

the National Judicial Data Grid (NJDG). Courts under the jurisdiction of the High Courts of Madhya Pradesh, Gujarat and Delhi are yet to be connected to this Grid.

### **Repeal of laws**

2186. SHRIMATI RENUKA CHOWDHURY: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government proposes to repeal certain laws, including Marriage Act which are discriminatory against leprosy affected people;
- (b) if so, the details thereof; and
- (c) the corrective steps taken by Government keeping in view that the leprosy is now completely curable disease?

THE MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA): (a) to (c) The Repealing and Amending (Fourth) Bill, 2015, introduced in Lok Sabha on the 27th July, 2015, *interalia*, seeks to repeal the lepers Act, 1898 (3 of 1898).

In so far as the marriage laws are concerned, the Law Commission of India in its 256th Report titled “Eliminating Discrimination Against Persons Affected by Leprosy” has, *interalia*, recommended for omission of certain provisions which are discriminatory against leprosy affected persons. As the subject matter of “marriage” falls under List III-Concurrent List of the Seventh Schedule to the Constitution, Legislative Department has sought the views/Comments of all the State Governments/ Union Territories in the matter.

### **Sanctioned *vis-a-vis* filled in posts of judges and pendency of cases in SC and HCs**

2187. DR. CHANDAN MITRA:  
SHRI RAJ BABBAR :

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

- (a) the total number of sanctioned posts of judges in the High Courts and Supreme Court, as on date, and the number of vacant posts of judges in High Courts and the Supreme Court;
- (b) whether pendency of cases is increasing in higher courts due to vacant posts of judges;
- (c) if so, the details of pending cases in each High Court and the Supreme Court as on date; and

(d) the steps taken by Government to fill up these vacant posts so as to bring down the number of pending cases along with reasons for the delay in the said process?

THE MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA): (a) A Statement showing the Approved Strength, Working Strength and Vacancies of judges in the Supreme Court and the High Courts is given in the Statement-I (*See below*).

(b) Disposal of cases in courts falls within the domain of the judiciary. However, a large number of vacant posts of Judges is one of several reasons in slowing down the process of expeditious disposal of cases.

(c) the details of pending cases in the Supreme Court and the High Courts are given in the Statement-II (*See below*).

(d) Filling up of the vacancies in the High Courts is a time consuming process, as it requires consultation and approval from various 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 and increase in the Judge strength of High Courts. The Government had been periodically reminding the various Chief Justices of the High Courts to initiate proposals well in time for filling the existing vacancies as well as the vacancies anticipated in the next six months in the High Courts. However, the Collegium System of appointment of Judges of the Supreme Court and High Courts has ceased to exist consequent upon the coming into force of the Constitution (Ninety-Ninth Amendment) Act, 2014 and the National Judicial Appointments Commission Act, 2014 *w.e.f.* 13.04.2015. The Constitutional validity of both the Acts have been challenged in Supreme Court. The hearing of the cases in the Supreme Court concluded on 15.07.2015 and judgement is reserved. Therefore at present, no appointment of Judges is being done except under court orders.

#### *Statement-I*

#### *Approved strength, working strength and vacancies of judges in the Supreme Court and the High Courts*

(As on 01.08.2015)

Sl. No.	Name of the Court	Approved Strength	Working Strength	Vacancies as per Approved Strength
1	2	3	4	5
A.	Supreme Court of India	31	28	03

1	2	3	4	5
B.	High Courts			
1.	Allahabad	160	76	84
2.	High Court of Judicature at Hyderabad	49	27	22
3.	Bombay	94	64	30
4.	Calcutta	58	44	14
5.	Chhattisgarh	22	09	13
6.	Delhi	60	40	20
7.	Gauhati	24	17	07
8.	Gujarat	52	29	23
9.	Himachal Pradesh	13	07	06
10.	Jammu and Kashmir	17	10	07
11.	Jharkhand	25	14	11
12.	Karnataka	62	32	30
13.	Kerala	38	38	0
14.	Madhya Pradesh	53	33	20
15.	Madras	60	38	22
16.	Manipur	04	03	01
17.	Meghalaya	03	03	0
18.	Odissa	27	22	05
19.	Patna	43	32	11
20.	Punjab and Haryana	85	54	31
21.	Rajasthan	50	28	22
22.	Sikkim	03	03	0
23.	Tripura	04	04	0
24.	Uttarakhand	11	06	05
TOTAL		1017	633	384

***Statement-II****Pending cases in the Supreme Court and the High Courts*

Sl. No.	Name of High Court	Pendency of Cases As on 01.04.2015
1	2	3
A.	Supreme Court	61,081
B.	Name of High Courts	Pendency of cases in High Courts as on 31.12.2014
1.	Allahabad	10,14,146
2.	Bombay	3,64,576

1	2	3
3.	Calcutta	2,86,306
4.	Punjab and Haryana	2,79,699
5.	Madras	2,63,569
6.	Madhya Pradesh	2,58,716
7.	Andhra Pradesh	2,49,701
8.	Rajasthan	2,28,353
9.	Karnataka	2,14,120
10.	Odisha	2,02,082
11.	Kerala	1,45,906
12.	Patna	1,40,990
13.	Jammu and Kashmir	1,02,156
14.	Gujarat	95,302
15.	Jharkhand	80,815
16.	Delhi	66,989
17.	Chhattisgarh	45,077
18.	Gauhati	43,048
19.	Himachal Pradesh	39,616
20.	Uttarakhand	23,105
21.	Tripura	4,465
22.	Manipur	4,374
23.	Meghalaya	738
24.	Sikkim	108
TOTAL		41,53,957

#### Cases pending in Courts

2188. SHRI B. K. HARIPRASAD:

SHRI D. P. TRIPATHI:

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

(a) the measures taken, so far, to clear the huge number of cases pending in High Courts in the country;

(b) the details of cases pending in courts, including High Court of Karnataka till 1 August, 2015; and

(c) whether Government proposes to consider amendments to the existing laws to ensure justice in time and if so, the details thereof?