

**GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE**

**RAJYA SABHA**

**STARRED QUESTION NO. \*379**

**TO BE ANSWERED ON THURSDAY, THE 7<sup>th</sup> APRIL, 2022**

**Infrastructure in lower courts**

**\*379. SHRI ABDUL WAHAB:**

**Will the Minister of Law and Justice be pleased to state:**

- (a) whether it is a fact that Chief Justice of India has written a letter to Government about the lack of infrastructure in lower courts;
- (b) if so, the response of Government thereto;
- (c) the measures taken by Government and the funds allocated for infrastructure improvement in lower courts during the last five years, State-wise details thereof;
- (d) whether Government has made any study about the vacancies pending in lower courts, if so, the State-wise data thereof; and
- (e) whether Government proposes to increase the number of judges in the lower courts?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

(a) to (e): A statement is laid on the Table of the House.

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**STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (E) of RAJYA SABHA STARRED QUESTION NO. \*379 FOR ANSWER ON 7<sup>TH</sup> APRIL 2022.**

(a) to (c): The Registry of Supreme Court of India has compiled data on the status of judicial infrastructure and court amenities, including shortage of toilets and waiting rooms for lawyers and litigants. A proposal has been received from Chief Justice of India for setting up of National Judicial Infrastructure Authority of India (NJIAI) for arrangement of adequate infrastructure for courts, as per which there will be a Governing Body with Chief Justice of India as Patron-in-Chief. The other salient features of the proposal are that NJIAI will act as a central body in laying down the road map for planning, creation, development, maintenance and management of functional infrastructure for the Indian court system, besides identical structures under all the High Courts. The proposal has been sent to the various State Government/UTs, as they are important stakeholders, for their views on the contours of the proposal to enable taking a considered view on the matter.

The primary responsibility of development of infrastructure facilities for judiciary rests with the State Governments. To augment the resources of the State Governments, the Union Government has been implementing a Centrally Sponsored Scheme for Development of Infrastructure Facilities in district and subordinate courts by providing financial assistance to State Governments / UTs in the prescribed fund sharing pattern. The scheme is being implemented since 1993-94. Till date, the Central Government has sanctioned Rs. 9,009 crore under the

scheme to States/UTs, out of which Rs. 5,565 crore has been released since 2014-15 which is around 61.77% of the total release under the scheme. Under this scheme, funds are released by the Central Government for construction of court buildings and residential accommodations for judicial officers of district and subordinate judiciary. The status of funds released to the States under the scheme during 5 years is at ***Annexure I***.

The scheme has been extended from time to time. The scheme was earlier extended in 2017 for 3 years from 01.04.2017 to 31.03.2020 with budgetary outlay of Rs.3,320 crore. The scheme was again extended for one year i.e. upto 31.03.2021. This scheme was evaluated by NITI Aayog which recommended its continuance. The Government has now approved the continuance of this CSS for a period of 5 years from 01.04.2021 to 31.03.2026, with a total budgetary outlay of Rs.9,000 crore, including Central share of Rs.5,307 crore. The scheme components have been expanded, to also cover the construction of toilets (Rs.47 crore), digital computer rooms (Rs.60 crore) and lawyers' hall (Rs.700 crore), in addition to the court halls & residential units (Rs.4,500 crore) in the district and subordinate courts.

As per information made available by the High Courts, against sanctioned strength of 24,521 and working strength of 19,341 judges, presently 20,812 court halls (including 578 rented ones) and 18,338 residential units are available in the district and subordinate courts as on 31.03.2022. Moreover, 2,767 court halls and 1,651 residential units are under construction. It may therefore be seen that number

of court halls available presently are more than the present working strength, but less than the sanctioned strength of the judicial officers.

(d) & (e): Under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vests with the concerned High Court. Further, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Government, in consultation with the High Court, frames the rules and regulations regarding the issue of appointment, promotion, reservations and retirement of judicial officers in the State Judicial Service. Hence, in so far as recruitment of judicial officers in the States is concerned, respective High Courts do it in certain States, whereas the High Courts do it in consultation with the State Public Service Commissions in other States. The Union Government does not have a role under the Constitution in the selection and appointment of judicial officers in district/ subordinate judiciary. The new courts at district and below district / subordinate (tehsil / taluka) level are established by the respective State Governments in consultation with the concerned High Courts, as per their need and resources. Central Government has no role in the matter.

The cadre strength of judges in district and subordinate courts has increased from 19,518 in 2014 to 24,521 in April, 2022. The vacancy position of judicial officers in various States and UTs is at ***Annexure - II***.

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## Annexure-I

**STATEMENT REFERRED TO REPLY TO PARTS (A) to (C) OF RAJYA  
SABHA STARRED QUESTION NO \*379 FOR ANSWER ON 7<sup>TH</sup> APRIL,  
2022.**

<b>FUNDS RELEASED UNDER CSS SCHEME FOR INFRASTRUCTURAL FACILITIES FOR JUDICIARY DURING LAST 5 YEARS</b>							
<i>(Rs. in lakhs)</i>							
S. No.	State	2017-18	2018-19	2019-20	2020-21	2021-22	Total
1	Andhra Pradesh	0.00	1000.00	2000.00	1028.00		<b>4028.00</b>
2	Bihar	4290.00	6204.00	8762.00	6572.00		<b>25828.00</b>
3	Chhattisgarh	0.00	1968.00	1983.00	784.00		<b>4735.00</b>
4	Goa	0.00	315.00	406.00	380.00	320.00	<b>1421.00</b>
5	Gujarat	5000.00	1502.00	1649.00	1350.40		<b>9501.40</b>
6	Haryana	1500.00	1191.00	1406.00	2200.00		<b>6297.00</b>
7	Himachal Pradesh	0.00	408.00	572.00	550.00		<b>1530.00</b>
8	Jammu & Kashmir	1000.00	1901.00	1000.00	0.00		<b>3901.00</b>
9	Jkhand	5000.00	959.00	1374.00	905.00	600.00	<b>8838.00</b>
10	K'taka	5000.00	3812.00	4404.00	2972.00	2700.00	<b>18888.00</b>
11	Kerala	2500.00	3082.00	1582.00	1300.00	5000.00	<b>13464.00</b>
12	MP	5000.00	7942.00	6690.00	4560.00	5500.00	<b>29692.00</b>
13	Maharashtra	5000.00	1058.00	6109.00	2311.00	1800.00	<b>16278.00</b>
14	Odisha	0.00	2250.00	3569.00	0.00		<b>5819.00</b>
15	Punjab	5000.00	2647.00	3978.00	1647.60	1650.00	<b>14922.60</b>
16	R'than	1734.00	1741.00	6421.00	2990.00	4150.00	<b>17036.00</b>
17	TN	0.00	609.00	3871.00	1817.00	3566.00	<b>9863.00</b>
18	T'gana	0.00	1000.00	565.00	1600.00		<b>3165.00</b>
19	UK	2500.00	2202.00	2850.00	586.00	8000.00	<b>16138.00</b>
20	UP	7500.00	12806.00	16966.00	11100.00	21900.00	<b>70272.00</b>
21	WB	1734.00	3522.00	6143.00	3107.00		<b>14506.00</b>
	<b>Total (A)</b>	<b>52758.00</b>	<b>58119.00</b>	<b>82300.00</b>	<b>47760.00</b>	<b>55186.00</b>	<b>240937.00</b>
	NER						
1	Aru.P	0.00	0.00	269.00	500.00	409.00	<b>1178.00</b>
2	Assam	2000.00	3209.00	3654.00	2500.00	2740.00	<b>14103.00</b>
3	Manipur	0.00	887.00	966.00	500.00		<b>2353.00</b>
4	Megh..	863.00	1482.00	2285.00	771.00	2802.00	<b>8203.00</b>
5	Mizoram	2000.00	594.00	524.00	500.00	950.00	<b>4568.00</b>
6	Nagaland	2000.00	321.00	342.00	500.00	1327.00	<b>4490.00</b>
7	Sikkim	0.00	257.00	278.00	295.00		<b>830.00</b>
8	Tripura	0.00	0.00	1882.00	774.00		<b>2656.00</b>
	<b>Total (B)</b>	<b>6863.00</b>	<b>6750.00</b>	<b>10200.00</b>	<b>6340.00</b>	<b>8228.00</b>	<b>30153.00</b>
	UTs						
1	A&N	0.00	131.00	16.79	35.36	0.00	<b>183.15</b>
2	Chdgrh	0.00	0.00	0.00	0.00		<b>0.00</b>
3	DNHaveli	0.00	0.00	0.00	0.00		<b>0.00</b>
4	Daman & Diu	0.00	0.00	0.00	0.00		<b>0.00</b>
5	Delhi	2500.00		4852.21	4500.00	3000.00	<b>14852.21</b>
6	Lakshadweep	0.00	0.00	0.00	0.00		<b>0.00</b>
7	Puducherry	0.00	0.00	331.00	0.00		<b>331.00</b>
8	J&K	0.00	0.00	500.00	664.64	2000.00	<b>3164.64</b>
9	Ladakh	0.00	0.00	0.00	0.00		<b>0.00</b>
	<b>Total (C)</b>	<b>2500.00</b>	<b>131.00</b>	<b>5700.00</b>	<b>5200.00</b>	<b>5000.00</b>	<b>13531.00</b>
	<b>Grand Total (A+B+C)</b>	<b>62121.00</b>	<b>65000.00</b>	<b>98200.00</b>	<b>59300.00</b>	<b>68414.00</b>	<b>353035.00</b>

**STATEMENT REFERRED TO REPLY TO PARTS (D) & (E) OF RAJYA SABHA STARRED QUESTION NO \*379 FOR ANSWER ON 7<sup>TH</sup> APRIL, 2022**

Sl. No.	States & UTS	Total Sanctioned Strength	Total Working Strength	Total Vacancy
1	Andaman and Nicobar	0	13	-13
2	Andhra Pradesh	607	487	120
3	Arunachal Pradesh	41	32	9
4	Assam	467	436	31
5	Bihar	1954	1385	569
6	Chandigarh	30	30	0
7	Chhattisgarh	482	407	75
8	D & N Haveli	3	2	1
9	Daman & Diu	4	4	0
10	Delhi	884	686	198
11	Goa	50	40	10
12	Gujarat	1523	1176	347
13	Haryana	772	477	295
14	Himachal Pradesh	175	161	14
15	Jammu and Kashmir	300	240	60
16	Jharkhand	675	517	158
17	Karnataka	1363	1082	281
18	Kerala	569	487	82
19	Ladakh	17	9	8
20	Lakshadweep	3	3	0
21	Madhya Pradesh	2021	1545	476
22	Maharashtra	2190	1940	250
23	Manipur	59	46	13
24	Meghalaya	99	51	48
25	Mizoram	65	41	24
26	Nagaland	34	24	10
27	Odisha	977	781	196
28	Puducherry	26	11	15
29	Punjab	692	606	86
30	Rajasthan	1549	1272	277
31	Sikkim	28	20	8
32	Tamil Nadu	1319	1080	239
33	Telangana	474	424	50
34	Tripura	122	108	14
35	Uttar Pradesh	3634	2528	1106
36	Uttarakhand	299	272	27
37	West Bengal	1014	918	96
<b>TOTAL</b>		<b>24521</b>	<b>19341</b>	<b>5180</b>