judiciary

3316. SHRI C. M. RAMESH:

Will the Minister of LAW AND JUSTICE be pleased to state whether any tangible result has been achieved in strengthening the infrastructure development of subordinate judiciary, if so, the details thereof, and if not, the reasons therefor?

ANSWER

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

Development of infrastructure facilities for Judiciary in the States is the primary responsibility of the State Governments. However, in order to augment the resources of the State Governments, a Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary has been in operation since 1993-94. The Scheme covers upgradation / construction of court complexes and residential units. The State / UT-wise details of funds released under the Scheme from 1993-94 to 2013-2014 are given in Statement at Annex-A.

The progress of infrastructure development for judiciary in States is monitored by a committee chaired by the portfolio judge of the High Court as per the directions of Hon'ble Supreme Court in All India Judges Association cases (I.A. No.279 in W.P. (C) No.1022 of 1989). As per the information furnished by various States / UTs to the Supreme Court in the above case, 234 new court building and 254 residential quarters were completed between July 2010 and September 2012.

Annex-A

Statement referred to in Rajya Sabha Un-starred Question No. 3316 for reply on 08.08.2014 regarding Infrastructure development of subordinate judiciary

GRANTS RELEASED UNDER CENTRALLY SPONSORED SCHEME (CSS) FOR INFRASTRUCTURAL FACILITIES FOR JUDICIARY

(Rs. in Lakhs)						
Sl. No.	State	Release from 1993-94 to 2010-11	Release in 2011-12	Release in 2012-13	Release in 2013-14	Total (1993-94 to 2013-14)
1	Andhra Pradesh	7683.45	1888.00	6393.00	0.00	15964.45
2	Bihar	4036.37	0.00	1524.00	0.00	5560.37
3	Chhattisgarh	2907.47	2097.00	0.00	0.00	5004.47
4	Goa	627.93	172.00	0.00	0.00	799.93
5	Gujarat	5371.42	0.00	9893.00	10000.00	25264.42
6	Haryana	3516.42	2138.00	0.00	3632.00	9286.42
7	Himachal Pradesh	1507.00	0.00	0.00	806.00	2313.00
8	Jammu & Kashmir	1687.80	1035.00	2572.00	3428.00	8722.80
9	Jharkhand	1908.52	0.00	1500.00	1693.00	5099.52
10	Karnataka	8536.85	2961.00	7610.00	10384.00	27491.85
11	Kerala	3419.30	1169.00	1499.00	0.00	6087.30
12	Madhya Pradesh	6382.04	4403.00	2046.00	6141.00	18972.04
13	Maharashtra	11131.62	12915.00	5920.24	10000.00	39966.86
14	Odisha	5074.27	2416.00	1534.00	0.00	9024.27
15	Punjab	2677.92	0.00	7902.00	12000.00	22579.92
16	Rajasthan	4188.51	1172.00	1042.00	0.00	6402.51
17	Tamilnadu	5835.46	0.00	1953.00	7343.00	15131.46
18	Uttarakhand	1635.35	0.00	829.76	2043.00	4508.11
19	Uttar Pradesh	17542.57	15659.00	9398.00	12530.00	55129.57
20	West Bengal	8435.46	2518.00	0.00	0.00	8953.46
Total (A)		100103.53	50543.00	61816.00	80000.00	292262.53
NE States						
1.	Arunachal Pradesh	441.44	972.00	750.00	0.00	2163.44
2.	Assam	5926.40	2890.00	2954.90	0.00	11771.30
3.	Manipur	841.71	0.00	0.00	1500.00	2141.71
4.	Meghalaya	297.00	0.00	0.00	1474.00	1771.00
5.	Mizoram	1099.95	0.00	704.78	812.56	2617.29
6.	Nagaland	3880.64	189.00	750.00	0.00	4779.64
7.	Sikkim	1278.05	0.00	549.50	2802.84	4630.39
8.	Tripura	1097.25	0.00	1495.60	2910.60	5503.45
Total (B)		14642.44	4031.00	7204.78	9500.00	35378.22
UTs						
1.	A&N Islands	395.55	500.00	0.00	0.00	895.55
2.	Chandigarh	3400.95	500.00	0.00	0.00	3900.95

3.	Dadra & Nagar Haveli	208.25	500.00	0.00	0.00	708.25
4.	Daman & Diu	190.00	0.00	0.00	0.00	190.00
5.	Delhi	3647.08	2250.00	2000.00	0.00	7897.08
6.	Lakshadweep	51.25	0.00	0.00	0.00	51.25
7.	Puducherry	1898.88	1250.00	0.00	0.00	3148.88
	Total (C)	9789.96	5000.00	2000.00	0.00	16789.96
	Grand Total (A+B+C)	124535.93	59574.00	70820.78	89500.00	344430.71

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

July II

**RAJYA SABHA
UNSTARRED QUESTION NO. 3317
TO BE ANSWERED ON FRIDAY, THE 8TH AUGUST, 2014**

Special courts for women, aged persons and children

3317. SHRI KALPATARU DAS:

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

- (a) whether it is proposed to set up special speedy courts for women, aged persons and children in the country, if so, the details thereof;
- (b) whether some suggestions have been received in the matter from experts, if so, the details thereof; and
- (c) whether some time-limit is proposed to be fixed for disposal of such cases in such courts?

**A N S W E R
MINISTER OF LAW & JUSTICE AND
COMMUNICATIONS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a)to(c): Setting up of subordinate courts including special courts for speedy trial of cases relating to crime against women, aged persons and children is the responsibility of the State Governments under the Constitution of India. However, Government has written to the Chief Justices of the High Courts to constitute Fast Track Courts (FTCs) for speedy trial of the pending rape cases in district/subordinate courts having a high pendency of such cases and to monitor the progress of these cases. The Chief Ministers of States have been requested to provide financial support to the High Courts for setting up FTCs for cases of crime against women. In the Joint Conference of Chief Ministers of States and Chief Justices of the High Courts held on 7th April 2013, it was decided that the State Governments shall, in consultation with the Chief Justices of the respective High Courts, take necessary steps to establish suitable number of Fast Track Courts for offences against women, children, differently abled persons, senior citizens

and marginalized sections of the society and provide adequate funds for the purpose.

As per the reports received from State Governments, 278 special courts have been set up/designated for cases of crime against women.

Legislative provisions have been made by the Government for setting up of special courts for speedy trial of offences against children. Section 25 of the Commissions for Protection of Child Rights Act, 2005 provides that for the purpose of providing speedy trial of offences against children or of violation of child rights, the State Government may, with the concurrence of the Chief Justice of the High Court, by notification, specify at least a court in the State or specify, for each district, a Court of Session to be a Children's Court to try the said offence. Section 28(1) of the Protection of Children from Sexual Offences Act, 2012 provides that for the purposes of providing a speedy trial, the State Government shall in consultation with the Chief Justice of the High Court, by notification in the Official Gazette, designate for each district, a Court of Session to be a Special Court to try the offences under the Act provided that if a Court of Session is notified as a Children's Court under the Commissions for Protection of Child Rights Act, 2005 or a Special Court designated for similar purposes under any other law for the time being in force, then, such court shall be deemed to be a Special Court under this section.

No time limit can be fixed for disposal of cases in courts. However, Chief Justices of all High Courts have been requested to invite the attention of the District Judges to the use of provisions under Sections 157, 309 and 327 of the Code of Criminal Procedure with a view to examination of witnesses on a day to day basis, keeping adjournments at a bare minimum and expediting trial of cases involving heinous crimes such as rape.

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 3320

TO BE ANSWERED ON FRIDAY, 8TH AUGUST, 2014

Pendency and disposal of cases of various High Courts

3320. DR. BHALCHANDRA MUNGEKAR

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

- (a) the number of cases pending in various High Courts and the Supreme Court as on 31st March, 2014;
- (b) out of them, how many are of original, civil and criminal nature, respectively, High Court-wise details thereof; and
- (c) how Government plans to dispose of these pending cases?

ANSWER

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

(a) to (c): The data on pendency of cases is maintained by Supreme Court and High Courts. As per available information, 64,330 cases were pending in Supreme Court as on 01.04.2014. Details of civil and criminal cases pending in the High Courts are given in Statement at **Annex-I**.

Disposal of pending cases in various courts is within the domain of the Judiciary. In order to create an enabling environment for judiciary, the Government has set up National Mission for Justice Delivery and Legal Reforms. The major initiative under the National Mission relate to Infrastructure Development for Subordinate Judiciary and Computerization of Courts. The Central Government has provided financial assistance to the tune of Rs. 2,198 crores to State Governments and Union Territories for upgradation / construction of court complexes and residential units for judicial officers in the last three years. Under the eCourts Project 13,227 courts have been computerized by 31st March, 2014. Computerization of courts would enable the courts to exercise greater control over management of cases in the docket. It will also provide designated services to the litigants and the lawyers. In order to reduce government litigation in courts the Central Government has encouraged the States to

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notify their litigation policies which contain provisions for weeding out infructuous cases and promote dispute resolution through alternative mechanisms. The Government is also looking into the areas prone to excessive litigation for adopting suitable policy and legislative measures to curb such litigation.

Annex-I

Statement referred to in Rajya Sabha Unstarred Question No.3320 regarding "Pendency and disposal of cases of various High Courts" for reply on 8th August, 2014

Pendency of Civil and Criminal Cases in High Courts as on 31.12.2013

Sl. No	High Court	Case Type	Pendency As on 31.12.2013
1	Allahabad	Civil	695431
		Criminal	347967
		Total	1043398
2	Andhra Pradesh	Civil	201425
		Criminal	31034
		Total	232459
3	Bombay	Civil	299931
		Criminal	49906
		Total	349837
4	Calcutta	Civil	230317
		Criminal	49689
		Total	280006
5	Delhi	Civil	49000
		Criminal	15652
		Total	64652
6	Gujarat	Civil	60131
		Criminal	31822
		Total	91953
7	Gauhati	Civil	33534
		Criminal	7378
		Total	40912
8	Himachal Pradesh	Civil	54015
		Criminal	6058
		Total	60073
9	Jammu & Kashmir	Civil	87794
		Criminal	5244
		Total	93038
10	Karnataka	Civil	179379
		Criminal	17593
		Total	196972
11	Kerala	Civil	99573
		Criminal	32586
		Total	132159
12	Madras	Civil	490383

		Criminal	67096
		Total	557479
13	Madhya Pradesh	Civil	174665
		Criminal	86946
		Total	261611
Sl. No	High Court	Case Type	Pendency As on 31.12.13
14	Orissa	Civil	168794
		Criminal	38028
		Total	206822
15	Patna	Civil	79896
		Criminal	52259
		Total	132155
16	Punjab & Haryana	Civil	200549
		Criminal	62211
		Total	262760
17	Rajasthan	Civil	244020
		Criminal	63620
		Total	307640
18	Sikkim	Civil	95
		Criminal	25
		Total	120
19	Uttarakhand	Civil	15269
		Criminal	5417
		Total	20686
20	Chhattisgarh	Civil	27146
		Criminal	16993
		Total	44139
21	Jharkhand	Civil	38001
		Criminal	34957
		Total	72958
22	*Tripura	Civil	4743
		Criminal	1091
		Total	5834
23	*Manipur	Civil	3761
		Criminal	92
		Total	3853
24	*Meghalaya	Civil	1115
		Criminal	74

	Total	1189
All High Courts Total civil		3438967
All High Courts Total criminal		1023738
Grand Total of all High Courts		4462705

Source: Above statement is compiled on the basis of figures received from the High Court

*Operationalization of 3 new High Courts was notified on 23rd March 2013

Desk Side

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

RAJYA SABHA

UNSTARRED QUESTION NO.3321

TO BE ANSWERED ON FRIDAY THE 08.08.2014

Judicial Appointments Commission Bill

3321. SHRI B.K. HARIPRASAD:

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

- (a) whether the Judicial Appointments Commission (JAC) is likely to replace the Supreme Court's Collegium system of appointing judges to the apex court and High Courts;
- (b) whether Government is considering amendments in the JAC Bill to get over the provision that requires the Leader of Opposition to be a member of selection committee that will choose the panel; and
- (c) whether the proposed amendment in the JAC Bill will be modeled on the CVC Act, and if so, the details thereof?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS &
INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) to (c): The Government proposes to change the existing system for appointment and transfer of Judges in the Supreme Court and High Courts by establishing the National Judicial Appointments Commission (NJAC) with a view to broad base the process of appointment. The matter is presently under consideration of the Government.

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

RAJYA SABHA

**UNSTARRED QUESTION NO. 3322
TO BE ANSWERED ON FRIDAY, 8TH AUGUST, 2014**

Pending court cases in West Bengal

3322. SHRI VIVEK GUPTA:

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

- (d) the details of total pending cases in courts in West Bengal;
- (e) the details of the number of judges and judicial officers in courts of West Bengal;
- (f) whether as per a recent study of National Court Management System (NCMS), the number of pending cases in courts are going to grow by about 15 percent; and
- (g) if so, the steps taken by Government for judicial reform and to improve the judge / population ratio?

ANSWER

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

(a) to (d): The data on pendency of cases is maintained by Supreme Court and High Courts. As per available information, 2,80,006 cases were pending in High Court of Calcutta and 25,61,262 cases were pending in District and Subordinate Courts in the State of West Bengal as on 31.12.2013. Sanctioned strength of Judicial Officers in District and Subordinate Courts of the State of West Bengal and Union Territory of Andaman & Nicobar Islands was 894 as on 31.12.2013. The approved strength of Judges in High Court of Calcutta was 58 as on 01.08.2014.

Disposal of pending cases in various courts is within the domain of the Judiciary. The 'Policy and Action Plan' document formulated under the National Court Management Systems (NCMS) set up by Supreme Court has estimated that with the increase in literacy, per capita income and population, the number of new cases filed each year may go upto fifteen (15) crore *per annum* over the next three decades.

In order to create an enabling environment for judiciary, the Government has set up National Mission for Justice Delivery and Legal Reforms. The major initiative under the National Mission relate to Infrastructure Development for Subordinate Judiciary and Computerization of Courts. The Central Government has provided financial assistance to the tune of Rs. 2,198

crores to State Governments and Union Territories for upgradation / construction of court complexes and residential units for judicial officers in the last three years. Under the eCourts Project 13,227 courts have been computerized by 31st March, 2014. Computerization of courts would enable the courts to exercise greater control over management of cases in the docket. It will also provide designated services to the litigants and the lawyers

To enable the High Courts to clear the backlog of cases, the Chief Justice of India has given *in-principle* concurrence to the joint recommendation in the Chief Ministers / Chief Justices Conference to increase the sanctioned strength of High Courts by 25% of the existing strength. The High Courts and State Governments have been requested to convey their consent to the proposal, keeping in view the existing vacancies, as also the requirements of additional court room infrastructure, staff and budget. Specific proposals in respect of High Courts of Delhi, Himachal Pradesh, Jammu & Kashmir, Madhya Pradesh and Punjab & Haryana have been received from the State Governments, and approved by the Hon'ble Chief Justice of India. In the case of other High Courts, the State Governments have been reminded to expedite their concurrence.

As a result of concerted efforts made by all stakeholders the sanctioned strength of judicial officers / judges in the District and Subordinate courts has increased from 17715 as on 31.12.2012 to 19421 as on 31.12.2013.

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

RAJYA SABHA

UNSTARRED QUESTION NO.3324

TO BE ANSWERED ON FRIDAY THE 08.08.2014

Creation of All India Judicial Service

3324. DR. PRADEEP KUMAR BALMUCHU:

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

- (a) whether it is a fact that Government is contemplating on creation of new All India Judicial Service in line with IAS and IPS, if so, the details thereof;
- (b) whether Government has sought views of State Governments in this regard;
- (c) whether any objections have been raised by States in regard to creation of such new service, if so, the details thereof; and
- (d) the benefits of the unified All India Judicial Service and hurdles being faced in its implementation?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS &
INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) to (d): A comprehensive proposal was formulated for the constitution of an All India Judicial Service (AIJS) in order to strengthen federal governance, attract the best talent in the judiciary, promote national integration, and establish standards of governance. The proposal was approved by the Committee of Secretaries in November, 2012. The

proposal was included as an agenda item in the Conference of Chief Ministers of the States and Chief Justices of the High Courts held in April, 2013 and it was decided that the issue needs further deliberations and consideration. Therefore, the views of the State Governments and High Courts have been sought again on the proposal.

Desk Side

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

RAJYA SABHA

UNSTARRED QUESTION NO.3325

TO BE ANSWERED ON FRIDAY THE 08.08.2014

Filling up of vacancies of High Court Judges

3325. DR. E.M. SUDARSANA NATCHIAPPAN:

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

- (a) whether Government proposes, to adopt the pre 1993 proposition with regard to appointment of judges and to fill up the vacancies on fast track; and
- (b) if so, whether there is any time-frame to fill up around 200 vacancies in High Courts?

ANSWER

**MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS &
INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) and (b): The Government proposes to change the existing system for appointment and transfer of Judges in the Supreme Court and High Courts by establishing the National Judicial Appointments Commission (NJAC) with a view to broad base the process of appointment. The matter is presently under active consideration in consultation with various stakeholders. The Minister of Law and Justice has written to Chief Justices of High Courts to take steps to expedite the filling up of vacancies in High Courts.

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

RAJYA SABHA

UNSTARRED QUESTION NO. 3326

TO BE ANSWERED ON FRIDAY, THE 8th AUGUST, 2014

Pending court cases

3326. SHRI LAL SINH VADODIA:

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

- (a) whether it is a fact that the pending cases in all courts of the country are rising continuously;
- (b) if so, whether Government is planning to control it; and
- (c) if so, how and by when and if not, the reasons therefor?

ANSWER

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

(a) : The data on pendency of cases is maintained by Supreme Court and High Courts. As per available information, number of cases pending in Supreme Court, High Courts and Subordinate Courts during last three years are as under:

At the end of the year	2011	2012	2013
Supreme Court	58,519	66,692	66,349
High Courts	43,22,198	44,34,191	44,62,705
Subordinate Courts	2,69,86,307	2,68,89,203	2,68,38,861

(b) & (c): Disposal of cases in courts falls within the domain of the judiciary. In order to create an enabling environment for judiciary to deal with the problem of pendency and backlog of cases, the Government has set up National Mission for Justice Delivery and Legal Reforms. The major initiatives under the National Mission relate to Infrastructure Development for Subordinate Judiciary and Computerization of Courts. The Central Government has provided financial assistance to the tune of Rs. 2,198 crores to State Governments and Union Territories for upgradation / construction of court complexes and residential units for judicial officers in the last three years. Under the eCourts Project 13,227 courts have been computerized by 31st March, 2014. Computerization of courts would enable the courts to exercise greater control over management of cases in

the docket. It will also provide designated services to the litigants and the lawyers. In order to reduce government litigation in courts the Central Government has encouraged the States to notify their litigation policies which contain provisions for weeding out infructuous cases and promote dispute resolution through alternative mechanisms. The Government is also looking into the areas prone to excessive litigation for adopting suitable policy and legislative measures to curb such litigation.
