

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

**LOK SABHA
STARRED QUESTION NO. 427**

TO BE ANSWERED ON FRIDAY, THE 31.03.2023

Benches of High Courts

***427. SHRI JAGDAMBIKA PAL:**

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

- (a) whether the Government is planning to establish one or more regional benches for the State High Court which has population more than 5 crore, if so, the details thereof and if not, the reasons therefor; and
- (b) the steps taken by the Government to ensure speedy trial and disposal of cases at lower courts during the last three years?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (b): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (b) of Lok Sabha Starred Question No. *427 due for answer on 31.03.2023 regarding “Benches of High Courts”

(a) to (b): High Court Benches are established in accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P. (C) No. 379 of 2000 and after due consideration of a complete proposal from the State Government which has to provide necessary expenditure and infrastructural facilities and the Chief Justice of the concerned High Court who is required to look after the day to day administration of the High Court. For the proposal to be complete it should also have the consent of the Governor of the concerned State.

At present there is no complete proposal pending with the Government for setting up of Bench (es) of any High Court.

Disposal of pending cases in courts lies within the exclusive domain of the Judiciary, and the Central Government has no direct role in the matter.

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 following notable initiatives under the National Mission have been taken:-

- i.** Under the Centrally Sponsored Scheme for Judicial Infrastructure, funds are being released to States/UTs for construction of court halls, residential quarters for judicial officers, lawyers' halls, toilet complexes and digital computer rooms that would ease the life of lawyers and litigants, thereby aiding justice delivery. As on date, Rs. 9755.51 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 21,271 as on 28.02.2023, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,734 as on 28.02.2023, under this scheme.
- ii.** Further under the e-Courts Mission Mode Project, information and communication technology (ICT) has been leveraged for IT 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 99.4% of court complexes. Video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. 689 e-Sewa Kendras 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. 21 virtual courts have been set up in 17 States/UTs. As on 31.01.2023, these courts have handled more than 2.53 crore cases and realized more than Rs. 359 crores in fines. E-courts Phase III is about to begin which intends to incorporate latest technology such as Artificial Intelligence(AI) and Block chain to make justice delivery more robust, easy and accessible to all the stakeholders.
- iii.** Government has been regularly filling up the vacancies in higher judiciary. From 01.05.2014 to 27.03.2023, 54 Judges were appointed in Supreme Court. 894 new Judges were appointed and 646 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 1114 currently. From 31.12.2013 to 21.03.2023, the sanctioned strength of Judicial Officers in District and subordinate courts has been increased from 19,518 to 25,189 and the working strength of judicial officers has been increased from 15,115 to 19,522.

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

- iv. 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.
- v. Under the aegis of the Fourteenth Finance Commission, the government has established Fast Track Courts for dealing with cases of heinous crimes; cases involving senior citizens, women, children etc. As on 31.01.2023, 843 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. 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.
- vi. With a view 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.

- vii.** Alternate Dispute Resolution methods have been promoted wholeheartedly. Accordingly, the Commercial Courts Act, 2015 was amended on 20th August, 2018 making Pre-institution Mediation and Settlement (PIMS) mandatory in case 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.
- 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. Lok Adalat is not a permanent establishment. 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 three 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
2023(till Feb)	1,75,98,095	30,25,724	2,06,23,819
Total	5,58,19,604	1,95,18,262	7,53,37,866

- ix.** The Government launched the Tele-Law programme in 2017, which provided an effective and reliable e-interface platform connecting the needy and disadvantaged sections seeking legal advice and consultation with panel lawyers via video conferencing, telephone and chat facilities available at the Common Service Centres (CSCs) situated in Gram Panchayat and through Tele-Law mobile App.

The Percentage Wise break-up of cases registered & advice enabled, pertaining to Tele – Law is given as follows:-

Till 28th Feb, 2023	Cases Registered	% Wise Break Up	Advice Enabled	% Wise Break Up
Gender Wise				
Female	11,46,046	33.43	11,23,504	33.49
Male	22,82,642	66.57	22,31,041	66.51
Caste Category Wise				
General	7,31,346	21.33	7,12,646	21.24
OBC	10,08,050	29.40	9,83,336	29.31
SC	10,86,611	31.69	10,66,037	31.78
ST	6,02,681	17.58	5,92,526	17.66
Total	34,28,688		33,54,545	

- x. Efforts have been made to institutionalize pro bono culture and pro bono lawyering in the country. A technological framework has been put in place where advocates volunteering to give their time and services for pro bono work can register as Pro Bono Advocates on Nyaya Bandhu (Android & iOS and Apps). Nyaya Bandhu Services are also available on UMANG Platform. Pro Bono Panel of advocates have been initiated in 21 High Courts at the State level. Pro Bono Clubs have been started in 69 select Law Schools to instill Pro Bono culture in budding lawyers.
