

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

LOK SABHA

**UNSTARRED QUESTION NO.322
TO BE ANSWERED ON FRIDAY, THE 21ST JULY, 2023**

CASES PENDING IN COURTS

**322. SHRIMATI APARAJITA SARANGI:
SHRI ASHOK KUMAR RAWAT:
SHRI NABA KUMAR SARANIA:**

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

- (a) the approximate number of cases pending in District courts, High courts and Supreme court in the country as on date, State and court-wise;**
- (b) whether there has been a huge increase in the pendency of cases in the above courts during the last three years and if so, the details thereof and the reaction of the Government thereto;**
- (c) whether the Government proposes to set up special courts for speedy disposal of pending cases in view of the number of such cases and if so, the details thereof and if not, the reasons therefor;**
- (d) the details of other steps taken to reduce the backlog of cases;**
- (e) the details of steps being taken to promote alternative dispute resolution mechanism; and**
- (f) whether Government has initiated any scheme to ensure equal access to Justice for vulnerable and marginalized population and if so, the details thereof?**

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 information provided by the Supreme Court of India, as on 01.07.2023, there were 69,766 cases pending in the Supreme Court. The detailed statement of cases

pending in High Courts and District and Subordinate Courts of the various States/UT is at *ANNEXURE I & II* respectively.

(b), (c) & (d): The detailed, comparative statement of pending cases during the last three years (2020-till date) in the Supreme Court, High Court and District and Subordinate Courts is at *ANNEXURE III*. There has been an increase of 7.45% in the number of pending cases during the last three years (2020-till date) in the High Courts. Whereas there has been an increase of 20.48% in pending cases in the District and Subordinate Courts during the last three years (2020-till date). However, the disposal of pending cases in courts is within the domain of the judiciary. Government has no direct role in disposal of cases in courts.

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 31.05.2023, 832 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.

Further, under Commercial Courts Act, 2015, Dedicated Commercial Courts for speedier resolution of commercial disputes have been set up with proper infrastructure and exclusive judicial human power. There are 35 Dedicated Commercial Courts in Delhi, 6 Dedicated Commercial Courts in Mumbai, 10 Dedicated Commercial Courts in Karnataka and 2 Dedicated Commercial Court in Bengaluru Rural areas) , and 2 Dedicated Commercial Courts in Kolkata. At present, there is no proposal pending with the Government to set up special courts.

Apart from this, the Government has taken several other initiatives to provide an ecosystem for faster disposal of cases by the judiciary, the details of which 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.** 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. 815 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. 22 virtual courts have been set up in 18 States/UTs. As on 31.05.2023, these courts have handled more than 3.113 crore cases and realized more than Rs. 408 crores in fines. E-courts Phase III is about to begin which intends to incorporate latest technology such 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 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
14.07.2023	25,246	19,858

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

- 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.** 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.
- vi.** 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.
- vii.** LokAdalat 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 LokAdalat 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. . LokAdalat is not a permanent establishment. National LokAdalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date. The details of the case disposed off in LokAdalats 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 (upto 17.06.2023)	3,00,11,291	61,88,686	3,61,99,977
Total	6,82,32,800	2,26,81,224	9,09,14,024

- viii.** 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.

*Percentage Wise break-up of Tele – Law Data

Till 28th Feb, 2023	Cases Registered	% Wise Break Up	Advice Enabled	% Wise Break Up
Gender Wise				
Female	15,75,140	34.38	15,35,775	34.39
Male	30,06,772	65.62	29,30,601	65.61
Caste Category Wise				
General	9,82,636	21.45	9,52,773	21.33
OBC	13,28,505	28.99	12,93,153	28.95
SC	14,88,971	32.50	14,53,283	32.54
ST	7,81,800	17.065	7,67,167	17.18
Total	45,81,912		44,66,376	

ix. Efforts have been made to institutionalize pro bono culture and pro bono lawyering 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 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 Laws Schools to instill Pro Bono culture in budding lawyers.

(e): The Government has been at the forefront of promoting Alternative Dispute Resolution Systems. The enabling legal framework for resolution of disputes through Alternative Dispute Resolution (ADR) has been provided under Section 89, Civil Procedure Code, 1908. Section 89 recognises four modes of ADR namely, Arbitration, Conciliation, Judicial Settlement including settlement through LokAdalat and Mediation. It provides for the court to refer a dispute for settlement by either of these modes, where it appears that there exist elements of a settlement, which may be acceptable to the parties.

The Mediation Bill, 2021, which has been introduced in the Parliament, stipulates a provision under Clause 7, which states that courts may, if deemed appropriate refer *inter-alia* any dispute relating to compoundable offences to mediation. However, the outcome of such mediation shall be further considered by the court in accordance with the law for the time being in force. Therefore, the provisions of the Mediation Bill, 2021 enable and recognise settlement of compoundable offences in terms of the provisions contained therein.

The Government is promoting ADR mechanisms including arbitration and mediation as these mechanisms are less adversarial and are capable of providing a better substitute to the conventional methods of resolving disputes. The use of ADR mechanisms is also expected to reduce the burden on the judiciary and thereby enable

timely justice dispensation to citizens of the country. Some of the major initiatives over the years in this regard include:-

The Arbitration and Conciliation Act, 1996 was enacted to consolidate and amend the law relating to domestic arbitration, international commercial arbitration and enforcement of foreign arbitral awards as also to define the law relating to conciliation and for matters connected therewith. To keep pace with current developments in the arbitration landscape and to enable arbitration as a viable dispute resolution mechanism, the Indian arbitration law has undergone significant changes in the years 2015, 2019 and 2021. The changes are enabled to signal a paradigm shift for ensuring timely conclusion of arbitration proceedings, minimizing judicial intervention in the arbitral process and enforcement of arbitral awards.

The Arbitration and Conciliation (Amendment) Act, 2015 provided for expeditious, fast track and time bound arbitral proceedings, neutrality of arbitrators and cost effective delivery mechanism. This was followed by the Arbitration and Conciliation (Amendment) Act, 2019 with the main objective of giving boost to institutional arbitration and to reduce the share of ad-hoc arbitration in the country. Further, Section 34 of the Act was amended vide the Arbitration and Conciliation (Amendment) Act, 2021, which provides for unconditional stay of enforcement of arbitral awards where the underlying arbitration agreement, contracts or making of the arbitral award are induced by fraud or corruption, besides giving power to Arbitration Council of India, to lay down qualifications, experience and norms for accreditation of arbitrators, by regulations.

The Commercial Courts Act, 2015 was amended in the year 2018 to provide for Pre-Institution Mediation and Settlement (PIMS) mechanism. Under this mechanism, where a commercial dispute of specified value does not contemplate any urgent interim relief, the parties have to first exhaust the mandatory remedy of PIMS before

approaching the Court. This is aimed at providing an opportunity to the parties to resolve the commercial disputes through mediation.

Rooted in the tradition of “People’s Court”, the concept of LokAdalat has been given statutory status under the Legal Services Authorities Act, 1987. LokAdalat can take up any kind of Civil matters and all Criminal Compoundable matters, whether pending in a court or at the Pre-Litigative stage. The award made by LokAdalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against the Award before any court. During the COVID pandemic, the Legal Services Authorities (LSAs) innovatively leveraged technology and introduced E-LokAdalat, wherein affected parties could get their matter resolved without physically visiting the venue of the Adalat. E-LokAdalat is a process to settle disputes, combining technology and alternative dispute resolution (“ADR”) mechanisms which offers a faster, transparent and accessible option.

(f): A scheme on Access to Justice titled “Designing Innovative Solutions for Holistic Access to Justice in India “has been launched by the Government of India which aims to strengthen pre-litigation advice and consultation through Tele-Law: Reaching the Unreached; ensure pan - India dispensation framework to deliver Pro Bono legal Services through Nyaya Bandhu (Pro Bono Legal Services) programme and to empower citizens through Pan India legal literacy and legal awareness programme. The Scheme embeds use of technology and developing contextualized IEC (Information, Education and Communication) material in regional / local dialect to support its intervention and to achieve easy accessibility of legal services to the poor and weakest sections of the society. All these services are provided free of cost to all citizens including the dalits, backward classes and other weaker sections of the society.

Article 39A of the Constitution of India provides that State shall secure that the operation of the legal system promotes justice on a basis of equal opportunity, and shall in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of

economic or other disability. Articles 14 and 22(1) also make it obligatory for the State to ensure equality before law and a legal system which promotes justice on a basis of equal opportunity to all. Legal aid strives to ensure that constitutional pledge is fulfilled in its letter and spirit and equal justice is made available to the poor, downtrodden and weaker sections of the society.

In 1987 Legal Services Authorities Act was enacted to give a statutory base to legal aid programmes throughout the country on a uniform pattern. This Act was finally enforced on 9th of November, 1995 and National Legal Services Authority (NALSA) was constituted on 5th December, 1995.

In every State a State Legal Services Authority is constituted to give effect to the policies and directions of the Central Authority (NALSA) and to provide legal services to the people and conduct LokAdalats in the State. State Legal Services Authority (SLSA) is headed by the Chief Justice of the State High Court who is its Patron-in-Chief. A serving Judge of the High Court is nominated as its Executive Chairman.

The District Legal Services Authority (DLSA) is constituted in every District to implement Legal Aid Programmes and Schemes in the District, under the Chairmanship of District Judge of the District. Taluk Legal Services Committees are also constituted for each of the Taluk or Mandal or for group of Taluk or Mandals to coordinate the activities of legal services in the Taluk and to organise LokAdalats.

Under Section 12 of the Legal Services Authorities Act, 1987, the following persons are entitled to free legal services irrespective of their income;

- (a) a member of a Scheduled Caste or Scheduled Tribes;
- (b) a victim of trafficking in human beings or beggar as referred to in article 23 of the Constitution;
- (c) a woman or a child;

- (d) a person with disability as defined in clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996);
- (e) a person under circumstances of undeserved want such as being a victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or
- (f) an industrial workman; or
- (g) in custody, including custody in a protective home within the meaning of clause (g) of section 2 of the Immoral Traffic (Prevention) Act, 1956, or a in a Juvenile home within the meaning of clause (j) of section 2 of the Juvenile Justice Act, 1986 (53 of 1986), or in a psychiatric hospital or psychiatric nursing home within the meaning of clause (g) of section 2 of the Mental Health Act, 1987 (14 of 1987);
- (h) As regards the means test for the entitlement of legal services, Section 12(h) specifies that the persons belonging to the categories other than those mentioned above are entitled to free legal services, if their annual income is less than Rs. 3 lakh (in some States Rs. 1,00,000/- and Rs.1,50,000/-) if the case is before a court other than the Supreme Court, and is less than Rs.5,00,000/-, if the case is before the Supreme Court."

The National Legal Services Authority has notified National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010 and published in the Gazette of India. The said Regulation being of statutory nature provides entitlement to the aforesaid poor and weaker section of the society such as member of SC/ST, Women, children, etc. Amicus curie are also appointed by the Government at State levels. As regards legal services advocates, panel lawyers for legal aid cases are appointed at all levels including in the High Courts and Supreme Court by the Legal Services Institutions for prosecuting or defending the Court cases on behalf of all persons who are eligible for Legal Services under the above provisions.

Section 2 (c) of the Legal Services Authorities Act, 1987 defines “legal services” which include the rendering of any service in conduct of any case or other legal proceeding before any Court or other authority or Tribunal and the giving of advice on any legal matter. Section 4 and Section 8 of the said Act proscribe function of NALSA and State Legal Services Authorities respectively whereas Section 10 and Section 11-B for District Legal Services Authorities and Taluk Legal Services Committees respectively.

NALSA has formulated 10 Schemes under Section 4 (b) of Legal Services Authorities Act, 1987, for the purpose of making legal services available under the provisions of the Act and to ensure that opportunities for securing justice are not denied to any citizens by reason of economic or other disabilities which are as under:-

- (a) NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015,
- (b) NALSA (Legal Services to the Workers in the Unorganized Sector) Scheme, 2015
- (c) NALSA (Child Friendly Legal Services to Children and their Protection) Scheme, 2015.
- (d) NALSA (Legal Services to the Mentally Ill and Mentally Disabled Persons) Scheme, 2015.
- (e) NALSA (Effective Implementation of Poverty Alleviation Scheme) Scheme, 2015.
- (f) NALSA (Protection and Enforcement of Tribal Rights) Scheme, 2015.
- (g) NALSA (Legal Services to the Victims of Drug Abuse and Eradication of Drug Menace) Scheme, 2015.
- (h) NALSA (Legal Services to Senior Citizens) Scheme, 2016.
- (i) NALSA (Legal Services to Victims of Acid Attacks) Scheme, 2016.
- (j) NALSA (Legal Services for Differently Abled Children) Scheme, 2021.

Annexure-I**STATEMENT REFERRED TO IN REPLY TO PART (A) OF LOK SABHA UNSTARRED QUESTION NO. 322 FOR ANSWER ON 21.07.2023 REGARDING 'CASES PENDING IN COURTS'.**

High Court-wise detailed Statement of Pendency of cases in High Court as on 15.07.2023*		
S. No.	High Court	No. of Pending cases
1	Allahabad High Court	1038489
2	Bombay High Court	709267
3	High Court Of Rajasthan	650234
4	Madras High Court	553550
5	High Court of Madhya Pradesh	445213
6	High Court of Punjab and Haryana	443576
7	High Court of Karnataka	277907
8	High Court for State of Telangana	253210
9	High Court of Andhra Pradesh	246774
10	Calcutta High Court	204531
11	Patna High Court	203738
12	High Court of Kerala	190175
13	High Court of Gujarat	165389
14	Orissa High Court	146137
15	High Court of Delhi	110693
16	High Court of Himachal Pradesh	95168
17	High Court Of Chhattisgarh	91554
18	High Court of Jharkhand	85606
19	Gauhati High Court	60980
20	High Court of Uttarakhand	47945
21	High Court of Jammu and Kashmir	45093
22	High Court of Manipur	5038
23	High Court of Tripura	1227
24	High Court of Meghalaya	1138
25	High Court of Sikkim	154
	Total	6072786

*Source: National Judicial Data Grid (NJDG)

**STATEMENT REFERRED TO IN REPLY TO PART (A) OF LOK SABHA
UNSTARRED QUESTION NO. 322 FOR ANSWER ON 21.07.2023 REGARDING
'CASES PENDING IN COURTS'.**

State-wise detailed Statement of Pendency of cases in District and Subordinate Courts as on 15.07.2023*		
Sr No.	State	No. of Pending cases
1	Uttar Pradesh	11604842
2	Maharashtra	5098211
3	Bihar	3501247
4	West Bengal	2901756
5	Rajasthan	2265986
6	Madhya Pradesh	2008754
7	Karnataka	1916866
8	Kerala	1879849
9	Gujarat	1683883
10	Haryana	1532073
11	Odisha	1519857
12	Tamil Nadu	1471478
13	Delhi	1227453
14	Punjab	916266
15	Telangana	907280
16	Andhra Pradesh	846873
17	Himachal Pradesh	537048
18	Jharkhand	524360
19	Assam	464851
20	Chhattisgarh	407859
21	Uttarakhand	335360
22	Jammu and Kashmir	316596
23	Chandigarh	82417
24	Goa	56743
25	Tripura	45322
26	Puducherry	34108
27	Meghalaya	15971
28	Manipur	12557
29	Andaman and Nicobar	8742
30	Mizoram	5800
31	DNH at Silvassa	4048
32	Nagaland	3361
33	Diu and Daman	3058
34	Sikkim	1816
35	Arunachal Pradesh	1387
36	Ladakh	1205
	Total	44145283

*Source: National Judicial Data Grid (NJDG)

STATEMENT REFERRED TO IN REPLY TO PART (B) OF LOK SABHA UNSTARRED QUESTION NO. 322 FOR ANSWER ON 21.07.2023 REGARDING 'CASES PENDING IN COURTS'.

Detailed Comparative Statement of Pending Cases in various courts during last three years							
S.No	Year	Name of Court					
		Supreme Court*	% increase/decrease	High Courts**	% increase/decrease	District & Subordinate Courts**	% increase/decrease
1	2020	65,086 (As on 01.01.2021)		56,42,567		3,66,39,436	
2	2021	70,239 (As on 01.01.2022)	7.9%	56,49,068	0.11%	4,05,79,062	10.75%
3	2022	69,768 (As on 01.01.2023)	(-)0.67%	59,78,714	5.83%	4,32,09,164	6.48%
4	Present	69,766 (As on 01.07.2023)	(-)0.02%	60,62,953 (As on 14.07.2023)	1.40%	4,41,45,249 (As on 14.07.2023)	2.16%

*Source: Supreme Court of India

**Source: National Judicial Data Grid (NJDG)