

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

LOK SABHA

UNSTARRED QUESTION NO. 1498

TO BE ANSWERED ON FRIDAY, THE 10.02.2023

Division Benches of Supreme Court

1498. SHRI KURUVA GORANTLA MADHAV:

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

- (a) whether the Government intends to implement 229th Report of the Law Commission of India which has recommended the division of the Supreme Court into a Constitution Bench at Delhi and Cassation Benches in four regions at Delhi, Chennai/Hyderabad, Kolkata and Mumbai;
- (b) if so, the details thereof;
- (c) if not, the reasons therefor; and
- (d) the details of other proposed measures to be taken by the Government to make justice accessible and available for all?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (d): Article 130 of the Constitution of India provides that the Supreme Court shall sit in Delhi or in such other place or places as the Chief Justice of India may, with the approval of the President, from time to time, appoint.

The Eighteenth Law Commission in its 229th Report had also suggested that a Constitutional Bench be set up at Delhi and four Cassation Benches be set up in the Northern region at Delhi, Southern region at Chennai/Hyderabad, Eastern region at Kolkata and Western region at Mumbai.

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The matter was referred to the Chief Justice of India, who informed that after consideration of the matter, the Full Court in its meeting held on 18th February, 2010, found no justification for setting up of Benches of the Supreme Court outside Delhi.

In Writ Petition WP(C) No. 36/2016 on establishment of National Court of Appeal, the Supreme Court vide its judgment dated 13.07.2016 deemed it proper to refer the aforementioned issue to Constitutional Bench for authoritative pronouncement. The matter is sub-judice in the Supreme Court.

To make justice accessible and available for all, the Government, in consultation with the Supreme Court, has been implementing e-Courts Mission Mode Project, under which the following initiatives have been implemented:-

- i. Under the Wide Area Network (WAN) Project, connectivity has been provided to 99.4% (2976 out of earmarked 2994) of total Court Complexes across India with 10 Mbps to 100 Mbps bandwidth speed.
- ii. National Judicial Data Grid (NJDG) is a database of orders, judgments, and cases, created as an online platform under the eCourts Project. It provides information relating to judicial proceedings/decisions of all computerized district and subordinate courts of the country. Litigants can access case status information in respect of over 22.09 crore cases and more than 20.43 crore orders / judgments (as on 02.02.2023).
- iii. As part of eCourts project, 7 platforms have been created to provide real time information on case status, cause lists, judgements etc. to lawyers/Litigants through SMS Push and Pull (2,00,000 SMS sent daily), Email (2,50,000 sent daily), multilingual and tactile eCourts services Portal (35 lakh hits daily), JSC (Judicial Service centres) and Info Kiosks. In addition, Electronic Case Management Tools (ECMT) have been created with Mobile App for lawyers (total 1.59 cr. downloads till 31st December 2022) and JustIS app for judges (18,407 downloads till 31st December 2022).

- iv. 21 Virtual Courts in 17 States/UTs have been operationalized to handle traffic challan cases. More than 2.40 crore cases have been handled by 21 virtual courts and in more than 32 lakhs (32,62,303) cases online fine of more than Rs. 347.86 crore has been realized till 02.01.2023.
- v. The Supreme Court of India emerged as a global leader by conducting 3,79,954 hearings (till 24.12.2022 since the beginning of lockdown period). The High Courts (77,01,697 cases) and Subordinate Courts (1,82,20,040 cases) have conducted 2.59 crore virtual hearings till 31.12.2022.
- vi. New e-filing system (version 3.0) has been rolled out for the electronic filing of legal papers with upgraded features. Draft eFiling rules have been formulated and circulated to the High Courts for adoption. A total of 19 High Courts have adopted the model rules of e-Filing as on 31.12.2022.
- vii. e-Filing of cases requires the option for electronic payment of fees which includes court fees, fines and penalties which are directly payable to the Consolidated Fund. A total of 20 High Courts have implemented e-payments in their respective jurisdictions. The Court Fees Act has been amended in 22 High Courts till 31.12.2022.
- viii. To bridge the digital divide, 689 eSewa Kendras have been rolled out with the intention of facilitating the lawyer or litigant who needs any kind of assistance ranging from information to facilitation and eFiling.
- ix. National Service and Tracking of Electronic Processes (NSTEP) has been launched for technology enabled process serving and issuing of summons. It has currently been implemented in 28 States/ UTs.
- x. A new “Judgment Search” portal has been started with features such as search by Bench, Case Type, Case Number, Year, Petitioner/ Respondent Name, Judge Name, Act, Section, Decision: From Date, To Date and Full Text Search. This facility is being provided free of cost to all.

- xi. To make effective use of database created through National Judicial Data Grid (NJDG) and to make the information available to public 39 LED Display Message Sign Board System called Justice Clocks, have been installed in 25 High Courts.
- xii. Towards creating widespread awareness and familiarization of eFiling and eCourts services and to address “skill divide”, a manual on eFiling and a Brochure on “How to register for eFiling” has been made available in English, Hindi and 11 regional languages for the use of the lawyers. A YouTube channel has been created in the name of the e Court services with video tutorials on eFiling. The eCommittee of the Supreme Court of India has conducted trainings and awareness programmes on the ICT services. These programmes have covered nearly 5,13,080 stakeholders, including High Court Judges, Judges of the District Judiciary, Court Staff, Master Trainers among Judges/DSA, Technical Staff of High Courts, and Advocates.
