

(c) whether Government has any proposal for changing the present system of appointment of Judges and if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P. P. CHAUDHARY): (a) and (b) Appointment of Judges to the Supreme Court and High Courts are made as per the Memorandum of Procedure (MoP) framed pursuant to the the Supreme Court Judgement of 6.10.93 read with their advisory opinion of 20.10.1998. Filling up of vacancies in the Supreme Court and High Courts is a collaborative and integrated process, between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities. All correspondence between the Executive and Judiciary is in writing as per the procedure prescribed in the Memorandum of Procedure for appointment of Judges in Supreme Court and High Courts. The inputs received on the recommendees under consideration for appointment as Judges are placed for consideration of the Supreme Court Collegium.

(c) In order to replace the Collegium System of appointments of Judges in Higher Judiciary and to make it more broad based, transparent, accountable and objective, the Government enacted the Constitution (Ninety Ninth Amendment) Act, 2014 and National Judicial Appointments Commission Act, 2014 w.e.f. 13.04.2015.

The constitutional validity of both the Acts was challenged in the Supreme Court. The Supreme Court *vide* judgment dated 16.10.2015 declared both the Acts as unconstitutional and void. The Collegium system as existing prior to the enforcement of the Constitution (Ninety-Ninth Amendment) Act, 2014 was declared to be operative. There is no proposal for changing the present system of appointment of Judges.

Setting up of Gram Nyayalayas

2676. SHRI SANJAY RAUT: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether head of the National Legal Services Authority has advocated for setting up of more Gram Nyayalayas in the country by bringing more accountability in their functioning;

(b) if so, the details thereof;

(c) whether Gram Nyayalayas would achieve the objective of justice reaching every nook and corner of the country; and

(d) if so, the number of Gram Nyayalayas in the country and the steps being taken to increase their strength?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P. P. CHAUDHARY): (a) to (d) To provide access to justice to the citizen at their door steps, the Central Government has enacted the Gram Nyayalayas Act, 2008. It provides for establishment of Gram Nyayalayas at intermediate panchayat level. The State Governments are responsible for establishing Gram Nyayalayas in consultation with the respective High Courts. As per information made available by State Governments/High Courts, 343 Gram Nyayalayas have been notified so far by 11 States. Out of these, 210 are operational in 9 States at present.

The Central Government has been encouraging the States to set up Gram Nyayalayas by providing financial assistance. As per the scheme for assistance to State Governments for establishing and operating Gram Nyayalayas, the Central Government provides one-time assistance to States towards non-recurring expenses for setting up of Gram Nyayalayas subject to a ceiling of ₹ 18.00 lakhs per Gram Nyayalaya. The Central Government also provides assistance towards recurring expenses for operating these Gram Nyayalayas subject to a ceiling of ₹ 3.20 lakhs per Gram Nyayalaya per year for the first three years.

The issues affecting operationalisation of the Gram Nyayalayas were discussed in the Conference of Chief Justices of High Courts and Chief Ministers of the States on 7th April, 2013. It was decided in the Conference that the State Governments and High Courts should decide the question of setting up of Gram Nyayalayas wherever feasible, taking into account the local issues and situation.

The Central Government has requested the Chief Ministers of States and Chief Justices of High Courts for setting up of Gram Nyayalayas in the respective States. Recently, the Registrars General of High Courts and Law/Home/Finance Secretaries of State Governments were requested through video conferences held in January, 2018, July, 2018 and November, 2018, to set up Gram Nyayalayas and seek financial assistance for operationalising them under the Scheme mentioned above.

Pendency of cases in the Supreme Court and High Courts

2677. DR. VIKAS MAHATME:

SHRI G. C. CHANDRASHEKHAR:

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

(a) whether large number of cases are pending in various courts across the country;

(b) if so, details thereof, including number of cases pending in Supreme Court and High Courts during each of last four years, court-wise and reasons therefor;