Judicial performance evaluation of Judges

2668. SHRIMATI VANDANA CHAVAN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether there is any system for judicial performance evaluation of the Judges of the Supreme Court, High Courts and subordinate judiciary in the country;

(b) if so, the mechanism by which this performance evaluation is conducted;

(c) whether the National Court Management Systems Committee has been constituted and has given recommendations in this regard; and

(d) if not, whether the Ministry is planning to put in place a judicial performance evaluation system for Judges of Supreme Court, High Courts and subordinate judiciary and if so, the details of the system and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P. P. CHAUDHARY): (a) to (d) The judicial performance evaluation of Judges in the Supreme Court and the High Courts is within the domain of the Supreme Court and the High Courts being the Constitutional Authorities. The administrative Control over District and subordinate judiciary vests with the concerned High Court as per the provisions contained in the Constitution of India. As per the information available, various High Courts have framed their own rules/guidelines for giving credit for disposal of various categories of cases in performance appraisal of judges of subordinate judiciary.

The Supreme Court has constituted National Court Management System (NCMS). A Sub Committee of NCMS has looked into the issue of developing a National Framework of Court Excellence to set measurable standards of performance for courts and a monitoring mechanism to measure these performance parameters. The Sub-Committee has submitted its report to the NCMS.

In view of the above, the Government has no role with regard to judicial performance evaluation of the Judges of the Supreme Court, High Courts and the subordinate judiciary.

Repeal of obsolete laws

2669. SHRI PRASANNA ACHARYA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government has identified as to how many laws have become irrelevant and obsolete;

(b) the number of such obsolete laws which have already been repealed and the number of other laws which Government proposes to repeal; and

(c) whether the Law Commission proposed any measure to identify laws that are no longer relevant, aiming to make Indian legal system more contemporary, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P. P. CHAUDHARY): (a) to (c) The Law Commission of India submitted its Reports No. 248, 249, 250 and 251 on "Obsolete Laws: Warranting Immediate Repeal". At wo-member Committee constituted by the Government of India on 1 September, 2014 identified a total of 1,824 laws for repeal, which have become irrelevant, obsolete and have lost their significance.

Out of 1824 Acts identified for repealing, a total of 1,428 Acts have already been repealed. Further, 229 Acts have been identified to be repealed by the State Governments and the State Governments have already been requested to take necessary action in this regard. The remaining 167 Acts are under consideration.

Pendency in High Courts

†2670. SHRI SURENDRA SINGH NAGAR: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that a total 43,54,021 number of cases are pending in High Courts of the country, as per National Judicial Data Grid;

(b) if so, the reasons therefor;

(c) whether shortage of Judges in the courts of the country deprives common man of justice and if so, the authority responsible for this; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P. P. CHAUDHARY): (a) and (b) As per the data/information available on the web-portal of National Judicial Data Grid (NJDG), 49,84,995 cases are pending in various High Courts as on 31.12.2018. The pendency of cases in various courts in the country is dependent on several factors which, *inter alia*, include availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders *viz.* bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. No time-frame has been prescribed for disposal of various kinds of cases by the respective courts.

† Original notice of the question was received in Hindi.