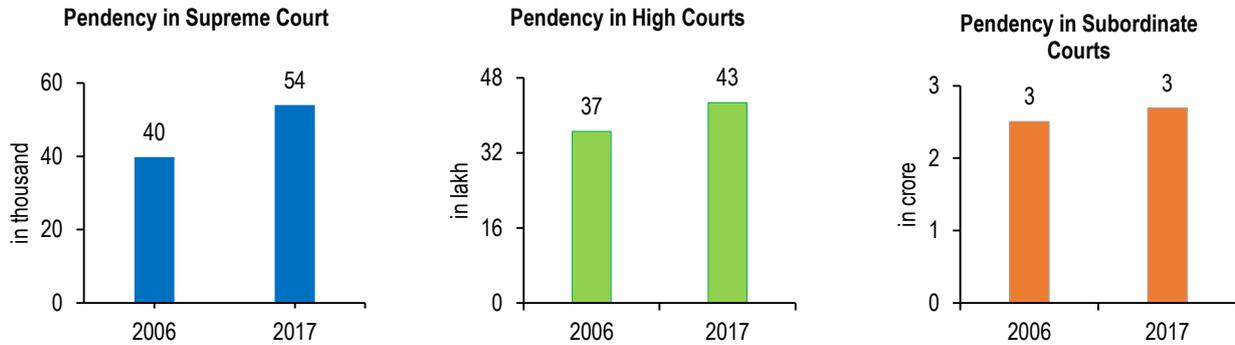


Vital Stats

Pendency of cases in the judiciary

Pendency of cases across courts in India has increased in the last decade. In this note, we present data related to pendency of cases and vacancy of judges in the Supreme Court, High Courts, and subordinate courts.

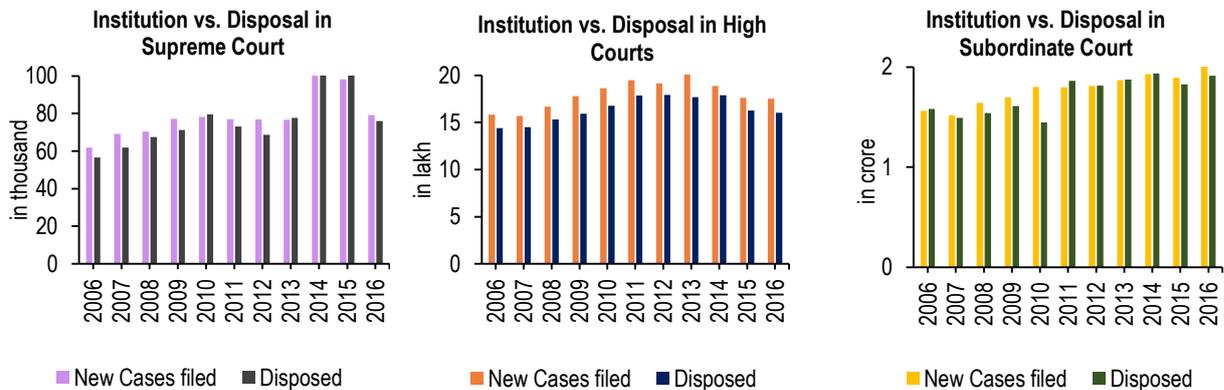
Pendency in courts has increased over the years; 86% of cases in the subordinate courts



Note: Data for 2017 includes data up to April 2018.

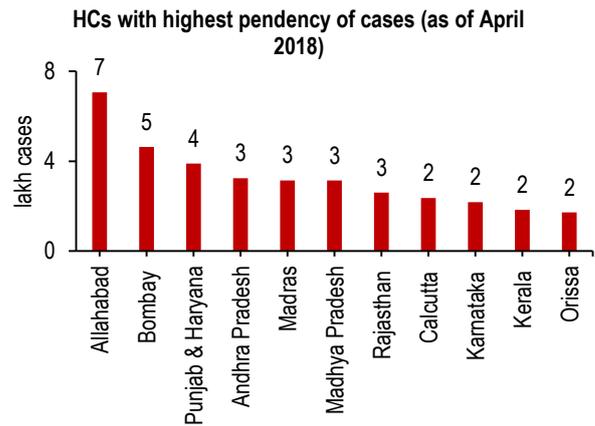
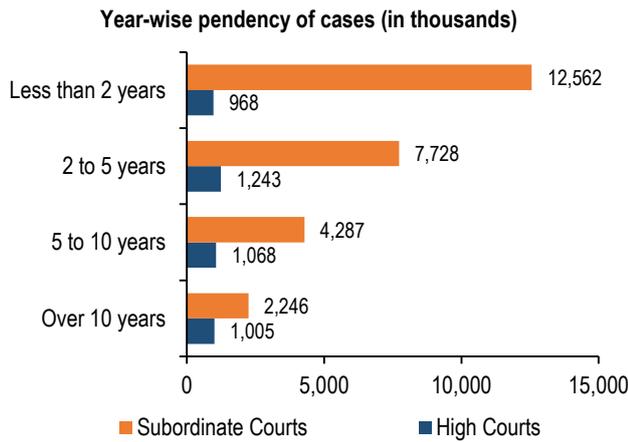
- As of April 2018, there are over three crore cases pending across the Supreme Court, the High Courts, and the subordinate courts (including district courts).
- Of these, the subordinate courts account for over 86% pendency of cases, followed by 13.8% pendency before the 24 High Courts. The remaining 0.2% of cases are pending with the Supreme Court.
- Between 2006 and 2018 (up to April), there has been an 8.6% rise in the pendency of cases across all courts. Pendency before Supreme Court increased by 36%, High Courts by 17%, and subordinate courts by 7%.

Disposal rate between 28% and 55%; increasing number of new cases/year add to pendency



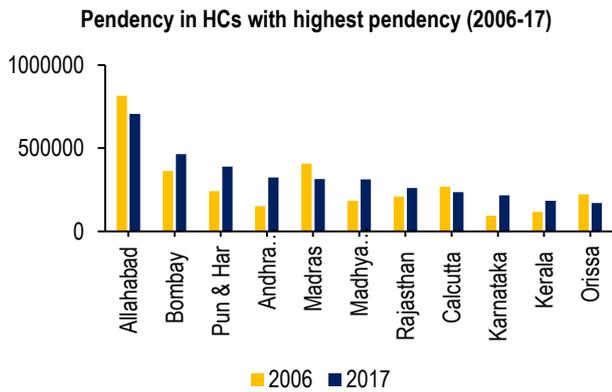
- In 2016, compared to 2006, number of cases disposed of increased approximately from 57,000 to 76,000 in Supreme Court; from 14.4 lakh cases to 16 lakh cases in High Courts and from 1.6 crore cases to 1.9 crore cases in subordinate courts. Despite an increase in disposal of cases in most years, the pendency of cases has increased due to the number of new cases outpacing the number of cases disposed of.
- The disposal rate has stayed between 55% to 59% in the Supreme Court, at 28% in the High Courts, and at 40% in the subordinate courts.
- More criminal cases are filed in subordinate courts than in High Courts and Supreme Court. For example, 81% of all cases pending in subordinate courts (2016) were criminal cases, compared to 19% civil cases. On the other hand, in High Courts, a higher number of civil cases were filed (60%) compared to criminal cases (40%).

In High Courts 25% of cases pending for over 10 years; Highest pendency in Allahabad HC



- In the High Courts, 23% of cases have been pending for over ten years. Further, over 29% of all cases have been pending between two and five years.
- In the subordinate courts, over 8% cases have been pending for over ten years. The maximum number of cases in subordinate Courts (47%) have been pending for less than two years (around 1.2 crore cases).
- Overall, Allahabad High Court had the highest pendency, with over seven lakh cases pending before it as of April 2018. This was followed by the Bombay High Court, with 4.6 lakh cases pending before it.

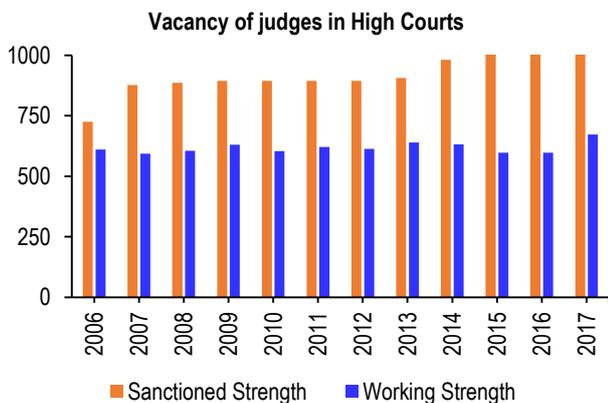
Pendency increasing in some HC and decreasing in others



Note: Data for 2017 includes data up to April 2018.

- Between 2006 and 2018, decrease in pendency was the highest in Madras High Court at 29%, followed by Allahabad High Court at 27% (backlog of around 2.5 lakh cases reduced). Note that Allahabad High Court continues to have the highest pendency of cases.
- During this period, pendency doubled in the High Court of Andhra Pradesh and Telangana.
- Between 2006 and 2016, pendency of civil cases in Karnataka High Court witnessed a threefold increase from 78,837 cases to 2,53,613 cases.
- In the same time period, in Andhra Pradesh, the number of criminal cases witnessed a threefold increase from 13,367 cases to 41,906 cases.

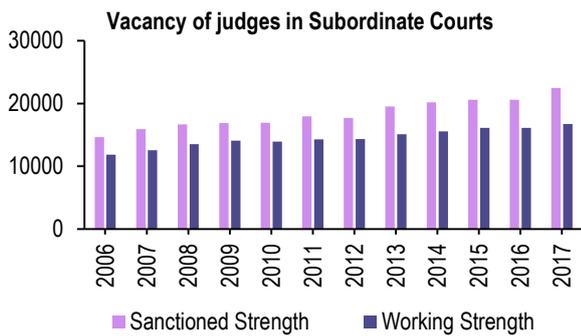
Vacancies of judges across courts have increased; 58% vacancy in Calcutta High Court



Note: Data taken from the last quarter of each calendar year. Data for 2016 includes data up to March 31, 2017.

- Overall, vacancies have increased across all courts from 23% in 2006 to 35% in 2018 (up to April). In the Supreme Court, it has increased from 8% to 23%; in the High Courts from 16% to 38%; and in the subordinate courts from 19% to 26%.
- As of April 2018, the High Courts have a vacancy of 38% (406) against a sanctioned strength of 1,079.
- The highest proportion of vacancies amongst the High Courts (where sanctioned strength is over 10 judges) is in Calcutta at 58% (42 vacancies), followed by Karnataka at 52% (32 vacancies).
- The lowest proportion of vacancies among High Courts is in Kerala at 21% (10 vacancies), followed by Madras at 23% (17 vacancies).

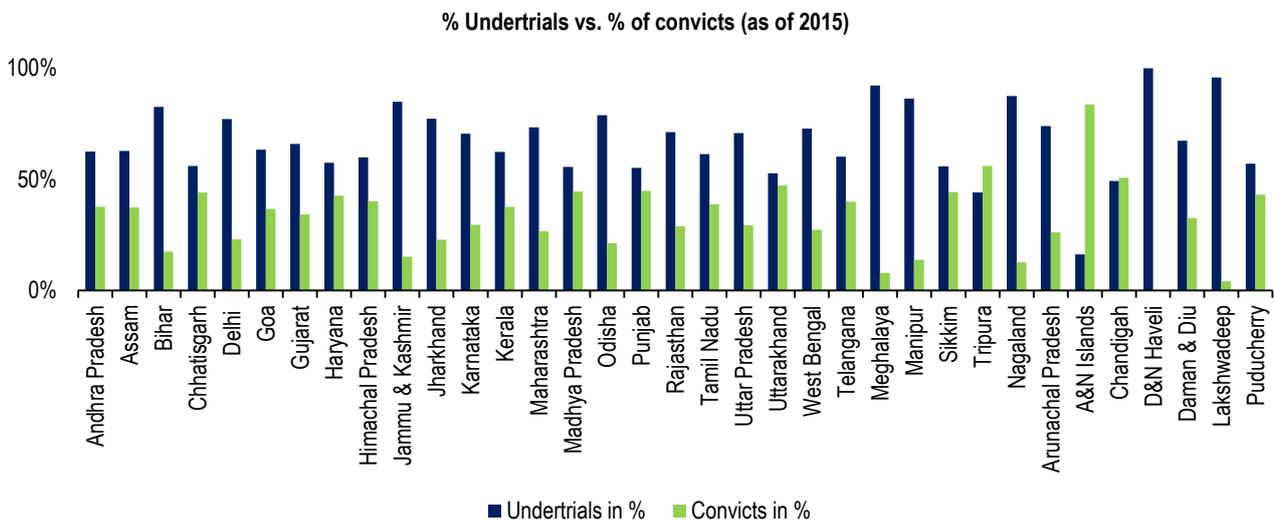
Vacancies across Subordinate Courts is high; 46% vacancy in the subordinate courts in Bihar



Note: Data taken from the last quarter of each calendar year. Data for 2016 includes data up to March 31, 2017.

- In the subordinate courts, vacancies have increased from 19% to 26% between 2006 and 2017.
- As of 2017, the subordinate courts have a vacancy of 26% (5,746) against a sanctioned strength of 22,474 judges.
- The highest share of vacancies in the subordinate courts (where sanctioned strength is over 100 judges) is in Bihar where there is a vacancy of 46% (835 vacancies), followed by UP at 42% (1281 vacancies).
- The lowest vacancies are in West Bengal where there is a vacancy of 4% (40 vacancies), followed by Andhra Pradesh of 7% (66 vacancies).

Number of under-trials in prison more than double that of number of convicts



- Increase in the pendency of cases for long periods over the years has resulted in an increase in the number of undertrials in prisons (accused prisoners awaiting trial). As of 2015, there were over four lakh prisoners in jails. Of these, two-thirds were undertrials (2.8 lakh) and the remaining one-third were convicts.
- The highest number of undertrials were in UP (22.3%) followed by Bihar (8.3%). The highest proportion of undertrials (where the number of accused were at least over 1000) were in J&K (85%) followed by Bihar (82%).
- A total of 3,599 undertrials were detained in jails for more than 5 years. Uttar Pradesh had the highest number of such undertrials (1,364) followed by West Bengal (294).

Sources: Court News, 2006-2016, Supreme Court of India; Prison Statistics In India, 2015, National Crime Record Bureau; National Data Judicial Grid last accessed on May 15, 2018; Lok Sabha Starred Question 521, April 4, 2018, Lok Sabha; Unstarred Question 4248, March 21, 2018; PRS.

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