

Vacancies of Judges and pending cases in High Courts

1069. DR. BHALCHANDRA MUNGEKAR: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of posts of Judges which were vacant in various High Courts as on 31 December, 2015;

(b) the number of cases which were pending in various High Courts as on 31 December, 2015; and

(c) the time-frame for filling up all these vacancies?

THE MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA): (a) Details showing the vacancies of Judges in the High Courts as on 31.12.2015 is given in Statement-I (*See* below).

(b) As per information available, a Statement showing the the number of cases which were pending in various High Courts as on 31 December, 2014 is given in the Statement-II (*See* below).

(c) The Collegium system of appointment of Judges of the Supreme Court and High Courts 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. However, the Constitutional validity of both the Acts was challenged in Supreme Court. While the case was being heard and till the Judgement was pronounced, only those Additional Judges whose terms were expiring were given extensions of three months as per the Supreme Court orders dated 12.05.2015 and 15.07.2015. No other appointments were made.

In view of large number of vacancies and keeping in view the fact that the process of supplementing the existing Memorandum of Procedure (MoP) is likely to take some time because of the need for consultation with the States, the matter was taken up with the Supreme Court and the process of appointment of Judges has been resumed.

*Statement-I**Details showing the vacancies of Judges in the High Courts*

(As on 31.12.2015)

Sl. No.	Name of the High Court	Approved Strength			Working Strength			Vacancies as per Approved Strength		
		Pmt.	Addl.	Total	Pmt.	Addl.	Total	Pmt.	Addl.	Total
1	2	3	4	5	6	7	8	9	10	11
1.	Allahabad	76	84	160	54	20	74	22	64	86
2.	High Court of Judicature Hyderabad	33	16	49	17	10	27	16	06	22 at
3.	Bombay	71	23	94	37	22	59	34	01	35
4.	Calcutta	45	13	58	20	22	42	25	-09	16
5.	Chhattisgarh	17	05	22	03	06	09	14	-01	13
6.	Delhi	45	15	60	34	05	39	11	10	21
7.	Gauhati	18	06	24	08	08	16	10	-02	08
8.	Gujarat	39	13	52	25	03	28	14	10	24
9.	Himachal Pradesh	10	03	13	07	—	07	03	03	06
10.	Jammu and Kashmir	13	04	17	09	01	10	04	03	07
11.	Jharkhand	19	06	25	09	05	14	10	01	11
12.	Karnataka	47	15	62	22	09	31	25	06	31
13.	Kerala	27	11	38	19	16	35	08	-05	03
14.	Madhya Pradesh	40	13	53	23	07	30	17	06	23
15.	Madras	56	19	75	37	0	37	19	19	38
16.	Manipur	04	01	05	03	0	03	01	01	02
17.	Meghalaya	03	01	04	03	0	03	0	01	01
18.	Orissa	20	07	27	16	06	22	04	01	05

1	2	3	4	5	6	7	8	9	10	11
19.	Patna	40	13	53	22	06	28	18	07	25
20.	Punjab and Haryana	64	21	85	39	11	50	25	10	35
21.	Rajasthan	38	12	50	22	03	25	16	09	25
22.	Sikkim	03	0	03	02	0	02	01	0	01
23.	Tripura	04	0	04	04	0	04	0	0	0
24.	Uttarakhand	09	02	11	06	0	06	03	02	05
TOTAL		741	303	1044	441	160	601	300	143	443

Statement-II

Details showing the number of cases which were pending in various High Courts as on 31st December, 2014

Sl. No.	High Court	Case Type	Opening balance as on 1.1.14	Institution	Disposal	Pendency as on 31.12.14
1	2	3	4	5	6	7
1.	Allahabad	Civil	695431	144727	184365	655793
		Criminal	347967	136315	125929	358353
		TOTAL	1043398	281042	310294	1014146
2.	Andhra Pradesh	Civil	201605	62310	47758	216157
		Criminal	31034	20991	18481	33544
		TOTAL	232639	83301	66239	249701
3.	Bombay	Civil	299931	110506	99671	310766
		Criminal	49906	34813	30909	53810
		TOTAL	349837	145319	130580	364576
4.	Calcutta	Civil	230317	74163	73783	230697

1	2	3	4	5	6	7
		Criminal	49689	27793	21873	55609
		TOTAL	280006	101956	95656	286306
5.	Delhi	Civil	49000	27703	25239	51464
		Criminal	15652	14788	14915	15525
		TOTAL	64652	42491	40154	66989
6.	Gujarat	Civil	60131	47489	46077	61543
		Criminal	31822	30304	28367	33759
		TOTAL	91953	77793	74444	95302
7.	Gauhati	Civil	33534	17195	15591	35138
		Criminal	7378	12408	11876	7910
		TOTAL	40912	29603	27467	43048
8.	Himachal Pradesh	Civil	54015	38555	57710	34860
		Criminal	6058	3258	4560	4756
		TOTAL	60073	41813	62270	39616
9.	Jammu and Kashmir	Civil	87794	28620	20868	95546
		Criminal	5244	3649	2283	6610
		TOTAL	93038	32269	23151	102156
10.	Karnataka	Civil	179379	122135	104837	196677
		Criminal	17593	14837	14987	17443
		TOTAL	196972	136972	119824	214120
11.	Kerala	Civil	99573	62557	52738	109392
		Criminal	32586	23363	19435	36514
		TOTAL	132159	85920	72173	145906
12.	Madras	Civil	208301	87228	66615	228914
		Criminal	31975	66019	63339	34655
		TOTAL	240276	153247	129954	263569

1	2	3	4	5	6	7
13.	Madhya Pradesh	Civil	174665	68457	76161	166961
		Criminal	86946	58021	53212	91755
		TOTAL	261611	126478	129373	258716
14.	Orissa	Civil	168794	36080	39150	165724
		Criminal	38028	35703	37373	36358
		TOTAL	206822	71783	76523	202082
15.	Patna	Civil	79896	40943	39501	81338
		Criminal	52259	72847	65454	59652
		TOTAL	132155	113790	104955	140990
16.	Punjab and Haryana	Civil	200549	72873	64255	209167
		Criminal	62211	58867	50546	70532
		TOTAL	262760	131740	114801	279699
17.	Rajasthan	Civil	173506	42984	46268	170222
		Criminal	53920	41735	37524	58131
		TOTAL	227426*	84719	83792	228353
18.	Sikkim	Civil	95	117	144	68
		Criminal	25	101	86	40
		TOTAL	120	218	230	108
19.	Uttarakhand	Civil	15269	9468	8068	16669
		Criminal	5417	6337	5318	6436
		TOTAL	20686	15805	13386	23105
20.	Chhattisgarh	Civil	27146	16864	15801	28209
		Criminal	16993	12229	12354	16868
		TOTAL	44139	29093	28155	45077
21.	Jharkhand	Civil	38001	10452	5963	42490
		Criminal	34957	19732	16364	38325

1	2	3	4	5	6	7
		TOTAL	72958	30184	22327	80815
22.	Tripura	Civil	4743	2917	3888	3772
		Criminal	1091	858	1256	693
		TOTAL	5834	3775	5144	4465
23.	Manipur	Civil	3761	2328	1855	4234
		Criminal	92	119	71	140
		TOTAL	3853	2447	1926	4374
24.	Meghalaya	Civil	1115	1058	1482	691
		Criminal	74	215	242	47
		TOTAL	1189	1273	1724	738
	All High Courts Total Civil		3086551	1127729	1097788	3116492
	All High Courts Total Criminal		978917	695302	636754	1037465
	GRAND TOTAL of all High Courts		4065468	1823031	1734542	4153957

The above figures are Provisional.

Source: High Courts.

Slow pace of Fast Track Courts

1070. SHRI ANIL DESAI: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether some Fast Track Courts dealing with rape cases are incredibly slow;
- (b) if so, the number of cases pending in each State, particularly in metro cities, for a long time and were sent back to the trial court they originated from;
- (c) if so, whether the Ministry will set up special POCSO Court for child sexual abuse cases rather than Fast Track Courts;
- (d) whether Judges could be trained and sensitised around specific concerns and issues; and
- (e) if so, the response of Government thereto?

THE MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA):
 (a) to (b) Setting up of District and Subordinate courts is the responsibility of the State