

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 643

TO BE ANSWERED ON WEDNESDAY, THE 06TH FEBRUARY, 2019.

Village and Family Courts

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

ANSWER

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

(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 functional Family Courts, State-wise, are given in the Statement at **Annexure – III**. The details of 731 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) had identified 36 Tribunals in 2016.

(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. 6,662 crore has been released since the inception of the Scheme in 1993-94. Out of this, Rs. 3,218 crore (48.30%) has been released to the States and UTs since April, 2014. 18,796 court halls and 16,652 residential accommodations have been made available for Judicial Officers of District and Subordinate Courts under this scheme as on date. In addition, 2,925 court halls and 1,756 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 and current year are 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 and current year are 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

its 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 is more pragmatic and useful for calculating the number of additional judges required to clear the backlog of cases as well as to ensure that new backlog is not created. 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.

Annexure – I

Statement referred to in Lok Sabha Sabha Unstarred Question No. 643 for reply on 06.02.2019

Statement showing details of courts, court complexes state-wise / UT-wise as available in NJDG as on 01.02.2019

Sr No	State / UT	Total Court Complexes	Total Courts
1	Andaman and Nicobar	4	13
2	Andhra Pradesh	185	705
3	Assam	65	413
4	Bihar	79	1825
5	Chandigarh	1	50
6	Chhattisgarh	89	425
7	Delhi	11	461
8	Diu and Daman	2	10
9	DNH at Silvassa	2	0
10	Goa	15	70
11	Gujarat	327	1173
12	Haryana	57	682
13	Himachal Pradesh	41	253
14	Jammu and Kashmir	85	435
15	Jharkhand	22	600
16	Karnataka	192	1004
17	Kerala	125	532
18	Madhya Pradesh	206	2251
19	Maharashtra	465	2878
20	Manipur	18	29
21	Meghalaya	3	49
22	Mizoram	8	19
23	Orissa	114	540
24	Punjab	66	782
25	Rajasthan	237	1574
26	Sikkim	4	47
27	Tamil Nadu	247	1114
28	Telangana	104	485
29	Tripura	18	106
30	Uttar Pradesh	167	2666
31	Uttarakhand	27	235
32	West Bengal	85	822
Grand Total		3,071	22,248

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

Annexure – II**Statement referred to in Lok Sabha Sabha Unstarred Question No. 643 for reply on 06.02.2019****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 Lok Sabha Sabha Unstarred Question No. 643 for reply on 06.02.2019

S. No.	Name of the State / UT	Number of functional Family Courts
1	Andhra Pradesh and Telangana	32 (16 in Andhra Pradesh and 16 in Telangana)
2	Arunachal Pradesh, Assam, Nagaland and Mizoram	07 (5 in Assam and 2 in Nagaland)
3	Bihar	39
4	Chhattisgarh	21
5	Delhi	21
6	Goa	0
7	Gujarat	37
8	Haryana	15
9	Himachal Pradesh	0
10	Jammu & Kashmir	01
11	Jharkhand	24
12	Karnataka	28
13	Kerala	28
14	Madhya Pradesh	58
15	Maharashtra	30
16	Manipur	07
17	Meghalaya	0
18	Odisha	21
19	Punjab	05
20	Puducherry	02
21	Rajasthan	39
22	Sikkim	04
23	Tamil Nadu	29
24	Chandigarh	0
25	Tripura	04
26	Uttar Pradesh	78
27	Uttarakhand	16
28	West Bengal	02
29	Andaman & Nicobar	01
	Total	549

Annexure – IV

Statement referred to in Lok Sabha Sabha Unstarred Question No. 643 for reply on 06.02.2019

Fast Track Courts

S. No.	Name of the States/UTs	Number of Fast Track Courts
1.	Andhra Pradesh, Telangana	54
2.	Assam, Arunachal Pradesh, Nagaland, Mizoram	6
3.	Bihar	48
4.	Chhattisgarh	23
5.	Delhi	14
6.	Goa	2
7.	Gujarat	0
8.	Haryana	0
9.	Himachal Pradesh	0
10.	Jammu & Kashmir	0
11.	Jharkhand	32
12.	Karnataka	0
13.	Kerala	0
14.	Madhya Pradesh	0
15.	Maharashtra	93
16.	Manipur	4
17.	Meghalaya	0
18.	Odisha	0
19.	Punjab	0
20.	Puducherry	0
21.	Rajasthan	0
22.	Sikkim	2
23.	Tamil Nadu	72
24.	Tripura	3
25.	Uttar Pradesh	286
26.	Uttarakhand	4
27.	West Bengal	88
	Total	731

Statement referred to in Lok Sabha Sabha Unstarred Question No. 643 for reply on 06.02.2019

Special Courts to deal with criminal cases related to legislators

S No.	Name of State	Number of Special Court
1.	Telengana	1
2.	Tamilnadu	1
3.	Karnataka	1
4.	Bihar	1
5.	Andhra Pradesh	1
6.	Kerala	1
7.	Maharashtra	1
8.	Madhya Pradesh	1
9.	Uttar Pradesh	1
10.	West Bengal	1
11.	Delhi	2
	Total	12

Annexure – VI

Statement referred to in Lok Sabha Sabha Unstarred Question No. 643 for reply on 06.02.2019

Funds sanctioned during last three years and current year 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	Funds sanctioned in 2018-19 (upto 31.01.2019)
1.	Andhra Pradesh				
2.	Bihar		5000.00	4290.00	6204.00
3.	Chhattisgarh				851.00
4.	Goa				315.00
5.	Gujarat	5000.00	5000.00	5000.00	1502.00
6.	Haryana	5000.00		1500.00	1191.00
7.	Himachal Pradesh		819.00		408.00
8.	Jammu & Kashmir	1325.00	2104.00	1000.00	1021.00
9.	Jharkhand	3044.00		5000.00	959.00
10.	Karnataka	5000.00	5000.00	5000.00	3812.00
11.	Kerala			2500.00	1965.00
12.	Madhya Pradesh	5000.00		5000.00	6942.00
13.	Maharashtra	5000.00	4975.00	5000.00	1058.00
14.	Orissa				2250.00
15.	Punjab	5000.00	4800.00	5000.00	1447.00
16.	Rajasthan	5000.00	4374.00	1734.00	1741.00
17.	Tamil nadu		5000.00		609.00
18.	Uttarakhand			2500.00	1321.00
19.	UttarPradesh	5000.00	5000.00	7500.00	12806.00
20.	West Bengal			1734.00	3522.00
	Total (A)	44369.00	42072.00	52758.00	49924.00
	NE States				
1.	Arunachal Pradesh	1593.00			
2.	Assam			2000.00	2616.00
3.	Manipur	2000.00			887.00
4.	Meghalaya	2037.00	2000.00	863.00	1482.00
5.	Mizoram			2000.00	594.00
6.	Nagaland		2000.00	2000.00	321.00
7.	Sikkim				257.00
8.	Tripura				
	Total (B)	5630.00	4000.00	6863.00	6157.00
	UTs				
1.	A & N Islands		259.68		131.00
2.	Chandigarh				
3.	Dadra & Nagar Haveili*				
4.	Daman & Diu		42.43		
5.	Delhi	6,040.32	5,000.00	2,500.00	
6.	Lakshadweep				
7.	Pondicherry	259.68	2500.00		
	Total (C)	6300.00	7802.11	2500.00	131.00
	Grand Total (A+B+C)	56299.00	53874.11	62121.00	56212.00

Annexure – VII**Statement referred to in Lok Sabha Sabha Unstarred Question No. 643 for reply on 06.02.2019****Funds sanctioned during last three years and current year under Gram Nyayalayas Scheme (Rs. In Lakh)**

Sl. No.	State	2015-16	2016-17	2017-18	2018-19
1.	Orissa	211.00	0.00	0.00	0.00
2.	Maharashtra	0.00	0.00	79.00	0.00
3.	Uttar Pradesh	0.00	500.00	346.00	349.78
4.	Kerala	0.00	0.00	375.00	450.22
Total		211.00	500.00	800.00	800.00
