

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

**LOK SABHA
UNSTARRED QUESTION NO. 3239
TO BE ANSWERED ON FRIDAY, THE 7th AUGUST, 2026**

SHORTAGE OF JUDGES

**†3239. SHRI NILESH DNYANDEV LANKE:
SHRI GYANESHWAR PATIL:
SMT. DELKAR KALABEN MOHANBHAI:
SHRI BHUMARE SANDIPANRAO ASARAM:**

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

- (a) the number of cases pending for more than three years in the lower courts of Maharashtra, Madhya Pradesh and the UT of Dadra & Nagar Haveli and Daman & Diu along with the reasons thereof and the percentage of such cases;
- (b) the number of posts of judges lying vacant in the said courts along with the extent to which the said vacancies fall short of the national average in percentage terms;
- (c) the number of judges required in the lower courts, High Courts and the Supreme Court;
- (d) whether any norms have been fixed for the said number of judges required;
- (e) the number of judges available per million population in percentage terms in various courts in Maharashtra, Madhya Pradesh and the UT of Dadra & Nagar Haveli and Daman & Diu; and
- (f) the details of the steps taken by the Government to address the delay in disposal of cases and the shortage of judges?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW
AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS**

(SHRI ARJUN RAM MEGHWAL)

(a): As per data available on the National Judicial Data Grid (NJDG), as on 03.08.2026, the number of cases pending for more than three years in the lower courts of Maharashtra, Madhya Pradesh and the UT of Dadra & Nagar Haveli and Daman & Diu and the percentage of such cases is as under:

Sr. No.	Name of State/UT	No. of cases pending for >3 years	Percentage of total pending cases
1.	Maharashtra	24,69,089	40%

2.	Madhya Pradesh	7,06,810	33%
3.	UT of Dadra & Nagar Haveli and Daman & Diu	2,958	34%

(b): As per data available on the Nyaya Vikas Portal 2.0, as on 03.08.2026, at the national level, 7,310 posts of Judicial Officers are vacant which is 23.68% of the total sanctioned strength of 30,868 posts in the District and Subordinate Courts. Further, the number of vacant posts of Judicial Officers in the lower courts of Maharashtra, Madhya Pradesh and the UT of Dadra & Nagar Haveli and Daman & Diu *vis-à-vis* their Sanctioned Strength are as under:

Sr.No.	Name of State/UT	Sanctioned Strength	Vacancy	Vacancy %
1.	Maharashtra	5247	897	17.09
2.	Madhya Pradesh	2051	368	17.94
3.	UT of Dadra & Nagar Haveli and Daman & Diu	7	1	14.28

(c) & (d): The Law Commission, in its 120th Report (1987), has recommended a judge-to-population ratio of 50 judges per million of the Indian population. Further, in 245th Report (2014), the Law Commission observed that filing of cases *per capita* varies substantially across geographical units as filings are associated with economic and social conditions of the population. As such the Law Commission did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. The Law Commission found the “*Rate of Disposal*” method appropriate, which aims at the number of additional judges required to clear the backlog of cases and ensuring that new backlog is not created to be more pragmatic and useful.

In August 2014, the Supreme Court asked the National Court Management System Committee (NCMS Committee) to examine the recommendations made by the Law Commission and to furnish its recommendations in this regard. NCMS Committee submitted its report to the Supreme Court in March, 2016. The Committee has proposed a “*weighted*” disposal approach *i.e.* disposal weighted by the nature and complexity of cases in local conditions. As per the direction of the Hon’ble Supreme Court in its Order dated 02.01.2017, the Department of Justice has forwarded a copy of interim report of the NCMS Committee to all the State Governments and High Courts to enable them to take follow up action to determine the required strength of district and subordinate judiciary.

(e): As per data available on the Nyaya Vikas Portal 2.0, as on 03.08.2026, the sanctioned strength of Judicial Officers per million population (as per last census) in District & Subordinate Courts in Maharashtra, Madhya Pradesh and the UT of Dadra & Nagar Haveli and Daman & Diu are as under:

Sr. No.	Name of State/UT	Judges per million population
1.	Maharashtra	46.69
2.	Madhya Pradesh	28.24
3.	Dadra & Nagar Haveli and Daman & Diu	11.92

(f): Disposal of cases pending in various courts lies within the domain of the Judiciary. Disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of Judges and Judicial officers, supporting court staff, physical infrastructure, complexity of facts involved, quality of investigation, nature of evidence, co-operation of stake holders viz bar, investigation agencies, witnesses, litigants. However, the Government is fully committed for speedy disposal of cases and reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary which, inter-alia, involves timely appointment of Judges, better infrastructure for courts including computerization, policy and legislative measures in the areas prone to excessive litigation, promoting Alternate Dispute Resolution mechanism, enactment and implementation of New Criminal Laws 2023, establishment of Fast Track Special Courts, re-engineering of court procedure and emphasis on human resource development.

Filling up of the vacancy in the higher Judiciary is a continuous, integrated and collaborative process between the executive and the judiciary. It requires consultation and approval from various Constitutional Authorities both at State and Central level which are obtained in accordance with the Memorandum of Procedure (MoP). The recommendations also have to be considered in the light of such other reports as may be available to the Government in respect of the names under consideration.

Further, filling up of vacant positions of the judicial officers in District and Subordinate courts is the responsibility of the High Courts and State Governments concerned. As per the Constitutional framework, in exercise of powers conferred under the 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 appointment and recruitment of Judicial Officers. The Hon'ble Supreme Court vide order passed in January 2007 in the Malik Mazhar Sultan case, has inter-alia stipulated certain timelines, which are to be followed by the States and the respective High Courts for recruitment of judges in District and Subordinate Courts.
