

Availability of court judgements on websites

407. SHRI SHANTARAM NAIK: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether judgements of District courts are available on the websites;
- (b) whether any financial assistance is given to State Governments in this regard;
- (c) whether there is any monitoring system to judge the quality of judgement given by Subordinate Judiciary; and
- (d) the details as to how the objective is proposed to be achieved?

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

(b) The Central Government is implementing the eCourts Mission Mode Project by providing funds to the High Courts *inter alia* for procurement of computers and other hardware which enables availability of judgments on websites also.

(c) No, Sir.

(d) The National Court Management Systems (NCMS) of the Hon'ble Supreme Court of India *inter alia* sets measurable standards of performance for courts addressing the issues of quality, responsiveness and timelines.

408. [*The Question was withdrawn*].

Vacancies and selection of Judges

409. SHRI DEREK O' BRIEN: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the total number of vacancies of Judges in the District Courts and High Courts, State-wise;
- (b) the current status of the Memorandum of Procedure proposed between the Central Government and the judiciary; and
- (c) whether Government is planning to introduce an All India Judicial Service to appoint Judges for filling such vacancies, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P. P. CHAUDHARY): (a) to (c) Vacancy position of Judges/Judicial Officers in District and Subordinate Courts (State/UT-wise) as on 30.06.2016 is given in the Statement-I (*See below*). Vacancy position of Judges of the High Courts (High Court-wise) as on 15.11.2016 is given in the Statement-II (*See below*).

The Supreme Court *vide* order dated 16.12.2015 in W.P.(C) No.13 of 2015 directed the Government to supplement the existing Memorandum of Procedure (MoP) in consultation with the Chief Justice of India for *inter alia* bringing about transparency in the appointment process for higher judiciary. The Chief Justice of India would take a decision based on the unanimous view of the collegium comprising the four seniormost puisne Judges of the Supreme Court.

The Government forwarded the draft of revised Memorandum of Procedure to the Chief Justice of India on 22.3.2016. The response of the Supreme Court Collegium was received on 25.5.2016 and 1.7.2016. While some of the changes proposed by the Government in the revised Memorandum of Procedure were accepted, at the same time, a number of other provisions contained in the revised MoP were not accepted. The Government after giving due consideration to the views of the Supreme Court Collegium has resubmitted the matter to the Chief Justice of India on 3.8.2016 after providing necessary reasoning in support of its suggestions. The response of the Supreme Court Collegium is awaited in this regard.

A comprehensive proposal was formulated for the constitution of an All India Judicial Service (AIJS) and the same was approved by the Committee of Secretaries in November, 2012. The proposal was included as an agenda item in the Conference of Chief Ministers and Chief Justices of the High Courts held in April, 2013 and it was decided that issue needs further deliberation and consideration. The views of the State Governments and High Courts were sought on the proposal. There was divergence of opinion among the State Governments and among High Courts on constitution of All India Judicial Service. While some State Governments and High Courts were not in favour of creation of All India Judicial Service in some other cases the State Governments and High Courts wanted changes in the proposal formulated by the Central Government.

However, keeping in view the divergence of opinion among the stakeholders on constitution of All India Judicial Service, the Government has undertaken the consultative process to arrive at a common ground.

Statement-I

Vacancy position of Judges in District and Subordinate Courts as on 30.06.2016

Sl. No.	Name of State/UT	Vacancies as on 30.06.2016
1.	Gujarat	794
2.	Bihar	792
3.	Uttar Pradesh	595
4.	Karnataka	367

Sl. No.	Name of State/UT	Vacancies as on 30.06.2016
5.	Delhi	307
6.	Andhra Pradesh and Telangana	223
7.	Jharkhand	214
8.	Rajasthan	210
9.	Madhya Pradesh	202
10.	Odisha	191
11.	Haryana	137
12.	Punjab	127
13.	West Bengal and Andaman and Nicobar Islands	124
14.	Assam	108
15.	Maharashtra	99
16.	Kerala	89
17.	Tamil Nadu	79
18.	Uttarakhand	58
19.	Chhattisgarh	55
20.	Mizoram	32
21.	Tripura	29
22.	Jammu and Kashmir	26
23.	Meghalaya	16
24.	Himachal Pradesh	15
25.	Puducherry	12
26.	Manipur	11
27.	Goa	10
28.	Nagaland	8
29.	Sikkim	4
30.	Daman and Diu and Dadra and Nagar Haveli	3
31.	Arunachal Pradesh	0
32.	Chandigarh	0
33.	Lakshadweep	0
TOTAL		4,937

Statement-II*Vacancy position of Judges in High Courts as on 15.11.2016*

Sl. No.	Name of the Court	Vacancies as on 15.11.2016
1.	Allahabad	72
2.	High Court of Judicature at Hyderabad	38
3.	Bombay	32
4.	Calcutta	33
5.	Chhattisgarh	11
6.	Delhi	21
7.	Gauhati	06
8.	Gujarat	21
9.	Himachal Pradesh	03
10.	Jammu and Kashmir	07
11.	Jharkhand	12
12.	Karnataka	32
13.	Kerala	09
14.	Madhya Pradesh	14
15.	Madras	18
16.	Manipur	02
17.	Meghalaya	01
18.	Odisha	08
19.	Patna	26
20.	Punjab and Haryana	39
21.	Rajasthan	16
22.	Sikkim	01
23.	Tripura	01
24.	Uttarakhand	04
TOTAL		427