

**Mission mode programme for disposal of cases**

†\*164. SHRI SHREEGOPAL VYAS: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the progress made in the mission mode programme for early disposal of cases;
- (b) whether there is any action plan for maximum use of Hindi and regional languages for success of Gram Nyayalayas; and
- (c) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED):

(a) Huge backlog of cases and high pendency in courts is one of the major problem affecting both the judicial administration and justice delivery in India. Several measures are taken by the Government in close cooperation with the State High Courts for expeditious disposal of cases. As a part of that Government of India undertook a pendency reduction drive from July 2011 to Dec 2011. The Chief Justices of the High Courts were requested to initiate in a campaign mode clearance of petty cases and long pending cases and utilization of 13th Finance Commission grant for pendency reduction. All the High Courts participated in the campaign and went on to set their own targets for reduction of pendency and pursued them with vigour. The High Courts adopted a variety of methods, which are summarised in Statement (*See below*). The result has been an improvement in disposal of cases and reduction in sizeable number of under trials.

(b) and (c) Generally, Hindi and regional languages are used in the proceedings of the lower courts in the States. Under Section 29 of the Gram Nyayalayas Act, 2008, the proceedings before the Gram Nyayalayas and its judgement shall as far as practicable be in one of the official languages of the State other than the English languages.

***Statement******Mission Mode Programme for reduction of pendency in courts*****Bombay**

- All cases pending for more than 10 years to be disposed of. Special courts appointed to tackle pendency of cases under section 138 of Negotiable Instrument Act.
- Special Courts to be established for dealing with cases involving atrocities against women and persons belonging to SCs and STs.
- An amendment proposal to Section 258 of Cr. P.C. has been moved by the High Courts in order to reduce the pendency.

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†Original notice of the question was received in Hindi.

**Calcutta**

- Constituted a Special Committee for reduction/elimination of barriers and ensuring speedy trial of cases.
- All criminal cases numbering 9,29,193 as on 31.12.2010 which are compoundable in nature, instead of being decided by the regular court, would be sent to Lok Adalat for disposal under the provisions of Legal Services Authorities Act, 1987.
- Special measures to be taken for dealing with old cases for all Courts including High Court.
- Lok Adalats to be held on every working day at least for one hour either before or after courts hours on regular basis and on every non working Saturday and Sunday in every month for whole of the day.
- High Court of Calcutta has fixed at least 2 days in a week for disposal of old cases, giving priority hearing of old cases involving senior citizens, women, backward class people.

**Delhi**

- Delhi High Court has fixed the target of atleast 20% in reduction of pendency of cases as on 01.07.2011 by December, 2011.
- Amended Delhi High Court (original side) Rules, 1967 by notification dated 18.08.2009 and conferred additional powers on the Registrar. The said powers can be delegated to Joint Registrars/Dy. Registrars by the Court.
- Introduction of case Flow Management System in Delhi High Court.
- Chief Justice earmarked every 'Thursday' as an "Old Matters Day".
- Delhi High Court emphasized on petty and long pending cases (more than 5 years) in subordinate Courts, cases pertaining to senior citizens, minors, disabled and other marginalised groups and under trials (atleast 2/3rd of numbers released on bail/discharged).

**Gujarat**

- All pending civil suits and appeals upto the year 2005 to be disposed of.
- Under "operation justice - 2011 initiated by Gujarat High Court, Public Notices through news papers have been issued to draw attention of litigants and advocates to speed up the process in pending cases.

**Himachal Pradesh**

- Targets set for disposal of cases upto the year 2005 in High Court and upto the year 2008 for petty cases and upto 2005 in Subordinate Courts.

**Karnataka**

- Targets set for 3240 cases and 45863 cases which are more than 7 years old in the High Court and subordinate courts respectively. For petty cases the target set for 11728 cases in the subordinate courts.

**Kerala**

- Case flow management Rules framed for Subordinate Courts for reducing pendency.
- High court is also taking the initiative to incorporate a new rule as 97A in the rules of the High Court of Kerala providing for faster service of process, hearing on day to day basis, automatic termination of stay after the expiry of 2 months in cases seeking to challenge/stay/transfer the lower court proceedings.

**Odisha**

- Target has been fixed for disposal of cases upto the year 1995. For petty case a target has been fixed for disposal of atleast 2/3rd of pending cases by the end of December, 2011

**Madhya Pradesh**

- High Court of MP kept a constant vigil over the pendency of Subordinate Courts and issues directions from time to time.
  - Directed Subordinate Courts to decide cases pending for four years or more by 31st December, 2011
  - Fresh directions issued to all the subordinate courts to take up cases pending over five to fifteen years in a mission mode and decide maximum number of cases in a period of 6 month beginning from July 2011.
  - Specific directions issued with regards to cases related to women, senior citizens, untrials, juveniles, corruption and narcotic drugs.
- Periodical Mega Adalats are being held at High Court level at Main Seat and its two Benches, Indore and Gwalior to reduce pendency substantially.

**Punjab and Haryana**

- Additional District and Session Judges declared as Special courts under NDPS Act.

**Madras**

- High Court motivated Judicial Officers towards concentrating on long pending cases for 15 to 20 years through awarding triple norms (internal assessment) method.