

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

UNSTARRED QUESTION NO:865

ANSWERED ON:04.08.2011

RETIREMENT AGE AND VACANCIES OF JUDGES

Nagar Shri Surendra Singh;Naik Dr. Sanjeev Ganesh;Singh Shri Sukhdev;Sule Supriya

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

- (a) whether the retirement age of High court judges be raised at par with that of Supreme Court judges;
- (b) if so, the details thereof;
- (c) the strength of Supreme Court and High Court judges as on date;
- (d) the vacancies of judges being vacant in various courts as on date;
- (e) the pending cases in each High Court till 31st July, 2011 in the country; and
- (f) the steps taken to fill up the vacancies and reduce pendency of cases in various courts?

Answer

MINISTER OF LAW & JUSTICE(SALMAN KHURSHID)

(a) & (b): Yes, Madam. A Bill namely The Constitution (One Hundred and Fourteenth Amendment) Bill, 2010 was introduced in the Lok Sabha on 25th August, 2010. The Bill seeks to amend clause (1) of article 217 and clause (3) of article 224 of the Constitution of India to provide for increase in the age of retirement of Judges, additional or acting Judges of High Courts from the existing age of sixty-two years to sixty-five years.

(c) & (d) : A statement showing the approved strength and vacancies of Judges in the Supreme Court of India and various High Courts as on 1st August, 2011 is annexed as Annexe-I.

As regards the judge strength in the District and subordinate courts, the primary responsibility for taking necessary action for increasing the judge strength vests with the respective State Governments and the High Courts. No data in this regard is maintained.

(e): A statement indicating pendency position as on 30.09.2010, as accessed from the website of the Supreme Court, is annexed as Annexe-II.

(f): The Government is periodically reminding the Chief Justices of the High Courts to expedite proposals to fill up the existing vacancies as well as the vacancies anticipated in next six months. The 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 on arising on account of retirement, resignation or elevation of Judges.

The Government has taken a number of measures to facilitate expeditious disposal of cases in courts as mentioned below:-

(i) The Government has approved setting up of National Mission ` for Justice Delivery and Legal Reforms`. The major goals are (a) increasing access by reducing delays and arrears in the system, and (b) enhancing accountability through structural changes and by setting performance standards and capacities,

(ii) The Government has accepted the recommendations of the Thirteenth Finance Commission to provide a grant of Rs.5000 crore to the States for improving the justice delivery system in the country over a five year period 2010-15. A grant of Rs.1000 crore has already been released to the States during the year 2010-11. With the help of these grants, the States can, inter-alia, set up morning/evening/shift/Special Magistrates` courts, appoint court managers, establish ADR centres and provide training to mediators/conciliators, organize more Lok Adalats to reduce pendencies. The grants also provide for training of judicial officers, strengthening of State Judicial Academies, training of public prosecutors and maintenance of heritage court bulletins.

(iii) In order to computerize the justice delivery system Government is implementing e-Courts Project for the District and Subordinate Courts in the country and upgradation of ICT infrastructure in superior courts at an estimated cost of Rs.935 crore. The target is to computerize 12000 Courts by 31st March, 2012 and 14249 Courts by 31st March, 2014.

(iv) Enactment of the Gram Nyayalayas Act, 2008 which provides for establishment of Gram Nyayalayas to improve access to justice to marginalized. The current year allocation has been increased from Rs.40 crore to Rs.150 crore. So far, 151 Gram Nyayalayas have

been notified by the States.

(v) All the Chief Justices of High Courts have been requested to launch a campaign to reduce pendency of cases in court from July-December, 2011 and also for filling up vacancies of judges in the High Courts and subordinate courts during the same period.