

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

STARRED QUESTION NO:63

ANSWERED ON:04.03.2005

PENDING COURT CASES

Budholiya Shri Rajnarayan;Singh Shri Vishvendra

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

- (a) the sanctioned strength of Judges of various High Courts and Supreme Court;
- (b) the number of posts of Judges lying vacant in various courts as on date, court-wise;
- (c) the reason for not filling up of vacant posts;
- (d) whether a large number of civil, criminal and other cases are pending in Supreme Court and various High Courts;
- (e) if so, the details thereof, State-wise; and age-wise; and
- (f) the steps being taken by the Government to fill up the vacant posts of Judges and for speedy disposal of long pending cases in courts?

Answer

MINISTER OF LAW AND JUSTICE (SHRI HANSRAJ BHARDWAJ)

(a),(b),(c),(d),(e) and (f): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a),(b),(c),(d),(e) and (f) of the Starred Question No. 63 for answer in the Lok Sabha on 4.3.2005

The sanctioned strength as also the number of posts lying vacant in Supreme Court and various High Courts as on 28.02.2005 is given at Annexure-1

2. Filling up of vacancies in the High Courts is a continuous consultative process among the constitutional authorities. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep arising on account of retirements, resignation or elevation of Judges.

2.1 Pursuant to the Supreme Court Judgment of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of Judges of a High Court lies with the Chief Justice of that High Court. The Government has, however, been requesting the Chief Justices of the High Courts, Chief Ministers and the Governors of the States, from time to time, to initiate proposals for filling up of the present and anticipated vacancies during the next six months. In response to these efforts, 79 proposals for appointments have been received from the Chief Justices of High Courts with regard to 138 vacancies obtaining as on 28.2.2005.

3. As on 1st January, 2005 14,995 admission matters and 15,156 regular hearing matters were pending in the Supreme Court of India. A Statement showing the pendency position in the High Courts as per the information available is given at Annexure-2. Age-wise details of the pending cases are not maintained.

3.1 The pendency of cases in the Courts could be ascribed to various factors, which inter-alia, include vacancies of Judges, new legislations, substantial increase in fresh institution of cases, rise in population, heightened awareness of rights on the part of the citizens, granting of adjournments, industrial development in the country, increase in trade and commerce and socio-economic matters, legislative and administrative aspects touching on the life of citizens, lawyers' strikes etc.

4. Various steps have been taken by the Government for the speedy disposal of cases which include setting up of fast track courts, amendment to the Civil Procedure Codes, permanent adalats for disputes relating to public utilities, increase in the number of posts of Judges, establishment of special courts/tribunals, improvement in the standard of legal education, adoption of alternative modes of disputes resolution, such as arbitration and conciliation.