

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

LOK SABHA

UNSTARRED QUESTION NO.1679

TO BE ANSWERED ON FRIDAY, THE 16th DECEMBER, 2022

LEGAL REFORMS

1679. SHRI CHANDESHWAR PRASAD:

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

- (a) whether the Government has taken up any measures to address the challenges being faced in improving the access of justice to citizens;
- (b) if so, the detail thereof and the steps taken to address the challenges faced by the judiciary as pointed out by Economic Survey and Niti Aayog reports;
- (c) whether the Government is aware that the legal reforms is the need of the hour to suit contemporary development; and
- (d) if so, the details thereof and the steps taken by the Government in this regard?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) & (b): “Designing Innovative Solutions for Holistic Access to Justice” (DISHA), is the Government of India Scheme launched for a period of five years 2021-2026 to advance the cause of access to justice. It aims to design and consolidate various initiatives to provide citizen- centric delivery of legal services. Under DISHA at present Tele-Law: Reaching the Unreached, Nyaya Bandhu (Pro Bono Legal Services) and Legal Literacy and Legal Awareness programmes are being implemented at a pan

India level. Moreover, in order to ensure its widened reach, dedicated Information Education and Communication (IEC) including (Technology) component has been embedded in DISHA. To strengthen pre litigation legal advice and consultation, the Tele-Law Service connects the citizen with the Panel lawyers through the use of video /Tele conferencing facilities available at the Common Service Centres (CSCs) and via Tele-Law Mobile App. This service is free of cost and is currently operational in 1,00,00 Gram Panchayats across 755 Districts (including 112 Aspirational districts) in 36 States /UTs. As on 30th November, 2022 advice has been enabled to 28 lakh beneficiaries. The Nyaya Bandhu (Pro Bono Legal Services) programme aims to provide free legal assistance and counsel to the marginalized sections. Nyaya Bandhu Mobile Application, for android and iOS phones, has been developed to connect the registered Pro Bono Advocates with the registered applicants. As on 30th November, 2022, 5202 Advocates have registered under the programme. As on 30th November, 2022, 69 Law schools across the country have constituted “Pro Bono Clubs” under Nyaya Bandhu (Pro Bono) programme to instil a culture towards pro bono lawyering among the law students. To provide for a more robust framework, Legal Service Institutions network at the National, State and District and Taluk level, constituted under the Legal Services Authorities, Act, 1987 have been integrated under the DISHA scheme to expand the outreach of Tele-Law and Nyaya Bandhu (Pro bono) and embed a dedicated Legal Literacy programme across 112 Aspirational districts.

(c) & (d): So far as legal reforms is concerned, Government has set up the National Mission for Justice Delivery and Legal Reforms in August, 2011 with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing a coordinated approach for phased liquidation of arrears and pendency in judicial administration, which, *inter-alia*, involves better infrastructure for courts, including computerization, an increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-

engineering of court procedure for quick disposal of cases and emphasis on human resource development.

The major steps taken during the last eight years under various initiatives are as follows:

(i) **Improving infrastructure for Judicial Officers of District and Subordinate Courts:** As on date, Rs. 9291.79 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for the Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 21,159 as on 30.11.2022, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,557 as on 30.11.2022, under this scheme. In addition, 2,673 court halls and 1,662 residential units are under construction (as per Nyaya Vikas Portal). The Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary has been extended till 2025-26 at a total cost of Rs. 9,000 crores, out of which the central share will be Rs. 5,307 crores. Besides, the construction of court halls and residential units, it would also cover the construction of lawyer's halls, toilet complexes, and digital computer rooms. There are 21,159 court halls and 18,557 residential units made available under the scheme so far. 2673 court halls and 1,662 residential units are under construction as part of ongoing projects.

(ii) **Leveraging Information and Communication Technology (ICT) for improved justice delivery:** The Government has been implementing the e-Courts Mission Mode Project throughout the country for information and communication technology enablement of district and subordinate courts. The number of computerised district & subordinate courts has increased to 18,735 so far. WAN connectivity has been provided to 99.3% of court complexes. New and user-friendly version of Case Information Software has been developed and deployed at all the computerized district and subordinate courts. All stakeholders, including judicial officers can access information relating to judicial proceedings/decisions of computerized district & subordinate courts and high courts on the National Judicial Data Grid (NJDG). As on 01.12.2022, litigants can access the case status

of over 21.74 crore cases and 19.80 crore orders/judgments pertaining to these courts. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through the eCourts web portal, Judicial Service Centers (JSC) in all computerized courts, the eCourts Mobile App, email service, and SMS push, and pull services. A video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. With a view to handling the COVID- 19 challenges better and making the transition to virtual hearings smoother, 619 e-SewaKendras have been set up at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case-related information, and e-filing facilities. Rs. 5.01 crore has been allocated for providing equipment in video conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crore has been allocated for 1,732 help desk counters for e-filing in various court complexes.

21 virtual courts have been set up in 17 States/UTs viz. Delhi (2), Haryana, Tamil Nadu, Karnataka, Kerala (2), Maharashtra (2), Assam, Chhattisgarh, Jammu & Kashmir (2), Uttar Pradesh, Odisha, Meghalaya, Himachal Pradesh, Madhya Pradesh, Tripura, West Bengal, and Rajasthan to try traffic offences. As on 03.03.2022, these courts have handled more than 1.69 crore cases and realized more than Rs. 271.48 crore in fines.

Video conferencing emerged as the mainstay of the courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Since Covid lockdown began, the district courts heard 1,65,20,791 cases while the high courts heard 75,80,347 cases (totalling 2.41 crore) via video conferencing till 31.10.2022. The Supreme Court had 2,97,435 hearings since the lockdown period upto 03.09.2022.

(iii) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 05.12.2022, 46 Judges were appointed in Supreme Court. 853 new judges were appointed and 621 additional judges were made permanent in the high courts. Sanctioned strength of Judges of High Courts has been

increased from 906 in May, 2014 to 1108 currently. Sanctioned and working strength of judicial officers in district and subordinate courts has increased as follow:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
12.12.2022	25,011	19,192

However, filling up of vacancies in subordinate judiciary falls within the domain of the State Governments and high courts concerned.

(iv) Reduction in Pendency through / follow up by Arrears Committees: In pursuance of a Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in all 25 High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District courts as well. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in high courts and district courts. In the past, Minister of Law & Justice has taken up the matter with the Chief Justices of High Courts and the Chief Ministers of states drawing their attention to the cases pending for more than five years and to take up pendency reduction campaign. The Department of Justice has developed an online portal for reporting by all High Courts on the compliance of Arrears Eradication Scheme guidelines of the Malimath Committee Report.

(v) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory Pre-institution Mediation and Settlement (PIMS) of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines.

(vi) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in states which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes;

cases involving senior citizens, women, children etc., 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. As on 31.10.2022, 838 Fast Track Courts are functional for heinous crimes, crimes against women, and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special Courts are functional in nine (9) States/UTs (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal, and 2 in NCT of Delhi). Further, the central government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for the expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme. 731 FTSC are functional including 412 exclusive POCSO Courts, which disposed more than 1,24,000 cases as on 31.10.2022.

(vii) To reduce pendency and unclogging of the courts, the Government has recently amended various laws like the Negotiable Instruments (Amendment) Act, 2018, the Commercial Courts (Amendment) Act, 2018, the Specific Relief (Amendment) Act, 2018, the Arbitration and Conciliation (Amendment) Act, 2019 and the Criminal Laws (Amendment) Act, 2018.

(viii) Lok Adalat is an important Alternative Disputes Resolution Mechanism available to common people. It is a forum where the disputes/ cases pending in the court of law or at pre-litigation stage are settled/ compromised amicably. Under the Legal Services Authorities (LSA) Act, 1987, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court. In order to reduce the pendency of cases in courts and also to settle the disputes at pre-litigation stage, Lok Adalats are organized by Legal Services Institutions at such intervals as it deems fit. Lok Adalat is not a permanent establishment. However, as per Section 19 of the LSA Act, 1987, Lok Adalats are organized by Legal Services Institutions as per requirement. National Lok Adalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date.

The details of the case disposed off in Lok Adalats during the last two years are as under:-

Years	Pre-litigation Cases	Pending Cases	Grand Total
2021	72,06,294	55,81,743	1,27,88,037
2022	3,10,15,215	1,09,10,795	4,19,26,010
Total	3,82,21,509	1,64,92,538	5,47,14,047
