

Constitution of India. These Tribunals, Commissions and Authorities have been set up under various legislations and are under the administrative control of twenty four (24) Ministries and Departments of the Government of India. The Chairpersons and Members in many of these Tribunals, Commissions and Authorities are required to be appointed from amongst the retired judges of the High Courts/ Supreme Court or by judges retired from the State Judicial Services. That being it, there appears no reason to put a ban on judges not to take up such appointments.

Enforcement of laws

2252. SHRI PYARIMOHAN MOHAPATRA: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the list of enactments made by the Parliament which are yet to come into force for want of necessary notification; and
- (b) the reasons for not enforcing/notifying the enactments in each case?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR): (a) and (b) Certain Central Acts have not so far been brought into force by the concerned administrative Ministries for various administrative reasons and stage of preparedness. The requisite information in this regard is being collected and will be laid on the Table of the House.

NCMS's estimation of rise in court cases

2253. SHRI B. S. GNANADESIKAN: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Supreme Court supported National Court Management System (NCMS) has estimated that the number of cases would increase five-fold to touch 15 crore from the present level, but the judge strength would increase less than four times from the current strength of 75,000;
- (b) if so, the details thereof; and
- (c) whether Government has proposed any action plan to tackle such increasing burden on the judicial system; and
- (d) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR): (a) and (b) Yes, Sir; the Policy and Action Plan of National Court Management System released by the Hon'ble Chief Justice of India does contain a statement to this effect. But this is an estimation and is based on the assumption that with the increase in literacy and economic wealth, filing of cases would increase manifold in the country.

(c) and (d) There are nearly 2.7 crores cases pending in the subordinate judiciary, and nearly 43 lakh cases pending in the High Courts as on 31.03.2012. Since the administrative control of the subordinate judiciary in the States is with the High Courts and State Governments, Central Government has been impressing upon them for timely filling of vacancies. The Supreme Court has also in its judgement in C.A.No. 1867 of 2006 (Arising out of SLP (C) No. 22523 of 2005) in the matter of Malik Mazhar Sultan & Another Vs U.P. Public Service Commission & Others, directed the States/UTs to adhere to the time schedule for timely filling of vacancies. For the High Courts, Central Government has been reminding the Chief Justices from time to time for timely initiation of the proposals.

Although the disposal of pending cases in the Courts is within the domain of the judiciary, Government has been assisting them (judiciary) through a variety of measures. These include funding support for infrastructure development for the subordinate judiciary and computerization of the Courts, etc. Besides, Government has set up a National Mission for Justice Delivery and Legal Reforms for following a coordinated approach for phased liquidation of arrears and pendency in the judicial administration. The Mission has devised an integrated strategy which *inter-alia* includes better infrastructure for courts including computerisation, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

Vacancies of judges

2254. SHRI P. RAJEEVE: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of vacant posts of judges in High Courts and the Supreme Court;