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

**LOK SABHA**

**UNSTARRED QUESTION NO. 1925**

**TO BE ANSWERED ON WEDNESDAY, THE 03<sup>RD</sup> JULY, 2019.**

**Vacant Posts in Lower Judiciary**

**1925. SHRI RAM MOHAN NAIDU KINJARAPU:  
SHRI RAMDAS C. TADAS:  
SHRI SANTOKH SINGH CHAUDHARY:**

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

- (a) whether a large number of posts in lower judiciary are lying vacant in the country and is having an adverse impact on the justice delivery system and if so, the details thereof and the reaction of the Government thereto;**
- (b) whether the Government has taken steps to fill these vacancies immediately and if so, the details thereof and if not, the reasons therefor;**
- (c) whether the Government has conducted any survey regarding the time required for disposal of all cases pending in the lower courts of the country with the help of the existing infrastructure and if so, the details thereof; and**
- (d) the steps taken / being taken by the Government to expand infrastructure for quick disposal of the pending cases in case the delivery of justice is being delayed due to the existing infrastructure?**

**ANSWER**

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &  
INFORMATION TECHNOLOGY  
(SHRI RAVI SHANKAR PRASAD)**

**(a) & (b) :** As per the information made available by State Governments / High Courts on the web-portal hosted on the website of Department of Justice, sanctioned and working strength of Judicial Officers in District and Subordinate Courts are 21,340 and 17,757 respectively, leaving 3,583 posts of Judicial Officers of District and Subordinate Courts vacant.

As per the Constitutional framework, the selection and appointment of judges in subordinate courts is the responsibility of High Court and State Government concerned. However, following steps have been taken by the Government to facilitate filling of vacancies in lower judiciary:-



- (i) In September, 2016, Union Minister of Law & Justice wrote to the Chief Ministers of States and the Chief Justices of High Courts to enhance the cadre strength of the District and Subordinate Courts and provide physical infrastructure to the State judiciary. The same was reiterated in May, 2017. In August, 2018, in the context of increasing pendency of cases, the Union Minister of Law & Justice has written to all Chief Justices of High Courts to monitor the Status of the vacancies regularly and to ensure proper coordination with the state Public Service Commission to fill up vacant posts as per time schedule prescribed by the Hon'ble Supreme Court in the Malik Mazhar Sultan case.
  - (ii) The filling up of vacancies is also being monitored by the Supreme Court in a *suo-motu* Writ Petition (Civil) No. 2 of 2018.
  - (iii) A series of meetings were held by Secretary, Department of Justice with Registrars General of all High Courts and Law Secretaries of all State Governments / UTs through Video Conferencing in the month of January, 2018, July, 2018 and November, 2018 to follow up on filling up posts of Judicial Officers in District and Subordinate Courts.
  - (iv) The Department of Justice has hosted a web-portal on its website for reporting and monitoring of sanctioned and working strength, and vacancies of Judicial Officers of District and Subordinate Courts on monthly basis.
  - (v) In order to facilitate regular filling up of these vacancies in a smooth and time-bound manner, the Department of Justice *vide* its letter dated 28<sup>th</sup> April, 2017 suggested creation of a Central Selection Mechanism to the Hon'ble Supreme Court. The Hon'ble Supreme Court *suo motu* converted the Government's suggestions into a Writ Petition on 09<sup>th</sup> May, 2017 and directed all State Governments (including Union Territories) to file their responses and suggestions by way of affidavits to the Supreme Court Registry.
- (c) & (d): No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no role in disposal of cases in courts. The number of cases pending in the Supreme Court as on 24.06.2019 is 59,331. The number of cases pending in the High Courts is 43.58 lakhs as on 27.06.2019 and the number of cases pending the district and subordinate courts is 3.10 crore as on 27.06.2019. Disposal of cases in courts is within the domain of the judiciary. The time taken for disposal of a case depends on several factors such as category of the case (civil or criminal), complexity of the facts involved, nature of evidence, co-operation of stake-holders *viz.* bar, investigation



supporting court staff and applicable rules of procedure. It is the primary responsibility of the State Governments to provide Judicial Infrastructure / Court Rooms for High Courts and District / Subordinate Courts. The Union Government has been implementing a Centrally Sponsored Scheme (CSS) 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. As on date, Rs.6,986.50 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. Out of this, 3,542.20crores (which are 50.70% of the total amount released till date) have been released to the States and UTs since April, 2014. The number of court halls has increased from 15,818 as on 30.06.2014 to 19,101 as on date and number of residential units has increased from 10,211 as on 30.06.2014 to 16,777 as on date under this scheme. In addition, 2,879 court halls and 1,886 residential units are under construction. The Central Government has approved continuation of the Scheme beyond the 12<sup>th</sup> Five Year Plan period *i.e.* from 01.04.2017 to 31.03.2020 with an estimated additional outlay of Rs.3,320 crore.

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

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**LOK SABHA**

**UNSTARRED QUESTION NO. 1939**

**TO BE ANSWERED ON WEDNESDAY, THE 03<sup>RD</sup> JULY, 2019.**

**Contempt Cases**

**1939. MOHAMMED FAIZAL P. P.:**

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

- (a) the details of contempt cases filed in the Supreme Court and various High Courts against the Government during the last four years;**
- (b) whether there is constant increase in filing of contempt cases against the Government in various High Courts and the Supreme Court and if so, the details thereof;**
- (c) whether Government has analysed the reasons for the same and if so, the details thereof; and**
- (d) whether there are any specific instructions on implementation of court orders within the prescribed timelimits and if so, the details thereof?**

**ANSWER**

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &  
INFORMATION TECHNOLOGY  
(SHRI RAVI SHANKAR PRASAD)**

(a) to (d): Contempt cases are filed in Supreme Court and various High Courts mostly against non-compliance of court orders. However, no separate data regarding contempt cases is maintained in the courts. Implementation of the orders of the Hon'ble Courts are carried out by respective Ministries / Departments. If such orders contain directions which require expenditure from the Consolidated Fund of India the concerned Ministries / Departments forward their proposals to the Department of Expenditure for consideration. Department of Personnel and Training vide its OM No. 49014/2/2016-Estt. C Pt. dated 04.07.2016 has stated that it is primarily the responsibility of the Administrative Ministry / Department to ensure that timely action is taken at each stage of a court case.

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Appointments  
DUN

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

LOK SABHA  
UNSTARRED QUESTION NO. 1943

TO BE ANSWERED ON WEDNESDAY, THE 03.07.2019

Setting up of Circuit Bench

†1943. SHRI ARJUN LAL MEENA:

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

- a) whether the Government intends to set up circuit bench of Rajasthan High Court in Udaipur;
- b) if so, the time by which it is likely to be set up; and
- c) if not, the reasons therefor?

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

(SHRI RAVI SHANKAR PRASAD)

(a) to (c): 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 due consideration of a complete proposal from the State Government and the Chief Justice of the concerned High Court alongwith the consent of the Governor of the concerned State.

At present there is no proposal from the State Government of Rajasthan for establishment of a Circuit bench of Rajasthan High Court at Udaipur.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 1965

TO BE ANSWERED ON WEDNESDAY, THE 03<sup>RD</sup> JULY, 2019.

Land Dispute Cases

1965. SHRI JAGDAMBIKA PAL:

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

- (a) whether a number of land disputes cases are lying pending in various High Courts for years;
- (b) if so, the details thereof, the State and Court-wise;
- (c) the steps taken/being taken by the Government/directions issued to dispose of those pending cases;
- (d) whether there is any proposal to set up special courts for the speedy disposal of property litigations; and
- (e) if so, the details thereof and the time by which these are likely to be set up, location-wise?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &  
INFORMATION TECHNOLOGY  
(SHRI RAVI SHANKAR PRASAD)

(a) & (b): Land-related disputes are in the nature of revenue and civil cases. As per data available on the National Judicial Data Grid (NJDG), civil cases constitute 87.94 lakh cases and criminal cases constitute 222.64 lakh cases out of the total 310.58 lakh cases pending in various District and Subordinate Courts. Further, civil cases constitute 18.77 lakh cases, criminal cases constitute 12.17 lakh cases and writ cases constitute 12.64 lakh cases out of the total 43.58 lakh cases pending in various High Courts. However, NJDG does not separately provide the number of pending land-related disputes. State and Court-wise details of land-related disputes in revenue courts in various States and Courts is maintained by the respective States / Courts.

Land and its management falls under the domain of State Governments. Department of Land Resources under the Ministry of Rural Development, Government of India is, however, implementing the 'Digital India Land Records Modernisation Programme that, *inter alia*, provides for digitization of Records of Right, cadastral maps,



computerization of registration and integration of registration with the revenue offices, ultimately resulting in minimization of land disputes, to some extent.

(c) : The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. 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 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 for courts, leveraging Information and Communication Technology (ICT) for better justice delivery, and filling up of vacant positions of Judges in High Courts and Supreme Court. The major achievements during the last five years under various initiatives to make the functioning of judiciary more efficient are as follows:

- (i) Improving infrastructure for Judicial Officers of District and Subordinate Courts: As on date, Rs.6,986.50 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary in 1993-94. Out of this, 3,542.20crores (which are 50.70% of the total amount released till date) have been released to the States and UTs since April, 2014. The number of court halls has increased from 15,818 as on 30.06.2014 to 19,101 as on date and number of residential units has increased from 10,211 as on 30.06.2014 to 16,777 as on date under this scheme. In addition, 2,879 court halls and 1,886 residential units are under construction. The Central Government has approved continuation of the Scheme beyond the 12<sup>th</sup> Five Year Plan period i.e. from 01.04.2017 to 31.03.2020 with an estimated additional outlay of Rs.3,320 crore.
- (ii) Leveraging Information and Communication Technology (ICT) for improved justice delivery: Government has been implementing the e-Courts Mission Mode Project throughout the country for Information and Communication Technology enablement of district and subordinate courts. Number of computerised District & Subordinate courts has increased from 13,672 to 16,845 registering an increase of 3,173 during 2014 till date. New and user-friendly version of Case Information Software developed and deployed at all the computerized District and Subordinate Courts. QR Code facility made operational in the software, which enables to check current status of the case. National Judicial Data Grid (NJDG) provides citizens with online information about case



filings, case status and electronic copies of orders and judgments from district and subordinate courts that have already been computerized. Information regarding 11.67 crore cases is available on this portal. eCourts services such as details of case registration, cause list, case status, daily orders & final judgments are available to litigants and advocates through eCourts web portal, Judicial Service Centres (JSC) in all computerised courts, eCourts Mobile App, email service, SMS push & pull services. Information Kiosks have been setup at all computerized court complexes for disseminating judicial information related to cause lists and other case related information to the lawyers and litigants. eCourts Project has been consistently amongst the top 5 Mission Mode Projects of country.

- (iii): Filling up of vacant positions in Supreme Court, High Courts and District and Subordinate Courts: From 01.05.2014 to 24.06.2019, 31 Judges were appointed in Supreme Court. 454 new Judges were appointed and 366 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1079 currently. Sanctioned and working strength of Judicial Officers in District and Subordinate Courts has been increased as follows:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
27.06.2019	21,340	17,757

- (iv) Reduction in Pendency through / follow up by Arrears Committees: Further, in pursuance of resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District Judges too. Arrears Committee has been constituted in the Supreme Court to formulate steps to reduce pendency of cases in High Courts and District Courts.
- (v) Emphasis on Alternate Dispute Resolution (ADR): Commercial Courts Act, 2015 (as amended on 20<sup>th</sup> August, 2018) stipulates mandatory pre-Institution mediation and settlement of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines.



(vi) Initiatives to Fast Track Special Type of Cases: The Fourteenth Finance Commission endorsed the proposal of the Government to strengthen the judicial system in States which included, *inter-alia*, establishing Fast Track Courts for cases of heinous crimes; cases involving senior citizens, women, children *etc.*, and urged the State Governments to use the additional fiscal space provided in the form of enhanced tax devolution from 32% to 42% to meet such requirements. At present, 581 such Fast Track Courts are functioning across the country. To fast track criminal cases involving elected MPs / MLAs, twelve (12) Special Courts were set up in eleven (11) States (Andhra Pradesh, Telangana, Kerala, Karnataka, Tamil Nadu, Maharashtra, Madhya Pradesh, Uttar Pradesh, Bihar, West Bengal and NCT of Delhi) and proportionate funds have been released to these States by the Government. The Criminal Law (Amendment) Act, 2018 has been enacted on 11.08.2018 to amend the Indian Penal Code, Indian Evidence Act, 1872, the Code of Criminal Procedure, 1973 and the Protection of Children from Sexual Offences Act, 2012.

(d) & (e) : Setting up of subordinate courts *including* Special Courts for property litigations falls within the domain of the State Governments which set up such courts as per their need and resources, in consultation with the High Court concerned.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
(DEPARTMENT OF JUSTICE)

*ecourts*

**LOK SABHA**  
**UNSTARRED QUESTION No. 1981**  
**TO BE ANSWERED ON WEDNESDAY, THE 3<sup>rd</sup> JULY, 2019**

**Justice Clock System**

**1981. SHRI RAVINDRA SHYAM NARAYAN SHUKLA**  
**ALIAS RAVI KISHAN**

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

- (a) whether the Government proposes to install justice clock system to monitor the pace of working of district courts in the country ; and
- (b) if so, the details thereof along with the action plan chalked out/prepared by the Government in this regard?

**ANSWER**

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS  
AND ELECTRONICS & INFORMATION TECHNOLOGY**  
**(SHRI RAVI SHANKAR PRASAD)**

(a) and (b) : Installation of Justice Clock in district and subordinate courts complexes comes within the domain of respective High Courts.

To augment the resources of the High Courts and State Governments in this regard, the Central Government has submitted a proposal to Fifteenth Finance Commission for award of Rs. 435.50 crore for installation of Justice Clocks in 3,350 court complexes during the years (2020-2025).

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**ANNEXURE-I**

Sl. No.	Name of the State/UT	No. of Family Courts functional (as on 31.03.2019)
1.	Andhra Pradesh	14
2.	Assam	05
3.	Arunachal Pradesh	0
4.	Mizoram	0
5.	Nagaland	02
6.	Bihar	39
7.	Chhattisgarh	21
8.	Delhi	21
9.	Goa	0
10.	Maharashtra	33
11.	Gujarat	37
12.	Haryana	22
13.	Punjab	16
14.	Chandigarh	0
15.	Himachal Pradesh	03
16.	Jammu & Kashmir	0
17.	Jharkhand	19
18.	Karnataka	32
19.	Kerala & Lakshadweep	28
20.	Madhya Pradesh	58
21.	Manipur	07
22.	Meghalaya	0
23.	Odisha	25
24.	Rajasthan	39
25.	Sikkim	04
26.	Tamil Nadu	30
27.	Puducherry	02
28.	Tripura	04
29.	Uttar Pradesh	108
30.	Uttarakhand	16
31.	West Bengal & Andaman and Nicobar	03
32.	Telangana	16
33.	Daman & Diu	0
34.	Dadra & Nagar Haveli	0
<b>Total</b>		<b>604</b>







**ANNEXURE-II**

Sl. No.	Name of the State/UT	No. of Family Courts functional (as on 31.03.2019)	Cases disposed off in Family Courts during 2016*	Cases disposed off in Family Courts during 2017	Cases disposed off in Family Courts during 2018	Cases disposed off in Family Courts during 2019
1.	Bihar	39	21141	23023	19440	9807 as on 31.05.2019
2.	Sikkim	04	303	305	282	132 as on May, 2019
3.	Maharashtra	33	22244	23672	24385	10911 as on May, 2019
4.	Punjab	16	5704	6195	5622	8869 as on 30.04.2019
5.	Haryana	22	15789	15361	17274	11939 as on 30.04.2019
6.	Karnataka	32	16062	19464	21724	9886 as on May, 2019
7.	Assam	05	3591	3731	3942	2100 as on 31.05.2019
8.	Nagaland	02	183	165	139	39 as on 31.05.2019
9.	Andhra Pradesh	14	6574	6199	6895	2826 as on 15.06.2019
10.	Kerala & Lakshadweep	28	50530	52151	51937	21360 as on 31.05.2019
11.	Uttarakhand	16	6498	8982	10829	3943 as on 31.05.2019
12.	Rajasthan	39	24818	27172	30380	15666 as on 31.05.2019
13.	Chhattisgarh	21	-	11016	11428	3797 as on 31.03.2019
14.	Delhi	21	26006	32692	38534	16343 as on 31.05.2019
15.	Himachal Pradesh	03	-	6901	7553	1885 as on



						<b>631.03.2019</b>
5.	Jharkhand	19	-	9663	8057	3005 as on 31.03.2019
17.	Madhya Pradesh	58	-	28800	30971	8906 as on 31.03.2019
18.	Manipur	07	1058	1199	757	335 as on 31.05.2019
19.	Odisha	25	-	8695	7474	2896 as on 31.03.2019
20.	Tamil Nadu	30	-	22988	19094	4316 as on 31.03.2019
21.	Puducherry	02	-	797	972	246 as on 31.03.2019
22.	Tripura	04	1658	2090	2584	1388 as on 31.05.2019
23.	Uttar Pradesh	108	179724	151644	162857	95564 as on 31.05.2019
24.	West Bengal & Andaman and Nicobar	03	-	285	725	125 as on 31.03.2019
25.	Telangana	16	-	9926	10462	1908 as on 31.03.2019

\* In connection with 2016; all available data has been presented.



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

**LOK SABHA**

**UNSTARRED QUESTION NO. 2011**

**TO BE ANSWERED ON WEDNESDAY, THE 03<sup>RD</sup> JULY, 2019.**

**Pending Court Cases**

**2011. SHRI RAJIV PRATAP RUDY:**

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

- (a) the details regarding the average number of cases filed and cases disposed of by the Supreme Court and the High Courts in the country;
- (b) the details regarding the number of cases which have been pending in several high courts in the country for more than last ten years;
- (c) whether the Government has taken any concrete action plan to improve the disposal of the cases and efficacy of the system; and
- (d) if so, the details thereof along with the success achieved as a result thereof so far?

**ANSWER**

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &  
INFORMATION TECHNOLOGY  
(SHRI RAVI SHANKAR PRASAD)**

(a) : As per the information available, details of total number of cases filed and disposed of during last three years in Supreme Court are given below:

YEAR	Cases filed	Cases disposed
2016	79,244	75,979
2017	56,104	63,053
2018 (As on 01.12.2018)	37,132	35,979

As per the information available, 16.01 lakh cases were disposed in High Courts the year 2016, 16.24 lakh cases were disposed in the year 2017, and 12.24 lakh cases were disposed in the year 2018 upto 30.09.2018.

(b) : As per the information available on web-portal of National Judicial Data Grid (NJDG), 8.33 lakh cases are pending in various High Courts for more than ten years.



(c) & (d): Pursuant to the Joint Conference of the Chief Ministers of the States and Chief Justices of the High Courts held in 2015, where it was resolved that all High Courts would constitute Arrears Committee, the then Minister of Law and Justice had written to the Chief Justices of the High Courts requesting them to appraise the Government of the steps being taken by them to address the issue of pendency especially regarding cases pending for more than 5 years. As per the available information, all High Courts have established Arrears Committees. Progress made by the High Courts in reducing pendency was taken up for consideration again in the Conference of Chief Justices of High Courts held in April 2016. Based on the reports submitted by the Arrears Committee of various High Courts, it was, *inter-alia*, resolved that (i) all the High Courts shall assign top most priority for disposal of cases which are pending for more than five years; (ii) High Courts where cases are pending for more than five years shall facilitate their disposal in mission mode; (iii) High Court shall progressively thereafter set a target of disposing of cases for more than four years; (iv) While prioritizing the disposal of cases pending in the district courts for more than five years, additional incentives for the Judges of the district judiciary could be considered where feasible; and (v) Efforts shall be made for strengthening case-flow management rules. It was further resolved that the Chief Justices of the High Courts will set up a Cell / Committee for monitoring the implementation of the resolutions passed in the Chief Justices Conferences and each High Court shall create a mechanism for submitting progress report to the Supreme Court. Accordingly, Arrears Committees are functioning in all High Courts and in District Courts.

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07/07

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

LOK SABHA

NM

UNSTARRED QUESTION NO. 2029

TO BE ANSWERED ON WEDNESDAY, THE 03<sup>RD</sup> JULY, 2019.

**Judicial Impact Assessment**

**2029. DR. SHASHI THAROOR:**

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

- (a) whether the Government would consider introducing the system of Judicial Impact Assessment (JIA) to determine the effect and impact of new legislations on the work load in courts;
- (b) if so, the details thereof along with the time frame by which JIA will be adopted; and
- (c) if not, the reasons therefor?

**ANSWER**

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &  
INFORMATION TECHNOLOGY  
(SHRI RAVI SHANKAR PRASAD)**

(a) to (c): A Task Force on '*Judicial Impact Assessment*' was constituted by the Government on directions of the Supreme Court of India, in the matter of Salem Advocates Bar Association *versus* Union of India, under the chairmanship of Justice Shri M. Jagannadha Rao (Retd.), former Judge of the Supreme Court and former Chairman, Law Commission of India. The Task Force submitted its report on 15<sup>th</sup> June, 2008, which was placed before the Supreme Court of India.

The Terms of Reference of the Task Force, *inter-alia*, included suggesting the methodology to assess the likely impact of legislation on the courts and also an appropriate framework so that every Bill introduced in Parliament be accompanied by a Judicial Impact Assessment which makes an assessment of financial requirements. The Task Force had, *inter-alia*, recommended setting up of a Judicial Impact Office at the central level as well as at the state level for estimating the extra case load on the courts and extra expenditure to be met by the Central Government or the State Governments, as the case may be, in respect of their respective legislations. It also recommended that sufficient funds must be allocated for the Judicial Administration in the country, particularly



in regard to the infrastructure, expenditure on judicial officers and staff in the Subordinate Courts and High Courts to realize the objectives of Access to Justice and Speedy Justice. The report is available at [[http://doj.gov.in/sites/default/files/judicialimpactassessmentreportvol1%20%201\\_0.pdf](http://doj.gov.in/sites/default/files/judicialimpactassessmentreportvol1%20%201_0.pdf)].

The views of the State Governments and High Courts were solicited on the Report of the Task Force. Based on the feedback received from State Governments and High Courts, the matter regarding implementation of the Report of the Task Force was deliberated upon in the meeting of the Advisory Council of National Mission for Justice Delivery and Legal Reforms held in November 2012. It was, *inter-alia*, decided that the methodologies of Judicial Impact Assessment as recommended by the Task Force may be gone into further by a Committee of Experts to assess the practicability of their implementation in the given circumstances. During the Conference of Chief Ministers and Chief Justices held in New Delhi in April, 2013 this matter was included in the Action Taken Report. It was mentioned that expert opinions received so far have expressed practical difficulties in making assessment of the impact of legislation on the workload of judiciary and the practicability of the idea needs to be established before it is implemented. Accordingly, a Committee of Experts was constituted in September, 2013 to examine the issue of implementability of methodologies of Judicial Impact Assessment and suggest further action in this regard. The Committee in its report submitted on 9<sup>th</sup> January, 2015 concluded that Judicial Impact Assessment was neither feasible nor desirable as a method of proper budgetary planning and allocation of funds for the judiciary.

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GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

*Appointment Division*

**LOK SABHA  
STARRED QUESTION NO. 249**

**TO BE ANSWERED ON WEDNESDAY, THE 10.07.2019.**

**Shortage of Judges**

\*249. ADV. ADOOR PRAKASH:  
SHRI MANICKAM TAGORE B.:

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

- a) whether the Government is aware of that the shortage of judges in various High Courts and the Supreme Court of India is causing delay in the disposal of pending cases and if so, the details thereof;
- b) whether the Supreme Court has attained its full strength of 31 judges after more than a decade and if so, the details thereof;
- c) whether at present 43 lakh cases in High Courts and 59,000 cases in the Supreme Court are pending for disposal and if so, the details thereof;
- d) whether the Government has received any proposal/communication from Chief Justice of India to raise the strength of judges in the Supreme Court and increase the retirement age of High Court judges to clear the backlog; and
- e) if so, the details thereof along with the action taken/being taken by the Government thereon?

**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. 249 due for answer on 10.07.2019 regarding "Shortage of Judges"**

(a) to (e): There is no shortage of Judges in the Supreme Court of India. The Supreme Court has reached its full strength of 31 Judges for the first time since 2009. However, as on 01.07.2019 there are 403 vacancies in the High Courts. Initiation of proposal for appointment of Judges in the High Courts vests with the Chief Justice of the High Court. Appointment of Judges in the High Courts is a continuous collaborative process between the Executive and the Judiciary, as it requires consultation and approval from various Constitutional Authorities. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep on 'arising on account of retirement, resignation or elevation of Judges and increase in Judge Strength.

As on 01.07.2019, 59331 cases are pending in the Supreme Court and 43.55 Lakh cases are pending in High Courts.

The delay in disposal of cases in Higher Judiciary is not only due to shortage of Judges, but also due to various factors such as (i) increasing number of state and central legislation, (ii) accumulation of first appeals, (iii) continuation of ordinary civil jurisdiction in some of the High Courts, (iv) Appeals against orders of quasi-judicial forums going to High Courts, (v) number of revision/appeals, (vi) frequent adjournments, (vii) indiscriminate use of writ jurisdiction and (viii) lack of adequate arrangements to monitor, track and bunch cases for hearing, and (ix) long duration of vacation period of Court, (x) assigning work of administrative nature to the Judges, etc.



The Chief Justice of India (CJI) has sent proposals for augmenting the Judge-strength in Supreme Court of India appropriately so that it can function more efficiently & effectively and retain the goal of rendering timely justice to litigant public. The CJI has also proposed to increase the retirement age of High Court Judges for ensuring continued availability of more experienced judges for a longer tenure and for improving the vacancy position and reducing the pendency of cases.

The matter of augmenting the Judge-strength of the Supreme Court of India and increase in the retirement age of High Court Judges needs to be considered along with other measures to ensure transparency, accountability in the appointment of Judges and Court & Case management for reduction in pendency of cases in the Higher Judiciary.

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