

Services Institutions shall take appropriate steps including withdrawal of the case from such lawyer and his removal from the panel.

(c) The eligible persons are given free legal aid. Hence, they are not required to spend money to get justice. The time taken for disposal of cases through court processes and the costs incurred by the litigants are important indicators for determining the efficiency of the judicial system. In order to reduce delays and costs in court processes, several steps have been taken in the recent past which, *inter-alia*, included amendments to the procedural laws such as limiting the number of adjournments, reducing the time to file written statements, fixing time limit for pronouncing judgments and imposing cost for causing delays. Other initiatives such as increasing the sanctioned strength of judges and judicial officers and improvements in judicial infrastructure have also been undertaken. The problems of delays and arrears are also being addressed through re-engineering of court procedures, identification of areas prone to excessive litigation, and promotion of alternative dispute resolution mechanisms.

Shortage of judges

†2356. SHRIMATI KANAK LATA SINGH:

SHRI VISHAMBHAR PRASAD NISHAD:

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

(a) whether it is a fact that there is lack of seriousness about increasing the number of judges as a result of which cases are pending in Courts due to shortage of judges;

(b) the details of suggestions given by the Law Commission regarding judges and whether these suggestions have been complied with; and

(c) the details of steps being taken/ proposed to be taken by Government towards increasing the number of judges?

THE MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA): (a) No, Sir.

(b) and (c) The Supreme Court in its Order dated 1st February, 2012 in the case of *Imtiyaz 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

†Original notice of the question was received in Hindi.

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.

The sanctioned strength of judges in the High Courts has been increased from 906 in March, 2014 to 1065 in May 2016. The matters relating to increase in sanctioned strength and filling up of the vacancies of judges / judicial officers in District and Subordinate Courts fall within the domain of State Governments and the High Courts. The sanctioned strength of judges / judicial officers in District and Subordinate Courts has increased from 16,949 in December, 2010 to 20,502 in December, 2015. The Central Government has been taking up the matter of increasing the sanctioned strength of judges / judicial officers and filling up of vacancies in District and Subordinate Courts with the State Governments and the High Courts from time to time.