

Judicial Infrastructure

Adequacy of Judicial Infrastructure is a pre-requisite for reduction of pendency and backlog of cases in Courts. Though primary responsibility of infrastructure development for the subordinate judiciary rests with the State Governments, the Central Government augments the resources of the State Governments by releasing financial assistance under this Scheme. The scheme aims at improving the physical infrastructure of the Subordinate Courts and also the housing needs for Judicial Officers of District and Subordinate Courts in the country with a view to facilitate better justice delivery. The scheme covers all States and UTs and it does not cover construction of High Court buildings. The scheme allows new construction and upgradation or renovation of such existing court buildings but does not allow routine maintenance or upkeep. The central assistance to States/UTs is restricted to the budgetary provision of the Department of Justice available under the scheme during the financial year. However, States/UTs are free to spend additional amount as per their requirement from their resources. This scheme is not a reimbursement scheme. This scheme has been under implementation since 1993. A total amount of Rs. 8325 crore has been spent under the Scheme since then upto 31.03.2021.

The scheme as originally envisaged provided that the Central and State Governments should share funding on 50:50 basis. The funding pattern of the scheme between the Central and State Governments was later revised from 50:50 to 75:25 and 90:10 for North Eastern States from the year 2011-12 onwards with the approval of the Union Cabinet. The fund sharing pattern of the Scheme was further revised from 75:25 to 60:40 (Centre: State) and 90:10 for the 8 North-Eastern and 3 Himalayan States with effect from 2015-16. However, 100% Central funding was provided for the Union Territories.

The continuation of this CSS was last extended by the Cabinet in its meeting held on

10.11.2017 from 01.04.2017 to 31.03.2020 to be implemented in a Mission Mode through National Mission for Justice Delivery and Legal Reforms with an estimated outlay of Rs.3,320 crores. Pending appraisal and approval of the ongoing schemes, the Department of Expenditure vide its O.M. dated 10.01.2020 granted interim extension of the CSS till 31.03.2021 or till the date the recommendations of Fifteenth Finance Commission come into effect, whichever is earlier. The continuance of the Scheme from 01.04.2021 to 31.03.2026 is presently under consideration.

Focus is to match the availability of court rooms / court halls with the sanctioned strength of judicial officers / judges in District and Subordinate Courts. As per information made available by the High Courts, the total number of court halls / court rooms and residential units for Judicial Officers available for District and Subordinate Courts and the sanctioned strength of Judicial Officers in the country is as given below:

(as on 31.03.2021)

Sanctioned Strength of JOs	No of Court Halls available	No of Court Halls under construction	No of Residential Units available	No of Residential Units under construction
24291	20,115	2,423	17,705	1,857

Provision of adequate judicial infrastructure is closely connected with the need for proper budgetary planning for the judiciary. In the Chief Justices' Conference held in April, 2016 it was decided that The Chief Justices must adopt proactive steps to (a) identify the infrastructural needs of the State Judiciary by developing suitable five year and annual action plans for the future; (b) ensure the completion of under construction projects pending for three or more years on a mission mode basis; (c) ensure timely completion of projects for the construction of court complexes and residential accommodation, particularly for Judges in the District Judiciary; (d) constitute a Committee of three Judges of the High Court of which Chief Secretary and the Secretaries of the Departments of Finance, Public Works

and Law be co-opted as Members to closely monitor the timely completion of projects and to facilitate a proper coordination between the officials at the district level and the decision-making authorities of the State Government including the Chief Secretaries, and Secretaries in the Departments of Finance, Public Works and Law; (e) constitute, at the district level, Committees consisting of the District Judges and Portfolio Judges in-charge of the Districts; (f) create a mechanism for monthly reporting and monitoring of work and the proper utilization of allocated funds to ensure the proper and complete utilisation of funds. It was further resolved that on-line updation of progress made in creating and upgrading of infrastructure by all High Courts be adopted.
