

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

LOK SABHA

**UNSTARRED QUESTION NO.1561
TO BE ANSWERED ON FRIDAY, THE 10TH FEBRUARY, 2023**

LONG PENDING CASES

**1561. SHRIMATI PRATIMA MONDAL:
SHRI NARANBHAI KACHHADIYA:**

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

- (a) the number of criminal and civil cases pending in the High Courts and Supreme Court of India separately along with the number of under trials in the country, State-wise;**
- (b) the number of cases pending for less than 10 years, 10 to 20 years and more than 20 years in the country, court and category-wise; and**
- (c) the steps taken by the Government to resolve long pending cases?**

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a): As per the information provided by the Supreme Court of India retrieved from the Integrated Case Management Information System (ICMIS), there were 69,511 pending cases in the Supreme Court as on 01.02.2023 out of which 55,015 are civil cases and 14,496 are criminal cases.

In the case of High Courts, presently there are total 59,77,361 cases pending out of which there are 42,90,686 civil cases and 16,86,675 criminal cases as per the information available on National Judicial Data Grid (NJDG) on 7th February, 2023.

The detailed State-wise statement of under trials as provided by Ministry of Home Affairs as retrieved from National Crime Records Bureau (NCRB) in the country as on 31.12.2021 is placed at ***Annexure-I***.

(b): The detailed statement of information, category-wise, regarding number of cases pending for less than 10 years, 10 to 20 years and more than 20 years in the Supreme Court, High Courts and District and Subordinate Courts is at ***Annexure-II***.

(c): The disposal of pending cases in the Supreme Court and High Courts lies exclusively within the domain of the judiciary. The Central Government has no direct role in the matter.

However, the Government has taken several initiatives to provide suitable environment for expeditious disposal of cases by the judiciary. Central Government started the National Mission for Justice Delivery and Legal Reforms 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, an 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 under various initiatives of the Department of Justice to assist in reducing/minimizing the pendency of cases in the courts and their outcomes are as follows:

- i. Improving infrastructure for Judicial Officers of District and Subordinate Courts:** As on date, Rs. 9490.45 crores 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 21,245 as on 30.01.2023, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,726 as on 30.01.2023, under this scheme. In addition, 2,780 court halls and 1652 residential units are under construction (as per NyayaVikas Portal). The Centrally Sponsored Scheme for the Development of Infrastructure Facilities for Judiciary has been extended till 2025-26 at a total cost of Rs. 9,000 crores, out of which the central share will be Rs. 5,307 crores. Besides, the construction of court halls and residential units, it would also cover the construction of lawyer's halls, toilet complexes, and digital computer rooms.

- ii. **Leveraging Information and Communication Technology (ICT) for improved justice delivery:** The Government has been implementing the e-Courts Mission Mode Project throughout the country for information and communication technology enablement of district and subordinate courts. The number of computerised district & subordinate courts has increased to 18,735 so far. WAN connectivity has been provided to 99.4% of court complexes. 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 02.02.2023, litigants can access the case status of over 22.09 crore cases and 20.43 crore orders/judgments 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 the eCourts web portal, Judicial Service Centers (JSC) in all computerized courts, the eCourts Mobile App, email service, and SMS push, and pull services. A video conferencing facility has been enabled between 3,240 court complexes and 1,272 corresponding jails. With a view to handling the COVID- 19 challenges better and

making the transition to virtual hearings smoother, 619 e-SewaKendras have been set up at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case-related information, and e-filing facilities. Rs. 5.01 crore has been allocated for providing equipment in video conferencing cabins in various court complexes to facilitate virtual hearings. Rs. 12.12 crore has been allocated for 1,732 help desk counters for e-filing in various court complexes.

21 virtual courts have been set up in 17 States/UTs viz. Delhi (2), Haryana, Tamil Nadu, Karnataka, Kerala (2), Maharashtra (2), Assam, Chhattisgarh, Jammu & Kashmir (2), Uttar Pradesh, Odisha, Meghalaya, Himachal Pradesh, Madhya Pradesh, Tripura, West Bengal, and Rajasthan to try traffic offences. As on 02.01.2023, these courts have handled more than 2.40 crore cases and realized more than Rs. 347.86 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 began, the district courts heard 1,82,20,040 cases while the high courts heard 77,01,697 cases (total 2.59 crore) via video conferencing till 30.12.2022. The Supreme Court had 3,79,954 hearings since the lockdown period upto 24.12.2022.

- iii. **Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts:** From 01.05.2014 to 06.02.2023, 52 Judges were appointed in Supreme Court. 870 new judges were appointed and 626 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 1108 currently. sanctioned and working strength of judicial officers in district and subordinate courts has increased as follow:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
06.02.2023	25,135	19,376

However, 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 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. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in high courts and district courts. In the past, Minister of Law & Justice has taken up the matter with the Chief Justices of High Courts and the Chief Ministers of states drawing their attention to the cases pending for more than five years and to take up pendency reduction campaign. The Department of Justice has developed an online portal for reporting by all High Courts on the compliance of Arrears Eradication Scheme guidelines of the Malimath Committee Report.
- v. **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 31.12.2022, 848 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, the central government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for the expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme. Rs.140 crore was released in the financial year 2019-20, Rs. 160 crore has been released during the financial year 2020-21 and Rs. 134.557 crore has been released during the financial year 2021-22 for the scheme Rs. 186.93 crore has been released during current FY upto December, 2022. 768 FTSC are functional including 418 exclusive POCSO Courts, which disposed more than 1,37,000 cases as on 31.12.2022.

- vi. 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.
- vii. **Emphasis on Alternate Dispute Resolution (ADR):** Commercial Courts Act, 2015 (as amended on 20th August, 2018) stipulates mandatory Pre-institution Mediation and Settlement (PIMS) 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.
- viii. LokAdalat 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 LokAdalat 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. In order to reduce the pendency of cases in

courts and also to settle the disputes at pre-litigation stage, LokAdalats are organized by Legal Services Institutions at such intervals as it deems fit. LokAdalat is not a permanent establishment. However, as per Section 19 of the LSA Act, 1987, LokAdalats are organized by Legal Services Institutions as per requirement. National LokAdalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date.

The details of the case disposed off in LokAdalats during the last two 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
Total	3,82,21,509	1,64,92,538	5,47,14,047

- ix. The Government launched the Tele-Law programme in 2017, which provided 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 Panchayat and through Tele-Law mobile App.

Category	Total Advice Enabled	%
SC	10,00,641	31.62 %
ST	5,62,169	17.77 %
OBC	9,26,006	29.26 %
Women	10,59,373	33.48 %
General	6,75,574	21.35 %
As on 31 st January, 2023	31,64,390	

- x. Efforts have been made to institutionalize pro bono culture and pro bono lawyering 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 NyayaBandhu (Android &iOS and Apps). NyayaBandhu Services also available on UMANG Platform. Pro Bono Panel of advocates have been initiated in 21 High Courts at the State level. Pro Bono Clubs have been started in 69 select Laws Schools to instill Pro Bono culture in budding lawyers.

ANNEXURE-I

DETAILED STATE-WISE STATEMENT OF UNDER TRIALS IN THE COUNTRY (as on 31.12.2021)

Sl. No.	State/UT	Number of Undertrial Prisoners
1	ANDHRA PRADESH	5831
2	ARUNACHAL PRADESH	121
3	ASSAM	7620
4	BIHAR	59577
5	CHHATTISGARH	12288
6	GOA	481
7	GUJARAT	11599
8	HARYANA	18237
9	HIMACHAL PRADESH	2024
10	JHARKHAND	16249
11	KARNATAKA	11689
12	KERALA	4892
13	MADHYA PRADESH	29094
14	MAHARASHTRA	31752
15	MANIPUR	513
16	MEGHALAYA	866
17	MIZORAM	640
18	NAGALAND	326
19	ODISHA	18164
20	PUNJAB	19510
21	RAJASTHAN	17954
22	SIKKIM	302
23	TAMIL NADU	11706
24	TELANGANA	4796
25	TRIPURA	598
26	UTTAR PRADESH	90606
27	UTTARAKHAND	4674
28	WEST BENGAL	22577
29	A & N ISLANDS	158
30	CHANDIGARH	718
31	DNH & DAMAN DIU	177
32	DELHI	16665
33	JAMMU & KASHMIR	4531
34	LADAKH	16
35	LAKSHADWEEP	5
36	PUDUCHERRY	209
	TOTAL	427165

Source:- Ministry of Home Affairs.

Detailed statement regarding number of cases pending in the various Courts

Name of Court	Cases pending for less than 10 years			Cases pending for 10 to 20 years			Cases pending for more than 20 years		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
*Supreme Court	58,085			6,652			4,774		
**High Courts	3289243	1261794	4551037	788281	343774	1132055	213162	81107	294269
**District &Subordinate Courts	10041675	29238678	39280353	700124	2778009	3478133	152546	517456	670002

* Source:- Supreme Court of India, data as on 01.02.2023

** Source:- National Judicial Data Grid (NJDG), data as on 07.02.2023