

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 1391
ANSWERED ON 14/12/2023

MEASURES TO REDUCE PENDENCY OF CASES

1391. SHRI MASTHAN RAO BEEDA:

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

- (a) whether Government is taking measures to reduce pendency of cases across different levels of judiciary;
- (b) if so, the details thereof, if not, the reasons therefor;
- (c) the progress made in this regard; and
- (d) the details of other proposed measures to be taken in order to ensure faster disposal of cases and for timely justice?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): Disposal of pending cases in courts is within the exclusive domain of the judiciary. The Government has no direct role in disposal of cases in courts. The Central Government is fully committed to speedy disposal of cases and reducing pendency in accordance with Article 21 of the Constitution. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary.

The 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. Some of the initiatives taken by Department of Justice to aid the cause of justice delivery are as under:-

- i.** Under the Centrally Sponsored Scheme for Judicial Infrastructure, funds are being released to States/UTs for construction of court halls, residential quarters for judicial officers, lawyers' halls, toilet complexes and digital computer rooms that would ease the life of lawyers and litigants, thereby aiding justice delivery. As on date, Rs. 10035 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for the Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 21,507 as on 30.11.2023 and number of residential units has increased from 10,211 as on 30.06.2014 to 18,882 as on 30.11.2023, under this scheme.
- ii.** Further under the e-Courts Mission Mode Project, information and communication technology (ICT) has been leveraged for IT enablement of district and subordinate courts. The number of computerised district & subordinate courts has increased to 18,735 so far. WAN connectivity has been provided to 99.4% of court complexes. Video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. 869 e-SewaKendras have been set up at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case-related information, and e-filing facilities. 25 virtual courts have been set up in 20 States/UTs. As on 31.10.2023, these courts have handled more than 3.95 crore cases and realized more than Rs. 466.32 crores in fines. The Cabinet on 13.09.2023 has approved eCourts Phase-III with a budgetary outlay of Rs.7,210 crore. Taking the gains of Phase-I and Phase-II to the next level, the e-Courts Phase-III aims to usher in a regime of maximum ease of justice by moving towards digital, online and paperless courts. It intends to incorporate latest technology such as Artificial Intelligence(AI), Block chain etc to make justice delivery more robust, easy and accessible to all the stakeholders. In the eCommittee meeting dt.02.11.2023, proposal of Rs. 1046.89 crore has been approved for the FY 2023-24.

The Contingency fund of Rs 225 crore has been already released by the Ministry of Finance for eCourts Phase III.

- iii.** Government has been regularly filling up the vacancies in higher judiciary. From 01.05.2014 to 08.12.2023, 61 Judges were appointed in Supreme Court. 965 new Judges were appointed and 695 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 1114 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
08.11.2023	25,439	19,996

However, filling up of vacancies in subordinate judiciary falls within the domain of the State Governments and High Courts concerned.

- iv.** In pursuance of a Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in all 25 High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District courts as well.
- v.** Under the aegis of the Fourteenth Finance Commission, the government has established Fast Track Courts for dealing with cases of heinous crimes; cases involving senior citizens, women, children etc. As of 31.10.2023, 848 Fast Track Courts are functional for heinous crimes, crimes against women, and children etc. To fast-track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs. Further, the central government has approved a scheme for setting up Fast Track Special Courts (FTSCs) across the country for the expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As of 31.10.2023, a total of 758 FTSCs including 412 exclusive POCSO (ePOCSO) Courts are functional in 30 States/UTs across the country which have disposed of more than 2,00,000 cases. Puducherry made a special request to be included in the Scheme and has since operationalized one exclusive POCSO Court in

May 2023. FTSCs Scheme has been further extended for 3 more years i.e. from FY 2023-24 to FY 2025-26.

- vi.** With a view 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.
- vii.** Alternate Dispute Resolution methods have been promoted whole heartedly. Accordingly, the Commercial Courts Act, 2015 was amended on 20th August, 2018 making Pre-institution Mediation and Settlement (PIMS) mandatory in case 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.

The recently enacted Mediation Act, 2023 lays down that mediation can be conducted in civil and commercial matters in terms of the provisions of the Mediation Act, 2023 barring such matters explicitly listed in the First Schedule of the Act which are not fit for mediation and in which mediation can not be conducted. It can be seen from the exempted list in the first schedule that only major offences have been excluded, thus leaving majority of the petty offences under the ambit of Mediation Act, 2023.

- viii.** Lok Adalat is an important Alternative Disputes Resolution Mechanism available to common people. It is a forum where the disputes/ cases pending in the court of law or at pre-litigation stage are settled/ compromised amicably. Under the Legal Services Authorities (LSA) Act, 1987, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court. Lok Adalat is not a permanent establishment. National Lok Adalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date. Further in view of Covid, E-Lok Adalat was conceptualized which significantly improved access to justice for people who were otherwise unable to participate in the Lok Adalats. The first E-Lok Adalat was held on 27.06.2020 and since then E-Lok Adalats have been organized in 28 States / UTs, wherein 441.17

lakh cases were taken up and 76.16 lakh cases disposed of. The details of the cases disposed off in National Lok Adalats during the last three years are as under:-

Years	Pre-litigation Cases	Pending Cases	Grand Total
2021	72,06,294	55,81,743	1,27,88,037
2022	3,10,15,215	1,09,10,795	4,19,26,010
2023 (upto September)	4,94,88,552	1,06,83,225	6,01,71,777

State Lok Adalats

	Pre-litigation Cases disposed of	Pending Cases disposed of	Total Cases disposed of
2021-22	1,14,278	4,18,251	5,32,529
2022-23	94,939	7,56,370	8,51,309
2023-24 (upto Sept, 23)	42,352	6,10,724	6,53,076

Permanent Lok Adalats

Years	Cases settled
2021-22	1,18,136
2022-23	1,71,138
2023-24 (upto Sept, 23)	1,10,412

- ix.** The Government launched the Tele-Law programme in 2017, which provided an effective and reliable e-interface platform connecting the needy and disadvantaged sections seeking legal advice and consultation with panel lawyers via video conferencing, telephone and chat facilities available at the Common Service Centres (CSCs) situated in Gram Panchayat and through Tele-Law mobile App.

Under the aegis of Tele-Law, till 30th November, 2023, out of 60,99,069 cases registered 60,23,222 advice were enabled. Out of this, 35.69% advice was enabled to female and 64.31% advice enabled to male beneficiaries. In terms of advice enabled to marginalised groups, out of the total number of advice cited, 30.51% advice were rendered to Other Backward Classes (OBC), 31.93 % to Scheduled Castes (SC) and 15.50% to Scheduled Tribes (ST) respectively.

- x. Efforts have been made to institutionalize pro bono culture and pro bono lawyering the country. A technological framework has been put in place where advocates volunteering to give their time and services for pro bono work can register as Pro Bono Advocates on Nyaya Bandhu (Android & iOS and Apps). Nyaya Bandhu Services also available on UMANG Platform. Pro Bono Panel of advocates have been initiated in 22 High Courts at the State level. Pro Bono Clubs have been started in 89 select Law Schools to instill Pro Bono culture in budding lawyers.
