

#### **Disposal of pending cases**

776. SHRI PARIMAL NATHWANI: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the number of cases pending in the Supreme Court, High Courts and district courts since last twenty years, State-wise;
- (b) the reasons for the large number of pending cases;
- (c) the number of States which have night courts and the details of night court sittings during the last three years, State-wise; and
- (d) the action proposed by Government apart from night courts to attain disposal of cases within a limited time-period without granting extensions?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) Information is being collected and will be laid on the Table of the House.

(b) Some of the main reasons for pendency in the Courts as identified by various Commissions and Committees including the Law Commission are given below :

- (i) Population and Litigation Explosion.
- (ii) Increase in institution of fresh cases.
- (iii) Inadequacy of Judges' strength.
- (iv) Delays in filling up of vacancies in the Courts.
- (v) Inadequate staff attached to the courts.
- (vi) Granting of unnecessary adjournments
- (vii) Frequent closure of courts on account of lawyers' strikes etc.

(c) and (d) As per available information, there are no night courts in the country. However, morning/evening courts set up in some of the States such as Andhra Pradesh, Delhi, Gujarat, Punjab & Haryana and Tamil Nadu have been fairly successful in reducing the burden of the regular courts. Government has also accepted the recommendations of the Thirteenth Finance Commission to provide a grant of Rs.5000 crore to the States for improving the justice delivery system in the country.

Out of this, an amount of Rs. 2500 crore is for operation of morning/evening/shift/special magistrates' courts. First instalment of Rs. 500 crores has already been released to the States. With the help of these grants, the States can, inter-alia, set up morning/evening/shift/special magistrates' courts, organize more Lok Adalats and strengthen alternate dispute resolution mechanism such as mediation with a view to reducing court pendencies.

#### **Curb on PILs**

777. SHRI KALRAJ MISHRA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government has decided to adopt a strategy to curb the increasing tendency of people to file Public Interest Litigation (PIL) to mitigate the hardships faced' by courts with pendency of cases with High Courts and Supreme Court;

(b) the details of Government's decision to curb this tendency of initiating frivolous litigation; and

(c) the steps taken/being taken in pursuance thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) The matter of entertaining or curbing PILs is within the domain of the Courts in which they are filed. The Hon'ble Supreme Court of India has, from time to time, drawn up certain guidelines to check the misuse of Public Interest Litigation (PIL) by unscrupulous elements.

(b) and (c) Do not arise.

#### **Setting up of family courts**

778. SHRI RAMDAS AGARWAL: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the details of family courts functioning in the country, State-wise;

(b) whether any proposal of the State Government of Rajasthan is pending with the Central Government for setting up of family courts; and

(c) if so, the action taken by Central Government thereon, till date?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) The number of family Courts functional State-wise is given in the enclosed Statement (See below).