

(7) Gram Nyayalayas Act, 2008 (Act 4 of 2009) has been enacted, which provides for establishment of nearly 5067 Gram Nyayalayas and will bring justice at the door step of the rural people.

Pending court cases

2491.DR. T. SUBBARAMIREDDY:

PROF. ALKA BALRAM KSHATRIYA:

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

(a) whether in view of backlog of 3.56 crore cases in courts across the country, including 48,000 in Supreme Court, the Chief Justice of India (CJI) has pointed out that at least 10,000 more courts are required to dispose of them or to remove backlog;

(b) if so, whether Government has considered views of CJI for more courts in country;

(c) whether he has also pointed out that there are 3,500 posts of judges vacant, with the result cases are piling up; and

(d) if so, what concrete steps and measures Government proposes to take to set up more courts and fill up vacancies in various courts in the country?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) to (d) No such views of the Chief Justice of India on the requirement of more courts and vacancies in the post of Judges have been communicated to the Government. The Supreme Court in a Judgement of March 2002 in the All India Judges Association Vs Union of India and Others had given directions for an increase in the Judge strength from the then existing 10.5 per 10 lakh people to 50 Judges for 10 lakh people. The Central Government have filed an affidavit in the Supreme Court and the matter is sub-judice.

Government has already taken measures to set up more courts in the country. The Gram Nyayalayas Act 2008 has been enacted which will make possible setting up of nearly 5067 Gram Nyayalayas. Government has also decided to set up more CBI courts, on the advice of the Chief Justice of India.

Filling up of the vacancies in the Supreme Court and the High Courts is a continuous process as vacancies keep arising due to retirements, resignations, elevation of Judges, etc. Pursuant to the Supreme Court Judgement of October 6, 1993 in the Supreme Court Advocates-on-record & Anr. Vs Union of India, read with the Advisory Opinion of October 28, 1998, the entire process of initiation of proposal for appointment of a Judge of Supreme Court lies with the Chief Justice of India and for the appointment of a Judge of a High Court, with the Chief Justice of that High Court. The Government has been reminding the Chief Justices of the High Courts from time to time, to initiate proposals for filling up vacant posts of judges in the High Courts as also those which are likely to fall vacant during the next six months. The proposals received are processed by the Government expeditiously for filling up of the vacancies. Vacancies in Subordinate Courts are filled up by the State Government concerned in consultation with the respective High Court.