

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 683
ANSWERED ON 08/02/2024

Shortage of court rooms in lower courts

683. DR. C.M. RAMESH:

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

- (a) whether lower courts in different States of the country are facing shortage of courtrooms and infrastructure facilities, if so, the details thereof; and
- (b) the steps taken by Government in this regard during the last two years, details thereof?

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) & (b): The primary responsibility for development of infrastructure facilities for judiciary rests with the State Governments. To supplement the resources of the State Governments/UTs, the Union Government has been implementing a Centrally Sponsored Scheme (CSS) for the Development of Infrastructure Facilities for the Judiciary since 1993-94 by providing financial assistance to them in the prescribed fund-sharing pattern between the Centre and States.

The scheme initially covered the construction of court buildings and residential accommodations for judicial officers of district and subordinate judiciary. From the year 2021, three new components viz., of digital computer room, lawyers' halls and toilet complexes were additionally brought under the ambit of the above CSS.

A sum of Rs. 10568.43 crore has been released under the Scheme so far since its inception, out of which Rs. 1541.34 crores (14.58%) have been released during the last two years. In the financial years

2021-22 and 2022-23, an amount of Rs. 684.14 crore and Rs. 857.20 crores were released respectively. This outlay led to construction of 420 court halls in the year 2021-22 and corresponding residential units constructed during the period were 225. Similarly, 414 court halls and 374 residential units got constructed during the financial year 2022-23. The details of the funds allocated and released to States/UTs during the last two years is as under:

<i>(In Rs. Crore)</i>				
Financial Year	Budget Estimate	Revised Estimate	Expenditure	Percentage expenditure
2021-22	776.00	770.44	684.14	88.79%
2022-23	848.00	848.00	848.00	100 %

The scheme has been extended from 2021-22 to 2025-26 with a budgetary outlay of Rs. 9000 crores including central share of Rs. 5307.00 crore for this scheme. There are 21,568 number of court halls and 18,948 number of residential units available in the district and subordinate courts against the working strength of 20,014 Judges/Judicial Officers as on 31.01.2024. Moreover, as per Nyaya Vikas Portal, 3,075 Court Halls and 2,076 residential units are under construction.

The Government is sensitive to the needs of building better infrastructure for the judicial officers of the lower and subordinate judiciary. For better monitoring of the funds released under the CSS and for efficient cash management, the Ministry of Finance introduced a revised Public Financial Management System (PFMS). Owing to non-fulfillment of number of procedural and technical requirements, the states/UTs were initially facing problems in on-boarding the PFMS. Due to vigorous efforts made by the Department by way of organizing trainings (both online and offline) for the state officials on the technicalities of PFMS, all the states/UTs are now fully on-boarded on PFMS and making expenditure only through PFMS portal. Apart from this, through regular review meetings via video conferencing, the states/UTs are being sensitized, so that all the States comply with PFMS procedures and funds get released and utilized in a timely manner.

The scheme guidelines have enough flexibility for the states to meet the local needs and requirements taking into account the peculiarities of topography, weather, climate and meet specific local demands like Lawyer' Building and Consultation Lounge, Litigants Waiting Hall, Library Complex etc., apart from customizing the building for ICT enablement and acoustics friendly by way of the provision of flexi funds under the scheme.

Effective monitoring mechanisms are in place for time bound and sustainable infrastructure developments in the States/UTs. There is a High Court Level Monitoring Committee in the State, chaired by the Chief Justices of the respective High Courts and this also has other stake holders such as, Registrar General of the High Court, portfolio judges, Law/Home Secretary of the State and Secretary of the State PWD as members. This committee meets every six months to review the physical and financial progress of the projects running under the scheme.

Apart from this, there is a Central Level Monitoring Committee in the Department of Justice, chaired by Secretary (Department of Justice, Government of India) to review the progress of the projects and iron out any issues that hinder the smooth implementation of the scheme.

Besides, there are regular visits by the officials of the Department of Justice to the States for getting firsthand information on the ground. Regular meetings through video conferencing to sort out the problems of the States/UTs also takes place.

The States/UTs are required to geo-tag the on-going projects in real time and reflect it on the Nyaya Vikas Portal, which is an online monitoring system developed with the technical assistance of National Remote Sensing Centre of ISRO for collection of data on progress and time bound completion of judicial infrastructure projects.
