

Act along with other policy and administrative measures to check, increasing litigation relating to cheque bounce cases, has recommended measures including procedural and legislative changes to reduce number of cheque bounce cases.

An important aspect of the judicial reforms relates to re-engineering court procedures and court processes for early disposal of cases. A comprehensive scheme of National Court Management Systems (NCMS) has been formulated and notified by Hon'ble Supreme Court of India. Under the NCMS, a National Framework of Court Excellence (NFCE) has been prepared, which shall set measurable standards of performance for courts addressing the issues of quality, responsiveness and timeliness.

On the recommendations of 13th Finance Commission, the Government has sanctioned Rs. 5000 crore as grants to the States for 5 years between 2010-15 for undertaking various initiatives such as increasing the number of court working hours using the existing infrastructure by holding morning/evening/shift courts; enhancing support to Lok Adalats to reduce the pressure on regular courts; providing additional funds to State Legal Services Authorities to enable them to provide legal aid to the marginalized and empower them to access justice; promoting the Alternative Dispute Resolution (ADR) mechanism to resolve part of the disputes outside the court system.

In the recently concluded conference of Chief Ministers and Chief Justices of the High Courts, States have been requested to set up Fast Track Courts for disposal of pending rape cases as well as cases under other heinous crimes. While doing so, priority shall be given for fast tracking cases of offences against women, children, disabled persons, senior citizens and marginalised section of the society. For this purpose, States have been requested to use 10% additional positions of judges approved by the Central Government on a matching share basis, at the district/ subordinate level, following the direction of the Supreme Court in the case of Brij Mohan Lal *Vs.* Union of India.

#### **Pending cases and vacant posts of judges**

†3642. SHRI RAGHUNANDAN SHARMA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of cases pending for disposal in the Supreme Court and in each of the High Courts of the country as on the 31st January, 2013;

(b) the present number of judges in the Supreme Court and various High Courts and the number of posts of judges lying vacant in these courts; and

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†Original notice of the question was received in Hindi.

(c) the steps taken by Government to fill up the vacant posts of judges and the speedy disposal of the pending cases?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR): (a) The data on pendency of cases is maintained by the Supreme Court and High Courts. As per the information furnished by Supreme Court, 66,569 matters were pending in the Supreme Court as on 31.01.2013. Out of the 66,569 matters, 21,862 matters are up to one year old and are, thus, not in arrears. Details of pending cases in the High Courts as on 31.03.2012 are given in the Statement-I (*See below*).

(b) The details of the present number of judges in the Supreme Court and various High Courts and the number of posts of judges lying vacant in these courts are given in the Statement-II (*See below*).

(c) As per the Memorandum of Procedure, initiation of proposals for appointment of Judges of a High Court rests with the Chief Justice of the concerned High Court and for appointment of a Judge in the Supreme Court, it rests with the Chief Justice of India. 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 the next six months in the High Courts. The filling up of vacancies in the High Courts is a continuous consultative process among the Constitutional authorities. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep on arising on account of retirement, resignation or elevation of Judges.

The disposal of pending cases in Courts is within the domain of judiciary. The Government has set up a National Mission for Justice Delivery and Legal Reforms in August, 2011 to achieve twin goals of (i) increasing access by reducing delays and arrears; and (ii) enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing five strategic initiatives: (i) outlining policy and legislative changes (ii) re-engineering of procedures and court processes (iii) focussing on Human Resource Development, (iv) leveraging Information and Communication Technology and tools for better justice delivery and (v) Improving Infrastructure. The Mission has adopted a coordinated approach for phased liquidation of arrears and pendency in judicial administration which, *inter-alia*, involve 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.

***Statement-I****Pendency Position in the High Courts as on 31.03.2012*

| Sl. No | Name of the High Court | Number of Pending Cases |
|--------|------------------------|-------------------------|
| 1      | Allahabad              | 10,08,533               |
| 2      | Andhra Pradesh         | 1,99,229                |
| 3      | Bombay                 | 3,62,948                |
| 4      | Calcutta               | 3,50,260                |
| 5      | Delhi                  | 63,012                  |
| 6      | Gujarat                | 79,529                  |
| 7      | Gauhati                | 51,899                  |
| 8      | Himachal Pradesh       | 48,743                  |
| 9      | Jammu and Kashmir      | 85,298                  |
| 10     | Karnataka              | 1,71,463                |
| 11     | Kerala                 | 1,23,437                |
| 12     | Madras                 | 4,83,848                |
| 13     | Madhya Pradesh         | 2,35,150                |
| 14     | Orissa                 | 3,07,528                |
| 15     | Patna                  | 1,15,329                |
| 16     | Punjab and Haryana     | 2,43,733                |
| 17     | Rajasthan              | 2,79,577                |
| 18     | Sikkim                 | 69                      |
| 19     | Uttarakhand            | 20,507                  |
| 20     | Chhattisgarh           | 52,264                  |
| 21     | Jharkhand              | 58,511                  |
| TOTAL  |                        | 43,40,867               |

**Statement-II**

*Details showing the Approved Strength, working Strength and Vacancies of Judges  
in the Supreme Court of India and the High Courts*

(As on 25.04.2013)

| Sl. No.   | Name of the Court             | Approved Strength |       |       | Working Strength |       |       | Vacancies as per Approved Strength |       |       |
|-----------|-------------------------------|-------------------|-------|-------|------------------|-------|-------|------------------------------------|-------|-------|
| 1         | 2                             | 3                 |       |       | 4                |       |       | 5                                  |       |       |
| <b>A.</b> | <b>Supreme Court of India</b> | <b>31</b>         |       |       | <b>29</b>        |       |       | <b>2</b>                           |       |       |
| <b>B.</b> | <b>High Court</b>             | Pmt.              | Addl. | Total | Pmt.             | Addl. | Total | Pmt.                               | Addl. | Total |
| 1         | Allahabad                     | 76                | 84    | 160   | 55               | 38    | 93    | 21                                 | 46    | 67    |
| 2         | Andhra Pradesh*               | #32               | 17    | 49    | 22               | 07    | 29    | 10                                 | 10    | 20    |
| 3         | Bombay                        | 48                | 27    | 75    | 42               | 07    | 49    | 06                                 | 20    | 26    |
| 4         | Calcutta                      | 45                | 13    | 58    | 37               | 02    | 39    | 08                                 | 11    | 19    |
| 5         | Chhattisgarh                  | 06                | 12    | 18    | 05               | 06    | 11    | 01                                 | 06    | 07    |
| 6         | Delhi                         | 29                | 19    | 48    | 28               | 15    | 43    | 01                                 | 04    | 05    |
| 7         | Guwahati                      | 17                | 07    | 24    | 13               | 02    | 15    | 04                                 | 05    | 09    |
| 8         | Gujarat                       | 29                | 13    | 42    | 20               | 08    | 28    | 09                                 | 05    | 14    |
| 9         | Himachal Pradesh              | #08               | 03    | 11    | 07               | 02    | 09    | 01                                 | 01    | 02    |
| 10        | Jammu and Kashmir             | 09                | 05    | 14    | 08               | 03    | 11    | 01                                 | 02    | 03    |

| 1     | 2                   | 3   |     |     |     | 4   |     |     | 5    |     |
|-------|---------------------|-----|-----|-----|-----|-----|-----|-----|------|-----|
| 11    | Jharkhand           | 10  | 10  | 20  | 09  | 02  | 11  | 01  | 08   | 09  |
| 12    | Karnataka           | #34 | 16  | 50  | 32  | 04  | 36  | 02  | 12   | 14  |
| 13    | Kerala              | 27  | 11  | 38  | 22  | 08  | 30  | 05  | 03   | 08  |
| 14    | Madhya Pradesh*     | 32  | 11  | 43  | 27  | 08  | 35  | 05  | 03   | 08  |
| 15    | Madras *            | #43 | 17  | 60  | 39  | 08  | 47  | 04  | 09   | 13  |
| 16    | Manipur             | 04  | -   | 04  | 02  | -   | 02  | 02  | -    | 02  |
| 17    | Meghalaya           | 03  | -   | 03  | 02  | 01  | 03  | 01  | - 01 | 0   |
| 18    | Orissa              | 17  | 05  | 22  | 13  | -   | 13  | 04  | 05   | 09  |
| 19    | Patna               | 29  | 14  | 43  | 28  | 06  | 34  | 01  | 08   | 09  |
| 20    | Punjab and Haryana* | 38  | 30  | 68  | 30  | 11  | 41  | 08  | 19   | 27  |
| 21    | Rajasthan           | 32  | 08  | 40  | 23  | 09  | 32  | 09  | −01  | 08  |
| 22    | Sikkim              | 03  | 0   | 03  | 02  | 0   | 02  | 01  | -    | 01  |
| 23    | Tripura             | 04  | -   | 04  | 02  | 02  | 04  | 02  | −02  | 0   |
| 24    | Uttarakhand         | 09  | 0   | 09  | 09  | 0   | 09  | -   | -    | -   |
| TOTAL |                     | 584 | 322 | 906 | 477 | 149 | 626 | 107 | 173  | 280 |

\*Acting Chief Justice

#Temporary conversion of post