

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

**RAJYA SABHA**

**UNSTARRED QUESTION NO.1882**

**TO BE ANSWERED ON THURSDAY, THE 17<sup>th</sup> MARCH, 2022**

**Functioning of quasi-judicial bodies in the country**

1882 **Shri Binoy Viswam:**

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

- a. total number of vacancies in all tribunals/commissions and quasi-judicial bodies in the country, segregated data thereof for each body specifying judicial and technical member vacancies;
- b. total number of vacancies of staff in all tribunals/commissions and quasi-judicial bodies in the country;
- c. total number of pending cases in all tribunals/commissions and quasi-judicial bodies in the country;
- d. total budget allocated and expenditure for all tribunals/commissions and quasi-judicial bodies in the country, segregated data thereof; and
- e. details of the causes and remedial steps taken to address the issue of vacancies and pendency in quasi-judicial bodies in the country?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (e): Information in respect of all Tribunals/Commissions and quasi-judicial bodies in the country are not centrally maintained. Data available in respect of 08 Tribunals is placed as **Annexure**.

**ANNEXURE TO RAJYA SABHA UNSTARRED QUESTION NO. 1882 DATED 17<sup>TH</sup> MARCH, 2022**

Sl. No.	Ministry/ Department (Tribunal)	a. total number of vacancies in all tribunals/commissions and quasi-judicial bodies in the country, segregated data thereof for each body specifying judicial and technical member vacancies;	b. total number of vacancies of staff in all tribunals/commissions and quasi-judicial bodies in the country;	c. total number of pending cases in all tribunals/commissions and quasi-judicial bodies in the country;	d. total budget allocated and expenditure for all tribunals/commissions and quasi-judicial bodies in the country, segregated data thereof; and	e. details of the causes and remedial steps taken to address the issue of vacancies and pendency in quasi-judicial bodies in the country?
1.	Department of Personnel & Training {Central Administrative Tribunal (CAT)}	As on 11.03.2022, out of 70 (including 04 newly created posts for the bench of CAT at Jammu and Srinagar) sanctioned posts of Hon'ble Chairman / Members in Central Administrative Tribunal, 31 posts are filled up and 39 posts are lying vacant.	Out of 1373 sanctioned posts of Officers / staff in Central Administrative Tribunal, 956 posts are filled up and 417 posts are lying vacant.	As on 31.12.2021, total 74,567 cases are pending in different Benches of CAT.	During the Financial Year 2021-22, total budget of ₹ 133.00 crores were allocated to CAT. Out of this amount, expenditure of ₹ 108.41 crores have already been made till 28.02.2022.	As on date, out of 70 sanctioned posts of Hon'ble Chairman / Members in CAT, 39 posts are lying vacant. The reason for these vacancies is that the vacancies for the years 2019, 2020 and 2021 could not be filled up due to the ongoing litigations in various High Courts and Supreme Court with regard to the rules governing the conditions of service of Chairman/ Members of Tribunals. However, now after the issuance of the Tribunal Reforms Act, 2021 and framing of Rules there-under, the process of making selection of Members of CAT has begun with the constitution

						<p>of a high-powered Search-cum-Selection Committee with nomination of a sitting Judge of the Supreme Court as its Chairman, and other members.</p> <p>Further, the reason for the pendency of the cases are as follows:</p> <p>(i) Some cases are adjourned sine-die due to the reason that the matters have been sub-judice before the Hon'ble Supreme Court/ High Courts.</p> <p>(ii) Some cases have been restored/ remanded back by the Hon'ble Supreme Court and Hon'ble High Courts after long time and hence, these cases retain their original institution date in the Tribunal.</p> <p>(iii) Some cases were initially dismissed in default and later on restored.</p> <p>(iv) In some cases, the Ld. Counsels seek time for</p>
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						<p>filing reply/ rejoinder.</p> <p>(v) Moreover, during the COVID-19 pandemic period, only those cases were listed for hearing where both the parties have agreed for hearing through video conferencing.</p> <p>(f) The total pending 74,567 cases as at the end of year 2021 includes 18,092 cases that have been transferred from the Hon'ble High Court of Jammu &amp; Kashmir to CAT in the years 2020 and 2021.</p> <p>It may be pertinent to mention that since the inception of CAT, 8,70,409 cases have been instituted and out of these, 7,95,842 cases have been disposed. Overall disposal percentage of cases in CAT is 91.43%. However, all efforts are being made by the CAT for disposal of the old cases on priority basis.</p>
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2.	Ministry of Environment, Forest and Climate Change (National Green Tribunal)	At present, there is no vacancy for Chairperson. Five (05) posts of Judicial Members and four (04) posts of Expert Members are vacant in the National Green Tribunal (NGT).	As on 01.01.2022, one hundred and sixty-six (166) posts have been sanctioned at various levels in the NGT, out of which sixty (60) posts are lying vacant.	As on 28.02.2022, the total number of court cases pending before the NGT Principal Bench and its four Zonal Benches is two thousand two hundred and thirty-seven (2,237).	<p>The total budget allocated and expenditure in respect of the National Green Tribunal is provided as under: (Amount in Crores)</p> <table border="1" data-bbox="1521 326 2153 540"> <thead> <tr> <th>Financial Year</th> <th>B.E.</th> <th>R.E.</th> <th>Actual Expenditure</th> </tr> </thead> <tbody> <tr> <td>2019-20</td> <td>42.00</td> <td>36.40</td> <td>33.53</td> </tr> <tr> <td>2020-21</td> <td>40.00</td> <td>35.50</td> <td>34.25</td> </tr> <tr> <td>2021-22 (up to 28.02.2022)</td> <td>43.00</td> <td>44.00</td> <td>36.11</td> </tr> </tbody> </table>	Financial Year	B.E.	R.E.	Actual Expenditure	2019-20	42.00	36.40	33.53	2020-21	40.00	35.50	34.25	2021-22 (up to 28.02.2022)	43.00	44.00	36.11	The causes of the vacancies of Judicial and Expert Members in the National Green Tribunal are due to completion of tenure of the Hon'ble Members and resignation tendered by the Hon'ble Members. The Ministry endeavors to take necessary action well in advance to fill up the vacancies likely to arise for appointment of Judicial and Expert Members in the NGT. The government is in the process of filling the vacant posts of Judicial and Expert Members.
Financial Year	B.E.	R.E.	Actual Expenditure																			
2019-20	42.00	36.40	33.53																			
2020-21	40.00	35.50	34.25																			
2021-22 (up to 28.02.2022)	43.00	44.00	36.11																			
3.	Department of Financial Services (Debt Recovery Tribunal)	<b>Incumbency position of Group A officers in DRATs and DRTs as on 9/03/2022</b>	The number of cases pending in Debts Recovery Tribunals (DRTs) as on 28.02.2022 are 1,62,272 (based on the data available in the MIS of DRTs).	The total budget allocated for all DRTs/DRATs in Financial Year 2021-22 is Rs 141.01 Cr. Expenditure of all 39 DRTs and all 5 DRATs is Rs 129.42 Cr. as on 8/03/2022	<p>As regards the filling up of vacancies of Presiding Officers (POs) in DRTs, it is informed as under:</p> <p>i. This Department had issued a vacancy circular dated 12.07.2021, advertising vacancies for the post of POs in various DRTs and to prepare a panel of candidates for filling up anticipated and unforeseen vacancies in any of the other DRTs across the country, which may</p>																	

Sl. No.	Designation	Sanctioned Post	In Position	Vacant
1	Chairperson (CP)	5	3	2*
2	Presiding Officer (PO)	39	19	20 <sup>#</sup>
3	Registrar	44	39	5 <sup>^</sup>
4	Asst. Registrar (AR)	39	30	9 <sup>^</sup>
5	Recovery Officer (RO)	78	73	5 <sup>^</sup>
<p>* Offers of appointment for all vacant posts of CPs have been issued vide Department's letters of even no. dated 17/2/2022, giving the selected incumbents one month time to join the post.</p> <p><sup>#</sup> Offers of appointment for all vacant posts of POs have been issued vide Department's letters of even no. dated 20/2/2022 &amp; 8/3/2022 giving the selected incumbents one month time to join the post.</p> <p><sup>^</sup>This Department is in process to issue vacancy circular for the post of Registrar, Assistant Registrar and Recovery officer shortly.</p>				
<p>arise up to 31.03.2022. Based on the recommendations of Search cum selection committee (SCSC), DoPT vide its OMs dated 20/02/2022 and 07/03/2022 has conveyed the approval of Appointments Committee of Cabinet (ACC) for the post of Presiding officers for all 25 vacant posts in various DRTs. The offers of appointment have been issued for the post of PO for 18 DRTs on 20/02/2022 and for 7 DRTs on 8/03/2022, giving one month time to selected candidates to join the post of PO in respective DRTs. Five (5) candidates have already joined at the following places:-</p> <p>(a) DRT-I Chandigarh  (b) DRT-II Chandigarh  (c) DRT Jabalpur  (d) DRT-I Hyderabad  (e) DRT Visakhapatnam</p> <p>As regards the appointment of Chairpersons (CPs) in DRATs, it is informed as under:</p>				

					<p>ii. This Department had issued a vacancy circular dated 14.07.2021, advertising vacancies for the post of CPs in various DRATs and to prepare a panel of candidates for filling up anticipated and unforeseen vacancies in any of the other DRTs across the country, which may arise up to 31.03.2022. Based on the recommendations of Search cum selection committee (SCSC),DoPT vide its OM dated 16/02/2022 has conveyed the approval of Appointments Committee of Cabinet (ACC) for the post of Chairpersons for all 5 vacant posts in DRATs. The offers of appointment have been issued for the post of CPs for all 5 DRATs on 17/02/2022, giving selected candidates one month time to join the post of CP in respective DRATs. Three (3) candidates have already joined at DRAT, Allahabad, Chennai &amp; Kolkata.</p>
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4.	Department of Water Resources, RD & GR	<b>Ravi and Beas Waters Tribunal</b>	<b>Judicial</b> Chairman-01 Member-01  <b>Technical</b> Assessors-02	<b>Vacant posts:-</b> Court Master -02 PPS -01 PS -01 PA -01 LDC -01 Staff Car Driver – 02	Clarification /explanation sought from the Tribunal under section 5(3) of the Act by the party states is pending before the Tribunal.	Total Budget allocated 2021-22 <b>Rs. 2.44 Cr.</b>  Total Expenditure (till 28 Feb 22)- <b>Rs. 1.03 Cr.</b>	Recruitment for various vacant posts are at various stages.
		<b>Krishna Water Dispute Tribunal</b>	Nil	Nil	One case on Krishna River Water Disputes in KWDT.	Budget Allocation 2021-22 Rs.350 Lakh. Expenditure 2021-22 (upto 28.02.2022): Rs. 328 Lakh	
		<b>Mahaday i Water Dispute Tribunal *</b>	<b>Technical</b> Assessors-01	<b>Executive Engineer – 1</b>  <b>Court Master – 1</b>	References have been filed by the three party States as well as by the Central Government under Section 5(3) of the Inter State Water River Act 1956. Against the main Award dated 14.08.2018 all the three party states have preferred appeals before the Hon'ble Supreme Court of India. Those appeals are pending for hearing. Therefore the four references are	Total budget allocated during FY 2021-22=3.63 Crores Expenditure incurred upto February 2022 = 3.23 Crores	



					pending before the Tribunal.															
		<b>Mahanadi Water Dispute Tribunal</b>	<b>Nil</b>	<b>PPS -2</b> <b>Executive Engineer (Civil) – 1</b> <b>Court Master – 2</b> <b>PS -1</b>	One case on Mahanadi water dispute	Total budget allocated during FY 2021-22=3.5 Crores  Expenditure incurred upto February 2022 = 2.8817 Crores														
5	Ministry of Railways (Railway Board)- Railway Claims Tribunal	<table border="1"> <thead> <tr> <th>Name of Post</th> <th>Vacant</th> </tr> </thead> <tbody> <tr> <td>Chairman</td> <td>00</td> </tr> <tr> <td>Vice-Chairman (Judicial)</td> <td>02</td> </tr> <tr> <td>Vice-Chairman (Technical)</td> <td>02</td> </tr> <tr> <td>Member (Judicial)</td> <td>16</td> </tr> <tr> <td>Member (Technical)</td> <td>07</td> </tr> <tr> <td><b>Total</b></td> <td><b>27</b></td> </tr> </tbody> </table>	Name of Post	Vacant	Chairman	00	Vice-Chairman (Judicial)	02	Vice-Chairman (Technical)	02	Member (Judicial)	16	Member (Technical)	07	<b>Total</b>	<b>27</b>	As on 28.02.2022, there were 225 vacancies of staff in Railway Claims Tribunal.	As on 28.02.2022, total 25,574 cases were pending in Railway Claims Tribunal.	(i) Revised Budget allocated for all Railway Claims Tribunal Benches for the year 2021-2022 is Rs.50 Crores. (ii) Total actual expenditure of all RCT Benches up to January, 2022 is Rs.41.03 Crores. and expenditure worked out for February and March, 2022 is Rs.9.96 Crores.	<p><b>Details of the causes and remedial steps taken to address the issue of vacancies and pendency in Railway Claims Tribunal (RCT)</b></p> <p><b>(a) Causes of vacancies and pendency of cases in Railway Claims Tribunal:-</b></p> <ol style="list-style-type: none"> <li>Several Posts of Members are lying vacant in various Benches of Railway Claims Tribunal due to various pending court cases in various High Courts/Supreme Court. As on 11.03.2022, out of 46 total sanctioned posts, 27 are vacant.</li> <li>In Railway Claims Tribunal, judicial process involves different stages</li> </ol>
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Chairman	00																			
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						<p>like filing of cases, filing of Written Statement (WS), evidences, cross-examination of witness &amp; party and the argument which takes some time for disposal of the cases. However, if all the documents are in order and have been filed in time, disposal of cases is done expeditiously.</p> <p>3. As on 28.02.2022, there were a total of 225 vacancies of staff in various Benches of Railway Claims Tribunal, which is also a cause to decelerate the proceeding of the Court.</p> <p>4. During Covid-19 Pandemic situation, physical hearing of the cases were discontinued.</p> <p><b>(b) Remedial steps taken to address the issue of vacancies and pendency of cases:-</b></p> <p>1. Consequent upon Supreme Court's Order dated 27-11-2020, Ministry of Finance vide</p>
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						<p>Gazette Notification No.GSR 635(E) dated 15.09.2021 has notified the Tribunal (Conditions of Service) Rules, 2021 regarding eligibility conditions for appointment of Chairperson and Members in the Tribunal. Accordingly, vacancy notification has been issued by Ministry of Railways for filling up the vacant posts of 02 Vice-Chairmen(Judicial), 02 Vice-Chairman(Technical), 16 Member (Judicial) and 07 Member (Technical). Search-cum-Selection Committee has also been constituted for selection of the Members, which is under process.</p> <p>2. Instructions have been issued to General Managers of all Zonal Railways to fill up the vacancies in Railway Claims Tribunal Benches falling under their jurisdiction.</p> <p>3. Holding of Circuit</p>
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						<p>Benches in Tribunals where Hon'ble Members are not posted.</p> <p>4. In order to reduce the pendency of cases and to provide timely Justice to the injured and the family of deceased victim, LokAdalats have been organized in various Benches from time to time</p> <p>5. In order to ensure that poverty is not an impediment in the search for Justice, legal aid has been made available to poor litigants under the Legal Aid Scheme.</p> <p>6. Hon'ble Chairman has Suo-motu taken up the matter for expediting the submission of Written Statement (WS) and DRM report by Zonal Railways for the cases registered in the Bench. Due to consistent efforts, WS pendency has been brought down from 6525 in March/2021 to 567 in Feb/2022.</p> <p>7. Workshop has been</p>
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						<p>organized for Vice-Chairman and Members at National Judicial Academy, Bhopal in 2016, 2018, 2019 and at Delhi Judicial Academy, Dwarka, New Delhi in 2017. During Covid virtual workshop was organized for Member to give them exposure about working of RCT.</p> <p>8. In order to provide quick relief to the train accident victims and their families in a fatal train accident at Pokhrayan Station on 22.11.2016 and at Kuneru Railway Station on 22.01.2017, Suo-Motu orders were passed by the then Hon'ble Chairman, RCT, Delhi for immediate payment of compensation to the claimants so as to skirt long procedure and to enable parties to realize the benefits of compensation so that it shall not be necessary to put up any case through trial procedure of oral evidence except where the identity of the applicants is an issue for verification</p>
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						<p>or contest.</p> <p>9. Computerization and Digitization of RCT Benches (e-RCT) to take advantage of technology for paperless and expeditious disposal of claims cases has been started by Ministry of Railways.</p> <p>10. In the prevailing situation of COVID-19, the court proceedings are being conducted virtually through video conferencing. All efforts were made for seamless judicial functioning of benches. Seminars on different judicial aspects were also organized for Members of RCT on virtual platform as most of the Members (Technical) have recently joined the Tribunal.</p>
6	Department of Telecommunications (Telecom Disputes Settlement and Appellate Tribunal)	01 post of Member is vacant	16 posts of staff are vacant	4019 cases pending on 28.02.2022	Actual Expenditure in the last 3 years: 2018-19 :Rs. 17.01 Cr. 2019-20 :Rs. 17.02 Cr. 2020-21 :Rs. 19.06 Cr. 2021-22 :Rs. 16.34 Cr.	<p>(i) <b>Vacancy of Member arisen due to retirement</b></p> <p>(ii) <b>Department has already initiated action for filling up the post of</b></p>

						<p><b>Member, TDSAT</b></p> <p>(iii) <b>Vacancies of staff in TDSAT have been advertised by TDSAT on 16.02.2022</b></p>
7	Ministry of Labour & Employment (Central Government Industrial Tribunal-cum-Labour Court / National Industrial Tribunals)	There are 14 vacancies of Presiding Officers (Judicial) in Central Government Industrial Tribunal-cum-Labour Court / National Industrial Tribunals	Total number of vacancies of staff in CGIT-cum-LCs/NITs as on 01.01.2022 is 80.	Total pendency in all CGITs-cum-LCs/NITs as on 31.01.2022 under Industrial Dispute Act, 1947 is 23886. Total pendency in all CGIT-cum-LCs as on 31.01.2022 under EPF & MP Act, 1952 is 7160.	<p>Figures in thousands:</p> <p>BE 2021-22: Rs. 140000 RE 2021-22: Rs. 135500 Expenditure till Feb, 2022 – Rs. 125684</p>	<p><b>Vacancies of POs in CGIT-cum-LCs have not been filled up on time due to intermittent judicial pronouncements. However, vacancies of Presiding Officers have recently been advertised.</b></p>
8	Department of Legal Affairs (Income Tax Appellate Tribunal)	The total number of vacancies of Judicial Members and Accountant Members in the Income Tax Appellate Tribunal (ITAT), as on date, are given below:- Vacancies in Judicial Member: 20 Vacancies in Accountant Member: 16	As on date, 348 posts are vacant in the Registry of the ITAT.	A total of 52093 appeals are pending for adjudication before the ITAT as on 01.03.2022.	A sum of Rs. 236.80 crore has been allocated to ITAT in RE 2021-22, against which an amount of Rs. 212.63 crore has been utilised till 28.02.2022.	Filling up of vacancies is a continuous process, as the vacancies arise on account of retirement, VRS, death etc. Insofar as ITAT is concerned, necessary steps are being taken to fill up vacant posts. In this regard, 21 new Accountant/Judicial Members have been appointed in ITAT recently.