

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 3147
ANSWERED ON 27/03/2025

MOUNTING PENDENCY OF CASES IN COURTS

3147. SHRI VAIKO:
SHRI M. SHANMUGAM:

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

- (a) whether any study/analysis done to find out the reason for mounting of judicial cases in the courts of law right from lower courts to Supreme Court;
- (b) if so, the details thereof;
- (c) whether Government ensured all vacancies of judicial officers are filled in various courts;
- (d) if so, the details thereof;
- (e) measures taken to decongest various levels of courts, through measures like holding of Lok Adalats, compounding fees and levying heavy fines on frivolous proceedings; and
- (f) details of the innovative steps taken to dispose of long pending cases in various Courts?

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) & (b): As per information provided by Supreme Court of India, there is no one conspicuous reason for pendency of cases. It is a multi-faceted situation. However, with the increase in population of the country, ease of access and awareness amongst public, usage of technology etc., the filing of fresh cases, is continuously increasing year after year, with the number of Judges and Courts remaining same. Therefore, the prime reason for pendency of the cases is inadequate Judge/Population ratio in the country and also the

insufficient strength of Hon'ble Judges. The pandemic which set in around 2020 has also contributed significantly in increasing the pendency.

(c) & (d): The appointment of Judges in the higher judiciary is a continuous and collaborative process between the executive and judiciary, requiring consultation and approval from various Constitutional Authorities at both State and Central levels.

Judicial appointments to the Supreme Court and High Courts are governed by Articles 124, 217 and 224 of the Constitution. As per the Memorandum of Procedure (MoP), the Chief Justice of India initiates proposals for Supreme Court appointments, while the Chief Justice of the concerned High Court, in consultation with two senior-most puisne Judges, initiates High Court appointments. The recommendations in regard to appointment of High Court Judges undergo multiple levels of scrutiny, including inputs from the State Government and other relevant reports, before being forwarded to the Supreme Court Collegium (SCC) for advice. Since May 2014, 67 Judges have been appointed to the Supreme Court, and 1,030 Judges to various High Courts.

Appointments in District and Subordinate Courts fall under the jurisdiction of State Governments and High Courts, as per Articles 233 and 234 of the Constitution of India. The recruitment process is governed by the rules framed by State Governments in consultation with High Courts, following timelines set by the Hon'ble Supreme Court vide its January 2007 order in the Malik Mazhar Sultan case.

(e) & (f): Disposal of pending cases in a time bound manner is within the domain of the judiciary. However, the Central Government has unwavering commitment towards speedy disposal of cases and reducing pendency as mandated under Article 21 of the Constitution. To this end, the Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary, as under:

- i. 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 coordinated approach for phased liquidation of arrears and pendency in judicial administration, which, inter-alia, involves better infrastructure for courts including computerization, increase in sanctioned strength of District and Subordinate Courts,

policy and legislative measures in the areas prone to excessive litigation and re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

- ii. Under the Centrally Sponsored Scheme for development of 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 ease the life of various stakeholders including the litigants, thereby aiding justice delivery. As on 28.02.2025, Rs. 11886.29 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 22,062 as on 28.02.2025 and the number of residential units has increased from 10,211 as on 30.06.2014 to 19,775 as on 28.02.2025, under this scheme.
- iii. Further, under Phase I & II of the e-Courts Mission Mode Project, Information and Communication Technology (ICT) had been leveraged for IT enablement of District and Subordinate Courts. 18,735 District and Subordinate Courts were computerized till 2023. WAN connectivity has been provided to 99.5% of court complexes. Video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. As on 31.01.2025, 1572 eSewa Kendras in District Courts and 39 eSewa Kendras in High Courts have been made functional to bridge the digital divide by providing citizen centric services to lawyers and litigants. 28 virtual courts have been set up in 21 States/UTs. As on 31.01.2025, these courts have handled more than 6.66 crore cases and realized more than Rs. 714.99 crores in fines. The Cabinet, on 13.09.2023, has approved Phase-III of the eCourts Project at an 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 enhanced 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 progressively more robust, easy and accessible to all the stakeholders.
- iv. The Government has been regularly filling up vacancies of Judges in the Supreme Court of India and the High Courts. From 01.05.2014 to 20.03.2025, 67 Judges were appointed in the Supreme Court. 1030 new Judges were appointed and

791 Additional Judges were made permanent in the High Courts during the same period. The sanctioned strength of Judges of the High Courts has been increased from 906 in May, 2014 to 1122 till now. The sanctioned and working strength of judicial officers in District and Subordinate Courts has increased as under:

| As on | Sanctioned Strength | Working Strength |
|------------|---------------------|------------------|
| 31.12.2013 | 19,518 | 15,115 |
| 28.02.2025 | 25,786 | 20,511 |

Source: MIS Portal of the Department of Justice

However, filling up of vacancies in District and Subordinate judiciary falls within the domain of the State/UT Governments and High Courts concerned.

- v. 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.
- vi. Under the aegis of the Fourteenth Finance Commission, the Fast Track Courts have been established for dealing with cases of heinous crimes, cases involving senior citizens, women, children, etc. As on 31.01.2025, 860 Fast Track Courts are functional across the country. 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 on 31.01.2025, 745 FTSCs including 404 exclusive POCSO (ePOCSO) Courts are functional in 30 States/UTs across the country which have disposed of more than 3,06,000 cases.
- vii. With a view to reduce pendency and unclogging of the courts, the Government has 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.
- viii. Alternate Dispute Resolution methods have been promoted whole heartedly. Accordingly, The Commercial Courts Act, 2015 was amended in August, 2018

making Pre-institution Mediation and Settlement (PIMS) mandatory in case of commercial disputes. In order to further enhance the efficiency of the PIMS mechanism, the Government, through The Mediation Act, 2023, has further amended the Commercial Court Act, 2015. Amendments to The Arbitration and Conciliation Act, 1996 have been made in the years 2015, 2019 & 2021 for expediting the speedy resolution of disputes.

Under The Commercial Courts Act, 2015, there is a provision for case management hearing which provides for an efficient, effective and purposeful judicial management of a case so as to achieve a timely and qualitative resolution of a dispute. It assists in early identification of disputed issues of fact and law, establishment of procedural calendar for the life of the case and the exploration of possibilities of the resolution of the dispute.

Another novel feature introduced for the commercial courts is the system of color banding which limits the number of adjournments that can be granted in any commercial matter to three and alerts the judges about listing of the cases in accordance with their stage of pendency.

- ix. The Government launched the Tele-Law programme in 2017, which provides 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 Panchayats and through Tele-Law mobile App.

*Percentage-wise break-up of Tele – Law Data

| Category | Cases Registered | % Wise Break Up | Advice Enabled | % Wise Break Up |
|----------------------------|--------------------|-----------------|--------------------|-----------------|
| Gender Wise | | | | |
| Female | 43,50,146 | 39.53% | 42,92,045 | 39.49% |
| Male | 66,55,274 | 60.47% | 65,77,616 | 60.51% |
| Caste Category Wise | | | | |
| General | 25,94,779 | 23.58% | 25,54,696 | 23.50% |
| OBC | 34,67,629 | 31.51% | 34,21,343 | 31.48% |
| SC | 34,55,009 | 31.39% | 34,19,433 | 31.46% |
| ST | 14,88,003 | 13.52% | 14,74,189 | 13.56% |
| Total | 1,10,05,420 | | 1,08,69,661 | |

*Data as on 28.02.2025.

- x. Efforts have been made to institutionalize pro bono culture and pro bono lawyering in 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 are also available on UMANG Platform. Pro Bono Panel of advocates has been initiated in 23 High Courts at the State/UT level. Pro Bono Clubs have been started in 109 Law Schools to instill Pro Bono culture in budding lawyers.
- xi. In order to reduce the pendency of cases in courts and also to settle the disputes at pre-litigation stage, Lok Adalats are organized by Legal Services Institutions at such intervals as deems fit. Lok Adalats are one of the effective modes of Alternative Dispute Resolution (ADR) mechanism in reducing the burden on the courts, which have received positive response from the public. There are three types of Lok Adalats namely State Lok Adalats, National Lok Adalats and Permanent Lok Adalats, as under:
- i. State Lok Adalats are organized by the Legal Services Authorities/Committees as per the local conditions and needs, for settlement of both pre-litigation and post-litigation cases.
 - ii. National Lok Adalats are conducted quarterly for settlement of cases (both pre-litigation and post-litigation) in all the courts from the Supreme Court of India to the Taluk Courts on a single day. Every year, National Legal Services Authority (NALSA) issues calendar for organising National Lok Adalats. During the year 2025, National Lok Adalat was held on 8th March and the upcoming National Lok Adalats are scheduled to be held on 10th May, 13th September and 13th December.
 - iii. Permanent Lok Adalats are permanent establishments set up in most of the Districts to provide compulsory pre-litigative mechanism for settlement of disputes related to Public Utility Services.

The National and State Lok Adalats are not a permanent establishment and handle pending court cases as referred to it by the respective courts. Since these Lok Adalats are not permanent in nature, all unsettled cases, are reverted to the respective courts and hence do not remain pending with these Lok Adalats. The details of the number of cases

disposed of by the Lok Adalats during the last three years (including current year) are as follows:

(i) National Lok Adalat

| Year | Total cases settled (both pre-litigative and pending cases) |
|------|--|
| 2022 | 4,19,26,010 |
| 2023 | 8,53,42,217 |
| 2024 | 10,45,26,119 |

(ii) State Lok Adalat

| Year | Total cases settled (both pre-litigative and pending cases) |
|----------------------------|--|
| 2022-23 | 8,51,309 |
| 2023-24 | 12,07,103 |
| 2024-25 (upto Dec., 24) | 12,08,227 |

(iii) Permanent Lok Adalat (Public Utility Services)

| Year | Total cases settled |
|----------------------------|---------------------|
| 2022-23 | 1,71,138 |
| 2023-24 | 2,32,763 |
| 2024-25 (upto Dec., 24) | 1,61,277 |
