

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

LOK SABHA

**UNSTARRED QUESTION NO. 805
TO BE ANSWERED ON FRIDAY, THE 7TH FEBRUARY, 2025**

JUSTICE FOR LITIGANTS

805. SHRI MANICKAM TAGORE B:

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

- (a) the steps taken by the Government to address the backlog of over 48 million pending cases including those related to OBC creamy layer issue, particularly in subordinate courts and ensure timely justice for citizens and selected candidates of UPSC;
- (b) the manner in which the Government plans to uphold the constitutional guarantee of a fair and timely trial under Article 21 for millions of litigants in view of pendency of more than 182,000 cases for 30 years;
- (c) whether there is a vacancy of 42 per cent in High Courts and shortage of staff in subordinate courts;
- (d) if so, the details thereof and reasons for inability to fill these vacancies along with timeline for filling up the same;
- (e) the details of reforms that are being introduced to tackle procedural delays, including lengthy adjournments and inefficiencies in case management, to expedite the judicial process; and
- (f) the steps being taken by the Government to reform its litigation policies to reduce the backlog and ensure faster resolutions?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF
LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS;**

(SHRI ARJUN RAM MEGHWAL)

(a) to (f): Disposal of cases in courts is within the exclusive domain of the judiciary. However, the Central Government has unwavering commitment towards speedy disposal of cases and reducing pendency as mandated under Article 21 of the Constitution. To this end, the Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary:

(i) The 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 coordinated approach for phased liquidation of arrears and pendency in judicial administration, which, inter-alia, involves better infrastructure for courts including computerization, increase in sanctioned strength of District and Subordinate Courts, policy and legislative measures in the areas prone to excessive litigation and re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

(ii) Under the Centrally Sponsored Scheme for development of Judicial Infrastructure, funds are being released to States/UTs for construction of court halls, residential quarters for judicial officers, lawyers' halls, toilet complexes and digital computer rooms that ease the life of various stakeholders including the litigants, thereby aiding justice delivery. As on date, Rs. 11841.72crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for the Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 22,037 as on 20.01.2025, and number of residential units has increased from 10,211 as on 30.06.2014 to 19,690 as on 20.01.2025, under this scheme.

(iii) Further under the Phase I & II of the e-Courts Mission Mode Project, information and communication technology (ICT) had been leveraged for IT enablement of District and Subordinate Courts. 18,735 District and Subordinate Courts were computerized till 2023. WAN connectivity has been provided to 99.5% of court complexes. Video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. As on 31.12.2025, 1540 eSewa Kendras in District Courts and 29 eSewa Kendras in High Courts have been made functional to bridge the digital divide by providing citizen centric services to lawyers and litigants. 27 virtual courts have been set

up in 21 States/UTs. As on 31.12.2024, these courts have handled more than 6.36 crore cases and realized more than Rs. 691.95crores in fines. The Cabinet on 13.09.2023 has approved eCourts Phase-III at an outlay of Rs.7,210 crores. Taking the gains of Phase-I and Phase-II to the next level, the e-Courts Phase-III aims to usher in a regime of enhanced ease of justice by moving towards digital, online and paperless courts. It intends to incorporate latest technology such as Artificial Intelligence (AI), Block Chain, etc. to make justice delivery progressively more robust, easy and accessible to all the stakeholders.

(iv) In pursuance of a Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in all 25 High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Courts as well.

(v) A Statement showing sanctioned strength, working strength, vacancies of Judges in the High Courts across the country as on 04.02.2025 is at *Annexure-I*. Recruitment of administrative staff, support staff, technical staff in District and Subordinate Courts does not fall in the purview of the Central Government. This information, therefore, is not centrally maintained.

Filling up of vacant positions of Judicial Officers in District and Subordinate courts is the responsibility of the High Courts and State Governments concerned. As per the Constitutional framework, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Government in consultation with the High Court frames the rules and regulations regarding the appointment and recruitment of Judicial Officers in the respective State Judicial Service. The Hon'ble Supreme Court vide order passed in January 2007 in the Malik Mazhar Sultan case, has inter-alia, stipulated certain timelines, which are to be followed by the States and the respective High Courts for recruitment of judges in District and Subordinate Courts.

Judges of the High Courts are appointed under Article 217 and 224 of the Constitution of India and according to the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case).

As per the MoP, the responsibility for initiation of proposals for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court, in consultation with two senior-most puisne Judges of the High Court. For appointments to the High Courts, under the MOP, the views of concerned State Government are also obtained. The recommendations also have to be considered in the light of such other reports as may be available to the Government in respect of the names under consideration. The recommendations of the High Court Collegium, the State Governments and the Government of India are then forwarded to the Supreme Court Collegium (SCC) for advice. Only those persons are appointed as Judges of High Courts, whose names have been recommended by the SCC.

Appointment of the Judges of the Constitutional Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various constitutional authorities both at state and central level. While every effort is made to fill up the existing vacancies expeditiously, vacancies of Judges in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the strength of Judges.

The Government has been regularly filling up vacancies of Judges in the High Courts. From 01.05.2014 to 27.01.2025, 1013 new Judges were appointed and 776 Additional Judges were made permanent in the High Courts. The sanctioned strength of Judges of the High Courts has been increased from 906 in

May, 2014 to 1122 till now. The sanctioned and working strength of judicial officers in District and Subordinate Courts has increased as under:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
30.01.2025	25,771	20,478

Source: MIS Portal of the Department of Justice

(vi) The judicial procedure like Adjudgment, Case Management come under the purview of Judiciary. However, Government of India has taken various initiatives by introducing new laws and scheme which aims to facilitate reduction in the backlog and ensure faster resolution.

(vii) Under the aegis of the Fourteenth Finance Commission, the Fast Track Courts have been established for dealing with cases of heinous crimes; cases involving senior citizens, women, children, etc. As on 31.12.2024, 863 Fast Track Courts are functional for handling cases of 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. Further, the Central Government has approved a Scheme for setting up Fast Track Special Courts (FTSCs) across the country for the expeditious disposal of pending cases of Rape and POCSO Act. As on 31.12.2024, 747 FTSCs including 406 exclusive POCSO (ePOCSO) Courts are functional in 30 States/UTs across the country which have disposed of more than 2,99,000 cases.

(viii) With a view to reduce pendency and unclogging of the courts, the Government has 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.

(ix) Alternate Dispute Resolution methods have been promoted whole heartedly. Accordingly, The Commercial Courts Act, 2015 was amended in August, 2018 making Pre-institution Mediation and Settlement (PIMS) mandatory in case 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.

Under The Commercial Courts Act, 2015, there is provision for case management hearing which provides for an efficient, effective and purposeful judicial management of a case so as to achieve a timely and qualitative resolution of a dispute. It assists in early identification of disputed issues of fact and law, establishment of procedural calendar for the life of the case and the exploration of possibilities of the resolution of the dispute.

Another novel feature introduced for the commercial courts is the system of color banding which limits the number of adjournments that can be granted in any commercial matter to three and alerts the judges about listing of the cases in accordance with their stage of pendency.

(x) Lok Adalat is an important Alternative Disputes Resolution Mechanism available to common people. It is a forum where the disputes/ cases pending in the court of law or at pre-litigation stage are settled/ compromised amicably. Under The Legal Services Authorities (LSA) Act, 1987, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court. Lok Adalat is not a permanent establishment. National Lok Adalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date.

The details of the cases disposed of in National Lok Adalats during the last four years are as under: -

Years	Pre-litigation Cases	Pending Cases	Grand Total
2021	72,06,294	55,81,743	1,27,88,037
2022	3,10,15,215	1,09,10,795	4,19,26,010
2023	7,10,32,980	1,43,09,237	8,53,42,217
2024 (upto 31.12.2024)	8,70,19,059	1,75,07,060	10,45,26,119
Total	19,62,73,548	4,83,08,835	24,45,82,383

(xi) The Government launched the Tele-Law programme in 2017, which

provides an effective and reliable e-interface platform connecting the needy and disadvantaged sections seeking legal advice and consultation with panel lawyers via video conferencing, telephone and chat facilities available at the Common Service Centres (CSCs) situated in Gram Panchayats and through Tele-Law mobile App.

***Percentage Wise break-up of Tele – Law Data**

Category	Cases Registered	% Wise Break Up	Advice Enabled	% Wise Break Up
Gender Wise				
Female	41,75,351	39.32	41,20,027	39.27
Male	64,43,290	60.68	63,72,548	60.73
Caste Category Wise				
General	24,90,291	23.45	24,52,633	23.37
OBC	33,54,939	31.59	33,11,963	31.56
SC	33,45,204	31.50	33,11,945	31.56
ST	14,28,207	13.45	14,16,034	13.50
Total	1,06,18,641		1,04,92,575	

*Data as on 31-12-2024.

(xii) Efforts have been made to institutionalize pro bono culture and pro bono lawyering in the country. A technological framework has been put in place where advocates volunteering to give their time and services for pro bono work can register as Pro Bono Advocates on Nyaya Bandhu (Android & iOS and Apps). Nyaya Bandhu Services are also available on UMANG Platform. Pro Bono Panel of advocates has been initiated in 23 High Courts at the State level. Pro Bono Clubs have been started in 109 Laws Schools to instill Pro Bono culture in budding lawyers.

(xiii) In order to expedite the trial of Court cases a number of legislative changes have been made in procedural laws, which include provisions for limiting adjournments of court proceedings in criminal and civil matters.

STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (F) OF LOK SABHA UNSTARRED QUESTION NO. 805 FOR ANSWER ON 07.02.2025 REGARDING 'JUSTICE FOR LITIGANTS'.

Sanctioned strength, working strength, vacancies of Judges in the High Courts as on 04.02.2025

Sl No.	High Court	Sanctioned strength			Working strength			Vacancies		
		Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1	Allahabad	119	41	160	79	0	79	40	41	81
2	Andhra Pradesh	28	9	37	21	9	30	7	0	7
3	Bombay	71	23	94	52	16	68	19	7	26
4	Calcutta	54	18	72	33	10	43	21	8	29
5	Chhattisgarh	17	5	22	9	7	16	8	-2	6
6	Delhi	45	15	60	38	0	38	7	15	22
7	Gauhati	22	8	30	21	3	24	1	5	6
8	Gujarat	39	13	52	32	0	32	7	13	20
9	Himachal Pradesh	13	4	17	12	0	12	1	4	5
10	J & K and Ladakh	19	6	25	12	3	15	7	3	10
11	Jharkhand	20	5	25	16	0	16	4	5	9
12	Karnataka	47	15	62	46	3	49	1	12	13
13	Kerala	35	12	47	30	15	45	5	-3	2
14	Madhya Pradesh	40	13	53	33	0	33	7	13	20
15	Madras	56	19	75	54	11	65	2	8	10
16	Manipur	4	1	5	4	0	4	0	1	1
17	Meghalaya	3	1	4	3	1	4	0	0	0
18	Orissa	24	9	33	18	0	18	6	9	15
19	Patna	40	13	53	34	0	34	6	13	19
20	Punjab & Haryana	64	21	85	48	3	51	16	18	34
21	Rajasthan	38	12	50	33	0	33	5	12	17
22	Sikkim	3	0	3	3	0	3	0	0	0
23	Telangana	32	10	42	23	7	30	9	3	12
24	Tripura	4	1	5	4	1	5	0	0	0
25	Uttarakhand	9	2	11	8	0	8	1	2	3
Total		846	276	1122	666	89	755	180	187	367