

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 6150

TO BE ANSWERED ON WEDNESDAY, THE 04TH APRIL, 2018.

Village/Family/Lower Courts

6150. SHRI M.B. RAJESH:

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

- (a) the details of the total number of Village Courts, Lower Courts, Family Courts and tribunals functioning in the country at present, State-wise;
- (b) the funds allocated to the States in this regard during the last three years, Statewise; and
- (c) the total estimated number of courts required to be constituted for speedy disposal of pending cases in the country?

ANSWER

MINISTER OF LAW & JUSTICE AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a): The District and Subordinate Courts including Village Courts, Lower Courts, Family Courts etc. are set up by the State Governments in consultation with concerned High Courts. The State / UT-wise details of District and Subordinate Courts as available on the National Judicial Data Grid (NJDG) are given in the Statement at **Annexure – I**. The details of Gram Nyayalayas notified and operationalised by State Governments are given in the Statement at **Annexure – II**. The details of Family Courts, State-wise, functional as on 31.12.2017 are given in the Statement at **Annexure – III**. The details of 727 Special Fast Track Courts for trial of cases of heinous crimes, involving senior citizens, women, children, physically challenged and persons affected with terminal ailments etc., functioning in various States are given in the Statement at **Annexure – IV**. In addition, related High Courts and State Governments have set up 12 Special Courts to deal with criminal cases related to legislators. Details are given in **Annexure – V**. Indian Law Institute (ILI) in its Report on the Merger of Tribunals in India (2016) has identified 36 Tribunals.

(b): It is the primary responsibility of State Governments to provide adequate infrastructure for Subordinate Judiciary which includes court complexes / court halls and residential accommodation.

The Union Government has been administering the Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary in order to augment the resources of State Governments in this regard in association with the States / UT Governments. As on date, Rs. 6,100 crore has been released since the inception of the Scheme in 1993-94. Out of this, Rs. 2,655 crore (43.52%) has been released to the States and UTs since April, 2014. 18,108 court halls and 14,963 residential accommodations have been made available for Judicial Officers of District and Subordinate Courts under this scheme as on date. Out of this, 2,483 court halls and 1,431 residential accommodations have been constructed since April 2014 till date. In addition, 3,161 court halls and 1,787 residential units 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. The State-wise details of sanction of funds under the above mentioned Scheme during last three years is given in a Statement at **Annexure – VI**.

In terms of Section 3 (1) of the Gram Nyayalayas Act, 2008, the State Governments are responsible for establishing Gram Nyayalayas in consultation with the respective High Courts. Under the Central Government's Scheme of '*Assistance to States for Establishing and Operationalising Gram Nyayalayas*', the financial assistance is sanctioned only after the issue of notification for establishing Gram Nyayalayas by the respective State Governments and their operationalisation. The State-wise details of sanction of funds under the Gram Nyayalaya Scheme during last three years is given at **Annexure – VII**.

For setting up of Family Courts, the Union Government in its Memorandum to the 14th Finance Commission had proposed an amount of Rs.541 crore for setting up of 235 Family Courts and an amount of Rs.4,144 crore for setting up of Fast Track Courts (FTCs) for trial of cases of heinous crimes, involving senior citizens, women, children, physically challenged and persons affected with terminal ailments *etc.* The 14th Finance Commission endorsed the proposal of the Union Government and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements.

(c) : In the case of *Imtiyaz Ahmed versus State of Uttar Pradesh and others*, the Supreme Court had asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts required to clear the backlog of cases. In 245th report (2014), the Law Commission has observed that filing of cases *per capita* varies substantially across geographic units as filings are associated with economic and social conditions of the population. As such the Law Commission did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. The Law Commission found that in the absence of complete and scientific approach to data collection across various High Courts in the country, the “Rate of Disposal” method, to calculate the number of additional judges required to clear the backlog of cases as well as to ensure that new backlog is not created, is more pragmatic and useful. In May, 2014, the Supreme Court asked the State Governments and the High Courts to file their response to the recommendations made by the Law Commission.

In August 2014, the Supreme Court asked the National Court Management System Committee (NCMS Committee) to examine the recommendations made by the Law Commission and to furnish its recommendations in this regard. NCMS Committee submitted its report to the Supreme Court in March, 2016. The report, *inter-alia*, observes that in the long term, the judge strength of the subordinate courts will have to be assessed by a scientific method to determine the total number of “*Judicial Hours*” required for disposing of the case load of each court. In the interim, the Committee has proposed a “*weighted*” disposal approach *i.e.* disposal weighted by the nature and complexity of cases in local conditions. As per the direction of the Hon’ble Supreme Court in its Order dated 02.01.2017, the Department of Justice has forwarded a copy of interim report of the NCMS Committee to all the State Governments and High Courts to enable them to take follow up action to determine the required Strength of district and subordinate judiciary.

Statement referred to in Lok Sabha Sabha Unstarred Question No. 6150
for reply on 04.04.2018

Statement showing details of courts, court complexes state-wise / UT-wise
as available in NJDG on 29.03.2018

Sr No	State / UT	Total Court Complexes	Total Courts
1	Andaman and Nicobar	4	13
2	Andhra Pradesh	183	688
3	Assam	62	346
4	Bihar	46	1411
5	Chandigarh	1	50
6	Chhattisgarh	89	414
7	Delhi	11	509
8	Diu and Daman	2	10
9	DNH at Silvassa	2	4
10	Goa	15	69
11	Gujarat	312	1206
12	Haryana	63	707
13	Himachal Pradesh	39	227
14	Jammu and Kashmir	77	314
15	Jharkhand	22	679
16	Karnataka	188	982
17	Kerala	124	524
18	Madhya Pradesh	204	2212
19	Maharashtra	465	2845
20	Manipur	17	26
21	Meghalaya	3	50
22	Mizoram	8	17
23	Orissa	114	521
24	Punjab	82	805
25	Rajasthan	237	1431
26	Sikkim	4	45
27	Tamil Nadu	240	1040
28	Telangana	101	485
29	Tripura	15	106
30	Uttar Pradesh	161	2494
31	Uttarakhand	26	254
32	West Bengal	85	820
Grand Total		3002	21304

Details of Arunachal Pradesh, Nagaland, Lakshadweep and Puducherry are not available.

Statement referred to in Lok Sabha Sabha Unstarred Question No. 6150
for reply on 04.04.2018

**Status of Gram Nyayalayas notified and operationalised by State
Governments**

Sl. No.	State	Notified	Functional
1	M P	89	89
2	Rajasthan	45	45
3	Karnataka	2	0
4	Orissa	22	14
5	Maharashtra	39	24
6	Jharkhand	6	1
7	Goa	2	0
8	Punjab	2	1
9	Haryana	2	2
10	UP	104	4
11	Kerala	30	30
Total		343	210

Annexure – III

Statement referred to in reply to part (a) of the Lok Sabha Unstarred Question No. 6150 for 04.04.2018 regarding “Village / Family / Lower Courts” raised by Shri M. B. Rajesh.

Name of the States / UTs	Number of Family Courts
Andhra Pradesh, Telangana	29
Assam, Arunachal Pradesh, Nagaland, Mizoram	4
Bihar	39
Chhattisgarh	22
Delhi	15
Goa	0
Gujarat	36
Haryana	13
Himachal Pradesh	0
Jammu & Kashmir	0
Jharkhand	24
Karnataka	25
Kerala	28
Madhya Pradesh	50
Maharashtra	26
Manipur	6
Meghalaya	0
Odisha	21
Punjab	5
Puducherry	2
Rajasthan	39
Sikkim	4
Tamilnadu	25
Tripura	3
Uttar Pradesh	76
Uttarakhand	12
West Bengal	2
Total	506

Statement referred to in Lok Sabha Sabha Unstarred Question No. 6150
for reply on 04.04.2018

Special Fast Track Courts

Name of the States/UTs	Number of Fast Track Courts
Andhra Pradesh, Telangana	72
Assam, Arunachal Pradesh, Nagaland, Mizoram	0
Bihar	55
Chhattisgarh	21
Delhi	14
Goa	4
Gujarat	0
Haryana	0
Himachal Pradesh	0
Jammu & Kashmir	5
Jharkhand	14
Karnataka	0
Kerala	0
Madhya Pradesh	0
Maharashtra	100
Manipur	3
Meghalaya	0
Odisha	0
Punjab	0
Puducherry	0
Rajasthan	0
Sikkim	2
Tamil Nadu	69
Tripura	3
Uttar Pradesh	273
Uttarakhand	4
West Bengal	88
Total	727

Statement referred to in Lok Sabha Sabha Unstarred Question No. 6150
for reply on 04.04.2018

Special Courts to deal with criminal cases related to legislators

Name of State	Number of Special Court
Telengana	1
Tamilnadu	1
Karnataka	1
Bihar	1
Andhra Pradesh	1
Kerala	1
Maharashtra	1
Madhya Pradesh	1
Uttar Pradesh	1
West Bengal	1
Delhi	2
Total	12

Statement referred to in Lok Sabha Sabha Unstarred Question No. 6150
for reply on 04.04.2018

**Funds sanctioned during last three years under the Centrally Sponsored
Scheme for Development of Infrastructure Facilities for Judiciary**

(Rs. In Lakh)

Sl. No.	State	Funds sanctioned in 2015-16	Funds sanctioned in 2016-17	Funds sanctioned in 2017-18
1	Bihar		5000.00	4290.00
2	Gujarat	5000.00	5000.00	5000.00
3	Haryana	5000.00		1500.00
4	Himachal Pradesh		819.00	
5	Jammu & Kashmir	1325.00	2104.00	1000.00
6	Jharkhand	3044.00		5000.00
7	Karnataka	5000.00	5000.00	5000.00
8	Kerala			2500.00
9	Madhya Pradesh	5000.00		5000.00
10	Maharashtra	5000.00	4975.00	5000.00
11	Punjab	5000.00	4800.00	5000.00
12	Rajasthan	5000.00	4374.00	1734.00
13	Tamil nadu		5000.00	
14	Uttarakhand			2500.00
15	UttarPradesh	5000.00	5000.00	7500.00
16	West Bengal			1734.00
	Total (A)	44369.00	42072.00	52758.00
	NE States			
1	Arunachal Pradesh	1593.00		
2	Assam			2000.00
3	Manipur	2000.00		
4	Meghalaya	2037.00	2000.00	863.00
5	Mizoram			2000.00
6	Nagaland		2000.00	2000.00
	Total (B)	5630.00	4000.00	6863.00
	UTs			
1	A & N Islands		259.68	
2	Daman & Diu		42.43	
3	Delhi	6,040.32	5,000.00	2,500.00
4	Lakshadweep			
5	Pondicherry	259.68	2500.00	
	Total (C)	6300.00	7802.11	2500.00
	Grand Total (A+B+C)	56299.00	53874.11	62121.00

Statement referred to in Lok Sabha Sabha Unstarred Question No. 6150
for reply on 04.04.2018

**Funds sanctioned during last three years under Gram Nyayalayas
Scheme**

(Rs. In Lakh)

Sl. No.	State	2015-16	2016-17	2017-18
1	Orissa	211.00	0.00	0.00
2	Maharashtra	0.00	0.00	79.00
3	Uttar Pradesh	0.00	500.00	346.00
4.	Kerala	0.00	0.00	375.00
Total		211.00	500.00	800.00
