

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

**LOK SABHA
STARRED QUESTION NO. 151
TO BE ANSWERED ON FRIDAY, THE 11th FEBRUARY, 2022**

DELAY IN JUDICIAL DECISIONS DUE TO COVID-19

†*151.SHRI DEVENDRA SINGH BHOLE:

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

- (a) whether the COVID-19 pandemic has delayed judicial decisions in the country leading to under trial prisoners not getting timely and effective justice, if so, the details thereof;
- (b) whether the Government has formulated any scheme to deal with this situation; and
- (c) if so, the details thereof?

ANSWER

MINISTER OF LAW & JUSTICE

(SHRI KIREN RIJIJU)

(a) to (c) A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (c) OF LOK SABHA STARRED QUESTION NO. 151 FOR ANSWER ON 11.02.2022 REGARDING 'DELAY IN JUDICIAL DECISIONS DUE TO COVID-19'.

(a) to (c) Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. After announcement of nation-wide lockdown, directions have been issued from time to time by the 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 and take up all kind of cases, including those pertaining to under-trial prisoners.

2. Following initiatives have been taken under eCourts project by the eCommittee of the Supreme Court and the Government to tackle the challenges poised by COVID-19 pandemic:

- i. Under the Wide Area Network (WAN) Project, 2960 courts sites have been commissioned (as on 07.02.2022) with 10 Mbps to 100 Mbps bandwidth speed. This forms the backbone for ensuring data connectivity in courts across the length and breadth of the country.
- ii. Case Information Software (CIS) which forms the basis for the e-Court services is based on customized Free and Open-Source Software (FOSS) which has been developed by NIC. Currently CIS National Core Version 3.2 is being implemented in District Courts and the CIS National Core Version 1.0 is being implemented for the High Courts. A new software patch and user manual for COVID-19 management has also been developed to help in smart scheduling of cases.
- iii. National Judicial Data Grid (NJDG) is a database of orders, judgments and cases, created as an online platform under the eCourts Project. It provides information relating to judicial proceedings/decisions of all computerized district and

subordinate courts of the country. Litigants can access case status information in respect of over 19.81 crore cases and more than 16.61 crore orders / judgments pertaining to these computerized (as on 01.02.2022). Open APIs have been introduced in 2020 to allow Central and State Governments and institutional litigants including local bodies to access NJDG data to improve pendency monitoring and compliance.

- iv. As part of eCourts project, 7 platforms have been created to provide real time information on case status, cause lists, judgements etc. to lawyers/Litigants through SMS Push and Pull (2,00,000 SMS sent daily), Email (2,50,000 sent daily), multilingual and tactile eCourts services Portal (35 lakh hits daily), JSC (Judicial Service centres) and Info Kiosks. In addition, Electronic Case Management Tools (ECMT) have been created with Mobile App for lawyers (total 72.20 lakh downloads till 3rd January 2022) and JustIS app for judges (16,961 downloads till 2nd February 2022). JustIS mobile app is now available in iOS as well.
- v. 17 Virtual Courts in 13 States/UTs have been operationalized to handle traffic challan cases. More than 1.24 crore cases have been handled by 17 virtual courts and in more than 21 lakhs cases online fine of more than Rs. 221 crore has been realised till 02.02.2022.
- vi. The Supreme Court of India emerged as a global leader by conducting 1,81,909 hearings (till 08.01.2022 since the beginning of lockdown period). The High Courts (57,39,966 cases) and Subordinate Courts (1,08,36,087 cases) have conducted 1.65 crore virtual hearings till 30.11.2021. VC facilities have also been enabled between 3240 court complexes and corresponding 1272 jails. Funds for 2506 VC cabins and VC equipment for 14,443 court rooms have also been released. 1500 VC licenses have been procured to promote virtual hearings.

- vii. New e-filing system (version 3.0) has been rolled out for the electronic filing of legal papers with upgraded features like new dashboard including the options of my partners, Case Filing, Vakalatnama, pleading, e-payments, applications and case portfolio management. Draft eFiling rules have been formulated and circulated to the High Courts for adoption. A total of 17 High Courts have adopted the model rules of e-Filing as on 31.12.2021.
- viii. e-Filing of cases requires the option for electronic payment of fees which includes court fees, fines and penalties which are directly payable to the Consolidated Fund. Online payment of court fees, fines, penalties and judicial deposits has been initiated through <https://pay.ecourts.gov.in>. A total of 16 High Courts have implemented ePayments in their respective jurisdictions. The Court Fees Act has been amended in 23 High Courts till 31.12.2021.
- ix. eSewa Kendras have been rolled out to bridge the digital divide by providing e filing services to lawyers and litigants. Government has released Rs. 12.54 crore for setting up eSewa Kendras. As on 31.12.2021, 451 eSewa Kendra's have been made functional in District Courts under 25 High Courts.
- x. National Service and Tracking of Electronic Processes (NSTEP) has been launched for technology enabled process serving and issuing of summons. It has currently been implemented in 26 States/ UTs.
- xi. A new "Judgment Search" portal has been started with features such as search by Bench, Case Type, Case Number, Year, Petitioner/ Respondent Name, Judge Name, Act, Section, Decision: From Date, To Date and Full Text Search. This facility is being provided free of cost to all.
- xii. To make effective use of database created through National Judicial Data Grid (NJDG) and to make the information available to public 30 LED Display Message Sign Board System called Justice Clocks, have been installed in 20 High Courts.

xiii. Towards creating widespread awareness and familiarization of eFiling and eCourts services and to address “skill divide”, a manual on E filing and a Brochure on “How to register for E Filing” has been made available in English, Hindi and 12 regional languages for the use of the lawyers. A YouTube channel has been created in the name of the e Court services with video tutorials on e-filing. The eCommittee of the Supreme Court of India has conducted trainings and awareness programmes on the ICT services. These programmes have covered nearly 3,60,993 stakeholders, including High Court Judges, Judges of the District Judiciary, Court Staff, Master Trainers among Judges/DSA, Technical Staff of High Courts, and Advocates.

3. National Legal Service Authority (NALSA) has taken the following measures during the COVID-19 pandemic to enable timely and effective justice:

- i. During the period from 24th March 2020 to 29th January 2022, more than 1.95 crore cases were disposed off by the District and Subordinate Courts.
- ii. National Legal Services Authority (NALSA) moved holding of Lok Adalats to the virtual platform known as E-Lok Adalat. The first E-Lok Adalat was held on 27.06.2020 and since then E-Lok Adalats have been organized in 28 States / UTs; wherein 66.93 lakh cases were taken up and 23.47 lakh cases were disposed of.
- iii. During the period from 1st April 2020 to 31st December 2021, more than 1.41 crore pre-litigation and pending cases were disposed of in National Lok Adalats. Further, during the same period, 11.72 lakh pre-litigation and pending cases were settled through State Lok Adalats and 1.23 lakh pre-litigation cases were settled through Permanent Lok Adalats.
- iv. Legal Services Institutions have been mandated to conduct pre-suit mediation in the commercial matters as per Section 12(A) of Commercial Court Act, 2018. During 1st April 2020 – 30th November 2021, 55,569 commercial disputes have been settled at pre-litigation stage through mediation.

- v. In wake of threat of spreading of COVID-19 virus, particularly, in overcrowded prisons, the State Governments and UT Administrations have constituted High Powered Committees (HPCs) comprising of Executive Chairman of the State Legal Services Authority (SLSA), the Principal Secretary (Home/Prison), Director General of Prison(s) for identification and facilitation in releasing Undertrial Prisoners/Convicts either on interim bail or on parole.
- vi. During the lockdown period (March - May 2020), 58,797 Under Trial Prisoners (UTPs) and 20,972 convicts were released on interim bail/parole on recommendations of HPCs or through efforts of Legal Services Authorities. After emergence of the second wave of COVID-19 (April-May, 2021), 70,382 UTPs and 22,211 Convicts were released on interim bail/parole on the recommendations of HPCs.
- vii. During the period 1st April 2020 to 31st December 2021, NALSA through SLSAs and District Legal Services Authorities (DLSAs) organized 18,582 Under Trial Review Committee (UTRC) meetings after which 28,115 inmates were released.
- viii. NALSA has issued a Protocol for Early Access to Justice at Pre-Arrest, Arrest and Remand Stage for providing assistance to suspects and accused at Pre-Arrest, Arrest and Remand Stage. During January 2020 to September 2021, legal assistance was provided to 8,433 suspects/accused at pre-arrest stage pursuant to which 2,879 suspects/accused were not arrested by the police. Further, assistance was provided to 10,191 arrestees at police stations before producing them in courts. Moreover, during the same period, 1,65,947 persons were provided legal assistance at remand stage and 73,452 bail applications were filed wherein bail was granted in 40,303 such matters.
