

Appointments and transfer of judges in higher judiciary

1125. DR. JANARDHAN WAGHMARE:

SHRI O.T. LEPCHA:

SHRI KALRAJ MISHRA:

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

(a) whether Government has felt the need for revisiting the procedure for appointment, transfer and posting of judges of Supreme Court and High Courts in view of the recent controversy in appointment of Supreme Court judges;

(b) whether Government is aware of the fact that the collegium is under heavy criticism and divergent views are expressed on it; and

(c) if so, the details in this regard and by when a suitable mechanism would be put in place to solve the problem?

THE MINISTER OF LAW AND JUSTICE (DR. M. VEERAPPA MOILY): (a) to (c) The existing procedure for appointment, transfer and posting of judges of Supreme Court and High Court is based on the Supreme Court Judgment of October 6, 1993 in the case of Supreme Court Advocates on Record and Anr. Vs. Union of India, and the Advisory Opinion of the Supreme Court dated October 28, 1998. The procedure has been criticized in various fora. There is no proposal at present before the Government to reconsider this procedure.

Appointment of judges on contract basis

1126. SHRI N.K. SINGH:

SHRI RAJKUMAR DHOOT:

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

(a) whether Government has decided to cut down the huge backlog of court cases by appointing trial court judges and High Court judges on contract basis to clear arrears within the next three years;

(b) if so, the details of the modalities being worked out in this regard;

(c) whether the implementation of the scheme to clear pending court cases has since commenced; and

(d) if so, the likely target to clear pending court cases during the next three years?

THE MINISTER OF LAW AND JUSTICE (DR. M. VEERAPPA MOILY): (a) No, Sir.

(b) to (d) Does not arise.

Setting up of Gram Nyayalayas

1127. SHRI D. RAJA:

SHRI R.C. SINGH:

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

(a) whether Government has decided to set up 5000 Gram Nyayalayas to deal with the pending cases in rural areas; and

(b) if so, the details thereof and the measures being taken in this regard?

THE MINISTER OF LAW AND JUSTICE (DR. M. VEERAPPA MOILY): (a) and (b) The Central Government has enacted the Gram Nyayalayas Act, 2008 on 07.01.2009 which enables the State Governments to establish one or more Gram Nyayalayas for every Panchayat at intermediate level to cater to specified Civil and Criminal cases in the rural areas. The Gram Nyayalayas Act was brought into force with effect from October 2, 2009. Under the scheme, over 5000 Gram Nyayalayas are likely to be set up across the country.

While concerned State Governments had been requested in this regard to set up Gram Nyayalayas in their respective States, the Central Government will provide financial assistance to the States for establishing the Gram Nyayalayas and for operating the same during the first three years by bearing the non-recurring cost of establishment of Gram Nyayalayas subject to a ceiling of Rs. 18.00 lakhs per Gram Nyayalaya and 50% of Rs. 6.40 lakhs per annum as recurring cost of one Gram Nyayalaya for the first three years.

Banning criminals and corrupt persons from elections

1128. SHRI NARESH GUJRAL:

SHRI N.K. SINGH:

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

(a) whether the Election Commission has made a proposal which was backed by the second Administrative Reforms Commission (ARC) to ban persons facing serious criminal and corruption charges from contesting polls;

(b) if so, the present status thereof;

(c) whether the Prime Minister has also assured that the recommendations made by ARC would be considered;

(d) if so, the details of proposals of Election Commission and ARC ignored by Government; and

(e) Government's reaction thereto?

THE MINISTER OF LAW AND JUSTICE (DR. M. VEERAPPA MOILY): (a) to (e) The Election Commission of India had forwarded a set of 22 proposals on Electoral Reforms in July, 2004 which *inter alia* included the proposal on criminalization in politics which was backed by the Second Administrative Reforms Commission (ARC) to ban persons facing serious criminal and corruption charges from contesting poll.

While the said proposals of the Election Commission of India on electoral reforms were under consideration of the Department Related Parliamentary Stranding Committee on Personnel, Public Grievances, Law and Justice, the Chief Election Commissioner wrote to the