

(e) if so, the outcome of the Conference of Chief Ministers and Chief Justices of High Court held in April, 2013; and

(f) the details of views expressed by each State and High Court on AIJS?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P. P. CHAUDHARY): (a) Yes, Sir.

(b) to (f) The information is being collected and will be laid on the Table of the House.

Vacant posts of judges in the Supreme Court and High Courts

639. SHRI C. P. NARAYANAN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether any post of Judge is presently vacant in the Supreme Court and High Courts, if so, how many, court-wise;

(b) when did these posts become vacant;

(c) whether there is any unusual delay in appointment to these posts; and

(d) if so, the reasons for the delay?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P. P. CHAUDHARY): (a) Details indicating the existing vacancies in Supreme Court and High Court-wise as on 20.7.2016 are given in the Statement (*See* below).

(b) to (d) 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. The Supreme Court struck down the Constitutional Amendment Act and the National Judicial Appointments Commission Act in October 2015 and passed an order regarding improving the Collegium System in December 2015.

Filling up of the vacancies in the High Courts is a continuous 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

Judge strength. There are no proposals for filling up of posts of Judges of Supreme Court with the Government of India.

In view of the large number of vacancies and the fact that the process of supplementing the existing Memorandum of Procedure (MoP) for improvement in the “Collegium System” as per Supreme Court Order dated 16.12.2015 was likely to take some time, on the initiative of Government of India, the matter was taken up with the Supreme Court and the process of appointment of Judges has been resumed. During 2016, 110 Additional Judges have been made Permanent and 52 fresh appointment of Judges have been made.

Statement

Details indicating the existing vacancies in Supreme Court and High Courts

Sl. No.	Name of the Court	Vacancies as on 20.07.2016
A.	Supreme Court of India	02
B.	High Courts	
1.	Allahabad	83
2.	High Court of Judicature at Hyderabad	36
3.	Bombay	30
4.	Calcutta	31
5.	Chhattisgarh	14
6.	Delhi	25
7.	Gauhati	11
8.	Gujarat	19
9.	Himachal Pradesh	02
10.	Jammu and Kashmir	08
11.	Jharkhand	11
12.	Karnataka	35
13.	Kerala	14
14.	Madhya Pradesh	19
15.	Madras	37
16.	Manipur	01
17.	Meghalaya	01

Sl. No.	Name of the Court	Vacancies as on 20.07.2016
18.	Odisha	08
19.	Patna	26
20.	Punjab and Haryana	39
21.	Rajasthan	19
22.	Sikkim	01
23.	Tripura	0
24.	Uttarakhand	05
TOTAL		475

Legal Aid Clinics

640. DR. KANWAR DEEP SINGH: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether all Law Colleges/ Universities are required to have Legal Aid Clinics under Section 24 of the regulations relating to National Legal Services Authority (NLSA);

(b) if so, whether all these have such clinics;

(c) if not, the details thereof; and

(d) what is being done about it?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P. P. CHAUDHARY): (a) to (d) The National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 provide for setting up legal aid clinics in the law colleges, law universities and other institutions as a part of the clinical legal education. As on 31.01.2016, 1575 such clinics have been set up in schools/colleges/universities in the country. Legal Services Authorities are encouraging the schools/colleges/universities for setting up such clinics.

Since all the colleges/universities do not have such clinics, it was resolved in the 14th All India Meet of the State Legal Services Authorities held on 9-10 April, 2016 at Hyderabad that a Legal Services Clinic shall be established in every Law College/University in terms of NALSA (Legal Services Clinics in universities, law colleges and other institutions) Scheme, 2013. Accordingly, all State Legal Service Authorities have been requested to set up legal aid clinics in all law colleges and law universities.