

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 2358
ANSWERED ON – 12/03/2026

IMPROVING JUSTICE DELIVERY

2358 DR. ASHOK KUMAR MITTAL:

Will the Minister of *Law and Justice* be pleased to state:

- (a) whether Government has assessed the impact of prolonged judicial vacancies on pendency and access to timely justice across courts and if so, the details thereof and if not, the reasons therefor;
- (b) whether existing mechanisms ensure transparency and accountability in appointments to constitutional and quasi-judicial bodies and if so, the details thereof and if not, the reasons therefor;
- (c) whether legal reforms introduced in recent years have reduced litigation burdens and if so, the details thereof and if not, the reasons therefor; and
- (d) the timelines and measurable targets to address systemic delays in the justice delivery system?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) & (b): Pendency of cases in courts arise due to several factors which inter alia, include complexity of the facts involved, nature of evidence, co-operation of stakeholders, viz., bar, investigation agencies, witness and litigants, besides the availability of physical infrastructure, supporting court staff, etc.

Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India and according to the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case). As per the MoP, the responsibility for initiation of proposals for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while the responsibility for initiation of proposals for

appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court, in consultation with two senior-most puisne Judges of the High Court.

Filling up of the vacancy in the higher Judiciary requires consultation and approval from various Constitutional Authorities both at State and Central level which are obtained in accordance with the MoP. The recommendations also have to be considered in the light of such other reports as may be available to the Government in respect of the names under consideration. The recommendations of the High Court Collegium, the State Governments and the Government of India are then forwarded to the Supreme Court Collegium (SCC) for advice. Only those persons whose names have been recommended by the SCC are appointed as Judges of the High Courts. Thus, the constitutional framework, the Memorandum of Procedure, multi-institutional consultations collectively act as mechanisms to ensure transparency and accountability in judicial appointments.

Further, filling up of vacant positions of the judicial officers in District and Subordinate courts is the responsibility of the High Courts and State Governments concerned. As per the Constitutional framework, in exercise of powers conferred under the 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 appointment and recruitment of Judicial Officers. The Hon'ble Supreme Court vide order passed in January 2007 in the Malik Mazhar Sultan case, has inter-alia stipulated certain timelines, which are to be followed by the States and the respective High Courts for recruitment of judges in District and Subordinate Courts.

(c) & (d): The Government has amended The Negotiable Instruments (Amendment) Act, 2018, The Commercial Courts (Amendment) Act, 2018, The Specific Relief (Amendment) Act, 2018, The Arbitration and Conciliation (Amendment) Act, 2019 and The Criminal Laws (Amendment) Act, 2018 with a view to reduce pendency.

Lok Adalat is an important Alternative Disputes Resolution Mechanism available to common people, where the disputes/ cases pending in the court of law or at pre-litigation stage are settled/compromised amicably. Under The Legal Services Authorities (LSA) Act, 1987, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against it before any court. National Lok Adalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date. The details of the cases disposed of in Lok Adalats from 2016 to Dec 2025 are as under:

Lok Adalat	Pre-litigative cases settled	Pending cases settled
National Lok Adalat	33,80,76,089	8,45,59,866
State Lok Adalats	39,33,548	67,03,159
Permanent Lok Adalats (cases relating to public utility service)	14,58,389	-

Further addressing systemic delays in the justice delivery system requires a structured approach and the Central Government is committed for speedy disposal of cases and reducing pendency as mandated under Article 21 of the Constitution and has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary which includes, inter-alia, amalgamation of latest technologies for increasing access to Justice and greater transparency under the e-Courts Mission Mode Project and supplementing of the resources of the State Governments/UTs for providing suitable infrastructure facilities for the District and Subordinate Judiciary under the Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary.
