

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

LOK SABHA

**UNSTARRED QUESTION NO. 339
TO BE ANSWERED ON WEDNESDAY, THE 03rd FEBRUARY, 2021**

PENDING COURT CASES

**339. SHRI K. MURALEEDHARAN:
SHRI HARISH DWIVEDI:
SHRI KARTI P. CHIDAMBARAM:**

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

- (a) the details of number of pending cases in Supreme Court, different High courts and subordinate courts in the country during the last three years, courtwise and the reasons therefor;
- (b) the number of vacancies that are pending with the Government for appointment of judges in different High Courts;
- (c) the impact of COVID-19 on case pendency in the Supreme Court, High Courts and Subordinate Courts;
- (d) whether there is clear definition of the category “urgent cases”, which were heard by the Supreme Court during the pandemic and if so, the details thereof and if not, the reasons therefor; and
- (e) the measures taken by the Government to reduce pendency of court cases and its outcome thereof?

**ANSWER
MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND
ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a)& (b): As per information available, details of cases pending in Supreme Court of India during last three years are as given below :

Year	Pendency
2018	57,346
2019	59,859
2020	63,146

As per the information/data furnished by High Courts and also information/data available on the web portal of National Judicial Data Grid (NJDG), details of High Courts wise and State/UT wise pendency of cases in District and Subordinate Courts during last three years are given in Statement at *Annexure-I* and *Annexure-II* respectively. A statement showing sanctioned strength, working strength and vacancies of Judges in the High Courts is given at *Annexure-III*.

(c) to (e): Disposal of pending cases in courts is within the domain of the judiciary. There is no one single factor like Covid which can be attributed to increase in pendency of cases. Pendency of cases in courts depends on several factors which, inter-alia includes availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, cooperation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. After announcement of nation-wide lockdown from 25th March, 2020, 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. Most High Courts have further advised district and subordinate courts that they may, as far as possible, resume normal functioning by virtual/physical mode. Wherever physical hearing has been permitted in district and subordinate courts, they have been advised to strictly adhere to Covid protocols and social distancing norms. A new Software Patch and Court User Manual has been recently developed for COVID-19 Management. This tool has been developed to help in smart scheduling all cases to effectively manage overcrowding in courts.

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. Due to constraints of infrastructure and

workforce as well as social distancing norms, limited number of matters could be listed for hearing as compared to normal times. The Supreme Court had framed guidelines which clarified the classes of cases which may be treated as 'urgent' for purposes of early hearing. Though, there is no clear definition of cases falling in the 'urgent' category since the outbreak of coronavirus pandemic, only the urgent matters which are 'mentioned' for early listing before the Hon'ble Court on the ground of urgency are being listed as per 'Standard Operating Procedure' uploaded on the website(www.sci.gov.in) from time to time. Apart from the 'mentioned' matters, fresh matters and specifically directed matters are also being listed. Further, where a matter does not fall under the 'Urgent category', it is left to the discretion of the Bench. Since Covid lockdown started, the District courts heard 45,73,159 cases while the High Court heard 20,60,318 cases (totaling to 66.33 lakh) till 31.12.2020 using video conferencing only. The Supreme Court had nearly 32,000 hearings during the lockdown period.

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 five years under various initiatives are as follows:

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs. 8,288.30 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 20,062 as on 28.01.2021 and number of residential units has increased from

10,211 as on 30.06.2014 to 17,736 as on 28.01.2021 under this scheme. In addition, 2,808 court halls and 1,843 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 28.01.2021, 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 01.01.2021, litigants can access case status of over 17.90 crore cases and 13.36 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.

Nine 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 20.01.2021, these courts have handled 41,98,095 cases and realised Rs.139.25cr in fines.

- (iii) Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 25.01.2021, 35 Judges were appointed in Supreme Court. 570 new Judges were appointed and 520 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 1080 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
28.01.2021	24,247	19,318

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.
- (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 18.01.2021, Fast Track Courts are functional for heinous crimes, crimes against women and children, family and matrimonial disputes, 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) and proportionate funds have been released to these States by the Government. 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 823 FTSCs including 'exclusive POCSO Courts'. Rs.140 crore was released in the financial year 2019-20 and Rs. 89.89 crore has been released during the financial year 2020-21 for the scheme. Presently 609 FTSCs are functional including 331 exclusive POCSO Courts.
- (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.

HIGH COURTS

Total Number of Pending Cases in various High Courts in year 2018, 2019 & 2020

S.NO.	Name of the High Court	Total Number of Pending Cases 1(As on 31/12/2018)	Total Number of Pending Cases (As on 31/12/2019)	Total Number of Pending Cases (As on 31/12/2020)
1.	Allahabad	939475	944657	773408
2.	Andhra Pradesh*	354833	193594	207762
3.	Telangana*		206413	236852
4.	Bombay	287864	305962	559119
5.	Calcutta	231576	228060	267431
6.	Chhattisgarh	63574	69316	75836
7.	Delhi	74536	80950	91195
8.	Gujarat	114962	129184	142803
9.	Gauhati	33445	37243	51901
10.	Meghalaya	782	757	1443
11.	Manipur	3062	2468	4374
12.	Tripura	2977	2586	2347
13.	Himachal Pradesh	36177	54452	73862
14.	Jammu & Kashmir	64042	71693	63468
15.	Jharkhand	88932	85272	88445
16.	Karnataka	357604	271929	293259
17.	Kerala	192754	196823	214384
18.	Madhya Pradesh	331388	357929	362932
19.	Madras	293004	272722	580770
20.	Orissa	167909	150562	172476
21.	Patna	153486	172425	178835
22.	Punjab & Haryana	337231	353888	637148
23.	Rajasthan	285012	459828	523600
24.	Sikkim	252	234	241
25.	Uttarakhand	34049	35407	38676
	Total	4448926	4684354	5642567

Note : The above statement is compiled on the basis of the figures received from the High Courts.

*For the period 2018, the figures are for the erstwhile High Court of Judicature are at Hyderabad for the State of Andhra Pradesh and Telangana

Details of District & Subordinate Courts wise pendency of Cases during the last three years and current position

Sl. No	Name of States/UTs	Number of Cases pending in District and Subordinate Courts as on 31.12.2017	Number of Cases pending in District and Subordinate Courts as on 10.12.2018	Number of Cases pending in District and Subordinate Courts as on 14.11.2019	Number of Cases pending in District and Subordinate Courts as on 28.01.2021
1.	A & N Island	11,185	---	0	0
2.	Andhra Pradesh	4,99,246	5,22,853	558144	645518
3.	Telangana	4,16,164	5,14,425	553032	686819
4.	Arunachal Pradesh	---	---	---	---
5.	Assam	2,23,954	2,84,344	296205	361274
6.	Bihar	16,58,292	24,39,139	2839812	3191323
7.	Chandigarh	38,628	42,980	47132	59265
8.	Chhattisgarh	2,72,888	2,57,782	275552	335230
9.	D & N Haveli	3,552	2,465	3091	3413
10.	Daman & Diu	1,746	1,758	2203	2828
11.	Delhi	6,07,036	7,19,977	832229	978490
12.	Goa	39,745	43,825	46462	57311
13.	Gujarat	16,41,355	16,59,335	1604461	1949686
14.	Haryana	6,45,647	7,21,335	852700	1126576
15.	Himachal Pradesh	2,09,938	2,56,577	287555	423074
16.	Jammu & Kashmir	1,21,754	1,55,889	174640	218833
17.	Jharkhand	3,33,494	3,53,670	383212	446803
18.	Karnataka	13,81,438	12,77,153	1546631	1763930
19.	Kerala	11,52,056	11,62,952	1275520	1841556
20.	Ladakh	---	-----	-----	768
21.	Lakshadweep	---	---	---	----
22.	Madhya Pradesh	13,25,053	13,70,355	1420511	1719056
23.	Maharashtra	33,36,574	35,61,746	3760171	4582365
24.	Manipur	9,604	9,994	9879	11139
25.	Meghalaya	7,032	6,727	8851	10410
26.	Mizoram	3,306	3,653	2560	4710
27.	Nagaland	---	---	---	1562
28.	Odisha	10,22,635	11,23,055	1220696	1398399
29.	Punjab	5,68,232	5,99,053	631132	831225
30.	Rajasthan	14,24,560	15,05,712	1654941	1863560
31.	Sikkim	1,400	1,306	1180	1600
32.	Tamil Nadu	10,10,381	11,03,460	1158027	1297274
33.	Puducherry	---	---	---	----
34.	Tripura	25,191	23,519	24190	44534
35.	Uttar Pradesh	61,61,822	70,04,569	7504678	8653883
36.	Uttarakhand	2,10,587	2,38,349	197858	269058
37.	West Bengal	17,59,635	22,05,954	2275633	2401947
Total		2,61,24,130	2,91,73,911	3,14,48,888	37183419

Note: Data on District and Subordinate Courts in the States of Arunachal Pradesh and Union Territories of Lakshadweep and Puducherry are not available on the web-portal of NJDG. Data in respect of Andaman & Nicobar Islands is not available on NJDG Portal.

Annexure- III

Statement showing Sanctioned strength, Working Strength and Vacancies of Judges in the High Courts (As on 29.01.2021)

Sl. No.	Name of the High Court	Sanctioned Strength			Working Strength			Vacancies		
		Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1	Allahabad	120	40	160	82	14	96	38	26	64
2	Andhra Pradesh	28	09	37	19	0	19	09	09	18
3	Bombay	71	23	94	49	15	64	22	08	30
4	Calcutta	54	18	72	31	02	33	23	16	39
5	Chhattisgarh	17	05	22	13	01	14	04	04	08
6	Delhi	45	15	60	29	0	29	16	15	31
7	Gauhati	18	06	24	18	03	21	0	03	03
8	Gujarat	39	13	52	30	0	30	09	13	22
9	Himachal Pradesh	10	03	13	10	0	10	0	03	03
10	High Court for UTs of J & K and Ladakh	13	04	17	11	0	11	02	04	06
11	Jharkhand	19	06	25	17	0	17	02	06	08
12	Karnataka	47	15	62	26	20	46	21	-05	16
13	Kerala	35	12	47	30	07	37	05	05	10
14	Madhya Pradesh	40	13	53	27	0	27	13	13	26
15	Madras	56	19	75	52	10	62	04	09	13
16	Manipur	04	01	05	04	01	05	0	0	0
17	Meghalaya	03	01	04	04	0	04	-01	01	0
18	Orissa	20	07	27	15	0	15	05	07	12
19	Patna	40	13	53	22	0	22	18	13	31
20	Punjab& Haryana	64	21	85	37	11	48	27	10	37
21	Rajasthan	38	12	50	23	0	23	15	12	27
22	Sikkim	03	0	03	03	0	03	0	0	0
23	High Court for the State of Telangana	18	06	24	14	0	14	04	06	10
24	Tripura	04	01	05	04	0	04	0	01	01
25	Uttarakhand	09	02	11	07	01	08	02	01	03
Total		815	265	1080	577	85	662	238	180	418

PMT – Permanent
Addl. - Additional