

Punjab and Haryana. The e-filing facility is live and working in selected pilot district courts at Punjab and Haryana High Courts such as Gurugram District Court, Haryana. Further, pursuant to the directions of Delhi High Court, e-filing facility integrated with CIS 3.1 has been implemented with effect from 01st March, 2020 in respect of all commercial disputes in Delhi District Courts. The e-filing facility is live and working in Mumbai District Courts.

Memorandum of Procedure for appointment of judges

2167. SHRI SUSHIL KUMAR GUPTA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that new Memorandum of Procedure (MoP) for the appointment of judges to the higher judiciary is yet to be finalised because of continued disagreements over the issue for more than four years after the Supreme Court asked the Centre to draft the document; and

(b) if so, the reasons for this delay?

THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD): (a) and (b) The Supreme Court *vide* its Order dated 16.12.2015 on improvement in the Collegium System have directed that the Government of India may finalize the existing Memorandum of Procedure (MoP) by supplementing in consultation with the Supreme Court Collegium taking into account aspects such as transparency, secretariat, eligibility criteria and complaint mechanism.

Accordingly, the Government of India has drafted modified MoP. The draft MoP was sent to the Supreme Court Collegium *vide* letter dated 22.03.2016. The response of the Collegium was received on 25.5.2016 and 1.7.2016. The views of the Government were conveyed to the Chief Justice of India on 03.08.2016. The inputs on the MoP of the Supreme Court Collegium were received from Chief Justice of India *vide* letter dated 13.03.2017.

Meanwhile, in another judgment dated 04.07.2017 of Supreme Court in a *suo moto* contempt proceeding against a Judge of the Calcutta High Court, the Supreme Court has underlined the need to revisit the process of selection and appointment of Judges to the Constitutional Courts. The Government of India has conveyed the need to make

improvement on the draft MoP to the Secretary General of the Supreme Court *vide* letter dated 11.07.2017.

As the process of finalization of the revised Memorandum of Procedure (MoP) for appointment of Judges to Supreme Court and High Courts was likely to take some time, on the initiative of the Government of India the matter was taken up with the Supreme Court and the process of appointment of Judges was resumed, pending finalization of the revised MoP. During the last 4 years, the following appointments have been made in the Supreme Court and High Courts:-

Appointment/Transfer of Judges	2016	2017	2018	2019	2020 (upto 9.3.2020)	Total
Judges appointed in the Supreme Court	04	05	08	10	-	27
Judges appointed in the High Courts	126	115	108	81	29	459
Additional Judges made Permanent in High Courts	131	31	115	68	13	358

Loopholes in judicial system against justice delivery

2168. SHRI ANIL DESAI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether there is a number of instances of delaying tactics adopted by litigants/lawyers in various courts including the Supreme Court;

(b) whether Government is also aware about the fact that there are a number of loopholes in the judicial system which is being used to delay justice delivery; and

(c) whether in Nirbhaya case justice could not be delivered expeditiously due to these loopholes including lack of time-limit for filing mercy and curative petitions by the accused persons, the details thereof?