

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

LOK SABHA

UNSTARRED QUESTION NO. 1417

TO BE ANSWERED ON WEDNESDAY, THE 27TH DECEMBER, 2017.

Pending Cases

**1417. SHRI RAJESHBHAI CHUDASAMA:
SHRI C.N. JAYADEVAN:
SHRIMATI JAYSHREEBEN PATEL:**

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

- (a) whether about 2.5 crore cases are pending in the courts across the States and nearly 23 per cent posts in the lower judiciary are lying vacant and if so, the details thereof;**
- (b) whether the Supreme Court's time frame for appointments in lower judiciary is not being followed by many States leading to delay in appointment of judges;**
- (c) if so, the State-wise details of the pending cases, the vacant posts of judges and the time taken by each State to fill up the vacancies;**
- (d) whether the Government contemplates to establish fast track courts / evening courts to clear this pendency;**
- (e) if so, whether the Government has formulated any policy to implement Gujarat like pattern in the country;**
- (f) if so, the details of the court cases related to women in the country; and**
- (g) the other measures being taken by the Government to improve the situation?**

ANSWER

**MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE
AFFAIRS
(SHRI P. P. CHAUDHARY)**

(a) to (c) : Data on the pendency of cases in courts is maintained by the Supreme Court and High Courts. As per information available on the web-portal of National Judicial Data Grid (NJDG), 2.60 crore cases were pending in various District and Subordinate Courts of the country (*excluding* District and Subordinate Courts in the States of Arunachal Pradesh, Nagaland, and Union Territories of Lakshadweep and Puducherry) as on 22.12.2017. As per the Constitutional framework, the selection and appointment of judges in

subordinate courts is the responsibility of State Governments and the High Courts concerned. As per information made available by the High Courts and respective State Governments, as on 30.11.2017, the sanctioned strength of Judicial Officers of District and Subordinate Courts is 22,677, and the number of Judicial Officers in position and vacant posts are 16,693 and 5,984 (26.38%), respectively. The Supreme Court has devised a process and time schedule to be followed for the filling up of vacancies in lower judiciary. The order of Supreme Court dated January 4 , 2007 stated that the process for recruitment of judges in the subordinate courts would commence on March 31 of a calendar year and end by October 31 of the same year. The Supreme Court has permitted State Governments/ High Courts to seek variations in the time schedule in case of any difficulty having regard to the peculiar geographical and climatic conditions in the State or other relevant conditions. The details of State / UT – wise pending cases are given in a Statement at **Annexure – I**. The details of Vacancies of Judges / Judicial Officers in the District and Subordinate Courts are given in a Statement at **Annexure – II**.

(d) & (e): The 11th Finance Commission had recommended a scheme for creation of Fast Track Courts in the country for a period of five years upto 2004-05 for disposal of long pending cases and the cases involving undertrial prisoners. Later, the scheme was continued upto 31st March, 2011. Subsequently, the 14th Finance Commission has endorsed the proposal to strengthen the judicial system in States which includes, *inter-alia*, establishing 1800 Fast Track Courts for a period of five years for cases of heinous crimes; cases involving senior citizens, women, children, disabled and litigants affected with HIV AIDS and other terminal ailments; and civil disputes involving land acquisition and property / rent disputes pending for more than five years at a cost of Rs.4,144 crore. The 14th Finance Commission has urged State Governments to use the additional fiscal space provided by the 14th Finance Commission in the tax devolution for this purpose.

The 13th Finance Commission had recommended the establishment of Morning / Evening / Shift Courts, and these courts were, accordingly established by various State Governments including the State of Gujarat during the 13th Finance Commission Award period. However, the amount

allocated for these courts could not be utilised fully by the States due to (i) Resistance from Bar Associations, (ii) Geographical & local constraints particularly in the North-Eastern States; and (iii) Non-availability of Judicial Officers of appropriate status for these courts *etc.*

(f) : Data on the pendency of cases in courts is maintained by the Supreme Court and High Courts. As per information available on the web-portal of National Judicial Data Grid (NJDG), the details of court cases related to women as on 22.12.2017 are given in Statement at **Annexure – III**.

(g) : It may be mentioned that the Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution. It has undertaken many steps towards achieving this objective. One of these steps is, strengthening of judicial infrastructure in districts through the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary a total of Rs. 6,006 crore has been released since 1993-94, out of which Rs. 2,562 crore (42.66%) has been released since April 2014. 17,848 Court Halls and 14,085 Residential Accommodations have been made available for Judicial Officers of District and Subordinate Courts under this scheme as on 30.11.2017. Out of this 2,429 Court Halls and 4,172 Residential Accommodations were constructed since 2014 to till date. In addition, 3,143 Court Halls and 1,682 Residential Accommodations are under construction. The Central Government has approved the continuation of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary beyond the 12th Five Year Plan period *i.e.* from 01.04.2017 to 31.03.2020 with an estimated outlay of Rs.3,320 crore.

Under the Phase-I of the eCourts Mission Mode Project undertaken by the Central Government from 2010 to 2015, against a total target of computerisation of 14,249 courts, the computerisation of 13,672 district and subordinate courts has been achieved. This includes the software installation of hardware, the LAN and software. This has enabled the courts to upload the case status and orders online. Status of cases and copies of judgments have also been made available on the websites of the respective District and Subordinate Court Complexes which have been computerised.

The Central Government has approved Phase II of the eCourts Mission Mode Project in July, 2015 upto 31 March 2019 at an outlay of Rs.1,670 crores. The facilities of e-services such as cause lists, case status, daily orders, judgments *etc.* are being provided under the supervision of e-Committee of the Supreme Court and Computer Committees of respective High Courts. A total of 16,089 Courts have been computerised under the eCourts Project till date. Video Conferencing facility has also been operationalised between 500 courts and corresponding prisons during the period 2015-17 for faster and timely recording of evidence. Development of National Judicial Data Grid under this project provides updated information on civil and criminal cases, including pending cases, for the computerised district/subordinate courts in the country.

Annexure-I

Statement referred to Lok Sabha Unstarred Question No. 1417 for reply on 27th December, 2017

**Details of Pending Cases in District & Subordinate Courts as on
22.12.2017 (NJDG)**

S. No.	Name of State/UTs	Total Cases pending as on 22.12.2017
1	Uttar Pradesh	61,49,151
2	Maharashtra	33,20,847
3	West Bengal	17,59,144
4	Bihar	16,64,502
5	Gujarat	16,48,457
6	Rajasthan	14,18,958
7	Karnataka	13,70,671
8	Madhya Pradesh	13,13,010
9	Kerala	11,47,116
10	Orissa	10,19,392
11	Tamil Nadu	10,06,726
12	Haryana	6,43,711
13	Delhi	6,06,451
14	Punjab	5,63,309
15	Andhra Pradesh	4,94,712
16	Telangana	4,13,962
17	Jharkhand	3,33,965
18	Chhattisgarh	2,70,681
19	Assam	2,34,487
20	Uttarakhand	2,10,762
21	Himachal Pradesh	2,09,783
22	Jammu And Kashmir	1,22,127
23	Goa	39,640
24	Chandigarh	38,270
25	Tripura	25,191
26	Andaman And Nicobar	11,185
27	Manipur	9,584
28	Meghalaya	7,027
29	Dadra and Nagar Haveli	3,545
30	Mizoram	3,306
31	Diu And Daman	1,737
32	Sikkim	1,442
	Total Pending Cases	2,60,62,851

Note: Data on pending cases not available on NJDG in respect of State / UTs of Arunachal Pradesh, Nagaland, Lakshdweep and Puducherry.

Data Source : NJDG web-portal.

Annexure – II

Statement referred to Lok Sabha Unstarred Question No. 1417 for reply on 27th December, 2017.

Vacancies of Judges / Judicial Officers in the District and Subordinate Courts

Sl. No	States	Vacancies as on 30.11.2017
1	Uttar Pradesh	1,344
2	Bihar**	825
3	Madhya Pradesh	748
4	Gujarat**	385
5	Tamil Nadu*	341
6	Karnataka**	325
7	Delhi**	316
8	Jharkhand**	251
9	Orissa	204
10	Maharashtra	149
11	Haryana	147
12	Punjab	136
13	Andhra Pradesh & Telangana**	114
14	Rajasthan**	96
15	West Bengal and A & N Island**	84
16	Assam	76
17	Kerala**	73
18	Chhattisgarh	63
19	Uttarakhand**	61
20	Meghalaya	58
21	Jammu & Kashmir	39
22	Mizoram	33
23	Tripura	31
24	Manipur	18
25	Pondicherry*	14
26	Goa	12
27	Arunachal Pradesh	11
28	Nagaland	11
29	Himachal Pradesh**	10
30	Sikkim**	8
31	Lakshadweep**	1
32	Chandigarh	0
33	D & N Haveli AND Daman & Diu**	0
Total		5,984

* as on 7.11.2017

**as on 31.10.2017

Data Source : High Courts / State Governments.

Annexure – III

Statement referred to Lok Sabha Unstarred Question No. 1417 for reply on 27th December, 2017.

Details of Court cases related to women pending in District and Subordinate Courts as on 22.12.2017

S. No.	Name of State/UTs	Total
1	Uttar Pradesh	6,43,787
2	Maharashtra	3,11,315
3	Bihar	2,43,987
4	West Bengal	1,95,164
5	Karnataka	1,74,423
6	Tamil Nadu	1,41,637
7	Rajasthan	1,26,116
8	Madhya Pradesh	1,24,855
9	Punjab	84,672
10	Andhra Pradesh	79,813
11	Haryana	78,624
12	Kerala	78,144
13	Orissa	76,655
14	Gujarat	67,952
15	Telangana	57,438
16	Jharkhand	41,255
17	Delhi	40,618
18	Assam	28,588
19	Himachal Pradesh	25,155
20	Chhattisgarh	22,951
21	Uttarakhand	10,150
22	Jammu And Kashmir	9,803
23	Goa	5,652
24	Chandigarh	5,206
25	Tripura	3,336
26	Manipur	1,806
27	Andaman And Nicobar	1,246
28	Meghalaya	913
29	Mizoram	340
30	Dadra and Nagar Haveli	156
31	Diu And Daman	132
32	Sikkim	127
Total Cases Filed By Female		26,82,016

Data Source : NJDG web-portal.
