

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

LOK SABHA

**UNSTARRED QUESTION NO.1597
TO BE ANSWERED ON WEDNESDAY, THE 28TH JULY, 2021**

PENDING COURT CASES

1597. SHRI SATYADEV PACHAURI:

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

- (a) the details pendency of criminal, civil, etc. cases in the lower courts, fast track courts, and High court of Allahabad including its Lucknow Bench;**
- (b) whether the impact of COVID-19 pandemic has increased the numbers of cases in the above courts;**
- (c) if so, the details thereof; and**
- (d) the details of remedial measures taken by the Government to reduce the pendency of court cases?**

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a): The details of pendency of criminal and civil cases in Allahabad High Court including Lucknow Bench, Subordinate Courts and Fast Track Courts as on 30.06.2021 are as under:-

Sl. No.	Courts	Civil	Criminal
1	Allahabad High Court including Lucknow Bench	5,68,987	4,51,406
2	Subordinate courts of Allahabad High Court	18,41,155	73,94,155
3	Fast Track Courts of Uttar Pradesh		5,43,081

(b)& (c): The position of cases since COVID-19 pandemic in respect of these courts in as follows:-

S. No.	Courts	Pendency as on 01.03.2020	Institution During Period from 01.03.2020 to 30.06.2021	Disposal During Period from 01.03.2020 to 30.06.2021	Pendency as on 30.06.2021
1	High Court of Judicature at Allahabad	9,43,672	2,74,412	1,97,691	10,20,393
2	District Courts of Uttar Pradesh	78,98,125	40,84,054	27,41,095	92,35,310*

*There is discrepancy of 5774 cases in the pendency as on 30.06.2021 because of an incident of fire occurred in the month of January, 2021 in the vicinity of Ballia District Court due to which large number of files were lost, which are under process of identification & reconstruction.

S. No.	Courts	Pendency as on 01.03.2020	Pendency as on 30.06.2021
1	Fast Track Courts of Uttar Pradesh	3,97,816	5,43,081

(d): 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.

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

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs. 8,644.00 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 20,218 as on 22.07.2021 and number of residential units has increased from 10,211 as on 30.06.2014 to 17,815 as on 22.07.2021 under this scheme. In addition, 2,693 court halls and 1,852 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 01.07.2021, 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 01.07.2021, litigants can access case status of over 18.77 crore cases and 14.61 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. Rs. 5.01 crores has been allocated for providing equipment in Video Conferencing cabins in various court complexes to facilitate virtual

hearings. Rs. 12.12 crores has been allocated for 1732 Help desk counters for e-filing in various court complexes.

Twelve 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 12.07.2021, these courts have handled 75 lakh cases and realised Rs.160.05 crore in fines.

Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Since Covid lockdown started, the District courts heard 74,15,989 cases while the High Court heard 40,43,300 cases (totalling to 1.14 crore) till 30.06.2021 using video conferencing only. The Supreme Court had 96,239 hearings since the lockdown period upto 09.07.2021.

- (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. 602 new Judges were appointed and 551 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 1098 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
22.07.2021	24,368	19,236

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.

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 30.04.2021, 870 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 (1 each in Madhya Pradesh, Maharashtra, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal and 2 in NCT of Delhi). 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'. Rs.140 crore was released in the financial year 2019-20 and Rs. 160.00 crore has been released during the financial year 2020-21 for the scheme. Rs. 39.77 crore has been released till June 2021 for Financial Year 2021-22. 640 FTSCs are functional including 338 exclusive POCSO Courts, which disposed 50484 cases as on 31.05.2021.

- (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.

Further Allahabad High Court has informed that following the advisory on Covid-19 protocol issued by the Government, a committee of Hon'ble Judges was constituted for prevention and remedial measures to combat impending threat of Corona Virus. Complying with the direction of Hon'ble Chief Justice and the Committee, several measures were taken by the High Court Administration. Some of the Guideline & Modalities, which were issued and steps taken during the Covid-19 pandemic in the Allahabad High Court are as follows.

- i. Guideline & Modalities dated 16.03.2020 were issued, under which only urgent matters were directed to be listed, personal presence of parties was exempted, dress code of the counsel and employees were declared to be suspended and litigants' entry in court premises was restricted.

- ii. As per order dated 30th May 2020, Stamp Reporter Section was directed to not withhold any fresh cases due to any defect.
- iii. On 06.06.2020 an email id was introduced enabling the counsels to join the court proceeding through Video Conferencing. These facilities were extended by establishing cubicles at different locations in High Court premises for On-site facility and by earmarking different cyber cafes as E-sewa Kendras.
- iv. Keeping in view the convenience of advocates and litigants, two software, namely, Jitsi Meet Software and Cisco WebEx software have been introduced for virtual hearing.
- v. Maximum efforts have been made for promotion of E-mode filing and hearing through video conferencing.
- vi. Directions were issued to all the District Judges regarding preference of the cases for listing immediately on re-opening of Subordinate Courts. The type of cases identified for immediate disposal is as under:-

Name of the Court	Type of Cases
In the courts of District Judges/Addl. District Judges including FTC	Civil Appeal, Civil Revision, Criminal Appeal, Criminal Revision, Cases of Final Argument Stage, Under Trial cases
In the Courts of CJM/ACJM/JM and other related courts	Petty Cases, U/s 320, 256, 257, 258, 203, 394 of CrPC, Committal Cases & Under Trial Cases.
In the Courts of Civil Judge(SD)/(JD) and Family Courts	Compromise U/O 23R(3), Withdrawl U/O 23R(1), Succession Cases & Final Argument Stage
Cases identified for immediate Disposal	Cases U/S 156(3) of CrPC & Cases of Final Reports.

In addition, petty criminal cases U/s 188 IPC and under the M.V. Act registered during lock down period, where challan/police report is filed, were also to be taken/disposed off on priority basis.
