

Pendency of cases in High Courts and Supreme Court

1039. SHRI GAYA SINGH:
SHRI J. CHITHARANJAN:
KUMARI NIRMALA
DESHPANDE:

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

(a) whether it is a fact that the number of pending cases in various High Courts and Supreme Court are- getting accumulated every year due to disproportionate disposal of the cases;

(b) if so, the details of the cases pending, registered and disposed off at the end of the years 1996 and 1997 and as on the latest date available in 1998;

(c) the reason for accumulation of pending cases; and

(d) the steps proposed to be taken for speedy disposal of the pending cases?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) and (c) The pendency of cases in Supreme Court has come down from 1,07,776 cases in December, 1990 to 19,806 as on 31st October, 1998. Despite the increase in the disposal of cases in the High Courts from 8.38 lakhs in 1991 to 11.34 lakhs in 1996, the backlog of cases pending in High Courts has shown an upward trend. This is largely due to increased institution of cases.

(b) Statements I to III are attached. (See below)

(d) In a continuing endeavour for providing prompt justice, the Government intends to further simplify the judicial procedures, increase the number of posts of judges, strengthen the existing infrastructure further by providing funds for the construction of court buildings and residential premises for Judges/Judicial Officers and adopt Lok Adalats and other alternative modes of dispute resolution such as arbitration, mediation and negotiation.

Statement-I

No. of cases Instituted and disposed of during the year 1996 and cases pending as on 31st December, 1996

Sl. No.	Name of the High Court	No. of cases instituted	No. of cases disposed	No. of cases pending
1.	Allahabad	163920	116977	865455
2.	Andhra Pradesh	120997	134024	13562.1
3.	Bombay	91621	74674	234058
4.	Calcutta	68424	58481	264312
5.	Delhi	57812	2487	153537
6.	Gauhati	20958	19311	33018
7.	Gujarat	47628	32924	123108
8.	Himachal Pradesh	14599	16505	17166
9.	J & K	21567	18853	96414
10.	Karnataka	70739	81267	150965

Sl. No.	Name of the High Court	No. of cases institutes	No. of cases disposed	No. of cases pending
11.	Kerala	101492	80692	217823
12.	Madhya Pradesh	76806	80654	82294
13.	Madras	105442	97163	310640
14.	Orissa	47666	32788	66820
15.	Patna	76743	78878	93310
16.	Punjab & Haryana	117304	105777	161562
17.	Rajasthan	55028	52628	97768
18.	Sikkim	227	209	88
TOTAL:		12,58,757	11,34,292	31,03,959

SUPREME COURT

Institution	Disposal	Pendency
33,406	46,216	23,246

Statement-II

No. of cases Instituted and disposed of during the. year 1997 and cases pending as on 31st December, 1997

Sl. No.	Name of the . High Court	No. of cases instituted	No. of cases disposed	No. of cases pending
1.	Allahabad	N.A.	N.A.	865,455
2.	Andhra Pradesh	139,689	142,099	133,211
3.	Bombay	91,812	88,252	237,618
4.	Calcutta	81,024	63,127	282,209
5.	Delhi	54,511	44,618	163,430
6.	Gauhati	19,224	18,077	34,165
7.	Gujarat	47,202	47,344	122,966
8.	Himachal Pradesh	10,003	13,665	13,352
9.	J & K	22,984	20,753	98,645
10.	Karnataka	69,483	85,059	135,389
11.	Kerala	108,513	76,075	250,261

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SI. No.	Name of the High Court	No. of cases instituted	No. of cases disposed	No. of cases pending
12.	Madhya Pradesh	79,931	79,094	83,131
13.	Madras	126,750	110,761	326,619
14.	Orissa	51,634	33,557	84,897
15.	Patna	84,660	93,306	84,666
16.	Punjab & Haryana	128,146	119,037	170,671
17.	Rajasthan	57,332	56,684	98,416
18.	Sikkim	234	227	95
TOTAL:		11,73,132	10,81,735	31,85,196

SUPREME COURT

Pending as on 1.1.97	Institution	Disposal	Pending at the end of the year
23,246	32,355	36,569	19,0321

Statement-III

No. of cases Instituted and disposed of during the year 1998 and cases pending (As per available information).

SI. No.	Name of the High Court	As on	No. of cases instituted	No. of cases disposed	No. of cases pending
1.	Allahabad	12/96	N.A.	N.A.	865455
2.	Andhra Pradesh	6/98	72728	65252	140687
3.	Bombay	3/98	25630	23355	239893
4.	Calcutta	6/98	36075	32442	285842
5.	Delhi	6/98	18998	18085	164405
6.	Gauhati	3/98	4124	4084	34205
7.	Gujarat	9/98	44610	43166	120827
8.	Himachal Pradesh	9/98	8153	7168	14344
9.	J & K	9/98	21626	26538	93733
10.	Karnataka	9/98	56708	97125	94972
11.	Kerala	6/98	66962	46593	270630

Sl. No.	Name of the High Court	As on	No. of cases instituted	No. of cases disposed	No. of cases pending
12.	Madhya Pradesh	6/98	41264	35671	88724
13.	Madras	6/98	58118	48104	336633
14.	Orissa	3/98	13848	9457	89288
15.	Patna	6/98	45993	47726	79482
16.	Punjab & Haryana	9/98	99973	102538	168737
17.	Rajasthan	6/98	30228	29435	99209
18.	Sikkim	6/98	663	321	437

SUPREME COURT (for the period 1.1.98 to 31.10.98)

No. of cases Institution	Disposal	Pendency
29932	29158	19806

Proposals for electoral reforms sent by Election Commission

1040. SHRI ANANTRAY DEV-SHANKER DAVE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the details of proposal sent by the Election Commission of Electoral Reforms during the last one year;

(b) whether Government have considered these proposals; and

(c) if so, the action taken on each of them so far?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) to (c) The Election Commission of India vide its letter dated 15th July, 1998 has sent its views on the proposals on electoral reforms which are presently being discussed with political parties. In the letter, some other proposals have also been made. Details of views of the Election Commission of India are contained in the Statement which is laid on the Table of the House. (See below) The Government

is neither in favour of vesting rule making authority in the Election Commission of India nor in empowering it to frame disciplinary rules in respect of personnel deployed on election duty. No decision has yet been taken by the Government with regard to other proposals of the Election Commission of India.

Statement

A. Views of the Election Commission on the set of proposals on Electoral Reforms identified by the Government for discussions with political parties.

- (i) The Election Commission is not in favour of reducing the age qualification for membership of Parliament and State Legislature.
- (ii) The Election Commission favours existing restriction limiting the contest by a candidate to two constituencies of the same class and does not favour restricting it further to only one constituency.