

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

UNSTARRED QUESTION NO:4927
ANSWERED ON:23.04.2015
JUDGES IN VARIOUS COMMISSIONS
Sampath Shri Anirudhan

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

- (a) the total number of Judges who are presently heading various commissions in the country;
- (b) whether such appointments have been hampering the judicial working in the country;
- (c) if so, the reaction of the Government in this regard; and
- (d) the steps taken/proposed to be taken by the Government to meet the shortage of Judges?

Answer

MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA)

(a) to (c) : Various legislations enacted by the Parliament in the country have provisions for appointment of sitting/retired judges of the Supreme Court or High Courts as Chairpersons and Members of the Commissions, Tribunals and Authorities. Considering the position of arrears of cases in the courts, sitting Judges are not normally appointed to discharge functions other than those of a Judge of a Supreme Court or a High Court since appointment of a sitting Judge in another capacity adversely affects the disposal of cases. Whenever proposals for appointment of a sitting judge on full time basis are received, Government conveys 'no objection' for such appointment after consulting the Chief Justice of India/ Chief Justice of High Court and if the concerned judge has less than six months of service as Judge. Administrative Departments have been requested to consider appointing a retired judge in such Commissions, Tribunals etc. unless there are very pressing and exceptional circumstances for the appointment of a sitting Judge. Therefore, many Commissions, Tribunals and Authorities are manned by retired judges. Details regarding number of Judges heading various commissions in the country are not centrally maintained by the Government.

(d) : In order to address the problem of shortage of Judges in High Courts, Government periodically writes to the Chief Justices of the High Courts to send proposals for filling up of vacancies in time. Following the Joint Conference of Chief Justices of High Courts and Chief Ministers of States, held on 07.04.2013, a decision was taken to increase the number of judges of the High Courts by 25%. Accordingly, in principle approval of the Chief Justice of India was obtained and efforts are underway to increase the judge strength of High Courts from the present 906 to 1112. With regard to subordinate judiciary, filling up of the vacant posts of judges, increasing the judge strength etc. rest with the respective High Court and the State Government.