

Proposal of
Department
of Justice to
Fourteenth
Finance
Commission

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DEPARTMENT OF JUSTICE
REVISED MEMORANDUM TO THE 14TH FINANCE COMMISSION

INTRODUCTION

While our justice system undoubtedly looked quite different at the time of our independence, the essential vision remains unchanged, viz., to provide the people of India with a court system that fairly and impartially administers justice and efficiently resolves disputes. Courts must ensure that the rule of law protects the rights of all.

However, there are today a staggering 3 crore cases pending in courts across the country. The court system serves a growing population of more than a billion people. Case loads are exploding. There is a shortage of judges and the number of courts, court personnel and infrastructure has not kept pace with the increasing case loads. This issue needs to be addressed with urgency.

Further, the complexities of legal proceedings often frustrate those who encounter the courts. Victims, witnesses, and unrepresented litigants confront bewildering instructions couched in obscure legal language. Court processes must be simplified to make the courts more comprehensible and available to everyone. The complexity of the court system slows cases and makes the system difficult to operate and navigate, and for this reason there is need to streamline court processes.

In the recent past, however significant technological advances have been made, and there is need for bold plans to implement new technologies to make the courts more efficient. Using technology to improve access to court documents and to allow more electronic filing will make the courts more transparent, accessible, and effective. Ongoing improvements in this sector are vital to maintaining public trust and confidence in our justice system.

Addressing these problems is no easy matter given the diversity across the country in the number of types of courts, and jurisdiction and powers exercised by them. A note on the current situation of courts and the problems faced by the judicial system in the country is attached at *Annexure I*.

Also attached at *Annexure II* is a note on the current schemes for support to courts, and a note on the progress under the award of the 13th Finance Commission is attached at *Annexure III*.

Keeping in view the background information provided in Annexures I, II and III the following proposals are submitted for consideration of the 14th Finance Commission. These proposals

are guided by the need to ensure easy access to court services, and enhancing public confidence in the court system. The proposals therefore cover the following interventions:

1. Pendency Reduction

- i. Establishment of additional courts in districts where pendency is higher than the national average
- ii. Establishment of Fast Track Courts
- iii. Establishment of Family Courts in districts without such courts

2. Re-designing existing court complexes to become more litigant friendly

3. Augmenting technical support for ICT enabled courts

4. Scanning and Digitization of case records of High Courts and District Courts

5. Enhancing Access to Justice

- i. Support for Law School based Legal Aid Clinics with focus on undertrials
- ii. Organising Lok Adalats
- iii. Support for Mediation and Conciliation in ADR centres
- iv. Incentives to Mediators/Conciliators

6. Training and capacity building of judges, public prosecutors, mediators, lawyers

The proposal was also discussed at the National Consultation on the Role of State Governments for Improving Justice Delivery held in New Delhi on 5th December, 2013 in which the representatives of the State Governments and the High Courts participated. The suggestions and recommendations received during these deliberations have been incorporated in the proposals submitted.

PROPOSALS FOR THE 14TH FINANCE COMMISSION

1. PENDENCY REDUCTION

1.1 *Establishment of additional courts for pendency reduction in districts where pendency is higher than the national average*

The need for doubling the number of courts in the country has been voiced in several forums, including in the Conference of Chief Justices and Chief Ministers held on 7th April, 2013. Doubling of courts involves creation and filling up of posts and provision of adequate infrastructure. This is likely to take time. High Courts have been requested to prepare five year development plans for their infrastructure and manpower requirements. The addition of courts, thus, will be an incremental exercise to be completed over a period of five years or more. The actual availability of judges against this increased sanctioned strength may take even longer, based on the results of recruitment processes in various States.

In the meanwhile, it is proposed to establish additional courts on a temporary basis to reduce pendency to manageable levels. In establishing these additional courts, it is proposed to focus on specific districts in States where the pendency of cases is high and the disposal of cases is low. These are categorised below:

SI No	Disposal Rate	States
1	Below 500 per Judge per annum	Bihar, Jharkhand, Meghalaya, Mizoram, Nagaland, Sikkim
2	Between 500 and 1000 per Judge per annum	Andhra Pradesh, Assam, Chhattisgarh, Goa, Manipur, Odisha
3	Between 1000 and 1500 per Judge per annum	Gujarat, Jammu & Kashmir, Karnataka, Madhya Pradesh, Maharashtra, Uttarakhand, Uttar Pradesh, West Bengal
4	Above 1500 per Judge per annum	Arunachal Pradesh, Haryana, Himachal Pradesh, Kerala, Punjab, Rajasthan, Tamil Nadu, Tripura

Based on the above disposal rates, it is proposed to provide additional, temporary courts to cover:

- 100% of the districts in 6 States where disposal per judge per year is less than 500 cases
- 75% of the districts in 6 States where disposal per judge per year is more than 500 but less than 1000 cases
- 50% of the districts in 8 States where disposal per judge per year is more than 1000 cases but less than 1500 cases, and
- 25% of the districts in 8 States where disposal per judge per year is more than 1500.

Temporary additional courts may be provided in these districts with retired judges, contractual staff, rented premises for court buildings and a small flexi grant for operational costs to undertake a pendency reduction drive so as to bring the pendency to a manageable level based on disposal rate at par with the national average. Focus of such pendency drive may be on those cases which constitute majority of pendency and can be easily disposed off, such as cases relating to motor vehicle challans, insurance claims and check-bouncing matters. The total number of additional courts proposed to be established is 373 under 14th Finance Commission award.

A statement indicating the number of districts in States and the number of additional courts to be supported under the 14th Finance Commission Award is enclosed at Annexure IV.

Taking the staffing pattern adopted by Delhi High Court for recently established Fast Track Courts (details in the next part relating to Fast Track Courts), the annual cost of salaries for the presiding officer and 7 staff members will be Rs 31.65 lakh per court. Providing for a 10% annual increment, the total cost of salaries for 373 courts for five years comes to Rs.720.81 crore.

As these Courts will be temporary courts, it is proposed to make a provision for payment of rent for the court buildings. An area of 2000 sq.ft. is considered to be sufficient for one court for which rent @ Rs.10/- per Sq.ft. may be considered. Thus an amount of Rs. 44.76 crore will be required for 373 courts for 5 years.

It is proposed to provide a flexi grant of Rs. 5 lakh per annum per court for meeting expenditure on various operational necessities like computer, printer, photocopier, fax machine, fan, cooler, air conditioner, electrical and sanitary fittings, urinals, toilets and benches for public, cartridges, stationery, power back up, electricity bills etc. For 373 courts, an amount of Rs. 93.25 crore will be required for this purpose for the period of five years.

Thus total requirement of funds for 373 additional courts for 5 years will be Rs.859 crore.

1.2 Establishing Fast Track Courts (FTCs)

Access to justice, particularly for the marginalised and the vulnerable sections of the society is a priority for the government. While action is proposed to double the number of existing courts in the country and to set up temporary additional courts in specific districts where pendency is high and rate of disposal of cases is low, as mentioned above, particular attention needs to be given to cases of marginalised sections of society and to those cases which add to the public perception of long delays adversely affecting access to justice. Therefore, there is an imminent need for setting up of FTCs for expediting disposal of cases relating to serious offences, and in particular offences against women and children. Central Government has written to State Governments/High Courts to set up FTCs for trial of rape cases, cases of children under POCSO Act, cases of persons suffering from HIV AIDS, elderly and other marginalised sections of the society. Expeditious disposal of cases of heinous crimes like murder, dowry deaths, dacoity and kidnapping also need similar fast tracking to improve public perception about pace of justice delivery. Establishment of such FTCs needs financial support from the Central Government.

An area of civil litigation that results most in litigant dissatisfaction relates to property matters. A party in possession of a property dispute resorts to various delaying tactics to continue enjoying the property while the dispute lingers in courts. This applies both to disputes relating to title to property as to property taken on rent. Fast disposal of such cases as per law and giving succour to suffering litigants will go a long way in improving the public perception of efficiency justice delivery in India. Property cases pending for more than five years in courts should, thus, also qualify for financial assistance for setting up of FTCs.

Accordingly, it is proposed that the following types of cases may be considered in the FTCs to be set up:-

- i. All cases of heinous crimes like murder, rape, dacoity, kidnapping, human trafficking, dowry deaths etc.
- ii. All civil cases involving senior citizens, women, children, disabled and litigants afflicted with HIV AIDS and other terminal ailments;
- iii. Civil disputes involving land acquisition and property/rent disputes pending for more than 5 years.

These FTCs may be set up for a period of five years, i.e. during the period of the award of the 14th Finance Commission, by which time it is assumed that the exercise of doubling of courts

and finalisation of court development plans will be completed and the need for FTCs may not exist any longer.

It may be noted that the Supreme Court in its judgement given on 19th April, 2012 in Brij Mohan Lal case has directed for creation of 10% additional positions of judges in State Judicial Services. The direction of the Supreme Court in this case came in the wake of closure of FTCs set up under the 11th Finance Commission. In this process, 1800 posts of Judicial Officers are to be created in subordinate judiciary. Government has approved making available upto a maximum of Rs.80 crore per annum from out of Rs.500 crore per annum allocated for Morning/Evening/Shift Courts in the 13th Finance Commission Award for judiciary, on a matching basis, for meeting the expenditure on salaries of 10% additional positions of judges in State Judicial Services upto 31st March, 2015, the end date of the 13th Finance Commission Award. Guidelines for utilisation of TFC funds for this purpose have already been circulated to the States. The Chief Ministers have been requested to make use of these additional positions of judges, to be funded on a matching basis by the Central Government and the State Governments, for trial of rape cases. It is proposed that all these 1800 positions may be utilised for setting up of FTCs.

Recently, five FTCs have been set up by Delhi High Court with Judge/staff ratio of 1:7 with financial implications of Rs. 31.65 lakh per court per annum. It is proposed to provide central assistance to the States on a matching basis for meeting expenditure of salary of the Presiding Officer and the staff of FTCs. The requirement for the period of five years with 10% increment each year from 2015-16 works out to be Rs.3478.10 crore.

It is proposed to make a provision for payment of rent for the court buildings. An area of 2000 sq.ft. is considered to be sufficient for one court for which rent @ Rs.10/- per Sq.ft. may be considered. Thus an amount of Rs. 216 crore will be required for 1800 Fast Track Courts for 5 years.

It is proposed to provide a flexi grant of Rs. 5 lakh per annum per court for meeting expenditure on various operational necessities like computer, printer, photocopier, fax machine, fan, cooler, air conditioner, electrical and sanitary fittings, urinals, toilets and benches for public, cartridges, stationery, power back up, electricity bills etc. For 1800 courts, an amount of Rs. 450 crore will be required for this purpose for the period of five years.

Thus, there will thus be a financial implication of **Rs.4144 crore** for 1800 Fast Track Courts for a period of five years.

1.3 Establishing Family Courts in districts without such courts

As per the Family Courts Act, 1984, every State is to establish at least one family court in every city or town with a population of one million or above. A scheme of financial assistance was started by the Central Government in 2002-03 whereby Rs 10 lakh is being provided as Plan assistance for infrastructure and Rs 5 lakh as Non-Plan assistance for recurring cost to State Governments to set up Family Courts, with the State Governments providing matching grant. Over the years, this assistance is seen to be inadequate support by the State Governments. Accordingly, although there are 672 districts in the country and most of them are having a population of one million or above, as of now only 212 Family Courts are functioning.

Providing access to justice to families is one of the key ways of improving public confidence in justice delivery in the country. In addition, since a family dispute normally triggers a number of other cases, such as those under Section 125 CrPC, Domestic Violence Act, property related disputes etc., providing speedy disposal of disputes under the Family Courts is likely to result in an end to these additional forms of litigation also, thereby contributing to reduction of pendency in courts in general.

One of the reasons for additional Family Courts not being set up is lack of financial assistance to States. Therefore, it is proposed to provide additional financial assistance during the 14th Finance Commission award period to kick-start setting up of at least one Family Court in each district. Infrastructure needs for court premises and residences for judicial officers are already being met through the Centrally Sponsored Scheme for Infrastructure for Subordinate Judiciary. It is therefore proposed to provide financial assistance for salaries of a Judge and staff, rent for building and operational necessities.

As mentioned above, against 672 districts in the country, 408 Family Courts have been set up. Thus 235 additional courts are required to be set up. For setting up additional 235 courts, in the judge staff ratio of 1:7, the annual expenditure on salaries will be Rs 31.65 lakh for the first year, and taking account of a 10% increase every year, Rs 454.11 crore for five years for 235 Family Courts.

It is proposed to make a provision for payment of rent for the court buildings. An area of 2000 sq.ft. is considered to be sufficient for one court for which rent @ Rs.10/- per Sq.ft. may be considered. Thus an amount of Rs. 28.20 crore will be required for 235 Family Courts for 5 years.

It is proposed to provide a flexi grant of Rs. 5 lakh per annum per court for meeting expenditure on various operational necessities like computer, printer, photocopier, fax machine, fan, cooler, air conditioner, electrical and sanitary fittings, urinals, toilets and benches for public, cartridges, stationery, power back up, electricity bills etc. For 235 courts, an amount of Rs. 58.75 crore will be required for this purpose for the period of five years.

Total cost of financing for five years will, thus, be Rs 541 crore.

2. RE-DESIGNING EXISTING COURT COMPLEXES TO BECOME MORE LITIGANT FRIENDLY

The older court complexes are woefully lacking in basic infrastructure such as reception area, waiting area for litigants and the general public, facilities for differently-abled persons, good and separate toilets for men and women, canteen facilities etc. There is a lack of child and vulnerable witness friendly environment in courts. Such witnesses are made to depose standing in public enclosures leading to aversion among them to depose in courts. Gram Nyayalayas and some taluka level courts also have inadequate basic infrastructure. Some court complexes do not even have adequate court rooms, which comes in the way of establishing additional courts even where required in the light of volume of litigation.

Based on the initiative of the National Court Management System (NCMS), headed by the Chief Justice of India, Minister of Law and Justice has written to all High Courts on 31st July 2013 to prepare Court Development Plans (CDPs). It is proposed that while developing CDPs, High Courts may keep in view the following citizen centric facilities

1. Ensuring Safety and reducing Vulnerability: Designing and Retrofitting Courts to reduce Vulnerability from Hazards
2. Barrier free courts and court rooms for persons with disabilities
3. Establishing Vulnerable Witness Deposition Centres

High Courts are at various stages of preparation of CDPs.

It is proposed that financial assistance may be provided through the 14th Finance Commission award to the States for providing the above mentioned three facilities in existing court complexes. There are about 2800 court complexes in the country at district and subordinate levels. States will be requested to submit their plans for re-designing these complexes along with cost estimates. All cost estimates will be prepared as per the State Schedule of Rates (SoR) notified by the respective State Governments. For the purpose of estimating the amount required an average budget of Rs 50 lakh per court complex may be provided for meeting the

above needs. However, the figure of Rs 50 lakh need not be construed to be a ceiling on the per court complex cost, which will vary depending on the size of the court complex and the infrastructure gaps, subject to the overall expenditure per State being an average of Rs 50 lakh per court complex. . The financial implication of this provision for all the 2800 court complexes will be Rs 1400 crore.

3. TECHNICAL MANPOWER SUPPORT FOR ICT ENABLED COURTS

Under the e-Courts Mission Mode Project, a Central Sector Plan Scheme, 14,249 courts that existed in the country in September 2010 are being computerised by 31st March 2014,. It is proposed to extend the term of this scheme by one year to enable coverage of additional courts that have been established after September 2010 so as to make computerisation of eligible courts universal all over the country. The e-Courts project is also in the process of establishing a National Judicial Data Grid (NJDG), which will compile case data for all computerised courts to enable better judicial monitoring and management and to plan optimal creation of courts and positions of judges.

It is necessary to create a sustainable mechanism for continuous smooth operation of the ICT system in the courts. This requires the presence of professional technical support staff in the courts. The eCommittee of the Supreme Court has requested all High Courts to create such permanent technical manpower funded by the respective State Governments. However, that exercise is likely to take a number of years in the light of the need to find the funds, finalise recruitment rules, undertake recruitment and eventually place selected candidates at the disposal of courts. In the meanwhile, a stop-gap arrangement is required to be put in place so as to ensure that the necessary technical assistance continues to be available to courts. The technical expert(s) to be appointed will perform the following functions:

- (i) Daily uploading of data to the National Judicial Data Grid after the completion of the project;
- (ii) Resolving day-to-day technology related issues ;
- (iii) Facilitate the District Judge in monitoring and analysis of the data uploaded in the NJDG in order to generate reports required to improve court/case management ;
- (iv) Training of new Judges/staff.

There are about 1000 court complexes situated in districts in the country, comprising about 10000 courts. In addition, there are about 4500 courts in about 2000 talukas. It has been assessed that every district should have at least one professional for technical support. There should be one such support for districts having 5-14 courts, two for districts having 15-24 courts and so on. Talukas generally have less number of courts (1-4 courts) and might not

need such support at each taluka court complex. However, such support, in the same ratio, needs to be provided for all talukas collectively within each district.

Applying the above formula to existing courts, it has been calculated that a total of about 1600 professionals will be required to provide such support to all the ICT enabled courts in the country. Such professional support staff would generally be available for Rs 50,000 per month. They will need to be trained on the Case Information Software (CIS) deployed in courts. This will require about Rs 100 crore for the first year taking training into account and another Rs 96 crore per annum. Provision for another Rs 20 crore may be estimated for additional courts to be added during the project. Thus, a total of Rs 500 crore will be required for the 14th Finance Commission award period of five years.

This was also proposed under eCourts Phase-II project, however, the same was not agreed to by the EFC. Therefore, it is being retained in the proposal to Fourteenth Finance Commission.

4. SCANNING AND DIGITIZATION OF THE CASE RECORD

Case record of the pending cases and case record of the disposed cases of High Courts and District Courts which has undergone the basic weeding process will be covered in the process of scanning and digitization. The output file format of the digitized file will be PDF/A or its advanced versions with features like water-marking and digital signatures to ensure the authenticity of the digitized repositories to be created. For better search, access and retrieval of the free text search enablement of PDF/A output will also have to be done.

This was also proposed under eCourts Phase-II project, however, the same was not agreed to by the EFC and Finance Commission has been requested to consider the same. Therefore, it is being included in the proposal to Fourteenth Finance Commission.

Total financial implication of the proposal will be **Rs 752 crore**.

5. ENHANCING ACCESS TO JUSTICE

Improvement of justice delivery was identified as a critical component by the 13th Finance Commission, which recommended extending support to the judiciary while simultaneously strengthening the capacity of the law enforcement arm. The 13th Finance Commission, therefore, put-forth a number of recommendations to strengthen the justice delivery. The initiatives include 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, provide additional funding to State Legal Services Authorities to enable them to enhance legal aid to the marginalized and empower them to access justice, to promote Alternative Dispute Resolution (ADR) mechanism to resolve part of the disputes outside the court system, renovation of heritage court buildings, enhancing the capacity of judicial officers and public prosecutors through training programmes, and finally, through supporting creation of a judicial academy in every state to facilitate such training.

Upon an assessment of the use of funds for these activities, it is seen that States have not been able to utilise the funds for morning/evening courts due to various practical problems, including reluctance of judicial officers and lawyers to attend longer court hours. States have been utilising funds for heritage court buildings, wherever they exist, and are also in the process of setting up State Judicial Academies and ADR Centres, thereby serving the one-time needs of the States. Since three new High Courts have been established after the finalisation of the 13th Finance Commission, they only may need funds for Judicial Academies now. Similarly, funds for ADR centres will be required only for those districts that have not established ADR centres by the end of the 13th Finance Commission award period. For the other activities, such as training of judicial officers and public prosecutors, Lok Adalats and legal aid, funds have been utilised at a slower pace in the early years of the implementation of the 13th Finance Commission award, and are picking up now in the balance two years, indicating that these activities are being successfully being carried out. Experience has also provided a better assessment of the financial needs for these activities.

It is proposed, therefore, that funding with revised norms may be continued under 14th Finance Commission Award for some of the initiatives under 13th Finance Commission award which have been taken up well by the States and have successfully contributed to the improvement of justice delivery system. These initiatives focusing on enhancing access to justice are elaborated below:

a. Supporting Law School based Legal Aid Clinics with focus on undertrials

Provision of legal aid is an important measure to assist marginalized sections in accessing the justice system. At present, National Legal Services Authority (NALSA) and State Legal Services Authorities (SALSAs) have a statutory responsibility to provide legal services to the eligible persons. There are 35 State Legal Service Authorities (SLSAs) and about 550 District Legal Services Authorities (DLSAs) in the country today. For this purpose, SALSAs are provided funds by NALSA and the State Governments through their respective budgets. However, these funds are very inadequate considering the demand for legal services by the needy and hence, considerable augmentation of these resources is required.

As per the National Legal Services Authority (Legal Aid Clinic) Regulations 2011, DLSAs may recognize the permanent student legal aid clinics set up by the law colleges and law universities for providing free legal aid and legal services to the local population especially the marginalized sections of society.

Some areas of legal aid services and empowerment require focussed attention and implementation through agencies that may be able to complement the NALSA led efforts. Based on the experience of the Department of Justice on legal aid issues, strengthening legal aid clinics in law schools and protection to undertrials languishing in jails requires focused attention. It is, therefore, proposed to support Legal Aid Clinics based in law schools to implement innovative and people-friendly legal aid programmes which aim at (a) demystifying the law and building awareness on how the laws can protect people especially the marginalised, and (b) serve the interests of undertrials languishing in jails.

There are 1394 Prisons in India including 124 Central Jails, 326 District jails and 19 women's jails apart from many sub-jails having a capacity of 3,43,169 against which 3,85,135 prisoners were lodged in jails at the end of the year 2012, indicating an occupancy rate of 112%. There was more than 150% overcrowding in three states i.e. Chhattisgarh (252.6%), Delhi (193.8%) and Uttar Pradesh (169%). However, 13 states and 5 UTs managed the prison population satisfactorily with occupancy rate of less than 100%.

The inmates consisted of 1,27,789 convicts (33.2%) and 2,54,857 undertrials (66.2%). The maximum number of undertrial prisoners lodged in various jails was reported from Uttar Pradesh (53,821) followed by Bihar (24,389), Madhya Pradesh (17,619), Maharashtra (16,426), Punjab (15,373), West Bengal (13,977), Rajasthan (13,170), Jharkhand (13,035) and Haryana (10,251). 95.4% of the undertrials were males. 2028 undertrials were detained in jails for 5 years or more, the highest number reported from Uttar Pradesh (16%) followed by Punjab (15.6%) and Bihar (12.3%) during the year 2012. 14,34,874 undertrials were released/transferred during the year 2012.

Under the new Section 436 inserted by the CrPC Amendment Act 2005, an undertrial other than someone accused of an offence for which the death penalty is prescribed, has to be released if he/she has been in detention for more than half the prescribed period of imprisonment. Section 436 CrPC also provides for the release of undertrials who are detained beyond the maximum period of imprisonment provided for the alleged offence. Undertrials who meet these criteria have to file fresh petitions in court to be granted relief under this section. Further, the undertrials should be let off on personal bonds if they have served 50% of their sentence. In spite of these provisions, today two-thirds of persons in prisons are undertrials, and only one-third are convicts. Similarly, Section 265 CrPC provides for resort

to plea bargaining. Many undertrials may benefit from this provision and get out of prisons faster.

Therefore, it is important to make concerted efforts towards securing the rights of those behind bars to have efficient and effective legal representation, so that their cases are heard in an expeditious manner with the ultimate goal being to securing justice for them. The Legal Aid Service designed for the under trials should aim to build a bridge between the inmates in need of legal help and legal aid lawyers who are mandated by the Legal Service Authorities Act, 1987 to render effective legal aid. This can be done through Legal Aid Clinics established by law schools.

The proposal is to assist **100 Government Law Schools** for running Legal Aid Clinics to undertake the following activities to ameliorate the situation of underprivileged litigants with focus on undertrials and the marginalised:

- i) Organizing Legal Awareness Camps in prisons on a quarterly basis in a systematic manner, under the supervision of the District Judge, to educate the undertrials of their rights and provide them legal literacy material in simple and local language. Training through skits and audio-visual presentations, delivered by educated, qualified and sensitized experts in the field of prison reform.
- ii) Organizing weekly Legal Aid Clinic where services such as legal advice and counselling, updates on case progress of the inmates, information regarding bail, appeal and other related information may be provided to the inmates.
- iii) Assisting the DLSAs to organize courts and Lok Adalats inside the compound of the jail for assisting the inmates to take advantage of the new legislative initiatives like Plea-bargaining, Section 436A of CrPC etc.
- iv) Lending advice to the people having legal dispute or suffering from social, matrimonial or administrative abuse.
- v) Assisting DLSAs and Taluka Legal Service Committees (TLSCs) to organize forums such as Lok Adalats and mediation centres to settle disputes by employing alternative dispute resolution procedures. Students can help the clients who seek resolution from such Lok Adalats to understand their goals and counsel clients to facilitate settlement.

vi) Training students as Para-legal Volunteers to assist DLSAs and TLSAs, prepare legal literacy materials for dissemination to common people, assist the Legal Aid Panel lawyers on cases which are referred to them by the DLSAs and TLSAs, NGOs and CSOs etc.

vii) Assisting DLSAs to implement programs in the legal aid clinics established in the premises of the District Courts, Jails and Juvenile Justice Boards.

Total financial implication for 100 law schools for the 5 year period will be Rs.50.50 crore. The number of Law Schools to be assisted in the States may be in the ratio of the number of undertrial prisoners in the States. The detailed financial estimate is provided in *Annexure V*.

b. Organising Lok Adalats

Lok Adalats are held at regular intervals in the district/taluka courts and at High Court level from time to time. The funds for holding of Lok Adalats are provided by the National/State Legal Services Authorities and the State Governments. In case more funds are provided for holding these Lok Adalats, it may lead to disposal of larger number of pending as well as newly filed cases that are normally disposed off through Lok Adalats.

Since inception of this activity, pursuant to the provisions of the Legal Services Authorities Act, 1987, 11.5 lakh Lok Adalats have been held, resulting in settlement of 4.35 crore cases. The results during the currency of the 13th Finance Commission award have also been commendable: 1.12 lakh Lok Adalats in 2011 settled 41.36 lakh cases, while the respective figures for 2012 were one lakh Lok Adalats settling 60.5 lakh cases. In the year 2013 up to June, 46,212 Lok Adalats have settled 15.83 lakh cases. This activity, thus, needs to be continued during the 14th Finance Commission award period as well.

Legal Service Authorities spend about Rs.50,000 for holding a mega Lok Adalat at High Court level, and about Rs.25,000 for holding a district/taluka level Lok Adalat. Of the 24 High Courts in the country, pendency of cases is negligible in 5 High Courts (J&K, Manipur, Meghalaya, Sikkim and Tripura). In case financial assistance is given for holding about 10 mega Lok Adalats per High Court in a year for the balance 19 High Courts, it would require about Rs.1 crore per annum.

Similarly, there are more than 3000 court complexes (CCs) housing more than 15,000 courts in the country. About 1000 CCs are at the district level, and generally have a larger number of courts in each CC. The balance are taluka level CCs having 1-5 courts in each CC. Lok Adalats can be held in all district level court complexes and the larger taluka level court complexes having five or more courts. This figure comes roughly to 1500 court complexes. It

is proposed to hold five Lok Adalats each year in these court complexes to dispose of pending cases. If financial assistance is given to hold five Lok Adalats per court location in a year in these 1500 court locations in the country, then 7500 Lok Adalats can be organized at a cost of Rs.18.75 crore.

Thus, about Rs. 20 crore would be needed for supporting holding of Lok Adalats in the country in a year at all levels and Rs 100 crore in 5 years. This is the same amount as was earmarked for this activity in the 13th Finance Commission.

c. Support for mediation and conciliation in ADR centres

Section 89 of the Civil Procedure Code provides for settlement of disputes outside courts through mediation, conciliation, arbitration or through Lok Adalats. Thus, it has enormous potential of settling disputes without going through the process of trial in a court. Mediation and Conciliation Centres have already been set up at the High court level.

Funds have been made available under the 13th Finance Commission award for setting up ADR centres at the district level. One ADR centre is being set up in each judicial district of the country at an estimated cost of Rs.1 crore per district. There are about 600 judicial districts in the country; based on which Rs 600 crore have been earmarked for this activity. As of the end of March 2012, i.e. first two years of the 13th Finance Commission award period, 120 ADR centres had been set up. Extrapolating this pace of setting up of ADR centres, it can be assessed that 300 ADR centres will be set up during the currency of the 13th Finance Commission award period. After that period is over in March 2015, 300 ADR centres will still remain to be set up. Therefore, provisions will need to be made for setting up of the balance 300 ADR centres during the 14th Finance Commission award period, with a budget of Rs 300 crore.

d) Incentive to Mediators/conciliators to encourage mediation/conciliation

In order to promote ADR methods for resolution of disputes, it is proposed to provide assistance under 14th Finance Commission Award for payment of a fee of Rs. 2500 per successful mediation/conciliation to the Mediators/Conciliators. Support may be provided for 50 successful mediation/conciliation cases per month in a district on an average. As there are 672 districts in the country, an amount of Rs.503 crore will be required for the five year period for 20.16 lakh cases. The incentive may be paid on the advice of a district committee under the guidelines to be framed by NALSA/ State Legal Services Authority.

6. TRAINING AND CAPACITY BUILDING OF JUDGES, PUBLIC PROSECUTORS, MEDIATORS, LAWYERS

The initiatives under the 13th Finance Commission relating to training and capacity building may be continued during the 14th Finance Commission award period as well. These are elaborated below:

a. Training of Judges

Capacity building the judiciary is a critical need. In this context, training of judicial officers assumes considerable importance. At present, judicial officers are trained in the State Judicial Academies for one year after their induction and thereafter, in-service training programmes are organized to further build their capacity. It is widely felt that such efforts need to be given a considerable boost to improve the quality of justice that is being delivered through the courts. Ministry of Law and Justice has been addressing High Courts from time to time to enhance the training programmes for judicial officers, particularly sensitisation of judicial officers required in the wake of the unfortunate Delhi gang rape in December 2012.

A provision of Rs 250 crore has been kept for training of Judicial Officers in 13th Finance Commission Award. A similar amount of Rs 250 crore may be allocated again under 14th Finance Commission Award. These amounts can be allocated to the States in proportion to the number of courts in their jurisdiction.

b. Training of Public Prosecutors

Poor quality of Public Prosecutors has been identified as one of the main reasons for delay in disposal of court cases where the Government is a party. At present, facilities for training of Public Prosecutors are inadequate. It is, therefore, proposed that provision be made for training of Public Prosecutors in the country.

A provision of Rs.150 crore has been kept for training of Public Prosecutors in 13th Finance Commission Award. An amount of Rs.150 crore may therefore be allocated again under 14th Finance Commission Award. These amounts can be allocated to the States in proportion to the number of courts in their jurisdiction.

c. Training of mediators and lawyers

It is also proposed that 100 judicial officers and advocates be trained in the State Judicial Academies to act as mediators/conciliators to provide the necessary services to the litigants in

each district over the 5 years period of the 14th Finance Commission award period as was done during the 13th Finance Commission award period. Training during the 13th Finance Commission award period is being provided at an estimated cost of Rs. 0.25 lakh per person, totalling Rs 150 crore. Therefore, a similar amount may be allocated again under the 14th Finance Commission. These amounts can be allocated to the States in proportion to the number of judicial districts in their jurisdiction.

d. Establishment of SJA in Manipur, Meghalaya and Tripura

The importance of capacity development of the Judicial Officers in ensuring better case management and court management cannot be over-emphasized. While the National Judicial Academy has adequate infrastructure and funds to undertake training activities as per its mandate, the State Judicial Academies, by and large, did not have adequate infrastructure or funds to meet their needs. Accordingly, such facilities have been provided for 20 High Courts @ Rs.15 crore per High Court, i.e. a total of Rs.300 crore under the 13th Finance Commission award.

Since then, three new High Courts have been established at Manipur, Meghalaya and Tripura. In the state level meeting held in New Delhi on 5th December, 2013 the representatives of these States mentioned that an amount of Rs.25 crore may be required for setting up new State Judicial Academy. Therefore, Rs 75 crore may be provided for these three new High Courts under the 14th Finance Commission.

7. Financial Implication

Total financial requirement of funds for the above mentioned initiatives to be funded by 14th Finance Commission award has been estimated to be Rs. 9775 crore. A statement of financial proposals may be seen at Annexure V.

THE CURRENT SITUATION OF COURTS

Notwithstanding the adoption of a federal system and existence of Central Acts and States Acts, in their respective jurisdictions, the Constitution of India has provided for a single integrated system of Courts to administer both Union and State laws. The Supreme Court of India exists at the apex of the entire judicial system, below which High Courts exist in each State or group of States. Below High Courts lies a hierarchy of subordinate courts. All these constitute the Courts of Civil Judicature.

Different States' laws provide for different kinds of jurisdiction of courts. Each State is divided into judicial districts presided over by a District and Sessions Judge, which is the Principal Civil Court of original jurisdiction and can try all offences, including those punishable with death. The District and Sessions Judge is the highest judicial authority in a district. It has appellate jurisdiction over all subordinate courts situated in the district for adjudication of both civil and criminal disputes. Below it there are courts of civil jurisdiction comprising, in ascending order, of Junior Civil Judge Court, Principal Junior Civil Judge Court, Senior Civil Judge Court (also called sub-court) and Additional District Judge Court. Similarly, the courts dealing with criminal matters below the District and Sessions Judge comprise, in ascending order, Second Class Judicial Magistrate Court, First Class Judicial Magistrate Court, Chief Judicial Magistrate Court and Additional Sessions Judge Court. Some States also have Executive Magistrate Courts.

The jurisdiction of criminal courts is generally determined based on the territorial divisions of the State. Every State consists of Sessions Divisions comprising of one or more administrative districts. The State Government, after consultation with the High Court, divides any district into sub-divisions and may alter the limits or the number of such sub-divisions. An area in a state comprising a city whose population exceeds one million is territorially classified as a metropolitan area. In such cities, criminal courts are called Metropolitan Magistrate Courts. The State Government is empowered to establish a Court of Sessions for every Sessions division, which is presided over by a Sessions Judge appointed by the High Court. Depending upon the workload, the High Court may also appoint Additional Sessions Judges and/or Assistant Sessions Judges to exercise jurisdiction of a court of sessions. The Sessions Court ordinarily holds its sitting at such place or places as the High Court may specify. Similarly, the State Government may, after consultation with the High Court, establish courts of Judicial Magistrates of the first class and of the second class at such places as it may specify. The Presiding Officer of such Courts of Judicial Magistrates is appointed by the High

Court. The High Court also confers the powers to such magistrates as necessary. Subordinate Judges report to the Sessions Judge. In turn, the Sessions Judges report to the High Court.

The Civil Courts are generally classified based on the exercise of pecuniary jurisdiction by them. Such pecuniary jurisdiction is determined by law of the State. The admissibility of a suit in a civil matter is determined both by the territorial jurisdiction (local limits) specified for each Civil Court as well as the pecuniary jurisdiction assigned to such courts. A suit is instituted in the court of the lowest grade competent to try it. Appeals from such trial courts then go to the appellate court which may be a court of a Judge with higher pecuniary jurisdiction within the District or the District Court. The number of courts to be established in a district (or sessions division) is guided primarily by the number of cases that a court should handle (judge-case ratio), but also by the need to have courts based on territorial proximity for litigants.

While the establishment of courts at various levels is generally determined by the number of cases of civil and criminal matters in a particular jurisdiction, special courts may be set up under special laws. Examples include, Family Courts constituted under Family Courts Act, 1984; Gram Nyayalayas under the Gram Nyayalayas Act 2008; Juvenile Justice Boards under the Juvenile Justice (Care and Protection of Children) Act, 2000 and before its commencement, Children Courts under the Children Act, 1960; Special Judges (CBI Courts) appointed under the Prevention of Corruption Act, 1988; Special Courts for trial of offences under the National Investigation Agency Act, 2008; Motor Accident Claims Tribunals constituted under the Motor Vehicles Act, 1988 and so on. Depending upon the provisions of the relevant Act, Judicial Officer belonging to the State Judicial Services may be required to preside over such special courts, or there may be provisions for appointment of other officers for such special courts. For example, a Juvenile Justice Board or a Family Court may be presided over by a person other than an officer from the State Judicial Service. Similarly, while the Presiding Officer of a Labour Court may be a Judicial Officer of the State Judicial Services, he will be assisted on the bench by two other officers not from Judicial Services but social workers.

Based on laws to that effect, Central and State Government may set up Tribunals in addition to courts. Both courts and tribunals perform similar functions. However, while all courts are tribunals also, all tribunals are not courts. Enactments establishing tribunals generally provide for tribunals to have powers similar to those available to courts of ordinary jurisdiction, such as powers relating to summons witnesses, adduce and admit evidence, hear parties and give judgments/decrees which are executable through ordinary courts. Most of the tribunals are established under Articles 323-A and 323-B of the Constitution.

Even with all the diversities of number of type of courts and types of jurisdiction and powers exercised by them, certain procedures are common to all courts. For civil matters, the procedure laid down in the Code of Civil Procedure 1908 applies. For criminal matters, the procedure laid down in the Code of Criminal Procedure 1973 applies. These procedures may relate to filing of cases, arrest, summons and appearance of accused, procedure relating to investigation, determination of charge-sheet or framing of issues, production and recording of evidence, right of hearing of the parties, passing of orders and judgments and their execution etc. Thus, most of the issues required to be kept in view in the functioning of courts are common to all courts. There are, however, other issues that may vary based on the types of cases, type of courts that handle such cases and the objective served by special courts in which the cases are heard. For example, a Family Court may require specialized knowledge about mediation and compromise, sensitivity relating to understanding of family disputes, in particular problems of women and children. Similarly, a court dealing with offences against women, children, marginalized sections of the society etc. may require special design for separation of victims and accused during hearings, facilities for deposition of vulnerable witness, secure and comfortable ambience for accused, witnesses and other parties involved in a case who may be vulnerable and other parties involved in a case who may be vulnerable, marginalized, women, children, old people, disable etc. For CBI courts, the procedure is the same as for an ordinary court, though the amount of evidence adduced and witnesses examined may be more, and the manner of adjudication may also be more complex.

Administration of Justice in the district and subordinate courts is primarily the responsibility of the State Government. So is the responsibility of setting up of such courts. Therefore, the number and type of courts established at the district and subordinate level in the country are determined by the State Governments in consultation with the respective High Courts. Nevertheless, administration of Justice and constitution and organisation of all courts (except Supreme Court and High Courts) is in the concurrent list of Schedule 7 of the Constitution of India. Therefore, the Central Government shares the responsibility of administration of justice with the State Governments.

India has about 15,000 courts housed in about 2800 court complexes. The situation of establishment of courts is uneven across the country. Some States have court complexes only at the district level, with up to 80 courts in each complex. Other States have operationalised court complexes at the taluk level, which are however small, having 1-4 courts in each complex. In several States the penetration of court complexes at the taluk level is only partial. The sanctioned strength of district and subordinate court judges is about 19,000.

The judicial system has come under severe strain on account of the huge backlog and pendency of cases. The total pendency in the district courts and High Courts at the end of the

year 2012 was around 3.2 crore cases of which 26% are over five years old. On an average, nearly 2 crore cases are instituted each year, and approximately the same number (2.04 crore) are disposed off. The level pendency of cases has therefore, been continuing for years, without signs of reduction. The main reasons for this situation are listed below:

- a) Acute shortage of Judicial Officers; poor Judge-Population ratio: 15 Judges per million people does not compare well with other countries where this ratio is much higher
- b) Lack of Infrastructure in the subordinate courts: The older court complexes are woefully lacking in some basic infrastructure such as:
 - a. spaces for litigants,
 - b. basic toilets facilities for men and women,
 - c. safety and hazard resistance,
 - d. barrier free access for persons with disabilities,
 - e. child and vulnerable witness friendly environment
- c) Lack of ICT enablement: Although ICT enablement of courts has picked up in the last few years, many courts lack in use of automation and efficiency enhancing software programs. Implementation of the e-Courts project aimed at computerization of all district and subordinate courts is underway, but the project does not envisage full ICT enablement, such as electronic case status display boards, digitisation of records, audio-video recording of proceedings, use of mobile technology to inform advocates and litigants of case status etc.
- d) Training needs: While foundational training and refresher trainings in general are given to judicial officers in all States, specialised training for dealing with legislation that requires more sophisticated handling of cases is inadequate. There is a need of sensitisation of judiciary towards the needs of vulnerable witnesses in general and towards victims of rape trials and other marginalised groups in particular. Training needs for dealing with cases under Family Courts is another area requiring dedicated training programmes.
- e) Case and Court Management: About a quarter of cases in Indian courts are more than five years old. There is an urgent need to make the judicial system 'five-plus-free'. There is an equally urgent need to shorten the average life cycle of all cases – not only the time spent within each court, but also total time in the judicial system as a whole, to bring the average to no more than about one year in each court. This requires establishment of a more professional case and court management system. There is also a need to systematically maintain and continuously enhance quality and responsiveness of justice.
- f) Procedural hurdles include:
 - i) Delay in service of notices
 - ii) Delay in preparation of paper books for accused/opposite parties,
 - iii) Disposal of miscellaneous application consumes time resulting in delay in disposal of cases
 - iv) Non-service of summons to parties residing beyond the jurisdiction of the Court

- v) Reluctance on the part of the parties to take further steps for service of process immediately
- vi) Summons and warrants are not properly served, particularly in criminal cases,
- vii) Police machinery is found indifferent in its approach towards service of summons and warrants,
- viii) Reports of service of summons and warrants are not filed on the fixed date,
- ix) Often it is reported that due to law and order situation, warrants could not be served or accused could not be traced, and
- x) In proceedings under section 138 of N.I. Act summons and warrants are not diligently served by police.
- xi) Involvement of under-trial accused persons in different States which hampers their production from another State on the date of hearing mostly due to shortage of escorts, which often results in sending the witnesses unexamined which causes delay.
- g) Non availability of adequate number of Central/State Forensic Science Laboratories.
- h) Miscellaneous/interim orders are challenged before superior courts, which results in delay in disposal of the main case.
 - i) Non-cooperation of counsel in disposal of cases through A.D.R.
 - j) Concept of plea bargaining is not getting momentum.
 - k) Delays due to absence of advocates:
 - a) Frequent strike/absence of lawyers
 - b) Regular absence of advocates on the days when subordinate courts are open but state government/central government declares holiday
 - c) Advocates and litigant public often seeking adjournments and not getting ready on time for conduct of proceedings
 - d) Government officials not filing counters etc., wherever government is a party.
 - m) Delaying tactics resorted to by the parties.
 - n) Poor legal awareness among the public

In the judgment of the Supreme Court in case of All India Judges Association's case [2002 (4) SCC 247], it was felt that the number judicial officers in the States be doubled and judge-population ratio of 1:50 million needs to be achieved. In the judgment of the Supreme Court in Brij Mohan Lal vs. Union of India [2012 (6) SCC 502], it was decided that 10 percent additional posts of judicial officers be created in States. In the Joint Conference of Chief Ministers and Chief Justices held on 7th April 2013, the Minister of Law and Justice stated that the Prime Minister had approved the suggestion that number of judges in the subordinate courts be doubled and that the Finance Commission would be requested to look into it. Referring to the above two judgments, the Conference decided that in order to narrow down Judge-population ratio, the State Governments, in consultation with the Chief Justices will

take requisite steps for creation of new posts of Judicial Officers at all levels with support staff and requisite infrastructure within six months.

CENTRAL SUPPORT FOR COURTS

The Central Government has been supporting the State Governments for development and modernisation of infrastructure for subordinate judiciary and to reduce pendency of cases in courts through the following interventions:

- a) Development of Infrastructure Facilities for Subordinate Judiciary with an allocation of Rs. 4867 crore for the 12th Plan
- b) e-Courts Mission Mode Project with a budget of Rs. 935 crore for computerisation and ICT enablement of courts at subordinate level
- c) Establishment of Gram Nyayalayas
- d) An award of Rs. 5000 crore by the 13th Finance Commission for justice delivery
- e) Support for establishment of Fast Track Courts by the 11th Finance Commission, continued during the 11th Plan, and since discontinued.

The details of these schemes of the Department of Justice for facilitating improvement in the administration of justice are attached at **Annex I**.

DECISIONS TAKEN IN THE CONFERENCE OF CHIEF JUSTICES OF HIGH COURTS AND CHIEF MINISTERS

The issues relating to augmenting infrastructure of courts, increase in judge/staff strength, setting up of Gram Nyayalayas and Fast Track Courts, strengthening of legal aid services, promotion of Alternate Dispute Redress mechanism including Lok Adalats, Mediation and Conciliation and provision of funds for these were on the agenda of the Conference of the Chief Ministers and Chief Justices held in New Delhi on 7th April, 2013. A number of decisions were taken in the Conference in this regard:

- a) State Governments in consultation with the Chief Justices will take requisite steps for creation of new posts of Judicial Officers at all levels with support staff and requisite infrastructure in terms of various judgements of the Supreme Court within six months and allocate adequate and suitable land/sites for court complexes and residential quarters, on priority basis.
- b) Expand the total national sanctioned strength of High Court judges by 25% within a three year period and by 50% in a five year period and to initiate necessary infrastructure and selection measures in a planned way.
- c) State Governments would, in consultation with the Chief Justice of the respective High Court, take steps to establish Fast Track Courts for handling cases involving offences against women, children, differently-abled persons, senior citizens and marginalized sections of

society. The posts of judicial officers with corresponding infrastructure and staff may be sanctioned and the State Governments shall provide adequate funds for the purpose.

- d) While the State Governments and the High Courts should be left to decide the question of establishment of Gram Nyayalayas, morning/ evening/ shift/ holiday/ special courts wherever feasible, taking into account their local conditions and constraints, in the context of doubling the number of courts, regular courts be set up at each Taluka, if not already set up, and in which case establishment of continuation of Gram Nyayalaya will have to be factored in, on need basis.
- e) In order to promote ADR mechanism, it was decided to sensitize and train Judges and Advocates and to conduct awareness programmes regularly with the help of State Judicial Academies, take steps to set-up Mediation/ADR Centres at the District level and provide adequate funds for the Mediation Centres.

PROGRESS UNDER 13TH FINANCE COMMISSION

The status of the release and utilisation of the 13th Finance Commission funds is as under:-

S. No	Head	Allocation	Total Release	Total Utilization	% of Utilization
1	Morning / Evening / Shift Courts	2500.00	713.97	34.51	4.83
2	Lok Adalat and Legal Aid	300.00	93.48	42.97	45.97
3	Training of Judicial Officers	250.00	81.36	67.31	82.73
4	Training of Public Prosecutors	150.00	46.36	25.03	53.98
5	Heritage Court Buildings	450.00	128.70	59.94	46.57
6	State Judicial Academy	300.00	99.00	76.42	77.20
7	ADR Centres/ Training to Mediators	750.00	231.69	153.41	66.21
8	Court Managers	300.00	85.38	11.85	13.88
	Total	5000.00	1479.95	471.44	31.86

It may be seen that the utilisation against the release on morning/evening/shift courts has been only 4.83%. Progress in appointment of Court Managers is also not satisfactory, but may pick up in the balance period of the award. The underutilisation of funds for morning/evening/shift courts by the states has been due to following constraints:

- (i) resistance from Bar Associations;
- (ii) geographical & local constraints particularly in North – Eastern States;
- (iii) non-availability of retired Judicial Officers of appropriate status for these courts; and
- (iv) lack of coordination amongst different departments of State Governments and High Courts.

However, as regards Lok Adalats and Legal Aid, Training of Judicial Officers, Public Prosecutors and Mediators, setting up of ADR Centres and State Judicial Academies the progress has been satisfactory. Therefore, it is proposed to continue these initiatives in the 14th Finance Commission period.

**SETTING UP OF TEMPORARY ADDITIONAL COURTS
FOR PENDENCY REDUCTION**

Disposal per Judge per year	Names of State	Number of Districts	Number of Additional Courts
More than 1500 cases	Arunachal Pradesh	17	5
	Haryana	21	6
	Himachal Pradesh	12	3
	Kerala	14	4
	Punjab	22	6
	Rajasthan	33	9
	Tamil Nadu	32	8
	Tripura	8	2
1000 – 1500 cases	Gujarat	33	17
	Jammu & Kashmir	22	11
	Karnataka	30	15
	Madhya Pradesh	51	26
	Maharashtra	35	18
	Uttarakhand	13	7
	Uttar Pradesh	75	38
	West Bengal	19	10
500-1000 Cases	Andhra Pradesh	23	18
	Assam	27	21
	Chhattisgarh	27	21
	Goa	2	2
	Manipur	9	7
	Odisha	30	23
	< 500 Cases	Bihar	38
Jharkhand		24	24
Meghalaya		11	11
Mizoram		8	8
Nagaland		11	11
Sikkim		4	4
		Total	651

STATEMENT OF FINANCIAL PROPOSALS FOR 14TH FINANCE COMMISSION

PENDENCY REDUCTION:	
1.1 Establishment of additional courts for pendency reduction in districts where pendency is higher than the national average:	
- Cost of salaries of the Presiding Officer and 07 Staff Members	Rs.31.65 lakh per court per annum
- Total cost of salaries for 373 courts for 5 years with 10% additional annual increment	Rs.720.81 crore
- Rentals per Court per Year - (Taking Court area of 2000 Sq.ft. @ Rs.10/- per Sq.ft. per month)	Rs.2.40 lakh
- Total cost of rentals for 373 Courts for 5 years.	Rs.44.76 crore
- Flexi Grant (Operational cost) per court per annum	Rs. 5 lakh
- Total Flexi Grant for 373 court for 5 years	Rs. 93.25 crore
- Total cost for 373 additional courts	Rs. 858.82 crore
1.2 Establishing Fast Track Court :	
- Cost of salaries of the Presiding Officer and 07 Staff Members	Rs.31.65 lakh per court per annum
- Total cost for 1800 FTCs for 5 years with 10% increment each year	Rs.3478.10 crore
- Rentals per court per year - (Taking Court area of 2000 Sq.ft. @ Rs.10/- per sq.ft. per month)	Rs.2.40 lakh
- Total cost of rentals for 1800 courts for 5 years	Rs. 216 crore
- Flexi Grant (operational cost) per court per annum	RS.5 lakh
- Total Flexi Grant for 1800 FTCs for 5 years	Rs.450 crore
- Total cost for 1800 FTCs	Rs.4144.11 crore

1.3 Establishing Family Courts in districts without such courts:	
- Cost of salaries of the Presiding Officer and 07 Staff Members	Rs.31.65 lakh per court per annum
- Cost for 235 Family Courts for 5 years with 10% increment each year	Rs.454.11 crore
- Rentals per court per year - (Taking Court area of 2000 Sq.ft. @ Rs.10/- per sq.ft. per month)	Rs. 2.40 lakh
- Total cost of rentals for 235 courts for 5 years	Rs. 28.20 crore
- Flexi Grant (operational cost) per court per annum	Rs.5 lakh
- Total Flexi Grant for 235 courts for 5 years	Rs. 58.75 crore
- Total cost of 235 Family Courts	Rs.551.06 crore
2. Re-designing existing court complexes to become more litigant friendly :	
- Average cost per court complex	Rs.50 lakh
- Total cost for 2800 court complexes	Rs.1400 crore
3. Technical Manpower Support for ICT enabled courts:	
- Remuneration for one ICT Professional	Rs.50,000 per month
- Remuneration for 1600 Professionals for one year	Rs.96 crore
- Cost of training for one year	Rs.4 crore
- Financial implication for first year	Rs.100 crore
- Financial implication for next 4 years	Rs.380 crore
- Provision for additional cost	Rs. 20 crore
- Total	Rs.500 core
4. Scanning and Digitization of Case Records of High Court and District Courts :	
- No of estimated page of case records (1.25 crore cases x 20 years x 40 page per case)	1000 crore pages
- Cost for scanning, digitization, DMS and Digital Preservation of 1000 crore pages (@ Rs. 0.70 per page)	Rs. 700 crore
- Storage requirement for scanning and digitization of 1000 crore pages (@ 10 kb per page)	1000 TB approx
- Total storage requirement including for	2100 TB

digital preservation (2.1 times)	
- Cost for storage (Rs. 2.5 lakhs per TB x 2100 TB)	Rs. 52.50 crore
- Total cost of 5 years	Rs.752.50 crore
Enhancing Access to Justice :	
(a) Supporting Law School based Legal Aid Clinics with focus on undertrials:	
(i) Non-Recurring	
Infrastructure & Computerization	Rs 1,00,000
Preparing the Legal Literacy Materials	Rs 50,000
Non-recurring funds per Law School	Rs.1.50 lakh
Total non-recurring cost for 100 Law Schools	Rs.1.50 crore
(ii) Recurring	
Travel and cost for activities	Rs 1,50,000
Organizing the Legal literacy Camps/workshops/seminars	Rs 2,80,000
Organizing the PLV training	Rs 2,00,000
Organizing the weekly legal aid clinic in jail	Rs 1,50,000
Organizing the Lok Adalats/Courts in jail (four per year)	Rs 2,00,000
Total recurring cost per Law School per year	Rs. 9,80 lakh
- Total recurring cost for 100 Law Schools for 5 years	Rs. 49 crore
- Total cost for 100 Law Schools	Rs. 50.50 crore
(b) Organizing Lok Adalats :	
- Cost for holding 1 Lok Adalat at district/Taluka level	Rs.25,000
- Cost for holding 5 Lok Adalats per court location in 1500 courts locations in 5 years	Rs.18.75 crore
- Cost for holding Lok Adalats at all levels in 5 years	Rs. 20 crore
- Cost for holding Lok Adalats at all levels for 5 years	Rs.100 crore
(c) Support for mediation and conciliation in ADR Centres :	

- Average cost of setting up 1 ADR Centres	Rs. 1 crore
- Cost for setting up of 300 ADR Centres	Rs. 300 crore
(d) Incentive to mediators/conciliators to encourage mediation/conciliation :	
- Fees for 1 successful mediator/conciliator	Rs. 2500
- Number of successful cases to be incentivized per district per annum	Rs. 600
- Number of cases in 672 districts per annum	4,03,200 cases
- Number of such cases in all the districts in 5 years	20.16 lakh
- Total cost for giving incentive in 5 years	Rs.503 crore.
6. Training and capacity building of judges, public prosecutors, mediators, lawyers :	
Training of Judges:	
- Provision for training of judges	Rs.250 crore
Training of Public Prosecutors :	
- Provision for training of Public Prosecutors	Rs.150 crore
Training of Mediators & Lawyers :	
- Provision for training	Rs.150 crore
Establishing of SJA in Manipur, Meghalaya and Tripura :	
- Cost for setting up 1 Judicial Academy	Rs.25 crore
- Cost for setting up 3 Judicial Academies	Rs. 75 crore
Total Cost for Training and capacity building	Rs. 625 crore
Total requirement of funds under 14th Finance Commission Award	Rs.9775 crore

ABSTRACT FOR FFC PROPOSAL

S.No.	High Court	Name of the State	Total Fund required (Rs. In Cr)											Total Statewise Fund Required (in Rs Cr)
			Additional Courts	Fast Track Courts	Family Courts	Redesigning Existing Courts	Technical Manpower Support	Scanning & Digitization	Law Schools	Lok Adalats	ADR Centres	Mediators	Capacity Building	
1	Andhra Pradesh	Andhra Pradesh	23.03	108.21	0.00	71.5	14.40	15	0.86	3.19	0	9.75	15.39	261.35
2		Telengana	18.42	85.18	0.00	55	14.17	12	0.66	2.31	0	7.50	11.84	206.64
3	Gauhati	Arunachal Pradesh	11.51	0.00	0.00	0.5	12.086	20	0.00	0.06	12	13.16	0.42	69.54
4		Assam	48.35	82.88	55.26	30		31	1.01	0.80	19	20.90	11.07	300.76
5		Mizoram	18.42	16.12	9.21	4		9	0.00	0.09	5	6.19	1.84	70.12
6		Nagaland	25.33	6.91	20.72	1		13	0.00	0.09	4	8.52	0.76	79.62
7	Patna	Bihar	87.49	338.43	11.51	25	45.93	44	5.05	5.88	27	29.42	42.29	662.06
8	Chhattisgarh	Chhattisgarh	48.35	64.46	18.42	30.5	9.37	31	2.02	1.94	19	20.90	9.28	255.74
9	Bombay	Goa	4.61	11.51	0.00	7.5		2	0.00	0.75	0	1.55	1.47	29.70
10	Gujarat	Gujarat	39.14	400.59	36.84	116	28.10	38	1.52	6.56	18	25.55	55.42	765.72
11	P&H HC	Punjab	13.82	115.11	50.65	30	10.12	25	3.03	1.34	16	17.03	22.25	304.50
12		Chandigarh	4.61	0.00	0.00	0.5				0.13				5.23
13		Haryana	13.82	110.51	34.53	21.5	10.12	24	2.02	1.41	6	16.26	15.26	255.42
14	Shimla	Himachal Pradesh	6.91	29.93	0.00	19.5	4.83	14	0.00	1.25	9	9.29	3.88	98.04
15	Jammu & Kashmir	Jammu & Kashmir	25.33	48.35	0.00	38.5	9.37	25	0.51	0.63	0	17.03	6.91	172.04
16	Jharkhand	Jharkhand	55.26	115.11	6.91	36.5	16.32	28	2.53	2.94	12	18.58	16.19	310.21
17	Karnataka	Karnataka	34.54	218.72	29.93	91.5	25.38	35	2.02	5.88	1	23.23	30.40	497.69
18	Kerala	Kerala, Lakshadweep	9.21	94.39	0.00	64	12.99	16	1.01	3.31	10	10.84	12.08	234.02
19	Madhya Pradesh	Madhya Pradesh	59.86	306.20	46.05	88	39.88	59	3.54	8.56	27	39.48	40.22	717.89
20	Bombay	Maharashtra, D & N, Daman & Diu	41.44	469.67	50.65	228	60.13	40	3.03	12.00	25	27.10	56.52	1014.00
21	Manipur	Manipur	16.12	6.91	11.51	7	1.21	10	0.00	0.25	6	6.97	26.05	92.84
22	Meghalaya	Meghalaya	25.33	9.21	0.00	0.5	0.30	13	0.00	0.13	8	8.52	26.10	90.66
23	Orissa	Odisha	52.95	145.04	32.23	57	14.81	35	2.02	3.69	21	23.23	18.60	405.67
24	Rajasthan	Rajasthan	20.72	214.11	11.51	121	26.89	38	2.53	5.13	0	25.55	32.41	497.99
25	Sikkim	Sikkim	9.21	2.30	4.61	2	1.21	5	0.00	0.13	0	3.10	0.51	27.68
26	Madras	Tamil Nadu, Pudicherry	18.42	204.91	41.44	130	27.50	37	1.52	5.63	23	24.77	28.10	542.13
27	Tripura	Tripura	4.61	20.72	11.51	6.5	2.12	9	0.00	0.50	6	6.19	27.89	95.00
28	Allahabad	Uttar Pradesh	87.49	488.08	0.00	56	61.94	87	10.61	9.06	3	58.06	54.40	915.20
29	Uttarakhand	Uttarakhand	16.12	64.46	18.42	15.5	6.95	15	0.51	1.94	9	10.06	7.27	165.55
30	Calcutta	West Bengal, A & N Islands	23.03	216.42	39.14	45.5	23.57	22	3.03	7.06	14	14.71	28.13	436.11
31	Delhi	Delhi		145.05	0.00	0			1.52	1.00	0	0	22.02	169.58
		Total	858.83	4144.11	541.06	1400.00	479.68	752.50	50.50	93.61	300.00	503.44	624.98	9748.71
		Misc					20.32			6.39				26.71
		Grand Total	859	4144	541	1400	500	752.5	50.50	100	300	503	625	9775

Rounded of :- 9775 crore

Note 1 The Miscellaneous column has been added to round off the figures

State-wise statement of Financial Proposal for Fourteenth Finance Commission

1 PENDENCY REDUCTION

1.1 Establishment of additional Courts for pendency reduction in Districts where pendency is higher than the Annual average

Sl. No.	Name of the State	Total Number of Districts	Number of eligible Districts/ Additional Courts	Funds required per Court			Funds required per State (Rs. In Cr)			Total Fund required (Rs. In Cr)
				Salaries	Rental	Flexi Grant	Salaries (for 5 Years)	Rental (for 5 years)	Flexi Grant (for 5 years)	
A	B	C	D	E	F	G	H (D X E)	I (D X F)	J (D X G)	K (H+I+J)
1	Andhra Pradesh	13	10	3165000	240000	500000	19.33	1.2	2.5	23.03
2	Telangana	10	8	3165000	240000	500000	15.46	0.96	2	18.42
3	Arunachal Pradesh	17	5	3165000	240000	500000	9.66	0.6	1.25	11.51
4	Assam	27	21	3165000	240000	500000	40.58	2.52	5.25	48.35
5	Bihar	38	38	3165000	240000	500000	73.43	4.56	9.5	87.49
6	Chhattisgarh	27	21	3165000	240000	500000	40.58	2.52	5.25	48.35
7	Goa	2	2	3165000	240000	500000	3.87	0.24	0.5	4.61
8	Gujarat	33	17	3165000	240000	500000	32.85	2.04	4.25	39.14
9	Haryana	21	6	3165000	240000	500000	11.60	0.72	1.5	13.82
10	Himachal Pradesh	12	3	3165000	240000	500000	5.80	0.36	0.75	6.91
11	Jammu & Kashmir	22	11	3165000	240000	500000	21.26	1.32	2.75	25.33
12	Jharkhand	24	24	3165000	240000	500000	46.38	2.88	6	55.26
13	Karnataka	30	15	3165000	240000	500000	28.99	1.8	3.75	34.54
14	Kerala	14	4	3165000	240000	500000	7.73	0.48	1	9.21
15	Madhya Pradesh	51	26	3165000	240000	500000	50.24	3.12	6.5	59.86
16	Maharashtra	35	18	3165000	240000	500000	34.78	2.16	4.5	41.44
17	Manipur	9	7	3165000	240000	500000	13.53	0.84	1.75	16.12
18	Meghalaya	11	11	3165000	240000	500000	21.26	1.32	2.75	25.33
19	Mizoram	8	8	3165000	240000	500000	15.46	0.96	2	18.42
20	Nagaland	11	11	3165000	240000	500000	21.26	1.32	2.75	25.33
21	Odisha	30	23	3165000	240000	500000	44.44	2.76	5.75	52.95
22	Punjab	22	6	3165000	240000	500000	11.60	0.72	1.5	13.82
23	Rajasthan	33	9	3165000	240000	500000	17.39	1.08	2.25	20.72
24	Sikkim	4	4	3165000	240000	500000	7.73	0.48	1	9.21
25	Tamil Nadu	32	8	3165000	240000	500000	15.46	0.96	2	18.42
26	Tripura	8	2	3165000	240000	500000	3.87	0.24	0.5	4.61
27	Uttar Pradesh	75	38	3165000	240000	500000	73.43	4.56	9.5	87.49
28	Uttarakhand	13	7	3165000	240000	500000	13.53	0.84	1.75	16.12
29	West Bengal	19	10	3165000	240000	500000	19.33	1.2	2.5	23.03
	Total	651	373				720.82	44.76	93.25	858.83

Disposal per Judge per	Names of State	Number of Districts	Number of Additional
More than 1500 cases	Arunachal Pradesh	17	5
	Haryana	21	6
	Himachal Pradesh	12	3
	Kerala	14	4
	Punjab	22	6
	Rajasthan	33	9
	Tamil Nadu	32	8
Tripura	8	2	
1000 ~ 1500 cases	Gujarat	33	17
	Jammu & Kashmir	22	11
	Karnataka	30	15
	Madhya Pradesh	51	26
	Maharashtra	35	18
	Uttarakhand	13	7
	Uttar Pradesh	75	38
West Bengal	19	10	
500-1000 Cases	Andhra Pradesh	23	18
	Assam	27	21
	Chhattisgarh	27	21
	Goa	2	2
	Mizoram	9	7
	Total	651	373

1.2 Establishing Fast Track Courts

S. No.	Name of State / Union Territory	Sanctioned Strength of JOs as on 31.3.2012	No. of FTCs to be established based on (10% of JOs/ Courts as given in column C)	Funds required per Court			Funds required per State (Rs. In Cr)			Total Fund required (Rs. In Cr)
				Salaries	Rental	Flexi Grant	Salaries (for 5 years)	Rental (for 5 years)	Flexi Grant (for 5 years)	
A	B	C	D	E	F	G	H (D X E)	I (D X F)	J (D X G)	K (H + I + J)
1	Andhra Pradesh	471	47	3165000	240000	500000	90.82	5.64	11.75	108.21
2	Telangana	363	37	3165001	240000	500001	71.49	4.44	9.2500185	85.18
3	Assam	356	36	3165000	240000	500000	69.56	4.32	9	82.88
4	Arunachal Pradesh	2	0	3165000	240000	500000	0.00	0	0	0.00
5	Mizoram	65	7	3165000	240000	500000	15.53	0.84	1.75	16.12
6	Nagaland	29	3	3165000	240000	500000	5.80	0.36	0.75	6.91
7	Bihar	1458	147	3165000	240000	500000	284.04	17.64	36.75	338.43
8	Chhatisgarh	276	28	3165000	240000	500000	54.10	3.36	7	64.46
9	Gujarat	1727	174	3165000	240000	500000	336.21	20.88	43.5	400.59
10	Himachal Pradesh	132	13	3165000	240000	500000	25.12	1.56	3.25	29.93
11	Jammu & Kashmir	206	21	3165000	240000	500000	40.58	2.52	5.25	48.35
12	Jharkhand	499	50	3165000	240000	500000	96.61	6	12.5	115.11
13	Karnataka	945	95	3165000	240000	500000	183.57	11.4	23.75	218.72
14	Kerala	411	41	3165000	240000	500000	79.22	4.92	10.25	94.39
	Lakshadweep	3	0	3165000	240000	500000	0.00	0	0	
15	Madhya Pradesh	1321	133	3165000	240000	500000	256.99	15.96	33.25	306.20
16	Maharashtra	2016	203	3165000	240000	500000	392.25	24.36	50.75	467.36
	D & N, Daman & Diu	7	1	3165000	240000	500000	1.94	0.12	0.25	2.31
17	Goa	49	5	3165000	240000	500000	9.66	0.6	1.25	11.51
18	Manipur	31	3	3165000	240000	500000	5.80	0.36	0.75	6.91
19	Meghalaya	36	4	3165000	240000	500000	7.73	0.48	1	9.21
20	Orissa	625	63	3165000	240000	500000	121.73	7.56	15.75	145.04
21	Punjab	493	50	3165000	240000	500000	96.61	6	12.5	115.11
22	Haryana	476	48	3165000	240000	500000	92.75	5.76	12	110.51
	Chandigarh	20	2	3165000	240000	500000	3.87	0.24	0.5	4.61
23	Rajasthan	922	93	3165000	240000	500000	179.70	11.16	23.25	214.11
24	Sikkim	13	1	3165000	240000	500000	1.93	0.12	0.25	2.30
25	Tamil Nadu	866	87	3165000	240000	500000	168.11	10.44	21.75	204.91
	Pudicherry	20	2	3165000	240000	500000	3.87	0.24	0.5	4.61
26	Tripura	92	9	3165000	240000	500000	17.39	1.08	2.25	20.72
27	Uttar Pradesh	2102	212	3165000	240000	500000	409.64	25.44	53	488.08
28	Uttarakhand	278	28	3165000	240000	500000	54.10	3.36	7	64.46
29	West Bengal, A & N Islands	933	94	3165000	240000	500000	181.64	11.28	23.5	216.42
	Delhi	623	63	3165000	240000	500000	121.74	7.56	15.75	145.05
	Total	17866	1800				3478.11	216	450.00	4144.11

1.3 Establishing Family Courts in Districts without such Courts

S. No.	Name of State / Union Territory	No. of Family Courts to be established	Funds required per Court			Funds required per State (Rs. In Cr)			Total Fund required (Rs. In Cr)
			Salaries	Rental	Flexi Grant	Salaries (for 5 years)	Rental (for 5 years)	Flexi Grant (for 5 years)	
A	B	C	D	E	F	G (C X D)	H (C X E)	I (C X F)	J (G + H + I)
1	Andhra Pradesh	0	3165000	240000	500000	0.00	0	0	0.00
2	Telangana	0	3165000	240000	500001	0.00	0	0	0.00
3	Arunachal Pradesh	0	3165000	240000	500000	0.00	0	0	0.00
4	Assam	24	3165000	240000	500000	46.38	2.88	6	55.26
5	Mizoram	4	3165000	240000	500000	7.73	0.48	1	9.21
6	Nagaland	9	3165000	240000	500000	17.39	1.08	2.25	20.72
7	Bihar	5	3165000	240000	500000	9.66	0.6	1.25	11.51
8	Chhattisgarh	8	3165000	240000	500000	15.46	0.96	2	18.42
9	Gujarat	16	3165000	240000	500000	30.92	1.92	4	36.84
10	Himachal Pradesh	0	3165000	240000	500000	0.00	0	0	0.00
11	Jammu & Kashmir	0	3165000	240000	500000	0.00	0	0	0.00
12	Jharkhand	3	3165000	240000	500000	5.80	0.36	0.75	6.91
13	Karnataka	13	3165000	240000	500000	25.12	1.56	3.25	29.93
14	Kerala	0	3165000	240000	500000	0.00	0	0	0.00
15	Lakshadweep	0	3165000	240000	500000	0.00	0	0	0.00
16	Madhya Pradesh	20	3165000	240000	500000	38.65	2.4	5	46.05
17	Maharashtra	22	3165000	240000	500000	42.51	2.64	5.5	50.65
18	Goa	0	3165000	240000	500000	0.00	0	0	0.00
19	D & N, Daman & Diu	0	3165000	240000	500000	0.00	0	0	0.00
20	Manipur	5	3165000	240000	500000	9.66	0.6	1.25	11.51
21	Meghalaya	0	3165000	240000	500000	0.00	0	0	0.00
22	Orissa	14	3165000	240000	500000	27.05	1.68	3.5	32.23
23	Punjab	22	3165000	240000	500000	42.51	2.64	5.5	50.65
24	Haryana	15	3165000	240000	500000	28.98	1.8	3.75	34.53
25	Chandigarh		3165000	240000	500000	0.00	0	0	0.00
26	Rajasthan	5	3165000	240000	500000	9.66	0.6	1.25	11.51
27	Sikkim	2	3165000	240000	500000	3.87	0.24	0.5	4.61
28	Tamil Nadu	18	3165000	240000	500000	34.78	2.16	4.5	41.44
29	Pudicherry	0	3165000	240000	500000	0.00	0	0	0.00
30	Tripura	5	3165000	240000	500000	9.66	0.6	1.25	11.51
31	Uttar Pradesh	0	3165000	240000	500000	0.00	0	0	0.00
32	Uttarakhand	8	3165000	240000	500000	15.46	0.96	2	18.42
33	West Bengal	17	3165000	240000	500000	32.85	2.04	4.25	39.14
34	Delhi	0	3165000	240000	500000	0.00	0	0	0.00
	Total	235				454.11	28.20	58.75	541.06

Explanation -
Formula Used &
Source of basis -

REDESIGNING EXISTING COURT COMPLEXES TO BECOME MORE LITIGANT FRIENDLY

S. No.	Name of State / Union Territory	No. of Court Complexes as on Dec'12	No. of Court Complexes to be re-designed	Funds required per Court	Total Funds required (Rs. In Cr)
A	B	C	D	E	F
1	Andhra Pradesh	249	143	5000000	71.5
2	TeLANGANA	0	110	5000000	55
3	Assam	59	60	5000000	30
4	Arunachal Pradesh	1	1	5000000	0.5
5	Mizoram	8	8	5000000	4
6	Nagaland	2	2	5000000	1
7	Bihar	49	50	5000000	25
8	Chhattisgarh	60	61	5000000	30.5
9	Gujarat	228	232	5000000	116
10	Himachal Pradesh	38	39	5000000	19.5
11	Jammu & Kashmir	76	77	5000000	38.5
12	Jharkhand	72	73	5000000	36.5
13	Karnataka	180	183	5000000	91.5
14	Kerala	123	125	5000000	64
	Lakshadweep	3	3	5000000	
15	Madhya Pradesh	173	176	5000000	88
16	Maharashtra	445	453	5000000	228
	D & N, Daman & Diu	3	3	5000000	
17	Goa	15	15	5000000	7.5
18	Manipur	14	14	5000000	7
19	Meghalaya	1	1	5000000	0.5
20	Orissa	112	114	5000000	57
21	Punjab	59	60	5000000	30
22	Haryana	42	43	5000000	21.5
	Chandigarh	1	1	5000000	0.5
23	Rajasthan	238	242	5000000	121
24	Sikkim	4	4	5000000	2
25	Tamil Nadu	256	260	5000000	130
	Puducherry	0	0	5000000	
26	Tripura	13	13	5000000	6.5
27	Uttar Pradesh	110	112	5000000	56
28	Uttarakhand	30	31	5000000	15.5
29	West Bengal, A&N Islands	89	91	5000000	45.5
30	Delhi	0	0	5000000	0
	Total	2753	2800		1400

3 Technical Manpower Support for ICT enabled Courts

S. No.	State / High Court	District Court Complex	District Courts	Manpower Estimated at District	No. of Talukas	No. of Taluka Courts	Manpower Estimated at Taluka	Total Manpower requirement (E+H)	Annual Salary @ INR 50,000/month (E+H) x 50000	Total Training cost @ 2500 per person one time	Travel cost @ INR 4000 per person (E+H)X4000	First years action taken Cost per year - (Column J X 12 + K + L)	Recurring Salary per year from 2nd year onwards (12 X J)	Recurring Salary for 4 years (4 X N)	Total Cost in crores (M+O)
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
1	Uttar Pradesh / Allahabad	70	1928	200	46	38	5	205	10250000	3587500	820000	127407500	123000000	492000000	619407500
2	Andhra Pradesh	32	240	19	139	280	28	47	2369565	1645000	189565	30269348	28434783	113739130	144008478
3	Telangana	24	184	25	107	215	22	47	2330435	1645000	186435	29796652	27965217	111860870	141657522
4	Maharashtra / Bombay	184	1382	144	286	582	55	199	9950000	3482500	796000	123678500	119400000	477600000	601278500
5	West Bengal / Calcutta	22	372	39	69	404	39	78	3900000	1365000	312000	48477000	46800000	187200000	235677000
6	Chhatisgarh	16	193	22	55	79	9	31	1550000	542500	124000	19266500	18600000	74400000	93666500
7	Assam / Gauhati	52	269	35	22	46	5	51	2000000	700000	160000	24860000	24000000	96000000	120860000
8	Mizoram / Gauhati														
9	Arunachal Pradesh / Gauhati														
10	Nagaland / Gauhati														
11	Gujarat	68	623	64	179	286	29	93	4650000	1627500	372000	57799500	55800000	223200000	280999500
12	J&K	22	119	26	54	65	5	31	1550000	542500	124000	19266500	18600000	74400000	93666500
13	Jharkhand	23	491	48	6	65	6	54	2700000	945000	216000	33561000	32400000	129600000	163161000
14	Karnataka	42	449	49	173	338	35	84	4200000	1470000	336000	52206000	50400000	201600000	253806000
15	Kerala	42	226	24	79	177	19	43	2150000	752500	172000	26724500	25800000	103200000	129924500
16	Madras	53	433	50	202	387	41	91	4550000	1592500	364000	56556500	54600000	218400000	274956500
17	Manipur	12	32	4	2	2	0	4	200000	70000	16000	2486000	2400000	9600000	12086000
18	Meghalaya	1	7	1	0	0	0	1	50000	17500	4000	621500	600000	2400000	3021500
19	Madhya Pradesh	50	905	91	146	421	41	132	6600000	2310000	528000	82038000	79200000	316800000	398838000
20	Orissa	46	297	37	66	126	12	49	2450000	857500	196000	30453500	29400000	117600000	148053500
21	P&HC	33	514	50	68	192	17	67	3350000	1172500	268000	41640500	40200000	160800000	202440500
22	Pama	178	1208	126	23	248	26	152	7600000	2660000	608000	94468000	91200000	364800000	459268000
23	Rajasthan	56	474	56	182	314	33	89	4450000	1557500	356000	55313500	53400000	213600000	268913500
24	Shimla	12	72	11	31	47	5	16	800000	280000	64000	9944000	9600000	38400000	48344000
25	Sikkim	4	10	4	0	0	0	4	200000	70000	16000	2486000	2400000	9600000	12086000
26	Tripura	5	38	4	8	26	3	7	350000	122500	28000	4350500	4200000	16800000	21150500
27	Uttarakhand	14	130	17	27	68	6	23	1150000	402500	92000	14294500	13800000	55200000	69494500
	Total	1061	10596	1146	1970	4456	441	1598	79350000	27772500	6348000	987965500	952200000	3808800000	4796765500
									Rounded	98.80		98.80	95.22	380.88	479.68
									Estimated amount for additional Courts to be added during the period of eCourts Project						20.32
														Grand Total	500

Source
Explanation

Figures in Column C, D, F and G have been taken based on no. of District Courts Complexes, District Courts, No. of Talukas and No. of Taluka Courts existing as on Dec. 2012 as per NIC tracker.
Figures in row below the totalling row have been rounded off to match with the figures given in Point 3 of the Original Memorandum.

Sl. No.	Name of the State	Total Number of Districts	Funds required
A	B	C	E
1	Andhra Pradesh	13	15
2	Telangana	10	12
3	Arunachal Pradesh	17	20
4	Assam	27	31
5	Bihar	38	44
6	Chhattisgarh	27	31
7	Goa	2	2
8	Gujarat	33	38
9	Haryana	21	24
10	Himachal Pradesh	12	14
11	Jammu & Kashmir	22	25
12	Jharkhand	24	28
13	Karnataka	30	35
14	Kerala	14	16
15	Madhya Pradesh	51	59
16	Maharashtra	35	40
17	Manipur	9	10
18	Meghalaya	11	13
19	Mizoram	8	9
20	Nagaland	11	13
21	Odisha	30	35
22	Punjab	22	25
23	Rajasthan	33	38
24	Sikkim	4	5
25	Tamil Nadu	32	37
26	Tripura	8	9
27	Uttar Pradesh	75	87
28	Uttarakhand	13	15
29	West Bengal	19	22
	Total	651	752.5

5 ENHANCING ACCESS TO JUSTICE

(a) Supporting Law School based Legal Aid Clinics with focus on undertrials

S.No	State	Number of Undertrials	Percentage of Undertrial in State	No. of Law Schools to be supported	Non-Recurring		Recurring		Total Funds required (Rs. In Cr)
					Funds required per Law School	Amount for State (Rs. In Cr)	Funds required per Law School per year	Amount for State (Rs. In Cr)	
A	B	C	D	E	F	G (E X F)	H	I (E X H)	J (G + I)
1	Andhra Pradesh	4833	1.9	2	150000	0.03	980000	0.83	0.86
2	Telangana	3718	1.5	1	150000	0.02	980000	0.64	0.66
3	Assam	5098	2.0	2	150000	0.03	980000	0.98	1.01
4	Arunachal Pradesh	67	0.0	0	150000	0.00	980000	0.00	0.00
5	Mizoram	528	0.2	0	150000	0.00	980000	0.00	0.00
6	Nagaland	253	0.1	0	150000	0.00	980000	0.00	0.00
7	Bihar	24389	9.6	10	150000	0.15	980000	4.90	5.05
8	Chhattisgarh	8799	3.5	4	150000	0.06	980000	1.96	2.02
9	Gujarat	6613	2.6	3	150000	0.05	980000	1.47	1.52
10	Himachal Pradesh	764	0.3	0	150000	0.00	980000	0.00	0.00
11	Jammu & Kashmir	2007	0.8	1	150000	0.02	980000	0.49	0.51
12	Jharkhand	13035	5.1	5	150000	0.08	980000	2.45	2.53
13	Karnataka	8940	3.5	4	150000	0.06	980000	1.96	2.02
14	Kerala	4165	1.6	2	150000	0.03	980000	0.98	
	Lakshadweep	0	0.0	0	150000	0.00	980000	0.00	1.01
15	Madhya Pradesh	17619	6.9	7	150000	0.11	980000	3.43	3.54
16	Maharashtra	16426	6.4	6	150000	0.09	980000	2.94	
	D & N Haveli	37	0.0	0	150000	0.00	980000	0.00	3.03
	Daman & Diu	11	0.0	0	150000	0.00	980000	0.00	
17	Goa	336	0.1	0	150000	0.00	980000	0.00	0.00
18	Manipur	527	0.2	0	150000	0.00	980000	0.00	0.00
19	Meghalaya	605	0.2	0	150000	0.00	980000	0.00	0.00
20	Orissa	9237	3.6	4	150000	0.06	980000	1.96	2.02
21	Punjab	15373	6.0	6	150000	0.09	980000	2.94	3.03
22	Haryana	10251	4.0	4	150000	0.06	980000	1.96	2.02
	Chandigarh	473	0.2	0	150000	0.00	980000	0.00	0.00
23	Rajasthan	13170	5.2	5	150000	0.08	980000	2.45	2.53
24	Sikkim	148	0.1	0	150000	0.00	980000	0.00	0.00
25	Tamil Nadu	7994	3.1	3	150000	0.05	980000	1.47	
	Pondicherry	176	0.1	0	150000	0.00	980000	0.00	1.52
26	Tripura	352	0.1	0	150000	0.00	980000	0.00	0.00
27	Uttar Pradesh	53821	21.1	21	150000	0.32	980000	10.29	10.61
28	Uttarakhand	1862	0.7	1	150000	0.02	980000	0.49	0.51
29	West Bengal	13977	5.5	6	150000	0.09	980000	2.94	
	A & N Islands	366	0.1	0	150000	0.00	980000	0.00	3.03
30	Delhi	8887	3.5	3	150000	0.05	980000	1.47	1.52
	TOTAL (ALL-INDIA)	254857	100	100		1.50	49.00	50.50	

Source-
Explanation

Figures in Column C have been taken based on no. of undertrials in 2012 as per Prison Statistics India-2012 (NCRB data).
Column D has been worked out as percentage and column E has been rounded off in order to match the total no of 100 proposed Law school as per original memorandum.
The Courts established in UTs are under the jurisdiction of respective High Courts located in various States. Therefore costing for the Courts proposed to the established have been taken on board against the States where these HCs are located.
Delhi and UTs have been included since the proposal involves providing legal support all over the Country.

Table 4(A)

Convict and Undertrial Prisoners at the end of 2001 and 2002 alongwith

SL NO.	STATE/UT	2002
1	ANDHRA PRADESH	8549
2	ARUNACHAL PRADESH*	-
3	ASSAM	4319
4	BIHAR	32101
5	CHHATTISGARH	4961
6	GOA	203
7	GUJARAT	6369
8	HARYANA	7717
9	HIMACHAL PRADESH	478
10	JAMMU & KASHMIR	1229
11	JHARKHAND	12094
14	MADHYA PRADESH	15635
15	MAHARASHTRA	14517
16	MANIPUR	360
17	MEGHALAYA	506
18	MIZORAM	581
19	NAGALAND	544
20	ORISSA	9616
21	PUNJAB	8113
22	RAJASTHAN	7322
23	SIKKIM	91
25	TRIPURA	551
26	UTTAR PRADESH	44951
27	UTTARANCHAL	1702
28	WEST BENGAL	16036
	TOTAL(STATES)	212542
29	A & N ISLANDS	194
30	CHANDIGARH	345
32	DAMAN & DIU	20
33	DELHI	9656
34	LAKSHADWEEP	14
35	PONDICHERRY	112
	TOTAL(UTs)	10496
	TOTAL (ALL-INDIA)	223038

(b) Organising Lok Adalats

S. No.	Name of State / Union Territory	Mega Lok Adalats			Number of Court Complexes (CCs)	Lok Adalats						Funds required for holding such Lok Adalats (Rs. In Cr)
		Number of Mega Adalats	Funds required per Lok Adalat for 1 year	Funds required per state for 5 years (Rs. In Cr)		Number of Court Complexes with 5 or more Courts	No. of CCs in each State considered for Lok Adalats	No. of Lok Adalats per CC	Total Lok Adalats	Funds required per Lok Adalat	Funds required for holding such Lok Adalats for 5 years (Rs. In Cr)	
A	B	C	D	E	F	G	H	I	J (H X I)	K	L (J X K)	M (E + L)
1	Andhra Pradesh	0	0	0	141	24	47	5	235	25000	2.94	3.1
2	Telangana	10	50000	0.25	108	19	36	5	180	25000	2.25	2.3
3	Assam (Guwahati HC)	10	12500	0.0625	59	24	47	5	235	6250	0.73	0.8
	Arunachal Pradesh (Guwahati HC)	10	12500	0.0625	1	0	0	5	0	6250	0.00	0.0
	Mizoram (Guwahati HC)	10	12500	0.0625	8	1	2	5	10	6250	0.03	0.0
	Nagaland (Guwahati HC)	10	12500	0.0625	2	1	2	5	10	6250	0.03	0.0
	Bihar	10	50000	0.25	49	46	90	5	450	25000	5.63	5.8
4	Chhattisgarh	10	50000	0.25	60	14	27	5	135	25000	1.69	1.9
5	Gujarat	10	50000	0.25	228	52	101	5	505	25000	6.31	6.5
6	Himachal Pradesh	0	50000	0	38	8	16	5	80	25000	1.00	1.2
7	Jammu & Kashmir	0	50000	0	76	5	10	5	50	25000	0.63	0.6
8	Jharkhand	10	50000	0.25	72	22	43	5	215	25000	2.69	2.9
9	Karnataka	10	50000	0.25	180	46	90	5	450	25000	5.63	5.8
10	Kerala	10	50000	0.25	123	25	49	5	245	25000	3.06	3.3
11	Lakshadweep	0	50000	0	3	0	0	5	0	25000	0.00	0.0
12	Madhya Pradesh	10	50000	0.25	173	69	133	5	665	25000	8.31	8.5
13	Maharashtra	10	50000	0.25	445	97	188	5	940	25000	11.75	12.0
14	D & N Ha, Daman & Diu	0	50000	0	3	0	0	5	0	25000	0.00	0.0
15	Goa	10	50000	0.25	15	4	8	5	40	25000	0.50	0.7
16	Manipur	0	50000	0	14	2	4	5	20	25000	0.25	0.2
17	Meghalaya	0	50000	0	1	1	2	5	10	25000	0.13	0.1
18	Orissa	10	50000	0.25	112	28	55	5	275	25000	3.44	3.6
19	Punjab (P&H HC)	10	25000	0.125	59	20	39	5	195	12500	1.22	1.3
	Haryana (P&H HC)	10	25000	0.125	42	21	41	5	205	12500	1.28	1.4
20	Chandigarh	0	50000	0	1	1	2	5	10	25000	0.13	0.1
21	Rajasthan	10	50000	0.25	238	40	78	5	390	25000	4.88	5.1
22	Sikkim	0	50000	0	4	1	2	5	10	25000	0.13	0.1
23	Tamil Nadu	10	50000	0.25	256	43	84	5	420	25000	5.25	5.5
24	Pondicherry	0	50000	0	0	1	2	5	10	25000	0.13	0.1
25	Tripura	0	50000	0	13	4	8	5	40	25000	0.50	0.5
26	Uttar Pradesh	10	50000	0.25	110	73	141	5	705	25000	8.81	9.0
27	Uttarakhand	10	50000	0.25	30	14	27	5	135	25000	1.69	1.9
28	West Bengal, A & N Island	10	50000	0.25	89	56	109	5	545	25000	6.81	7.0
29	Delhi	0	50000	0	0	8	16	5	80	25000	1.00	1.0
30	Total			4.75	2753	770	1499		7495		88.80	93.6

Source -

Explanation -

Figures in Column F and G have been taken based on no. of Courts Complexes and CCs with 5 or more courts respectively existing as on Dec. 2012 as per NIC tracker.

Column H has been proportionately worked out to match the total no. of 1500 Court complexes in which Lok Adalats are to be organised as per original memorandum. The Lok Adalats proposed to be organised in UTs are under the jurisdiction of their respective High Courts located in various States. Therefore costing for the Courts proposed to the established have been taken on board against the States where these HCs are located.

Funds required in Row 2 & 19 have been bifurcated into no. of States to which concerned High Courts cater.

Delhi and UTs have been included since the proposal involves organising Lok Adalats all over the Country.

Chandigarh is a UT however it is under the jurisdiction of Punjab & Haryana High Court, as such the funds shown against it may be apportioned equally in Punjab and Haryana.

Rounded off -

100

(c) Support for Mediation and Consultation in ADR Centres

S. No.	Name of State / Union Territory	Number of Districts	No. of ADR Centres established under 13th FC	Districts eligible for ADR Centres	Number of ADR Centres considered per State	Funds required per ADR Centre	Funds required per state (Rs. In Cr)
A	B	C	D	E (C - D)	F	G	H (F X G)
1	Andhra Pradesh	13	13	0	0	10000000	0
2	Telangana	10	11	0	0	10000000	0
3	Arunachal Pradesh	17	0	17	12	10000000	12
4	Assam	27	0	27	19	10000000	19
5	Bihar	38	0	38	27	10000000	27
6	Chhattisgarh	27	0	27	19	10000000	19
7	Goa	2	8	0	0	10000000	0
8	Gujarat	33	8	25	18	10000000	18
9	Haryana	21	13	8	6	10000000	6
10	Himachal Pradesh	12	0	12	9	10000000	9
11	Jammu & Kashmir	22	22	0	0	10000000	0
12	Jharkhand	24	7	17	12	10000000	12
13	Karnataka	30	28	2	1	10000000	1
14	Kerala	14	0	14	10	10000000	10
15	Madhya Pradesh	51	13	38	27	10000000	27
16	Maharashtra	35	0	35	25	10000000	25
17	Manipur	9	0	9	6	10000000	6
18	Meghalaya	11	0	11	8	10000000	8
19	Mizoram	8	1	7	5	10000000	5
20	Nagaland	11	6	5	4	10000000	4
21	Orissa	30	0	30	21	10000000	21
22	Punjab	22	0	22	16	10000000	16
23	Rajasthan	33	35	0	0	10000000	0
24	Sikkim	4	4	0	0	10000000	0
25	Tamil Nadu	32	0	32	23	10000000	23
26	Tripura	8	0	8	6	10000000	6
27	Uttar Pradesh	75	71	4	3	10000000	3
28	Uttarkhand	13	0	13	9	10000000	9
29	West Bengal	19	0	19	14	10000000	14
	TOTAL (ALL-INDIA)	651	240		300		300

Explanation
& Source-

Figures in Column C has been taken based on Annexure IV of original Memorandum.

Figures in Column D has been taken based on UCs/ reports received from concerned states relating to 13th FC.

Figures in Col F has been reached by proportionately rationalising the figures given in Col E to match with the total no. of 300 ADR Centres proposed to be established in original memorandum.

(d) Incentives to Mediators/ Counciliators to encourage Mediation /Conciliation

Sl. No.	Name of the State	Number of Districts as on Dec, 2012	No. of Mediation/ Conciliation centres considered	Funds required per Centre	Total funds required for 5 years (Rs. In Cr)
A	B	C	D	E	F (D X E X 5)
1	Andhra Pradesh	23	13	1500000	9.75
2	Telangana	0	10	1500000	7.50
3	Arunachal Pradesh	17	18	1500000	13.16
4	Assam	27	28	1500000	20.90
5	Bihar	38	39	1500000	29.42
6	Chhattisgarh	27	28	1500000	20.90
7	Goa	2	2	1500000	1.55
8	Gujarat	33	34	1500000	25.55
9	Haryana	21	22	1500000	16.26
10	Himachal Pradesh	12	12	1500000	9.29
11	Jammu & Kashmir	22	23	1500000	17.03
12	Jharkhand	24	25	1500000	18.58
13	Karnataka	30	31	1500000	23.23
14	Kerala	14	14	1500000	10.84
15	Madhya Pradesh	51	53	1500000	39.48
16	Maharashtra	35	36	1500000	27.10
17	Manipur	9	9	1500000	6.97
18	Meghalaya	11	11	1500000	8.52
19	Mizoram	8	8	1500000	6.19
20	Nagaland	11	11	1500000	8.52
21	Odisha	30	31	1500000	23.23
22	Punjab	22	23	1500000	17.03
23	Rajasthan	33	34	1500000	25.55
24	Sikkim	4	4	1500000	3.10
25	Tamil Nadu	32	33	1500000	24.77
26	Tripura	8	8	1500000	6.19
27	Uttar Pradesh	75	77	1500000	58.06
28	Uttarakhand	13	13	1500000	10.06
29	West Bengal	19	20	1500000	14.71
	Total	651	671.26		503

Explanation -

Figures in Column C has been taken based on Annexure IV of original Memorandum.

Figures in Column D has been reached proportionately working out the figures in Col. C to match with the total no. of 672 Mediation

6 TRAINING AND CAPACITY BUILDING FOR JUDGES, PUBLIC PROSECUTORS, MEDIATORS / LAWYERS AND ESTABLISHMENT OF 3 STATE JUDICIAL ACADEMIES

Sl. No.	States	Sanctioned Strength of Judges as on 31.12.13	Percentage of JOs in State	Judges		Public Prosecutors		Mediators		SJAS
				Total funds required	Funds required per State (Rs. In Cr)	Total funds required	Funds required per State (Rs. In Cr)	Total funds required	Funds required per State (Rs. In Cr)	Funds required for specific State
A	B	C	D	E	F (D X E)	G	H (D X G)	I	J (D X I)	K
1	Andhra Pradesh	544	2.80	250	7.00	150	4.20	150	4.20	-
2	Telangana	418	2.15	250	5.38	150	3.23	150	3.23	-
3	Assam	391	2.01	250	5.03	150	3.02	150	3.02	-
4	Arunachal Pradesh	15	0.08	250	0.19	150	0.12	150	0.12	-
5	Mizoram	65	0.33	250	0.84	150	0.50	150	0.50	-
6	Nagaland	27	0.14	250	0.35	150	0.21	150	0.21	-
7	Bihar	1,494	7.69	250	19.22	150	11.53	150	11.53	-
8	Chhattisgarh	328	1.69	250	4.22	150	2.53	150	2.53	-
9	Gujarat	1,953	10.08	250	25.19	150	15.12	150	15.12	-
10	Himachal Pradesh	137	0.71	250	1.76	150	1.06	150	1.06	-
11	Jammu & Kashmir	244	1.26	250	3.14	150	1.88	150	1.88	-
12	Jharkhand	572	2.94	250	7.36	150	4.42	150	4.42	-
13	Karnataka	1,074	5.53	250	13.82	150	8.29	150	8.29	-
14	Kerala	424	2.18	250	5.46	150	3.27	150	3.27	-
15	Lakshadweep	3	0.02	250	0.04	150	0.02	150	0.02	-
15	Madhya Pradesh	1,421	7.31	250	18.28	150	10.97	150	10.97	-
16	Maharashtra	1,990	10.24	250	25.60	150	15.36	150	15.36	-
16	Daman & Diu and D & NH	7	0.04	250	0.09	150	0.05	150	0.05	-
17	Goa	52	0.27	250	0.67	150	0.40	150	0.40	-
18	Manipur	37	0.19	250	0.48	150	0.29	150	0.29	25
19	Meghalaya	39	0.20	250	0.50	150	0.30	150	0.30	25
20	Orissa	657	3.38	250	8.45	150	5.07	150	5.07	-
21	Punjab	776	3.99	250	9.98	150	5.99	150	5.99	-
22	Haryana	529	2.72	250	6.81	150	4.08	150	4.08	-
22	Chandigarh	20	0.10	250	0.26	150	0.15	150	0.15	-
23	Rajasthan	1,145	5.89	250	14.73	150	8.84	150	8.84	-
24	Sikkim	18	0.09	250	0.23	150	0.14	150	0.14	-
25	Tamil Nadu	972	5.00	250	12.51	150	7.50	150	7.50	-
25	Pondicherry	21	0.11	250	0.27	150	0.16	150	0.16	-
26	Tripura	102	0.52	250	1.31	150	0.79	150	0.79	-
27	Uttar Pradesh	1,922	9.89	250	24.73	150	14.84	150	14.84	-
28	Uttarakhand	257	1.32	250	3.31	150	1.98	150	1.98	-
29	West Bengal	985	5.07	250	12.67	150	7.60	150	7.60	-
29	A & N Island	9	0.05	250	0.12	150	0.07	150	0.07	-
30	Delhi	778	4.00	250	10.01	150	6.01	150	6.01	-
	Total	19431	100.00		250		150		150	75.00

Explanation & Source of basis -

Figures in col C have been taken based on sanctioned strength of JOs as on 31.12.2013 as per Annexure IV of Additional information sent to FFC.
Column D has been worked out as a percentage of total sanctioned strength.

Column J is showing only the funds required for 3 State Judicial Academies in given States.

The Courts established in UTs are under the jurisdiction of their respective High Courts located in various States. Therefore costing for the Courts proposed to be established have been taken on board against the States where these HCs are located.

Delhi and UTs have been included since the proposal involves the whole Country.

Chandigarh is a UT however it is under the jurisdiction of Punjab & Haryana High Court, as such the funds shown against it may be apportioned equally in Punjab and Haryana.