

**Recommendation of SCAOA on pending cases**

1596. MISS MABEL REBELLO: SHRI  
B.J. PANDA:

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

(a) whether it is a fact that more than 24000 cases are pending in the Supreme Court, 35,00,000 in the High Courts across the country and in the lower court the number is mind boggling;

(b) whether to improve the effectiveness of the judicial system, the Supreme Court Advocates On-record Association has made certain recommendations during a seminar; and

(c) if so, the details thereof and how far these have been accepted by Government to speed up trials and reduce the backlog?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P.C. THOMAS): (a) It is a fact that there are more than 24000 cases pending in the Supreme Court. In High Courts, approximately 35 lakh cases, and in lower courts another 2.05 crore cases are reported to be pending.

(b) and (c) The All India Seminar on "Access to Justice", organized by the Supreme Court Advocates On-record Association, and held in April, 2003 at New Delhi made certain recommendations the gist of which is listed at Statement-I (*See below*). The steps taken by the Government to speed up trials and reduce the backlog are shown at Statement-II.

***Statement-I***

*The gist of the recommendations made by the All India Seminar on "Access to Justice"*

1. The courses in law should not only confine to theoretical knowledge but should also include practical training and awareness towards social commitment.

2. There should be more transparency in the appointment of judges and while making such appointments, in addition to knowledge of law, past experience and social commitment should also be taken into account.
3. The judges should be accountable for their conduct and they should not be entrusted with other work during their service or after their retirement.
4. In the contempt cases, a judge should not be allowed to sit as a judge against the alleged contempt against himself. There should be no differentiation between civil and criminal contempt and the judge should not be allowed to terrorize the people with such contempt jurisdiction.
5. There should be time limit for disposal of a particular case.
6. While deciding matrimonial cases in the family courts, due consideration should be given to the mental status of the women, the background and tension prevailing in the family.

***Statement-II***

*The steps taken by the Government to speed up trials and reduce the back-log*

For speedy trial and reducing the back-log of cases, the Government have, *inter-alia*, taken following measures:—

- (i) Setting up of Fast Track Courts: Fast Track Courts have been set up to speed up the trial of delayed cases, and in particular the case of undertrials who have been in jail for a long time.
- (ii) Computerisation: A pilot project has been started for Networking and Computerisation of City Courts in the four major metropolises of Delhi, Chennai, Kolkata and Mumbai to serve as a model. The project is aimed at augmenting capacities of courts and speeding up their disposal through better court management with the help of information technology.

- (iii) Facilitation Centres/Inquiry Counters: The Central Government have issued funds to State Governments for establishing Facilitation Centres/Inquiry Counters in the respective High Courts under a Centrally Sponsored Scheme. Funds have also been provided for the use of Information Technology in the High Courts.
- (iv) Filling up of vacancies: The Judge strength in High Courts is reviewed once in three years. State Governments and Union Territories have been requested to fill up vacant posts of Judges/magistrates in District/Subordinate courts.
- (v) Family Courts: States/UTs have been requested to establish more Family Courts for speedy disposal of matrimonial disputes and other related cases.

### **Shortage of judges**

1597. SHRI LAJPAT RAI: SHRI  
KAPIL SIBAL:

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

- (a) whether it is a fact that there is shortage of judges in view of population of the country;
- (b) if so, the number of judges working per 10 lakh population;
- (c) whether it is also a fact that the number of judges in the country is less than the countries like America, England, France and Japan; and
- (d) if so, the proportion of judges in the said countries?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P.C. THOMAS): (a) Yes, Sir.

(b) The present judge strength in India is 14 per 10 lakh population (approx.)

(c) and (d) As per 120th report of Eleventh Law Commission, the proportion of judge strength in America and England are 107 and

Original notice of the question was received in Hindi.