



## **Report and recommendations of the Working Group for Department of Justice for the 12<sup>th</sup> Five-Year Plan**

The working Group recognized that for the first time in the Plan preparation process, the Planning Commission had decided to constitute a working Group for recommending Plan funding for the Justice sector. Governance is facing challenges in the country in terms of accountability, integrity and service delivery and justice delivery institutions play a crucial in restoring public confidence and trust in governance.

2. The Indian Constitution along with a plethora of pro-poor laws and policies of Government seek to provide an environment where rights of the people remain protected. An independent and proactive judiciary along with a vibrant civil society also contributes to an enabling environment. Yet access to justice remains a distant dream for many vulnerable sections of the society. Judicial delays and costs remain the most prominent reasons why people feel alienated from the justice system. Multiple Law Commission Reports have highlighted this problem. The 10<sup>th</sup> and 11<sup>th</sup> Five-Year Plans of the Government of India also emphasized the importance of addressing this core governance constraint. The 11th Plan paid attention to the government's interaction with citizens with a special focus on right to information as well as "quick and inexpensive dispensation of justice" with "speed and affordability".

3. The total pendency of cases in subordinate courts in India at the end of 2010 was over 2.7 crores, of which approximately 72% are criminal cases. The reasons for delay exist within and outside the court system. Some of these reasons have been documented by various studies conducted at different points of time attributing this state of affairs to increase in litigation due to plethora of laws, poor Judge population ratio, prolonged and costly litigation caused by procedures and lawyers' interests, poor infrastructure, vacancies in Courts, weak alternate dispute redressal mechanisms etc.

4. The Government of India realises the importance of tackling pendency at a war footing to ensure access to justice for the citizens. The Vision Statement and Action Plan adopted by the National Consultation for strengthening the judiciary towards reducing pendency and delays held by the Department on 24-25 October, 2009 clearly recognises that "Ultimately, an efficient legal and judicial system which delivers quick and quality justice reinforces the confidence of people in the rule of law, facilitates investment and production of wealth, enables better distributive justice, promotes basic human rights and enhances accountability and democratic governance." Several efforts are being made in this direction including changes in the Codes of Criminal and Civil

Procedures to cut down adjournments and introduce timelines in certain cases. In addition, the Thirteenth Finance Commission has made an award of Rs. 5000 crores in the area of judicial reforms (over a period of 5 years). Funds have been allocated to the State Governments, *inter alia*, for ADR, shift courts, using the existing infrastructure, improved legal aid, and better training facilities for judges and prosecutors. The Government has also launched an e-Courts scheme, which seeks to ensure ICT enablement of all courts across the country to improve justice delivery and provide citizen centric services and improve case management. A National Mission for Justice Delivery and Legal Reform has also been approved to have a focused response to the challenges of delays and arrears and judicial and legal reforms. However, much more remains to be done.

In the above context, 12<sup>th</sup> Plan provides an opportunity to innovate and provide the critical support to justice delivery institutions in a scenario where India is poised to reach hitherto unforeseen heights in terms of development, both social and economic.

### **Constitution of the Working Group and its mandate**

5. The Planning Commission vide its order No. M-12016/5/2011-PAMD dated 18<sup>th</sup> July, 2011 constituted a Working Group on Department of Justice for the 12<sup>th</sup> Five Year Plan (2012-17) under the chairmanship of Secretary (Justice) with the basic objective to make recommendations for the 12<sup>th</sup> Five Year Plan. The Working Group met on 28<sup>th</sup> July, 2011 and it was decided to set up four Sub-Groups on different topics – Access to Justice, Human Resources Development and ICT, Judicial and Legal Reforms, Restructuring of Department of Justice and institutional linkages. The Terms of Reference are at **Annexure-I**.

6. The Working Group recommendations, derived from the deliberations of the sub-groups, seek to enhance public trust and confidence in the judiciary and conflict resolution processes through institutional strengthening, enriching human resources, employing technology for better judicial performance, improving accountability thereby ensuring access to justice.

### **Identification of major issues affecting performance of the sector**

7. Some of the significant factors affecting the performance of the sector as identified by the Working Group are as follows:

- i) Inordinate delay in the lifespan of litigation between the institution of a case and its final outcome, often undermining the very purpose of administration of justice. There are enormous procedural delays. The system of multiple appeals and

revisions, numerous interim and interlocutory applications, indiscriminate adjournments contribute to the cost of litigation and delay.

- ii) In the decade between 1999 and 2010, the total institution of cases had gone up by 66% and disposal by 71% in the High Courts, and in the Subordinate Courts by 33% and 35% respectively. Docket explosion combined with inability of the courts to ensure speedy disposal have led to the current scenario of over 3.2 crore cases pending in various High Courts and Subordinate Courts.
- iii) The cost of litigation has increasingly become prohibitive, shutting the doors of justice to large sections of the society, especially the weaker and the marginalized sections. Judicial system has become more advocate centric than litigant centric. The alienation of people from the system is further exacerbated by their lack of awareness of their rights, entitlements and processes to redress grievances. The Legal Services Authorities are unable to serve the needs of the people, both in terms of numbers of people that require assistance and in terms of the quality of legal services rendered due to structural constraints.
- iv) Government litigation has gone up significantly, a situation attributed to the attitude of the Government Departments - "Courts may decide". State has criminalized number of activities, which are not per se criminal leading to petty and ineffective cases clogging dockets of the courts to the extent of 30% to 40% of the total cases.
- v) Filling up of the vacancies in different courts is not prompt and often takes years, adversely impacting pendency and justice delivery. About 3000 vacancies of Subordinate Courts, where common people go for justice, is a reason for concern.
- vi) Adequate and comprehensive performance standards at court levels do not exist, or if they exist, they are not uniform across the Courts.
- vii) Judges are over-burdened with administrative work, and are not able to concentrate on justice delivery.
- viii) Assessment of the requirement of Judges' strength for justice delivery is ad-hoc. It is imperative to introduce a national vision for systematically assessing the ways in which the existing judicial system will bear the burden of increasing litigation. With increasing litigation, and the growth and development of the economy, judicial delays do not augur well for investment flow into the country. Smooth and effective access to justice is an indication of overall quality of governance. Reliable quantitative and qualitative data for analysis is a must.
- ix) Policy making cannot continue to be ad-hoc. Research and evidence-based policy making in the field of justice delivery is the need of the hour.
- x) Human resource development is an area which needs increased focus, including strengthening the research capacities of judicial academies. There is a glaring lack of skill-based training to the court staff also.

- xi) Last but not the least, is the meager allocation to the judiciary by the States and the Central Government in Plan allocations resulting in slow modernization of the judicial infrastructure especially of the Subordinate courts.

### **Suggestions for improvement**

8. Deliberations in the Sub-Groups have produced some very valuable recommendations to tackle the issues that were identified as above. While some were policy issues that need to be addressed both by Courts and the Government, others were actionable points that could be implemented immediately. Major recommendations briefly are:

- a) Given that the current Judge-population ratio of 10.5 judges per 10 lakh people, there is an urgent need to increase the number of Judges and Courts in a phased manner.
- b) All India Judicial service must be introduced and appropriate mechanisms evolved for recruitment.
- c) While judges strength need to be increased, non-utilization of even the existing strength is a cause for concern and alternate ways from existing procedures for appointment need to be devised.
- d) Infrastructural development of Courts needs urgent attention. Judicial infrastructure is a crucial component, which had been ignored for a long time, especially in respect of Subordinate Courts. It is the responsibility of both the Central Government and State Governments to treat this as an area of prime concern to improve justice delivery.
- e) National and State Litigation Policy should strive to reduce the Government litigation to save public time, energy and money, and to reduce the pendency in the Courts.
- f) Pre-litigation and Alternate Dispute Resolution systems must be strengthened to help the poor and the marginalized to escape high litigation costs. Care must, however, be taken to ensure that these systems are fair and just, and that the people participate in them voluntarily. They should not become a way to exclude the poor from the formal justice delivery mechanisms. An institution should be set up at the central level to set standards and issue standardized guidelines for ADR, monitoring the implementation of these and ensuring that ADR remains a fair process of delivering justice.

- g) Capacities of the Legal Services Authorities must be strengthened to effectively serve the poor and the vulnerable sections of the society. These include measure like training legal aid lawyers, member secretaries of the legal services authorities, involving trained law students, paralegals, and NGOs in reaching out to the people and adequately recompensing those whose services are used for providing legal services to the people. The structures of these Authorities may be reviewed for best results.
- h) Undertrials in the prisons must be made aware of their rights and duties. Adequate legal services must be provided to them.
- i) A procedural overhauling is a must for disposing of small matters. Regular courts could be freed from these, and small Cause Courts with easy trial procedures should be constituted. Manual for Summary Trial Procedures needs to be prepared.
- j) There is an emergent need to provide a life span to a litigation, depending upon its complexity. Guidelines must be evolved for setting broad timelines for different kinds of cases.
- k) Information technology-based systems for improving quality of judicial work, and speeding up court procedures and justice delivery, need to be further strengthened. Funds must be made available for this.
- l) A Judicial Impact assessment system needs to be put in place before the Courts are called upon to adjudicate on the rights and liabilities of the citizens under a new statute. This shall be mandatory for the States to provide necessary judicial manpower and infrastructure development for the same.
- m) Performance standards need to be set for Judges and District Courts and High Courts. Setting up of Performance assessment committees with not only judges but jurists and law teachers could be set up. New methods for evaluation of performance of Judges apart from disposal ratio - like timeliness, responsiveness, and justice according to constitutional norms - need to be developed.
- n) Professional Court Managers should be appointed to assist the Judges. In addition, an exclusive Court Audits & Inspection Team should be created in each District Court and the State Courts Audit and Inspection Teams in High Courts. The teams may be assisted by the professionals like Chartered Accountant for conducting audit.

- o) Relations with the Bar, prosecution and police - While the Court, specifically the trial judge, is usually blamed for delay in pronouncing the judgment, the process of adjudication often requires timely action by different sets of entities. The Courts must make efforts to reach out to the complementing agencies through common goal orientation and confidence building programmes. This would bridge the perceived trust deficit between Court and other entities.
- p) Seminars and workshops are required to sensitize the Bar on the impact of court delays and on their role as responsible officers of the court. In so far as legal education is concerned, it cannot be left to be regulated by the Bar Council only. The quality of legal education needs to be improved by the intervention of the Government in consultation with the High Courts and Supreme Court.
- q) Strengthening professional training for judges and non-judicial court staff and prosecutors who need adequate induction and refresher trainings. Judicial academies and other training institutions dealing with justice delivery must be strengthened with adequate funds and human resources to fulfill their mandate. They must be equipped with state of the art research facilities and libraries. Their structures must be reviewed to ensure best results.
- r) The capacity of the Department of Justice needs to be strengthened, especially in terms of research and monitoring. The Department's role needs to be reinvented, particularly in terms of the role it can play in providing policy guidance, creating convergence and capacity development of key stakeholders in ensuring access to justice for the most marginalized sections of the society. The Department should continue to implement field level projects on access to justice so as to be able to collate innovative and good practices that can be replicated and up-scaled.
- s) Efforts must be made by all the stakeholders, especially the Department of Justice, Legal Services Authorities and law colleges to enhance legal awareness of people so that they are aware of their rights and processes of accessing these.
- t) Model Courts must be created as pilots for demonstrating improved efficiency in terms of qualitative and quantitative parameters.
- u) Government of India must provide adequate funding to improve justice delivery in a sustained manner over Plan periods. The Central Government have often taken the view that subordinate judiciary are the responsibility of State governments. While administratively this is correct, it is a well accepted reality that Courts at all levels take considerable burden of cases generated by central legislations. The

explosion in litigation needs to be matched by adequate infrastructure and other facilities for modernization.

### **11<sup>th</sup> Plan – outlay, expenditure and achievements**

9. In the 5 years of the 11<sup>th</sup> Plan, the Planning Commission has allocated Rs.1,470 crore as the outlay for Plan schemes for the Department of Justice. The break-up of the allocation and actual expenditure during 2007-2008 and 2011-2012 (upto 30.09.2011) is given below:

(1)	(2)	(3)	(4)	(5)
	11 <sup>th</sup> Plan Allocation (Rs. in crore)	Revised estimates From 2007-2008 to 2010-11 (Rs. in crore)	Budget estimates in 2011-2012 (Rs. in crore)	Actual expenditure from 2007-08 to 2011-12 (till 30.09.2011) (Rs. in crore)
Centrally Sponsored Scheme for Development of Infrastructural Facilities for the Judiciary	701.08	486.99	542.90	771.51
Computerization of district and subordinate courts	740.60	261.40 (100% Central funding)	297.00	422.95
Gram Nyayalayas	-	51.00	150.00	21.81
UNDP Project for SAJI	1.64	12.62	7.57	9.87
Study of Judicial Reforms and Assessment Status	22.62	7.43	2.53	1.75
Administration of Justice (EAP) (ADB)	4.07	0.56	Nil	0.04
<b>Total</b>	<b>1470.00</b>	<b>820.00</b>	<b>1000.00</b>	<b>1227.93</b>

10. With the enhanced budget provided in the last year of the 11<sup>th</sup> Plan especially for the Development of Infrastructural Facilities for the Judiciary (CSS) utilization will go up in the financial year 2011-12 as the funding pattern has been changed from 50:50 to 75:25 for States and 90:10 for North Eastern States. A new Scheme 'Gram Nyayalayas' was approved by Government after the allocation of 11<sup>th</sup> Plan outlay and accordingly allocation got increased for the Department. Under the eCourts project computerization of 12000 courts out of the total target of 14249 courts are to be completed by March 2012. The Budget Estimate therefore for 2011-12 has increased under this item. It is

expected that substantial budget provision will be utilized in the remaining two quarters in the current financial year.

11. In the current year, the Centrally Sponsored Scheme for Development of Infrastructural Facilities for the judiciary has been modified under the National Mission for Justice Delivery and Legal Reforms, where the focus is on subordinate judiciary and funding has pattern increased from 50:50 to 75:25. For North Eastern states it will be at 90:10 ratio. The last year of 11<sup>th</sup> Plan saw a surge in the allocation for infrastructure to Rs.500 crore for a single year. Lack of judicial infrastructure has direct co-relation with efficiency of the judicial machinery. The Supreme Court of India in the case of All-India Judges Association Vs. Union of India Writ Petition Civil 1022 of 1989 had directed constitution of District Committees, State Committees and Monitoring Committee at Central level to process the information and assist the Hon'ble Supreme Court to monitor and ensure development of infrastructure of subordinate judiciary. The compiled information submitted to the Supreme Court by Department of Justice shows that there are 762 proposals pending with State Governments for release of around Rs. 1000 crore as on 12 September, 2011. An estimated 2868 judicial officers are staying in rented premises and 2282 are staying in common pool quarters and 654 proposals are pending with State Governments for release of Rs. 421 crore as on 12.9.2011. The Department of Justice had collected preliminary data of requirements from states on infrastructure for sub ordinate judiciary and they total up to over Rs. 7000 crores (at 2010 estimates) and roughly therefore Rs. 5000 crores will be required in the next five years to complete the infrastructure for subordinate judiciary. These estimates pertain to the year 2010 and may change in subsequent year on account of inflation.

12. Similarly, computerization of district and subordinate courts has gained momentum and under e-court Mission Mode project almost equal amount of the expenditure in previous 4 years, has been planned in the last year of the 11<sup>th</sup> Plan. Out of the targeted completion of computerization of 14249 courts by 2014, already 8000 courts have been ICT enabled and 12000 courts are aimed for completion in March 2012.

13. As far as Gram Nyayalayas is concerned, the States are demanding enhanced assistance from the Central Government. Accordingly, the Department has taken steps to revise the scheme with the Ministry of Finance and the Planning Commission and considering that the approval will come forward, had proposed an enhanced provision in the budget estimates in the financial year 2011-12. Unfortunately, the approval has not come through. However, notifications of 151 Gram Nyayalayas have been issues while 47 Gram Nyayalayas are functional.

14. The Government has also approved setting up a National Mission for Justice Delivery and Legal Reforms for a comprehensive mechanism to address all the challenges of stakeholders in a time bound manner. The Mission spanning 5 years from 2011-16 would focus on two major goals as envisaged in the Vision Document that was considered, deliberated and endorsed by a Resolution at the end of National Consultation for strengthening the judiciary towards reducing pendency and delays held by the Department on 24-25 October, 2009, viz (i) increasing access by reducing delays and arrears in the system and (ii) enhancing accountability through structural changes and by strengthening performance standards and capacities. The National Mission besides having a Mission Mode approach towards infrastructure development of subordinate judiciary will focus on number of reform measures and procedural changes.

15. 13<sup>th</sup> Finance Commission award for the judiciary had provided substantial funding to the tune of Rs. 5000 crores for 5 years from 2010-15 to the States. The major objective of the 13<sup>th</sup> FC award is to reduce pendency in the various courts for which number of initiatives have been identified like increasing the number of court working hours using the existing infrastructure by holding morning/evening/shift courts, Lok Adalats, legal aid to marginalized and undertrial prisoners, construction of Alternate Dispute Resolution centres, training programmes for judicial officers and public prosecutors, infrastructure support to State judicial academies, restoration of heritage court buildings and creation of the post of court managers to assist the judiciary in their administrative functions. The scheme is now in the second year of implementation. This Department has launched a pendency reduction drive from July 2011 to December, 2011 extendable by another six months, requesting courts to show results in the disposal of petty cases and long pending cases, utilizing the funding from 13<sup>th</sup> Finance Commission for speeding justice delivery.

### **Proposals for the 12<sup>th</sup> Plan**

16. During the Eleventh Plan period Central Government had addressed some of the areas of concern such as infrastructure development and modernization of judiciary through ICT development and Gram Nyayalayas though much of the increased funding had come in the last year of the Plan viz. 2011-12. Proposal for increased GOI share under Gram Nyayalayas scheme has not been agreed to though in practical terms, pay of judicial officers and construction costs have increased and States have demanded higher share from centre. The National Mission for Justice delivery and legal reforms as approved by government of India will be an umbrella under which justice and legal reform measures can be implemented through the 12<sup>th</sup> Plan period ensuring convergence of initiatives for effective utilization of Plan funds. The deliberations in the working Group had vibrant participation from judiciary and it is hoped that the proposals for 12<sup>th</sup> plan will receive the fullest attention of the Planning commission.

17. The 12<sup>th</sup> Plan proposals have aimed to strengthen some of the ongoing initiatives including follow up activities in certain programmes like the E-court project and some new initiatives are based on the recommendations and deliberations in the Working group. It has been noted that components funded by the 13<sup>th</sup> Finance Commission have taken care of some of the recommendations of the Working group with regard to strengthening of ADR mechanisms, reduction in arrears, appointment of Court managers, human resource development and training including training of prosecutors. However faculty development and research capacity development in State Judicial academies remain an area of concern and a glaring gap in judicial education as observed by the Working Group. The model court project to some extent will address this issue in some States. Highlights of 12<sup>th</sup> Plan proposal are as under while detailed proposals follow:

- Two major thrusts are suggested under the National Mission which will have a field level impact namely a Mission mode programme for infrastructure development of the subordinate judiciary through the modified CSS approved by Government recently. The available estimates of requirements by States will be firmed up when detailed proposals are received from the States. Monitoring by the Supreme Court of India has led to a better appreciation of the problems of the judiciary at District and Taluk level by the States and the focused attention would assist in the successful implementation of the programme. The Mission will also prepare guidelines for eco friendly and people friendly designing and retrofit solutions.

The functioning of courts, as is true of any other organ of the Government is a complex process and no single quick fix solution can be prescribed. Taking in to account the various issues, a “model Court “ approach is proposed to be piloted in the 12th Plan where issues affecting courts at the grass roots level are addressed in a comprehensive manner including modernization of them.

- Several reform initiatives also are to be implemented and funded through the Action Plan .of the Mission. Strengthening of policy and research capacity of the Department of Justice is needed. Hence a Policy unit is proposed.
- Action research is to be undertaken on several subjects and under the Mission these will be initiated for policy making, and programming court management on issues suggested by Courts.
- To manage the various programmes especially infrastructural development programmes, model courts and other reform initiatives, a Programme monitoring unit in each State is proposed to liaise between judiciary and executive. The

interaction between judiciary and executive is not frequent in view of their functional requirements, and this has impeded project delivery in the past.

- The Supreme Court while advising Government on the Policy for ICT enablement of Courts have suggested a phased approach to ICT development. A major chunk of providing hardware and software to 12000 courts will be completed by 2012 in the first phase of the project. Completion for remaining 2000 plus courts including new courts, and implementation of second phase will be taken up in the 12<sup>th</sup> Plan through various components like videoconferencing facility for jails, digitization, SMS based services, touch screen kiosks, biometrics for courts, audio-video recording, etc.
- Increasing number of Courts with the aim improving access to the common man is the need of the hour. Gram Nyayalayas with their provisions for summary disposal of cases, mobile courts, etc will fulfill the needs to some extent and therefore, proposal for establishment of these with higher central share.
- Access to Justice Project with UNDP assistance has provided the Department of Justice insights in to field issues and have forged links with institutions and departments in both GOI and States which deal with issues of the marginalized. The project with UNDP assistance in 7 UNDAF States and implementation of similar approaches in North and East and J&K with Government of India funding is proposed.

## **Plan Schemes in detail**

### **I. National Mission for Justice Delivery and Legal Reforms**

The Government having approved, in principle, the setting up of a National Mission for Justice Delivery and Legal Reforms in 2009, has decided in June 2011 to operationalise the same to ensure a well-coordinated response of the executive and the judiciary for speeding up delivery of justice in the country and to reduce the delay in the disposal of cases by the courts. At the same time, the National Mission will work towards ensuring that the quality of justice imparted to the citizens is maintained at the desired high levels providing access to justice for the marginalized section of the society.

The National Mission would focus on two major goals as envisaged in the Vision document 2009, namely : (i) increasing access by reducing delays and arrears in the system, and (ii) enhancing accountability through structural changes and by setting performance standards and capacities.

Five strategic initiatives proposed under the Mission are Policy and Legislative changes, re-engineering procedures and alternate methods of Dispute Resolution, Human Resource Development, leveraging ICT for better justice delivery and improved Infrastructure for district and subordinate judiciary. The National Mission period coinciding almost with the 12<sup>th</sup> Plan provides a platform for addressing some of the factors affecting performance of the judiciary in effective justice delivery.

**I (a) National Mission – Action Plan implementation**

(i) The tentative Action Plan of the National Mission, inter-alia, covers policy and legislative changes such as All India Judicial Service, Litigation Policy, Judicial Impact Assessment, Amendment in N.I. Act and Arbitration & Conciliation Act, Legal Education Reforms, etc., Re-engineering procedures and alternate methods of Dispute Resolution such as identification of bottlenecks, procedural changes in court processes, statutory amendments to reduce and disincentivise delays, Fast tracking of procedures, appointment of court managers and Alternate Dispute Resolution, etc. and Focus on Human Resource Development such as strengthening State Judicial Academies, Training of Public Prosecutors and strengthening National Judicial Academy and Training of mediators, leveraging ICT for better justice delivery such as implementation of E-courts project, integration of ICT in the judiciary and use in criminal justice delivery and creation of National Arrears Grid. The tentative action plan will be further reviewed and finalised by the Advisory Council and Governing Council.

A provision of Rs. 30 crore during the 12<sup>th</sup> Five Year Plan Period may be provided for undertaking various initiatives under the Action plan.

(ii) For effective implementation of various initiatives to be undertaken by the National Mission, close monitoring of the activities in the States / UTs and liaison between the State Government and the High Courts is necessary. For this purpose, Project Monitoring Units (PMUs) may be set up in all the States and the UTs. The PMU may comprise of a Programme Monitoring Officer, a Liaison officer (technical) with one or two support staff – a lump sum amount will be paid to States who may hire staff and may also like to reinforce it with their own funds. The PMU would also monitor the activities relating to setting up of the Model Courts. In the 10 States where Model Courts are set up, the PMU will be supported with additional staff to liaise with the State High Courts and the National Project Team of the Model Court Project functioning under the National Mission. These additional people will include one senior M & E officer and one data entry operator. The PMU will also liaison with the Court Managers that have been / would be appointed in the High Courts and Subordinate Courts as per the recommendations of the Thirteenth Finance Commission. The PMU will also monitor the activities relating to setting up of the Model Courts. The

PMU will also send periodical reports of the progress in these areas to the Department of Justice.

In order to provide for the payment of consolidated remuneration over a period of 5 years, recurring office expenses and the one-time expenses on setting up of the PMU, an expenditure of Rs. 2.00 crore per State / UT has been estimated (Rs. 1.30 crore towards payment of consolidated remuneration, Rs. 0.60 crore towards recurring office expenses and Rs. 0.10 crore towards setting up of PMU). An additional sum of Rs. 5.00 crores shall be required for additional staff in the 10 States that house the model courts. Thus, a provision of around Rs. 75 crore may be made during the 12<sup>th</sup> Five Year Plan period.

(iii) The Working Group has clearly identified the need for strengthening research and policy capacities of the Department of Justice. Judicial statistics is also to be analysed for policy making. Analysis of the data received is useful in identifying trends of institution/disposal, the nature of cases clogging the courts so that adequate reform measures could be put in place to achieve the desired results. The analysis would also enable the Department to evaluate the functioning of the respective courts, identification of areas where special attention is to be paid and also the weak points in the existing statutes.

Whenever any legislation is enacted either by the Parliament or the State Legislature, it gives rise to additional litigation putting extra burden on the courts to adjudicate the cases arising out of the legislation. At present, there is no system to assess the extra workload on the courts that would be generated due to a legislation and the requirement of judges / judicial officers / court staff and the physical infrastructure necessary to handle the additional litigation. The Task Force constituted in pursuance of the directions of the Hon'ble Supreme Court in Salem Advocates Bar Association case recommended that the Government must estimate the requirement of funds for adjudication of additional cases generated due to a new legislation and make adequate budgetary provision for the same. It has been recommended that a financial memorandum indicating the requirement of funds for dealing with the cases arising out of the proposed legislation should be appended to the Bill. The recommendations of the Task Force are under consideration. The Research and Policy Unit may undertake appropriate studies / research in the field of Judicial Impact Assessment in order to arrive at a conscious decision for implementation of the same in India.

Also, in collaboration with the Law Commission, there is a need for review of important judgements of the higher courts to consider their social and judicial impact. Efforts have also to be made to take policy decisions for implication of laws before much harm is done like in the case of Section 138 of the Negotiable Instruments Act.

A Judicial Policy and Research Unit consisting of professionals such as a retired judicial officers/ legal expert, a policy analyst, monitoring and evaluation expert and research staff is proposed. Staff for statistical work will be diverted from the existing monitoring unit of the Department.

In order to provide for the payment of consolidated remuneration over a period of 5 years, an expenditure of Rs. 5 crore has been estimated. This includes Rs. 5 crore for consolidated remuneration of the personnel of the Judicial Policy and Research Unit. The recurring office expenses may be subsumed in the expenditure of National Mission. A Wing therefore for research and policy may be created and a provision of Rs. 5 crore may be provided over the 12<sup>th</sup> Plan period.

Thus, a provision of Rs. 110.00 crore during the 12<sup>th</sup> Five Year Plan Period may be made for the above initiatives.

**I (b) Mission Mode programme for development of infrastructure facilities for subordinate judiciary**

Inadequacy of infrastructure facilities in District and Subordinate courts has remained a major bottleneck in the judicial system largely contributing to the accumulation of arrears. In order to augment the resources of the State Governments for development of infrastructure facilities for the judiciary a Centrally Sponsored Scheme (CSS) has remained in operation since 1993-94. The allocation provided under CSS so far has been highly inadequate and disproportionate to the needs of judiciary. To illustrate the point during 11<sup>th</sup> Five year Plan, Rs. 701.08 crore only has been allocated which comes to an average of a meagre Rs. 20.00 crore for 5 years (approx) each for 35 States/UTs. A fresh assessment of requirement of infrastructure for subordinate courts revealed that funds to the tune of Rs.7346 crore were needed.

*The matter of development of infrastructure of the subordinate courts is also being regularly reviewed in the Supreme Court in the Interlocutory Application No. 279/2010 in Writ Petition (C) No. 1022/1989 in All India Judges' Association & Ors. Vs. Union of India & Ors. A strong monitoring mechanism has been set up by formation of Monitoring Committees at Central, State and District level. Since the State Governments have been adequately sensitised to the need for development of judicial infrastructure, an adequate provision in the budget for the purpose would provide a much needed impetus to the growth of judicial infrastructure.*

Keeping this in view, infrastructure development for the subordinate judiciary will be a major thrust area of the National Mission. With a view to enhancing the resources of the State Governments, the Government has increased the central share by revising

the funding pattern from 50:50 to 75:25 (for States other than North Eastern States) under modified Centrally Sponsored Scheme for development of infrastructure facilities for the judiciary from the year 2011-12 onwards. The funding pattern for North-Eastern States is 90:10. The modified Centrally Sponsored Scheme which would cover subordinate courts only will be implemented by the National Mission for Justice Delivery and Legal Reforms.

Based on tentatively estimated requirements and funding pattern of 75:25 (90:10 for NE States), Central grant of the order of Rs. 5510 crore would be required. However, an amount of Rs. 542.90 crore has been provided during 2011-12. Therefore, around Rs. 5000 crore would need to be released during Twelfth Five Year Plan period to the States to support improvement in infrastructure for subordinate judiciary.

In order to make the mission a success, the States will be asked to adopt a projectised approach for execution and monitoring of the construction works and send their information on the ongoing projects and the new projects to be taken up alongwith the year-wise financial estimates. A set of guidelines on eco-friendly and people friendly designs and retrofit options will be prepared by the National Mission.

*Under the scheme of Family Courts, grant is separately provided for construction of court building and residential accommodation for the presiding officer of the Family Court. Grant is provided to the extent of 50% of the cost of construction subject to a ceiling of Rs. 10 lakh per court. Family Courts can be run in the Courts at District and Taluka level for which grant is already being provided under the existing Centrally Sponsored Scheme for development of infrastructure facilities for the judiciary. There does not seem to be any need for releasing grant for Family Courts under a separate scheme. Thus, the existing scheme for release of grant for construction of Family Court building may be discontinued and grant for this purpose may be included in the Mission Mode programme for development of infrastructure facilities for subordinate judiciary.*

The Planning Commission in its Approach Paper for the 12<sup>th</sup> Five Year Plan has suggested that the Centrally Sponsored Schemes to be taken up in future should provide for 100% Central assistance. This would, in fact, motivate the State Governments for efficient execution of the programmes as their financial liability will reduce. Since development of infrastructure is a major thrust area, the existing Centrally Sponsored Scheme may be modified to provide for 100% Central Assistance. However, the States should be made accountable for effective execution of the scheme by insisting that they send their proposals indicating the ongoing and new construction works alongwith the cost estimates for a particular financial year in the month of October preceding the relevant financial year giving the status of the construction

projects for which the States received grants in the preceding year on the basis of the perspective plan prepared for five years..

### **I (c) Setting up of Model Courts**

The Vision Statement and Action Plan adopted in the National Consultation for strengthening the judiciary towards reducing pendency and delays held by the Department on 24-25 October, 2009 clearly recognises that “Ultimately, an efficient legal and judicial system which delivers quick and quality justice reinforces the confidence of people in the rule of law, facilitates investment and production of wealth, enables better distributive justice, promotes basic human rights and enhances accountability and democratic governance.” To cover the gaps in the existing schemes and policies and with a view to demonstrate change in a scenario where end to end needs of judicial reform are met, it is proposed to implement a pilot Project in 100 select subordinate (Model) courts. This will imply that not only court rooms but select court premises are made IT enabled to allow e-flow of information from filing of a case to pronouncement of a judgment. Not only judicial officers, but the entire court staff is trained to impact service delivery. Court and case management principles shall be adopted in these courts that adhere to pre-decided timelines that are also shared with the lawyers in advance. Judicial academies are supported not just with funds for training, but also to develop research abilities and retain permanent and competent faculty. An innovative experiment is also proposed to be supported in a select Union Territory to implement an end to end criminal justice reform ensuring that the police, prosecution, judiciary and prisons work to their best of ability.

10 High Courts with the highest pendency level of cases will be selected and 10 subordinate courts under these High Courts would be selected in such a manner that they cover a variety of issues ranging from matrimonial, negotiable instruments, property and inheritance, criminal etc. The courts and districts would be selected in such a manner that they represent the well administered courts as well as those that are in the maximum need of assistance.

The Department requires funds to the tune of Rs. 130 crores to pilot these model courts with a view to programme and plan future directions of judicial reform in the country. The National Mission and Directorate will implement this Project with a dedicated project team created for this purpose. The details of the proposed activities proposed to be undertaken are provided below:

#### **Activities**

- (i) For Identifying and addressing root causes of delay in the disposal of cases by the subordinate judiciary a study would be undertaken to identify the possible

causes of delay in select subordinate courts and suggest ways to check this. Looking at comparable international good practices, the study will suggest strategies to deal with the delays.

(ii) Improvement in the case flow systems and record management at the subordinate court level:

(ii) (a) E-justice: IT systems would be introduced in the Model Courts, which will enable the citizens to litigate a dispute through electronic means. A software will be developed in order to cater to the following

- a. Workload balancing,
- b. File tracking,
- c. Document management,
- d. Exhibit management and
- e. Enabling e-litigation including e-filing, e-payment of Court Fees, e-notarisation of the e-documents to be filed in courts etc.

(ii) (b) SMS information system: This system will enable the litigants and lawyers to receive SMS with information regarding the cases filed, such as the next date of hearing, the present status of the case and objections, if any, raised by the court registry regarding the plaint filed by them.

(ii) (c) Data Management Systems: The details regarding the existing active cases and the new cases will be filed directly online on the software developed for this purpose. An interface of the data management system would be available with the judges who will get all information pertaining to the case on their monitors. In the event, a case has been pending in the court for more than 3 years, the system will itself generate warnings to enable the judge to fix a shorter duration for the next hearing. Further, the system will also keep track of the adjournment sought by the parties and inform the judges accordingly. All the tracked information will become part of the arrears grid so that it can be used to either adequately train or warn the judges, as suitable. This system will also require developing timeliness standards and judging the disposal rate against these standards.

(ii) (d) Physical Record Management: The Project will aim at improving the case management systems by migrating the active paper files to a newly created e-record system by scanning the physical files of the existing cases. However, till the time the paper files are migrated to the new system, the Model Courts may be provided with file packaging equipments such as bar codes/radio frequency identification tags.

(ii) (e) IT changes for trial hearings and establishing linkages: The Project will aim at introducing the Supreme Court mandated electronic recording systems through

feasibility designs and phased rollout of optimal courtroom audio and video systems to accelerate trial management. IT systems will also be used to establish linkages between the courts, prisons, police stations and Legal Services Authorities to ensure that those in custody have access to legal aid and courts without fail

(ii) (f) Judicial Collaboration mechanisms: The Project will help generate momentum for enhanced judicial productivity in the subordinate courts by supporting judicial collaboration mechanisms in the form of participatory meetings comprising the higher and the subordinate judiciary. This will enable the subordinate courts to develop and monitor time standards supported by trained staff and to optimize use of delay and backlog reduction techniques to meet the timeliness standards.

(iii) Reforms in the court administration:

It is proposed to reform the court administration through a clear division of work between judicial and non-judicial staff as well through upgrading of skills and competencies in court administration and management in collaboration with the State Judicial Academies

(iii) (a) Skill development in time management: This sub-component will seek to train the judicial officers and/or court managers (where they exist) in time management techniques. The cooperation of the bar will be sought in setting agreed timelines at the beginning of a trial, which must be adhered to by the concerned parties.

(iii) (b) Skill development of non-judicial staff (including court managers) in court management: Training will be provided with a view to

- a. reduce the administrative burden on the subordinate court judges to enable them to concentrate on reducing the backlog and pending cases;
- b. enable them to use the information systems developed for the Model Courts; and
- c. upgrade their skill and competence in budgeting, financial management, and human resource development to maximise the effectiveness of available human and financial resources allocated to the Model Courts.

(iv) A Pilot on Criminal Justice System reform in one Union Territory:

It is proposed that one pilot be run involving the entire criminal justice system to demonstrate result when all the institutions function to the best of their ability. The pilot will cover the police, prison, prosecution and judiciary in a selected Union Territory. It will implement reform measures suggested by various Commissions and Committees

on police, prison, prosecution and judiciary. Other reform measures like using ICT, improved training etc. will also be implemented.

(v) Project Team and Administrative Costs: This Project will require a separate project Team comprising a Project Manager, Project Officer, 2 M & E officers and 2-3 assistants. Administrative Costs of maintaining an office, travelling for M & E and other purposes will also be required.

**Financial Implication:**

S. No.	Activity		Approximate Cost (In Rs Cr.)
1	Identifying and addressing root causes of delay in the disposal of cases by the subordinate judiciary		1.00
2	Improvement in the case flow systems and record management at the subordinate court level:	E-justice SMS information system Data Management Systems Physical Record Management IT changes for trial hearings and establishing linkages Computerisation of the Offices of the Public Prosecutors in select model courts Judicial Collaboration mechanisms	100.00
3	Reforms in the court administration	Skill development in time management Skill development of non-judicial staff (including court managers) in court management	4.00
4	A Pilot on Criminal Justice System reform in one Union Territory		20.00
5	Project Team and Administrative Costs		5.00
		<b>Total</b>	<b>130.00</b>

**I (d) Action Research and Studies on Judicial Reforms**

In order to assess the effectiveness of the judicial reform measures already taken and to assess the feasibility of introducing various other such measures, it is imperative that a mechanism for studying the feasibility, effectiveness and impact of various judicial reform

measures is put in place. Many areas of studies have been identified by the Working Group for the first time. Additionally Advisory council of the National Mission for the Justice Delivery and Legal reforms recently setup may like to suggest some important areas of studies during the course of finalising action plan for the Mission

Action Research for policy initiatives and judicial reforms measures, effect of pendency reduction drives, impact of grants provided by the Thirteenth Finance Commission, etc. could be carried out. The studies recommended by the National Mission for Justice Delivery and Legal Reforms may also be conducted.

The studies that may be commissioned & could be carried out through organisations like Indian Institute of Public Administration, Administrative Staff College of India, Indian Institute of Management, Indian Law Institute, National Law University, National Council for Applied Economic Research, National Judicial Academy and by jurists and members of various law faculties.

A scheme for Study of Judicial Reforms and Assessment Status is being implemented by the Department of Justice. The scheme was approved during April 2009 for implementation during Eleventh Five Year Plan period for the purpose of carrying out studies on various judicial reforms measures, organising conferences and providing support on pilot basis for legal aid training for mediators and conciliators. The term of the scheme will end with the close of the current financial year. As the need for continuing the Action Research and Studies highlighted above is felt, the scheme may be continued during the 12<sup>th</sup> Five Year Plan Period as an activity of the National Mission for Judicial Reforms and Assessment Status.

A provision of Rs. 35 crore during the 12<sup>th</sup> Five Year Plan Period may be made for this initiative.

## **II E-courts Mission Mode Project**

The Government of India had approved the eCourts Mission Mode project- computerisation of district and subordinate courts in the country and for up gradation of ICT infrastructure of the higher courts at a cost of Rs.441.8 Cr in February, 2007 which was revised in September 2010 to Rs. 935 Cr. The reason for the increase in cost was due to increase in number of court complexes and courts, increase in rates of products and services, expansion of scope and addition of new items. The project now covers 14249 Courts from 13348 District and subordinate courts in 3069 Court Complexes. The Phase I has been planned to be implemented in two stages, Stage I- Till 31 March, 2012, ICT enablement 2100 court complexes covering 12000 courts with an approved funding of Rs. 545 Cr,

Stage 2 – from 1<sup>st</sup> April 2012 to 31<sup>st</sup> March 2014, ICT enablement 969 court complexes covering 2249 courts with an approved funding of Rs. 390 Cr.

The department of Justice is the budget holder and in charge of the overall implementation of the project. It performs regular monitoring of the project; Secretary Justice is the Mission Leader. NIC is the implementing agency of the project and coordinates with the High Courts. An Empowered committee has been constituted to provide strategic direction and guidance on to the project and financial matters within overall approval granted by the Cabinet including re-allocation of funds within various project components. E-Committee provides requirements of the Judiciary to DoJ and NIC with regard to the software and its customization.

### Activities planned under the 12th Five year plan

S. No.	Activity	Timelines (in years)	Approximate Cost (In Rs Cr.)
1	eCourts MMP for FY 12-14 (Already Approved)	2	390
2	Computerization of 1000 new Courts	2	80
3	Use of Solar energy under eCourts Project	3	35
4	Computerisation of the Public Prosecutors Office	3	20
5	Videoconferencing facility for Jails	1	10
6	Enhancement of ICT infrastructure at Subordinate Courts	3	150
7	Digitization of old case records	5	750
8	Computerisation of Judicial libraries	3	50
9	Up gradation of application software	1	10
10	SMS Based Services	1	5
11	Touch Screen Kiosks	2	10
12	Biometrics for courts	2	10
13	Audio Video recording	2	150
	<b>TOTAL</b>		1670

### III Assistance to State Governments for Establishing and Operating Gram Nyayalayas in the country

Law Commission of India on 31<sup>st</sup> July, 1987 submitted its 120<sup>th</sup> report on “Manpower Planning in Judiciary” in which it compared India’s judge-population ratio vis-à-vis developed countries and found that the ratio in India is 10.5 judges per million people (lowest in the world) as compared to 41.6 per million people in Australia, 75.2 per million people in Canada, 50.9 per million people in United Kingdom and 107 per million people

in United States of America (which was three times less populated than India in 1981 had 25,037 judges as compared to India's total judge strength of 7,675 at that time).

To strengthen and complement the existing system of courts, a new tier of courts has been provided under the Gram Nyayalayas Act, 2008 at the grass roots level for the purpose of providing speedy and inexpensive access to justice to the citizens at their door steps. The Gram Nyayalayas Act has been brought into force w.e.f. October 2, 2009.

The setting up of Gram Nyayalayas is an important measure to reduce arrears. The Gram Nyayalayas are likely to reduce pendency of cases in subordinate courts to a great extent and also to take care of the new litigations in specified areas.

Under the existing scheme the Central assistance has been provided for setting up Gram Nyayalayas for every Panchayat at intermediate level or a group of contiguous Panchayats at intermediate level in a district or where there is no Panchayat at intermediate level in any State, for a group of contiguous Gram Panchayats. The Government provides assistance to State Governments for establishment of Gram Nyayalayas (Rs. 18 lakhs / court) and Rs. 3.20 lakhs per court per annum for the first 3 years towards recurring expenses. The requirement of funds for these Gram Nyayalayas at the existing approved rates was worked out as Rs. 1398.50 crore for around 5000 Gram Nyayalayas.

It may be mentioned that in the discussions with the States prior to the enactment of the Gram Nyayalayas Act, the States wanted the Central Government to extend full central support for establishing these courts. During a series of regional meetings with the States and the High Courts that were chaired by Hon'ble Minister of Law and Justice, the States had mentioned about the inadequate rate of central assistance for the Gram Nyayalayas and had sought enhancement of the rates. The States had expressed their readiness to set up Gram Nyayalayas if the rate of central assistance provided to them is enhanced. The States like Uttar Pradesh, Andhra Pradesh, Haryana, Himachal Pradesh, Jharkhand, Maharashtra, Kerala, Gujarat, Karnataka and Chhattisgarh had expressed their willingness to set up more Gram Nyayalayas in their respective States soon.

It may be noted that the norms at which central assistance is being provided to the States, both for non-recurring and recurring expenditure for establishing and operating the Gram Nyayalayas, were formulated quite some time back when the Gram Nyayalayas Bill was being drafted in the Legislative Department. Not only have the costs increased over the period, the salaries of Judicial Officers have also undergone substantial increase on

account of the recommendations of the Padmanabhan Committee in the post Sixth Pay Commission scenario.

A proposal for revision of norms of Central assistance to States is under consideration of the Department. As per the proposal the Central assistance to States would be provided @ Rs. 30.30 lakhs for non-recurring expenditure and @ Rs. 9.35 lakhs per annum for the first 5 years of its operation towards recurring expenditure.

Presuming that 2500 Gram Nyayalayas would be set up by the States during the 12<sup>th</sup> Five Year Plan period, a provision of Rs. 1356 Crore may be made for this purpose. The year-wise number of Gram Nyayalayas likely to be set up alongwith the requirement of funds would be as under:-

Year	No. of Gram Nyayalayas to be set up	Requirement of funds (Rs. In crores)
2012-13	300	119.00
2013-14	300	147.00
2014-15	600	294.00
2015-16	600	350.00
2016-17	700	446.00
Total	2500	1356.00

#### **IV Access to Justice Project – Externally Aided Project**

Access to Justice is now clearly recognised as essential to human development and conflict prevention. It is a precondition to accessing other rights and entitlements that form the bedrock of a thriving democracy. The Department of Justice has implemented 2 projects on Access to Justice with UNDP support since 2006. The first phase – Strengthened Access to Justice in India (SAJI), 2006-2008 – was a pilot project that sought to carry out a justice sector diagnosis, identify entry points and support innovative small pilots to identify good initiatives for replication. The results of SAJI provided key and critical inputs into the design of a long-term programme in this area.

The second phase of the programme – Access to Justice for the Marginalised People (A2J) – began in 2009 and will continue till December 2012. In a little over two years, the A2J Project has been able to support innovative projects across the 7 Project States and showcase some good practices, especially in the area of legal empowerment of people by training community level paralegal workers, using community radio and creating innovative IEC materials. A key achievement of the Project has been in creating linkages between the Legal Services Authorities and the Civil Society Organisations, the State Government Departments and the Commissions

for protection of the rights of marginalised sections of the society. The convergence between the Department of Justice and the Department of Secondary Education and Literacy – whereby the Sakshar Bharat programme would also include legal literacy as part of their continuing adult education programme – is hoped to have far reaching impact in legally empowering the people.

The Department believes that projects like A2J, which allow it to have field level presence and knowledge, are crucial to keep in touch with reality of people's challenges and problems in accessing justice. This allows opportunities to review existing policy level debates on key issues and laws impacting the poor and the vulnerable. The Department desires to continue implementing a project on Access to Justice under the 12<sup>th</sup> five-year plan.

The ongoing UNDP Project is ending in December 2012. A new phase of the A2J project is likely to commence from January 2013 and the financial support is likely to be USD 5 million (Rs. 22.5 crores) as in the last cycle. As in the previous cycle, Government of India can contribute USD 360,000 (Rs. 1.62 crores). As per United Nations Development Assistance Framework (UNDAF), the project will be implemented in the 7 States of Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Orissa, Rajasthan and Uttar Pradesh, and will build upon the result of the previous phase.

The activities will range from supporting Legal Services Authorities, judicial academies, and National and State Commissions mandated to protect the rights of the marginalised, and ensuring legal empowerment of the marginalised people. In so far as legal empowerment is concerned, a primary focus shall be the creation of IEC materials and their dissemination using audio-visual media including popular media and ICT. Action research will be another area of focus with a view to inform policy level change. The detailed activities along with budget allocation will be developed in consultation with UNDP.

## **V Access to Justice Project – Government of India Project**

While the external aid from UNDP could be used to build upon the results of the existing project, the Department is keen to expand the scope of the Project both geographically and thematically. The UNDP funds can be used to implement a project in the UNDAF States only. The Department would like to take up other States in North-Eastern part of India and also Jammu & Kashmir. For this, the Department requires funds from the Consolidated Funds of India. It is proposed that funds amounting to Rs. 30 crores will be required for implementing an A2J Project in the 7 States of North East and Jammu & Kashmir. The details of the activities, and the budget break-up is provided below.

The component of the A2J Project supported by Government funds will focus on the 8 North-Eastern States and Jammu & Kashmir. In addition, certain components in the other States will also be funded by the Government Funds, primarily on issues relating to undertrials, pilots on community policing, convergence with other Departments.

The details of the proposed activities proposed to be undertaken are provided below:

<b>S. No.</b>	<b>Activity</b>	<b>Approximate Cost (In Rs Cr.)</b>
1	Needs Assessment Study in the North-Eastern States and J &K	0.50
2	Legal Empowerment of the People	10.00
3	Assisting Undertrial prisoners in providing Justice, and awareness building of rights to prisoners	10.00
4	Supporting law colleges in running competent legal aid clinics	2.00
5	Pilots on community policing	5.00
6	implementing activities for ensuring access to justice for the poor and vulnerable sections of the society with State and Central Governments Departments and commissions	2.50
	<b>Total</b>	<b>30.00</b>

A Statement indicating scheme-wise details and the 12<sup>th</sup> Plan projections is enclosed at **Annexure-II**.

**ANNEXURE – II**

Sl. No.	Scheme	11 <sup>th</sup> Plan Allocation (Rs. in crore)	Revised estimates From 2007-2008 to 2010-11 (Rs. in crore)	Budget estimates in 2011-2012 (Rs. in crore)	Actual Expenditure (Rs. in crore) (upto 30.09.2011)	12 <sup>th</sup> Plan Proposed Allocation (Rs. in crore)	Year-wise allocation (Rs. in crore)				
							2012-13	2013-14	2014-15	2015-16	2016-17
1	Development of Infrastructure Facilities for Judiciary under CSS	701.08	486.99	542.90	771.51	-	-	-	-	-	-
2	Computerisation of District & Subordinate Courts (E-courts Phase-I)	740.60	261.40 (100% Central funding)	297.00	422.95	390.00	195.00	195.00	-	-	-
3	Access to Justice for the marginalised (EAP) (UNDP)	1.64 <sup>^</sup>	12.62	7.57	9.87	-	-	-	-	-	-
4	Admn. of Justice (EAP) (ADB)	4.07 <sup>\$</sup>	0.56	NIL	0.04	-	-	-	-	-	-
5	Study of Judicial Reforms & Assessment Status	22.62	7.43	2.53	1.75	Included in National Mission at 7 (iv)	-	-	-	-	-
6	Gram Nyayalayas	-	51.00	150.00	21.81	1356.00	119.00	147.00	294.00	350.00	446.00
7	National Mission for Justice Delivery and Legal Reforms										
	i. National Mission - Action Plan implementation	-			-	110.00	30.00	20.00	20.00	20.00	20.00
	ii. Mission Mode programme for development of infrastructure facilities for subordinate judiciary	-			-	5000.00	1300.00	1200.00	1100.00	800.00	600.00
	iii. Setting up of Model Courts	-			-	130.00	30.00	25.00	25.00	25.00	25.00
	iv. Action Research and Studies on Judicial Reforms	-			-	35.00	7.00	7.00	7.00	7.00	7.00
8	E-Courts – Phase II	-			-	1280.00	256.00	256.00	256.00	256.00	256.00
9	Access to Justice – Govt. of India	-			-	30.00	6.00	6.00	6.00	6.00	6.00
10	Access to Justice – UNDP	-			-	24.12	4.84	4.82	4.82	4.82	4.82
	<b>TOTAL</b>	<b>1470.00</b>	<b>820.00</b>	<b>1000.00</b>	<b>1227.93</b>	<b>8355.12</b>	<b>1947.84</b>	<b>1860.82</b>	<b>1712.82</b>	<b>1468.82</b>	<b>1364.82</b>

\* New Scheme / Project

\*\* Rs. 187.05 crore was released to NIC for implementation of the project during Tenth Five Year Plan which has been carried forward for utilisation during Eleventh Five Year Plan.

<sup>^</sup> Includes only the domestic funding. The counter-part funding by UNDP for \$ 5 million is not included in the Eleventh Five Year allocations

<sup>\$</sup> The Project could not take off as the loan negotiations could not be finalised with ADB.

