

# 2019

## LOK SABHA REPLIES

**WINTER SESSION– Second  
Session of the Seventeenth  
Lok Sabha**

**[18th November, 2019 to  
13th December, 2019]**

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**GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE**

NM

**LOK SABHA**

**STARRED QUESTION NO. \*43**

**TO BE ANSWERED ON WEDNESDAY, 20<sup>th</sup> NOVEMBER, 2018.**

2019

**Pending Cases in Subordinate Courts**

**\*43. SHRI KUNWAR DANISH ALI:**

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

- (a) whether more than seven million cases are pending in the subordinate courts of Uttar Pradesh;
- (b) if so, the details thereof and the reasons for such huge pendency;
- (c) whether poor infrastructure is one of the main reasons therefor and if so, the details thereof along with the efforts made by the Government so far to improve the infrastructure of subordinate courts in the State;
- (d) the details of other measures proposed to be initiated by the Government to speed up disposal of cases in subordinate courts in the country including Uttar Pradesh; and
- (e) whether the Government is considering to agree to the just and old demand of a High Court bench in Uttar Pradesh and if so, the details thereof?

**ANSWER**

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND  
ELECTRONICS & INFORMATION TECHNOLOGY**

**(SHRI RAVI SHANKAR PRASAD)**

(a) to (e): A Statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (e) of  
LOK SABHA STARRED QUESTION NO. \*43 FOR ANSWER ON  
20<sup>TH</sup> NOVEMBER, 2019.**

(a) and (b): As per information available on the National Judicial Data Grid (as on 14<sup>th</sup> November, 2019), there are 75,01,283 cases pending in the District and Subordinate Courts of Uttar Pradesh. The district-wise number of cases pending in the State of Uttar Pradesh is given in the *Annexure*.

As regards reasons for pendency of cases in courts, it is stated that timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures to monitor, track and bunch cases for hearing.

(c): It is the primary responsibility of the State Governments to provide Judicial Infrastructure / Court Rooms for High Courts and District / Subordinate Courts. To supplement these efforts, the Union Government is implementing a Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary by providing financial assistance to State Governments / UTs in the prescribed fund sharing pattern between Centre and States. The Scheme is being implemented since 1993-94. It covers the construction of court halls and court complexes and residential accommodations for Judicial Officers of District and Subordinate Judiciary. In the case of Uttar Pradesh, a sum of Rs. 1101.60 crore has been sanctioned till 15/11/19 since the inception of the Scheme, out of which Rs. 550.31 crore has been sanctioned since 2014-15 (which is around 50% of the total release under the Scheme). During the current financial year 2019-20, a sum of Rs. 121.94 crore has been sanctioned to the State of Uttar Pradesh. Under this scheme, in the State of Uttar Pradesh, 2278 court halls and 1937 residential units have been made

available for Judicial Officers of District and Subordinate Courts as on 15/11/19 against the working strength of 2012 Judicial Officers. In addition, 332 court halls and 401 residential units are under construction in Uttar Pradesh.

In respect of all States / UTs, a sum of Rs. 7453.10 crore has been sanctioned till 15/11/19 since the inception of the Scheme, out of which Rs. 4008.80 crore has been sanctioned since 2014-15 (which is around 54% of the total release under the Scheme). During the current financial year 2019-20, a sum of Rs. 702.86 crore, out of the allocated budget of Rs. 710.00 crore, has already been sanctioned to States/UTs. Under this scheme, 19,414 court halls and 17,103 residential units have been made available for Judicial Officers of District and Subordinate Courts as on 15/11/19 against the working strength of 17,342 Judicial Officers. In addition, 2,822 court halls and 1,869 residential units are under construction.

(d) The Government is committed to speedy disposal of cases and reduction in pendency of cases to improve access to justice in line with the mandate under Article 39A of the Constitution. The Union Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary. The National Mission for Justice Delivery and Legal Reforms established in 2011 by the Government has adopted a coordinated approach to effect for phased liquidation of arrears and pendency at various levels of judicial administration through many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special

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type of cases. In addition, all stakeholders including Judicial Officers can access information relating to judicial proceedings/decisions of computerized District & Subordinate Courts and High Courts on the National Judicial Data Grid (NJDG). Currently litigants can access case status information in respect of over 12.23 crore pending and disposed cases and more than 10.26 crore orders / judgments pertaining to these computerized courts from NJDG. Also, Pending cases are considered and disposed in Lok Adalats conducted under National Legal Services Authority (NALSA). 172.60 lakh pending cases have been settled in National Lok Adalat from 2015 till date while 88.40 lakh pending cases have been settled in Regular Lok Adalats during 2015-16 to June, 2019.

(e): The High Court Benches are established in accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P.(C) No.379 of 2000 and after receipt and due consideration of a complete proposal from the State Government, which incorporates readiness to provide infrastructure and meet the related expenditure, along with the consent of the Chief Justice of the concerned High Court who is responsible for day to day administration of the High Court and its Bench. The proposal should also have the consent of the Governor of the concerned State. No proposal (complete in all respects) has been received from the State Government of Uttar Pradesh to establish a Bench of Allahabad High Court in Uttar Pradesh.

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**Annexure**

**Statement referred to Lok Sabha Starred Question No. \*43 for reply on 20<sup>th</sup> November, 2019**

**District-wise number of cases pending in the State of Uttar Pradesh**

S. No.	State	Pendency of cases
1	Agra	206069
2	Aligarh	142504
3	Allahabad	275404
4	Ambedkar Nagar	64944
5	Auraiya	47694
6	Azamgarh	150224
7	Baghpat	45947
8	Bahraich	120570
9	Ballia	96213
10	BalramPur	56578
11	Banda	51319
12	Barabanki	88927
13	Bareilly	162999
14	Basti	76421
15	Bhadohi SR Naga	40325
16	Bijnor	93936
17	Badaun	99990
18	Bulandshahr	126076
19	Chandouli	55889
20	Chitrakoot	20131
21	Deoria	120015
22	Etah	64278
23	Etawah	53397
24	Faizabad	120577
25	Farrukhabad	81037
26	Fatehpur	88331
27	Firozabad	114466
28	Gautam Buddha Nagar	163268
29	Ghaziabad	205128
30	Ghazipur	103668
31	Gonda	112391
32	Gorakhpur	195706
33	Hamirpur	29379
34	Hapur	53068
35	Hardoi	102363
36	Hathras	47289
37	Jalaun	54612
38	Jaunpur	173406



39	Jhansi	84604
40	Jyotiba Phule Nagar	54774
41	Kannauj	55300
42	Kanpur Dehat	91989
43	Kanpur Nagar	271696
44	Kanshi Ram Nagar	38389
45	Kaushambi	61876
46	Kushinagar	129239
47	Lakhimpur	123501
48	Lalitpur	48996
49	Lucknow	322926
50	Maharajganj	69207
51	Mahoba	21861
52	Mainpuri	66942
53	Mathura	122768
54	Mau	88230
55	Meerut	195551
56	Mirzapur	78301
57	Moradabad	101159
58	Muzaffarnagar	114660
59	Pilibhit	59262
60	Pratapgarh	145601
61	Raebareli	108604
62	Rampur	58585
63	Saharanpur	130613
64	Sambhal at Chandausi	59160
65	Santkabir Nagar	48533
66	Shahjahanpur	98007
67	Shamli	35360
68	Shravasti	27296
69	Siddharthnagar	69758
70	Sitapur	135703
71	Sonbhadra	58019
72	Sultanpur	163219
73	Unnao	92587
74	Varanasi	164468
	<b>Total</b>	<b>75,01,283</b>

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**GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE**

**LOK SABHA**

**UNSTARRED QUESTION NO. 473  
TO BE ANSWERED ON WEDNESDAY, THE 20<sup>TH</sup> NOVEMBER, 2019.**

**High pendency of Court Cases**

**473. MS.DIYA KUMARI:  
MS.LOCKET CHATTERJEE:  
DR. NISHIKANT DUBEY:  
SHRI PANKAJ CHAUDHARY:**

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

- (a) the State-wise details of cases lying pending in various courts for more than 10 years and the number of cases of serious nature out of them;**
- (b) the number of cases pending in the Supreme Court, High Courts and various district courts and Tribunals as on date along with the initiative taken by the Government to reduce the backlog in a time-bound manner;**
- (c) whether the Government is aware of the abysmally low ratio of courts vis-à-vis the population of the country and if so, the steps taken by the Government to increase the ratio;**
- (d) whether the Government is considering to set up new High Courts in the country and if so, the details thereof;**
- (e) the quantum of amount spent by the Government for the legal aid to the common/poor people during the last three financial years; and**
- (f) the other steps taken by the Government to dispose of the cases lying pending in various courts in a time-bound manner?**

**ANSWER**

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &  
INFORMATION TECHNOLOGY**

**(SHRI RAVI SHANKAR PRASAD)**

(a): As per data available on the National Judicial Data Grid (NJDG), the State-wise details of cases pending for more than 10 years is given in the Annexure. NJDG does not provide data regarding cases of serious nature separately.

(b): As per data available on the website of Supreme Court and National Judicial Data Grid (NJDG), the total number of cases pending in various courts as on 14.11.19 is as under:

Name of Court	Pending Cases
Supreme Court (As on 01.11.2019)	59,867
High Courts	44,76,625
District and Subordinate Courts	3,14,53,555

Data relating to pending cases in Tribunals is not provided on NJDG. Further, disposal of cases in courts is within the domain of judiciary. Timely disposal of cases in courts depends on several factors which, *inter-alia*, include availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures.

(c): Based on the population as per Census 2011 and as per information available regarding sanctioned strength of Judges in Supreme Court, High Courts and District & Subordinate Courts, the Judges per million population in India works out to be 20.39. In pursuance of the directions of the Supreme Court in the case of *Imtiyaz Ahmed versus State of Uttar Pradesh and others, 2012*, to evolve a method for scientific assessment of the number of additional courts required to clear the backlog of cases, the Law Commission of India, in its 245th report (2014), did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. Further, number of District and Subordinate Courts has increased from 19518 in 2014 to 23566 at present. As on 30.09.19, 704 Fast Track Courts are functional for heinous crimes, crimes against women and children, family and matrimonial disputes, etc. Further, Government has approved a scheme for setting up 1023 Fast Track Special Courts across the country for expeditious disposal of pending 166882 cases under Rape and POCSO Act.

(d): There is no proposal to establish new High Court in the country.

(e): A sum of Rs. 390 crores has been released during the financial years 2017-18, 2018-19 and 2019-20 (upto November) to National Legal services Authority (NALSA) towards activities for providing legal aid to common/poor people in the country. NALSA has set up legal services institutions at the level of Taluk Courts, District Courts and States. Apart from these legal services institutions, High Court Legal Services Committees are constituted at all High Courts and the Supreme Court Legal Services Committee at the Supreme Court level to provide free legal services to the persons eligible under Section 12 of the Legal Services Authorities Act. Free legal services include payment of court fees, providing advocate and preparation of paper book. The NALSA has notified National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010. The said Regulation provides entitlement to the poor and weaker section of the society such as member of SC/ST, women and children. Also, pending cases are considered and disposed in Lok Adalats conducted under National Legal Services Authority (NALSA). 172.60 lakh pending cases have been settled in National Lok Adalat from 2015 till date while 88.40 lakh pending cases have been settled in Regular Lok Adalats during 2015-16 to June, 2019.

(f): The Government is committed to speedy disposal of cases and reduction in pendency of cases to improve access to justice in line with the mandate of the Preamble and Article 39A of the Constitution. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary. The National Mission for Justice Delivery and Legal Reforms established in 2011 by the Government has adopted a coordinated approach for phased liquidation of arrears and pendency in judicial administration through various strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees constituted at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases.

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## Annexure

## State-Wise details of Cases pending in District and Subordinate Courts as on 14.11.2019

Sl. No	Name of States/UTs	Number of Cases pending in District and Subordinate Courts More than 10 Years. (As On 14.11.2019)
1.	A & N Island	0
2.	Andhra Pradesh	4213
3.	Telangana	6828
4.	Arunachal Pradesh	-----
5.	Assam	2806
6.	Bihar	377250
7.	Chandigarh	49
8.	Chhattisgarh	774
9.	D & N Haveli	198
10.	Daman & Diu	67
11.	Delhi	4865
12.	Goa	1698
13.	Gujarat	175439
14.	Haryana	501
15.	Himachal Pradesh	735
16.	Jammu & Kashmir	4009
17.	Jharkhand	11433
18.	Karnataka	35761
19.	Kerala	6264
20.	Lakshadweep	-----
21.	Madhya Pradesh	13526
22.	Maharashtra	250095
23.	Manipur	258
24.	Meghalaya	758
25.	Mizoram	18
26.	Nagaland	-----
27.	Orissa	175409
28.	Punjab	918
29.	Rajasthan	48437
30.	Sikkim	0
31.	Tamil Nadu	34037
32.	Pondicherry	-----
33.	Tripura	1196
34.	Uttar Pradesh	943935
35.	Uttarakhand	2795
36.	West Bengal	286443
<b>Total</b>		<b>2390715</b>

Source: NJDG Web portal.

Note: Data on District and Subordinate Courts in the States of Arunachal Pradesh, Nagaland, and Union Territories of Lakshadweep and Puducherry are not available on the web-portal of NJDG.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

**LOK SABHA**

**UNSTARRED QUESTION NO. 578**

TO BE ANSWERED ON WEDNESDAY, THE 20<sup>th</sup> NOVEMBER, 2019

**Job Vacancy in High Courts**

578. ADV. A.M. ARIFF:

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

- (a) whether over 10,000 posts of LDA, Copyist, Typist, Law Clerks, Private Secretary, Stenographer, Judicial Assistant, Research Assistant are vacant in different High Courts of the country and if so, the details thereof;
- (b) whether nearly 450 posts of Judges are still vacant cumulatively in the Supreme Court and all 24 High Courts of the country thereto and if so, the details thereof
- (c) whether in four High Courts, there are acting Chief Justices;
- (d) if so, the details of category-wise vacancies and proposal to fill up all vacancies in a time-bound mechanism; and
- (e) the details of referral of Supreme Court Collegiums and State's recommendations therein and action taken thereon?

**ANSWER**

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &  
INFORMATION TECHNOLOGY**

**(SHRI RAVI SHANKAR PRASAD)**

- (a): Information relating to vacancies in non-judicial staff in High Courts and subordinate judiciary is not maintained in the Union Government as the matter comes under the purview of the High Courts and respective State Governments.

(b): A statement showing vacancies of Judges in the Supreme Court of India and all 25 High courts as on 13.11.2019 is attached.

(c): Acting Chief Justices were functioning in the High Courts of Madras, Madhya Pradesh, Jharkhand and Tripura, however, appointment of regular Chief Justices in the above High Courts have been notified by the Government of India.

(d): Judges of the Supreme Court of India and High Courts are appointed as per the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case). Initiation of proposal for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while initiation of proposal for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court.

Filling up of vacancies is a continuous process, as it requires consultation and approval from various Constitutional Authorities. Hence, the time frame for filling up of the vacancies cannot be indicated. While every effort is made to fill up the existing vacancies keep on arising on account of retirement, resignation or elevation of Judges.

(e): At present, as on 13.11.2019, 248 names recommended by High Court Collegiums for appointment as Judges of various High Courts, which are under various stages of processing with the Government, as per the procedure prescribed in the MoP.

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**Annexure**

**Statement referred to in Lok Sabha Unstarred Question Question No. 578  
due for answer on 20.11.2019 regarding 'JOB VACANCY IN HIGH COURTS'**

**(As on 13.11.2019)**

<b>Sl. No.</b>	<b>Supreme Court/High Courts</b>	<b>Vacancies</b>
<b>A</b>	<b>Supreme Court</b>	<b>00</b>
<b>B</b>	<b>Name of the High Court</b>	<b>--</b>
1	Allahabad	60
2	Andhra Pradesh	22
3	Bombay	29
4	Calcutta	32
5	Chhattisgarh	07
6	Delhi	23
7	Gauhati	06
8	Gujarat	24
9	Himachal Pradesh	03
10	Jammu & Kashmir	08
11	Jharkhand	07
12	Karnataka	23
13	Kerala	15
14	Madhya Pradesh	22
15	Madras	21
16	Manipur	01
17	Meghalaya	02
18	Orissa	13
19	Patna	26
20	Punjab & Haryana	35
21	Rajasthan	28
22	Sikkim	0
23	Telangana	11
24	Tripura	01
25	Uttarakhand	01
<b>Total</b>		<b>420</b>



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**GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE**

**LOK SABHA**

**UNSTARRED QUESTION NO. †579**

**TO BE ANSWERED ON WEDNESDAY, THE 20<sup>TH</sup> NOVEMBER,  
2019.**

**Pending Cases in Courts**

**†579. SHRI CHUNNI LAL SAHU:**

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

- (a) whether the Government has issued guidelines under the new policy for expeditious disposal of pending cases in courts of the country;**
- (b) if so, the details of the pending cases in Chhattisgarh and Madhya Pradesh during the last two years and the current year; and**
- (c) whether the reason behind the late disposal of the pending cases is the dearth of judges and if so, the details thereof?**

**ANSWER**

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND  
ELECTRONICS & INFORMATION TECHNOLOGY**

**(SHRI RAVI SHANKAR PRASAD)**

**(a): No, sir. Disposal of pending cases in courts is within the domain of judiciary.**

**(b): As per data available on the National Judicial Data Grid (NJDG), cases pending in the States of Chhattisgarh and Madhya Pradesh during the last two years and the current year is as under:**

<b>State</b>	<b>Cases</b>		<b>Cases</b>		<b>Cases</b>	
	<b>Pending</b>	<b>As</b>	<b>Pending</b>	<b>As</b>	<b>Pending</b>	<b>As</b>
	<b>on</b>		<b>on</b>		<b>on</b>	
	<b>31.12.2017</b>		<b>10.12.2018</b>		<b>14.11.2019</b>	

## Details of Pending Cases in the State of Chhattisgarh (As on 14.11.2019)

S. No.	State	District wise Total Pendency of Chhattisgarh
1.	Balod	3705
2.	Balodabazar	10298
3.	Balrampur Ramanujganj	4898
4.	Bastar	5287
5.	Bemetara	4964
6.	Bilaspur	31652
7.	Dantewada	1834
8.	Dhamtari	5563
9.	Durg	38398
10.	Janjgir	11996
11.	Jashpur	3727
12.	Kanker	2306
13.	Kawardha	4798
14.	Kondagaon	1266
15.	Korba	13090
16.	Koriya	8139
17.	Mahasamund	11417
18.	Mungeli	5585
19.	Raigarh	18743
20.	Raipur	52690
21.	Rajnandgaon	14456
22.	Surajpur	9343
23.	Surguja	11397
	Total	275552

## Details of Pending Cases in the State of Madhya Pradesh (As on 14.11.2019)

S. No.	State	District wise Total Pendency of Madhya Pradesh
1.	Alirajpur	4614
2.	Anuppur	10605
3.	Ashoknagr	14341
4.	Balaghat	17181
5.	Barwani	9630
6.	Betul	18990
7.	Bhind	25927
8.	Bhopal	92125
9.	Burhanpur	8108
10.	Chhatarpur	24274
11.	Chhindwara	29084
12.	Damoh	19693
13.	Datia	12400
14.	Dewas	29413
15.	Dhar	32109
16.	Dindori	7268
17.	Guna	21181
18.	Gwalior	62656
19.	Harda	7060
20.	Hoshangabad	20355
21.	Indore	184904
22.	Jabalpur	99543
23.	Jhabua	9295
24.	Katni	25672
25.	Khandwa	14118
26.	Mandla	9938
27.	Mandleshwar	19584
28.	Mandsaur	29674
29.	Morena	36311
30.	Narsinghpur	16739
31.	Neemuch	15231
32.	Panna	9190
33.	Raisen	18836
34.	Rajgarh	23845
35.	Ratlam	30842
36.	Rewa	62410
37.	Sagar	41397
38.	Satna	43629

39.	Sehore	16932
40.	Seoni	20418
41.	Shahdol	21214
42.	Shajapur	22691
43.	Sheopur	6833
44.	Shivpuri	19666
45.	Sidhi	22057
46.	Singrauli	27606
47.	Tikamgarh	21427
48.	Ujjain	52160
49.	Umaria	7066
50.	Vidisha	24273
	Total	1420515

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

**LOK SABHA  
UNSTARRED QUESTION NO. 580**

**TO BE ANSWERED ON WEDNESDAY, THE 20.11.2019**

**Judge Collegium Decision**

580. SHRI PRASUN BANERJEE:

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

- a) whether the Government has any plan to make it mandatory for judges to furnish reasons when they recuse from a case and if so, the details thereof;
- b) the average time taken by the Government to take a call on judge collegiums decision; and
- c) the details of number of such decisions that have been overturned in the last 10 years?

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS  
AND ELECTRONICS & INFORMATION TECHNOLOGY**

**(SHRI RAVI SHANKAR PRASAD)**

(a) No, Sir. The Judiciary is an independent organ under the Constitution of India. The matter of recusal of a Judge from a case comes within the domain of Judiciary. The Government is committed to the independence of Judiciary and does not intervene in such matters.

(b) and (c): Filling up of vacancies in the Supreme Court and High Courts is a collaborative and integrated process, between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities both at the Centre and State. Hence total time taken in the process of appointment cannot be indicated. Differences of opinion, if any, are mutually reconciled by the Executive and the Judiciary to ensure that only the apposite person is appointed to the high Constitutional post of Judge of the Supreme Court and the High Courts.

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**GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE**

**LOK SABHA**

**UNSTARRED QUESTION NO. 627  
TO BE ANSWERED ON WEDNESDAY, THE 20<sup>TH</sup> NOVEMBER,  
2019.**

**Strength of Judges**

**627. SHRI ANIL FIROJIYA:**

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

- (a) the number of Judges per million population in india;**
- (b) whether the apex court has suggested the number of Judges per million population; and**
- (c) if so, the details thereof and the steps being taken by the Government for compliance of the order and mobilizing fund required for this purpose?**

**ANSWER**

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND  
ELECTRONICS & INFORMATION TECHNOLOGY**

**(SHRI RAVI SHANKAR PRASAD)**

(a): Based on the population as per Census 2011 and as per information available regarding sanctioned strength of Judges in Supreme Court, High Courts and District & Subordinate Courts, the Judges per million population in India works out to be 20.39.

(b): In the case of Imtiyaz Ahmed versus State of Uttar Pradesh and others, 2012, the Supreme Court had asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts required to clear the backlog of cases. In 245th report (2014), the Law Commission observed that filing of cases per capita varies substantially across geographic units as filings are associated with economic and social conditions of the population. As such the Law

Commission did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. The Law Commission found that in the absence of complete and scientific approach to data collection across various High Courts in the country, the "Rate of Disposal" method, to calculate the number of additional judges required to clear the backlog of cases as well as to ensure that new backlog is not created, is more pragmatic and useful.

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

(c): Does not arise in view of (b) above.

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