

- (b) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR) :

- (a) No, Sir.

(b) At present, the joint matrimonial property rights are governed by respective personal laws. Provisions for settlement and disposal of joint matrimonial properties at the time of divorce have already been made in respective personal laws and in some cases it is governed by customs and usages.

Ban on contesting elections after quitting Government jobs

†3022. SHRI RASHEED MASOOD : Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Election Commission of India has chalked out any policy to check the growing tendency of contesting elections immediately after quitting Central Government job;

- (b) if so, the details thereof; and

- (c) by when this policy would be implemented?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR) : (a) to (c) The Election Commission has made a proposal to the Government to provide a suitable cooling off period for the Government officers retiring or leaving Government service and joining a political party in order to maintain their independence and neutrality in functioning while in office. The proposal is under consideration of the Government.

Holidays in courts

3023. SHRI RAMA CHANDRA KHUNTIA : Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that there are highest number of holidays in the judiciary in comparison to other Government offices and establishments; and

(b) whether reducing the holidays, filling up all the vacancies of Judges and restricting the numbers of hearings could be helpful for early disposal of all the pending cases?

†Original notice of the question was received in Hindi.

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR) : (a) and (b) The working days in the Supreme Court and in each of the High Courts in the country, are regulated by Rules framed by the respective Court. The working days of the district/subordinate courts are regulated by the concerned High Court. According to available information, High Courts in the country have normally 210 working days in a year.

In respect of vacancies in High Courts, Government has periodically been writing to the Chief Justices of the High Courts to send proposals timely for filling the vacancies. Government has written to Chief Justices of the High Courts to invite attention of the district judges, *inter-alia*, to the provisions in Section 309 of the Code of Criminal Procedure so that court proceedings are held on a day to day basis until all witnesses in attendance, have been examined and the adjournments are minimised.

In order to reduce pendency of cases in courts, Advisory Council of the National Mission for Justice Delivery and Legal Reforms has resolved that the overall number of judges/courts in subordinate judiciary may be increased to double the present number over a period of five (05) years with matching support from the Central and the State Governments. A comprehensive scheme of National Court Management Systems (NCMS) has been formulated and notified by the Supreme Court under which a National Framework of Court Excellence (NFCE) has been prepared, which shall set measurable standards of performance of courts addressing the issues of quality, responsiveness and timeliness. Based on the recommendation of the Advisory Committee of NCMS, the Chief Justice of India has written to the Chief Justices of High Courts for doubling the number of Courts in Subordinate Judiciary. He has urged the Chief Justices to take it up with the State Governments for providing the requisite funds as well as funds for infrastructure and staff.

Review of process of appointment of Judges

†3024. SHRIMATI MAYA SINGH : Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government is contemplating to take steps to include the executive in the appointment process by revising the current system of appointments of Judges;

(b) whether Government would decide to appoint Judges under Article 124(2) and 217(1) of the Constitution of India;

†Original notice of the question was received in Hindi.