

**GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE**

**LOK SABHA**

**UNSTARRED QUESTION NO.2692  
TO BE ANSWERED ON FRIDAY, THE 04<sup>TH</sup> AUGUST, 2023**

**MEASURES FOR FILLING UP OF JUDGES POST**

**2692. SHRI DAYANIDHI MARAN:**

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

- (a) the specific measures are being taken to address the shortage of judges in India, considering the significant gap between the sanctioned strength and the actual number of judges, along with the current statistics of the same, itemized, State-wise;**
- (b) whether the Government is planning to expedite the process of filling the vacant positions in high courts, especially those of sanctioned posts of judges which are currently empty and if so, the details thereof;**
- (c) the current backlog of cases and the strategies being followed to tackle the backlog of cases;**
- (d) the progress made in improving judicial infrastructure, particularly in lower courts during the last nine years; and**
- (e) the steps being taken to ensure efficient utilization of the funds allocated for the development of judicial infrastructure and the allocation of funds & funds spent since 2014, for the purpose, year wise?**

**ANSWER**

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

**(SHRI ARJUN RAM MEGHWAL)**

**(a) & (b):** As per the Constitutional framework, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Governments in consultation with their respective High Courts frame the rules and regulations regarding the issues of appointment and recruitment of Judicial Officers in the

respective State Judicial Service. Thus, the selection and appointment of judicial officers in the Subordinate/District Courts is the responsibility of the High Courts and State Governments concerned. In some States, the respective High Courts undertake the recruitment process, whereas in other States, the High Courts does it in consultation with the State Public Service Commissions. The Central Government has no direct role in the matter.

As for the filling up of vacancies in High Courts is concerned, it is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities both at the State and Centre level. Government receives names recommended by the Supreme Court Collegium for appointment as Judges in various High Courts, which are processed for necessary approval as per the provisions of Memorandum of Procedure. While every effort is made to fill up the existing vacancies expeditiously, vacancies of Judges in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the strength of Judges.

As on 31.07.2023, there are 02 vacancies of Judges in the Supreme Court. As far as the High Courts are concerned, against the sanctioned strength of 1114 Judges, 778 Judges are working and 336 posts of Judges are vacant. Against these 336 vacancies, 137 proposals recommended by High Court Collegiums are at various stages of processing between the Government and the Supreme Court Collegium and recommendations against remaining 199 vacancies are yet to be received from the High Court Collegiums. The detailed statement of sanctioned, working strength and vacant position of the Supreme Court and High Courts is at *ANNEXURE-I* and for District and Subordinate Courts is at *ANNEXURE-II* respectively.

(c): The detailed statement of pendency/backlog of cases in Supreme Court, High Courts and District and Subordinate Courts is at *ANNEXURE-III*.

In so far as strategies to tackle the backlog of pending cases in District Judiciary and High Courts, the same lies within the exclusive domain of the judiciary and the Central Government has no direct role in the matter. However, the Central Government is fully committed to speedy disposal of cases and to reducing pendency. To this end, the Government has taken multiple initiatives the details of which are as under:-

National Mission for Justice Delivery and Legal Reforms was set up in August, 2011 with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, inter-alia, involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

- i.** Under the Centrally Sponsored Scheme for Judicial Infrastructure, funds are being released to States/UTs for construction of court halls, residential quarters for judicial officers, lawyers' halls, toilet complexes and digital computer rooms that would ease the life of lawyers and litigants, thereby aiding justice delivery. As on date, Rs. 10035 crores have been released since the inception of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for the Judiciary in 1993-94. The number of court halls has increased from 15,818 as on 30.06.2014 to 21,365 as on 30.06.2023, and number of residential units has increased from 10,211 as on 30.06.2014 to 18,846 as on 30.06.2023, under this scheme.
- ii.** Further under the e-Courts Mission Mode Project, information and communication technology (ICT) has been leveraged for IT enablement of district and subordinate courts. The number of computerised district & subordinate courts has increased to 18,735 so far. WAN connectivity has been provided to 99.4% of court complexes. Video conferencing facility has been enabled between 3,240

court complexes and 1,272 corresponding jails. 815 e-Sewa Kendras have been set up at court complexes to facilitate lawyers and litigants needing assistance ranging from case status, getting judgments/orders, court/case-related information, and e-filing facilities. 22 virtual courts have been set up in 18 States/UTs. As on 31.05.2023, these courts have handled more than 3.113 crore cases and realized more than Rs. 408 crores in fines. E-courts Phase III is about to begin which intends to incorporate latest technology such Artificial Intelligence(AI) and Block chain to make justice delivery more robust, easy and accessible to all the stakeholders.

- iii.** Government has been regularly filling up the vacancies in higher judiciary. From 01.05.2014 to 10.07.2023, 56 Judges were appointed in Supreme Court. 919 new Judges were appointed and 653 Additional Judges were made permanent in the High Courts. Sanctioned strength of Judges of High Courts has been increased from 906 in May, 2014 to 1114 currently. sanctioned and working strength of judicial officers in district and subordinate courts has increased as follow:

As on	Sanctioned Strength	Working Strength
31.12.2013	19,518	15,115
01.08.2023	25,246	19,858

However, filling up of vacancies in subordinate judiciary falls within the domain of the State Governments and high courts concerned.

- iv.** In pursuance of a Resolution passed in Chief Justices' Conference held in April, 2015, Arrears Committees have been set up in all 25 High Courts to clear cases pending for more than five years. Arrears Committees have been set up under District courts as well.
- v.** Under the aegis of the Fourteenth Finance Commission ,the government has established Fast Track Courts for dealing with cases of heinous crimes; cases involving senior citizens, women, children etc. As on 31.05.2023, 832 Fast Track Courts are functional for heinous crimes, crimes against women, and children etc. To fast track criminal cases involving elected MPs / MLAs, ten (10) Special

Courts are functional in nine (9) States/UTs. Further, the central government has approved a scheme for setting up 1023 Fast Track Special Courts (FTSCs) across the country for the expeditious disposal of pending cases of Rape under IPC and crimes under POCSO Act. As on date, 28 States/UTs have joined the scheme.

- vi.** With a view to reduce pendency and unclogging of the courts, the Government has recently amended various laws like 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.
- vii.** Alternate Dispute Resolution methods have been promoted whole heartedly. Accordingly, the Commercial Courts Act, 2015 was amended on 20th August, 2018 making Pre-institution Mediation and Settlement (PIMS) mandatory in case of commercial disputes. Amendment to the Arbitration and Conciliation Act, 1996 has been made by the Arbitration and Conciliation (Amendment) Act 2015 for expediting the speedy resolution of disputes by prescribing timelines.
- viii.** Lok Adalat is an important Alternative Disputes Resolution Mechanism available to common people. It is a forum 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 thereto before any court. . Lok Adalat is not a permanent establishment. National Lok Adalats are organized simultaneously in all Taluks, Districts and High Courts on a pre-fixed date. The details of the case disposed off in Lok Adalats during the last three years are as under:-

Years	Pre-litigation Cases	Pending Cases	Grand Total
2021	72,06,294	55,81,743	1,27,88,037
2022	3,10,15,215	1,09,10,795	4,19,26,010
2023 (upto 17.06.2023)	3,00,11,291	61,88,686	3,61,99,977
<b>Total</b>	<b>6,82,32,800</b>	<b>2,26,81,224</b>	<b>9,09,14,024</b>

- ix. The Government launched the Tele-Law programme in 2017, which provided an effective and reliable e-interface platform connecting the needy and disadvantaged sections seeking legal advice and consultation with panel lawyers via video conferencing, telephone and chat facilities available at the Common Service Centres (CSCs) situated in Gram Panchayat and through Tele-Law mobile App.

\*Percentage Wise break-up of Tele – Law Data

Till 28th Feb, 2023	Cases Registered	% Wise Break Up	Advice Enabled	% Wise Break Up
Gender Wise				
Female	15,75,140	34.38	15,35,775	34.39
Male	30,06,772	65.62	29,30,601	65.61
Caste Category Wise				
General	9,82,636	21.45	9,52,773	21.33
OBC	13,28,505	28.99	12,93,153	28.95
SC	14,88,971	32.50	14,53,283	32.54
ST	7,81,800	17.065	7,67,167	17.18
Total	45,81,912		44,66,376	

- x. Efforts have been made to institutionalize pro bono culture and pro bono lawyering the country. A technological framework has been put in place where advocates volunteering to give their time and services for pro bono work can register as Pro Bono Advocates on Nyaya Bandhu (Android & iOS and Apps). Nyaya Bandhu Services also available on UMANG Platform. Pro Bono Panel of advocates have been initiated in 21 High Courts at the State level. Pro Bono Clubs have been started in 69 select Laws Schools to instill Pro Bono culture in budding lawyers.

(d) & (e): The Central Government basically supplements the resources of the State Governments by releasing financial assistance under a Centrally Sponsored Scheme (CSS) for the development of judicial infrastructure by providing financial assistance to State Governments / UTs in the prescribed fund-sharing pattern between Centre and

States. The scheme is being implemented since 1993-94. It covers the construction of court buildings and residential accommodations for judicial officers of district and subordinate judiciary. As against the sanctioned strength of 25,215 and working strength of 19,876 judges/judicial officers there are 21,365 court halls and 18,846 residential units available as on 30.06.2023.

A sum of Rs. 10035.35 crore has been released under the Scheme so far since its inception, out of which Rs. 6591.04 crore (65.68 %) has been released since 2014-15. The scheme has been extended from 2021-22 to 2025-26 with a budgetary outlay of Rs. 9000 crores including central share of Rs. 5307.00 crore. Besides the construction of court halls and residential quarters, the scheme now also covers the construction of lawyers' halls, digital computer rooms and toilet complexes in the district and subordinate Courts. The allocation of funds and released since 2014-15 to 2022-23 is as ***ANNEXURE-IV***.

The Government is sensitive to the needs of building better infrastructure for the judicial officers of the lower and subordinate judiciary. For time bound and proper implementation of the scheme, there are monitoring mechanisms in place as per the guidelines of the scheme.

There is a High Court Level Monitoring Committee in the State, chaired by the Chief Justices of the respective High Courts and this also has other stake holders such as, Registrar General of the High Court, portfolio judges, Law/Home Secretary of the State and Secretary of the State PWD as members. This committee meets every six months to review the physical and financial progress of the projects running under the scheme.

Apart from this, there is a Central Level Monitoring Committee in the Department of Justice, chaired by Secretary (Department of Justice, Government of India) to review the progress of the projects and iron out any issues that hinder the smooth implementation of the scheme.

Besides, there are regular visits by the officials of the Department of Justice to the States for getting firsthand information on the ground. Regular meetings through video conferencing to sort out the problems of the States/UTs also takes place.

Trainings are also organized (both online and offline) for the State officials on the technical issues relating to Public Financial Management (PFMS) through which funds gets released and utilization is monitored.

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## ANNEXURE I

**STATEMENT REFERRED TO IN REPLY TO PART (A)& (B) OF LOK SABHA UNSTARRED QUESTION NO. 2692 FOR ANSWER ON 04.08.2023 REGARDING 'MEASURES FOR FILLING UP OF JUDGES POST.**

**Statement showing Sanctioned strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts (As on 31.07.2023)**

		Sanctioned strength			Working strength			Vacancies		
<b>A.</b>	<b>Supreme Court</b>	<b>34</b>			<b>32</b>			<b>2</b>		
<b>B.</b>	<b>High Court</b>	<b>Pmt.</b>	<b>Addl</b>	<b>Total</b>	<b>Pmt.</b>	<b>Addl</b>	<b>Total</b>	<b>Pmt.</b>	<b>Addl</b>	<b>Total</b>
1	Allahabad	119	41	160	73	21	94	46	20	66
2	Andhra Pradesh	28	9	37	23	5	28	5	4	9
3	Bombay	71	23	94	40	26	66	31	-3	28
4	Calcutta	54	18	72	33	19	52	21	-1	20
5	Chhattisgarh	17	5	22	10	4	14	7	1	8
6	Delhi	46	14	60	41	3	44	5	11	16
7	Gauhati	22	8	30	15	9	24	7	-1	6
8	Gujarat	39	13	52	29	0	29	10	13	23
9	Himachal Pradesh	13	4	17	12	0	12	1	4	5
10	J & K and Ladakh	13	4	17	12	4	16	1	0	1
11	Jharkhand	20	5	25	19	1	20	1	4	5
12	Karnataka	47	15	62	38	13	51	9	2	11
13	Kerala	35	12	47	32	2	34	3	10	13
14	Madhya Pradesh	39	14	53	33	0	33	6	14	20
15	Madras	56	19	75	47	16	63	9	3	12
16	Manipur	4	1	5	3	0	3	1	1	2
17	Meghalaya	3	1	4	3	0	3	0	1	1
18	Orissa	24	9	33	21	0	21	3	9	12
19	Patna	40	13	53	33	0	33	7	13	20
20	Punjab & Haryana	64	21	85	38	22	60	26	-1	25
21	Rajasthan	38	12	50	34	0	34	4	12	16
22	Sikkim	3	0	3	3	0	3	0	0	0
23	Telangana	32	10	42	25	5	30	7	5	12
24	Tripura	4	1	5	3	0	3	1	1	2
25	Uttarakhand	9	2	11	8	0	8	1	2	3
	<b>Total (B)</b>	<b>840</b>	<b>274</b>	<b>1114</b>	<b>628</b>	<b>150</b>	<b>778</b>	<b>212</b>	<b>124</b>	<b>336</b>

**STATEMENT REFERRED TO IN REPLY TO PART (A)& (B) OF LOK SABHA UNSTARRED QUESTION NO. 2692 FOR ANSWER ON 04.08.2023 REGARDING 'MEASURES FOR FILLING UP OF JUDGES POST.**

<b>Sanctioned, working strength and vacancy position in District and Subordinate Courts (as on 31.07.2023)</b>				
<b>S.no.</b>	<b>States &amp; UTs</b>	<b>Sanctioned Strength</b>	<b>Working Strength</b>	<b>Vacancy</b>
1	Andaman and Nicobar*	0	13	-13
2	Andhra Pradesh	618	544	74
3	Arunachal Pradesh	42	33	9
4	Assam	485	443	42
5	Bihar	2016	1554	462
6	Chandigarh	30	29	1
7	Chhattisgarh	556	431	125
8	D & N Haveli	3	2	1
9	Daman & Diu	4	4	0
10	Delhi	887	706	181
11	Goa	50	40	10
12	Gujarat	1582	1186	396
13	Haryana	772	576	196
14	Himachal Pradesh	179	160	19
15	Jammu and Kashmir	314	227	87
16	Jharkhand	694	503	191
17	Karnataka	1367	1125	242
18	Kerala	603	523	80
19	Ladakh	17	9	8
20	Lakshadweep	4	3	1
21	Madhya Pradesh	2028	1607	421
22	Maharashtra	2190	1940	250
23	Manipur	59	42	17
24	Meghalaya	99	57	42
25	Mizoram	74	41	33
26	Nagaland	34	24	10
27	Odisha	1003	808	195
28	Puducherry	29	11	18
29	Punjab	797	587	210
30	Rajasthan	1616	1358	258
31	Sikkim	35	23	12
32	Tamil Nadu	1364	1046	318
33	Telangana	560	415	145
34	Tripura	128	109	19
35	Uttar Pradesh	3694	2484	1210
36	Uttarakhand	299	277	22
37	West Bengal	1014	918	96
<b>TOTAL</b>		<b>25246</b>	<b>19858</b>	<b>5388</b>

Source: MIS portal, Department of Justice

\*Combined Sanctioned Strength of UT Andaman & Nicobar Island and State of WB as shown against State of West Bengal

**ANNEXURE III****STATEMENT REFERRED TO IN REPLY TO PART (C) OF LOK SABHA UNSTARRED QUESTION NO. 2692 FOR ANSWER ON 04.08.2023 REGARDING 'MEASURES FOR FILLING UP OF JUDGES POST.**

<b>Pendency of Cases in various courts</b>		
<b>Sl. No.</b>	<b>Name of Court</b>	<b>No. of pending cases</b>
1.	Supreme Court*	69,766(as on 01.07.2023)
2.	High Courts**	60,63,499 (as on 01.08.2023 )
3.	District and Subordinate Courts **	4,44,25,209 (as on 01.08.2023 )

\*Source: - Supreme Court of India

\*\*Source: - NJDG

## ANNEXURE IV

**STATEMENT REFERRED TO IN REPLY TO PART (D)& (E) OF LOK SABHA UNSTARRED QUESTION NO. 2692 FOR ANSWER ON 04.08.2023 REGARDING 'MEASURES FOR FILLING UP OF JUDGES POST.**

*(Rs. in crores)*

<b>Sl. No.</b>	<b>Financial Year</b>	<b>Revised Estimate</b>	<b>Fund Release</b>
1.	2014-15	936.00	936.00
2.	2015-16	562.99	562.99
3.	2016-17	538.74	538.74
4.	2017-18	621.21	621.21
5.	2018-19	650.00	650.00
6.	2019-20	982.00	982.00
7.	2020-21	593.00	593.00
8.	2021-22	770.14	684.14
9.	2022-23	848.00	857.20