2020

LOK SABHA REPLIES

MONSOON SESSION, 2020
[4th SESSION OF 17th LOK SABHA][14th September, 2020 to 1st October,2020]

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

LOK SABHA

UNSTARRED QUESTION NO. 472

TO BE ANSWERED ON WEDNESDAY, THE 16th SEPTEMBER, 2020

Legal Assistance

472. DR. SHRIKANT EKNATH SHINDE:
DR. SUJAY RADHAKRISHNA VIKHE PATIL:
SHRI UNMESH BHAIYYASAHEB PATIL:
SHRI DHAIRYASHEEL SAMBHAJIRAO MANE:
SHRI HEMANT SRIRAM PATIL:

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

(a) the process of appointing lawyers to provide legal assistance to the people by the Government;

(b) the number of such Government appointed lawyers in the country at present;

(c) whether the posts of such Government lawyers are vacant or there is a requirement of more lawyers and if so, the details thereof;

(d) whether with a view to provide justice for all, Government intends to set up free legal advice centres in every district or tehsil; and

(e) if so, the details thereof and if not, the reasons therefor?

ANSWER

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

(a) The National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010 provides for criteria and procedure for empanelment of panel lawyers for providing legal assistance to the eligible sections of the population. The selection of panel lawyers is made by the Executive Chairman or Chairman of the Legal Services Institution in consultation with the Attorney General [for the Supreme Court], Advocate General [for the High Court],

District Attorney or Government Pleader [for District and Taluka level] and the Monitoring and Mentoring Committee of the Institution.

(b) A total number of 56,402 lawyers have been empaneled in legal services institutions at state & district level across the country for providing legal assistance to the people who are eligible to receive such assistance.

(c)The panel lawyers are empanelled by the Legal Services Institutions as per the work load. As of now, the required number of panel lawyers are available with the Legal Services Institutions.

(d)&(e)Legal Services Institutions have been set up under the Legal Services Authorities Act, 1987 at all levels from Taluk Courts to Supreme Court for providing free legal services to the persons eligible under Section 12 of the Legal Services Authorities Act, 1987.The Legal Services Institutions include National Legal Services Authority, Supreme Court Legal Services Committee in Supreme Court, 36 State Legal Services Authorities, 36 High Court Legal Services Committees in all High Courts, 665 District Legal Services Authorities and 2288 Taluk Legal Services Committees.

Around 23,000 Legal Services Clinics have also been set up in Jails, courts, Juvenile Justice Boards (JJBs), community centres, villages/rural areas and law colleges/universities. In these centres, free legal services are provided.

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Appointt. Dutt.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA
UNSTARRED QUESTION NO. 521

TO BE ANSWERED ON WEDNESDAY, THE 16.09.2020

Supreme Court Bench in Chennai

521. SHRI A.K.P. CHINRAJ:
SHRI S. JAGATHRAKSHAKAN:

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

(a) whether the Government has received any proposal from the Lawyers Association to open a Supreme Court branch/bench in Chennai, Tamil Nadu for the convenience of people of Southern States and to reduce time and money on litigations;

(b) if so, the details thereof; and

(c) the action taken by the Government on these requests?

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

(SHRI RAVI SHANKAR PRASAD)

(a) to (c): Representations have been received from time to time from various quarters for establishment of Benches of Supreme Court in various parts of the country. The Law Commission, in its 229th Report had also suggested that a Constitutional Bench be set up at Delhi and four Cassation Benches be set up in the Northern region at Delhi, the Southern

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

LOK SABHA

UNSTARRED QUESTION NO. 561
TO BE ANSWERED ON WEDNESDAY, THE 16TH SEPTEMBER, 2020

COURT CASES INVOLVING GOVERNMENT

+ **561. SHRI VIJAY KUMAR:**

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

(a) whether the Government proposes to implement any alternative system to dispose off those cases out of the court wherein Government is also a party and if so, the details thereof;
(b) whether the Government has assessed the number of such cases wherein Government is also a party;
(c) if so, the number of such cases pending in the Subordinate Courts and Supreme Court as on date; and
(d) the percentage of such cases out of the total number of pending cases?

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

(a) : The Government has been in the forefront to promote alternative system to dispose off cases out of the court not only where the Government is a party but also between private parties. Legal framework for resolution of disputes through Alternative Dispute Resolution (ADR) has been provided under Section 89 CPC. Besides, the Arbitration and Conciliation Act 1996 recourse to ADR can be taken under Companies Act, 2013, Commercial Courts Act, 2015, Real Estate (Regulation and Development) Act, 2016, the Consumer Protection Act, 2019, to

name a few. By recourse to ADR mechanism provided under law, the parties can resolve their dispute outside the Courts.

As regards commercial disputes, where both parties are Government/Department or where one party is Government/Department and other is its instrumentalities (CPSEs/Boards/Authorities, etc.), the Department of Legal Affairs has issued a guideline namely, "Administrative Mechanism for Resolution of Disputes (AMRD)". The AMRD applies to any/all dispute(s), other than those related to taxation, between Central Government Ministries/Departments and other Ministries/ Departments/Organisation(s)/Subordinate/Attached Offices/ Autonomous and Statutory Bodies, etc., under their administrative supervision/control.

(b): The Legal Information Management & Briefing System (LIMBS) Ver.2 has been developed by NIC. It is a web-based application for the monitoring of Court Cases wherein Union of India is a party. However, as LIMBS Ver.2 has been developed recently and is currently under updation, it is seen that as on 14.09.2020, 4.71 lakh court cases have been entered by the various Ministries/Departments of the Government of India.

(c): As on date, out of the cases entered by the user Ministries/Departments in LIMBS Ver.2, 89202 cases are pending in the Subordinate Courts and 15431 cases are pending in the Supreme Court.

(d): As per the data entered till date by the user Ministries/Department in LIMBS Ver.2, the percentage of cases pending in the Subordinate Courts and Supreme Court to the total number of pending cases is 22.22%.

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Appointt. DVN.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA
UNSTARRED QUESTION NO. 621

TO BE ANSWERED ON WEDNESDAY, THE 16.09.2020

FEMALE JUDGES

†621. SHRI NARANBHAI KACHHADIYA:
SHRIMATI RATHVA GITABEN VAJESINGBHAI:
SHRI JASWANT SINGH BHABHOR:
SHRI JOHN BARLA:
SHRI PARBATBHAI SAVABHAI PATEL:
SHRI PRADEEP KUMAR SINGH:
SHRI PINAKI MISRA:
SHRI SHANTANU THAKUR:

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

(a) the details of the number of women who are currently serving as a Judge in Supreme Court, High Courts and at the District level, State/UT-wise;
(b) the tribunal-wise number of female judges appointed in tribunals established by the Union Government;
(c) the district-wise number of female judges appointed in Subordinate Judiciary;
(d) whether the Government has taken any steps to increase the representation of women in the judiciary and if so, the details thereof; and
(e) whether the Government would consider implementing reservations to increase the representation of women in the judiciary?

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

(SHRI RAVI SHANKAR PRASAD)

(a): As on 01.09.2020, there are 2 women Judges in Supreme Court and 78 women Judges in various High Courts. A Statement showing details of Working Strength of Judges and number of women Judges in Supreme Court and High Courts is annexed.

(b): Details of female Judges in Tribunal are not Centrally maintained as they are being administered by different Ministries/Departments of the Government.

(c): Information on female Judges in Subordinate Judiciary is also not centrally maintained as the subject matter falls within the domain of the High Courts and the State Governments

(d) and (e) : Appointment of Judges of the High Court is made under Article 217 and 224 of the Constitution of India. These Articles do not provide for reservation for any caste or class of person including women. The Government has, however, been requesting 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 Women.

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Annexure

Statement referred to in reply to Part (a) of Lok Sabha Unstarred Question No. 621 for 16.09.2020 regarding Female Judges.

(As on 01.09.2020)

Sl. No.	Name of the Courts	Sanctioned Strength of Judges	Number of Female Judges working
A	Supreme Court	34	02
B	High Court		
1	Allahabad	160	06
2	Andhra Pradesh	37	04
3	Bombay	94	08
4	Calcutta	72	05
5	Chhattisgarh	22	02
6	Delhi	60	08
7	Gauhati	24	01
8	Gujarat	52	04
9	Himachal Pradesh	13	01
10	Common High Court for the UT of J&K and UT of Ladakh	17	01
11	Jharkhand	25	01
12	Karnataka	62	05
13	Kerala	47	05
14	Madhya Pradesh	53	03
15	Madras	75	09
16	Manipur	05	00
17	Meghalaya	04	00
18	Orissa	27	02
19	Patna	53	00
20	Punjab& Haryana	85	11
21	Rajasthan	50	01
22	Sikkim	03	01
23	Telangana	24	00
24	Tripura	04	00
25	Uttarakhand	11	00

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Jus. I

LOK SABHA

UNSTARRED QUESTION NO. 646

TO BE ANSWERED ON WEDNESDAY, THE 16TH SEPTEMBER, 2020

Judicial Panels

646. SHRI UPENDRA SINGH RAWAT:

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

(a) the details of judicial panels set up by the Government during the last three years and the current year;

(b) the number out of the above who have submitted their reports to the Government;

(c) the action taken by the Government thereon; and

(d) the time by which the remaining panels are likely to submit their reports to the Government?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

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

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

UNSTARRED QUESTION NO. 687

TO BE ANSWERED ON WEDNESDAY, THE 16th SEPTEMBER, 2020

Fast Track Courts

†687. SHRIMATI POONAMBEN MAADAM:

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

(a) whether fast track courts are functional in the State of the Gujarat;
(b) if so, the names of districts where these courts are functioning along with the cases being adjudicated by them; and
(c) the details of the cases taken and disposed off by these courts during the last three years?

ANSWER

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

(a) to(c): Setting up of subordinate courts including Fast Track Courts (FTCs) and its functioning comes within the domain of the State Governments in consultation with the respective High Courts. As per information obtained, as on 30th June, 2020, there were no functional Fast Track Courts in the State of Gujarat.

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GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

Appointt. Dvn.

LOK SABHA
UNSTARRED QUESTION NO. 1672

TO BE ANSWERED ON MONDAY, THE 21.09.2020

High Court Benches

1672. SHRI RAJENDRA AGRAWAL

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

(a) whether the Government is planning to establish High Court benches in various States including Uttar Pradesh;
(b) if so, the details thereof and if not, the reasons therefor;
(c) the criteria adopted/formalities required by the Government for establishment of these benches; and
(d) the details of the States where such benches have already been established so far?

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

(SHRI RAVI SHANKAR PRASAD)

(a) to (d): 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 incorporating readiness to provide infrastructure and meet the expenditure, along with the consent of the Chief Justice of the concerned High Court who is authorized to look after day to day administration of the High Court and its Bench. The proposal should also have the consent of the Governor of the concerned State.

No complete proposal has been received from any State Government including that of State Government of Uttar Pradesh.

A statement showing the High Courts and their respective Benches is attached at **Annexure.**

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Annexure

Statement referred to in reply to parts (a) to (d) of Lok Sabha Unstarred No. 1672 to be answered on 21.09.2020 showing High Courts and their Benches State-wise/UT-wise.

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

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

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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

LOK SABHA

UNSTARRED QUESTION NO. 1691
TO BE ANSWERED ON MONDAY, THE 21st SEPTEMBER, 2020

JUDICIAL PROCEEDINGS

1691. SHRI P. P. CHAUDHARY:
SHRI KAUSHAL KISHORE:

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

(a) the details of the arrangements made by the Supreme Court, High Courts and subordinate courts to facilitate judicial proceedings in the court in the wake of COVID-19;
(b) whether there were any specific orders or guidelines from the judges in this regard;
(c) if so, the details regarding reforms in legal process, infrastructure and expenditure incurred in a chronological manner;
(d) whether the Government is planning to set up TV broadcast channels for live broadcast of Supreme Court proceedings; and
(e) if so, the details thereof and the progress made so far in this regard?

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

(a)& (b): After announcement of nation-wide lockdown, directions have been issued from time to time by the Hon'ble Supreme Court and respective High Courts to the Subordinate Courts under their administrative jurisdiction for hearing of urgent civil and criminal matters in virtual or physical mode depending on local conditions. Hon'ble Supreme Court also issued an

overarching order on 6th April, 2020 giving legal sanctity and validity to court hearings done through video conferencing. Most High Courts have further advised district and subordinate courts that where there is no shut down/lockdown, they may, as far as possible, resume normal functioning by virtual/physical mode and take up all kind of cases, including those pertaining to under-trial prisoners, trial of civil cases, matrimonial disputes, child custody matters, recording of evidence and other old matters. Wherever physical hearing has been permitted in district and subordinate courts, they have been advised to strictly adhere to Covid protocols and social distancing norms and take all precautions including consent of the parties. A new Software patch and Court User Manual has been recently developed for Covid-19 Management. This tool has been developed to help in smart scheduling of cases to effectively manage over crowding in court.

(c): It is the primary responsibility of the State Governments to provide Judicial Infrastructure / Court Rooms for High Courts and District / Subordinate Courts. The Union Government has been implementing a Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in order to augment the resources of State Governments, in association with the States / UT Governments. The scheme is being implemented since 1993-94. It covers the construction of court halls and court complexes and residential accommodations of judicial officers of District and Subordinate Judiciary. A sum of Rs. 7,929.99 crore has been sanctioned under the Scheme, out of which a sum of Rs. 3,354.94 crore has been sanctioned to the State Government/UT Administrations during the last five years (2015-16 to 2019-20). In addition, a sum of Rs. 197.74 crore has been released during the current financial year, so far. The year-wise sanction of funds during the last five years is as follows:

Financial Year	Funds Sanctioned (in Rs. crore)
2015-16	562.99
2016-17	538.74

2017-18	621.21
2018-19	650.00
2019-20	982.00
Total	3354.94

The Government is implementing the e-Courts Mission Mode Project for Information and Communication Technology (ICT) enablement of District and Subordinate Courts across the country in association with the eCommittee of the Supreme Court of India. The eCourts Mission Mode Project Phase-II commenced its implementation in 2015. The target set out under the project is computerization of 16,845 District and Subordinate Courts, which has been completed. Against the financial outlay of Rs.1670 crores for this Phase, the Government has released a sum of Rs. 1459.52 crore to various organizations involved in the implementation of the project. This includes a sum of Rs. 1042.82.crore released to all High Courts, out of which a sum of Rs.790.04 crore has been utilized till 31st August, 2020.

In the financial year 2020-21, funds have interalia been released to all High Courts for eSewa Kendra for High Courts and District Court Complexes (Rs. 12.44 crore), equipment for VC Cabins and Connectivity in Court Complexes (Rs. 4.91 crore) and creating Help Desk Counters for efiling in Court Complexes (11.86 crore)

(d) & (e): A Writ Petition was filed in the Hon'ble Supreme Court, seeking declaration for permitting live streaming of Supreme Court case proceedings of constitutional and national importance having an impact on the public at large and a direction to make available the necessary infrastructure for live streaming and to frame guidelines for the determination of such cases which are of constitutional and national importance. The Hon'ble Supreme Court *vide* its Judgment dated

26th September, 2018 in Writ Petition (Civil) No. 66 of 2018 – Indira Jai Singh *versus* Secretary General of Supreme Court & Others has, *inter-alia,* observed that : (i) it is important to re-emphasise the significance of live-streaming as an extension of the principle of open justice and open courts; (ii)The process of live-streaming should be subjected to carefully structured guidelines, (iii) Initially, a pilot project may be conducted for about three months by live-streaming only cases of national and constitutional importance which can be expanded in due course with availability of infrastructure. The eCommittee of the Supreme Court has also set up a Committee of 5 Judges to formulate guidelines for live streaming of court hearings. The guidelines would cover all facets including technologies to be deployed, safeguards and procedures.

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

LOK SABHA

UNSTARRED QUESTION NO. 1817

TO BE ANSWERED ON MONDAY, THE 21st SEPTEMBER, 2020

Legal Services

1817. DR. AMOL RAMSING KOLHE:
DR. DNV SENTHILKUMAR S.:
DR. SUBHASH RAMRAO BHAMRE:
SHRI KULDEEP RAI SHARMA:
SHRIMATI SUPRIYA SULE:
SHRI MANICKAM TAGORE B.:

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

(a) the criteria and procedure for appointment of panel of lawyers by legal services authorities at the district and sub-divisional levels;

(b) whether there is a standard remuneration given to legal aid lawyers per case for magistrate and sessions courts and if so, the details thereof, State/UT-wise;

(c) whether National Legal Services Authority (NALSA) appointed committee has recommended minimum fees for panel lawyers and if so, whether the Government has accepted the recommendations and implementing the same;

(d) whether many of the lawyers who are required to provide free legal services are also charging fees from their clients; and

(e) if so, the details thereof and the action taken by the Government in this regard?

ANSWER

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

(a) 'The National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010' provides for criteria and procedure for selection of legal practitioners as panel lawyers. The selection of the panel lawyers is made by the Executive Chairman or Chairman of the Legal Services Institution in

consultation with the Attorney General [for the Supreme Court], Advocate General [for the High Court], District Attorney or Government Pleader [for District and Taluka level] and the Monitoring and Mentoring Committee set up under regulation 10. The Executive Chairman or Chairman of the Legal Services Institution may also suo moto empanel any legal practitioner as panel lawyer. The regulations provides for a minimum of three years' experience at the Bar for a legal practitioner to be empanelled.

(b) and (c) The fee payable to the lawyers is fixed by each State Legal Services Authority (SLSA). The fee varies from State to State depending upon the fee charged by the lawyers in that State and also, the fee payable to Government Advocates, Special Prosecutor, Amicus Curiae, etc. However, a Committee appointed by NALSA made its recommendations for a minimum fee to be paid to panel lawyers which was adopted by Central Authority of NALSA in its meeting dated 9th April, 2016. All the SLSAs were asked to adopt the same. The schedule of the minimum fee as approved by the Central Authority is as under:

Subordinate Courts at all levels including Tribunals

i. Drafting of substantive pleading such as Suit, Matrimonial Proceedings such as Divorce, Maintenance, Custody, Restitution etc., Succession, Probate, Memo of Appeal, Revision, Written Statement, Reply, Rejoinder, Replication etc. – Rs.1,200/-.

ii. Drafting of Miscellaneous applications such as stay, bail, direction, exemption etc. – Rs.400/- per application subject to maximum of Rs.800/- for all applications.

iii. Appearance – Rs.750/- per effective hearing and Rs.500/- for non-effective hearing subject to a maximum of Rs.7,500/- (per case).

High Court

i. Drafting of substantive pleading such as Writ Petition, Counter Affidavit, Memo of Appeal, Revision, Reply, Rejoinder, Replication- Rs.1,500/-.

ii. Drafting of Miscellaneous applications such as stay, bail, direction, exemption etc. – Rs.500/- per application subject to maximum of Rs.1,000/- for all applications.

iii. Appearance – Rs.1,000/- per effective hearing and Rs.750/- for non-effective hearing subject to maximum of Rs.10,000/- (per case).

A statement containing the information regarding the fee of Panel Lawyers is equal to/more than/less than the fee prescribed by NALSA is at Annexure-A.

(d) and (e) The panel lawyers shall not ask for or receive any fee, remuneration or any valuable consideration in any manner, from the person to whom he has rendered legal services, as per Section 8 (16) of the National Legal Services Authority (Free And Competent Legal Services) Regulations, 2010. Under Section 8 (17) of these regulations, if the panel lawyer engaged is not performing satisfactorily or has acted contrary to the object and spirit of the Act and these regulations, the Legal Services Institution shall take appropriate steps including withdrawal of the case from such lawyer and his removal from the panel.

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Annexure-A

Statement as referred to in reply to Lok Sabha Unstarred Question No. 1817 for answering on 21.09.2020 raised by Dr. Amol Ramsing Kolhe, Dr. DNV Senthilkumar S., Dr. Subhash Ramrao Bhamre, Shri Kuldeep Rai Sharma, Shrimati Supriya Sule and Shri Manickam Tagore B., MPs - Legal Services.

S.No.	State Legal Services Authority	Whether the fee of Panel Lawyers is equal to/more than/less than the fee prescribed by NALSA in 2016.
1	Andhra Pradesh	Equal
2	Arunachal Pradesh	Equal
3	Assam	Equal
4	Bihar	Equal
5	Chhattisgarh	Equal
6	Goa	Equal
7	Gujarat	More
8	Haryana	Equal
9	Himachal Pradesh	Equal
10	Jammu and Kashmir	Equal
11	Jharkhand	Equal
12	Karnataka	Equal
13	Kerala	More
14	Madhya Pradesh	Equal
15	Maharashtra	Equal
16	Manipur	Equal
17	Meghalaya	Equal
18	Mizoram	Equal
19	Nagaland	Equal
20	Odisha	Equal
21	Punjab	More
22	Rajasthan	More
23	Sikkim	Equal
24	Tamil Nadu	Equal
25	Telangana	Equal
26	Tripura	Equal
27	Uttar Pradesh	Equal
28	Uttarakhand	More

29	West Bengal	Equal
30	Andaman and Nicobar Islands	Equal
31	Chandigarh	Equal
32	Dadra and Nagar Haveli	Less
33	Daman and Diu	Equal
34	Delhi	More
35	Lakshadweep	Less
36	Puducherry	Equal

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

eCourts

LOK SABHA
UNSTARRED QUESTION No. 1825
TO BE ANSWERED ON MONDAY, THE 21ST SEPTEMBER, 2020

E-courts

1825. SHRI SUDHEER GUPTA:
SHRI SHRIRANG APPA BARNE:
SHRI BIDYUT BARAN MAHATO:
SHRI SANJAY SADASHIVRAO MANDLIK:

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

(a) the current status of electronic courts in the country to eliminate the growing burden of cases in courts;
(b) whether e-courts are fully capable of effective and timely disposal of cases and if so, the details thereof;
(c) the details of expenditure likely to be incurred in the e-courts, State/UT-wise;
(d) whether Indian courts have adopted the method of e-filing;
(e) if so, the details of the courts where e-filing is compulsory; and
(f) the other steps taken/being taken by the Government to reduce paper wastage and to eliminate the burden of court cases in Indian judiciary?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a): The Government is implementing the e-Courts Mission Mode Project for Information and Communication Technology (ICT) enablement of District and Subordinate Courts across the country in association with the eCommittee of the Supreme Court of India. The eCourts Mission Mode Project Phase-II commenced its implementation in 2015. The target set out under the project is computerization of 16,845 District and Subordinate Courts, which has been completed. Against the financial outlay of Rs.1670 crores for this Phase, the Government has released a sum of Rs. 1459.52 crore

(including Rs. 68.33 crore in 2020-21) to various organizations involved in the implementation of the project. This includes a sum of Rs. 1077.76.crore released to all High Courts, out of which a sum of Rs.790.04 crore has been utilized till 31st August, 2020. In the financial year 2020-21, funds have been released to all High Courts for eSewa Kendra for High Courts and District Court Complexes, equipment for VC Cabins and Connectivity in Court Complexes and creating Help Desk Counters for efiling in Court Complexes.

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

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

However, through computerization of 16,845 District & Subordinate Courts and ICT enablement under the eCourts Project Phase-II, several services have been provided to litigants, lawyers and Judiciary which facilitate expeditious delivery of judicial services. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & SMS pull services and touch screen based Information Kiosks. National Judicial Data Grid (NJDG) for District & Subordinate Courts, created as an online platform under the Project, provides information relating to judicial proceedings/decisions of computerized district and subordinate courts of the country. Currently, all stakeholders including Judicial Officers can access case status information in respect of over 13.75 crore pending and disposed cases and more than 12.68 crore orders / judgments pertaining to these computerized courts. Video Conferencing facility has been enabled between 3240 court complexes & 1272 corresponding jails.

(c): The details of funds released and expenditure incurred by High Courts on eCourts Project Phase-II have been provided at Annexure-I.

(d) to (f): Under the eCourts Project, e-filing application has been developed. The eCommittee of the Supreme Court has designed and rolled out in the year 2018, an e-filing system Version 1.0 and created a portal for this purpose (e-Filing.ecourts.gov.in). The portal enables electronic filing of legal papers. E-filing being the principal foundation for future technological enhancement in the Indian Judiciary, Version 1.0 is already available in High Courts and District Courts. The e-Filing application is integrated into the District Court CIS 3.2 & High Court CIS 1.0 software. The upgraded Version 2.0 for e-filing has also been prepared by e-Committee, Supreme Court of India, and is presently in an advanced stage undergoing security audits. E-filing software application version 2.0 has been prepared with the latest features like Advocate Portfolio, Advocate Clerk entry module, Calendar and integration with social media platforms. Draft Model e-filing rules have been framed and circulated by the eCommittee of the Supreme Court for adoption by the various High Courts to develop a standard operating procedure. However, e-filing has not been made compulsory in any court.

Establishment of Virtual Courts have helped to reduce paper wastage and to eliminate the burden of court cases. Virtual Courts have been rolled out to try traffic challan cases and have met with appreciable results. Presently there are 7 such courts in 6 States viz Delhi (2), Faridabad, Chennai, Bengaluru, Kochi and Pune. Environmentally friendly, these Virtual Courts enable adjudication of cases in paperless manner with e-payment of the fine imposed. The litigants can file the complaint electronically through e-filing, appears before a Judge virtually and also pay the court fees or fine online. Over 16 lakhs cases have been handled by these 7 Virtual Courts. Further to reduce the burden of court cases, the National Mission for Justice Delivery and Legal Reforms has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia,* involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure and setting up Fast Track Courts for quick disposal of

cases, use of Alternative Dispute Resolution mechanism and emphasis on human resource development.

ANNEXURE-I

Sr.No	High Court	Number of computerized district and subordinate courts	Total Funds released and Utilized by High Court	
			Released (Cr.)	Utilized (Cr.)
1	Allahabad	2072	99.10	80.96
2	Bombay	2079	118.50	89.14
3	Calcutta	811	33.81	14.84
4	Chhattisgarh	357	25.95	20.40
5	Delhi	427	24.49	10.69
6	Gauhati (Arunachal Pradesh)	496	10.12	3.51
7	Gauhati (Assam)		68.94	38.61
8	Gauhati (Mizoram)		6.85	5.79
9	Gauhati (Nagaland)		6.33	5.63
10	Gujarat	1108	70.13	46.23
11	Himachal Pradesh	119	9.88	8.30
12	Jammu & Kashmir	218	18.33	16.25
13	Jharkhand	351	22.42	15.74
14	Karnataka	897	62.17	46.41
15	Kerala	486	33.69	28.43
16	Madhya Pradesh	1293	69.68	56.56
17	Madras	1032	66.60	56.39
18	Manipur	37	8.37	4.67
19	Meghalaya	39	9.62	6.87
20	Orissa	534	44.25	27.63
21	Patna	1025	51.65	36.79
22	Punjab & Haryana	1018	50.66	48.78
23	Rajasthan	1094	63.98	56.46
24	Sikkim	19	6.68	2.89
25	Telangana & Andhra Pradesh	1078	70.82	47.52
26	Tripura	69	13.65	10.01
27	Uttarakhand	186	11.11	4.55
	Total	16846	1077.76	790.04

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

NM

LOK SABHA

UNSTARRED QUESTION NO. 1827
TO BE ANSWERED ON MONDAY, THE 21st SEPTEMBER, 2020

PENDING COURT CASES

†1827: SHRI PARBATBHAI SAVABHAI PATEL:
SHRI JASWANT SINGH BHABHOR:
SHRIMATI RATHVA GITABEN VAJESINGBHAI:
SHRI NARANBHAI KACHHADIYA:
SHRI SHANTANU THAKUR:

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

(a) the number of cases pending in High Courts and Lower Courts in the country along with the details thereof;
(b) whether there is any possibility of qualitative reduction in the number of the said pending cases, if rural courts that are set up at Panchayat level and are accorded the rights to hear cases of limited nature;
(c) if so, whether the Government is likely to set up such courts and accord them such rights; and
(d) if so, the time by which it is likely to be set up and if not, the reasons therefor?

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

(a): Details of cases pending in High Courts and Lower Courts in the country are given in Annexure-I & Annexure-II respectively.

(b): To provide access to justice to the citizen at their door steps and bring about reduction in case pendency, the Central Government has enacted the Gram Nyayalayas Act, 2008. It provides for establishment of Gram Nyayalayas at

intermediate panchayat level. The State Governments are responsible for establishing Gram Nyayalayas in consultation with the respective High Courts. As per information made available by State Governments / High Courts, 395 Gram Nyayalayas have been notified so far by 12 States, of which 225 are operational at present. Civil and criminal cases pending before District / Session Courts or Courts subordinate to it falling within the jurisdiction of the Gram Nyayalayas can be transferred to Gram Nyayalayas.

(c)&(d): The issues affecting operationalization of the Gram Nyayalayas were discussed in the Conference of Chief Justices of High Courts and Chief Ministers of the States on 7th April, 2013. It was 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 the local issues and situation.

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.

The Central Government has requested the Chief Ministers of States and Chief Justices of High Courts for setting up of Gram Nyayalayas in the respective States. Recently, the Registrars General of High Courts and Law / Home / Finance Secretaries of State Governments were requested through video conferences held

in January 2018, July 2018, November, 2018, 24th September – 3rd October, 2019 and 18th May – 22nd May, 2020 to set up Gram Nyayalayas and seek financial assistance for operationalising them under the Scheme mentioned above.

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Annexure - I

Details of Pending Cases in the High Courts

Sl. No	Name of High Courts	Pending Cases (Civil)	Pending Cases (Criminal)	Number of Cases pending in High Courts as on 16.09.2020
1.	Allahabad High Court	399710	346967	746677
2.	High Court of Bombay	224685	55242	279927
3.	Calcutta High Court	222935	40120	263055
4.	Gauhati High Court	40166	10011	50177
5.	High Court for the State of Telangana	198908	32852	231760
6.	High Court of Andhra Pradesh	172657	30467	203124
7.	High Court of Chhattisgarh	45589	27984	73573
8.	High Court of Delhi	65419	25479	90898
9.	High Court of Gujarat	95018	47100	142118
10.	High Court of Himachal Pradesh	61886	8941	70827
11.	High Court of UT of Jammu & Kashmir and UT of Ladakh	59510	7946	67456
12.	High Court of Jharkhand	40316	44708	85024
13.	High Court of Karnataka	165645	32045	197690
14.	High Court of Kerala	162495	44616	207111
15.	High Court of Madhya Pradesh	232187	143443	375630
16.	High Court of Manipur	3785	385	4170
17.	High Court of Meghalaya	1320	102	1422
18.	High Court of Punjab & Haryana	362372	244697	607069
19.	High Court of Rajasthan	374582	133167	507749
20.	High Court of Sikkim	194	46	240
21.	High Court of Tripura	1792	335	2127
22.	High Court of Uttarakhand	23379	14783	38162
23.	Madras High Court	511362	58920	570282
24.	Orissa High Court	115338	51136	166474
25.	Patna High Court	95839	74340	170179
	Total	**3677089**	**1475832**	**5152921**

Annexure - II

Details of Pending Cases in District and Subordinate Courts

Sl. No	Name of States/UTs	Pending Cases (Civil)	Pending Cases (Criminal)	Total Number of Cases pending in District and Subordinate Courts as on 16.09.2020
1.	A & N Island	0	0	0
2.	Andhra Pradesh	319224	262137	581361
3.	Telangana	264778	358207	622985
4.	Arunachal Pradesh	---	---	---
5.	Assam	76157	255471	331628
6.	Bihar	413335	2680851	3094186
7.	Chandigarh	19861	33722	53583
8.	Chhattisgarh	56979	228673	285652
9.	D & N Haveli	1547	1783	3330
10.	Daman & Diu	1221	1272	2493
11.	Delhi	203886	702920	906806
12.	Goa	22639	29368	52007
13.	Gujarat	435216	1259011	1694227
14.	Haryana	357183	639770	996953
15.	Himachal Pradesh	136497	247306	383803
16.	Jammu & Kashmir	78436	117957	196393
17.	Jharkhand	71785	337558	409343
18.	Karnataka	813511	923496	1737007
19.	Kerala	450469	1111490	1561959
20.	Ladakh	362	319	681
21.	Lakshadweep	---	---	---
22.	Madhya Pradesh	336139	1188971	1525110
23.	Maharashtra	1292547	2928871	4221418
24.	Manipur	6335	3865	10200
25.	Meghalaya	2646	7463	10109
26.	Mizoram	1915	3533	5448
27.	Nagaland	138	1207	1345
28.	Odisha	272666	1062942	1335608
29.	Punjab	321582	429618	751200
30.	Rajasthan	469267	1269221	1738488
31.	Sikkim	537	968	1505
32.	Tamil Nadu	653793	503881	1157674
33.	Puducherry	---	---	---
34.	Tripura	8364	26055	34419
35.	Uttar Pradesh	1794177	6392233	8186410
36.	Uttarakhand	37856	202773	240629
37.	West Bengal	528220	1810888	2339108
Total		**9449268**	**25023800**	**34473068**

Note: Data on District and Subordinate Courts in the State of **Arunachal Pradesh,** and Union Territories of **Lakshadweep** and **Puducherry** are not available on the web-portal of NJDG.