

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

LOK SABHA

UNSTARRED QUESTION NO. 3749

TO BE ANSWERED ON FRIDAY, THE 25.03.2022

Judicial Infrastructure

**3749. SHRI KOTHA PRABHAKAR REDDY:
SHRIMATI VANGA GEETHA VISWANATH:
SHRI V.K. SREEKANDAN:**

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

- (a) whether there is a need to both increase the number of judges in High Courts and to urgently fill up existing vacancies;
- (b) if so, the steps taken by the Government in this regard;
- (c) whether judicial infrastructure does not even meet the basic minimum standards in the country and, if so, the details thereof; and
- (d) whether the Government is considering to set up statutory authorities both at the Centre and at the State levels and if so, the details thereof ?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

(a) & (b): Subsequent to the deliberations held in the Conference of the Chief Ministers and Chief Justices in 2013 it was inter-alia resolved that the total sanctioned strength of each High Court could be increased. Subsequently the Judge strength of various High Courts was increased. At present, the sanctioned strength of Judges of High Courts has increased from 906 in 2014 to 1104 in 2022.

Judges of various High Courts are appointed as per 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 MoP, initiation of proposal for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court. Chief Justice of the High Court is required to initiate the proposal to fill up of vacancy of a High Court Judge six months prior to the occurrence of vacancy. While filling up of vacancies in the High Courts is a continuous, integrated and collaborative process requiring consultation and approval from various constitutional authorities, vacancies keep on arising on account of retirement, resignation or elevation of Judges. Government is committed to filling up of vacancy expeditiously in time-bound manner. As on 14.03.2022, against the sanctioned strength of 1104 Judges in the High Courts, 699 Judges are in position, leaving 405 vacancies of Judges to be filled. Against 405 vacancies 175 proposals are at various stages of processing between the Government and the Supreme Court Collegium. Further recommendations from High Court Collegiums are yet to be received in respect of 230 vacancies in High Courts.

(c) & (d): The primary responsibility of development of infrastructure facilities for judiciary rests with the State Governments. To augment the resources of the State Governments, the Union Government has been implementing a Centrally Sponsored Scheme for Development of Infrastructure Facilities in district and subordinate courts since 1993-94. The Scheme covers construction of court buildings and residential accommodation of Judicial Officers of district and subordinate courts. The Scheme has been extended from time to time and has been last extended from 2021-22 to 2025-26 with a total financial 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. Till date the Central Government has sanctioned Rs. 8758.70 crore under the Scheme to States/UTs.

The Registry of Supreme Court of India has compiled data on the status of judicial infrastructure and court amenities. A proposal has been received from Chief Justice of India for setting up of National Judicial Infrastructure Authority of India (NJIAI) for arrangement of adequate infrastructure for courts, as per which there will be a Governing Body with Chief Justice of India as Patron-in-Chief. The other salient features of the proposal are that NJIAI will act as a Central body in laying down the road map for planning, creation, development, maintenance and management of functional infrastructure for the Indian Court System, besides identical structures under all the High Courts. The proposal, as received from the Hon'ble Supreme Court of India, has been sent to the various State Government/UTs, as they constitute an important stakeholder, for their views on the contours of the proposal to enable taking a considered view on the matter.
