

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)

LOK SABHA
UNSTARRED QUESTION No. 1434
TO BE ANSWERED ON FRIDAY, THE 28th JULY, 2023

National Judicial Data Grid

1434. SHRI ASADUDDIN OWAISI:

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

- (a) whether as per National Judicial Data Grid, as on 20 January, 2023 there are over four crore cases pending in lower courts in the country of which 78 per cent are criminal and rest are civil;
- (b) if so, the main reasons for huge pendency of cases in lower courts;
- (c) the extent to which non availability of Counsel, affordability of advocates and insufficient free legal services are responsible for piling of cases;
- (d) whether the Government has taken any steps in consultation with States to reduce pendency of cases in lower courts; and
- (e) if so, the details thereof and further steps taken in this regard?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE (SHRI ARJUN RAM MEGHWAL)

(a):As per data available on National Judicial Data Grid, as on 1st February 2023, total 4,39,73,903 cases were pending in District & Subordinate courts across the country, of which 74.98 per cent were criminal cases while rest were civil cases.

(b)& (c): Pendency of cases in courts can be contributed to several factors which, inter-alia, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, complexity of facts

involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. Other factors that lead to delay in disposal of cases include lack of prescribed time frame by respective courts for disposal of various kinds of cases, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing.

(d) & (e): The disposal of pending cases in courts is within the domain of the judiciary and the Government has no direct role in the same. However, The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and to reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary.

National Mission for Justice Delivery and Legal Reforms was set up 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 co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, inter-alia, involves better infrastructure for courts including computerization, 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.

Some of the initiatives taken by Department of Justice to aid the cause of justice delivery are as under:-

- 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. 10035 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 21,365 as on 30.06.2023, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,846 as on 30.06.2023, under this scheme.

- ii.** Government has been regularly filling up the vacancies in higher judiciary. From 01.05.2014 to 10.07.2023, 56 Judges were appointed in Supreme Court. 919 new Judges were appointed and 653 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. 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
24.07.2023	25,246	19,858

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

- iii.** 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.
- iv.** 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.

- v. Alternate Dispute Resolution methods have been promoted whole heartedly. 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
