

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
LOK SABHA
UNSTARRED QUESTION NO. †6003
TO BE ANSWERED ON WEDNESDAY, THE 04TH APRIL, 2018.**

Pending Court Cases

†6003. PROF. RAVINDRA VISHWANATH GAIKWAD:

SHRI BHAIRON PRASAD MISHRA:

SHRI MULLAPPALLY RAMACHANDRAN:

DR. BANSHILAL MAHATO:

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

- (a) the number of criminal and civil cases lying pending in the Supreme Court, High Courts and subordinate courts presently and the number of cases lying pending for more than ten years in different courts separately, court and State-wise;**
- (b) the court / State-wise number of cases disposed of by these courts in each of the last three years and the current year;**
- (c) whether the Government has assessed the reasons for delay of more than ten years in disposing of the pending cases;**
- (d) if so, the outcome thereof and the remedial measures taken / being taken in this regard;**
- (e) whether the recently constituted National Judicial Data Grid (NJDG) to identify long pending judicial cases and their speedy disposal have furnished data in this regard and if so, the details thereof and the response of the Government thereto; and**
- (f) whether many people have died anticipating justice due to non-disposal of pending cases and if so, the steps being taken by the Government to facilitate speedy justice?**

ANSWER

MINISTER OF LAW & JUSTICE AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) to (f): Data on institution, disposal and pendency of cases in the Supreme Court and High Courts is maintained by the Supreme Court and High Courts respectively. As per information made available by the Supreme Court of India, the total number of pending cases in the Supreme Court is 55,892. As per information available on the web-portal of National Judicial Data Grid (NJDG), 42.69 lakh cases are pending in various High Courts, out of which 10.11 lakh cases are

pending for more than ten years. High Court-wise details (Civil and Criminal) of pending cases including cases pending for more than ten years are given in a Statement at **Annexure – I**. 2.60 crore cases are pending in various District and Subordinate courts of the country (excluding State / Union Territories of Arunachal Pradesh, Nagaland, Lakshadweep and Puducherry), out of which 25.79 lakh cases are pending for more than the ten years. State / UT – wise details (Civil and Criminal) of pending cases including cases pending for more than ten years are given in **Annexure -II**. The information about number of cases disposed by these courts each of the last three years and the current year is not available on the web-portal of National Judicial Data Grid (NJDG).

Some of the main factors responsible for pendency of cases in courts are increasing number of state and central legislations, accumulation of first appeals, continuation of ordinary civil jurisdiction in some of the High Courts, vacancies of Judges, appeals against orders of quasi-judicial forums going to High Courts, number of revisions / appeals, frequent adjournments, indiscriminate use of writ jurisdiction, lack of adequate arrangement to monitor, track and bunch cases for hearing.

In pursuance of resolution passed in the Chief Justices' Conference held in April, 2015, 24 High Courts have set up Arrears Committees to clear the backlog of cases pending for more than five years. 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.

The Central Government is fully committed to assisting the judiciary to enable speedy disposal of cases. It has undertaken many steps towards achieving this objective. A series of measures have been taken to enable the expeditious disposal of civil cases. These include relevant amendments to the Civil Procedure Code to impose limit on the number of adjournments that may be granted to each party to three times and imposition of costs for adjournments; allowing service of summons using email, fax, speed post, courier services or directly through the plaintiff; providing for dismissal of suit where summons are not served in consequence of plaintiff's failure to pay costs; and limiting the time limit for filing of written statement by the defendant.

Necessary amendments have been made to Arbitration and Conciliation Act, 1996 to make the award within 12 months, to resolve the dispute through fast track procedure, to ensure neutrality of arbitrators, and to restrict the term 'Public Policy of India' as a ground for challenging the award. Further, in March, 2018, the Union Cabinet has approved the Arbitration and Conciliation (Amendment) Bill, 2018 for introduction in the Parliament, which seeks to facilitate speedy appointment of arbitrators through designated arbitral institutions by the Supreme Court or High Courts.

With a view to address the issue of faster resolution of matters relating to commercial disputes, the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 was enacted and commercial courts were established at District Levels in all jurisdictions, *except* in the territories over which the High Courts have original ordinary civil

jurisdiction *i.e.* the High Courts of Bombay, Delhi, Calcutta, Madras and of Himachal Pradesh. The specified value of such commercial disputes to be adjudicated by the Commercial Courts or the Commercial Division of High Court, as the case may be, is presently Rs.1 crore.

Further, in March, 2018, the Union Cabinet has approved the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill, 2018 for introduction in the Parliament, which seeks to reduce the specified value of a commercial dispute to Rs.3 lakh from the present Rs.1 crore, and provide for establishment of Commercial Courts at district Judge level for the territories over which respective High Courts have ordinary original civil jurisdiction *i.e.* in the cities of Chennai, Delhi, Kolkata, Mumbai and State of Himachal Pradesh.

In order to strengthen judicial infrastructure in districts through the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary wherein a total of Rs. 6,100 crore has been released since 1993-94, out of which Rs. 2,655 crore (43.52%) has been released since April, 2014. 17,986 Court Halls and 14,986 Residential Accommodations have been made available for Judicial Officers of District and Subordinate Courts as on date. In addition, 3,151 Court Halls and 1,785 Residential Accommodations are under construction. The Central Government has approved 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 (2010-15) of the eCourts Mission Mode Project undertaken by the Central Government, 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 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. Rs. 935.00 crore were allocated for Phase – I out of which Rs. 639.41 crore were utilized.

A budget outlay of Rs.1,670 crores was approved for the Phase II of the eCourts Mission Mode Project (from July, 2015 upto 31 March 2019). 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 district and subordinate courts have been computerised under the eCourts Project till date. Video Conferencing facility has also been operationalised between 488 court complexes and 342 corresponding prisons during the period 2015-17. The National Judicial Data Grid (NJDG) developed under this project provides updated information on civil and criminal cases, including pending cases, for the computerised district / subordinate courts in the country.

Lok Adalats are playing an important role in disposing of pending cases in the country. A total number of 140.64 lakh pending cases have been settled by National Lok Adalats during the last three calendar years *i.e.* 2015, 2016 and 2017. In addition, Regular Lok Adalats have also

settled a total number of 83.60 lakh pending cases during the last three years *i.e.* 2015-16, 2016-17 and 2017-18 (upto December, 2017).

Lok Adalats are organised in accordance with the provisions of Legal Services Authorities Act, 1987. National and Regular Lok Adalats deal with pending cases. National Lok Adalats are held on bi-monthly basis whereas Regular Lok Adalats are held on weekly / monthly basis on court holidays / weekends. At present, Lok Adalats starting from Supreme Court to Taluk level courts are held in the existing infrastructure available in courts. Permanent Lok Adalats, as provided under section 22 B of the Legal Services Authorities Act, 1987, deal with pre-litigative cases and disputes related to public utility services on a regular basis. The Lok Adalats are organised as per a pre-decided calendar throughout the year.

In the Joint Conference of Chief Ministers and Chief Justices held in April, 2016, it was resolved that the existing judicial infrastructure of the state judiciaries be utilized for setting up Morning / Evening or Holiday Courts, as the case may be, utilizing the services of retired Judges. These courts may be constituted to deal with cases relating to petty offences, such as traffic cases and legal aid cases at the discretion of the High Court. It was further resolved in the conference that Chief Ministers and Chief Justices shall, for their respective States, decide upon norms for payment of salaries and allowances to the retired Judges manning these courts. These courts are held as per requirements in any state, and on orders of the related High Courts.

In order to reduce cases pending in courts for over 10 years, the Government has recently introduced Nyaya Mitra Scheme covering 227 selected districts of 16 States. Under the Scheme, retired judicial officers are engaged and designated as 'Nyaya Mitra' to facilitate expeditious disposal of the cases pending over 10 years. In the first Phase, 15 Nyaya Mitra's have been engaged.

Annexure - I

Statement referred to in reply of Lok Sabha Unstarred Question No. 6003 for Reply on 04th April, 2018.

Number of Pending Cases and Number of Pending cases for more than Ten Years in High Courts.

Sr. No.	High Court Name	Total Number of Cases Pending				Total Number of Cases Pending over Ten Years			
		Civil	Criminal	Writs	Total	Civil	Criminal	Writs	Total
1.	Allahabad High Court	153725	301891	250958	706574	65133	111711	90809	267653
2.	Calcutta High Court	106717	43284	85203	235204	52034	16807	24410	93251
3.	Gauhati High Court	12578	6871	15574	35023	231	33	27	291
4.	High Court of Bombay	302656	50704	110714	464074	107608	15115	22702	145425
5.	High Court of Chhattisgarh	37253	23899	0	61152	3171	3840	0	7011
6.	High Court of Delhi	29879	18812	21057	69748	3083	2638	3150	8871
7.	High Court of Gujarat	43069	32527	34113	109709	7052	6934	3046	17032
8.	High Court of Himachal Pradesh	24505	6059	5419	35983	1238	224	77	1539
9.	High Court of Jammu and Kashmir	76393	8274	0	84667	8741	428	0	9169
10.	High Court of Jharkhand	46314	43685	0	89999	4628	10853	0	15481
11.	High Court of Karnataka	118262	30943	68113	217318	5314	15	891	6220
12.	High Court of Kerala	79647	38157	65687	183491	10228	8434	1335	19997
13.	High Court of Madhya Pradesh	105694	118437	89236	313367	24724	29334	11544	65602
14.	High Court of Manipur	15074	1549	0	16623	3874	345	0	4219
15.	High Court of Meghalaya	316	39	621	976	0	0	1	1
16.	High Court of Punjab and Haryana	197422	119379	72702	389503	69677	16475	22339	108491
17.	High Court of Rajasthan	84825	71870	103799	260494	23509	26151	20533	70193
18.	High Court of Sikkim	54	63	104	221				
19.	High Court of Tripura	1025	458	1522	3005	1	0	2	3
20.	High Court of Uttarakhand	10258	10267	15470	35995	1754	1617	2520	5891
21.	Madras High Court	128196	42105	144044	314345	30785	3078	17181	51044
22.	Orissa High Court	43258	44112	83895	171265	14822	9409	14859	39090
23.	Patna High Court	29615	55796	60979	146390	7201	13669	2739	23609
24.	Telangana and Andhra Pradesh High Court	107804	46325	170410	324539	26191	2963	22431	51585
Total Pending Cases		1754539	1115506	1399620	4269665	470999	280073	260596	1011668

Source: NJDG

Annexure - II

Statement referred to in reply of Lok Sabha Unstarred Question No. 6003 for Reply on 04th April, 2018.

Number of Pending Cases and Number of Pending cases for more than Ten Years in District and Subordinate Courts.

Sr. No.	Name of State / UT	Total Number of Cases Pending			Number of Cases Pending over Ten Years		
		Civil	Criminal	Total	Civil	Criminal	Total
1.	Andaman And Nicobar	3296	7889	11185	184	695	879
2.	Andhra Pradesh	286741	221744	508485	4882	1669	6551
3.	Assam	58507	176217	234724	1044	1610	2654
4.	Bihar	254200	1452554	1706754	37698	233619	271317
5.	Chandigarh	16575	23926	40501	23	23	46
6.	Chhattisgarh	57533	210446	267979	1940	3765	5705
7.	Delhi	182427	466235	648662	1070	4176	5246
8.	Diu and Daman	957	850	1807	13	35	48
9.	Dadra and Nagar Haveli	1429	2059	3488	33	299	332
10.	Goa	21674	19444	41118	1799	86	1885
11.	Gujarat	511161	1041926	1553087	73011	158023	231034
12.	Haryana	261858	393228	655086	433	150	583
13.	Himachal Pradesh	103579	111947	215526	526	254	780
14.	Jammu And Kashmir	56636	62013	118649	2014	1946	3960
15.	Jharkhand	55521	276156	331677	4862	6671	11533
16.	Karnataka	662992	745295	1408287	17595	12108	29703
17.	Kerala	370434	842991	1213425	4465	4063	8528
18.	Madhya Pradesh	307400	1048693	1356093	5258	9529	14787
19.	Maharashtra	1137033	2251492	3388525	57300	197130	254430
20.	Manipur	5572	4415	9987	100	356	456
21.	Meghalaya	2102	4792	6894	273	482	755
22.	Mizoram	1432	2268	3700	32	4	36
23.	Odisha	244798	795867	1040665	23362	148607	171969
24.	Punjab	248272	342136	590408	624	627	1251
25.	Rajasthan	399917	1051400	1451317	24804	47950	72754
26.	Sikkim	617	917	1534	2	0	2
27.	Tamil Nadu	583631	437364	1020995	20280	19589	39869
28.	Telangana	201641	230867	432508	10628	4634	15262
29.	Tripura	8069	16570	24639	103	2706	2809
30.	Uttar Pradesh	1388759	4317273	5706032	232569	961872	1194441
31.	Uttarakhand	33092	181586	214678	985	3402	4387
32.	West Bengal	477396	1334009	1811405	53013	172943	225956
Total Pending Cases		7945251	18074569	26019820	580925	1999023	2579948

Source: NJDG

Data in respect of the States of Arunachal Pradesh & Nagaland and Union Territories of Lakshadweep & Puducherry are not available on the website of National Judicial Data Grid (NJDG).
