

1	2	3	4	5
24.	Rajasthan	4,04,839	11,43,359	15,48,198
25.	Sikkim	515	786	1,301
26.	Tamil Nadu	6,55,155	5,02,366	11,57,521
27.	Telangana	2,36,202	2,99,303	5,35,505
28.	Tripura	7,478	15,700	23,178
29.	Uttar Pradesh	17,29,560	57,48,441	74,78,001
30.	Uttarakhand	36,150	1,92,991	2,29,141
31.	West Bengal	5,04,345	17,66,734	22,71,079
	TOTAL	88,15,587	2,23,06,834	3,11,22,421

Source: National Judicial Data Grid uploaded by District and Subordinate Courts. Data in respect of Andaman and Nicobar Islands Lakshadweep, Puducherry, Arunachal Pradesh and Nagaland are not available on the web-portal of National Judicial Data Grid.

***Statement-III***

*Age-wise pendency of civil and criminal cases in District and Subordinate Courts*

Age-wise particulars	Civil Cases	Criminal Cases	Total
0 to 1 Years	34,07,184	82,09,562	1,16,16,746
1 to 3 Years	23,78,403	58,66,597	82,45,000
3 to 5 Years	12,91,411	29,29,454	42,20,865
5 to 10 Years	11,57,803	33,69,490	45,27,293
10 to 20 Years	4,47,066	16,02,584	20,49,650
20 to 30 Years	1,01,070	2,85,594	3,86,664
Above 30 Years	32,650	43,553	76,203
TOTAL	88,15,587	2,23,06,834	3,11,22,421

**SC/ST judicial officers**

1503. SHRI K. SOMAPRASAD: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether there is a large number of vacancies in the judiciary;

- (b) if so, the details thereof;
- (c) whether the vacancy has affected expediting justice delivery system in the country;
- (d) if so, the details of vacant posts at various levels in the judiciary, State-wise and court-wise and the details of measures taken by Government to fill up the vacant posts; and
- (e) the percentage and number of SC/ST judicial officers at various levels in the judiciary, State-wise and court-wise?

THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD):

(a) and (b) As per information available, no post of Judge in Supreme Court is vacant at present. Approved and working strength of Judges in various High Courts is 1,079 and 680 respectively, leaving 399 posts of Judges in various High Courts vacant. High Court-wise details of approved/working strength and vacancies of Judges in High Courts are given in a Statement-I (*See* below).

As per information made available by State Governments/High Courts on the web-portal hosted on the website of Department of Justice, sanctioned and working strength of judicial officers in District and Subordinate Courts are 23,199 and 17,757 respectively, leaving 5,422 posts of judicial officers of District and Subordinate Courts vacant. State-wise details of sanctioned/working strength and vacancies of judicial officers in District and Subordinate Courts given in Statement-II [Refer to the Statement-I appended to answer to USQ No. 1502 (part 'A') I].

(c) Timely disposal of cases in courts depends on several factors which, *inter-alia*, include availability of adequate number of judges and judicial officers, 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.

(d) The details of vacant posts in High Courts, court-wise is given in a Statement-I (*See* below), while details of vacant posts of judicial officers in District and Subordinate Courts, State-wise, is given in a Statement-I. [Refer to the Statement-I appended to answer to USQ No. 1502 (part 'A')].

Filling up of vacancies in the Supreme Court and High Courts is a continuous and collaborative process, between the executive and the judiciary. It requires consultation and approval from various Constitutional Authorities. Initiation of proposal for

appointment of Judges in the Supreme Court vests with the Chief Justice of India, while initiation of proposals for appointment of Judges in High Courts vests with the Chief Justice of the High Court concerned. While every effort is made to fill up the existing vacancies expeditiously, vacancies in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also the increase in the strength of Judges.

Further, as per the Constitutional framework, the selection and appointment of judges in subordinate courts is the responsibility of High Court and State Government concerned. However, following steps have been taken by the Government to facilitate filling of vacancies in lower judiciary:-

- (i) In September, 2016, Union Minister of Law and Justice wrote to the Chief Ministers of States and the Chief Justices of High Courts to enhance the cadre strength of the District and Subordinate Courts and provide physical infrastructure to the State judiciary. The same was reiterated in May, 2017. In August, 2018, in the context of increasing pendency of cases, the Union Minister of Law and Justice has written to all Chief Justices of High Courts to monitor the Status of the vacancies regularly and to ensure proper coordination with the State Public Service Commission to fill up vacant posts as per time schedule prescribed by the Hon'ble Supreme Court in the Malik Mazhar Sultan case.
- (ii) The filling up of vacancies is also being monitored by the Supreme Court in a *suo motu* Writ Petition (Civil) No. 2 of 2018.
- (iii) A series of meetings were held by Secretary, Department of Justice with Registrars General of all High Courts and Law Secretaries of all State Governments/UTs through Video Conferencing in the month of January, 2018, July, 2018 and November, 2018 to follow up on filling up posts of judicial officers in District and Subordinate Courts.
- (iv) The Department of Justice has hosted a web-portal on its website for reporting and monitoring of sanctioned and working strength, and vacancies of judicial officers of District and Subordinate Courts on monthly basis.
- (v) In order to facilitate regular filling up of these vacancies in a smooth and time-bound manner, the Department of Justice *vide* its letter dated 28th April, 2017 suggested creation of a Central Selection Mechanism to the Hon'ble

Supreme Court. The Hon'ble Supreme Court *suo motu* converted the Government's suggestions into a Writ Petition on 09th May, 2017 and directed all State Governments (including Union Territories) to file their responses and suggestions by way of affidavits to the Supreme Court Registry.

(e) Appointment of Judges of the Supreme Court and High Courts is made under Article 124 and 217 of the Constitution of India respectively. These Articles do not provide for reservation for any caste or class of persons. The Government has, however, been requesting the Chief Justices of the High Courts that while sending their recommendations for appointment of Judges in respective High Courts, due consideration be given to suitable candidates belonging to Schedule Castes, Schedule Tribes, Other Backward Classes, Minorities and Women. So far as the subordinate judiciary is concerned, under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vest with the concerned High Court. Further, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Government, in consultation with the High Court, frames the Rules and Regulations regarding the issues of appointment, promotion, reservations etc. of judicial officers in the State Judicial Service. Therefore, Central Government has no role in this regard.

**Statement-I**

*Details of approved/working strength and vacancies of Judges in High Courts*

Sl. No.	High Court	Approved Strength			Working Strength			Vacancies		
		Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1	2	3	4	5	6	7	8	9	10	11
1.	Allahabad	76	84	160	59	48	107	17	36	53
2.	Andhra Pradesh	28	09	37	11	0	11	17	09	26
3.	Bombay	71	23	94	63	05	68	08	18	26
4.	Calcutta	54	18	72	20	22	42	34	-04	30
5.	Chhattisgarh	17	05	22	08	07	15	09	-02	07
6.	Delhi	45	15	60	40	0	40	05	15	20
7.	Gauhati	18	06	24	16	03	19	02	03	05

1	2	3	4	5	6	7	8	9	10	11
8.	Gujarat	39	13	52	28	0	28	11	13	24
9.	Himachal Pradesh	10	03	13	08	01	09	02	02	04
10.	Jammu and Kashmir	13	04	17	09	0	09	04	04	08
11.	Jharkhand	19	06	25	15	05	20	04	01	05
12.	Karnataka	47	15	62	20	12	32	27	03	30
13.	Kerala	35	12	47	27	07	34	08	05	13
14.	Madhya Pradesh	40	13	53	34	0	34	06	13	19
15.	Madras	56	19	75	43	15	58	13	04	17
16.	Manipur	04	01	05	04	0	04	0	01	01
17.	Meghalaya	03	01	04	02	0	02	01	01	02
18.	Orissa	20	07	27	14	0	14	06	07	13
19.	Patna	40	13	53	31	0	31	09	13	22
20.	Punjab and Haryana	64	21	85	44	07	51	20	14	34
21.	Rajasthan	38	12	50	24	0	24	14	12	26
22.	Sikkim	03	0	03	03	0	03	0	0	0
23.	Telangana	18	06	24	11	01	12	07	05	12
24.	Tripura	04	0	04	03	0	03	01	0	01
25.	Uttarakhand	09	02	11	09	01	10	0	01	01
TOTAL		771	308	1079	546	134	680	225	174	399

#### National Mission for Justice Delivery and Legal Reforms

1504. SHRI K. SOMAPRASAD: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government has completed the implementation of National Mission for Justice Delivery and Legal Reforms in the country; and