

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

LOK SABHA

**UNSTARRED QUESTION NO. 627
TO BE ANSWERED ON WEDNESDAY, THE 20TH NOVEMBER,
2019.**

Strength of Judges

627. SHRI ANIL FIROJIYA:

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

- (a) the number of Judges per million population in india;**
- (b) whether the apex court has suggested the number of Judges per million population; and**
- (c) if so, the details thereof and the steps being taken by the Government for compliance of the order and mobilizing fund required for this purpose?**

ANSWER

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND
ELECTRONICS & INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a): Based on the population as per Census 2011 and as per information available regarding sanctioned strength of Judges in Supreme Court, High Courts and District & Subordinate Courts, the Judges per million population in India works out to be 20.39.

(b): 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.

In August 2014, the Supreme Court asked the National Court Management System Committee (NCMS Committee) to examine the recommendations made by the Law Commission and to furnish its recommendations in this regard. NCMS Committee submitted its report to the Supreme Court in March, 2016. The report, inter-alia, observes that in the long term, the judge strength of the subordinate courts will have to be assessed by a scientific method to determine the total number of “Judicial Hours” required for disposing of the case load of each court. In the interim, the Committee has proposed a “weighted” disposal approach i.e. disposal weighted by the nature and complexity of cases in local conditions.

(c): Does not arise in view of (b) above.
