

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

LOK SABHA

UNSTARRED QUESTION NO. †3644

TO BE ANSWERED ON WEDNESDAY, THE 17TH MARCH, 2021

Establishment of Court in Rajasthan

†3644. SHRI KANAKMAL KATARA:

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

- (a) the number of courts proposed to be set up by the Government in view of shortage of courts in Rajasthan;
- (b) whether there is any proposal to set up courts also in Bansara-Dungarpur in Rajasthan;
- (c) whether funds have been released by the Government for this purpose; and
- (d) the steps being taken by the Government to ensure timely justice to the people of the State?

A N S W E R

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

(a) to (c) : It is the primary responsibility of the State Governments to set up Courts and to provide Judicial Infrastructure / Court Rooms for District / Subordinate Courts. The Union Government has been implementing a Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary by providing financial assistance to State Governments / UTs in the prescribed

fund sharing pattern between Centre and States. The Scheme is being implemented since 1993-94. It covers the construction of court halls and court complexes and residential accommodations for Judicial Officers of District and Subordinate Judiciary. Till 10.03.2021, Rs. 8295 crore have been released since the inception of the Scheme in 1993-94. Out of this, Rs. 286.62 crore has been released to the State Government of Rajasthan. 1250 court halls have been made available for Judicial Officers of District and Subordinate Courts under this scheme as on 28.02.2021. In addition, 217 court halls are under construction. The year-wise funds released to the State Government of Rajasthan under the Scheme is at *Annexure*. As per information received from State Government of Rajasthan, there is no such proposal to set up courts in Bansara-Dungarpur in Rajasthan.

(d): Disposal of cases in courts is within the domain of the judiciary. Timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges, 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. Government has no role in disposal of cases in courts. No time frame has been prescribed for disposal of various kinds of cases by the respective courts.

The Government is, however, fully committed to speedy disposal of cases. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary. The National Mission for Justice Delivery and Legal Reforms established by the Government has adopted a coordinated approach

for phased liquidation of arrears and pendency in judicial administration through various strategic initiatives, including improving infrastructure for courts, leveraging Information and Communication Technology (ICT) for better justice delivery, and filling up of vacant positions of Judges in High Courts and Supreme Court.

The major steps taken during the last six years in the country including Rajasthan under various initiatives are as follows:

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs. 8,295 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 20,075 as on 28.02.2021 and number of residential units has increased from 10,211 as on 30.06.2014 to 17,738 as on 28.02.2021 under this scheme. In addition, 2,463 court halls and 1,861 residential units are under construction. As far as the State of Rajasthan is concerned, 1250 court halls and 1016 residential units are available in the State as on 28.02.2021. In addition, 217 court halls and 146 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 (in 2014) to 18,735 as on 22.02.2021, registering an increase of 5,063. New and user-friendly version of Case Information Software has been 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). As on 03.03.2021, litigants can access case status of over 18.28 crore cases and 13.88 crore order/judgements pertaining to these courts. 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. Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. With a view to handle the COVID- 19 challenges better and to make the transition to virtual hearings smoother, funds have been provided for setting up 235 e-SewaKendras at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgements/orders, court/case related information and e-filing facilities. Nine Virtual Courts have been set up at Delhi (2 courts), Faridabad (Haryana), Pune & Nagpur (Maharashtra) Kochi (Kerala), Chennai (Tamil Nadu), Guwahati (Assam) and Bengaluru (Karnataka) to try traffic offences. As on 20.01.2021, these courts have handled 41,98,095 cases and realised Rs.139.25cr in fines.

In the State of Rajasthan, 1240 courts housed in 247 court complexes have been computerized under eCourts Project Phase-II. So far in Phase-II, an amount of Rs. 67.80 crore has been released to the High Court of Rajasthan. Currently, litigants of Rajasthan can access online case status information through NJDG in respect of over 73.97 lakh pending and decided cases and more than 8.57 lakh orders/judgements of district & subordinate courts of the State. Video conferencing facility has been provided in 238 court complexes and 95 corresponding jails in the State of Rajasthan under eCourts project.

- (iii) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 01.03.2021, 35 Judges were appointed in Supreme Court. 576 new Judges were appointed and 524 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 1080 currently. As far as the position of Judges in High Court of Rajasthan is concerned, there are 23 Judges working against sanctioned strength of 50 Judges in the Rajasthan High Court as on 15.3.2021. 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
04.03.2021	24,283	19,295

There were 1292 Judges/Judicial Officer working against the Sanctioned Strength of 1489 Judges/Judicial Officers in District and Subordinate Courts in the State of Rajasthan as on 28.02.2021.

Filling up of vacancies in Subordinate judiciary falls within the domain of the State Governments and High Courts concerned.

- (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 including Rajasthan.

Further Communications have been addressed by Minister of Law & Justice to Chief Justices of High Courts and to Chief Ministers on 20.06.2014 and 14.08.2018 drawing their attention to cases pending for more than five years and to take up pendency reduction campaign.

- (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: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, inter-alia, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children etc.,

and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements. As on 31.01.2021, 894 Fast Track Courts (FTC) are functional for heinous crimes, crimes against women and children. Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme for setting up of 842 FTSCs including 363 'exclusive POCSO Courts'. Presently 616 FTSCs are functional including 330 exclusive POCSO Courts, which disposed 39653 cases as on 31.01.2021. In the State of Rajasthan, 45 FTSCs including 26 exclusive POCSO Courts are functional, which disposed 1703 cases as on 31.01.2021.

- (vii) In addition, 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.

Annexure

**Referred to in Lok Sabha Unstarred Question No. †3644 for Reply
on 17.03.2021**

Year	Fund released to the State Government of Rajasthan (In Rs. cr.)
1993-94	1.39
1994-95	2.71
1995-96	2.65
1996-97	2.43
1997-98	2.93
1998-99	2.36
1999-2000	2.49
2000-01	3.41
2001-02	3.29
2002-03	1.96
2003-04	3.00
2004-05	0.00
2005-06	0.00
2006-07	0.00
2007-08	0.00
2008-09	12.57
2009-10	0.00
2010-11	0.70
2011-12	11.72
2012-13	10.42
2013-14	0.00
2014-15	0.00
2015-16	50.00
2016-17	43.74
2017-18	17.34
2018-19	17.41
2019-20	64.21
2020-21	29.90
Total	286.63