

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

LOK SABHA

**UNSTARRED QUESTION NO. 473
TO BE ANSWERED ON WEDNESDAY, THE 20TH NOVEMBER, 2019.**

High pendency of Court Cases

**473. MS.DIYA KUMARI:
MS.LOCKET CHATTERJEE:
DR. NISHIKANT DUBEY:
SHRI PANKAJ CHAUDHARY:**

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

- (a) the State-wise details of cases lying pending in various courts for more than 10 years and the number of cases of serious nature out of them;**
- (b) the number of cases pending in the Supreme Court, High Courts and various district courts and Tribunals as on date along with the initiative taken by the Government to reduce the backlog in a time-bound manner;**
- (c) whether the Government is aware of the abysmally low ratio of courts vis-à-vis the population of the country and if so, the steps taken by the Government to increase the ratio;**
- (d) whether the Government is considering to set up new High Courts in the country and if so, the details thereof;**
- (e) the quantum of amount spent by the Government for the legal aid to the common/poor people during the last three financial years; and**
- (f) the other steps taken by the Government to dispose of the cases lying pending in various courts in a time-bound manner?**

ANSWER

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &
INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a): As per data available on the National Judicial Data Grid (NJDG), the State-wise details of cases pending for more than 10 years is given in the Annexure. NJDG does not provide data regarding cases of serious nature separately.

(b): As per data available on the website of Supreme Court and National Judicial Data Grid (NJDG), the total number of cases pending in various courts as on 14.11.19 is as under:

Name of Court	Pending Cases
Supreme Court (As on 01.11.2019)	59,867
High Courts	44,76,625
District and Subordinate Courts	3,14,53,555

Data relating to pending cases in Tribunals is not provided on NJDG. Further, disposal of cases in courts is within the domain of 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.

(c): Based on the population as per Census 2011 and as per information available regarding sanctioned strength of Judges in Supreme Court, High Courts and District & Subordinate Courts, the Judges per million population in India works out to be 20.39. In pursuance of the directions of the Supreme Court in the case of *Imtiyaz Ahmed versus State of Uttar Pradesh and others, 2012*, to evolve a method for scientific assessment of the number of additional courts required to clear the backlog of cases, the Law Commission of India, in its 245th report (2014), did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. Further, number of District and Subordinate Courts has increased from 19518 in 2014 to 23566 at present. As on 30.09.19, 704 Fast Track Courts are functional for heinous crimes, crimes against women and children, family and matrimonial disputes, etc. Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts across the country for expeditious disposal of pending 166882 cases under Rape and POCSO Act.

(d): There is no proposal to establish new High Court in the country.

(e): A sum of Rs. 390 crores has been released during the financial years 2017-18, 2018-19 and 2019-20 (upto November) to National Legal services Authority (NALSA) towards activities for providing legal aid to common/poor people in the country. NALSA has set up legal services institutions at the level of Taluk Courts, District Courts and States. Apart from these legal services institutions, High Court Legal Services Committees are constituted at all High Courts and the Supreme Court Legal Services Committee at the Supreme Court level to provide free legal services to the persons eligible under Section 12 of the Legal Services Authorities Act. Free legal services include payment of court fees, providing advocate and preparation of paper book. The NALSA has notified National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010. The said Regulation provides entitlement to the poor and weaker section of the society such as member of SC/ST, women and children. Also, pending cases are considered and disposed in Lok Adalats conducted under National Legal Services Authority (NALSA). 172.60 lakh pending cases have been settled in National Lok Adalat from 2015 till date while 88.40 lakh pending cases have been settled in Regular Lok Adalats during 2015-16 to June, 2019.

(f): The Government is committed to speedy disposal of cases and reduction in pendency of cases to improve access to justice in line with the mandate of the Preamble and Article 39A of the Constitution. 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 in 2011 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 [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees constituted at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases.

Annexure

State-Wise details of Cases pending in District and Subordinate Courts as on 14.11.2019

Sl. No	Name of States/UTs	Number of Cases pending in District and Subordinate Courts More than 10 Years. (As On 14.11.2019)
1.	A & N Island	0
2.	Andhra Pradesh	4213
3.	Telangana	6828
4.	Arunachal Pradesh	-----
5.	Assam	2806
6.	Bihar	377250
7.	Chandigarh	49
8.	Chhattisgarh	774
9.	D & N Haveli	198
10.	Daman & Diu	67
11.	Delhi	4865
12.	Goa	1698
13.	Gujarat	175439
14.	Haryana	501
15.	Himachal Pradesh	735
16.	Jammu & Kashmir	4009
17.	Jharkhand	11433
18.	Karnataka	35761
19.	Kerala	6264
20.	Lakshadweep	-----
21.	Madhya Pradesh	13526
22.	Maharashtra	250095
23.	Manipur	258
24.	Meghalaya	758
25.	Mizoram	18
26.	Nagaland	-----
27.	Orissa	175409
28.	Punjab	918
29.	Rajasthan	48437
30.	Sikkim	0
31.	Tamil Nadu	34037
32.	Pondicherry	-----
33.	Tripura	1196
34.	Uttar Pradesh	943935
35.	Uttarakhand	2795
36.	West Bengal	286443
Total		2390715

Source: NJDG Web portal.

Note: Data on District and Subordinate Courts in the States of **Arunachal Pradesh**, **Nagaland**, and Union Territories of **Lakshadweep** and **Puducherry** are not available on the web-portal of NJDG.

