

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 4168

TO BE ANSWERED ON WEDNESDAY, THE 21ST MARCH, 2018.

Pending Court Cases

†4168. SHRI MANSUKHBHAI DHANJIBHAI VASAVA:
SHRI SUNIL KUMAR MONDAL:
SHRI RAM KUMAR SHARMA:

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

- (a) whether cases as old as 20 years are still pending in High Courts and Supreme Court of the country and if so, the facts in this regard;
- (b) the numbers of such cases which have been lying pending for more than 20 years in each of the High Courts of the country;
- (c) whether the Government has formulated any action plan to dispose of the said cases on priority basis and if so, the details thereof;
- (d) the number of cases pending at present in Gujarat High Court and the number of cases which are pending for more than 15 years out of these;
- (e) whether the people of Gujarat are unable to get justice due to long pendency of cases in the State and if so, the reaction of the Government thereto; and
- (f) the number of judges working in Gujarat High Court during each of the last three years and number of the vacancies of judges in the State?

ANSWER

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

(a) to (e): Data on pendency of cases is maintained by the Supreme Court and High Courts. As per information available on the web-portal of National Judicial Data Grid (NJDG), details of cases pending for more than 10 years in various High Courts including Gujarat High Court are given in a Statement at **Annexure**. A total of 1,09,709 cases are pending in Gujarat High Court, out of which 17,032 cases are pending for more than 10 years.

Disposal of cases in courts is within the domain of the judiciary. In pursuance of resolution passed in the Chief Justices' Conference held in April, 2015, 23 High Courts have set up Arrears Committees to clear the backlog of cases pending for more than five years, except Sikkim High Court where there is no pendency of more than five year old cases. The Arrear Committees have chalked out Action Plans to reduce pendencies in their respective jurisdictions. The Supreme Court has also constituted an Arrears Committee consisting of

two Hon'ble Judges to formulate steps to reduce pendency of cases in High Courts and District Courts. At district level, the District Judge holds monthly meeting of all judicial officers to monitor progress made in reduction of long pending cases.

Government on its part has taken several measures to facilitate early disposal of cases. In order to expedite the trial of court cases, legislative changes have been made in procedural laws which include provisions for limiting adjournments of court proceedings in criminal and civil matters as contained in Section 309 of the Code of Criminal Procedure, 1973 and Order XVII of the Code of Civil Procedure, 1908. Further, the Government has set up a National Mission for Justice Delivery and Legal Reforms to achieve twin goals of (i) increasing access to justice by reducing delays and arrears; and (ii) enhancing accountability through structural changes and by setting performance standards and improving capacities. The Mission has adopted a coordinated approach for phased liquidation of arrears and pendency in judicial administration by providing support for better court infrastructure including computerisation, encouraging increase in the strength of subordinate judiciary and recommending policy and legislative measures in the areas prone to excessive litigation and suggesting re-engineering of court procedures for quick disposal of cases. The challenges posed by huge backlog and pendency of cases in the judicial system cannot be met without the active involvement of judiciary. The Chief Justice of India, after consulting the Minister of Law and Justice established the National Court Management Systems (NCMS) in May, 2012. The 'Policy and Action Plan' document to implement NCMS was released by the Chief Justice of India on 27.9.2012. NCMS is responsible for preparing a policy guideline for developing a National Framework of Court Excellence (NFCE) to set measurable performance standards for Indian courts to address issues of quality, responsiveness and timely delivery of justice. All High Courts have constituted State Court Management System (SCMS) to do similar exercise at the State Level. The Minister of State for Law and Justice *vide* letter dated 7th February 2017, addressed the Chief Justices of all the High Courts requesting them to speed up the process of implementation of e-Court Project for actualising the objectives of the Project. The number of computerised District and Subordinate Courts in the country has increased from 13,672 to 16,089. The Department of Justice has requested Chief Secretaries of all State Governments to utilise the various tools available like the National Judicial Data Grid (NJDG) database, accessible through <http://njdg.ecourts.gov.in/njdg/index.php>. The NJDG's query builder and management tools functionality enables culling out of information and reports on Act wise, Litigant wise, Date wise, City wise, District wise, Court Establishment/ Court wise and Judge wise legal pendency in both civil and criminal matters. This can be used to look into state and / or department specific pendencies and enable steps to be taken at the governments' end to reduce such pendencies.

(f): As per available information, 28, 31 and 31 Judges were working in Gujarat High Court at the end of the calendar years 2015, 2016 and 2017 respectively.

In so far as the District and Subordinate Courts in Gujarat are concerned, the information (as provided by the Gujarat High Court) as on 28.02.2018 is as follows:

Sanctioned Strength	: 1496
Working strength	: 1116
Vacancies	: 380

Statement referred to in reply to Lok Sabha Unstarred Question No.4168 dated 21.03.2018

Pending Cases in various High Courts for more than 10 years

S. No.	High Court Name	Total
1.	Allahabad High Court	2,67,713
2.	High Court of Bombay	1,45,425
3.	High Court of Punjab and Haryana	1,08,807
4.	Calcutta High Court	93,251
5.	High Court of Rajasthan	70,412
6.	High Court of Madhya Pradesh	65,681
7.	Telangana and Andhra Pradesh High Court	51,585
8.	Madras High Court	51,044
9.	Orissa High Court	39,464
10.	Patna High Court	23,736
11.	High Court of Kerala	20,218
12.	High Court of Gujarat	17,032
13.	High Court of Jharkhand	15,413
14.	High Court of Jammu and Kashmir	9,344
15.	High Court of Delhi	8,880
16.	High Court of Chhattisgarh	7,011
17.	High Court of Uttarakhand	6,422
18.	High Court of Karnataka	6,288
19.	High Court of Manipur	4,524
20.	High Court of Himachal Pradesh	1,814
21.	Gauhati High Court	286
22.	High Court of Tripura	3
23.	High Court of Meghalaya	1
Total Cases pending in various High Courts for more than 10 Years		10,14,354
