

**GOVERNMENT OF INDIA  
LAW , JUSTICE AND COMPANY AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:6591

ANSWERED ON:09.05.2002

APPOINTMENT OF JUDGES

GOWDAR MALLIKARJUNAPPA;NANDIPAKU VENKATASWAMY;SHANKAR PRASAD JAISWAL;SULTAN SALAHUDDIN  
OWAISI;SUSHIL KUMAR SAMBHAJIRAO SHINDE;VILAS BABURAO MUTTEMWAR

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

- (a) whether attention of the Government has been drawn to the newsitem captioned `Appoint more judges, SCto States` appearing in Hindustan Times dated 8.4.2002;
- (b) whether the Supreme Court has asked the States to undertake large-scale appointment of judges before March 31, 2003;
- (c) if so, whether serious concerns have been shown by the Supreme Court in which it has been pointed out that nearly two crore cases are pending in the country's subordinate courts on account of shortage of judges;
- (d) whether both the Union Government and States have been asked to implement this directive and appoint more judges both in the Union Territories and States to cope up this rush;
- (e) whether the Government has implemented the recommendations of Justice Shetty Commission Report; and
- (f) if so, the details thereof and, if not, the reasons therefor ?

**Answer**

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY)

(a) and (b) Yes, Sir. The Supreme Court, vide its judgement dated 21.3.2002, in Ail India Judges` Association and Others Vs. Union of India and Others, has directed that the existing vacancies in the Subordinate Courts at all levels should be filled, if possible latest by 31st March, 2003, in all the States. The Hon`bie Court has also directed that an increase in the judge strength from the existing ratio of 10.5 or 13 per 10 lakhs people to 50 judges per 10 lakh people should be effected and implemented within a period of five years.

(c) The Supreme Court have shown concern over the pendency of cases in Subordinate courts on account of inadequate number of Judges.

(d) Yes, Sir.

(e)and(f) The Government has implemented the recommendations of the Shetty Commission in respect of Union Territories vide implementation orders dated 11.10.2001 and 11.3,2002. However, the Supreme Court's judgment of 21 st March, 2002, inter-alia, contains directions at variance with the decision taken by the Government. The directions of the Apex Court are to be complied with both by the Central Government and the State Governments before the 30th September, 2002.