

(b) if so, whether any steps have been taken by Government regarding the quantum of maintenance, that is decided within a fixed time and without adjournment and to put a special enforcement machinery to recover arrears of maintenance?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) and (b) It cannot be stated with any degree of accuracy that under the personal laws and criminal laws the amount of maintenance given by the courts are insufficient as the quantum is fixed by the courts on the basis of relevant facts. Hence there is no proposal to establish a special enforcement machinery.

Working of Law Commission

†1941. SHRI NARESH CHANDRA AGRAWAL: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the number of laws being enforced in the country, at present;
- (b) whether it is a fact that Government had constituted the Law Commission with an intention to make the existing laws effective; and
- (c) if so, the number of reports of the Law Commission received so far and the action taken on those reports?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) Sir, the total number of Central Acts, which are presently being enforced is 1089.

(b) Yes, Sir.

(c) Law Commission of India has submitted 236 Reports on various subjects so far and the said reports have been forwarded to the Ministries/ Departments concerned with the subject matter for taking necessary action.

Vacancies of judges

1942. SHRI T.K. RANGARAJAN: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether it is a fact that number of vacancies remain unfilled in the High Courts and subordinate courts across the country;
- (b) if so, the details of the sanctioned strength of judges in High Courts, as well as subordinate courts;
- (c) the reasons for the delay in filling up the vacancies; and
- (d) the steps taken to clear the backlog?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) and (b) Details of the sanctioned strength and the vacancies of Judges in the various High Courts and subordinate courts are given in Statement-I and II (See below).

†Original notice of the question was received in Hindi.

(c) and (d) Pursuant to the Supreme Court Judgment of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the entire process of initiation of proposal for appointment of a Judge of a High Court rests with the Chief Justice of the concerned High Court, The main reason for the large number of vacant posts is that the Government has not received sufficient proposals to fill up these vacant posts. The Government is periodically reminding the Chief Justices of the High Courts to initiate proposals in time for filling up the existing vacancies as well as the vacancies anticipated in next six months in the High Courts.

Under Article 235 of the Constitution of India, the administrative control over the members of subordinate judiciary in the States vests with the concerned High Court and State Government. Thus, as regards the judge strength in the District and subordinate courts and filling them up is concerned, the responsibility vests with the respective State Governments and the High Courts.

Statement-I

Details of the sanctioned strength and vacancies of Judges in various High Courts

Sl. No.	Name of the High Court	Sanctioned strength as on 01.03.2011	Vacancy of Judges as on 01.03.2011
1	2	3	4
1.	Allahabad	160	95
2.	Andhra Pradesh	49	13
3.	Bombay	75	20
4.	Calcutta	58	16
5.	Chhattisgarh	18	6
6.	Delhi	48	8
7.	Gauhati	24	5
8.	Gujarat	42	13
9.	Himachal Pradesh	11	-
10.	Jammu and Kashmir	14	4
11.	Jharkhand	20	8
12.	Karnataka	50	10

1	2	3	4
13.	Kerala	38	8
14.	Madhya Pradesh	43	9
15.	Madras	60	11
16.	Orissa	22	5
17.	Patna	43	13
18.	Punjab and Haryana	68	26
19.	Rajasthan	40	18
20.	Sikkim	3	1
21.	Uttarakhand	9	2
TOTAL		895	291

Statement-II

Details of the sanctioned strength and vacancies of Judges in various District and Subordinate Courts

Sl. No.	State/Union Territory	Sanctioned strength of District and Subordinate Courts as on 30.06.2010	Vacancies as on 30.06.2010
1	2	3	4
1	Uttar Pradesh	2186	272
2	Andhra Pradesh	930	148
3	Maharashtra	2087	280
4	Goa	49	7
5	Diu Daman and Dadra and Nagar Haveli	4	0
6	West Bengal and A&N Islands	933	154
7	Chhattisgarh	293	37

1	2	3	4
8.	Delhi	605	170
9.	Gujarat	1095	333
10.	Assam	326	20
11.	Meghalaya	10	2
12.	Tripura	92	27
13.	Manipur	33	2
14.	Nagaland	28	5
15.	Mizoram	40	9
16.	Arunachal Pradesh	2	0
17.	Himachal Pradesh	126	5
18.	Jammu and Kashmir	207	43
19.	Jharkhand	581	187
20.	Karnataka	936	131
21.	Kerala	436	17
22.	Lakshadweep	3	0
23.	Tamil Nadu	828	42
24.	Puducherry	20	6
25.	Madhya Pradesh	1288	176
26.	Orissa	544	58
27.	Bihar	1385	342
28.	Punjab	410	116
29.	Haryana	409	124
30.	Chandigarh	20	0
31.	Rajasthan	904	215
32.	Sikkim	15	6
33.	Uttarakhand	265	136
TOTAL		17090	3070