

statistics and adoption of human resource plan for courts. The plan, *inter alia*, outlines a broad framework for case management, which includes settling issues, encouraging parties to resort to Alternate Dispute Resolution, extensive use of Order X of Code of Civil Procedure, 1908 in civil matters and fixing a time schedule for resolution of cases. However, it was left open to High Courts to implement the recommendations relating to case management.

However, the Union Government is committed to speedy disposal of cases and reduction in pendency of cases to improve access to justice in line with the mandate under Article 39A of the Constitution. The National Mission for Justice Delivery and Legal Reforms, established by the Union Government in 2011, has adopted many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases.

#### **Appointment of judges in lower judiciary**

2976. SHRI KUMAR KETKAR: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the State-wise list of number of judges in lower judiciary appointed from 2014;
- (b) what is the budget fixed for court infrastructure, State-wise; and
- (c) whether the number of judges have increased as per increasing population in that territory?

THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD): (a) As per the Constitutional framework, the selection and appointment of judges in subordinate courts is the responsibility of the High Courts and State Governments concerned. At the end of year 2014, as against Sanctioned Strength of 20,214 there were 15,634 filled up and 4,580 vacant posts of judges in District and Subordinate Courts. The State-wise list of Sanctioned/Working strength of judges for the year 2014

is not available. The State-wise list of sanctioned/working strength and vacancy position of the judges in District and Subordinate Courts for the years 2015 onwards is given in the Statement-I and II (*See* below). The Supreme Court, through a judicial order in January 2007 in Malik Mazhar Sultan case, stipulated that process for recruitment of judges in subordinate courts would commence on 31st March of a calendar year and end by 31st October of the same year. Again in 2018, in the said case, the Supreme Court, taking *suo motu* cognisance of large number of judicial vacancies in lower courts, directed State Governments/UTs and Registrars General of jurisdictional High Courts to inform the position regarding filling up of judicial vacancies. The Supreme Court is monitoring the filling up of vacancies under the said judicial order.

(b) It is the primary responsibility of the State Governments to provide Judicial Infrastructure and Court Rooms in District and Subordinate Courts. The Union Government has been administering a Centrally Sponsored Scheme (CSS) for Development of Infrastructure facilities for Judiciary in order to augment the resources of State Governments, in association with the States/UT Governments. The Scheme is being implemented since 1993-94. It covers the construction of court halls and court complexes and residential complexes and residential accommodations of judicial officers of District and Subordinate Judiciary. State/UT-wise details of amount released during 2019-20 under the Centrally Sponsored Scheme for Development of Infrastructure in District and Subordinate judiciary is given in the Statement-III (*See* below).

(c) 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.

**Statement-I**

*Sanctioned Strength/Working Strength and vacancies of Judicial Officers in District and Subordinate Courts during the years 2015, 2016 and 2017*

Sl. No.	Name of States/ UTs	Position of Judicial Officers as on 31.12.2015			Position of Judicial Officers as on 31.12.2016			Position of Judicial Officers as on 31.12.2017		
		Sanctioned Strength	Working Strength	Vacancies	Sanctioned Strength	Working Strength	Vacancies	Sanctioned Strength	Working Strength	Vacancies
1	2	3	4	5	6	7	8	9	10	11
1.	Andhra Pradesh and Telangana	1034	785	249	1025	929	96	986	920	66
2.	Arunachal Pradesh	17	15	2	26	17	9	28	17	11
3.	Assam	424	319	105	424	311	113	429	352	77
4.	Bihar	1727	1067	660	1825	1002	823	1828	993	835
5.	Chhattisgarh	385	341	44	395	356	39	398	335	63
6.	Goa	57	49	8	57	50	7	55	43	12
7.	Gujarat	1939	1170	769	1502	1111	391	1496	1121	375
8.	Haryana	644	474	170	644	501	143	645	496	149
9.	Himachal Pradesh	152	134	18	155	147	8	159	148	11
10.	Jammu and Kashmir	245	220	25	246	219	27	253	224	29

1	2	3	4	5	6	7	8	9	10	11
11.	Jharkhand	592	466	126	673	448	225	672	419	253
12.	Karnataka	1122	820	302	1300	913	387	1303	976	327
13.	Kerala	457	442	15	491	427	64	535	450	85
14.	Madhya Pradesh	1350	1132	218	2021	1240	781	2021	1293	728
15.	Maharashtra	2251	1917	334	2094	1969	125	2097	1930	167
16.	Manipur	41	35	6	34	25	9	49	40	09
17.	Meghalaya	57	29	28	57	41	16	97	39	58
18.	Mizoram	63	30	33	63	30	33	63	46	17
19.	Nagaland	27	25	2	34	25	9	34	22	12
20.	Odisha	716	598	118	862	601	261	862	656	206
21.	Punjab	672	490	182	674	546	128	674	538	136
22.	Rajasthan	1191	985	206	1205	1076	129	1225	1122	103
23.	Sikkim	18	14	4	23	13	10	23	18	5
24.	Tamil Nadu	1015	969	46	1047	939	108	1108	908	200
25.	Tripura	104	68	36	106	77	29	107	76	31
26.	Uttar Pradesh	2104	1827	277	3142	1728	1414	3204	1856	1348
27.	Uttarakhand	280	206	74	291	218	73	291	230	61
28.	West Bengal	959	900	59	1013	913	100	956	916	40

29. Andaman and Nicobar Island							11	11	0
30. Chandigarh	30	30	0	30	30	0	30	30	0
31. Dadra and Nagar Haveli and Daman and Diu	7	6	1	7	6	1	7	7	0
32. Delhi	793	490	303	793	489	304	799	482	317
33. Lakshadweep	3	3	0	3	3	0	3	2	1
34. Puducherry	26	14	12	26	13	13	26	12	14
<b>TOTAL</b>	<b>20502</b>	<b>16070</b>	<b>4432</b>	<b>22288</b>	<b>16413</b>	<b>5875</b>	<b>22474</b>	<b>16728</b>	<b>5746</b>

**Statement-II**

*Sanctioned Strength/Working Strength and Vacancies of Judicial Officers in District and Subordinate courts during the years 2018, 2019 and Current Year*

Sl. No.	Name of States/UTs	Position of Judicial Officers as on 31.12.2018			Position of Judicial Officers as on 31.12.2019			Position of Judicial Officers as on 29.02.2020		
		Sanctioned Strength	Working Strength	Vacancies	Sanctioned Strength	Working Strength	Vacancies	Sanctioned Strength	Working Strength	Vacancies
1	2	3	4	5	6	7	8	9	10	11
1.	Andaman and Nicobar Islands	11	11	0	0	13	-13	0	13	-13

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1	2	3	4	5	6	7	8	9	10	11
2.	Andhra Pradesh	494	445	49	597	529	68	599	526	73
3.	Arunachal Pradesh	30	25	5	41	27	14	41	27	14
4.	Assam	430	383	47	441	412	29	441	409	32
5.	Bihar	1845	1205	640	1925	1149	776	1925	1437	488
6.	Chandigarh	30	30	0	30	29	1	30	29	1
7.	Chhattisgarh	452	397	55	468	394	74	480	393	87
8.	Dadra and Nagar Haveli	3	3	0	3	3	0	3	3	0
9.	Daman and Diu	4	4	0	4	3	1	4	3	1
10.	Delhi	799	541	258	799	681	118	799	678	121
11.	Goa	50	42	8	50	43	7	50	40	10
12.	Gujarat	1506	1150	356	1521	1185	336	1521	1183	338
13.	Haryana	651	489	162	772	475	297	772	475	297
14.	Himachal Pradesh	159	149	10	175	153	22	175	163	12
15.	Jammu and Kashmir	310	224	86	290	232	58	290	232	58
16.	Jharkhand	676	460	216	677	461	216	677	458	219
17.	Karnataka	2614	2181	433	1345	1106	239	1346	1098	248
18.	Kerala	496	433	63	536	457	79	536	456	80

19. Lakshadweep	3	3	0	3	3	0	3	3	0
20. Madhya Pradesh	1872	1361	511	2021	1620	401	2021	1651	370
21. Maharashtra	2011	1844	167	2189	1942	247	2189	1940	249
22. Manipur	55	40	15	55	39	16	55	41	14
23. Meghalaya	97	39	58	97	49	48	97	49	48
24. Mizoram	67	46	21	64	46	18	64	45	19
25. Nagaland	33	26	7	33	25	8	33	26	7
26. Odisha	911	755	156	919	770	149	920	771	149
27. Puducherry	26	19	7	26	11	15	26	11	15
28. Punjab	674	530	144	675	579	96	675	577	98
29. Rajasthan	1337	1108	229	1428	1121	307	1428	1119	309
30. Sikkim	23	19	4	25	19	6	25	19	6
31. Tamil Nadu	1143	905	238	1255	1080	175	1257	1080	177
32. Telangana	493	445	48	413	334	79	474	383	91
33. Tripura	115	75	40	120	96	24	120	95	25
34. Uttar Pradesh	3225	2037	1188	3416	2578	838	3634	2581	1053
35. Uttarakhand	293	234	59	294	228	66	294	228	66
36. West Bengal	1013	938	75	1014	918	96	1014	918	96
TOTAL	23951	18596	5355	23721	18810	4911	24018	19160	4858

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***Statement-III***

*Amount Sanctioned during the year 2019-20 under Centrally Sponsored Scheme for the Development of Infrastructure Facilities for District and Subordinate Judiciary (₹ in lakh) (As on 16.03.2020)*

Sl.No.	State/UTs	2019-2020
1	2	3
1.	Andhra Pradesh	1000.00
2.	Bihar	7762.00
3.	Chhattisgarh	983.00
4.	Goa	406.00
5.	Gujarat	1649.00
6.	Haryana	1406.00
7.	Himachal Pradesh	572.00
8.	Jammu and Kashmir	1000.00
9.	Jharkhand	1374.00
10.	Karnataka	3404.00
11.	Kerala	1582.00
12.	Madhya Pradesh	4690.00
13.	Maharashtra	2109.00
14.	Odisha	3569.00
15.	Punjab	1978.00
16.	Rajasthan	3421.00
17.	Tamil Nadu	2871.00
18.	Telangana	565.00
19.	Uttarakhand	850.00
20.	Uttar Pradesh	12194.00



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.