

**Allocation of additional foodgrains to Karnataka**

\*238. DR. VIJAY MALLYA : Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) the quantum of foodgrains released to Karnataka during 2012-13 for calamity relief in addition to its regular allocation, in view of the State facing severe drought conditions, month-wise;

(b) the details thereof; and

(c) whether Government intends to continue to allocate additional foodgrains for the next six months to drought-hit and backward districts of the State?

THE MINISTER OF STATE OF THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (PROF. K.V. THOMAS) : (a) to (c) Government of India has made an additional allocation of 3,57,200 tons of foodgrains to Karnataka in June 2012 for drought relief in addition to its normal allocation under Targeted Public Distribution System (TPDS). The Government may consider request of the State Government, if any, for further additional allocation of foodgrains for drought relief on merits.

Government of India has also made an additional allocation of 31,395 tons of foodgrains to Karnataka in May 2012 for distribution to additional BPL families in the poorest districts of the State, on the recommendations of the Committee headed by Justice (Retd.) D.P. Wadhwa. Further allocation of foodgrains to the poorest districts of the State may be considered on the recommendations of the Wadhwa Committee on merits. In addition, Government of India has also made adhoc additional allocation of 2,39,946 tons of foodgrains for additional BPL families in the State.

**Action plan to reduce pending cases**

\*239. SHRI RAMA CHANDRA KHUNTIA : Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the reasons for large number of cases pending in different courts;

(b) whether it is due to the fact that Government is not able to fill up all the vacancies in Supreme Court, High Courts, lower courts and tribunals or long holidays in judiciary or repeated deferring the dates of cases by concerned parties; and

(c) if so, whether Government has any future plan to reduce the number of pending cases?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR) : (a) to (c) The reason of pendency in court is mainly because the filings of cases have been either equal or more than the disposal. The other causes of increasing pendency are number of State and Central legislations, accumulation of first appeals, continuation of ordinary civil jurisdiction in some of the High Courts, vacancies of Judges, appeals against orders of quasi-judicial forums going to High Courts, number of revisions/appeals, adjournments, indiscriminate use of writ jurisdiction in High Courts, lack of arrangement to monitor, track and bunch cases for hearing, changing pattern of litigation etc.

The vacancies of Judges in various courts is one of the reasons for continuing of pendency in the courts. But pursuant to the Supreme Court Judgment of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of a Judge of the Supreme Court rests with Chief Justice of India and for appointment of a Judge of the High Courts rest with the Chief Justice of that High Courts. Filling up of the vacancies in the High Courts is a continuous consultative process among Constitutional authorities to select suitable candidates for higher judiciary. It is a time consuming process, as it requires consultation and approval from various Constitutional authorities. While every effort is made to fill up the existing vacancies expeditious, vacancies do keep on arising on account of retirement, resignation or elevation of Judges. Under Article 235 of the Constitution of India, administrative control over the members of subordinate judiciary vests with the concerned High Courts. The other matters relating to court holidays as well as the day to day proceedings in court cases, are within the domain of judiciary.

The Government has set up a National Mission for Justice Delivery and Legal Reforms 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 coordinated approach for phased liquidation of arrears and pendency in judicial administration which, *inter-alia*, involves better infrastructure for courts including computerisation, 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 National Mission has a time frame of five years (2011-16) to pursue them.

The Mission has taken several steps in the strategic areas towards fulfillment of its objectives. An Inter-Ministerial Group (IMG) has been constituted to suggest necessary amendments to the Negotiable Instruments Act, 1881 along with other policy

and administrative measures to check increasing litigation relating to cheque bounce cases. For the re-engineering of court procedures and court processes for early disposal of cases, a National Court Management System has been notified by the Supreme Court for addressing the issues of case management, court management, setting measurable standards for performance of the courts and the National System of Judicial Statistics in the country.

Infrastructure development for the subordinate judiciary is a major thrust area for the National Mission. With a view to enhancing the resources of the State Governments, the Government has increased the central share by revising the funding pattern from 50:50 to 75:25 (for States other than North Eastern States) under modified Centrally Sponsored Scheme for development of infrastructure facilities for the judiciary from the year 2011-12 onwards. The funding pattern for North-Eastern States has been kept as 90:10 with effect from 2010-11.

Rs. 595 crore has been released as central assistance to States/UTs for infrastructure development of subordinate judiciary during 2011-12. Out of budget of Rs. 660 crore in the current financial year, Rs. 557 crore has been released to States / UTs till 30th November, 2012.

A pendency reduction drive was undertaken from July, 2011 to December, 2011 in a campaign mode approach for clearing long pending cases and cases relating to marginalized sections of the society in High Courts and Subordinate Courts under their jurisdiction. As per information received from the High Courts, net pendency in all courts was reduced by over 6 lakh cases. Out of them about 1.36 lakh cases were of the targeted groups such as senior citizens, disabled, minors and marginalized sections of society. A similar drive has been launched in this year as well from July, 2012 to December, 2012. The focus of pendency reduction drive this year is to make our judicial system 'five plus' free. Simultaneously, emphasis is being laid on increasing the number of judges in subordinate judiciary by filling the existing vacancies and creating additional posts so that disposal of cases is expedited by setting up of additional courts.

On the recommendations of 13th Finance Commission, the Government has sanctioned Rs. 5000 crore as grants to the States for 5 years between 2010-15 for undertaking various initiatives such as increasing the number of court working hours using the existing infrastructure by holding morning/evening/shift courts; enhancing support to Lok Adalats to reduce the pressure on regular courts; providing additional funds to State Legal Services Authorities to enable them to provide legal aid to the marginalized and empower them to access justice; promoting the Alternative Dispute Resolution (ADR) mechanism to resolve part of the disputes outside the court system.