

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

LOK SABHA

**UNSTARRED QUESTION NO. 1691
TO BE ANSWERED ON MONDAY, THE 21st SEPTEMBER, 2020**

JUDICIAL PROCEEDINGS

**1691. SHRI P. P. CHAUDHARY:
SHRI KAUSHAL KISHORE:**

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

- (a) the details of the arrangements made by the Supreme Court, High Courts and subordinate courts to facilitate judicial proceedings in the court in the wake of COVID-19;**
- (b) whether there were any specific orders or guidelines from the judges in this regard;**
- (c) if so, the details regarding reforms in legal process, infrastructure and expenditure incurred in a chronological manner;**
- (d) whether the Government is planning to set up TV broadcast channels for live broadcast of Supreme Court proceedings; and**
- (e) if so, the details thereof and the progress made so far in this regard?**

**ANSWER
MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND
ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a)& (b): After announcement of nation-wide lockdown, directions have been issued from time to time by the Hon'ble Supreme Court and respective High Courts to the Subordinate Courts under their administrative jurisdiction for hearing of urgent civil and criminal matters in virtual or physical mode depending on local conditions. Hon'ble Supreme Court also issued an

overarching order on 6th April, 2020 giving legal sanctity and validity to court hearings done through video conferencing. Most High Courts have further advised district and subordinate courts that where there is no shut down/lockdown, they may, as far as possible, resume normal functioning by virtual/physical mode and take up all kind of cases, including those pertaining to under-trial prisoners, trial of civil cases, matrimonial disputes, child custody matters, recording of evidence and other old matters. Wherever physical hearing has been permitted in district and subordinate courts, they have been advised to strictly adhere to Covid protocols and social distancing norms and take all precautions including consent of the parties. A new Software patch and Court User Manual has been recently developed for Covid-19 Management. This tool has been developed to help in smart scheduling of cases to effectively manage over crowding in court.

(c): It is the primary responsibility of the State Governments to provide Judicial Infrastructure / Court Rooms for High Courts and District / Subordinate Courts. The Union Government has been implementing a Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in order to augment the resources of State Governments, in association with the States / UT Governments. The scheme is being implemented since 1993-94. It covers the construction of court halls and court complexes and residential accommodations of judicial officers of District and Subordinate Judiciary. A sum of Rs. 7,929.99 crore has been sanctioned under the Scheme, out of which a sum of Rs. 3,354.94 crore has been sanctioned to the State Government/UT Administrations during the last five years (2015-16 to 2019-20). In addition, a sum of Rs. 197.74 crore has been released during the current financial year, so far. The year-wise sanction of funds during the last five years is as follows:

Financial Year	Funds Sanctioned (in Rs. crore)
2015-16	562.99
2016-17	538.74

2017-18	621.21
2018-19	650.00
2019-20	982.00
Total	3354.94

The Government is implementing the e-Courts Mission Mode Project for Information and Communication Technology (ICT) enablement of District and Subordinate Courts across the country in association with the eCommittee of the Supreme Court of India. The eCourts Mission Mode Project Phase-II commenced its implementation in 2015. The target set out under the project is computerization of 16,845 District and Subordinate Courts, which has been completed. Against the financial outlay of Rs.1670 crores for this Phase, the Government has released a sum of Rs. 1459.52 crore to various organizations involved in the implementation of the project. This includes a sum of Rs. 1042.82.crore released to all High Courts, out of which a sum of Rs.790.04 crore has been utilized till 31st August, 2020.

In the financial year 2020-21, funds have interalia been released to all High Courts for eSewa Kendra for High Courts and District Court Complexes (Rs. 12.44 crore), equipment for VC Cabins and Connectivity in Court Complexes (Rs. 4.91 crore) and creating Help Desk Counters for efilng in Court Complexes (11.86 crore)

(d) & (e): A Writ Petition was filed in the Hon'ble Supreme Court, seeking declaration for permitting live streaming of Supreme Court case proceedings of constitutional and national importance having an impact on the public at large and a direction to make available the necessary infrastructure for live streaming and to frame guidelines for the determination of such cases which are of constitutional and national importance. The Hon'ble Supreme Court *vide* its Judgment dated

26th September, 2018 in Writ Petition (Civil) No. 66 of 2018 – Indira Jai Singh *versus* Secretary General of Supreme Court & Others has, *inter-alia*, observed that : (i) it is important to re-emphasise the significance of live-streaming as an extension of the principle of open justice and open courts; (ii) The process of live-streaming should be subjected to carefully structured guidelines, (iii) Initially, a pilot project may be conducted for about three months by live-streaming only cases of national and constitutional importance which can be expanded in due course with availability of infrastructure. The eCommittee of the Supreme Court has also set up a Committee of 5 Judges to formulate guidelines for live streaming of court hearings. The guidelines would cover all facets including technologies to be deployed, safeguards and procedures.
