

(c) whether there is a cap on total anonymous political funding per political party;

(d) whether the Ministry has implemented the recommendations of the Law Commission of India made in its 255th Report regarding anonymous political funding; and

(e) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD):

(a) An amendment has been made in section 13A of the Income Tax Act, 1961, whereby no donation exceeding ₹ 2000 can be received by a political party otherwise than by an account payee bank draft or use of electronic clearing system through a bank account or through electoral bond.

(b) The Election Commission has informed that overall the amount of donation being reported in the contributions reports filed by political parties have shown an improvement as contribution reports reflected identifiable donations/donors.

(c) There is no cap on total anonymous political funding per political party.

(d) and (e) The 255th report of the Law Commission submitted on the issue of 'Electoral Reforms' including 'Election Finance' is under consideration of the Government.

Cases pending in courts

2147. DR. AMEE YAJNIK:

SHRI RAJMANI PATEL:

DR. L. HANUMANTHAIAH:

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

(a) the number of cases presently pending in courts across the country *vis-a-vis* the number of judges / judicial officers;

(b) whether, as per a recent study of the National Court Management Systems (NCMS), the number of pending cases in courts is likely to go up to 20 crore; and

(c) if so, the steps taken by Government for judicial reforms and also to improve the judge / population ratio?

THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD):

(a) As per the information available, details of number of cases pending in various courts and number of judges / judicial officers are given below:

Court	Number of Cases pending	Number of judges/judicial officers as per sanctioned strength
Supreme Court	59,331	31
High Courts	43.59 lakh	1,079
District and Subordinate Courts	3.12 crore	23,235

(b) The National Court Management System was constituted in the Supreme Court in May, 2012. The 'Policy and Action Plan' document of the National Court Management System has estimated that with the increase in literacy, per capita income and population, the number of new cases filed each year may go upto fifteen (15) crore over the next three decades.

(c) The Government is fully committed to speedy disposal of cases and reducing pendency and has, in conjunction with the judiciary, taken many corrective steps. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary. The National Mission for Justice Delivery and Legal Reforms established by the Government has adopted a coordinated approach for phased liquidation of arrears and pendency in judicial administration through various strategic initiatives, including improving infrastructure for courts, leveraging Information and Communication Technology (ICT) for better justice delivery, and filling up of vacant positions of Judges in High Courts and Supreme Court. The major achievements during the last five years under various initiatives to make the functioning of judiciary more efficient are as follows:

- (i) **Improving infrastructure for Judicial Officers of District and Subordinate Courts:** As on date, ₹6,986.50 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. Out of this, 3,542.20 crores (which are 50.70% of the total amount released till date) have been released to the States and UTs since April, 2014. The number of court halls has increased from 15,818 as on 30.06.2014 to 19,101 as on date and number of residential units has increased from 10,211 as on 30.06.2014 to 16,790 as on date under this scheme. In addition, 2,883 court halls and 1,896 residential units are under construction. The Central Government has approved continuation of the Scheme beyond the Twelfth Five Year Plan period *i.e.* from 01.04.2017 to 31.03.2020 with an estimated additional outlay of ₹3,320 crore.

- (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 computerised District and Subordinate courts has increased from 13,672 to 16,845 registering an increase of 3,173 during 2014 till date. New and user-friendly version of Case Information Software developed and deployed at all the computerized District and Subordinate Courts. QR Code facility made operational in the software, which enables to check current status of the case. National Judicial Data Grid (NJDG) provides citizens with online information about case filings, case status and electronic copies of orders and judgments from district and subordinate courts that have already been computerized. Information regarding 11.73 crore cases is available on this portal. 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 computerised courts, eCourts Mobile App, email service, SMS push & pull services. Information Kiosks have been setup at all computerized court complexes for disseminating judicial information related to cause lists and other case related information to the lawyers and litigants. eCourts Project has been consistently amongst the top 5 Mission Mode Projects of country.
- (iii) **Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts:** From 01.05.2014 to 30.06.2019, 31 Judges were appointed in Supreme Court. 454 new Judges were appointed and 366 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 1079 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has been increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
04.07.2019	23,235	17,785

- (iv) **Reduction in Pendency through / follow up by Arrears Committees:** Further, 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. At present, 581 such Fast Track Courts are functioning across the country. To fast track criminal cases involving elected MPs / MLAs, twelve (12) Special Courts were set up in eleven (11) States (Andhra Pradesh, Telangana, Kerala, Karnataka, Tamil Nadu, Maharashtra, Madhya Pradesh, Uttar Pradesh, Bihar, West Bengal and NCT of Delhi) and proportionate funds have been released to these States by the Government. The Criminal Law (Amendment) Act, 2018 has been enacted on 11.08.2018 to amend the Indian Penal Code, Indian Evidence Act, 1872, the Code of Criminal Procedure, 1973 and the Protection of Children from Sexual Offences Act, 2012.

In the case of *Imtiyaz Ahmed versus State of Uttar Pradesh and others*, the Supreme Court had asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts required to clear the backlog of cases. In 245th Report (2014), the Law Commission observed that filing of cases per capita varies substantially across geographic units as filings are associated with economic and social conditions of the population. As such the Law Commission did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. The Law Commission found that in the absence of complete and scientific approach to data collection across various High Courts in the

country, the "Rate of Disposal method, to calculate the number of additional judges required to clear the backlog of cases as well as to ensure that new backlog is not created, is more pragmatic and useful.

In August 2014, the Supreme Court asked the National Court Management System Committee (NCMS Committee) to examine the recommendations made by the Law Commission and to furnish its recommendations in this regard. NCMS Committee submitted its report to the Supreme Court in March, 2016. The report, *inter-alia*, observes that in the long term, the judge strength of the subordinate courts will have to be assessed by a scientific method to determine the total number of "Judicial Hours" required for disposing of the case load of each court. In the interim, the Committee has proposed a "weighted" disposal approach i.e. disposal weighted by the nature and complexity of cases in local conditions.

As per the direction of the Hon'ble Supreme Court in its Order dated 02.01.2017, the Department of Justice has forwarded a copy of interim report of the NCMS Committee to all the State Governments and High Courts to enable them to take follow up action to determine the required Strength of district and subordinate judiciary.

E-Courts Mission Mode Project

2148. SHRI PRABHAKAR REDDY VEMIREDDY: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the details of district and subordinate courts in the country, State and district-wise;
- (b) when the e-Courts Project was conceived and what were the goals set;
- (c) whether it is a fact that only 16,000 district and subordinate courts have been computerized at the end of 2017-18 and, if so, the reasons therefor; and
- (d) the number of courts in which video conferencing has been operationalized so far, district-wise?

THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD):
(a) As per the information made available by State Governments /High Courts on the web-portal hosted on the website of Department of Justice, sanctioned and working strength of Judicial Officers in District and Subordinate Courts is 23,199 and 17,757 respectively. State-wise details of sanctioned and working strength of Judicial Officers in District and Subordinate Courts are given in the Statement-I (*See below*).