Judicial Backlogs can become History

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Judicial delays due to increasing backlog

- Usual Solutions suggested:
- 1. Major judicial reforms.
- 2. Judges must perform better.
- 3. No adjournments.
- 4. Change laws.
- 5. Double or treble the number of judges.
- 70000 judges required against
  Sanctioned 23814. (2017) : CJI Thakur
- 6. Accept that the problem cannot be solved and will keep growing bigger.
  Without changing anything in the way courts work how many judges would be required to clear the incoming cases?

Basis of analysis.
Suppose 12 judges are sanctioned but only 10 are appointed.
If these 10 dispose 10000 cases in a year.
If 12 had been appointed the total disposals would have been 12000.
2000 disposals would be missed because of vacancies

Analysis of data on the Supreme Court's website at
http://supremecourtofindia.nic.in/courtnews.htm :

Sanctioned judicial positions

	Supreme Court	High Courts	Sub. Courts	Total
2006	26	726	14641	17399
2017	31	1079	22074	23814
% Increase	19%	49%	51%	
Inc. per Yr	1.6%	4.1%	4.2%	

Judges Vacancy

Year	Supreme Court	High Courts	Subordinate Courts
2006	8%	16%	19%
2007	8%	32%	21%
2008	8%	32%	20%
2009	13%	30%	17%
2010	6%	33%	18%
2011	13%	31%	21%
2012	13%	31%	20%
2013	6%	29%	22%
2014	10%	33%	22%
2015	16%	41%	22%
2016	23%	40%	23%
2017	19%	37%	25%
Average	**12%**	**32%**	**21%**

Twelve years 2006 to 2017 : Twelve years No. of cases in lacs

	Supreme Court	High Courts	Lower Courts	Total	Average per year
Total Cases Instituted	8.90	215.58	2156.38	2380.86	198.4
Total cases Disposed	8.69	196.78	2118.71	2324.18	193.7
Increase in pendency	0.21	18.80	37.67	56.67	4.7
Missed disposal due to vacancies	**1.21**	**95.40**	**564.79**	**661.40**	**55.1**
Balance Pending in 2017	0.56	53.99	294.21	348.75	
Balance Pending could have been	-0.65	-41.42	-270.58	**-312.65**	

Subordinate Courts Average Disposal rate
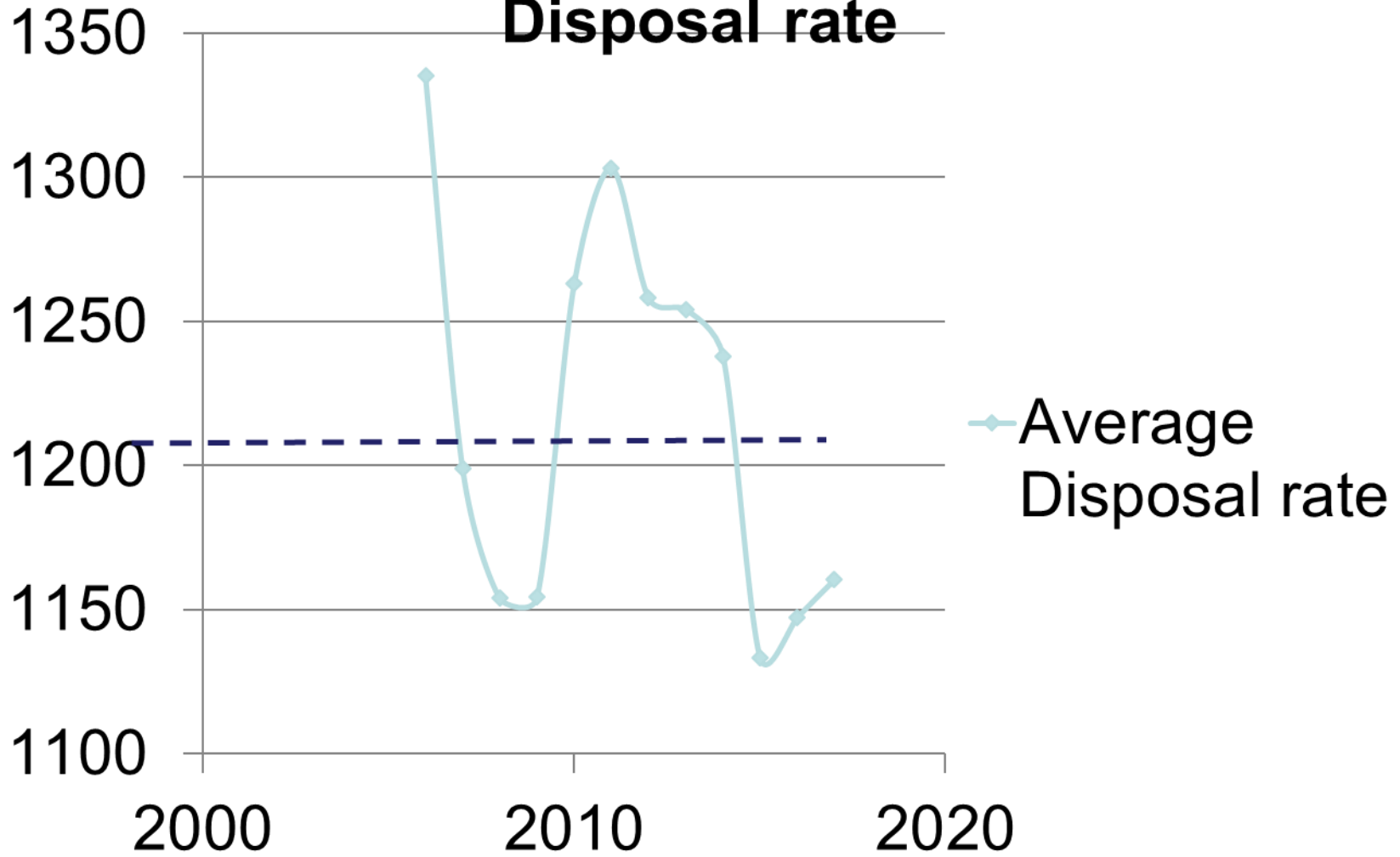
Summary

Average per Year	Lacs
New Cases Instituted	198.4
Cases Disposed	193.7
Shortfall	4.7
Missed Disposal	55.1
Disposal Shortfall	2.5%
Vacancies	21%

How judiciary can have Zero Vacancy

- Draw a list of retirements for next five years and renew it every year. - A

- Estimate vacancies due to deaths, resignations, promotions based on earlier three years data.- B

- Every year forecast the number of cases for next three years and factor the additional judges required.- C

- Add all three and start the process of exams and collegium recommendations every six months for requirements after 12 months.

A+B+C

Responsibility: Government and Courts

NO QUEUE NO WAITING

This is a mechanical solution.

We need a policy and a process to ensure Zero Vacancy.

This can be a gamechanger for India.

Thank you.

- If you need any clarifications or details contact:

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