

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO.4599

TO BE ANSWERED ON WEDNESDAY, THE 29th MARCH, 2017

Vacancies in Courts

4599 DR. A. SAMPATH

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

- (a) whether the Government is aware of the large number of vacancies in clerical and office Assistant post in many District and High Courts of the country;
- (b) if so, the details of the number of vacancies in clerical and office Assistant posts, District Courts and High Courts-wise; and
- (c) whether these vacancies have led to severe stagnation of cases in many Courts and if so, the steps taken by the Government to rectify the same?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE & ELELCTRONICS AND
INFORMATION TECHNOLOGY

(SHRI P.P. CHAUDHARY)

- (a) & (b) Information relating to vacancies in non-judicial staff in High Courts and subordinate judiciary is centrally not maintained as the matter comes under the purview of the High Courts and State Governments.
- (c) Disposal of pending cases in courts is within the domain of judiciary. The Government has adopted a co-ordinated approach to assist judiciary for phased liquidation of arrears and pendency in judicial systems, which, inter-alia, involves better infrastructure for courts including computerisation, increase in strength of judicial officers/judges, policy and legislative measures in the areas prone to excessive litigation and emphasis on human resource development.

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UNSTARRED QUESTION NO.4518

TO BE ANSWERED ON WEDNESDAY, THE 29th MARCH, 2017

Holidays in Judiciary

4518 SHRI SUBHASH PATEL:
DR. BHARATIBEN D. SHYAL:
SHRI RAMSINH RATHWA:

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

- (a) whether there are highest number of holidays in the judiciary in comparison to the executive and legislature and if so, the reasons therefor;
- (b) whether reducing the number of holidays, having courts work on Sundays, filling up all the vacancies of Judges at a fast rate and restricting the numbers of hearings could be helpful for early disposal of all the pending cases; and
- (c) if so, the details of the steps being taken by the Government in this regard?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE & ELELCTRONICS AND
INFORMATION TECHNOLOGY

(SHRI P.P. CHAUDHARY)

(a)to (c): Working days/hours and duration of vacations in the Supreme Court and in the High Courts are regulated by Rules framed by the respective Court. The working days as well as working hours of the District/Subordinate Courts are regulated by the respective High Court.

Disposal of cases pending in courts is within the domain of judiciary. The Government has adopted a co-ordinated approach to assist judiciary for phased liquidation of arrears and pendency in judicial systems, which, inter-alia, involves better infrastructure for courts including computerisation, increase in strength of judicial officers/judges, policy and legislative measures in the areas prone to excessive litigation and emphasis on human resource development.

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Filling up of vacancies of Judges in the Supreme Court and High Courts is a continuous and collaborative process of the Judiciary and Executive involving various Constitutional Authorities. The subject matter relating to filling up of vacancies in the District and Subordinate Courts falls within the domain of the High Courts and the State Governments concerned. The Central Government has no role in the appointment of Subordinate Judiciary.

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UNSTARRED QUESTION NO.4433

TO BE ANSWERED ON WEDNESDAY, THE 29th MARCH, 2017

Hindi and Other Regional Languages in Courts

4433 SHRI AJAY MISRA TENI:

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

- (a) whether the Government is considering to make use of Hindi and other regional languages in the proceedings of High Courts compulsory;
- (b) if so, the details thereof; and
- (c) the efforts made by the Government so far for use of Hindi and other regional languages in the proceedings of court?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE & ELELCTRONICS AND
INFORMATION TECHNOLOGY

(SHRI P.P. CHAUDHARY)

(a) to (c) : In terms of the provisions under Article 348 (2) of the Constitution and Section 7 of the Official Language Act, 1963, use of Hindi has been authorized in the Proceedings as well as in the Decree, Judgments in the High Courts of the States of Rajasthan, Madhya Pradesh, Uttar Pradesh and Bihar.

The requests relating to use of Tamil, Hindi & Gujrati languages in the High Courts of Madras, Chhattisgarh and Gujrat respectively were forwarded to Hon'ble the Chief Justice of India in accordance with the decision dated 21.05.1965 of the Cabinet Committee which required that consent of Hon'ble the Chief Justice of India be obtained on any proposal relating to use of a language other than English in the High Court.

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Hon'ble the Chief Justice of India on 18.01.2016 has conveyed that the Full Court, after extensive deliberations, did not favour the proposals and reiterated the Resolution which was adopted on 07.05.1997 and was reiterated on 15.12.1999 and on 11.10.2012, also keeping in view the Cabinet Committee decision dated 21.5.1965.
