

2014

LOK SABHA REPLIES

**BUDGET SESSION, 2014 [2nd
SESSION OF 16th LOK
SABHA][7th July, 2014 to
14th August, 2014]**

INDEX

Sl.No.	Question No.	Question Type	Date	Subject	Division	Page No.
1.	11	Starred	07.07.2014	Pending Court Cases	NM	1
2.	5	Unstarred	07.07.2014	Judicial Appointment Commission	Desk Side	9
3.	25	Unstarred	07.07.2014	Gram Nyayalayas	JR Desk	11
4.	42	Unstarred	07.07.2014	Corruption in Judiciary	Desk Side	14
5.	43	Unstarred	07.07.2014	Evening Special Judicial Magistrate Courts	Justice.II	16
6.	453	Unstarred	14.07.2014	Ratio of Judges to Total Population	NM	18
7.	457	Unstarred	14.07.2014	Separate High Court for Telengana	Desk Side	20
8.	488	Unstarred	14.07.2014	Special Courts for Black Marketeers and Hoarders	AU	22
9.	512	Unstarred	14.07.2014	Funds for Fast Track Courts	Justice.II	23
10.	521	Unstarred	14.07.2014	National Mission for Justice Delivery and Legal Reforms	NM	25
11.	533	Unstarred	14.07.2014	Pendency of Rape Cases	NM	27
12.	535	Unstarred	14.07.2014	Setting up of Supreme Court Benches	Desk Side	32
13.	542	Unstarred	14.07.2014	Pending Court Cases in High Courts	NM	33
14.	544	Unstarred	14.07.2014	Bail Process	NM	37
15.	546	Unstarred	14.07.2014	Pendency in Fast Track Courts	Justice.II	38
16.	557	Unstarred	14.07.2014	Pending Court Cases	NM	42
17.	568	Unstarred	14.07.2014	Establishment of High Court Benches	Desk Side	46
18.	582	Unstarred	14.07.2014	Disposal of Court Cases	NM	49
19.	188	Starred	21.07.2014	Transparency in Appointment of Judges	Desk Side	50
20.	194	Starred	21.07.2014	Family Courts	Justice.II	53
21.	198	Starred	21.07.2014	Fast Track Courts	Justice.II	59
22.	1458	Unstarred	21.07.2014	Constitution of Indian Judicial Service	Desk Side	62
23.	1459	Unstarred	21.07.2014	Functioning of Courts	Justice.I	64
24.	1461	Unstarred	21.07.2014	Working Hours of Courts	NM	65
25.	1471	Unstarred	21.07.2014	Special Assistance for Judicial Reforms	NM	67
26.	1481	Unstarred	21.07.2014	Pending Court Cases against Foreigners	NM	74
27.	1494	Unstarred	21.07.2014	New Courts in Andhra Pradesh	NM	76
28.	1517	Unstarred	21.07.2014	Constitution of Task	NM	78

				Force		
29.	1569	Unstarred	21.07.2014	Adjournments in Courts	AU	80
30.	1629	Unstarred	21.07.2014	Model Agency for Tribunals	Justice.I	84
31.	1630	Unstarred	21.07.2014	Reservation for SC/ST in High Courts	Desk Side	86
32.	2584	Unstarred	28.07.2014	Justice Delivery System	NM	88
33.	2585	Unstarred	28.07.2014	Nomenclature of Bombay High Court	Desk Side	90
34.	2592	Unstarred	28.07.2014	Retirement Age of High Court Judges	Desk Side	92
35.	2685	Unstarred	28.07.2014	Regional Languages in Court's Proceedings	Justice.I	94
36.	2696	Unstarred	28.07.2014	Setting up of CBI Courts	Justice.II	96
37.	2700	Unstarred	28.07.2014	Setting up of Gram Nyayalayas	JR Desk	99
38.	2707	Unstarred	28.07.2014	Inter-connection of Courts	eCourts	101
39.	2747	Unstarred	28.07.2014	Harsh Punishment to Poor	NM	103
40.	2750	Unstarred	28.07.2014	Optimal Functioning of Judiciary	Justice.II	104
41.	2752	Unstarred	28.07.2014	Mobile Courts	NM	107
42.	3449	Unstarred	04.08.2014	Pending Court Cases of Assam Violence	NM	109
43.	3454	Unstarred	04.08.2014	Expenditure on Construction of Courts	NM	110
44.	3461	Unstarred	04.08.2014	Pending Court Cases of Smuggling of Narcotics	NM	113
45.	3469	Unstarred	04.08.2014	Cases Registered Under Dowry Act	Justice.II	114
46.	3494	Unstarred	04.08.2014	Commission for Fixing Duration for settlement of Civil/Criminal cases	NM	116
47.	3502	Unstarred	04.08.2014	Stringent Laws for Crime Against Children	Justice.II	118
48.	3534	Unstarred	04.08.2014	Revision of Summer Vacation in Courts	Justice.I	119
49.	3551	Unstarred	04.08.2014	Motor Accident Claim Cases	NM	121
50.	3572	Unstarred	04.08.2014	Amendments in Juvenile Justice Act	Justice.II	122
51.	3582	Unstarred	04.08.2014	Man power Planning in Judiciary	NM	124
52.	463	Starred	11.08.2014	Judicial Reforms	NM	126
53.	477	Starred	11.08.2014	Cases under Juvenile Justice Act	Justice.II	129
54.	4524	Unstarred	11.08.2014	Empowerment of Courts to Handle IT Related Cases	Justice.II	132
55.	4552	Unstarred	11.08.2014	Fast Track Courts	Justice.II	134

56.	4569	Unstarred	11.08.2014	Judicial Accountability Bill	Desk Side	137
57.	4590	Unstarred	11.08.2014	Provision of Police Station with each Court	NM	138
58.	4611	Unstarred	11.08.2014	Pending Cases of Land Acquisition	NM	139
59.	4618	Unstarred	11.08.2014	Disposal of Cases	NM	140

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

LOK SABHA

STARRED QUESTION NO.*11

TO BE ANSWERED ON MONDAY 7TH JULY, 2014

Pending Court Cases

*11. SHRI YOGI ADITYA NATH:
SHRI SUNIL KUMAR SINGH:

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

- (a) whether a number of cases are pending in various courts across the country;
- (b) if so, the details thereof including the number of cases pending in Supreme Court and various High Courts during each of the last three years and the current year, court-wise and the reasons therefor;
- (c) the sanctioned strength and vacancies of judges in such courts and the action taken by the Government to fill up these vacancies at the earliest;
- (d) whether the Government has taken note of delay in the delivery of justice to the litigants for various reasons; and
- (e) if so the details thereof along with the corrective measures taken by the Government for expeditious disposal of the cases pending in various courts in the country?

ANSWER

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

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

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (e) of LOK SABHA
STARRED QUESTION NO. *11 FOR ANSWER ON 07TH 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, number of cases pending in Supreme Court during the last three years and the current year are given below:-

2011	58,519
2012	66,692
2013	66,349
2014 (As on 01.05.2014)	63,843

Details of cases pending in the High Courts and District and Subordinate Courts during the last three years are given in Statements at **Annex – I** and **Annex – II**.

Increasing number of state and central legislations, accumulation of first appeals, continuation of ordinary civil jurisdiction in some of the High Courts, vacancies of Judges, appeals against orders of quasi-judicial forums going to High Courts, number of revisions / appeals, adjournments, indiscriminate use of writ jurisdiction, lack of adequate arrangement to monitor, track and bunch cases for hearing are some of the main factors responsible for pendency of cases in courts.

Details of sanctioned strength, working strength and vacancy position of Judges in Supreme Court, High Courts and District and Subordinate Courts are given in Statements at **Annex – III** and **Annex - IV**.

As per the Memorandum of Procedure, initiation of proposals for appointment of Judges of a High Court rests with the Chief Justice of the concerned High Court and for appointment of a Judge in the Supreme Court, it rests with the Chief Justice of India. The Government is periodically reminding the Chief Justices of the High Courts to initiate proposals in time for filling up the existing vacancies as well as the vacancies anticipated in the next six months in the High Courts. The filling up of vacancies in the High Courts is a continuous consultative process among the Constitutional authorities. While every effort is made to fill up the existing vacancies expeditiously, vacancies do

keep on arising on account of retirement, resignation or elevation of Judges. For filling of vacancies in District and Subordinate Courts, the matter is regularly pursued with High Courts / State Governments.

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 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 Lok Sabha Starred Question No. *11 regarding "Pending Court Cases" for reply on 07th July 2014

Pendency of Cases in High Courts in the years 2011, 2012 and 2013

S. No.	Name of High Court	Pendency of Cases as on 31.12.2011	Pendency of Cases as on 31.12.2012	Pendency of Cases as on 31.12.2013
1	Allahabad	1005527	1008679	1043398
2	Andhra Pradesh	198214	210101	232459
3	Bombay	362885	341969	349837
4	Calcutta	347154	362131	280006
5	Delhi	61210	62352	64652
6	Gujarat	82232	76009	91953
7	Gauhati	53255	52873	40912
8	Himachal Pradesh	49541	55597	60073
9	Jammu & Kashmir	82223	82306	93038
10	Karnataka	172088	183852	196972
11	Kerala	128777	124061	132159
12	Madras	473736	500374	557479
13	Madhya Pradesh	229336	248157	261611
14	Orissa	301314	332910	206822
15	Patna	118964	119191	132155
16	Punjab & Haryana	243666	251120	262760
17	Rajasthan	281306	292551	307640
18	Sikkim	67	63	120
19	Uttarakhand	19263	20187	20686
20	Chhattisgarh	50163	47751	44139
21	Jharkhand	61277	61957	72958
22	Tripura*	-	-	5834
23	Manipur*	-	-	3853
24	Meghalaya*	-	-	1189
	Total	4322198	4434191	4462705

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

Annex-II

Statement referred to in Lok Sabha Starred Question No. *11 regarding "Pending Court Cases" for reply on 07th July 2014

Pendency of Cases in District and Subordinate Courts in the years 2011, 2012 and 2013

Sr. No.	Name of State / UT	Pendency of Cases as on 31.12.2011	Pendency of Cases as on 31.12.2012	Pendency of Cases as on 31.12.2013
1	Andhra Pradesh	945737	924943	983882
2	Arunachal Pradesh	6305	6200	6076
3	Assam	259596	253428	248472
4	Bihar	1607306	1711380	1807782
5	Chhattisgarh	271406	272523	269116
6	Goa	30057	30131	31703
7	Gujarat	2183026	2174691	2226371
8	Haryana	588812	564285	555669
9	Himachal Pradesh	189549	224563	258791
10	Jammu & Kashmir	206308	191144	175647
11	Jharkhand	292215	299265	307853
12	Karnataka	1128996	1138703	1190335
13	Kerala	1060056	1240164	1354379
14	Madhya Pradesh	1089195	1091221	1097658
15	Maharashtra	3275954	2977306	2884398
16	Manipur	9844	14381	12907
17	Meghalaya	3181	4103	4441
18	Mizoram	4412	3569	3100
19	Nagaland	4405	3586	3318
20	Orissa	1153517	1185763	1134448
21	Punjab	553202	537064	523759
22	Rajasthan	1451368	1446129	1451881
23	Sikkim	1194	1077	845
24	Tamil Nadu	1183249	1232469	1288315
25	Tripura	48251	55895	69715
26	Uttar Pradesh	5798048	5792331	5604985
27	Uttarakhand	145734	164495	152654
28	West Bengal & A & N Island	2644869	2605371	2572667
29	Chandigarh	60116	49955	59712

30	D & N Haveli and Daman & Diu	4977	7249	4712
31	Delhi	758478	656587	522167
32	Lakshadweep	239	291	354
33	Pondicherry	26705	28941	30749
Total		26986307	26889203	26838861

Annex-III

Statement referred to in Lok Sabha Starred Question No. *11 regarding "Pending Court Cases" for reply on 07th July 2014

Sanctioned Strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts.

(As on 01.07.2014)

Sl. No.	Name of the Court	Approved Strength			Working Strength			Vacancies as per Approved Strength		
A.	Supreme Court of India	31			28			03		
B.	High Court	Pmt	Addl.	Total	Pmt	Addl.	Total	Pmt	Addl.	Total
1	Allahabad	76	84	160	64	24	88	12	60	72
2	Andhra Pradesh	33	16	49	16	15	31	17	01	18
3	Bombay	48	27	75	41	23	64	07	04	11
4	Calcutta*	45	13	58	26	13	39	19	0	19
5	Chhattisgarh	06	12	18	05	08	13	01	04	05
6	Delhi	29	19	48	27	11	38	02	08	10
7	Gauhati	17	07	24	10	03	13	07	04	11
8	Gujarat	29	13	42	24	07	31	05	06	11
9	Himachal Pradesh	07	04	11	05	03	08	02	01	03
10	Jammu & Kashmir	09	05	14	08	02	10	01	03	04
11	Jharkhand	10	10	20	09	01	10	01	09	10
12	Karnataka	33	17	50	28	05	33	05	12	17
13	Kerala	27	11	38	26	09	35	01	02	03
14	Madhya Pradesh	32	11	43	23	09	32	09	02	11
15	Madras	45	15	60	36	08	44	09	07	16
16	Manipur	04	0	04	02	0	02	02	0	02
17	Meghalaya	03	0	03	03	0	03	0	0	0
18	Orissa*	17	05	22	16	03	19	01	02	03
19	Patna	29	14	43	28	07	35	01	07	08
20	Punjab & Haryana	38	30	68	34	14	48	04	16	20
21	Rajasthan	32	08	40	19	09	28	13	-01	12
22	Sikkim	03	0	03	03	0	03	0	0	0
23	Tripura	04	0	04	04	0	04	0	0	0
24	Uttarakhand	09	0	09	05	0	05	04	0	04
Total		585	321	906	462	174	636	123	147	270

Annex-IV

Statement referred to in Lok Sabha Starred Question No. *11 regarding "Pending Court Cases" for reply on 07th July 2014

Sanctioned Strength Working Strength and Vacancies of Judicial Officers in District and Subordinate Judiciary as on 31.12.2013				
Sr. No.	High Court Wise	Sanctioned Strength	Working Strength	Vacancies
1	Allahabad	1922	1738	184
2	Andhra Pradesh	962	816	146
3	Bombay	2049	1771	278
4	Calcutta	994	854	140
5	Delhi	778	484	294
6	Gujarat	1958	1240	718
7	Gauhati	498	320	178
8	Himachal Pradesh	137	131	6
9	Jammu & Kashmir	244	226	18
10	Karnataka	1074	714	360
11	Kerala	427	397	30
12	Madras	993	884	109
13	Madhya Pradesh	1421	1227	194
14	Orissa	657	567	90
15	Patna	1494	878	616
16	Punjab & Haryana	1315	917	398
17	Rajasthan	1145	849	296
18	Sikkim	18	12	6
19	Uttarakhand	257	185	72
20	Chhattisgarh	328	285	43
21	Jharkhand	572	407	165
22	Manipur	37	31	6
23	Meghalaya	39	39	0
24	Tripura	102	67	35
	Total	19421	15039	4382

Desk Side

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

LOK SABHA

UNSTARRED QUESTION NO.5

TO BE ANSWERED ON 07.07.2014

Judicial Appointment Commission

†5. SHRI R. DHRUVA NARAYANA:

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

- (a) whether the Government has set up Judicial Appointment Commission (JAC);
- (b) if so, the details thereof along with its aims and objectives; and
- (c) the work done by JAC so far?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) to (c) : No, Madam. 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 making it more participatory to ensure greater transparency and objectivity in the appointments to the higher judiciary. 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 is 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 Judicial Appointments Commission has not been established so far.

TR DOK

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 25

TO BE ANSWERED ON MONDAY, THE 7TH JULY, 2014

Gram Nyayalayas

25. PROF. SAUGATA ROY:

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

- (a) the number of Gram Nyayalayas constituted in the country as per 'The Gram Nyayalayas Act, 2008', State and year-wise;
- (b) the reasons behind the long delay in constitution of the Gram Nyayalayas all over the country; and
- (c) the time by which the Gram Nyayalayas are likely to be set up in each State of the country?

ANSWER

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

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

(b) : Besides the fact that a 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.

(c) : The issues affecting the implementation of the Gram Nyayalayas scheme were discussed in the Conference of Chief Justices of the 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 Taluka under the Gram Nyayalayas scheme where regular courts have not been set up.

Annexure

Statement referred to in Lok Sabha Unstarred Question No. 25 regarding "Gram Nyayalayas" for reply on 07th 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

Desk Side

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

LOK SABHA

UNSTARRED QUESTION NO.42

TO BE ANSWERED ON 07.07.2014

Corruption in Judiciary

†42. SHRI YOGI ADITYA NATH:

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

- (a) whether the Government is aware of rampant corruption in the judiciary;
- (b) if so, the details thereof; and
- (c) the effective steps taken/being taken by the Government to address the issue?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) and (b): Representations alleging corruption in judiciary are received in the Government from time to time. As per the established "in-house mechanism" for the higher judiciary, the Chief Justice of India is competent to receive complaints against the conduct of Judges of the Supreme Court and the Chief Justices of the High Courts. Similarly, the Chief Justices of the High Courts are competent to receive complaints against the conduct of High Court Judges. The complaints/ representations received are forwarded to the Chief Justice of India or to the concerned Chief Justice of High Court, as the case may be, for appropriate action. Administrative control over the members of the subordinate judiciary in the States vests with the

concerned High Court. The Central Government has no mandate to look into such complaints or to monitor the action taken on the same.

(b) : To ensure greater accountability and transparency in the higher judiciary, a bill titled, "the Judicial Standards and Accountability Bill", was introduced in the Lok Sabha on 01.12.2010. The Bill lays down Judicial Standards which are derived from the Restatement of Values in Judicial Life, 1997 and have the acceptance and approval of the Full Court of the Supreme Court. It makes it mandatory for Judges to declare their assets and liabilities as well as that of their spouses and dependent children. It also provides for a comprehensive mechanism for handling complaints made by citizens on alleged misbehaviour and incapacity against judges of the Supreme Court and High Courts and for taking action against those found guilty after investigation. However, the Bill has lapsed consequent to the dissolution of the 15th Lok Sabha. The matter is under further consideration of the Government.

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Jus II

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

**LOK SABHA
UNSTARRED QUESTION NO. 43**

TO BE ANSWERED ON MONDAY, THE 7TH JULY, 2014

Evening Special Judicial Magistrate Courts

+43. SHRI SUNIL KUMAR SINGH:

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

- (a) whether the Government has allocated funds to States to set up evening/special judicial magistrates' courts;**
- (b) if so, the details thereof including the number of such courts set up in the country and the funds allocated/released during the last three years, State-wise;**
- (c) whether the setting up of these courts has led to decrease in the number of pending court cases; and**
- (d) if so, the details thereof?**

**A M S W E R
MINISTER OF LAW & JUSTICE
(SHRI RAVI SHANKAR PRASAD)**

(a) to (d): Government has allocated Rs. 2500.00 crore to the States to set-up Morning/Evening/Shift/Special Judicial Magistrate Courts for the 'Improvement of Justice Delivery System' under the Thirteenth Finance Commission (TFC) award. Based on the information received from the State Governments, a statement in respect of funds allocated to States to set-up Morning/Evening/Shift/Special Judicial Magistrate Courts, number of courts set-up, funds released during the years 2010-11 to 2012-13 and number of cases disposed off since inception is enclosed. No grant was released for this component during the year 2013-14.

Statement referred to in reply to parts (a) to (d) of the
Lok Sabha Unstarred Question No. 43 for 7/7/2014

Funds allocated to States to set-up Morning/Evening/Shift/Special Judicial
Magistrate Courts for the 'Improvement of Justice Delivery System' under the
Thirteenth Finance Commission (TFC) award

Sl. No.	Name of the States	Funds allocated (Rs. in crore)	Number of courts set-up	Funds released during the year (Rs. in crore)			Since inception number of cases disposed off
				2010-11	2011-12	2012-13	
1	Andhra Pradesh	145.18	259	29.04	14.52	-	31436
2	Arunachal Pradesh	53.15	0	10.63	0	-	-
3	Assam	45.31	263	9.06	0	-	158809
4	Bihar	214.32	38	42.86	21.43	-	845
5	Chhattisgarh	54.56	0	1091	0	-	2381
6	Goa	7.68	0	1.54	0	-	-
7	Gujarat	161.17	169	32.23	32.23	32.23	350367
8	Haryana	61.61	64	12.32	6.16	-	155439
9	Himachal Pradesh	19.75	2	3.95	3.95	-	-
10	Jammu & Kashmir	32.61	0	6.52	3.26	-	-
11	Jharkhand	82.62	0	16.52	0	-	-
12	Karnataka	136.71	0	27.34	13.67	-	-
13	Kerala	67.42	5	13.48	6.74	-	40033
14	Madhya Pradesh	204.91	0	40.98	20.49	-	-
15	Maharashtra	297.57	394	59.51	29.76	-	866516
16	Manipur	5.33	0	1.07	0	-	-
17	Meghalaya	1.57	0	0.31	0	-	-
18	Mizoram	6.27	0	1.25	0.63	-	-
19	Nagaland	4.23	0	0.85	0	-	-
20	Orissa	83.25	198	16.65	8.33	-	500
21	Punjab	54.25	52	10.85	5.43	-	730996
22	Rajasthan	129.34	0	25.87	12.97	-	-
23	Sikkim	2.04	0	0.41	0	-	-
24	Tamil Nadu	123.54	10	24.71	0	-	4218
25	Tripura	12.54	135	2.51	1.25	-	98080
26	Uttar Pradesh	340.84	340	68.17	34.08	-	30868
27	Uttarakhand	42.80	25	8.56	4.28	-	341
28	West Bengal	109.43	0	21.89	10.94	-	-
	Total	2500.00	1954	1580.08	230.12	32.23	

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 453

TO BE ANSWERED ON MONDAY, THE 14TH JULY, 2014

Ratio of Judges to Total Population

453. SHRI SULTAN AHMED:

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

- (f) whether any norms have been prescribed regarding the ratio of judges to the total population of the country;
- (g) if so, the details thereof along with the present ratio;
- (h) whether the ratio of judges in our country is very less as compared to the developed countries and if so, details thereof;
- (i) the present average docket ratio of court cases per judge during the last three years; and
- (j) the steps taken by the Government to ensure effective court management for speedy disposal of pending cases?

ANSWER

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

(a) to (e) : The Hon'ble Supreme Court in its judgement dated 21st March, 2002 in the All India Judges' Association had directed that there should be 50 judges for a million population in the country. This direction was based on a comparative analysis of judge population ratio in other countries.

Based on the Population as per Census 2011 and sanctioned strength of judges / judicial officers in Supreme Court, High Courts and District & Subordinate Courts as on

31.12.2013, the judge-population ratio in the country works out to be 16.8 judges / judicial officers per million population. Based on the sanctioned strength of judges / judicial officers of Supreme Court, High Courts and District & Subordinate Courts and pendency of cases at year ending in 2011, 2012 and 2013 average docket ratio of cases works out to be around 1625 cases per judge.

Further, the Supreme Court, in its order dated 1st February, 2012, in the case of *Imtiyaz Ahmed versus State of Uttar Pradesh & Others, inter alia*, asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts. Law Commission has since submitted its Report to the Supreme Court. The Supreme Court has directed the concerned State Governments and High Courts to file their response to the recommendations made by Law Commission.

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 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.

A comprehensive scheme of National Court Management Systems (NCMS) has been formulated and notified by Hon'ble Supreme Court of India. Under the NCMS, a National Framework of Court Excellence (NFCE) has been prepared, which shall set measurable standards of performance for courts addressing the issues of quality, responsiveness and timeliness.

Desk Side

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

LOK SABHA

UNSTARRED QUESTION NO.457

TO BE ANSWERED ON 14.07.2014

Separate High Court for Telangana

457. SHRI ASADUDDIN OWAISI:

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

- (a) whether the State Government of Telangana has been demanding a separate High Court for the State;
- (b) if so, the details thereof;
- (c) whether the Government proposes to set up a separate High Court for this State for smooth and speedy justice to the people of the State; and
- (d) if so, the details thereof and if not, the reasons therefor?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) to (d): The Andhra Pradesh Reorganisation Act, 2014 came into force with effect from 2nd June, 2014. The Act provides that both the States of Andhra Pradesh and Telangana shall have a separate High Court. It further stated that a new High Court shall be constituted for the State of Andhra Pradesh, and the existing High Court at Hyderabad shall become the High Court for the State of Telangana. Till such time that a new High Court is set up for the State of Andhra Pradesh, the existing High Court would serve as the common High Court for both the States of Andhra Pradesh and Telangana.

The matter has been taken up with Supreme Court of India to initiate process for setting up of new High Court including fixation of Judges Strength for both the High Courts, distribution of existing Judges and location of the new High Court for the State of Andhra Pradesh.

AU

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

**LOK SABHA
UNSTARRED QUESTION NO.488**

TO BE ANSWERED ON MONDAY, THE 14TH JULY, 2014

Special Courts for Black Marketeers and Hoarders

488. SHRI RATTAN LAL KATARIA:

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

- (a) whether the Union Government has urged the State Governments to set up Special Courts for speedy trial of black marketeers and hoarders;**
- (b) if so, the details thereof; and**
- (c) the time by which these courts are likely to be set up?**

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

(a): No, Madam

(b) & (c) : Do not arise.

Jug. II

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

**LOK SABHA
UNSTARRED QUESTION NO. 512**

TO BE ANSWERED ON MONDAY, THE 14TH JULY, 2014

Funds for Fast Track Courts

**512. SHRI ASADUDDIN OWAISI:
SHRI P.K.BIJU:**

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

- (a) whether the Government proposes to increase the number of Fast Track Courts in the country;**
- (b) if so, the details thereof and if not, the reasons therefor;**
- (c) the steps taken by the Government in this regard;**
- (d) the total funds allocated and expenditure incurred for setting up of these courts during each of the last three years and the current year;**
- (e) whether the Government has issued any directions to various States to allocate more funds for establishment of these courts and to recruit more judges; and**
- (f) if so, the details thereof?**

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

(a)to(d): Setting up of subordinate courts is the responsibility of the State Governments under the Constitution of India. Central funding to States for Fast Track Courts (FTCs), established under the 11th Finance Commission Award, has been discontinued with effect from 1st April, 2011. However, 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 to utilise these positions for creation of FTCs also. Some States have continued FTCs beyond 31.03.2011 with their own resources.

(e)&(f): 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 FTCs 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 them. Government has requested the State Governments and the Chief Justices of the High Courts to implement this decision.

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 521

TO BE ANSWERED ON MONDAY, THE 14TH JULY, 2014

National Mission for Justice Delivery and Legal Reforms

521. SHRI ANTO ANTONY

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

- (a) whether the Government has been implementing the National Mission for Justice Delivery and Legal Reforms in the country;
- (b) if so, the details and the salient features thereof; and
- (c) the achievements made under the Mission so far?

ANSWER

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

(a)to(c) The overall goal of the National Mission for Justice Delivery and Legal Reforms is timely delivery of justice and enhancing accountability through structural changes. The National Mission was set up in August, 2011 and has a time frame of five years. 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. As a result of the concerted efforts made by all stake-holders the increasing trend of pendency of cases in subordinate courts has been checked.

NM

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 533

TO BE ANSWERED ON MONDAY, THE 14TH JULY, 2014

Pendency of Rape Cases

533. SHRI BADRUDDIN AJMAL:

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

- (a) whether a large number of cases of crime against women including rape cases are pending in Supreme Court, High Courts and various lower courts in the country;
- (b) if so, the details thereof, State-wise and court-wise along with the reasons therefor;
- (c) the average / stipulated time period for disposal of these cases along with the steps taken by the Government for expeditious disposal of such cases;
- (d) whether the Government has taken any steps to provide legal and other aid to women victims in such cases; and
- (e) if so, the details thereof?

ANSWER

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

(a) to (e) : The data on pendency of cases is maintained by Supreme Court and High Courts. As per available information furnished by Supreme Court and High Courts, details of pending rape cases in Supreme Court, High Courts and District & Subordinate Courts are given in Statements at *Annex – I* and *Annex – II*.

Some of the main reasons for delay in disposal of rape cases include poor quality of investigation, lack of forensic laboratories, large number of vacancies of Judicial Officers / Judges in Subordinate Courts, frequent adjournments and inadequate case management procedures.

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. Further once the examination of witnesses has begun, the same shall be continued from day-to-day until all the witnesses in attendance have been examined, 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.

Section 357 A of Criminal Procedure Code provides for rehabilitation as well as formulation of Victim Compensation Scheme by the States. As per information available, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Manipur, Mizoram, Nagaland, Odisha, Punjab, Rajasthan, Sikkim, Tripura, Uttarakhand and West Bengal have formulated Victim Compensation Scheme.

Annex-I

Statement referred to in Lok Sabha Unstarred Question No. 533 for reply on 14.07.2014 regarding Pendency of Rape Cases.

I. Pending Rape Cases in Supreme Court as on 04.07.2014

Number of Cases relating to sexual harassment, kidnapping & abduction (including Rape Cases)	333
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II. Pendency of Rape Cases in High Courts as on 31.12.2013

S. No.	Name of High Court	Number of Rape case pending
1.	Allahabad*	8,215
2.	Madhya Pradesh	4,099
3.	Gauhati	3,602
4.	Punjab & Haryana	3,518
5.	Rajasthan**	2,951
6.	Chhattisgarh	1,781
7.	Patna	1,392
8.	Orissa	1,181
9.	Bombay	1,145
10.	Gujarat	1,035
11.	Delhi	991
12.	Jharkhand	548
13.	Andhra Pradesh**	440
14.	Kerala	284
15.	Madras	219
16.	Himachal Pradesh	208
17.	Uttarakhand	192
18.	Karnataka	109
19.	Jammu & Kashmir	93
20.	Tripura	52
21.	Calcutta	18
22.	Manipur	4
23.	Sikkim	3
24.	Meghalaya	0
Total		32,080

*As on 30.09.2012

**As on 31.01.2014

Annex-II

Statement referred to in Lok Sabha Unstarred Question No. 533 for reply on 14.07.2014 regarding Pendency of Rape Cases.

Pendency of Rape Cases in District and Subordinate Court Courts as on 31.12.2013

S. No.	Name of State / Union Territory	Number of Rape case pending
1	Uttar Pradesh*	15,926
2	West Bengal	7,986
3	Bihar	6,558
4	Maharashtra	5,663
5	Rajasthan**	4,519
6	Orissa	3,860
7	Madhya Pradesh	3,596
8	Assam	3,487
9	Jharkhand	3,312
10	Gujarat	2,913
11	Andhra Pradesh**	2,673
12	Kerala	2,646
13	Jammu & Kashmir	2,472
14	Tamil Nadu	1,877
15	Delhi	1,633
16	Chhattisgarh	1,542
17	Karnataka	1,294
18	Haryana	822
19	Punjab	581
20	Himachal Pradesh	293
21	Tripura	292
22	Uttarakhand	241
23	Mizoram	96
24	Meghalaya	94
25	A & N Island	90
26	Arunachal Pradesh	85
27	Manipur	41
28	Chandigarh	38
29	Goa	29
30	Sikkim	23
31	D & N Haveli and Daman & Diu	19
32	Nagaland	18
33	Pondicherry	15
34	Lakshadweep	0

Total

74,734

*As on 31.12.2012

**As on 31.01.2014

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

Desk Side

LOK SABHA

UNSTARRED QUESTION NO. 535

TO BE ANSWERED ON MONDAY THE 14.07.2014

Setting up of Supreme Court Benches

535. SHRI JOSE K. MANI:

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

- (a) whether the Government has received any instructions from the Supreme Court regarding setting up of new benches of Supreme Court in various States;
- (b) if so, the details and the current status thereof;
- (c) the criteria adopted by the Government for setting up of additional benches of the Supreme Court;
- (d) the number of such benches proposed to be set up in the country, State/UT-wise; and
- (e) the time by which these benches are likely to be established?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) to (e) According to Article 130 of the Constitution, the Supreme Court shall sit in Delhi or in such other place or places as the Chief Justice of India may, with the approval of the President, from time to time, appoint. Representations have been received from time to time from various quarters, including the Law Commission (229th Report) for establishment of Benches of Supreme Court in various parts of the country. The matter was referred to the Chief Justice of India, who has informed that after consideration of the matter, the Full Court in its meeting held on 18th February, 2010, found no justification for setting up of benches of the Supreme Court outside Delhi.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

nm
LOK SABHA

UNSTARRED QUESTION NO. 542

TO BE ANSWERED ON MONDAY, THE 14TH JULY, 2014

Pending Court Cases in High Courts

542. SHRI M. RAJA MOHAN REDDY:

SHRI B. V. NAIK:

SHRI B. SRIRAMULU:

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

- (a) whether a large number of cases are pending in various High Courts of the country;
- (b) if so, the number of such cases which are pending for the last 15 years, category-wise, and State-wise; and
- (c) the steps taken by the Government to clear the pendency of 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 the High Courts. As per the information available, details of age-wise pendency of civil and criminal cases in High Courts are given in Statement at **Annex**.

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 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 Lok Sabha Unstarred Question No. 542 for reply on 14.07.2014 regarding Pending Court Cases in High Courts

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
			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	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	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.	Gauhati	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	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

Sl. No	Name of High Court	Type of Case	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	
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	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

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.

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

LOK SABHA

UNSTARRED QUESTION NO. 544

TO BE ANSWERED ON MONDAY, THE 14TH JULY, 2014

Bail Process

544. SHRI KIRTI AZAD

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

- (a) whether the Government proposes to set up specific courts to deal with criminal matters with a long-term roster in place of 4-8 weeks benches as at present;
- (b) if so, the details thereof along with the steps taken by the Government to abolish the concept of bench hunting;
- (c) whether the Government has advised the judiciary to establish a uniform system in respect of bails, adjournments and paroles and to check the network/nexus which arrange bails and adjournments and if so, the details thereof and the steps likely to be taken by the Government in this regard;
- (d) whether a large number of convicts released on bail/parole from courts are missing; and
- (e) if so, the details thereof and the steps taken by the Government to arrest those convicts?

ANSWER

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

(a)to(e) Disposal of cases and day to day functioning of the courts including constitution of benches and preparation of the roster falls within the domain of judiciary.

Media reports have appeared in the recent past about the malpractice of bench hunting in the Apex Judiciary. However, as per procedure such complaints are handled 'in-house' by the judiciary.

The provisions with regard to grant of bail and adjournment of proceedings in criminal trials are contained in the Code of Criminal Procedure. The individual cases are decided by the judiciary in terms of the above provisions keeping in view the unique facts and circumstances in each case.

Fig. II

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

**LOK SABHA
UNSTARRED QUESTION NO. 546**

TO BE ANSWERED ON MONDAY, THE 14TH JULY, 2014

Pendency in Fast Track Courts

+546. SHRI GANESH SINGH:

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

- (a) the details of Fast Track Courts and Village Courts established in the country so far, category-wise and State-wise;**
- (b) the total number of cases disposed of since their inception and the number of cases pending in these courts at present;**
- (c) whether the Government intends to establish more such courts and appoint more judges in the existing courts for early disposal of cases, and**
- (d) if so, the details thereof?**

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

(a)&(b): Statement regarding State-wise number of Fast Track Courts (FTCs) functional and number of cases disposed off and pending is enclosed at Annex-I. Statement regarding State-wise number of Gram Nyayalayas notified is enclosed at Annex-II. No information is available on number of cases disposed/pending in Gram Nyayalayas.

(c)&(d): Setting up of subordinate courts including FTCs is the responsibility of the State Governments under the Constitution of India. Government has requested the State Governments and the Chief Justices

of High Courts to utilise 10% additional posts of judges being created in subordinate judiciary in pursuance of the direction of Supreme Court in Brij Mohan Lal case, for setting-up of Fast Track Courts also. For meeting expenditure on salaries of these 10% additional posts, 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. Government has also requested the State Governments and High Courts to consider setting-up FTCs for disposal of cases relating to offences against women, children, differently abled persons, senior citizens and marginalized sections of society as resolved in the Conference of Chief Ministers and Chief Justices held on 7th April, 2013.

As regards Gram Nyayalayas, it was decided in the said conference that the State Governments and High Courts should be left to decide the question of establishment of Gram Nyayalayas, wherever feasible, taking into account their local problems. It was also decided, in the context of the decision to double the number of Courts in the country at the subordinate level, that regular Courts be set up at each Taluka, if not already set up, in which case establishment or continuation of Gram Nyayalaya will have to be factored in, on need basis.

Annex-I

**STATEMENT REFERRED TO IN REPLY TO PART (a) AND (b) OF THE LOK SABHA
UNSTARRED QUESTION NO. 546 TO BE ANSWERED ON 14TH JULY 2014**

Statement regarding number of Fast Track Courts functional, number of cases disposed off since their inception by Fast Track Courts and number of cases pending in Fast Track Courts (FTCs)

Sl. No	Name of the state	No. of FTCs functioning	As on	No. of cases disposed off since inception by FTCs	No. of cases pending in FTCs	As on
1	2	3	4	5	6	7
1	Andhra Pradesh	72	March, 14	248004	17645	March, 14
2	Arunachal Pradesh	0	March, 14	1660	2502	March, 11
3	Assam	20	Oct. 12	72240	11858	Oct. 12
4	Bihar	179	March, 11	159105	80173	March, 11
5	Chhattisgarh	25	March, 11	76575	18095	March, 11
6	Goa	3	Feb., 14	8590	1595	Feb., 14
7	Gujarat	61	Feb., 11	434296	103340	Feb., 11
8	Haryana	6	Dec. 10	33590	4769	Dec. 10
9	Himachal Pradesh	0	June, 14	47480	7171	Dec. 12
10	Jammu & Kashmir	5	June, 14	NA	NA	
11	Jharkhand	11	March, 14	87789	22238	March 11
12	Karnataka	39	March, 14	184067	34335	Aug. 10
13	Kerala	38	Aug., 13	116843	18996	Aug., 13
14	Madhya Pradesh	84	Dec. 10	317363	43239	Dec. 10
15	Maharashtra	92	June, 14	381619	41899	Feb. 11
16	Manipur	2	Oct. 12	3287	225	Oct. 12
17	Meghalaya	3	June, 14	973	315	Oct. 12
18	Mizoram	3	March 11	1635	233	March 11
19	Nagaland	2	Oct. 12	786	59	Oct. 12
20	Odisha	30	June, 14	67700	5393	March. 12
21	Punjab	20	March, 14	46347	12223	Dec. 10
22	Rajasthan	0	March. 14	123024	26423	March. 11
23	Sikkim	1	March, 14	NA	NA	
24	Tamil Nadu	32	June, 14	371336	40621	Aug., 10
25	Tripura	2	June, 14	5591	221	March 11
26	Uttar Pradesh	153	March 11	411658	53117	March 11
27	Uttarakhand	0	June, 14	103208	9518	June, 12
28	West Bengal	85	April, 14	163371	28513	April, 14
29	Delhi	10	March, 14	NA	NA	
	Total	978		3468137	584716	

NA- Not available

Annex-II**STATEMENT REFERRED TO IN REPLY TO PART (a) AND (b) OF THE LOK SABHA
UNSTARRED QUESTION NO. 546 TO BE ANSWERED ON 14TH JULY 2014****STATE-WISE DETAILS OF GRAM NYAYALAYAS NOTIFIED AS ON 8TH JULY, 2012**

Sl. No.	State	NOTIFIED
1	Madhya Pradesh	89
2	Rajasthan	45
3	Maharashtra	18
4	Jharkhand	6
5	Odisha	14
6	Karnataka	2
7	Goa	2
8	Punjab	2
9	Haryana	2
	Total	180

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

NM

LOK SABHA

UNSTARRED QUESTION NO. 557

TO BE ANSWERED ON MONDAY, THE 14TH JULY, 2014

Pending Court Cases

557. SHRI RAVNEET SINGH:

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

- (a) whether it is true that a large number of cases are pending before courts for disposal;
- (b) if so, the details thereof indicating the number of cases pending before Supreme Court, High Courts and various courts in the country, court-wise and the reasons therefor; and
- (c) the steps taken by the Government to dispose of the large number of pending cases and to ensure speedy justice to each and every petitioner in a stipulated time-frame?

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 the Supreme Court and High Courts. As per the information available, 63,843 cases were pending in Supreme Court as on 01.5.2014. 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**.

Increasing number of state and central legislations, accumulation of first appeals, continuation of ordinary civil jurisdiction in some of the High Courts, vacancies of Judges, appeals against orders of quasi-judicial forums going to High Courts, number of revisions / appeals, adjournments, indiscriminate use of writ jurisdiction, lack of adequate arrangement to monitor, track and bunch cases for hearing are some of the main factors responsible for pendency of cases in courts.

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 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 Lok Sabha Unstarred Question No. 557 regarding "Pending Court Cases" for reply on 14th July 2014

Pendency of Cases in High Courts in the year 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.

Statement referred to in Lok Sabha Unstarred Question No. 557 regarding "Pending Court Cases" for reply on 14th July 2014

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

Sr. No.	Name of State / UT	Pendency of Cases 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 Island	2572667
29	Chandigarh	59712
30	D & N Haveli and Daman & Diu	4712
31	Delhi	522167
32	Lakshadweep	354
33	Pondicherry	30749
Total		26838861

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 568

TO BE ANSWERED ON MONDAY THE 14.07.2014

Establishment of High Court Benches

568. SHRI N. K. PREMACHANDRAN:

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

- (a) whether certain State Governments have submitted proposals for establishment of High Court benches in their States including Kerala;
- (b) if so, the details along with the present status thereof;
- (c) the criteria adopted/formalities required by the Government for establishment of these benches;
- (d) the details of the States including Kerala where such benches have already been established so far; and
- (e) whether the Government intends to establish such benches throughout the country and if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS &
INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) to (e) In accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P.(C) No. 379 of 2000, Bench(es) of the High Court are established after due consideration of a complete proposal from the State Government, which is to provide infrastructure and meet the expenditure, along with the consent of the Chief Justice of the concerned High Court, which is required to look after the day to day administration of the High Court and its Bench.

The State Government of Kerala had sent a request in the year 2005 for setting up a bench of Kerala High Court at Thiruvananthapuram. The Chief Justice of High Court of Kerala has not approved the establishment of the High Court Bench at Thiruvananthapuram.

The status of requests from the other State Governments for establishment of Benches of High Courts is as follows:-

1. West Bengal: The Government of West Bengal had sent a proposal for establishment of a Circuit Bench of the Calcutta High Court at Jalpaiguri. The Calcutta High Court has intimated that the infrastructure facilities for establishment of Circuit Bench at Jalpaiguri are not adequate at present, and it will take some more time to establish a Circuit Bench. Accordingly, the Hon'ble President has been apprised and his approval obtained for issuing the necessary notification/order after the Calcutta High Court intimates the readiness of all infrastructure.
2. Himachal Pradesh: Proposal for establishment of a Bench of Himachal Pradesh High Court at Dharmsala, has not been agreed to by the Chief Justice of the Himachal Pradesh High Court.
3. Odisha: Proposal for establishment of two Benches of the Orissa High Court in the Western and Southern regions of Odisha was referred to the Chief Justice, Orissa High Court. The Chief Justice, Orissa High Court has intimated that the matter will be examined by the High Court in due course in the light of all facts and circumstances.

A Statement showing the details of High Courts and their Benches is at Annexure.

Annexure referred to in reply to Lok Sabha Unstarred Question No.568 to be answered on 14.07.2014

Sl. No.	High Court	Principal Seat	Jurisdiction	Permanent Bench and Date from which the Bench began functioning
1	Allahabad	Allahabad	Uttar Pradesh	Lucknow (01.07.1948)
2	Andhra Pradesh	Hyderabad	Andhra Pradesh	-
3	Bombay	Mumbai	Maharashtra; Goa; Daman & Diu; Dadra & Nagar Haveli;	Nagpur (01.05.1960) Panaji (01.07.1948) Aurangabad (27.08.1984)
4	Calcutta	Kolkata	West Bengal & Andaman & Nicobar Islands	Circuit Bench at Jalpaiguri (yet to begin functioning)
5	Chattisgarh	Bilaspur	Chattisgarh	-
6	Delhi	New Delhi	NCT of Delhi	-
7	Gauhati	Guwahati	Assam, Nagaland, Mizoram, & Arunachal Pradesh.	Kohima, (10.02.1990) Aizawl, (05.07.1990) Itanagar (12.08.2000)
8	Gujarat	Sola (Ahmedabad)	Gujarat	-
9	Himachal Pradesh	Shimla	Himachal Pradesh	-
10	Jammu & Kashmir	Jammu & Srinagar	Jammu & Kashmir	-
11	Jharkhand	Ranchi	Jharkhand	-
12	Karnataka	Bangalore	Karnataka	Dharwad (24.08.2013) Gulbarga (31.08.2013)
13	Kerala	Kochi	Kerala & Lakshadweep Islands	-
14	Madhya Pradesh	Jabalpur	Madhya Pradesh	Gwalior (01.11.1956) Indore (01.11.1956)
15	Madras	Chennai	Tamil Nadu & Pondicherry	Madurai (24.07.2004)
16	Orissa	Cuttack	Orissa	-
17	Patna	Patna	Bihar	-
18	Punjab & Haryana	Chandigarh	Punjab, Haryana & Chandigarh	-
19	Rajasthan	Jodhpur	Rajasthan	Jaipur (31.01.1977)
20	Sikkim	Gangtok	Sikkim	-
21	Uttarakhand	Nainital	Uttarakhand	-
22	Manipur	Imphal	Manipur	
23	Meghalaya	Shillong	Meghalaya	
24	Tripura	Agartala	Tripura	

> There are 24 High Courts in the Country.

> Only 7 High Courts (Allahabad, Bombay, Gauhati, Karnataka, Madhya Pradesh, Madras and Rajasthan) have 13 Permanent Benches amongst themselves

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

LOK SABHA

UNSTARRED QUESTION NO. 582

TO BE ANSWERED ON MONDAY, THE 14TH JULY, 2014

Disposal of Court Cases

582. SHRI NIMMALA KRISTAPPA:

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

- (a) whether any study / assessment has been made about the average time taken for disposal of cases by various courts in the country, category-wise;
- (b) if so, the details thereof;
- (c) whether the courts in the country are taking a longer period of time in disposing the cases when compared to the courts in the developed countries; and
- (d) if so, the details thereof?

ANSWER

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

(a)to(d) The Government is not aware of any formal empirical study / assessment having been made about average time taken for disposal of category-wise cases by various courts in the country. The actual time taken for disposal of a case depends on several factors such as category of the case (civil or criminal), complexity of the facts involved, nature of evidence, co-operation of stake-holders viz. bar, investigation agencies, witnesses and litigants besides the availability of physical infrastructure, supporting court staff and applicable rules of procedure.

It may not be valid to compare the time taken for disposal of cases by courts in the country with the time taken by courts in the developed countries. The courts in various countries operate in different environment on account of difference in availability of infrastructure facilities, use of technology, number of judicial officers per million of population (judge-population ratio), docket ratio (population case filing ratio), provisions of substantive laws and procedures in courts.

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

Desk Side

LOK SABHA

STARRED QUESTION NO.188

TO BE ANSWERED ON 21.07.2014

Transparency in Appointment of Judges

**†*188. SHRI YOGI ADITYA NATH:
SHRI K.C. VENUGOPAL:**

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

- (a) whether the Government is satisfied with the existing mechanism in place for appointment of judges in Supreme Court of India and High Courts and if so, the details thereof;
- (b) whether suggestions have been received from various quarters for structural changes in the present system for appointment of judges in the Supreme Court of India and the High Courts; and
- (c) if so, the details thereof and the time by which these changes are likely to be made?

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 Lok Sabha Starred Question No.188 to be answered on 21.07.2013 regarding 'Transparency in Appointment of Judges'.

(a)to (c) : The appointment of Judges to High Courts and Supreme Court is based on a Memorandum of Procedure for Appointment of Judges of Supreme Court and High Courts prepared in 1998 pursuant to the Supreme Court Judgement of October 6, 1993 read with their Advisory Opinion of October 28, 1998. Recommendations have been made in the past by the National Commission to Review the Working of the Constitution (2002), 2nd Administrative Reforms Commission (2007-08) and the Law Commission of India (214th Report-2008) for changing the existing procedure for appointment of Judges to the Supreme Court and High Courts. Representations have also been made by various agencies and expert bodies to review/change the present procedure of appointment of judges.

Based on the suggestions received, 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 is 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', was an enabling legislation for JAC, was passed by the Rajya Sabha on 5th September, 2010 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 seeking the views of various political parties and eminent Jurists on the proposal for setting up of a 'Judicial Appointments Commission'.

...

Jus. II

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

**LOK SABHA
STARRED QUESTION NO. 194**

TO BE ANSWERED ON MONDAY, THE 21st JULY, 2014

Family Courts

***194. SHRI SHIVKUMAR UDASI:**

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

- (a) the number of family courts operational in various parts of the country;**
- (b) the number of cases settled/pending with them during each of the last three years and the current year, State/UT-wise including Karnataka;**
- (c) the details of financial assistance provided for the purpose during the said period, State/UT-wise and year-wise;**
- (d) whether the Government proposes to set up one family court in each district of the country; and**
- (e) if so, the details thereof including the locations identified and funds likely to be allocated for the purpose, State/UT-wise?**

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

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

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK
SABHA STARRED QUESTION NO. 194 FOR 21/7/2014 REGARDING
FAMILY COURTS**

(a): As per the reports received, 295 Family Courts are operational in the Country. A statement indicating State-wise number of Family Courts operational is enclosed at Annexure-I.

(b): Family Courts are part of subordinate judiciary and setting up of Family Courts is within the domain of the State Governments and the High Courts. Therefore, information on the disposal and pendency of cases in Family Courts is not maintained. However, as per the reports received from the High Courts, the statements indicating the number of cases settled/pending in Family Courts in 9 States during each of the last three years and the current year are enclosed at Annexure-II.

(c)to(e): The Family Courts Act, 1984 provides for establishment of Family Courts by the State Governments in consultation with the High Courts with a view to promote conciliation and secure speedy settlement of disputes relating to marriage and family affairs and for matters connected therewith. Under Section 3(1)(a) of the Family Courts Act, it is mandatory for the State Governments to set up a Family Court for every area in the State comprising a city or a town whose population exceeds one million. In other areas of the States, the Family Courts may be set up if the State Governments deem it necessary. The States/UTs also specify, after consultation with the High Court, the local limits of the area to which the jurisdiction of a Family Court shall extend. All the State Governments/UT Administrations are periodically requested to set up at least one Family Court in each district.

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. Funds are released to States as per the norms of the scheme on receipt of their proposal. A statement indicating State-wise central grant provided to the States during the last three years is enclosed at Annexure-III. During the current financial year 2014-15, no grant has been released to the States so far.

ANNEXURE-I

**STATEMENT REFERRED TO IN REPLY TO PART(a) OF THE LOK SABHA STARRED QUESTION NO.194
TO BE ANSWERED ON 21st JULY 2014**

NUMBER OF FAMILY COURTS FUNCTIONAL

S.No.	Name of the State	Number of Family Courts functional in the State
1	Andhra Pradesh	27
2	Arunachal Pradesh	-
3	Assam	02
4	Bihar	32
5	Chhattisgarh	19
6	Delhi	09
7	Goa	-
8	Gujarat	09
9	Haryana	06
10	Himachal Pradesh	-
11	Jammu & Kashmir	-
12	Jharkhand	17
13	Karnataka	24
14	Kerala	28
15	Madhya Pradesh	31
16	Maharashtra	22
17	Manipur	04
18	Meghalaya	-
19	Mizoram	04
20	Nagaland	02
21	Odisha	17
22	Punjab	-
23	Puducherry	01
24	Rajasthan	06
25	Sikkim	02
26	Tamil Nadu	06
27	Tripura	03
28	Uttar Pradesh	15
29	Uttarakhand	07
30	West Bengal	02
31	Andaman & Nicobar Islands	-
32	Chandigarh	-
33	Dadra & Nagar Haveli	-
34	Daman & Diu	-
35	Lakshadweep	-
36	Telangana	-
	Total	295

ANNEXURE-II(a)**STATEMENT REFERRED TO IN REPLY TO PART(a) OF THE LOK SABHA
STARRED QUESTION NO.194 TO BE ANSWERED ON 21st JULY 2014****Statement showing number of cases settled / pending in Family Courts****(Year 2011)**

S.No.	Name of the States	Original Balance	Institution	Disposal	Pendency
1.	Bihar	24932	14636	11120	28437 (11 cases transferred amalgamated)
2.	Chhattisgarh			8535	6718
3.	Karnataka	12872	15610	13422	15060
4.	Kerala			34958	43831
5.	Madhya Pradesh			11825	11554
6.	Odisha			5699	
7.	Sikkim	143	221	259	105
8.	Uttarakhand			4940	5840
9.	West Bengal				1037

(Year 2012)

S.No.	Name of the States	Original Balance	Institution	Disposal	Pendency
1.	Bihar	28787	16971	12537	33207 (14 cases transferred and 350 cases added in pendency)
2.	Chhattisgarh			8015	7035
3.	Karnataka	15060	14503	12541	17022
4.	Kerala			40499	48314
5.	Madhya Pradesh			11782	13214
6.	Odisha			3816	
7.	Sikkim	105	212	218	99
8.	Uttarakhand			4990	6243
9.	West Bengal				

**STATEMENT REFERRED TO IN REPLY TO PART(a) OF THE LOK SABHA
STARRED QUESTION NO.194 TO BE ANSWERED ON 21st JULY 2014****Statement showing number of cases settled / pending in Family Courts.****(Year 2013)**

S.No.	Name of the States	Original Balance	Institution	Disposal	Pendency
1.	Bihar	13421	6838	5192	15068 *
2.	Chhattisgarh			8448	9057
3.	Karnataka	17022	20223	15480	21765
4.	Kerala			54215	50573
5.	Madhya Pradesh			13196	14213
6.	Odisha			5692	
7.	Sikkim	99	302	336	65
8.	Uttarakhand		6332	6531	
9.	West Bengal				

*Information for the year 2013 are yet to be received from 14 districts of Bihar.

(Year 2014)

S.No.	Name of the States	Original Balance	Institution	Disposal	Pendency	As on
1.	Bihar	N.A.	N.A.	N.A.	N.A.	N.A.
2.	Chhattisgarh			6481	9329	Upto April 2014
3.	Karnataka	21765	8901	7660	23006	01.07.2014
4.	Kerala			18725	52089	31.05/2014
5.	Madhya Pradesh			3189	14835	
6.	Odisha			1666	24705	31.03.2014
7.	Sikkim	65	147	147	65	
8.	Uttarakhand			2714	6930	June,2014
9.	West Bengal					

ANNEXURE-III

STATEMENT REFERRED TO IN REPLY TO PART (c) OF LOK SABHA STARRED QUESTION NO. 194 FOR
21/7/2014 REGARDING 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	Maharashtra	-	-	-	100.0	-	-
3	Nagaland	-	-	-	40.00	-	-
4	Odisha	20.00	-	-	-	-	-
5	Tripura	-	-	-	-	75.00	-
Total		20.00	-	-	140.00	75.00	500.00

Jus-II

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

**LOK SABHA
STARRED QUESTION NO. 198**

TO BE ANSWERED ON MONDAY, THE 21st JULY, 2014

Fast Track Courts

***198. SHRI DUSHYANT CHAUTALA:
SHRI JYOTIRADITYA M. SCINDIA:**

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

- (a) the total number of cases filed relating to crime against women and children and the number of cases in which conviction orders have been passed by Supreme Court and High Courts during the last three years;**
- (b) whether the Government proposes to set up special fast track courts in the country for speedy disposal of cases relating to crime against women and children and if so, the details thereof; and**
- (c) the other steps taken by the Government to address the issue?**

**A N S W E R
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 LOK
SABHA STARRED QUESTION NO. 198 FOR 21/7/2014 REGARDING FAST
TRACK COURTS**

(a): As per the reports published by National Crime Records Bureau, the cases reported and conviction rate in respect of crimes against women and children during the past three years are as under:

Crime against women

Year	Number of cases reported	Conviction rate
1	2	3
2013	309546	22.4
2012	244270	21.3
2011	228650	26.9

Crime against children

Year	Number of cases reported	Conviction rate
1	2	3
2013	58224	30.9
2012	38172	29.0
2011	33098	34.6

(b)&(c): Setting up of subordinate courts including Fast Track Courts (FTCs) for speedy trial of cases relating to crime against women and children is the responsibility of the State Governments under the Constitution of India. Government has written to the Chief Justices of the High Courts to constitute 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. A statement indicating the state-wise number of courts set-up for expeditious disposal of cases of crimes against women is enclosed at Annexure.

Annexure

Statement referred to in reply to part (b) of Lok Sabha Starred Question No. 198 for 21/7/2014 regarding Fast Track Courts

Number of Courts set up/designated
for cases of 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

Desk Side

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

**LOK SABHA
UNSTARRED QUESTION NO. 1458**

TO BE ANSWERED ON MONDAY THE 21.07.2014

Constitution of Indian Judicial Service

†1458. SHRI P.P. CHAUDHARY:

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

- (a) whether the Government proposes to create a new cadre of Indian Judicial Service;
- (b) if so, the details thereof and the time by which it is likely to be constituted;
- (c) whether State level Judicial Services have been constituted in certain States; and
- (d) if so, the details thereof, State-wise?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) and (b) : 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 and Chief Justices of the High Courts held in April, 2013 and it was decided that issue needs further deliberations and

consideration. The views of the State Governments and High Courts have been sought on the proposal.

(b) and (d) : 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. Further, in exercise of powers conferred under article 309 read with article 233 and 234 of the Constitution, the State Governments frame rules and regulations in consultation with the High Courts. Most of the State Governments have framed State Higher Judicial Service Rules/ State Judicial Service Rules governing service conditions of their own judicial officers. The Union Government does not maintain data regarding State level judicial services as it has no direct role in this regard.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Sub-I

LOK SABHA
UNSTARRED QUESTION NO.1459
TO BE ANSWERED ON MONDAY, THE 21st JULY, 2014

Functioning of Courts

1459: SHRI ASADUDDIN OWAISI:

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

- (a) whether the government has received any directive from the Supreme Court regarding provide adequate infrastructure to courts and quasi judicial bodies in order to ensure their smooth functioning;
- (b) if so, the details thereof; and
- (c) the steps taken by the Government to bring uniformity in service conditions and infrastructure facilities for Chairpersons, Presidents, members of Tribunals and quasi-judicial bodies?

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

(a) & (b): The Supreme Court of India is monitoring infrastructure development of subordinate judiciary in IA No. 279/2010 in WP (C) No. 1022/1989 in All India Judges Association & Ors. Vs. Union of India & Ors. To augment the resources of the State Governments, a Centrally Sponsored Scheme for development of judicial infrastructure is in operation since 1993-94. An assessment of the requirement of funds for infrastructure for subordinate courts was undertaken in 2011 which estimated that funds to the tune of Rs. 7,346 crore would be needed for the period 2011-16. To incentivise the States for making higher investment in judicial infrastructure, the Central share of financial assistance was revised from 50 percent to 75 percent. For North Eastern States, Central assistance was kept at 90 percent. With the revision of norms for financial assistance and streamlining of criteria and procedure for release of funds, the infrastructure development scheme has received necessary impetus. As against financial outgo of Rs. 1,245 crore on the scheme from 1993-94 to 2010-11, an amount of Rs. 2198 crore has been released to the States /UTs from 01st April, 2011 to 31st March, 2014.

(c): In order to bring uniformity in service conditions of Chairpersons and Members of Tribunals and other quasi-judicial bodies, The Tribunals, Appellate Tribunals and Other Authorities (Conditions of Service) Bill, 2014 has been introduced in Rajya Sabha on 19th February, 2014. The Bill has been referred to the Department related Parliamentary Standing Committee. With a view to provide residential accommodation to Chairpersons and Members of Tribunals etc., Government has decided to reserve 200 apartments at the Ghitroni Complex in New Delhi as stock belonging to a pool of houses.

AM

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. †1461

TO BE ANSWERED ON MONDAY, THE 21ST JULY, 2014

Working Hours of Courts

†1461. SHRI HANSRAJ GANGARAM AHIR:

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

- (a) whether the Chief Justice of India has suggested to increase the number of courts and working hours of existing courts for early disposal of pending cases in courts;
- (b) if so, the details thereof and the reaction of the Government thereto;
- (c) whether the Government has discussed the matter with the concerned institutions / organisations;
- (d) if so, the details thereof; and
- (e) the response of such institutions / organisations thereto?

ANSWER

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

(a) to (e): The working hours in the Supreme Court and High Courts are regulated by the rules framed by the respective Courts. The matter relating to increasing the number of courts in the country has been deliberated upon in various fora including Conference of Chief Ministers and Chief Justices of High Courts held on 7th April, 2013 at New Delhi. In terms of decisions taken in the Conference, Central Government has been pursuing the State Governments and High Courts to set up additional Courts and fill up vacancies.

Further, Supreme Court in its order dated 1st February, 2012 in the case of Intiyaz Ahmed versus State of Uttar Pradesh and Others, inter-alia asked the Law Commission of India to undertake an enquiry and submit its recommendation for scientific assessment of the number of additional subordinate courts. The Law Commission has since submitted its report and has recommended the formula based on Rate of Disposal Method. The Supreme Court has asked the concerned State Government and High Courts to file their response to the recommendations made by Law Commission of India.

As regards High Courts, Chief Justice of India has given in-principle concurrence 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 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.

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

LOK SABHA

UNSTARRED QUESTION NO. †1471

TO BE ANSWERED ON MONDAY, THE 21ST JULY, 2014

Special Assistance for Judicial Reforms

†1471. SHRI GANESH SINGH:

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

- (f) whether the Government has provided special assistance to States for carrying out judicial reforms and reducing the large number of pending cases in the courts in the country;
- (g) if so, the details thereof, State / UT-wise; and
- (h) the details of works proposed to be carried out with the said assistance?

ANSWER

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

(a) to (c): Justice delivery in the country is constrained by backlog of cases and pendency in Courts. In order to augment the resources of State Governments for creating and enabling environment for judiciary to deal with this problem, Central Government has been providing financial assistance to State Governments and Union Territories for construction of court complexes and residential units for Judges / Judicial Officers and setting up of Gram Nyayalayas at Intermediate Panchayat Level. The details of financial assistance released for infrastructure development and setting up of Gram Nyayalayas are given in the Statement at *Annex- I & II* respectively.

Further, with the objective of improving justice delivery, 13th Finance Commission has recommended a grant of Rs.5,000 crore to States over its award period 2010-2015. This grant is, *inter-alia*, aimed at operation of morning / evening courts / shift courts, Alternate Dispute Resolution Centres, Lok Adalats and training of Judicial Officers and other court functionaries. The details of the financial assistance provided to the State Governments under 13th Finance Commission award for various initiatives relating to improvement in Justice Delivery are given in the statement at **Annex-III**.

Annex – I

Statement referred to in Lok Sabha Un-starred Question No. 1471 for Reply on 21st July 2014 regarding 'Special Assistance for Judicial Reforms'

**Statement of Grants Released under Centrally Sponsored Scheme for Infrastructural Facilities for Judiciary (As on 31.03.2014)
(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
1	Andhra Pradesh	7683.45	1888.00	6393.00	0.00
2	Bihar	4036.37	0.00	1524.00	0.00
3	Chhattisgarh	2907.47	2097.00	0.00	0.00
4	Goa	627.93	172.00	0.00	0.00
5	Gujarat	5371.42	0.00	9893.00	10000.00
6	Haryana	3516.42	2138.00	0.00	3632.00
7	Himachal Pradesh	1507	0.00	0.00	806.00
8	Jammu & Kashmir	1687.6	1035.00	2572.00	3428.00
9	Jharkhand*	1906.52	0.00	1500.00	1693.00
10	Karnataka	6536.85	2961.00	7610.00	10384.00
11	Kerala	3419.3	1169.00	1499.00	0.00
12	Madhya Pradesh	6382.04	4403.00	2046.00	6141.00
13	Maharashtra	11131.62	12915.00	5920.24	10000.00
14	Orissa	5074.27	2416.00	1534.00	0.00
15	Punjab	2677.92	0.00	7902.00	12000.00
16	Rajasthan	4188.51	1172.00	1042.00	0.00
17	Tamilnadu	5835.46	0.00	1953.00	7343.00
18	Uttarakhand	1635.35	0.00	829.76	2043.00
19	Uttar Pradesh	17542.57	15659.00	9398.00	12530.00
20	West Bengal	6435.46	2518.00	0.00	0.00
	Total (A)	100103.53	50543.00	61616.00	80000.00
	NE States				
1	Arunachal Pradesh	441.44	972.00	750.00	0.00
2	Assam	5926.4	2890.00	2954.90	0.00
3	Manipur	641.71	0.00	0.00	1500.00
4	Meghalaya	297	0.00	0.00	1474.00
5	Mizoram	1099.95	0.00	704.78	812.56
6	Nagaland	3860.64	169.00	750.00	0.00
7	Sikkim	1278.05	0.00	549.50	2802.84
8	Tripura	1097.25	0.00	1495.60	2910.60
	Total (B)	14642.44	4031.00	7204.78	9500.00
	UTs				

1	A&N Islands	395.55	500.00	0.00	0.00
2	Chandigarh	3400.95	500.00	0.00	0.00
3	Dadra & Nagar Haveili	206.25	500.00	0.00	0.00
4	Daman & Diu	190	0.00	0.00	0.00
5	Delhi	3647.08	2250.00	2000.00	0.00
6	Lakshadweep	51.25	0.00	0.00	0.00
7	Pondicherry	1898.88	1250.00	0.00	0.00
	Total (C)	9789.96	5000.00	2000.00	0.00
	Grand Total (A+B+C)	124535.93	59574.00	70820.78	89500.00

Annex - II

Statement referred to in Lok Sabha Unstarred Question No. 1471 for Reply on 21st July 2014 regarding Special Assistance for Judicial Reforms

Financial Assistance released for setting of Gram Nyayalayas

Sl. No	State	Gram Nyayalaya Notified	Amount released (Rs. in Lakhs)					Total
			2009-10	2010-11	2011-12	2012-13	2013-14	
1	M.P.	89	632.00	745.40	156.80	0.00	284.80	1819.00
2	Rajasthan	45	567.00	0.00	144.00	243.00	215.20	1169.20
3	Karnataka	2	0.00	0.00	25.20	0.00	0.00	25.20
4	Orissa	14	15.80	0.00	110.60	0.00	0.00	126.40
5	Maharashtra	18	132.60	0.00	9.60	15.80	0.00	158.00
6	Jharkhand	6	0.00	0.00	0.00	75.60	0.00	75.60
7	Goa	2	0.00	0.00	0.00	25.20	0.00	25.20
8	Punjab	2	0.00	0.00	0.00	25.20	0.00	25.20
9	Haryana	2	0.00	0.00	0.00	25.20	0.00	25.20
Total		180	1347.40	745.40	446.20	410.00	500.00	3449.00

Annex – III

Statement referred to in Lok Sabha Unstarred Question No. 1471 for Reply on 21st July 2014 regarding Special Assistance for Judicial Reforms

Statement of Financial Assistance provided to the State Governments under 13th Finance Commission Award for various initiatives relating to improvement in Justice Delivery.

TOTAL RELEASE AS ON 31.03.2014

(Rs. in Crore)

STATE	Morning / Evening / Shift Courts	Lok Adalat and Legal Aid	Training of Judicial Officers	Training of Public Prosecutors	Heritage Court Buildings	State Judicial Academy	ADR Centres/ Training to Mediators	Court Managers	Total
Andhra Pradesh	43.55	5.23	4.36	2.61	7.84	4.50	9.38	3.75	81.21
Arunachal Pradesh	10.63	1.28	1.06	0.64	1.91	0.00	0.00	0.00	15.52
Assam	9.06	1.09	0.91	0.54	1.63	3.00	5.71	2.28	24.22
Bihar	64.30	7.72	6.43	3.86	11.57	4.50	12.23	4.89	115.49
Chhattisgarh	10.91	1.31	2.18	1.31	1.96	3.00	4.35	1.74	26.77
Goa	1.54	0.18	0.15	0.09	0.28	0.00	0.54	0.22	3.00
Gujarat	96.70	5.80	8.06	2.90	8.70	4.50	10.60	4.24	141.51
Haryana	18.48	4.43	2.46	1.48	3.33	0.00	7.34	2.93	40.46
Himachal Pradesh	7.90	1.42	2.42	1.46	1.42	9.00	8.97	2.39	34.99
Jammu & Kashmir	9.78	1.56	1.30	0.78	1.76	6.00	11.96	3.59	36.74
Jharkhand	16.52	1.98	3.30	0.99	5.95	6.00	5.98	2.39	43.12
Karnataka	41.01	4.92	4.10	2.46	7.38	4.50	11.82	4.73	80.93
Kerala	20.23	2.43	2.02	1.21	3.64	4.50	5.71	2.28	42.02
Madhya Pradesh	61.47	7.38	12.29	3.69	11.06	6.00	26.63	7.99	136.52
Maharashtra	89.27	10.71	14.88	5.36	21.42	6.00	26.63	7.99	182.26
Manipur	1.07	0.13	0.71	0.24	0.58	0.00	1.11	0.22	4.05
Meghalaya	0.31	0.04	0.03	0.02	0.06	0.00	0.27	0.11	0.84
Mizoram	1.88	0.23	0.19	0.11	0.34	0.00	0.82	0.33	3.89
Nagaland	0.85	0.10	0.08	0.05	0.15	0.00	0.00	0.00	1.23
Orissa	24.98	3.00	6.65	2.00	5.99	12.00	16.30	4.89	75.81
Punjab	16.28	2.60	4.33	1.63	5.85	4.50	7.61	2.28	45.08
Rajasthan	38.80	4.66	3.88	2.33	13.97	9.00	18.48	7.39	98.51
Sikkim	0.41	0.05	0.04	0.05	0.07	3.00	1.09	0.22	4.92
Tamil Nadu	24.71	8.90	4.94	2.96	4.45	9.00	16.30	3.26	74.52
Tripura	3.76	0.45	0.33	0.23	0.68	0.00	1.22	0.49	7.21

Uttar Pradesh	102.25	12.27	20.45	12.27	30.68	9.00	38.04	11.41	236.37
Uttarakhand	12.84	1.54	2.57	0.77	2.31	9.00	7.06	2.12	38.22
West Bengal	32.83	3.94	3.28	1.97	5.91	4.50	7.75	3.10	63.28
Total	762.32	95.34	113.47	54.00	160.90	121.50	263.89	87.23	1658.67

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 1481

TO BE ANSWERED ON MONDAY, THE 21ST JULY, 2014

Pending Court Cases against Foreigners

1481. SHRI BADRUDDIN AJMAL:

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

- (i) whether a large number of cases relating to foreigners are pending in Guwahati High Court; and
- (j) if so, the details thereof including the number of cases filed, disposed off and pending since 2005 till date, year-wise?

ANSWER

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

(a) to (b) : As per the information made available by Gauhati High Court, 598 Foreigners Tribunal (F.T.) cases are cumulatively pending since 2005 till 16.07.2014 in the Gauhati High Court. Year-wise details of total number of F.T. cases, number of disposed F.T. Cases and number of pending F.T. Cases in the Gauhati High are given below:-

Sr. No.	Year	Total No. of F.T. Cases	No. of Disposed F.T. Cases	No. of Pending F.T. Cases
1.	2005	29	27	2
2.	2006	9	9	0
3.	2007	37	28	9
4.	2008	110	75	35
5.	2009	220	100	120
6.	2010	179	73	106
7.	2011	77	9	68
8.	2012	103	6	97

9.	2013	249	152	97
10.	2014	90	26	64
Total		1103	505	598

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 1494

TO BE ANSWERED ON MONDAY, THE 21ST JULY, 2014

New Courts in Andhra Pradesh

1494. SHRI NARASIMHAM THOTA:

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

- (k) whether the Government proposes to set up more judicial courts in the State of Andhra Pradesh;
- (l) if so, the details thereof and if not, the reasons therefore;
- (m) the number of courts functioning at present in the State of Andhra Pradesh, along with the details of vacant posts in such courts, post-wise; and
- (n) the steps taken by the Government to fill up these vacancies?

ANSWER

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

(a) to (d) : The matter regarding setting up of Judicial Courts in the States and filling up of vacant posts in such courts falls within the domain of the State Governments and High Courts concerned. Central Government has been pursuing the State Governments and High Courts to set up additional Courts and fill up the existing vacancies. As per information made available by Andhra Pradesh High Court, a statement giving details of the District and Subordinate Courts and sanctioned / working strength of the Judges / Judicial Officers in the State of Andhra Pradesh as on 31.03.2014 is annexed.

Annex

Statement referred to in Lok Sabha Unstarred Question No. 1494 for Reply on 21st July, 2014 regarding New Courts in Andhra Pradesh”.

Details relating to District and Subordinate Courts, sanctioned and working strength of the Judges / Judicial Officers in Andhra Pradesh as on 31.03.2014.

Courts	Number of Courts	Sanctioned Strength of Judges / Judicial Officers	Working Strength of Judges / Judicial Officers	Judicial Officers working on other duty
District Judge / Addl. District Judge	234	234	197	17
Senior Civil Judge	195	195	179	20
Junior Civil Judge	533	533	489	4
Total	962	962	865	41

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. †1517

TO BE ANSWERED ON MONDAY, THE 21ST JULY, 2014

Constitution of Task Force

†1517. SHRI DILIPKUMAR MANSUKHLAL GANDHI:

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

- (a) whether the Government has constituted any Task Force to accelerate the process of delivering justice;
- (b) if so, the details of the Judicial Impact Assessment made by the Government along with the salient features of the Task Force;
- (c) the follow-up action taken by the Government to implement the recommendations of the said Task Force;
- (d) whether the Government has made any assessment of additional expenditure incurred on such Task Force; and
- (e) if so, the details thereof?

ANSWER

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

(a) to (e) : A Task Force on 'Judicial Impact Assessment' was constituted by the Government on the directions of Hon'ble Supreme Court in the matter of Salem Advocates Bar Association versus Union of India. The Task Force submitted its report on 15th June, 2008, which was placed before the Hon'ble Supreme Court of India.

The Task Force had inter-alia recommended that 'Judicial Impact Assessment' must be made on scientific basis for (i) estimating the extra case-load which any new Bill or Legislation may add to the Judicial System and (ii) the expenditure required for adjudication of cases be estimated by the Government and adequate budgetary provisions be made for the purpose. During the Conference of Chief Ministers and Chief Justices held in New Delhi in April, 2013 this matter was included in the Action Taken Report. It was mentioned that expert opinions received so far have expressed practical difficulties in making assessment of the impact of legislation on the workload of judiciary. The practicability of the idea needs to be established before it is implemented. Accordingly, a Committee of Experts has been constituted in September, 2013 to examine the issue of

implementability of methodologies of Judicial Impact Assessment and suggest further action in this regard.

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

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**LOK SABHA
UNSTARRED QUESTION NO. 1569
TO BE ANSWERED ON MONDAY, 21 JULY, 2014**

Adjournments in Courts

1569. SHRI BAIJAYANT JAY PANDA

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

- (a) whether the provisions of section 309 of the Code of Criminal Procedure (Cr.PC), 1973 regarding expeditious proceedings in every inquiry or trial are being implemented by the courts in the country;
- (b) if so, the details thereof;
- (c) The steps taken by the Government to ensure strict enforcement of section 309 of Cr.PC limiting the adjournments in the lower judiciary; and
- (d) the steps taken by the Government to ensure speedy trial of cases?

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

- (a) to (c) : Section 309 of the Code of Criminal Procedure requires that in every inquiry or trial the proceedings shall be continued from day-to-day until all the witnesses in attendance have been examined, unless the Court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded. When the inquiry or trial relates to the offence of rape under section 376, 376A, 376B, 376C or 376D 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 power of granting or refusing adjournments is in the domain of the judiciary. Enforcement as well as monitoring of the said provision also lies in the hands of the judiciary. However the Government has periodically invited the attention of all High Courts on granting of indiscriminate adjournments in criminal cases which is causing delay in the disposal of cases including the trial of heinous offences.

Government has also requested Chief Justices of all High Courts to invite the attention of the district judges to these provisions and impress upon them to adhere to them in trial of cases involving heinous crimes such as rape.

(d): Government has supported the establishment of Fast Track Courts for heinous crimes from the period 2000-2011, first through the funds awarded under the 11th Finance Commission and, later, by providing Central assistance to States. The central funding for Fast Track Courts has been stopped since 31st March, 2011. More recently Government has been supporting the State Governments and providing assistance under various schemes for subordinate judiciary. Government has also requested State Governments and the Chief Justices of High Courts to utilise 10% additional posts of judges being created in subordinate judiciary in pursuance of the direction of Supreme Court in Brij Mohan Lal case, for setting-up of Fast Track Courts also. For meeting expenditure on salaries of these 10% additional posts, Central Government has decided to provide funds up to a maximum of Rs. 80 crore per annum on a matching basis up to 31.03.2015 from the 13th Finance Commission Award. A statement indicating the state-wise number of courts set up/designated for crime against women is enclosed at **Annexure I.**

Additionally in the Conference of Chief Ministers and Chief Justices of High Courts held on 7 April 2013, establishment of Fast Track Courts was discussed and it was decided that the State Governments shall in consultation with the Chief Justices of the respective High Courts, take immediate steps to establish a suitable number of Fast Track Courts relating to offences against women, children, differently-abled persons, senior citizens and marginalized sections of society. It was also decided that the State Governments shall provide adequate funds for the purpose of creating and continuing the Fast Track Courts. A state-wise statement of Fast Track Courts set up across the country is enclosed at **Annexure II.**

Annexure – I**Number of Fast Track Courts set up / designated for crime against
women**

Sr. No.	Name of the State	Number of courts
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

Annexure-II**Number of Fast Track Courts functioning state-wise**

Sl. No.	Name of the State	Number of FTCs functioning	As on
1.	Andhra Pradesh	72	August, 2013
2.	Arunachal Pradesh	3	December, 2012
3.	Assam	20	October, 2012
4.	Bihar	183	December, 2012
5.	Delhi	4	September, 2013
6.	Goa	3	September, 2013
7.	Haryana	7	December, 2012
8.	Himachal Pradesh	9	December, 2012
9.	Karnataka	93	December, 2012
10.	Kerala	38	July, 2013
11.	Maharashtra	100	December, 2012
12.	Manipur	2	October, 2012
13.	Meghalaya	3	September, 2013
14.	Mizoram	2	December, 2012
15.	Nagaland	2	October, 2012
16.	Odisha	35	December, 2012
17.	Punjab	15	December, 2012
18.	Uttarakhand	22	June, 2012
19.	West Bengal	88	August, 2013
Total		701	

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Jus.I

LOK SABHA

UNSTARRED QUESTION NO.1629
TO BE ANSWERED ON MONDAY, THE 21st JULY, 2014

Model Agency for Tribunals

1629: SHRI NIMMALA KRISTAPPA :

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

- (a) the details of various tribunals/ appellate tribunals established in the country;
- (b) whether the Government proposes to set up an independent nodal agency for administration of all the central tribunals established in the country and if so, the details thereof including the modalities worked out in this regard;
- (c) whether the Government has consulted all the stakeholders in this regard and if so, the details thereof including their suggestions/objections in the matter;
- (d) the efforts made by the Government to formulate a uniform policy for appointment of Chairpersons, members of various tribunals; and
- (e) the mechanism put in place by the Government to monitor the functioning of the tribunals?

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

(a). As per information available, there are 26 Tribunals and other quasi-judicial bodies set up under the various Acts of Parliament.

(b) to (e): In pursuance of observations of the Supreme Court in its judgments in the L. Chandra Kumar case (AIR 1997 SC 1125-1155) and R. Gandhi case (CA 3067 of 2004), the Government undertook inter-ministerial consultations and decided that neither was there any need nor was it feasible to bring all Tribunals under the administrative control of one nodal Ministry/Department. Although administrative control of Tribunals remains with the concerned Ministry/Department

as per Allocation of Business Rules, Government has decided to provide uniformity of conditions of service for Chairpersons and Members of Tribunals. To this end, The Tribunals, Appellate Tribunals and Other Authorities (Conditions of Service) Bill, 2014 has been introduced in Rajya Sabha on 19th February, 2014. However, this Bill does not provide for any mechanism to monitor the functioning of Tribunals.

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

Desk Side

LOK SABHA

UNSTARRED QUESTION NO.1630

TO BE ANSWERED ON 21.07.2014

Reservation for SC/ST in High Courts

†1630. SHRI SADASHIV LOKHANDE:

SHRI HUKUMDEV NARAYAN YADAV:

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

- (a) whether the Government is implementing the reservation policy in appointment of judges, nomination of advocates at various levels in Supreme Court, High Courts and various lower courts in the country;
- (b) if so, the details thereof and if not, the reasons therefor;
- (c) whether the Government has appointed judges and lawyers belonging to scheduled caste, scheduled tribes and other backward class in Supreme Court, High Courts and various other courts;
- (d) if so, the details thereof, court-wise and State-wise including Andhra Pradesh; and
- (e) the steps taken by the Government to ensure representation of persons belonging to these categories in appointment of judges as per reservation policy?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) to (e) : Appointment of Judges of the Supreme Court and High Courts is made under Articles 124 and 217 of the Constitution of India respectively. These Articles do not provide for reservation for any caste or class of persons. Therefore, no caste or class-wise data of Judges is maintained. The Government has, however, requested the Chief Justices of the High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and from amongst women.

With regard to implementation of reservation policy in subordinate judiciary, under the Constitution of India, recruitment and promotion of judicial officers in the District and Subordinate Courts falls within the purview of the State Governments. As per the information received from State Governments and High Courts, the States of Andhra Pradesh, Bihar, Chhattisgarh, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Madhya Pradesh, Odisha, Punjab & Haryana, Rajasthan, Sikkim and Uttar Pradesh have provided reservation in the Subordinate Judiciary. The Union Government does not maintain data regarding number of appointments of Judges made from the category of persons belonging to Scheduled Castes, Scheduled Tribes and OBCs. In so far as lawyers are concerned there is no provision for reservation.

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

**LOK SABHA
UNSTARRED QUESTION NO. 2584
TO BE ANSWERED ON MONDAY, THE 28th JULY, 2014**

Justice Delivery System

2584. SHRI NANDI YELLAIAH:

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

- (a) whether a number of judgements delivered by the Supreme Court are yet to be conveyed to the respective States / UTs;
- (b) if so, the details thereof during each of the last three years, year-wise; and
- (c) the steps taken by the Government to strengthen the Justice Delivery System in the country?

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

(a) to (c) Judgements and orders of the Hon'ble Supreme Court are reported in various Law Reports. Copies of the Judgements and Orders of the Supreme Court are also available on-line at Supreme Court's website.

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.

Desk Side

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA
UNSTARRED QUESTION NO. 2585

TO BE ANSWERED ON MONDAY THE 28.07.2014
Nomenclature of Bombay High Court

†2585. SHRI SADASHIV LOKHANDE:

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

- (a) whether the Government has received any proposal from the Government of Maharashtra regarding renaming of Bombay High Court as Mumbai High Court;
- (b) if so, the details thereof;
- (c) the present status of the said proposal; and
- (d) the time by which the said proposal is likely to be finalised along with the reasons for delay?

ANSWER

MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS &
INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) to (d): 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.

Desk Side

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA
UNSTARRED QUESTION NO. 2592

TO BE ANSWERED ON MONDAY THE 28.07.2014
Retirement Age of High Court Judges

2592. SHRI RAMSINH RATHWA:

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

- (a) whether the proposal to increase the retirement age of High Court Judges is under consideration of the Government;
- (b) if so, the details thereof;
- (c) whether the Law Commission has recommended the increase in the retirement age of High Court Judges from 62 to 65 years; and
- (d) if so, the action taken/proposed to be taken by the Government in this regard?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) to (d) : The Law Commission in its 14th and 58th Reports have recommended increasing the retirement age of High Court Judges from 62 years to 65 years. The Law Commission in its 230th Report has also made a reference to the need for change in the constitutional provisions for enhancing the age of retirement of High Court Judges at least by three years.

The Constitution (One Hundred and Fourteenth Amendment) Bill, 2010 which provides 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. Thereafter, the Bill was referred to the Parliamentary Standing Committee for examination and report, which recommended that the proposed Bill in its present form should be passed without delay. The Bill could not be taken up for consideration and passing in the Parliament. With the dissolution of the 15th Lok Sabha the Bill has lapsed.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

Jus. I

UNSTARRED QUESTION NO.2685

TO BE ANSWERED ON MONDAY, THE 28th JULY, 2014

Regional Languages in Court's Proceedings

2685. SHRIMATI DARSHANA VIKRAM JARDOSH:
SHRI B.V. NAIK:
DR. C. GOPALAKRISHNAN:

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

(a) whether the Government has received certain proposals from various State Governments to allow the use of their regional languages in the proceedings in various courts of the States;

(b) if so, the details thereof and the reaction of the Government thereto;

(c) the steps taken by the Government in this regard;

(d) whether the Government intends to request the Hon'ble Supreme Court to review its earlier decision to allow regional languages in judicial proceedings; and

(e) if so, the details thereof?

ANSWER

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

(a) to (c) : Government of India received requests from the Governments of Tamil Nadu, Gujarat and Chhattisgarh regarding use of Tamil, Gujarati and Hindi in the proceedings of the Madras High Court, Gujarat High Court and Chhattisgarh 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.

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(d) & (e) : The Government has again written to the Chief Justice of India on 04.07.2014 in this regard.

Jus. II

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

**LOK SABHA
UNSTARRED QUESTION NO. 2696**

TO BE ANSWERED ON MONDAY, THE 28TH JULY, 2014

Setting up of CBI Courts

2696. SHRI RAM MOHAN NAIDU KINJARAPU:

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

- (a) whether the Government has decided to set up more CBI courts to clear the pending cases in the country;**
- (b) if so, the details thereof along with the details of cities in which these courts are proposed to be set up, State-wise including Andhra Pradesh; and**
- (c) the total estimated cost for setting up of these courts?**

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

- (a): Yes, Madam.**
- (b): Government has sanctioned 92 additional special courts exclusively for CBI cases under PC Act across the country, out of which 76 courts have become operational. State-wise and city-wise number of such courts set up so far is at Annexure-I. Out of 6 additional special courts sanctioned for the State of Andhra Pradesh, 5 are operational.**
- (c): The expenditure on the setting up and the functioning of special courts for conducting trial of CBI cases in the States is initially incurred by the State Governments concerned and the same is reimbursed by the Central Government after receipt of the audited figures from the State Government along with the necessary Audit Certificate from the competent authority.**

**STATEMENT REFERRED TO IN REPLY TO PART(b) OF THE LOK SABHA
UNSTARRED QUESTION NO. 2696 TO BE ANSWERED ON 28TH JULY 2014**

Status of 70 Additional Special Court for CBI

Name of State	Location of the court	No. of Courts started functioning
HYDERABAD ZONE		
Andhra Pradesh	Hyderabad	03
	Vishakhapatnam	02
Karnataka	Bangalore	02
	Dharwad	01
PATNA ZONE		
Bihar	Patna	03
Jharkhand	Ranchi	02
	Dhanbad	04
DELHI ZONE		
Delhi	Delhi	15
Rajasthan	Jaipur	02
LUCKNOW ZONE		
Uttar Pradesh	Lucknow	04
	Ghaziabad	02
MUMBAI ZONE-I		
Maharashtra	Mumbai	03
	Nagpur	01
	Amravati	01
	Pune	01
MUMBAI ZONE-II		
Gujarat	Ahmedabad	02
Goa	Panaji	01
CHANDIGARH ZONE		
Jammu & Kashmir	Jammu	01
Haryana	Panchkula	01
BHOPAL ZONE		
Madhya Pradesh	Bhopal	01
	Jabalpur	01
Chhattisgarh	Raipur	01
KOLKATA ZONE		
West Bengal	Kolkata	06
Orissa	Bhubaneswar	03* (4 courts sanctioned)
GUWAHATI ZONE		
Assam	Guwahati	02
CHENNAI ZONE		
Tamil Nadu	Chennai	03
Kerala	Thiruvananthapuram	01
	TOTAL:	69

STATUS ON SETTING UP OF 22 ADDITIONAL SPECIAL COURTS

S.No.	Place	No. of additional Special Courts sanctioned	No. of additional Special Courts operational
1.	Guwahati, Assam	01	01
2.	Vishakapatnam, Andhra Pradesh	01	
3.	Ahmedabad, Gujarat	05	
4.	Srinagar, Jammu & Kashmir	01	
5.	Ernakulam, Kerala	01	
6.	Indore, Madhya Pradesh	01	01
7.	Nagpur, Maharashtra	02	02
8.	Mumbai, Maharashtra	01	01
9.	Patiala, Punjab	01	
10.	Jaipur, Rajasthan	02	02
11.	Lucknow, Uttar Pradesh	02	
12.	Ghaziabad, Uttar Pradesh	01	
13.	Alipore, West Bengal	02	
14.	Asansol, West Bengal	01	
	Total	22	07

JD Desk

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 2700

TO BE ANSWERED ON MONDAY, THE 28TH JULY, 2014

Setting up of Gram Nyayalayas

2700. SHRI ASADUDDIN OWAISI:
SHRI C.S. PUTTA RAJU:

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

- (a) whether the Government is providing adequate funds to the States for setting up of Gram Nyayalayas;
- (b) if so, the details thereof along with the funds allocated to the various States/UTs during the last three years, State-wise;
- (c) whether certain States are not showing interest in setting up of these Gram Nyayalayas;
- (d) if so, the reasons therefor; and
- (e) the Steps taken by the Government to popularise the scheme of establishing Gram Nyayalayas in various States / UTs of the country?

ANSWER

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

(a) to (e): The Central Government has been encouraging the States to set up Gram Nyayalayas by providing financial assistance. As per the scheme for assistance to State Governments for establishing and operating Gram Nyayalayas, the Central Government provides one-time assistance to States towards non-recurring expenses for setting up of Gram Nyayalayas subject to a ceiling of Rs. 18.00 lakhs per Gram Nyayalaya. The Central Government also provides assistance towards recurring expenses for operating these Gram Nyayalayas subject to a ceiling of Rs. 3.20 lakhs per Gram Nyayalaya per year for the first three years.

State-wise details of the funds released to the State Governments during the last three years are as under:-

(Rs. in lakh)

Sl. No.	State	2011-12	2012-13	2013-14
1	Madhya Pradesh	156.80	0.00	284.80
2	Rajasthan	144.00	243.00	215.20
3	Karnataka	25.20	0.00	0.00
4	Orissa	110.60	0.00	0.00
5	Maharashtra	9.60	15.80	0.00
6	Jharkhand	0.00	75.60	0.00
7	Goa	0.00	25.20	0.00
8	Punjab	0.00	25.20	0.00
9	Haryana	0.00	25.20	0.00
Total		446.20	410.00	500.00

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.

eCourts

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE
LOK SABHA
UNSTARRED QUESTION NO.2707
TO BE ANSWERED ON MONDAY, THE 28TH JULY, 2014

INTER-CONNECTION OF COURTS

+2707. SHRI OM BIRLA

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

- a) whether the Government has any plan to inter-connect all the courts of the country;
- b) if so, the details thereof;
- c) the amount spent/ likely to be spent on the said scheme and the progress made so far;
- d) whether the Government proposes to arrange the hearing of the under-trial prisoners through video conferencing instead of trials in the court rooms; and if so, the details thereof; and where facility of video conferencing is available at present; and
- e) the details of the courts along with the dates from which it is available, court-wise/State-wise?

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

(a) Yes, Madam.

(b) & (c) The eCourts Mission Mode Project of the Government is undertaking computerisation of 14,249 district and subordinate courts in the country by March, 2015. As on 31st March, 2014, out of 14,249 courts to be computerised, sites for 14,164 courts have been made ready for computerisation, out of which LAN has been installed at 13,183 courts, hardware at 13,436 courts and software at 13,227 courts. All the computerised Courts have been linked to National Judicial Data Grid, which is a common repository of all case records

across the country. Rs.607.05 crores out of the budgeted amount of Rs.935 crore has been released to NIC, the implementing agency for the project.

- (d) & (e) The Project includes provision of Video Conferencing (VC) facility between Courts and prisons inter-alia to facilitate hearing of the under-trial prisoners at 500 locations across the country. At present, the pilot for finalisation of appropriate technology is being conducted at the following five locations:

S.No.	State Name	District Court	Corresponding Prison
1	Assam	The District & Sessions Judge Court, Darrang, Mangaldai	District Jail, Darrang, Mangaldai
2	Uttarakhand	District Court, Roshanabad, Haridwar,	District Jail, Roshanabad Haridwar
3	West Bengal	District Judge's Court, Berhampore, Murshidabad,	Berhampur Central Correctional Home Berhampur, Murshidabad
4	Jammu	Pr. Distt. and Sessions Judge Court, Janipur	Central Jail, Kotbhalwal
5	Orissa	District Judge, Cuttack	Central Jail, Jharpara, Bhubaneswar,

After finalization of the appropriate technology, VC facility will be rolled out in 495 more locations across the country.

NM

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

**LOK SABHA
UNSTARRED QUESTION NO. 2747
TO BE ANSWERED ON MONDAY, THE 28th JULY, 2014**

Harsh Punishment to Poor

2747. SHRIMATI KOTHAPALLI GEETHA:

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

- (a) whether the courts are imposing harsh sentence on poor persons for default of payment of a fine;
- (b) if so, the details thereof; and
- (c) the steps taken/being taken by the Government to avoid imposing harsh sentences on the poor persons?

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

(a) to (c) Disposal of criminal cases and imposition of sentence, if any, falls within the domain of judiciary. Necessary provisions relating to the imposition of sentence in default of fine are contained in the Indian Penal Code, 1860 and the Code of Criminal Procedure, 1973. In terms of Section 65 of Indian Penal Code and Section 30 of the Code of Criminal Procedure the default sentence cannot exceed one fourth of the term of imprisonment which a court is competent to impose for that offence. While imposing the sentence in default of payment of fine the courts are bound by the provisions of law. In case any person is aggrieved by the sentence imposed on him in default of payment of fine the remedy lies in preferring an appeal to superior court.

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

Jus-II

**LOK SABHA
UNSTARRED QUESTION NO.2750**

TO BE ANSWERED ON MONDAY, THE 28th JULY, 2014

Optimal Functioning of Judiciary

**2750. SHRIMATI SUPRIYA SULE:
SHRI MOHITE PATIL VIJAYSINH SHANKARRAO:
SHRI DHANANJAY MAHADIK:
SHRI P.R. SUNDARAM:**

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

- (a) whether the Law Commission of India, in one of its recent reports, has made several recommendations for optimal functioning of High Courts and lower judiciary in the country;**
- (b) if so, the details of the suggestions/recommendations made therein along with the reaction of the Government thereto;**
- (c) the time by which these suggestions/recommendations are likely to be implemented; and**
- (d) the extent to which the concept of Morning/Evening Shift/Special Judicial Magistrate Courts for the improvement of Justice Delivery System has been successful ?**

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

(a)to(c): Law Commission of India has recently submitted its 245th Report relating to "Arrears and Backlog : Creating Additional

✓ Judicial (wo)manpower". This report is available on the website of the Law Commission.

Supreme Court, in its order dated 1st February, 2012, in the case of *Intiyaz Ahmed versus State of Uttar Pradesh & Others, inter alia*, asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts. The Law Commission has, inter-alia recommended Rate of Disposal Method for calculating adequate judge strength for subordinate courts. The other recommendations of the Law Commission include increasing the retirement age of judges of subordinate courts, creation of Special morning and evening Courts for traffic / police challan cases, provision of adequate staff and infrastructure for the working of additional Courts and enabling uniform data collection and data management method by High Courts in order to ensure transparency and to facilitate data based policy prescriptions for the Judicial System. The Supreme Court has directed the concerned State Governments and High Courts to file their response to the recommendations made by Law Commission.

(d): 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. As per the reports received, 2041 Morning/Evening/Shift courts have been set-up in various States in the Country.

In the conference of Chief Ministers and the Chief Justices of High Courts held on 7th April, 2013, it was decided that the establishment and continuation of morning/evening/shift/holiday/special Courts would be subject to the decision of the State Governments in consultation with the High Courts, taking into account geographical

and other conditions. Wherever such Courts had been set-up and were functioning, they could continue to function. The Chief Justices, wherever required, would take up the matter with the State Governments for setting up or continuing with these Courts on a felt need basis.

NM

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

LOK SABHA

UNSTARRED QUESTION NO. 2752

TO BE ANSWERED ON MONDAY 28TH JULY, 2014

Mobile Courts

**2752. SHRI FEROZE VARUN GANDHI:
SHRI VIJAY KUMAR HANSDAK:**

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

- (a) whether the Government has been encouraging States to hold mobile courts under the provisions of Gram Nyayalaya Act to make judicial system accessible to remote and backward regions;
- (b) if so, the details thereof and the modalities evolved in setting up mobile courts;
- (c) the number of Gram Nyayalayas notified and operationalised in the country, State-wise at present and details of mobile courts held by them till date, State-wise;
- (d) whether a large number of States are yet to set up Gram Nyayalayas / hold mobile courts and if so, the State-wise details thereof and the reasons therefor; and
- (e) the financial assistance released to States in this regard during the last three years and the current year, State-wise and year-wise?

ANSWER

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

(a) to (e): In terms of section 3 (1) of the Gram Nyayalayas Act, 2008, the State Governments may establish Gram Nyayalayas at intermediate Panchayat level in consultation with the respective High Courts with a view to provide access to justice to citizens at their doorsteps. Further, in terms of Section 9 of the Act, the Nyayadhikari shall periodically visit the villages falling under his jurisdiction and conduct trial or proceedings at any place which he considers is in close proximity to the place where the parties ordinarily reside or where the whole or part of the cause of action had arisen, provided that where the Gram Nyayalaya decides to hold mobile court outside its headquarters, it shall give wide publicity as to the date and place where it proposes to hold mobile court. The State Government shall extend all facilities to the Gram

Nyayalaya including the provision of vehicles for holding mobile court by the Nyayadhikari while conducting trial or proceedings outside its headquarters.

The Central Government has been encouraging the States to set up Gram Nyayalaya by providing financial assistance within the prescribed norms. As per information available, 180 Gram Nyayalayas have been notified by 9 State Governments of which 152 Gram Nyayalayas have become operational. Since the commencement of the Gram Nyayalayas Act, 2008, an amount of Rs. 3449 lakh have been provided to the State Governments as financial assistance till 2013-14. No assistance has been released so far during current financial year. The details are as under:

Sl. No	State	Gram Nyayalayas Notified	Gram Nyayalayas Operationalised	Amount released (Rs. in Lakhs)					
				2009-10	2010-11	2011-12	2012-13	2013-14	Total
1	M.P.	89	89	632.00	745.40	156.80	0.00	284.80	1819.00
2	Rajasthan	45	45	567.00	0.00	144.00	243.00	215.20	1169.20
3	Karnataka	2	0	0.00	0.00	25.20	0.00	0.00	25.20
4	Orissa	14	8	15.80	0.00	110.60	0.00	0.00	126.40
5	Maharashtra	18	10	132.60	0.00	9.60	15.80	0.00	158.00
6	Jharkhand	6	0	0.00	0.00	0.00	75.60	0.00	75.60
7	Goa	2	0	0.00	0.00	0.00	25.20	0.00	25.20
8	Punjab	2	0	0.00	0.00	0.00	25.20	0.00	25.20
9	Haryana	2	0	0.00	0.00	0.00	25.20	0.00	25.20
Total		180	152	1347.40	745.40	446.20	410.00	500.00	3449.00

Central Government has been making regular requests to the Chief Ministers of States and Chief Justices of High Courts for establishment of Gram Nyayalayas in the respective States. The issues affecting the implementation of Gram Nyayalayas Act were discussed in the Conference of Chief Justices of the High Courts and Chief Ministers of the States on 07th April, 2013. It has, inter-alia, been resolved 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.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 3449

TO BE ANSWERED ON MONDAY, THE 4th AUGUST, 2014

Pending Court Cases of Assam Violence

3449. SHRI NABA KUMAR SARANIA:

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

- (a) the number of cases pending in trial courts in regard to violence occurred during ethnic conflicts in Assam since 1994;
- (b) whether the Government is considering to resolve these cases in a speedy manner;
- (c) if so, the details thereof and if not, the reasons therefor; and
- (d) the action taken by the Government in this regard?

ANSWER

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

(a) to (d): Data on pendency of cases is maintained by High Courts and Supreme Court. The Gauhati High Court having jurisdiction over District and Subordinate Courts in Assam has informed that the criminal cases in the trial court are registered as per the offences described in the Indian Penal Code and other Special Acts. No criminal cases are registered in the State of Assam under the nomenclature of ethnic conflicts. The cases accruing during ethnic conflicts in Assam are registered under IPC and other concerned Special Acts. It is, therefore, difficult to mention the number of such cases.

The disposal of cases in courts falls within the domain of the Judiciary. In order to create an enabling environment for judiciary for speedy disposal of cases, 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.

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

LOK SABHA

UNSTARRED QUESTION NO. 3454

TO BE ANSWERED ON MONDAY 04TH AUGUST, 2014

Expenditure on Construction of Courts

3454. . SHRI VENKATESH BABU T.G.:

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

- (a) whether the Government has allocated funds for the development of infrastructure in the courts;
- (b) if so, the total amount allocated and expenditure incurred on construction of courts and improvement of infrastructure in various courts in the country;
- (c) whether some of the ongoing constructions of court buildings in the Apex Court and various other courts in the country have missed several targeted dates of completion;
- (d) if so, the details thereof and the reasons therefor; and
- (e) the steps taken by the Government for early completion of the same?

ANSWER

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

(a) to (e): 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 2013-14 are given in Statement at **Annex A**.

After modification of the Scheme in 2011-12, for High Court buildings one time Additional Central Assistance (ACA) is provided directly by Planning Commission. Government has approved Additional Central Assistance (ACA) of Rs. 41.50 crore for construction of High Court Judicature building at Jodhpur during 2010-11 and Rs. 231.31 crore for construction of building of Lucknow Bench of Allahabad High Court during 2012-13. The Government has approved a proposal in July, 2013 for provision of Rs. 884.30 crore for construction of Additional Office Complex of the Supreme Court within a period of three years.

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 case (I.A. No. 279 in W.P. (C) No. 1022 of 1989). The Committee holds meetings periodically with implementing agencies to ensure that judicial infrastructure projects in the States are completed in time as far as possible.

Annex-A

STATEMENT GIVING GRANTS RELEASED UNDER CSS SCHEME 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	1687.60	1035.00	2572.00	3428.00	8722.60
9	Jharkhand	1906.52	0.00	1500.00	1693.00	5099.52
10	Karnataka	6536.85	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	6435.46	2518.00	0.00	0.00	8953.46
	Total (A)	100103.53	50543.00	61616.00	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	641.71	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	3860.64	169.00	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.	Delhi	206.25	500.00	0.00	0.00	706.25
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
	(A+B+C)	124535.93	59574.00	70820.78	89500.00	344430.71

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

**LOK SABHA
UNSTARRED QUESTION NO. 3461
TO BE ANSWERED ON MONDAY, THE 4th AUGUST, 2014**

Pending Court Cases of Smuggling of Narcotics

3461. SHRI PASHUPATI NATH SINGH:

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

- (a) whether a large number of cases against people engaged in smuggling of narcotics are pending in various courts for more than a decade;
- (b) if so, the details thereof; and
- (c) the action taken/proposed to be taken by the Government for speedy disposal of such cases?

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

- (a) to (c) Information is being collected and will be laid on the Table of the House.

Jus. II

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
(DEPARTMENT OF JUSTICE)
L O K S A B H A
UNSTARRED QUESTION NO. 3469**

TO BE ANSWERED ON MONDAY, THE 4TH AUGUST, 2014

Cases Registered under Dowry Act

3469. SHRI PONGULETI SRINIVASA REDDY:

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

- (a) whether a large number of cases registered under The Dowry Prohibition Act, 1961 are pending in various courts in the country;**
- (b) if so, the total number of cases pending in courts under section 304B and 498A of Indian Penal Code at Present; State-wise including Telangana and Andhra Pradesh; and**
- (c) the measures taken by the Government for speedy settlement of such cases?**

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

(a)&(b): As per the report published by National Crime Records Bureau, 19721 cases under the Dowry Prohibition Act, 1961 and 31888 cases of dowry death under Section 304B of Indian Penal Code were pending for trial in various courts as on 31/12/2012. Number of cases of cruelty by husband and relatives under Section 498A of Indian Penal Code pending trial as on 31/12/2012 was reported to be 372706. State-wise number of cases pending in various courts under Section 304B and 498A of Indian Penal Code as on 31/12/2012 including Andhra Pradesh is at Annexure. Separate statistics in respect of Telangana is not available.

(c): Government has requested the State Governments and the High Courts to consider setting-up FTCs for disposal of cases relating to offences against women, children, differently abled persons, senior citizens and marginalized sections of society as resolved in the Conference of Chief Ministers and Chief Justices held on 7th April, 2013.

Government has requested the State Governments and the Chief Justices of High Courts to utilise 10% additional posts of judges being created in subordinate judiciary in pursuance of the direction of Supreme Court in Brij Mohan Lal case, for setting-up of Fast Track Courts also. For meeting expenditure on salaries of these 10% additional posts, 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.

Annexure

STATEMENT REFERRED TO IN REPLY TO PART(b) OF THE LOK SABHA UNSTARRED

QUESTION NO.3469 TO BE ANSWERED ON 4th AUGUST 2014

Sl. No.	STATES/UTs	Cases pending trial at the end of the year 2012 (Under Section 304B IPC)	Cases Pending trial at the end of the year 2012 (Under Section 498 A IPC)
1	ANDHRA PRADESH	1307	22634
2	ARUNACHAL PRADESH	0	106
3	ASSAM	465	9680
4	BIHAR	5344	7957
5	CHHATTISGARH	414	4632
6	GOA	9	53
7	GUJARAT	503	42859
8	HARYANA	467	6743
9	HIMACHAL PRADESH	22	1296
10	JAMMU & KASHMIR	60	749
11	JHARKHAND	527	1163
12	KARNATAKA	768	8813
13	KERALA	182	20844
14	MADHYA PRADESH	2337	12621
15	MAHARASHTRA	3764	54600
16	MANIPUR	0	11
17	MEGHALAYA	6	52
18	MIZORAM	0	0
19	NAGALAND	0	1
20	ODISHA	1777	9584
21	PUNJAB	301	3971
22	RAJASTHAN	1863	28317
23	SIKKIM	2	10
24	TAMIL NADU	565	4495
25	TRIPURA	118	1029
26	UTTAR PRADESH	7435	15705
27	UTTARAKHAND	172	1234
28	WEST BENGAL	2565	109330
	TOTAL STATES	30973	368489
29	A&N ISLANDS	6	69
30	CHANDIGARH	6	249
31	D&N HAVELI	2	17
32	DAMAN & DIU	0	11
33	DELHI	887	3838
34	LAKSHADWEEP	0	0
35	PUDUCHERRY	14	33
	TOTAL UTs	915	4217
	TOTAL ALL INDIA	31888	372706

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

LOK SABHA

UNSTARRED QUESTION NO. 3494

TO BE ANSWERED ON MONDAY, THE 4TH AUGUST, 2014

**Commission for Fixing Duration for
settlement of Civil/Criminal Cases**

**3494. SHRI NISHIKANT DUBEY:
SHRI ASHOK MAHADEORAO NETE:
SHRI PREM SINGH CHANDUMAJRA:**

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

- (a) whether the Government proposes to set up any Special Commission or Committee for speedy disposal of criminal as well as civil cases and reforms in judicial process;
- (b) if so, the details thereof and if not, the reasons therefor;
- (c) whether the Government proposes to fix duration for settlement of criminal and civil cases in the High Court and various other courts in the country; and
- (d) if so, the details thereof?

ANSWER

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

(a)to(d) : Disposal of Criminal and Civil cases in Courts is within the domain of the judiciary. With a view to undertake a comprehensive review of the Criminal Justice System of the country, the Law Commission of India has been requested to give a comprehensive report covering all aspects of criminal law so that necessary amendments could be undertaken in Indian Penal Code, Code of Criminal Procedure, Evidence Act etc. The Law Commission has also undertaken review of Arbitration and Conciliation Act, 1996 for making suitable recommendations in this regard.

The existing procedural laws generally do not have mandatory time limit for completion of court proceedings. The actual time taken for disposal of a case depends on several factors such as category of the case (civil or criminal), complexity of the facts involved, nature of evidence, co-operation of stake-holders viz. bar, investigation agencies, witnesses and litigants besides the availability of physical infrastructure, supporting court staff and applicable rules and procedures. Supreme Court in a recent judgement has, inter-alia, observed that at the time of filing of the plaint, the trial court should prepare complete schedule and fix dates for all the stages of the suit, right from filing of the written statement till pronouncements of judgment and the courts should strictly adhere to the said dates and the said time table as far as possible.

Jks-II

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

**LOK SABHA
UNSTARRED QUESTION NO. 3502**

TO BE ANSWERED ON MONDAY, THE 4TH AUGUST, 2014

Stringent Laws for Crime Against Children

+3502. SHRIMATI JAYSHREEBEN PATEL:

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

- (a) whether the Government proposes to set up more courts for the disposal of the cases of sexual abuses and rapes of children in the country; and**
- (b) if so, the details thereof?**

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

(a)&(b): 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.

Government has also requested the State Governments and High Courts to consider setting-up Fast Track Courts (FTCs) for disposal of cases relating to offences against women, children, differently abled persons, senior citizens and marginalized sections of society as resolved in the Conference of Chief Ministers and Chief Justices held on 7th April, 2013.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

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LOK SABHA

UNSTARRED QUESTION NO.3534

TO BE ANSWERED ON MONDAY, THE 4th AUGUST, 2014

Revision of Summer Vacation in Courts

3534. SHRI MULLAPPALLY RAMACHANDRAN:

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

(a) whether Government proposes to abolish/curtail the long summer vacations in the Supreme Court, High Court and other subordinate courts;

(b) if so, the details thereof; and

(c) the suggestions/observations made by the jurists in this regard along with the action taken by the Government thereon?

ANSWER

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

(a) to (c) : The duration of vacations is governed by the Rules/Regulations framed by the concerned High Courts and the Supreme Court. The vacation/working days/working hours in the District /Subordinate Courts are regulated by the respective High 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.

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.

Government does not have under its consideration any proposal to abolish/curtail the practice of summer vacation in the Courts.

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

**LOK SABHA
UNSTARRED QUESTION NO. 3551
TO BE ANSWERED ON MONDAY, THE 4TH AUGUST, 2014**

Motor Accident Claim Cases

3551. SHRI DUSHYANT CHAUTALA:

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

- (a) whether a large number of motor accident claim cases are pending in all high courts;
- (b) if so, the details of settled and unsettled claim cases thereof, State-wise;
- (c) whether the Government is contemplating to set up designated courts for speedy trial of such cases and if so, the details thereof;
- (d) whether the Government proposes to appoint more judges in existing courts for early disposal of such cases; and
- (e) if so, the details thereof; and if not, the reasons therefor?

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

- (a) to (e): The information is being collected and will be laid on the Table of the House.

76
Tus-II

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

**LOK SABHA
UNSTARRED QUESTION NO. 3572**

TO BE ANSWERED ON MONDAY, THE 4TH AUGUST, 2014

Amendments in Juvenile Justice Act

**3572. SHRI MULLAPPALLY RAMACHANDRAN:
SHRI DUSHYANT CHAUTALA:**

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

- (a) whether any study has been made in respect of possible 'guilty mind' of juvenile in committing heinous crimes like rape and murder and if so, the details thereof;
- (b) whether the Government proposes to bring any amendment in the Juvenile Justice Act and has suggested stricter punishment for juveniles found guilty of such crimes and if so, the details thereof;
- (c) whether the Government has received or sought any suggestions from various stakeholders regarding amendments in the said Act in this regard; and
- (d) if so, the details thereof and the time by which it is likely to be implemented?

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

(a)to(d): Government has not conducted any study in respect of 'guilty mind' of juvenile in committing heinous crimes like rape and murder. Ministry of Women and Child Development has drafted a comprehensive Juvenile Justice (Care and Protection of Children) Bill, 2014, to repeal and re-enact the existing Juvenile Justice (Care and Protection of Children) Act, 2000 under which special provisions have

4)

been proposed to address heinous offences committed by children above the age of 16 years, which will act as a deterrent for child offenders committing such crimes and will also protect the rights of victim to justice. It is further stated that three regional consultations and a national consultation were held with State Governments/Union Territory Administrations, representatives of the civil society and other stake-holders in 2011, to seek their views and suggestions for amendments in the Juvenile Justice (Care and Protection of Children) Act, 2000. The proposed Juvenile Justice (Care and Protection of Children) Bill, 2014 was also placed on the website of the Ministry of Women and Child Development on 18th June, 2014 for inviting comments from civil society and individuals. The draft Bill was also sent to all State Governments/UT Administrations and National Commission for the Protection of Child Rights (NCPCR) for their comments. The draft Bill at this stage has been circulated for inter-ministerial consultation. After the approval of the Cabinet, the Bill is likely to be introduced in the Parliament.

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

LOK SABHA

UNSTARRED QUESTION NO. 3582

TO BE ANSWERED ON MONDAY, THE 4TH AUGUST, 2014

Man power Planning in Judiciary

3582. SHRI ANTO ANTONY:

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

- (a) whether the Law Commission of India has submitted a report to the Government titled "Manpower Planning in Judiciary: A Blue Print";
- (b) if so, the details thereof along with its major findings and recommendations;
- (c) the reaction of the Government thereto; and
- (d) the action taken/proposed to be taken by the Government in this regard?

ANSWER

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

(a)to(d) : Law Commission of India had submitted its 120th Report on Manpower Planning in Judiciary: A Blue Print in July, 1987 in which it had, inter-alia, recommended an increase in judge population ratio in the country to at least 50 Judges per million of population. The above recommendation of the Law Commission was endorsed by Hon'ble Supreme Court in its judgement dated 21st March, 2002 in the All India Judges Association case.

Recently, the Supreme Court, in its order dated 1st February, 2012, in the case of *Imtiyaz Ahmed versus State of Uttar Pradesh & Others*, *inter alia*, asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts. Law Commission has since submitted its Report to the Supreme Court. In its 245th Report, the Law

Commission has, inter-alia recommended Rate of Disposal Method for calculating adequate judge strength for subordinate courts. The other recommendations of the Law Commission include increasing the retirement age of judges of subordinate courts, creation of Special morning and evening Courts for traffic / police challan cases, provision of adequate staff and infrastructure for the working of additional Courts and enabling uniform data collection and data management method by High Courts in order to ensure transparency and to facilitate data based policy prescriptions for the Judicial System. The Supreme Court has directed the concerned State Governments and High Courts to file their response to the recommendations made by Law Commission.

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

LOK SABHA

STARRED QUESTION NO. *463

TO BE ANSWERED ON MONDAY 11TH AUGUST, 2014

Judicial Reforms

***463. SHRI FEROZE VARUN GANDHI:**

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

- (a) the details of various schemes / programmes implemented by the Government for modernisation, infrastructural development and for carrying out judicial reforms including the funds allocated for the purpose for the 12th Five Year Plan period, scheme-wise;
- (b) whether the Gram Nyayalayas Act, 2008 authorises the Gram Nyayalaya to hold mobile court outside its headquarters for speedier disposal of petty cases and if so, the details thereof;
- (c) the funds allocated to the States for setting up Gram Nyayalayas in their States during each of the last three years and the current year, State-wise;
- (d) the number of cases settled by the Gram Nyayalayas during the said period, State-wise; and
- (e) the measures taken by the Government to make the Gram Nyayalayas more effective in the delivery of justice to the litigants?

ANSWER

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

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

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (e) of LOK SABHA STARRED QUESTION NO. *463 FOR ANSWER ON 11TH AUGUST, 2014.

(a) to (e): The details of various plan schemes / programmes being implemented by Department of Justice for modernization, infrastructure development and for carrying out judicial reforms including funds allocated for the 12th Five Year Plan period, Scheme-wise, are as follows:

Sr. No.	Name of the Scheme / Programme	Objectives	12th Plan Allocation (Rs. in Crore)
1.	Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary.	Development of Judicial Infrastructure.	4,867.00
2.	Scheme for Establishment and Operationalisation of Gram Nyayalayas.	Setting up of Gram Nyayalayas at Intermediate Panchayat Level.	100.00
3.	Computerisation of District & Subordinate Courts (E-Courts Project).	Computerisation of Courts.	600.00
4.	Access to Justice - Government of India.	To address the legal needs of the marginalised and vulnerable sections of the society, particularly women, children, Scheduled Castes, Tribal communities <i>etc.</i>	30.00
5.	Access to Justice - Externally Aided.		25.00
6.	Action Research and Studies on Judicial Reforms.		25.00

The details of Central Assistance released to the States for setting up of Gram Nyayalayas during last three years are given below. No assistance has been released so far during current financial year.

Sl. No	State	Financial Assistance released to States for setting up of Gram Nyayalayas (Rs. in Lakhs)		
		2011-12	2012-13	2013-14
1	Madhya Pradesh	156.80	0.00	284.80
2	Rajasthan	144.00	243.00	215.20
3	Karnataka	25.20	0.00	0.00
4	Orissa	110.60	0.00	0.00
5	Maharashtra	9.60	15.80	0.00
6	Jharkhand	0.00	75.60	0.00
7	Goa	0.00	25.20	0.00
8	Punjab	0.00	25.20	0.00
9	Haryana	0.00	25.20	0.00
Total		446.20	410.00	500.00

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.

In terms of Section 9 of Gram Nyayalayas Act 2008, the Nyayadhikari shall periodically visit the villages falling under his jurisdiction and conduct trial or proceedings at any place which he considers is in close proximity to the place where the parties ordinarily reside or where the whole or part of the cause of action had arisen, provided that where the Gram Nyayalaya decides to hold mobile court outside its headquarters, it shall give wide publicity as to the date and place where it proposes to hold mobile court. The State Government shall extend all facilities to the Gram Nyayalaya including the provision of vehicles for holding mobile court by the Nyayadhikari while conducting trial or proceedings outside its headquarters.

The details of cases settled by Gram Nyayalayas are not maintained centrally.

Qus. 4

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

STARRED QUESTION NO. 477

TO BE ANSWERED ON MONDAY, THE 11th AUGUST, 2014

Cases under Juvenile Justice Act

*477. ADV. NARENDRA KESHAV SAWAIKAR:

SHRI OM BIRLA:

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

- (a) the number of cases involving juvenile crimes registered and pending in Supreme Court and High Courts during the last three years and the current year, State/ UT-wise;
- (b) whether there has been rise in Juvenile crimes in the recent past and if so, the details thereof and the reasons therefor; and
- (c) whether the Government is considering to have a separate provision in Indian Penal Code and other acts dealing with serious and heinous criminal acts being committed by the minors and if so, the details thereof?

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.

29)

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (c) OF LOK SABHA
STARRED QUESTION NO. 477 FOR 11/8/2014 REGARDING CASES UNDER
JUVENILE JUSTICE ACT**

(a): Data regarding Juvenile crimes registered and pending in Supreme Court and High Courts is not maintained. However, as per the reports published by National Crime Records Bureau (NCRB), a statement indicating the State/UT wise number of juveniles arrested and sent to courts and pending disposal during the last three years is enclosed at Annexure. No data is available for the current year.

(b): Yes, madam. There has been a rise in Juvenile crimes. As per the reports published by NCRB, the number of juveniles apprehended under Indian Penal Code (IPC) and Special and Local Laws (SLL) and Incidence of Juvenile crimes under IPC is given below:

Year	Juveniles Apprehended under IPC and SLL	Incidence of Juvenile crimes under IPC
2013	43506	31725
2012	39822	27936
2011	33687	25125

(c): Special provisions are proposed to be made in the Juvenile Justice (Care and Protection of Children) Bill, 2014 to address heinous offences committed by children above the age of 16 years, which will act as a deterrent for child offenders committing such crimes and will also protect the rights of victim to justice.

STATEMENT REFERRED TO IN REPLY TO PART(a) OF THE LOK SABHA STARRED
QUESTION NO.477 TO BE ANSWERED ON 11TH AUGUST 2014
Juveniles Apprehended (Under IPC and SLL Crimes)

Sl. No.	Name of State/UTs	During the Year 2011		During the Year 2012		During the Year 2013	
		Arrested & sent to Courts	Pending disposal	Arrested & sent to Courts	Pending disposal	Arrested & sent to Courts	Pending disposal
1	Andhra Pradesh	2474	814	2371	727	3133	1091
2	Arunachal Pradesh	93	0	72	0	122	4
3	Assam	427	61	988	184	680	101
4	Bihar	1126	258	3262	860	2104	562
5	Chhattisgarh	2692	1309	2502	554	2544	1046
6	Goa	157	89	97	27	72	35
7	Gujarat	2510	1087	2406	1034	2478	852
8	Haryana	834	694	1151	712	1410	909
9	Himachal Pradesh	258	126	244	121	227	99
10	Jammu & Kashmir	21	14	82	72	136	60
11	Jharkhand	411	42	345	45	394	61
12	Karnataka	376	207	456	187	530	144
13	Kerala	885	282	989	392	1237	458
14	Madhya Pradesh	5794	2170	6488	1757	7365	1811
15	Maharashtra	6770	1529	6630	1363	8022	1756
16	Manipur	0	0	6	0	7	0
17	Meghalaya	128	48	106	56	154	3
18	Mizoram	105	9	144	2	119	13
19	Nagaland	46	0	25	0	14	1
20	Odisha	628	236	956	194	1093	230
21	Punjab	215	133	260	188	432	161
22	Rajasthan	2542	310	2551	426	2882	368
23	Sikkim	78	39	94	12	39	0
24	Tamil Nadu	2083	379	3542	673	3142	948
25	Tripura	92	37	147	81	146	18
26	Uttar Pradesh	1204	340	1005	176	1424	632
27	Uttarakhand	86	10	244	0	309	0
28	West Bengal	620	439	823	498	927	324
	Total States	32655	10662	37967	10341	41132	11685
	UNION TERRITORIES						
29	A & N ISLANDS	8	3	16	0	8	0
30	Chandigarh	159	91	134	54	120	44
31	D & N Haveli	22	19	18	17	26	26
32	Daman & Diu	16	16	10	10	14	14
33	Delhi	942	204	1572	267	2140	267
34	Lakshadweep	0	0	0	0	0	0
35	Puducherry	85	83	85	32	66	66
	Total UTs	1252	416	1895	380	2374	417
	Total All India	33387	11078	39862	10721	43506	12102

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE

LOK SABHA
UNSTARRED QUESTION NO.4524

Aug. II

TO BE ANSWERED ON MONDAY, THE 11th AUGUST, 2014

Empowerment of Courts to Handle IT Related Cases

4524. SHRI INNOCENT:

SHRI DUSHYANT CHAUTALA:

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

- (a): whether the Government has proposed to improve all the working of courts across the country to make them capable of dealing with all kind of Cyber related cases;
- (b): if so, the details thereof and the time by which such improvements are likely to be completed;
- (c): whether the Government has set up Model Sub-ordinate Courts at some of the selected places in the country as pilot project;
- (d): if so, the details thereof along with the further steps taken by the Government to improve the working of the courts to deal with Information Technology (IT) related cases;
- (e): whether the Government has any proposal to grant financial assistance for the Computerisation of the Official Language (Legislative) Commission in all the States including Kerala; and
- (f): if so, the details thereof and if not, the reasons therefor?

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

(a) to (d): In order to strengthen the capability of Courts to deal with all kinds of Cyber and Information Technology related cases, Conferences and Orientation programmes are organised by National Judicial Academy (NJA) for Judges of subordinate judiciary. During 2013-14, NJA organized a "National Conference of Judges of the District Judiciary on IPR and Cyber Laws", four orientation programmes for Civil Judges (Junior Divisions) and four orientation programmes for Additional District Judges in which the topic Cyber Law was dealt with.

Similarly, for the Academic year 2014-15, NJA has proposed two conferences viz. (i) National Conference of High Court Judges on Law & Technology (IPR and Cyber Laws) and (ii) National Conference of Judges of the District Judiciary on Law & Technology (IPR and Cyber). In addition, NJA has proposed four orientation programmes for Civil Judges (Junior Divisions) and four orientation programmes for Additional District Judges in which the topic Cyber Law is included.

Separately, a sub-Group on Model Courts constituted by the Advisory Council of the National Mission for Justice Delivery and Legal Reforms has recommended pilot Model Courts under the jurisdiction of six High Courts (Calcutta, Bombay, Gauhati, Madhya Pradesh, Madras, and Punjab & Haryana) with a view to set standards of efficiency and fairness for replication across the country.

(e) & (f): No, Madam. There is no such scheme to provide financial assistance for computerisation of Official Language Commission of the State Governments.

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

Jus-II

**LOK SABHA
UNSTARRED QUESTION NO. 4552**

TO BE ANSWERED ON MONDAY, THE 11th AUGUST, 2014

Fast Track Courts

4552. SHRI NALIN KUMAR KATEEL:

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

- (a) the number of Fast Track Courts (FTCs) established in the country during the last three years, State-wise and legislation-wise;**
- (b) the number of FTCs which started functioning since 2009, year-wise and State-wise;**
- (c) the number of FTCs which stopped functioning since 2009 and the reasons for their closure, year-wise and State-wise; and**
- (d) the steps taken/proposed to be taken by the Government to revamp the functioning of FTCs?**

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

(a)to(d): Setting up of courts including FTCs is the responsibility of the State Governments under the Constitution of India. Central funding to States for Fast Track Courts (FTCs), established under the 11th Finance Commission Award, has been discontinued with effect from 1st April, 2011. Some States have continued FTCs beyond 31.03.2011 with their own resources. A statement indicating the number of Fast Track Courts (FTCs) functioning as on 31/03/2005, 31/03/2011 and as per the latest available reports is enclosed at Annexure.

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 to utilise these positions for creation of FTCs 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 FTCs 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 them. Government has requested the State Governments and the Chief Justices of the High Courts to implement this decision.

Annexure

**STATEMENT REFERRED TO IN REPLY TO PARTS(a) TO (d) OF THE LOK SABHA UNSTARRED QUESTION
NO.4552 TO BE ANSWERED ON 11TH AUGUST 2014**

STATEMENT REGARDING NUMBER OF FAST TRACK COURTS APPROVED FOR 11TH FINANCE COMMISSION FUNDING IN 2000 AND FUNCTIONAL AS ON 31/3/2005, 31/3/2011 AND ON THE DATE MENTIONED

Sl. No.	Name of the State	Approved no. of FTCs as in 2000	No. of FTCs functional as on 31/3/2005	No. of FTCs functional as on 31/3/2011	No. of FTCs functioning	As on
1	Andhra Pradesh	86	86	108	72	March, 14
2	Arunachal Pradesh	5	3	3	0	March, 14
3	Assam	20	20	20	20	Oct. 12
4	Bihar	183	150	179	179	March. 11
5	Chhattisgarh	31	31	25	21	April, 14
6	Goa	5	5	5	5	July, 14
7	Gujarat	166	166	61	61	Feb., 11
8	Haryana	36	16	6	6	Dec. 10
9	Himachal Pradesh	9	9	9	0	June, 14
10	Jammu & Kashmir	12	-	-	5	June, 14
11	Jharkhand	89	89	39	11	March, 14
12	Karnataka	93	93	87	39	March, 14
13	Kerala	37	31	38	38	Aug., 13
14	Madhya Pradesh	85	66	84	84	Dec. 10
15	Maharashtra	187	187	51	92	June, 14
16	Manipur	3	2	2	2	Oct. 12
17	Meghalaya	3	3	3	3	June, 14
18	Mizoram	3	3	3	3	March 11
19	Nagaland	3	2	2	2	Oct. 12
20	Odisha	72	41	35	30	June, 14
21	Punjab	29	18	15	20	March, 14
22	Rajasthan	83	83	83	0	March. 14
23	Sikkim	3	-	-	1	March, 14
24	Tamil Nadu	49	49	49	32	June, 14
25	Tripura	3	3	3	2	June, 14
26	Uttar Pradesh	242	242	153	153	March 11
27	Uttarakhand	45	45	20	0	July, 14
28	West Bengal	152	119	109	85	April, 14
29	Delhi	-	-	-	10	March, 14
	Total	1734	1562	1192	976	

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

Desk Side

**LOK SABHA
UNSTARRED QUESTION NO. 4569**

TO BE ANSWERED ON MONDAY THE 11.08.2014

Judicial Accountability Bill

4569. SHRI KIRTI AZAD:

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

- (a) whether the Government has received any complaints regarding refusal by Judges from trial of certain cases;
- (b) if so, the details thereof and the action taken by the Government in this regard;
- (c) whether the Government proposes to introduce Judicial Accountability Bill; and
- (d) if so, the time by which it is likely to be introduced?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) & (b) Complaint against Judges of the higher judiciary including their conduct and working are handled by the Supreme Court and High Courts as per the "in-house mechanism" which exists in these courts. The Central Government has no mechanism to address such complaints and as such, no data is maintained.

(c) & (d) : "The Judicial Standards and Accountability Bill" was passed by the Lok Sabha on 29.3.2012. However, the Bill has lapsed due to dissolution of the 15th Lok Sabha.

NM
GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
(DEPARTMENT OF JUSTICE)
LOK SABHA

UNSTARRED QUESTION NO. 4590
TO BE ANSWERED ON MONDAY, THE 11th AUGUST, 2014

Provision of Police Station with each Court

4590. DR. C.GOPALAKRISHNAN:

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

- (a) whether the Chief Justice of India has suggested for provision of a police station with each court dealing with Negotiable Instrument Act cases;
- (b) if so, the details thereof;
- (c) the reaction of the Government thereto; and
- (d) the steps taken/being taken by the Government in this regard?

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

(a) to (d) Media report had appeared in November, 2011 about the suggestion made by the then Chief Justice of India for provision of a police station with each Court dealing with Negotiable Instrument Act cases. This was in the context of pendency of large number of cheque bouncing cases and problems being faced by courts in effecting service of summons.

With a view to reduce excessive litigation on account of Section 138 and other related provisions of Negotiable Instrument Act 1881, an Inter-Ministerial Group (IMG) was constituted to make suggestions for necessary policy and legislative changes in this regard. The IMG has since given its recommendations, which, *inter-alia*, include use of Alternative Dispute Resolution Mechanism, codification of summary procedure to be followed in such cases and encouragement to be given for transactions through electronic mode of payment.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. †4611

TO BE ANSWERED ON MONDAY, THE 11TH AUGUST, 2014

Pending Cases of Land Acquisition

†4611. SHRI CHANDRAKANT KHAIRE:
SHRI RAM TAHAL CHOUDHARY:

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

- (a) the number of cases related to land acquisition pending in the courts at present, State-wise;
- (b) the number of cases that are more than ten years old;
- (c) whether ambiguity in land acquisition rules are the reason for the pendency of the said cases;
- (d) if so, the details thereof and the reaction of the Government thereto; and
- (e) the remedial steps taken / proposed to be taken by the Government in this regard?

ANSWER

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

(a) to (e) : Information is being collected and will be laid on the Table of the House.

NM
GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
(DEPARTMENT OF JUSTICE)
LOK SABHA

UNSTARRED QUESTION NO. 4618
TO BE ANSWERED ON MONDAY, THE 11th AUGUST, 2014

Disposal of Cases

4618. SHRI KIRTI AZAD:

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

- (a) whether the Government is aware of the United States system where the judges are free to decide the cases from their chambers without oral arguments;
- (b) if so, the details thereof along with the reaction of the Government thereto;
- (c) whether the Government proposes to limit the oral arguments of lawyers by installing red light signal in the courts to signal arguing lawyers to finish oral submissions; and
- (d) if so, the details thereof along with the reaction of the Government thereto?

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

(a) to (d) Disposal of Cases in Courts is governed by the relevant rules and procedure framed for the purpose by various countries as per their constitutional and legal framework.

In India, provisions have been made in the Code of Civil Procedure, 1908, and the Code of Criminal Procedure, 1973 for submission of written arguments and to limit/regulate oral arguments in court proceedings. Further, Supreme Court of India and the High Courts lay down rules and guidelines for procedure to be adopted in Courts giving effect to the relevant provisions of the law.
