

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

**LOK SABHA
STARRED QUESTION NO. †*30
TO BE ANSWERED ON WEDNESDAY, 03RD FEBRUARY 2021.
PENDING CRIMINAL AND CIVIL CASES**

**†*30. SHRI VINAYAK RAUT:
SHRIMATI REKHA VERMA:**

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

- (a) the number of criminal and civil cases pending in the lower courts in Maharashtra and Uttar Pradesh;**
- (b) the average time taken by lower courts for the disposal of various civil and criminal cases in Maharashtra and Uttar Pradesh;**
- (c) the details of the vacancies of judges in the lower courts in Maharashtra and Uttar Pradesh along with the vacancies filled during the years 2020 and 2021;**
- (d) whether any recent assessment has been made regarding the effects of these vacancies on the disposal of cases; and**
- (e) If so, the details thereof?**

ANSWER

**MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND
ELECTRONICS & 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. †*30 FOR ANSWER ON 03.02.2021 REGARDING 'PENDING CRIMINAL AND CIVIL CASES'.

(a): Number of criminal and civil cases pending in the lower courts in Maharashtra and Uttar Pradesh as on 31.12.2020 is as follows:-

S. No.	State	Civil	Criminal	Total pendency as on 31.12.2020
1.	Maharashtra	13,63,965	31,40,608	45,04,573
2.	Uttar Pradesh	18,05,336	69,75,768	87,81,104

(b): No data is centrally maintained with regard to the average time taken by the lower courts for the disposal of various civil and criminal cases as it depends on the facts and circumstances of each case.

(c): The details of the vacancies filled in the lower courts in Maharashtra and Uttar Pradesh during the years 2020 and 2021 along with the details of vacancies are as follows:

S. No.	State	Vacancies as on 27.01.2021	Vacancies filled up during the year 2020	Vacancies filled up during year 2021
1.	Maharashtra	292	7	-

2.	Uttar Pradesh	1046	84	-
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(d) & (e): Disposal of cases in courts is within the domain of the judiciary. Timely disposal of cases in courts depends on several factors which, inter-alia, includes availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, cooperation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures.

Under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vests with the concerned High Court. Further, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Government, in consultation with the High Court, frames the Rules and Regulations regarding the issues of appointment, promotion, reservations, etc. of Judicial Officers in the State Judicial Service.

However, the Union Government is committed to speedy disposal of cases and reduction in pendency of cases. National Mission for Justice Delivery and Legal Reforms was set up in August, 2011 with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia*, involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases

and emphasis on human resource development. The major steps taken during the last five years under various initiatives are as follows:

- (a) **Improving infrastructure for Judicial Officers of District and Subordinate Courts:** As on date, Rs. 8,288.30 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 20,062 as on 28.01.2021 and number of residential units has increased from 10,211 as on 30.06.2014 to 17,736 as on 28.01.2021 under this scheme. In addition, 2,808 court halls and 1,843 residential units are under construction.
- (b) **Leveraging Information and Communication Technology (ICT) for improved justice delivery:** Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased from 13,672 (in 2014) to 18,735 as on 28.01.2021, registering an increase of 5,063. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized District and Subordinate Courts. All stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). As on 01.01.2021, litigants can access case status of over 17.90 crore cases and 13.36 crore order/judgements pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services. Video Conferencing facility has been enabled between 3240 court complexes and 1272

corresponding jails. With a view to handle the COVID- 19 challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-SewaKendras at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgements/orders, court/case related information and e-filing facilities. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for e-filing in various court complexes.

Nine Virtual Courts have been set up at Delhi (2 courts), Faridabad (Haryana), Pune & Nagpur (Maharashtra) Kochi (Kerala), Chennai (Tamil Nadu), Guwahati (Assam) and Bengaluru (Karnataka) to try traffic offences. As on 20.01.2021, these courts have handled 41,98,095 cases and realised Rs.139.25cr in fines.

- (c) **Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts:** From 01.05.2014 to 25.01.2021, 35 Judges were appointed in Supreme Court. 570 new Judges were appointed and 520 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1080 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
28.01.2021	24,247	19,318

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

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

Further Communications have been addressed by Minister of Law & Justice to Chief Justices of High Courts and to Chief Ministers on 20.06.2014 and 14.08.2018 drawing their attention to cases pending for more than five years and to take up pendency reduction campaign.

(e) **Emphasis on Alternate Dispute Resolution (ADR):** Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory pre-institution mediation and settlement of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines.

(f) **Initiatives to Fast Track Special Type of Cases:** The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc., and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements. As on 18.01.2021, Fast Track Courts are functional for heinous crimes, crimes against women and children, family and matrimonial disputes,

etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi) and proportionate funds have been released to these States by the Government. Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme for setting up of 823 FTSCs including 'exclusive POCSO Courts'. Rs.140 crore was released in the financial year 2019-20 and Rs. 89.89 crore has been released during the financial year 2020-21 for the scheme. Presently 609 FTSCs are functional including 331 exclusive POCSO Courts.

(g) In addition, to reduce pendency and unclogging of the courts the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.
