

Vacant posts of judges

2351. SHRI SANJAY RAUT: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the total sanctioned strength of judges in the Supreme Court, High Courts and Subordinate Courts in the country along with the number of posts lying vacant at present, State-wise;

(b) whether Government has undertaken any study to assess the need to improve the judge-population ratio in view of huge pendency of cases which is more than 3.10 crore;

(c) if so, the details thereof and Government's response thereto; and

(d) the details of steps taken or proposed to be taken by Government to reduce the pendency of cases in various courts of the country?

THE MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA): (a) Details showing the approved strength, working strength and vacancies of judges in the Supreme Court, High Courts as on 1.5.2016 is given in Statement-I (*See below*). Details showing sanctioned strength, working strength and vacancies of judges/judicial officers in District and Subordinate Courts as on 31.12.2015 is given in Statement-II (*See below*).

(b) and (c) The Supreme Court in its Order dated 1st February, 2012 in the case of *Intiyaz Ahmed VERSUS State of Uttar Pradesh* asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts to clear the backlog of cases. Pursuant to this Law Commission submitted its 245th Report titled "Arrears and Backlog: Creating Additional Judicial (wo)manpower". In this report, the Law Commission has observed that filing of cases per capita varies substantially across geographic units as filings are associated with economic and social conditions of the population. As such the Law Commission did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. The Law Commission found that in the absence of complete and scientific approach to data collection across various High Courts in the country, the "Rate of Disposal" method to calculate the number of additional judges required to clear the backlog of case as well as to ensure that new backlog is not created, is more pragmatic and useful.

The Law Commission has also observed that a systemic perspective, encompassing all levels of the judicial hierarchy is needed for meaningful judicial reforms. Taking measures for the timely disposal of cases at all levels of the judicial system, encouraging Alternative

Dispute Resolution Methods, where appropriate and more efficient allocations and utilization of resources are required to fulfil the goal of providing timely justice to litigants. The Law Commission has strongly recommended that the High Courts be directed to evolve uniform data collection and data management methods in order to ensure transparency and to facilitate data based policy prescriptions for the judicial system.

In May, 2014, the Supreme Court asked the State Government and the High Courts to file their response to the recommendations made by the Law Commission. In August 2014, the Supreme Court asked the National Court Management System Committee (NCMS) constituted by it in 2012 to examine the recommendations made by the Law Commission and to furnish their recommendations in this regard. NCMS submitted its report to the Supreme Court in March, 2016. It has, *inter-alia*, observed that in the long term, the judge strength of the subordinate courts will have to be assessed by a scientific method to determine the total number of "Judicial Hours" required for disposing of the case load of each court. In the interim, this Committee has proposed a "weighted" disposal approach - disposal weighted by the nature and complexity of cases in local conditions. The matter is *sub-judice* before the Supreme Court.

(d) Disposal of pending cases in courts is within the domain of judiciary. The Government has adopted a co-ordinated approach to assist judiciary for phased liquidation of arrears and pendency in judicial systems, which, *inter-alia*, involves better infrastructure for courts including computerisation, increase in strength of judicial officers / judges, policy and legislative measures in the areas prone to excessive litigation and emphasis on human resource development.

Statement-I

Details showing the Approved Strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts (as on 1.5.2016)

Sl. No.	Name of the Court	Approved Strength			Working Strength			Vacancies as per Approved Strength		
A.	Supreme Court of India	31			25			06		
B.	High Court	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	63	17	80	13	67	80
2.	High Court of Judicature at Hyderabad*	46	15	61	26	0	26	20	15	35
3.	Bombay	71	23	94	55	09	64	16	14	30
4.	Calcutta	45	13	58	34	09	43	11	04	15

1	2	3	4	5	6	7	8	9	10	11
5.	Chhattisgarh	17	05	22	09	—	09	08	05	13
6.	Delhi	45	15	60	33	04	37	12	11	23
7.	Gauhati	18	06	24	07	07	14	11	01	10
8.	Gujarat	39	13	52	27	07	34	12	06	18
9.	Himachal Pradesh	10	03	13	09	02	11	01	01	02
10.	Jammu and Kashmir	13	04	17	08	01	09	05	03	08
11.	Jharkhand	19	06	25	09	06	15	10	0	10
12.	Karnataka	47	15	62	27	04	31	20	11	31
13.	Kerala	35	12	47	25	09	34	10	03	13
14.	Madhya Pradesh	40	13	53	26	13	39	14	0	14
15.	Madras	56	19	75	41	0	41	15	19	34
16.	Manipur	04	01	05	04	01	05	0	0	0
17.	Meghalaya	03	01	04	02	0	02	01	01	02
18.	Odisha	20	07	27	14	06	20	06	01	07
19.	Patna *	40	13	53	29	0	29	11	13	24
20.	Punjab & Haryana *	64	21	85	36	11	47	28	10	38
21.	Rajasthan *	38	12	50	20	10	30	18	02	20
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		762	303	1065	516	116	632	246	187	433

* Acting Chief Justice

Statement-II

*Details showing the Sanctioned Strength, Working Strength and Vacancies of Judges/
Judicial Officers in District and Subordinate Courts as on 31.12.2015*

Sl. No.	Name of State/UT	Total Sanctioned Strength	Total Working Strength	Vacancies
1	2	3	4	5
1.	Arunachal Pradesh	17	15	2
2.	Andhra Pradesh & Telengana	1034	785	249
3.	Assam	424	319	105

1	2	3	4	5
4.	Bihar	1727	1067	660
5.	Chandigarh	30	30	0
6.	Chhattisgarh	385	341	44
7.	Daman and Diu & Dadra and Nagar Haveli	7	6	1
8.	Delhi	793	490	303
9.	Goa	57	49	8
10.	Gujarat	1939	1170	769
11.	Haryana	644	474	170
12.	Himachal Pradesh	152	134	18
13.	Jammu and Kashmir	245	220	25
14.	Jharkhand	592	466	126
15.	Karnataka	1122	820	302
16.	Kerala	457	442	15
17.	Lakshadweep	3	3	0
18.	Madhya Pradesh	1350	1132	218
19.	Maharashtra	2251	1917	334
20.	Manipur	41	35	6
21.	Meghalaya	57	29	28
22.	Mizoram	63	30	33
23.	Nagaland	27	25	2
24.	Odisha	716	598	118
25.	Puducherry	26	14	12
26.	Punjab	672	490	182
27.	Rajasthan	1191	985	206
28.	Sikkim	18	14	4
29.	Tamil Nadu	1015	969	46
30.	Tripura	104	68	36
31.	Uttar Pradesh	2104	1827	277
32.	Uttarakhand	280	206	74
33.	West Bengal & Andaman and Nicobar Islands	959	900	59
TOTAL		20502	16070	4432