

1	2	3
21.	West Bengal	4143.00
22.	Arunachal Pradesh	269.00
23.	Assam	3154.00
24.	Manipur	666.00
25.	Meghalaya	1285.00
26.	Mizoram	524.00
27.	Nagaland	0.00
28.	Sikkim	278.00
29.	Tripura	1382.00
30.	Andaman and Nicobar Islands	200.00
31.	Chandigarh	0.00
32.	Dadra and Nagar Haveli	0.00
33.	Daman and Diu	0.00
34.	Delhi	4669.00
35.	Lakshadweep	0.00
36.	Puducherry	331.00
TOTAL		70286.00

Suggestion of Law Commission on judges to population ratio

‡2977. SHRI PRABHAT JHA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether there are only 18 judges for every ten lakh people in the country, at present, whereas the Law Commission had suggested that there should be 50 judges in place for every ten lakh people;

(b) if so, the details thereof;

‡Original notice of the question was received in Hindi.

(c) whether Government is taking adequate steps to balance the ratio of population and judges, in the light of the suggestions given by the Law Commission; and

(d) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD): (a) and (b) Based on the population as per Census 2011 and as per available information regarding sanctioned strength of Judges in Supreme Court, High Courts and District and Subordinate Courts in the year 2019, the judge –population ratio in the country works out to be 20.52 Judges per million population. In the case of *Imtiyaz Ahmed versus State of Uttar Pradesh and others*, 2012, the Supreme Court had asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts required to clear the backlog of cases. In 245th report (2014), the Law Commission observed that filing of cases per capita varies substantially across geographic units as filings are associated with economic and social conditions of the population. As such the Law Commission did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. The Law Commission found that in the absence of complete and scientific approach to data collection across various High Courts in the country, the "Rate of Disposal" method, to calculate the number of additional judges required to clear the backlog of cases as well as to ensure that new backlog is not created, is more pragmatic and useful.

In August 2014, the Supreme Court asked the National Court Management System Committee (NCMS Committee) to examine the recommendations made by the Law Commission and to furnish its recommendations in this regard. NCMS Committee submitted its report to the Supreme Court in March, 2016. The report, *inter-alia*, observes that in the long term, the judge strength of the subordinate courts will have to be assessed by a scientific method to determine the total number of "Judicial Hours" required for disposing of the case load of each court. In the interim, the Committee has proposed a "weighted" disposal approach *i.e.* disposal weighted by the nature and complexity of cases in local conditions.

(c) and (d) The appointment of Judges and Judicial Officers in the District and Subordinate Courts falls within the domain of the High Courts and State Governments

concerned in which the Central Government has no role. However, 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 certain options to the Hon'ble Supreme Court for creation of a Central Selection Mechanism. 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. The above matter is *sub-judice* at present.

Unregulated growth of law colleges

2978. SHRIMATI AMBIKA SONI: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether a large number of law colleges are functioning in the country without proper infrastructure or faculty;
- (b) if so, the details thereof along with the reasons therefor; and
- (c) the remedial steps taken by Government to improve the falling standards of legal education as well as to check the unregulated growth of law colleges across the country?

THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD): (a) and (b) It is the function of the Bar Council of India (BCI) under the Advocate Act, 1961 to promote Legal Education and lay down standard of such education. The BCI has informed that it is very much concerned about the mushroom growth of law colleges in the country. The BCI is taking this issue of mushrooming of law colleges and has made schemes to conduct surprise inspections and crack down on Law Universities/Colleges/Institutions/Centers of Legal Education running without following the norms prescribed by the Legal Education Rules of BCI.

The BCI comes into picture only at the 3rd stage by which time No Objection Certificate (NOC) is granted by State Government, and thereafter Affiliation is granted by the University concerned, and the infrastructure is ready; and faculties appointed and students in many cases are already admitted, practical difficulties in recommending disapproval come up as future of students already admitted opens up another dimension of the problem.