

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

Rajya Sabha

Unstarred Question No. 415

ANSWERED ON 25/07/2024

Percentage of Government litigation in court cases

415. Shri Neeraj Shekhar:

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

- (a) the details of percentage of Government litigation, out of total pending cases in courts, as-on-date, State and court-wise; and
- (b) the details of steps taken by Government to reduce Government litigation along with the details of other measures taken to reduce pendency in the court cases to provide relief to common people?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; AND MINISTER OF
STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS
(SHRI ARJUN RAM MEGHWAL)**

- (a) The data in this regard is dynamic and keeps changing. While the requisite data is not maintained by the Government in the form and manner sought in Question (a), however, the information

regarding litigation involving the Union of India is maintained by Legal Information Management & Briefing Systems (LIMBS), which has been placed at Annexure-I, II & III respectively. It may also be noted that the information regarding total litigation [both Government and Private] state-wise/court-wise (including pendency and disposal) is available at the webpage of National Judicial Data Grid [<https://njdg.ecourts.gov.in/njdgnew/index.php>].

(b) The reduction of pendency in court cases is within the domain of the judiciary as the adjudication of cases is done by the Courts. The Government has no role in the adjudication and timely disposal of cases in courts. However, the Central Government is fully committed to aid the speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. In order to provide an ecosystem for faster disposal of cases by the judiciary, the Government set-up National Mission for Justice Delivery and Legal Reforms 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. 11167.36 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 23,020 as on 30.06.2024, and number of residential units has increased from 10,211 as on 30.06.2014 to 20,836 as on 30.06.2024, under this scheme.
- (ii) Further under the e-Courts Mission Mode Project, information and communication technology (ICT) has been leveraged for IT enablement of the Indian Judiciary. 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. As on 30.04.2024, 1050 e-Sewa Kendras have been set up at court complexes to facilitate citizen centric services to

lawyers and litigants. As on 31.05.2024, 28 virtual courts have been set up in 21 States/UTs and these courts have handled more than 5.08 crore cases and realized more than Rs. 561.09 crores in fines.

- (iii) The Cabinet on 13.09.2023 has approved eCourts Phase-III with a budgetary outlay of Rs.7,210. Taking the gains of Phase-I and Phase-II to the next level, the main objective of the Phase-III is to create a unified technology platform for the judiciary, which will provide a seamless and paperless interface between the courts, the litigants and other stakeholders. The proposed timeframe for the Project is four years starting from 2023 onwards. It envisages digitization of the court records, both legacy records and pending cases; state of the art and latest Cloud based data repository for easy retrieval; eSewa Kendras at all court complexes across India; paperless courts; video conferencing facilities to be expanded to also cover district hospitals; Live Streaming of court proceedings and expansion of the scope of Virtual Courts. The project will help provide a smoother user experience by building a “smart” ecosystem. Registries will have less data entry and minimal file scrutiny facilitating better decision-making and policy planning. The eCourts Phase-III will thus prove to be a game changer in ensuring ease of justice

by making the Court experience convenient, inexpensive and hassle free to all the citizens of the country.

- (iv) Under eCourts Phase III, out of Rs. 825 crores allotted in FY 23-24, highest ever funds amounting to 805.57 Crore were released in one single financial year under the Project. The funds were received in the month of October'23 and expenditure of Rs 768.25 Cr (93.11%) was made in the space of five months, which is the highest under eCourts Project till date. During FY 24-25 an allocation of Rs 1500 Cr. in the BE has been received, out of which Rs 464.98 Cr has already been released to the various High Courts
- (v) Government has been regularly filling up the vacancies in higher judiciary. From 01.05.2014 to 09.07.2024, 62 Judges were appointed in Supreme Court. 976 new Judges were appointed and 745 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 follow:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
10.07.2024	25,523	20,414

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

- (vi) 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.
- (vii) 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 31.05.2024, 866 Fast Track Courts are functional for trying cases of 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 and POCSO Act. As of 31.05.2024, a total of 755 FTSCs including 410 exclusive POCSO (ePOCSO) Courts are functional in 30 States/UTs across the country which have disposed of more than 2,53,000 cases.

- (viii) 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.

- (ix) 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.

- (x) 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. The details of the case disposed off in National Lok Adalats during the last three years are as under:-

Year	Pre-litigation	Pending Cases	Total Cases
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	7,10,32,980	1,43,09,237	8,53,42,217
2024 (upto June,24)	2,86,75,168	56,88,231	3,43,63,399
Total	13,79,29,657	3,64,90,006	17,44,19,663

(xi) 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.

*Percentage Wise break-up of Tele – Law Data

Till 30th June, 2024	Cases Registered	% Wise Break Up	Advice Enabled	% Wise Break Up
Gender Wise				
Female	34,77,951	38.43	34,38,027	38.38
Male	55,73,180	61.57	55,19,687	61.62
Caste Category Wise				
General	21,09,811	23.31	20,81,215	23.23
OBC	28,25,925	31.22	27,95,376	31.21
SC	29,01,087	32.05	28,74,044	32.08
ST	12,14,308	13.42	12,07,079	13.48
Total	90,51,131		89,57,714	

(xii) 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 has been initiated in 22 High Courts at the State level. Pro Bono Clubs have been started in 89 Laws Schools to instill Pro Bono culture in budding lawyers.

Some of the initiatives taken under the Alternative Dispute Resolution Mechanism are as under-

(i) During the past decade, the Government of India has taken various initiatives in the realm of Alternative Dispute Resolution (ADR) mechanisms to address the issues of accelerating rise in the pendency of cases in judiciary, high costs and inordinate delay in litigation. The Government is promoting ADR mechanisms including arbitration and mediation as these mechanisms are less adversarial and are capable of providing a better substitute to the conventional methods of resolving disputes.

(ii) Various initiatives have been taken to strengthen these mechanisms and make them user friendly, cost effective and expeditious. The major initiatives taken by the Central Government over the years in this regard includes.

(iii) The Arbitration and Conciliation Act, 1996 has been progressively amended in the years 2015, 2019 and 2020. These amendments aim at ensuring timely conclusion of arbitration proceedings, neutrality of arbitrators, minimizing judicial intervention in the arbitral process and quick enforcement of arbitral awards. The amendments are further aimed at promoting institutional arbitration, updating the law to reflect best global practices and resolve ambiguities thereby establishing an arbitration ecosystem where arbitral institutions can flourish.

(iv) The India International Arbitration Centre Act, 2019, was enacted to provide for the establishment and incorporation of the India International Arbitration Centre (Centre) for the purpose of creating an independent, autonomous and world class body for facilitating institutional arbitration and to declare the Centre to be an institution of national importance. The Centre shall be providing world class arbitration related services at its facilities in a cost-effective manner for both domestic and international commercial disputes, including reputed empanelled arbitrators and requisite administrative support for the smooth conduct of arbitral proceedings.

(v) The Commercial Courts Act, 2015 was amended in the year 2018 to provide for Pre-Institution Mediation and Settlement (PIMS) mechanism. Under this mechanism, where a commercial dispute of specified value does not contemplate any urgent interim relief, the parties have to first exhaust the mandatory remedy of PIMS before approaching the Court. This is aimed at providing an opportunity to the parties to resolve the commercial disputes through mediation.

(vi) The Mediation Act, 2023, enacted recently, lays down the legal framework for mediation to be adopted by parties to a dispute, especially institutional mediation where various stakeholders have been identified to establish a robust and efficacious mediation ecosystem in the country.

Annexure- I As on 19 July 2024				
State wise court cases (High Court and District & Session Court)*				
Sr No.	State	Total pending Cases	High Court	District & Session Court
1	ANDHRA PRADESH	9516	8857	659
2	ASSAM - GUWAHATI	5422	4430	992
3	BIHAR	10648	8028	2620
4	CHHATTISGARH	3332	2556	776
5	DELHI	29390	23098	6292
6	GUJARAT	17179	12122	5057
7	HIMACHAL PRADESH	4287	3239	1048
8	JHARKHAND	5467	5142	325
9	KARNATAKA	14550	10309	4241
10	KERALA	14183	13525	658
11	MADHYA PRADESH	17950	12146	5804
12	MAHARASHTRA	36044	27760	8284
13	MANIPUR	744	669	75
14	MEGHALAYA	620	345	275
15	ODISHA	10629	9003	1626
16	PUNJAB AND HARYANA	26821	16759	10062
17	RAJASTHAN	17027	13851	3176

Annexure- I

As on 19 July 2024

State wise court cases (High Court and District & Session Court)*

Sr No.	State	Total pending Cases	High Court	District & Session Court
18	SIKKIM	85	58	27
19	TAMIL NADU	24681	20643	4038
20	TELANGANA	13285	12183	1102
21	TRIPURA	699	465	234
22	UTTARAKHAND	2804	2018	786
23	UTTAR PRADESH	28320	20138	8182
24	JAMMU & KASHMIR	5850	4646	1204
24	WEST BENGAL	32919	21083	11836
Total		332452	253073	79379

*Details regarding Central Government cases are updated on LIMBS portal by the 56 Ministries / Departments. Data on LIMBS portal is user based, and is entered by users of respective Ministry / Department and not centrally by the Department of Legal Affairs.

Annexure- II		as on 19 July 2024
Sr No	Court Wise details of Total Pending Cases	
	Court Name	Total Pending Cases
1	Supreme Court	17779
2	High Court	253073
3	Tribunals	275181
4	District & Session Court	79379
5	Other courts (Other than District & Sessions Courts)	73492
Total Cases		698904
<p>*Details regarding Central Government cases are updated on LIMBS portal by the 57 Ministries / Departments. Data on LIMBS portal is user based, and is entered by users of respective Ministry / Department and not centrally by the Department of Legal Affairs.</p>		

Annexure- III		As on 19 July 2024
Sr No	Ministry/Departments	Total pending Cases*
1	AGRICULTURE AND FARMERS WELFARE	3641
2	AYUSH	963
3	CHEMICALS AND FERTILIZERS	792
4	CIVIL AVIATION	570
5	COAL	4114
6	COMMERCE AND INDUSTRY	5225
7	COMMUNICATION TELECOMMUNICATION (DoT)	12863
8	COMMUNICATIONS (DoP)	21004
9	COMPTROLLER AND AUDITOR GENERAL OF INDIA	24018
10	CONSUMER AFFAIRS FOOD AND PUBLIC DISTRIBUTION	1192
11	CORPORATE AFFAIRS	35322
12	CULTURE	2434
13	DEFENCE	95467
14	DEPARTMENT OF ATOMIC ENERGY	1020
15	DEPARTMENT OF SPACE	601
16	DEVELOPMENT OF NORTH EASTERN REGION	17
17	EARTH SCIENCES	269
18	EDUCATION (MoE)	17728
19	ELECTRONICS AND INFORMATION TECHNOLOGY	1135
20	ENVIRONMENT FOREST AND CLIMATE CHANGE	3013
21	EXTERNAL AFFAIRS	2473
22	FINANCE	189289
23	FISHERIES, ANIMAL HUSBANDRY AND DAIRYING	573
24	FOOD PROCESSING INDUSTRIES	64
25	HEALTH AND FAMILY WELFARE	10407
26	HEAVY INDUSTRIES	388
27	HOME AFFAIRS	24409
28	HOUSING AND URBAN AFFAIRS	3791
29	INFORMATION AND BROADCASTING	2476
30	JAL SHAKTI(DEPT OF WATER RESOURCES)	1326

Annexure- III		As on 19 July 2024
Sr No	Ministry/Departments	Total pending Cases*
31	JAL SHAKTI(DRINKING WATER AND SANITATION)	21
32	LABOUR AND EMPLOYMENT	79988
33	LAW AND JUSTICE	702
34	MICRO, SMALL AND MEDIUM ENTERPRISES	920
35	MINES	1675
36	MINORITY AFFAIRS	269
37	NEW AND RENEWABLE ENERGY	80
38	PANCHAYATI RAJ	13
39	PARLIAMENTARY AFFAIRS	3
40	PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS	3783
41	PETROLEUM AND NATURAL GAS	125
42	PORTS SHIPPING AND WATERWAYS	5275
43	POWER	655
44	RAILWAYS	114557
45	ROAD TRANSPORT AND HIGHWAYS	14837
46	RURAL DEVELOPMENT	945
47	SCIENCE AND TECHNOLOGY	862
48	SKILL DEVELOPMENT AND ENTREPRENEURSHIP	583
49	SOCIAL JUSTICE AND EMPOWERMENT	1703
50	STATISTICS AND PROGRAMME IMPLEMENTATION	411
51	STEEL	816
52	TEXTILES	1272
53	TOURISM	425
54	TRIBAL AFFAIRS	339
55	WOMEN AND CHILD DEVELOPMENT	900
56	YOUTH AFFAIRS AND SPORTS	804
TOTAL		698904
<p>*Details regarding Central Government cases are updated on LIMBS portal by the 56 Ministries / Departments. Data on LIMBS portal is user based, and is entered by users of respective Ministry / Department and not centrally by the Department of Legal Affairs.</p>		