

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

LOK SABHA

**UNSTARRED QUESTION NO. 1600
TO BE ANSWERED ON WEDNESDAY, THE 27TH NOVEMBER, 2019.**

Pending Court Cases

1600. SHRI PINAKI MISRA:

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

- (a) the steps that are being taken to counter the huge pendency of cases in the judicial system;**
- (b) whether any form of digitization or internet is being used to hasten the process of filing of cases and if so, the details thereof;**
- (c) whether any Alternate Dispute Resolution methods are being promoted to increase out of court settlements to decrease the workload of the court, if any, the details thereof; and**
- (d) whether any steps are being taken to fill the vacancies at various levels of the judicial system to boost the judicial strength of the country and if so, the details thereof?**

ANSWER

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &
INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

- (a) As per the information available, the number of pending cases in the Supreme Court, High Courts and District & Subordinate Courts is as under:

	Pending Cases	
	As on 31.12.2014	As on 01.11.2019
Supreme Court	62,791	59,867
	As on 31.12.2014	As on 14.11.2019
High Courts	41.53 lakh	44.75 lakh
District & Subordinate Courts	2.62 crore	3.14 crore

Disposal of cases in courts is within the domain of judiciary. However, the Union Government is committed to speedy disposal of cases and reduction in pendency of cases to improve access to justice in line with the mandate under Article 39A of the Constitution. The National Mission for Justice Delivery and Legal Reforms, established by the Union Government in 2011, has adopted many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases. The major steps taken during the last five years under various initiatives are as follows:

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs. 7,453.10 crores has been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. Out of this, Rs.4,008.80 crores (which is 53.79% of the total amount released till date) has been released to the States and UTs since April, 2014. The number of court halls has increased from 15,818 as on 30.06.2014 to 19,414 as on date and number of residential units has increased from 10,211 as on 30.06.2014 to 17,103 as on date under this scheme. In addition, 2,822 court halls and 1,869 residential units are under construction.
- (ii) Leveraging Information and Communication Technology (ICT) for improved justice delivery: Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerized District & Subordinate courts has increased from 13,672 to 16,845 registering an increase of 3,173 during 2014 till date. New and user-friendly version of Case Information Software 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).

Currently, case status information in respect of over 12.23 crore pending and disposed cases and more than 10.26 crore orders / judgments pertaining to these computerized courts is available on NJDG. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerized courts, eCourts Mobile App, email service, SMS push & pull services.

- (iii) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 14.11.2019, 35 Judges were appointed in Supreme Court. 478 new Judges were appointed and 427 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 1079 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
14.11.2019	23,566	17,342

- (iv) Reduction in Pendency through / follow up by Arrears Committees: In pursuance of resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts.
- (v) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory pre-institution mediation and settlement 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: As on 30.09.2019, 704 Fast Track Courts are functional for heinous crimes, crimes against women and children, family and matrimonial disputes, etc. Further,

Government has approved a scheme for setting up 1023 Fast Track Special Courts across the country for expeditious disposal of pending cases under Rape and POCSO Act.

(b) e-Filing application was launched on 14th August, 2018. It is made available at efiling.ecourts.gov.in where online registration of lawyers and litigants can be done. Through the application, one can file cases from any part of India to any court on registration. e-Filing application has been developed and is integrated with Case Information Software (CIS 3.0), which is the standard application software across all District and Subordinate Courts of the country. Integration with CIS 1.0 software of High Courts is also complete. e-Filing module with e-payment of court fees is ready for courts in the states of Telangana, Andhra Pradesh, Maharashtra, Punjab and Haryana. In other states, except for e-payment, the e-filing module is ready for launch in all the courts that have shifted to CIS 1.0 and CIS 3.0. The e-filing facility is live and working in selected pilot district courts at Bombay, Punjab and Haryana High Courts such as Mumbai Civil Court and Gurugram District Court, Haryana. Further, pursuant to the directions of Delhi High Court, e-filing facility integrated with CIS 3.1 has been implemented with effect from 24th May, 2019 exclusively for Arbitration Matters pertaining to Central District of Delhi District Courts.

(c) The following steps have been taken to promote Alternate Dispute Resolution methods for settlement of disputes:

- (i) The Commercial Courts Act, 2015: This Act was amended in August 2018, so as to introduce Pre-Institution Mediation and Settlement (PIMS) mechanism. According to this mechanism where no urgent, interim relief is contemplated, the parties have to exhaust the remedy of PIMS, for resolving the commercial disputes, through the authorities constituted under the Legal Services Authorities Act, 1987. Further, the Mediators are required to complete the mediation proceedings within a period of 3 months which can be extended by further 2 months with the mutual consent of the parties.
- (ii) The New Delhi International Arbitration Centre Act, 2019: This Act was enacted on 26th July, 2019 with a view to make India a hub of international

commercial arbitration. It seeks to establish an Arbitration Centre called New Delhi International Arbitration Centre (NDIAC) as an institute of national importance. NDIAC would bring in targeted reforms to develop it as a flagship institution for domestic and international arbitration. NDIAC will also conduct arbitration in a professional manner in the cost and time effective way. It will provide facilities and administrative assistance for conciliation, mediation and arbitral proceedings. An Arbitration Chamber is proposed to be set up, which would empanel professional arbitrators at national and international level. An Arbitration Academy is also proposed to be set up by NDIAC to train arbitrators in India, so as to empower them to compete on par with reputed arbitral institutions.

- (iii) The Arbitration and Conciliation (Amendment) Act, 2019: This Act was enacted on 9th August, 2019. It provides for the establishment of an independent body namely, the Arbitration Council of India (ACI) for the purpose of grading of arbitral institutions and accreditation of arbitrators, etc. The ACI will, inter- alia, frame policies governing the grading of arbitral institutions; recognise professional institutes providing accreditation of arbitrators; review the grading of arbitral institutions and arbitrators; hold training, workshops and courses in the area of arbitration in collaboration of law firms, law universities and arbitral institutes; promote institutional arbitration by strengthening arbitral institutions; conduct examination and training on various subjects relating to arbitration and conciliation and award certificates thereof; and establish and maintain depository of arbitral awards made in India.

- (d) Initiation of proposal for appointment of Judges in High Courts vests with the Chief Justice of the High Court. Appointment of Judges in High Courts is a continuous collaborative process between the Executive and the Judiciary, as it requires consultation and approval from various Constitutional Authorities. While every effort is made to fill up the existing vacancies keep on arising on account of retirement, resignation or elevation of Judges. Due to combined efforts of Government and Judiciary, from 01.05.2014 to 14.11.2019, 35 Judges were appointed in Supreme Court. 478 new Judges were appointed and 427 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 1079 currently.

As per the Constitutional framework, the selection and appointment of judges in subordinate courts is the responsibility of the High Courts and State Governments concerned. However, the Union Government, on its part, has been taking up the matter of filling up of vacant positions in District & Subordinate Courts with the States and High Courts. In August, 2018, Union Minister of Law & Justice has written to all Chief Justices of High Courts to monitor status of vacancies regularly and to ensure proper coordination with State Public Service Commission to fill up vacant posts stipulated by Supreme Court in Malik Mazhar Sultan case. In addition, series of meetings were held with Registrars General of all High Courts and Law Secretaries of all State Governments / UTs through Video Conferencing in January, 2018, July, 2018, November, 2018 and September, 2019 to follow up on filling up posts of Judicial Officers in District and Subordinate Courts. Department of Justice has hosted a MIS web-portal on its website for reporting and monitoring, on monthly basis, of sanctioned strength, working strength and vacancies of Judicial Officers of District and Subordinate Courts. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
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