

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

UNSTARRED QUESTION NO:1903
ANSWERED ON:04.12.2014
LAW COMMISSION REPORT
Karandlaje Km. Shobha

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

- (a) whether the Law Commission has recently submitted its report to the Government;
- (b) if so, the salient features of the recommendations made to clear the backlog of cases pending in various courts in the country;
- (c) whether increasing the retirement age of Judges particularly Judges of Subordinate Courts, setting up of special morning and evening courts etc. are part of the said recommendations;
- (d) if so, the details thereof; and
- (e) the time by which these recommendations are likely to be implemented by the Government?

Answer

MINISTER OF LAW & JUSTICE (SHRID. V. SADANANDA GOWDA)

(a) to (e): The Supreme Court, in its order dated 1st February, 2012, in the case of *Imtiyaz Ahmed versus State of Uttar Pradesh & Others*, inter-alia asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts to clear the backlog of cases. The Law Commission, in its 245th Report, titled "Arrears and Backlog Creating Additional Judicial (wo) manpower", inter-alia, recommended 'Rate of Disposal Method' for calculating adequate judge strength for District and Subordinate Courts. The other recommendations of the Law Commission in the Report include increasing the retirement age of judges of subordinate courts, creation of special morning and evening courts for traffic / police challan cases, provision of adequate staff and infrastructure for the working of additional courts and enabling uniform data collection and data management method by High Courts in order to ensure transparency and to facilitate data based policy prescriptions for the Judicial System.

As the subject matter of creation and filling up of posts in subordinate judiciary falls within the domain of State Governments and High Courts, the recommendations of the Law Commission have been forwarded to them. Supreme Court has directed State Governments and High Courts concerned to file their response in the matter before them.