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Judicialis Vacationem: A Comprehensive Study on the Judicial Vacations with a Special Focus on India

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ABSTRACT

This paper is divided into 3 parts dealing with the judicial vacation culture internationally, in the Supreme Court and High Courts in the country along with the district courts in India; and compares their working days with that of different sectors operating in the country. The data analyzed was obtained from filing RTI Applications with various public authorities, and detailed scrutiny of the annual court calendars published by every court in the country.

Vacations- derived from the Latin word, vacationem, means a period of the fixed holiday period, between terms. It is a period of rest and relaxation between strenuous work. Therefore, judicial vacations can be defined as that period of time where the courts of law perform no active functions and only extremely urgent matters are taken up for hearing by the vacation benches appointed for this period. These judicial vacations have played an essential role in lawyers' lives. The concept of judicial vacations in India is a gift of the British Raj and has been amended by the Supreme Court in India from time to time. However, the need for judicial vacations has been questioned time and again by various legal scholars. To answer this question, it is essential to answer specific fundamental questions- Are judicial vacations native to India? How did they come into existence? Is the Indian judiciary working at par with other sectors in the country? And many more. Let us deal with them, one by one.

I. PART 1

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(A) Judicial Vacations around the Globe- A Comparative Study

The United Kingdom

The United Kingdom does not have a single unified legal system. For historical reasons, the judiciary of the United Kingdom is made up of separate judiciaries, i.e., it comprises three distinct legal systems in England & Wales, Northern Ireland, and Scotland. Above all, the Supreme Court is the one to sit as the final court of appeal. Pertinent to mention that, before the establishment of the Supreme Court, the 12 most senior judges who were called the Lords of Appeal in Ordinary, or Law Lords as they were called- sat in the House of Lords. It was the House of Lords, considered as the highest Court of Appeal in the land. Its decision was binding on all the courts below it and acted as the final court on points of the law having jurisdiction over the entire United Kingdom in Civil Cases and for England, Wales, and Northern in Criminal cases. In the matter of employment law, Employment tribunals and the Employment Appeal Tribunal have jurisdiction in the whole of Great Britain except Northern Ireland.

- **Circuit Judges of UK**

Circuit judges are appointed to one of seven regions of England and Wales. They sit in the Crown and County Courts within their particular region. Presently, there are over 600 circuit judges throughout England and Wales.

Some circuit judges are empowered to deal specifically with criminal or civil cases, while some are authorized to hear public and/or private law family cases. Others may sit more or less on a full-time basis in specialized civil jurisdictions, such as Chancery or mercantile cases, or as judges of the Technology and Construction Court. They are appointed by the Queen, on the recommendation of the Lord Chancellor, following a fair and open competition administered by the Judicial Appointments Commission. Some judges sit part-time in retirement and are known as deputy circuit judges.

The rank of the Circuit judges is below the High Court judges but they are superior to the

District judges. They may be appointed to sit as deputy High Court judges, and some of the more senior circuit judges are eligible to sit in the Criminal Division of the Court of Appeal.

- **United Kingdom Supreme Court**

In recent years, there was a demand for the establishment of a new free-standing Supreme Court that would separate the highest appeal court from the second house of Parliament, thereby removing the Lords of Appeal in Ordinary from the legislature. The objective was to achieve complete separation of the United Kingdom's senior judges from the upper House of Parliament, prominence being given to the independence of the then Law Lords (now United Kingdom Supreme Court), in turn increasing transparency at the top tier of the Judicial System.

In October 2009, the Supreme Court of the United Kingdom was established following the Constitution Reform Act, 2005, replacing the Appellate Committee of the House of Lords. It is to be noted that the new Supreme Court is a United Kingdom Body, legally separated from Courts of England and Wales as it is also the Supreme Court of both Scotland and Northern Ireland. The Supreme Court of United Kingdom judges are known as Justices of the Supreme and are granted the title Lord or Lady for life. The Supreme Court is headed by the President and Deputy President of the Supreme Court and includes ten other justices.

- **Vacation Period and Working Days of the Courts in the UK**

The Courts in the United Kingdom have sitting hours from 10:30 am- 4:30 pm. There are four terms in a legal year as per the calendar of the United Kingdom High Court and Court of Appeal. The names know these four terms of - Hilary, Easter, Trinity, and Michaelmas.

The term dates for the year 2021 are as follows:

1. Hilary: Monday 11 January to Wednesday 31 March 2021
2. Easter: Tuesday 13 April to Friday 28 May 2021
3. Trinity: Tuesday 8 June to Friday 30 July 2021
4. Michaelmas: Friday 1 October to Tuesday 21 December 2021

According to the data, most courts have sittings around the year, and even in the High Courts and Court of Appeal, emergency hearings and processing of cases continue during the vacations. The average working days of the Court of Appeal and High Court of the United Kingdom are somewhere between 185-190 days. In contrast, the circuit judges are expected to have a minimum of 210 sitting days. The sitting days of the District judges should be a minimum of 215 days.

The United States of America

The United States is a federal system having a Central Federal Government and individual government for each of the Fifty States. When it comes to other branches of the Government, each state has its own complete judicial system (State Courts), as does the United States itself (Federal Courts).

- **Federal Court System of the USA**

The federal judiciary of the United States of America is said to operate separately from the other two branches- legislative and executive; however, the judiciary works with these two branches as and when the constitution requires. Congress passes the Federal Laws and is signed by the President for it to become a law.

The Federal Court System is divided into three primary levels:

1. The district courts (trial courts)
2. Circuit courts (courts of the first appeal)
3. The Supreme Court of the United States (the final level of appeal in the federal system)

There are 94 district courts, 13 circuit courts, and one Supreme Court throughout the United States. It is to be noted that the Federal courts are courts of limited jurisdiction i.e., they are empowered to hear only those cases authorized to them by the Constitution of the United States or federal statutes. The federal district court is the starting point for any case arising under federal statutes, the Constitution, or treaties. The judges have a tenure of their entire lifetime; however, they may resign or retire earlier. The impeachment also removes them by the House of Representatives and conviction by the Senate. There is one exception to the lifetime appointment of the magistrate judges; they are selected by the district judges and are appointed for a specific tenure.

1. District Courts

The district courts under the federal system are the general trial courts. Each district court has at least one United States District Judge. The District Judge is appointed by the President and confirmed by the Senate for a life term. Both civil and criminal trials are handled by the district courts within a federal court system.

2. Circuit Courts

The circuit courts are the Courts of the first appeal. On being aggrieved by the judgment of a federal district court, the case can be appealed to a United States Court of Appeal. Twelve

federal circuits divide the country into different regions. Each circuit court has multiple judges, ranging from six on the First Circuit to 29 on the Ninth Circuit.

- **Supreme Court of the United States of America**

In the American Judicial System, the Supreme Court is the highest. The Supreme Court has been empowered to decide appeals on all cases brought in federal court or those brought before the State Court but dealing with federal law. The members of the Supreme Court are referred to as “Justices,” and just like the federal judges, the President appoints them and is confirmed by the Senate for a life term. There are nine justices on the court, which comprises one chief justice and eight associate justices.

1. Working days of the Supreme Court

The Supreme Court meets in Washington D.C. The Court’s annual term commences from October until each summer, usually ending in June or early July of the following year. Each term consists of alternating periods of two weeks known as “sittings” and “recesses.” During the sittings, the justices hear the cases and deliver judgments, while the judges discuss cases and write opinions during recess.

There are overall 12-15 federal holidays apart from other holidays. In the United States, a federal holiday is a calendar date that is recognized and designated by the federal government of the United States as a national holiday.

Canada

Canada’s Court system forms the judicial branch of government, which interprets the law and consists of courts at different levels. It was earlier known as “The Queen on the Bench.” The nature of the court system in Canada is federal, provincial, or territorial. The federal court system is separate from the provincial court system.

The Constitution Act, 1867 of Canada envisages the provisions for establishing and operating Canada’s judiciary, including its courts of law. It gives the exclusive legislative power to the federal government over criminal law and criminal procedure but not over the establishment of criminal courts. The provinces are vested with the exclusive power over the administration of justice in each of the provinces.

The four levels of Court in Canada are as follows:

1. The Supreme Court of Canada
2. The Federal Court and the Federal Court of Appeal as well as Provincial and territorial courts of appeals

3. Provincial and territorial superior courts
 4. Provincial and territorial lower courts
- **The Supreme Court of Canada**

The Supreme Court of Canada was established in 1875 by the Supreme Court Act. It came into existence as a general court of appeal for Canada. There are 9 justices in all in the Supreme Court of Canada, appointed by the Governor-in-council. It has been the ultimate court of appeal since 1949. Previously before the year 1949, the Judicial Committee of the Privy Council in London, England used to be the final appellate court. The Supreme Court is bijural i.e. it hears cases from two major legal traditions – common law and civil law and bilingual i.e. it hears cases in both official languages of Canada – English, and French.

- **Federal Court of Canada**

The Parliament established the Federal Court of Canada in 1971. The Federal Court of Canada deals with claims by or against the federal government or matters relating to maritime law, copyright, patent and trademark law, and federal taxation statutes. In 2003, the Federal court was divided into Federal Court and the Federal Court of Appeal respectively. An appeal moves from the Federal Court of Appeal to the Supreme Court of Canada with leave of either court.

- **Courts established by the Provinces or Territories**

1. Provincial and Territorial Courts of Appeal

Each province and territory has a court of appeal. This Court hears appeals from the superior courts and provincial or territorial courts. A court of appeals' decision can be appealed to the Supreme Court subject to some restrictions. Any decision by the lower provincial court in matters relating to civil and criminal law, including negligence claims, property disputes, bankruptcies and corporate reorganizations can be appealed to the courts of appeal.

2. Provincial and Territorial Superior Courts

The provincial and territorial superior courts have been empowered to hear and adjudicate any civil cause of action brought before them except for suits within the exclusive jurisdiction established by the Parliament. In criminal matters, the superior courts have been given the jurisdiction to hear trials of any serious offences.

Sitting Days of the Supreme Court

The Supreme Court of Canada has 18 weeks of sitting days in a year which begins from the first Monday of October and usually runs until the end of June and sometimes into July.

Australia

A fundamental aspect of law and governance in Australia is Judicial Independence. Under the Australian Constitution, the judiciary is independent of other arms of the government. The power to make laws in Australia is divided between the executive, the parliament, and the judiciary. The doctrine of separation of powers is an important feature of the Australian system of government.

The Government of the Day appoints the Federal Judicial Officers. These officers cannot be removed from the office except on the grounds of proven misbehavior or incapacity. While the judges hold their office, their remuneration cannot be reduced.

- **Federal Courts of Australia**

Chapter III of the Constitution of Australia makes provision for the establishment of the High Court of Australia and authorizes the Parliament to create other federal courts. It also empowers the Parliament to vest federal judicial power in state and territory courts. It has been stated in Chapter III of the Constitution that the judicial power of the Commonwealth shall be vested in a Federal Supreme Court, to be called the High Court of Australia, and in such other federal courts as the Parliament creates.

- **High court of Australia**

The High Court of Australia is the highest court and the final court of Appeal in Australia. The High Court of Australia sits at the apex of the Australian court hierarchy as the ultimate court of appeal on matters of both federal and state law. It deals with cases involving international law and domestic constitutional issues, and, at its discretion, with appeals arising from the lower courts, where they are considered to be of sufficient public interest or where there are differences in the interpretation of the law among the lower courts. The High Court is headed by a Chief Justice and six other justices.

- **Federal Court of Australia**

The Federal Courts have jurisdiction over Commonwealth law (law made by the Federal Parliament of Australia). The court has been vested with the power to hear matters on a variety of subject matters ranging from bankruptcy, corporations, industrial relations, native title, taxation, to trade practices law. This court hears appeals from decisions of the Federal Circuit Court except for the Family Court decisions.

- **Family Court of Australia**

The family sits in each State and territory except Western Australia, wherein family law matters

are heard by a State Court, the Family Court of Western Australia. In Australia, the Family Court deals with family disputes and hears appeals from decisions in family law matters of the Federal Circuit Courts.

- **Federal Circuit Court of Australia**

The Federal Magistrates Court was renamed on April 12, 2013, as the Federal Circuit Court of Australia, and the titles of ‘Chief Federal Magistrate’ and ‘Federal Magistrate’ were changed to ‘Chief Judge’ and ‘Judge’ respectively.

The Federal Circuit Court has been empowered to hear less complex disputes in matters including family law and child support, administrative law, admiralty law, bankruptcy, copyright, privacy and trade practices, etc.

- **Court Sitting Days**

As per the official website of the High Court of Australia, the Court conducts its sittings in Canberra and other places as determined by a Rule of Court made by the Justice in the preceding year. Approximately two-thirds of all sitting days are in Canberra. The calendar provided by the official site of the High Court of Australia shows that in 2021, the court had 87 court sitting days and ten special leave days. In the year 2020, there were 89 court sitting days, 10 special leave days. In the year 2019, the High Court had 90 sitting days and 10 special leave days.

The website states that in addition to the sittings in Canberra, the applications for special leave to appeal to the Court are heard regularly in Sydney and Melbourne, and the Court continues the practice, established on its inauguration, of sitting in Brisbane, Adelaide, Perth and Hobart one each year if warranted by the amount of business.

- **Supreme Court Vacations**

The vacations observed in the Supreme Court are the summer vacation, the Easter vacation, and the winter vacation. The vacation periods for 2022 are:

Summer: 24 December 2021 to 10 January 2022

Easter: 15 April 2021 to 18 April 2022

Winter: 4 July 2021 to 15 July 2022

- **Supreme Court Holidays**

Rule 5 of Order 68 of the Rules of the Supreme Court provides that the several offices of the Supreme Court shall be open every day of the year except Saturdays, Sundays, Good Friday,

Easter Monday, Christmas Day, and all public service holidays.

Perth Court of Appeal Sittings

The Court of Appeal will sit throughout the legal year.

- **Perth Civil Sittings**

Civil sittings of the Supreme Court at Perth for the trial of causes and issues of fact during the year 2022 shall commence on Tuesday, 11 January 2022 and shall continue, except for the Easter and Winter Vacations and for Public Service holidays, until Friday, 23 December 2022.

- **Perth Criminal Sittings**

Criminal sittings of the Supreme Court to be held at Perth during the year 2022 shall commence on the following days:

1. Tuesday 11 January
2. Tuesday 1 February
3. Tuesday 1 March
4. Friday 1 April
5. Monday 2 May
6. Wednesday 1 June
7. Friday 1 July
8. Monday 1 August
9. Thursday 1 September
10. Monday 3 October
11. Tuesday 1 November
12. Thursday 1 December

- **Sitting Days of the Federal Court of Australia**

The Federal Court of Australia will sit for the following days in the year 2021 & 2022 as per the data collected from their website (<https://www.fedcourt.gov.au/court-calendar/full-court-and-appellate-sitting-dates>) stated below.

Full Court & Appellate Sitting Dates

Subject to there being sufficient business, the Full Court and Appellate sittings of the Federal Court of Australia will be held in all capital cities within the periods indicated below:

2021

1 - 26 February 2021

3 - 28 May 2021

2 - 27 August 2021

1 - 26 November 2021

2022

7 February - 4 March 2022

2 - 27 May 2022

1 - 26 August 2022

7 November - 2 December 2022

Any urgent matter may be transferred to a place of sitting other than that at which the matter was heard at first instance. If the circumstances require it, the Court may sit to hear matters on dates other than those listed.

Germany

The Courts Constitution Act or *Gerichtsverfassungsgesetz* (GVG) governs the organization of the courts in the European country of Germany. There exist five types of courts in a federal structure, apart from the Federal Constitutional Courts and the Länder's (State) constitutional courts.

As their name suggests, the Constitutional Courts focus on judicial reviews and interpretation of the constitutional provisions. The Federal Constitution Court is the Supreme Constitutional Court, established by the Constitution of Germany itself, whereas all states, known as Länders, have their own respective constitutional courts.

The five types of courts are enlisted as under:

§ Ordinary Courts, dealing with criminal and major civil cases

§ Administrative Courts, dealing with administrative, labour, fiscal, patent, and social laws

§ Tax law Courts, dealing with matters related to taxation

§ Labour Law Courts, dealing with labour disputes

§ Social Law Courts

Interestingly enough, the state constitutional courts are independent both, administratively as well as financially. They write their own budget; hire, retain and fire their employees and perform their functions autonomously.

The composition of courts in Germany varies from single judge benches in tribunals or a combination of more than one judge in the different courts.

Presently, the number of courts in Germany are as follows

Courts	Local	Reginal	Appellate	Federal	Total
Ordinary Courts	687	116	24	1	828
Labour Courts	122		19	1	142
Administrative Courts	52		16	1	69
Tax Courts	19			1	20
Social Courts	69		16	1	86
Constitutional Courts					17

Taking into account the list of public holidays and weekends for the year 2021, the judicial working days for the Judiciary in Germany can be calculated to be 240.

China

The People's Congress elects the Judiciary in the People's Republic of China, and the Constitution provides it to be free of interference from the administrative organs, individuals, or public organizations.

Like most of the countries in the world, the judicial system in China is a four-level federal structure consisting of the Supreme Court, High Courts, Intermediate Courts, and Primary Courts.

The Supreme Court of China is the highest court of appeal in China, supervising all the

subordinate courts, having 6 circuit court seats, set up outside the capital of Beijing, to decide cross-provincial cases.

The Local Courts are responsible for adjudicating matters, civil and criminal in nature. They make up the other three levels of the judicial system, depending upon the areas under jurisdiction.

High People's Courts at the Provincial level;

Intermediate People's Courts at the Prefectural level;

Primary People's Courts at the county, town, and district levels.

Other than these, there exist courts having special jurisdiction, consisting of special courts like Military Courts, Railway Transportation Court of China, Maritime Courts, Internet Courts, Intellectual Property Courts, and Financial Courts. Barring Military Courts, all such special courts come under the subordination of the respective high courts.

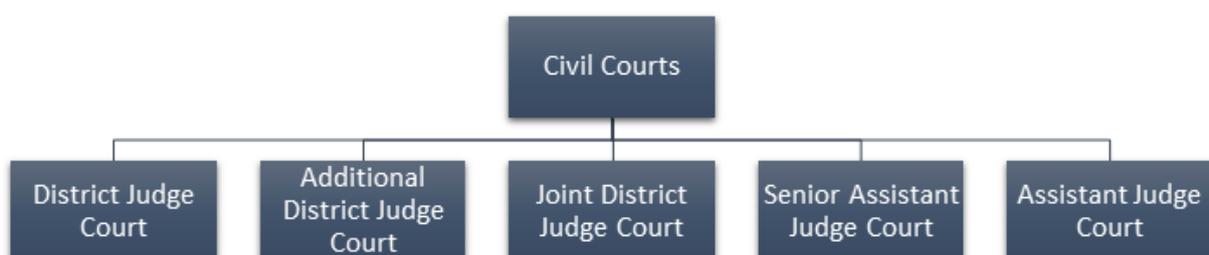
Taking into account the list of public holidays and weekends for the year 2021, the judicial working days for the Judiciary in China can be calculated to be 230.

Bangladesh

The judicial system of Bangladesh is similar to that of India in many ways. It is based on the Constitution of Bangladesh and consists of two divisions- High Court and Appellate, having separate jurisdictions. While the High Court division consists of Civil, criminal, and certain special courts and tribunals, the Appellate Division is responsible for adjudicating civil and criminal appeals from the High Court division and also decides points of laws, reserved for its decision either by the High Court or in furtherance of Public Interest.

The hierarchy of different civil and criminal courts may be understood as under:

District Levels





Taking into account the list of public holidays and weekends for the year 2021, the judicial working days for the Judiciary in Bangladesh can be calculated to be 231.

North Korea

Historically speaking, the judicial system of North Korea was based on that of colonial Japan and had a striking resemblance to that of South Korea. Based on the Soviet model, the judiciary in North Korea consists of a three-tier system- Central Court, Provincial Courts, and County Courts.

The Central Court is the highest court of the land, whose judges are appointed by the Supreme People's Assembly. However, interestingly enough, the Central Court is answerable to the SPA, and the judges are liable for criminal liability if they hand out unjust sentences.

The Supreme Court of the Democratic People's Republic of Korea is the highest court of Appeal in North Korea, which the Chief Justice heads (also known as the President), two Associate Chief Justices (Vice Presidents) and a certain number of regular justices, which is not expressly mentioned.

Below the Supreme Court exists the other levels, namely, the High Court, Provincial Courts, and People's Courts (County Courts).

Taking into account the list of public holidays and weekends for the year 2021, the judicial working days for the Judiciary in North Korea can be calculated to be 244.

New Zealand

The New Zealand judiciary system:

New Zealand's constitution outlines how Parliament, the executive, and the judiciary have their own functions and how they also work collectively to make, pass, apply and enforce the law.

Laws are inscribed by the executive and passed through Parliament (the legislature). It is the role of New Zealand's courts and judges (the judiciary) to interpret these laws and guarantee that people, groups, and organizations in New Zealand conform with them. The courts also

work closely with agencies like the Police and the Department of Corrections (responsible for New Zealand's prisons).

The two main streams of New Zealand law are criminal law and civil law. There are other streams of law as well, like family law, environmental law, or commercial law.

New Zealand's courts are reinforced by 29 tribunals that help in the resolution of civil law disputes.

- **Concept of Holidays:**

The New Zealand Courts do not have a concept of Summer or Winter vacations. They follow the High Court rules, 2016, for holidays. Sec 3.2 provides the days that will be holidays throughout the year. At present for the year 2021 includes;

- Ø 6 days holidays for Easter and Good Friday
- Ø 10 days for Christmas and New year
- Ø 52+52 days which are Saturdays and Sundays
- Ø 1 day for the Sovereign's birthday
- Ø 1 for Anzac Day
- Ø 1 for Waitangi Day

Which in all makes it approximately 123 holidays a year. Thus, working 242 days a year.

Japan

Japan judiciary system:

The Japanese legal system as it exists today is a combination of civil and common law brought about by the voluntary adoption of civil law from continental Europe and the imposition of common law on Japan after World War II.

There are five types of ordinary courts in Japan:

(1) Summary Courts, (2) Family Courts, (3) District Courts, (4) High Courts, and (5) The Supreme Court. Japan operates in a three-tiered judicial system, and, in most cases, a summary, family, or district court will be the court of the first instance, dependent on the nature of the matter.

Concept of Holidays:

The Japanese courts are closed on public holidays. The Japanese have 16 public holidays. The Courts are also closed on Saturdays and Sundays. So, in all, there are 120 holidays in a year

for the Courts.

France

French Judiciary system: -

The structure of the French judiciary is divided into three tiers:

- 1) Inferior courts of original and general jurisdiction
- 2) Intermediate appellate courts which hear cases on appeal from lower courts
- 3) Courts of last resort which hear appeals from lower appellate courts on the interpretation of law.

Concept of Holidays: -

France has 11 Public Holidays which are as follows;

1 January - New Year's Day (Jour de l'an)

1 May Labour Day (Fête du Travail; Fête du premier mai)

8 May WWII Victory Day (Fête de la Victoire 1945; Fête du huitième mai)

14 July Bastille Day (Fête nationale)

15 August Assumption of the Blessed Virgin Mary (Assomption)

1 November All Saints Day (La Toussaint)

11 November Armistice Day (Jour d'armistice)

25 December Christmas Day (Noël)

26 December 2nd Day of Christmas (in Alsace and Lorraine only).

Saturdays and Sundays are off, and thus, there are 115 holidays per year in the French Court.

Spain

Spanish judicial system: -

The judiciary can be organized into different levels of territorial organization:

- the national courts
- the autonomous communities of Spain
- the provinces of Spain
- the judicial district, which is the basic unit of the judiciary, covers one or several municipalities and is served by at least one first instance and inquiry court

Governance of the Spanish Judiciary is assigned to the General Council of the Judiciary. Although not a court in itself, this constitutional body is responsible for overseeing the work of all courts and tribunals of Spain and allocating judges and magistrates to each of them.

Concept of Holidays: -

The Spanish Courts do not work on Weekends and Public holidays. They have approximately 52 public holidays a year which makes it 156 holidays per year.

(B) Vacation Culture in the International Judicial Bodies

International Court of Justice

The International Court of Justice (ICJ) was established in June 1945 by the Charter of the United Nations. It is the principal judicial organ of the United Nations (UN). The ICJ commenced its work in April 1946. The seat of the Court is at the Peace Palace in The Hague, Netherlands.

The ICJ plays an important role in settling the legal disputes submitted to it by States and giving advisory opinions on legal questions which are referred to it by authorized United Nations organs and specialized agencies, in accordance with the provisions of International Law.

- **Composition of the Court**

There are altogether 15 judges in the ICJ for a tenure of nine years, elected by the United Nations General Assembly and the Security Council. The administrative organ of the ICJ is the Registry. English and French are the official languages of it.

- **Working Days**

The ICJ has 10 official holidays in a year. However, the website of the ICJ – www.icj.cij.org does not provide any data pertaining to the court sitting days. Due to insufficient data, the total number of working days of the ICJ could not be calculated.

(C) How far are Judicial Vacations Justified?

Do the Courts need Judicial Vacations? If so, how many vacations are needed? These questions are wondered upon frequently these days, particularly when there is a conversation about the pendency of cases. To understand it better, here is a look at the Pros and Cons of Judicial Vacations.

- **Arguments in favor of Judicial Vacations**

It can be argued that judges are overworked on a daily basis and work tremendously long hours. In the absence of adequate breaks, judges will suffer mental exhaustion. Also, many judges use

lengthy breaks to write judgments that are incomplete and also catch up on research, which is crucial for judges to maintain the quality of justice. The Judges on average have 60-70 cases enlisted before them every day. This is a huge number by any measure. The time they devote to the court is usually only a subset of their working time.

Further, subordinate court judges already work six days a week, contrasting to the High Court and Supreme Court judges who work five days a week.

Former Chief Justice of India RM Lodha hovered around the idea of a Supreme Court that works 365 days a year, which was disagreed by the Bar. The Bar Council of India and State Bar Councils as an alternative recommended having courts open six days a week, increasing the working hours, and appointing more judges.

Reading approximately 70-80 cases a day on wide-ranging topics of law is not easy. Judges do not get any free time throughout the week as a result. And it is not like they are letting go and relaxing during the vacation. This time is set aside for writing judgments, an exercise that can be exceedingly time-consuming.

Justice Sanjay Kishan Kaul made a remark during the hearing of the disqualified Tamil Nadu MLAs in the Supreme Court saying,

“Lawyers filed a petition and argued the case for four months and then you think Judges are like computers, you press one button and order will come. Orders and judgments take deliberations and can’t be passed in days.”

Justice Deepak Maheshwari, a sitting judge of the Rajasthan High Court, presented a glimpse into the life of a high court judge, saying,

“In a single day, a judge presides over 80 to 90 such cases on an average. His decisions affect public life and therefore, such decisions cannot be rendered without application of mind. Without much elaboration upon the hard work required, it would suffice to say that a judge has to sacrifice his leisure time and work almost every weekend to ensure that he is able to do justice to his work. Most of the holidays have become symbolic.”

Long story short, we ought to find other ways by which we can reduce pendency without overburdening the already beleaguered judges of the higher judiciary. For starters, the Centre could stop sitting on files relating to judicial appointments and fill in the vacancies.

Those in support of vacations counter the pendency argument by pointing out that the staggering backlogs in our system are caused by a complex combination of several factors including judicial vacancies and poor case management. Merely taking away annual holidays

is not a solution to fix India's overburdened judicial system; a change in the entire legal culture is required. Cancellation of holidays in this manner will only be counterproductive and end up exponentially increasing the number of fatigued and angry judges, lawyers, and court staff.

Further, it is also argued that judges, lawyers, and court staff will not only be tired and angry if they are denied vacations, they will also be less efficient.

Speaking at the Full Bench farewell accorded to her on her elevation as Supreme Court judge, Justice Kohli said that, most holidays of judges are dedicated to dictating longish judgments, and that she would entreat the public not to count the holidays in the court calendar and assume that they are spent relaxing with family on holidaying.

- **Arguments against Judicial Vacations**

The most prominent criticism of judicial vacations initiates from the plague affecting our system since its commencement, that is, judicial pendency. Critics frequently point out that the practice of long vacations first started in colonial times because judges needed to travel by ship and devote adequate time with their families back in England during the year. It is argued that there is no need to stay with this colonial tradition today, given transformed realities and insurmountable pendency.

Also, looking at the backlog of cases and the severe delays, courts should be working longer hours (and not lesser) to meet the country's requirements rather than stay with the practice of long breaks. This argument seems logical when we compare the courts with other institutions and professionals in society.

While the legislature does take long gaps, it does not have a daily transactional part like the judiciary. Further, no other working set of people, counting doctors compared to judges and lawyers workwise, take such a long break. Even if we look at this problem from a strict systemic perspective, a large number of non-working days cannot be justified when litigants have to wait for years together to get respite from the courts.

It can be understood that the hard-working judges need extensive vacations, but courts as a whole? Sure, there are vacation benches to handle urgent cases, but this will not be enough.

But if we accept the fundamental principle that justice delayed is justice denied, the Supreme Court's vacation is undesirable.

While the whole vacation period has abridged a little over the years, no substantial change in the status quo has befallen.

Compared to other equally-placed professions like medicine, the working hours of judges are

said to be appallingly low in light of their necessity by the public. Consequently, looking at the total number of days the court is vacationing and the escalating burden, public assurance in the judiciary as an institution is being battered.

- **To sum it up**

Debates about judicial vacations do not have any forthright answers. The arguments of both sides have merit and must be given due deliberation. Adopting either of the extremes is not an answer, but a middle ground should be found. Though vacation periods could definitely be reduced, calling them off is not the solution. Further, decreasing vacations will reduce pendency to an extent, but it will not solve the problem as a whole without other measures such as increasing judicial appointments and appropriate case management. A more all-inclusive solution is consequently needed.

(D) Judicial Vacations in India

The origin of the judicial vacation dates back to the Colonial Rule in India when India was under the British Raj in India, and the courts had British Judges. As per the reports, there is no specific reason as to what led to the commencement of the judicial vacation in India. However, it has been stated that since the British judges were unable to bear the scorching summer heat of India, they would sail back to England and would return during the monsoon months.

This was how the vacation benches came into existence during the vacation period of the judges. However, the current scene concerning the judicial vacation is that it is seen as a welcome break for judges and is considered a time essential for reflection and catching up on the work that remains undone during the working days. Some lawyers believe that “Vacations are an integral part of court procedure.”

It is pertinent to mention that the 230th Report of the Law Commission of India on Judicial Reforms had raised questioned on the validity of the judicial vacation while assessing the causes of the huge backlog of cases and had suggested that the vacation period in the higher judiciary must be curtailed by at least 10 to 15 days and working hours extended by at least 30 minutes.

As per the calendar of the Supreme Court, it had 193 working days in the year 2018, the High Courts have on average 210 working days, and the subordinate courts have on average 245 working days. The vacation period includes the summer holidays, Christmas holidays, Diwali holidays, Holi, Dussehra, and Pongal (holidays also depend upon their location). However, these vacation periods are restricted to the Civil Courts; the criminal courts in the subordinate judiciary are open on most working days in the year. The criminal courts do not take long

vacations like other courts.

The Law Commission has taken up the issue of pendency of cases and the long vacation period of the higher judiciary in its various reports presented by it since 1955. All the Reports from the 14th 38th 78th 79th 80th 117th 120th 121st 124th 125th 154th 139th 197th 221st 222nd 229th 230th and 245th reports addressed the issues of delay, pendency, backlogs, and vacations of High Courts.

Taking into account the current judicial mechanism in our country, it takes up to 20-30 years or even a lifespan of a litigating person to finally determine a matter conclusively. Therefore, an alarming situation is created by the huge backlog of cases which makes it essential that the present attitude of the judicial administration has to be reformed by taking all the effective steps towards the implementation of the various reformatory measures suggested by the Law Commission or else the whole judiciary might break down.

Vacations across different sectors in India

In order to compare and analyze the vacation/holiday cultures of other sectors, with those of the legal sector, applications were filed under the Right to Information Act, 2005 in order to obtain data regarding the working days and holidays as observed by them, between 2017 to 2021, from institutions belonging to different sectors all over the country.

The data gathered from the replies received through the designated Public Information Officers of these establishments can be compared in the table below.

SECTOR	INSTITUTION	ANNUAL WORKING DAYS				
		2017	2018	2019	2020	2021
BANKING/ FINANCE SECTOR	Union Bank of India	-	220	270	269	259
	State Bank of India	265	271	254	253	254
	IDBI Bank	266	266	268	268	265
	Bank of India	262	264	261	264	266

	Central Bank of India	262	264	261	264	266
	Bank of Baroda	262	264	261	264	266
	Bank of Maharashtra	262	264	261	264	266
	Canara Bank	263	262	262	261	262
	Securities Exchange Board of India	239	237	238	236	237
	Life Insurance Corporation	241	239	242	244	240
EDUCATION SECTOR	IIT Madras	243	244	244	245	244
	IIT Kharagpur	243	244	244	245	244
	IIT Kanpur	243	244	244	245	244
	IISc Bangalore	242	242	242	243	242
	IIM Indore	244	244	244	244	244
	IIM Ahmedabad	244	244	244	244	244
	IIM Jammu	244	244	244	244	244
	IIM Kolkata	244	244	244	244	244
	JNU	242	242	242	243	242
HEALTH CARE	AIIMS Bhopal	242	241	241	242	243
	AIIMS Bhubaneswar	242	242	241	242	242

SECTOR*	AIIMS Jodhpur	242	242	241	242	242
	AIIMS Patna	242	242	241	242	242

* The health care sector involves hospitals controlled by the government, whose emergency wards and services function 24*7, all year round.

II. PART 2

- **The Supreme Court of India**

The Supreme Court of India came into existence on 28 January 1950, replacing the Federal Court of India and the Judicial Committee of the Privy Council, which were formerly at the top of the Indian judiciary, becoming the highest court of India as provided by the constitution. The law professed by the Supreme Court is binding on all the courts within India and also by the union and state governments.

Composition of the Court

In its primitive period, the Constitution of India envisaged a supreme court with a chief justice and seven judges, leaving it to the parliament to increase this figure.

The Supreme Court (Number of Judges) Act, 1956 provides that the maximum number of Judges of the Supreme Court, not including the Chief Justice of India, shall be thirty. But looking at the heavy pendency of cases, the Union Cabinet on July 3, 2019, allowed the increase of the number of judges in the top court from the existing 31 to 34, including the Chief Justice of India.

Earlier this year, the number of judges was 30, but recently, four new judges were appointed to the Supreme Court, taking its strength to 34, which is the highest yet.

Total number of Working days

Working days or hours in the Supreme Court are planned by the Rules outlined by the Supreme Court. These directions lay down that the period of summer vacation shall not surpass seven weeks. The Rules also say that the length of the summer vacation and the number of holidays for the court and the offices of the court shall be fixed by the Chief Justice and reported in the official gazette not exceeding 103 days, excluding Sundays not falling in the holidays.

The average number of working days in the last decade (2010 to 2021) can be fixed at

approximately 232 days. The total Number of working days are calculated, including the days when the registry is functioning and the restricted holidays.

General/ Uniform holidays

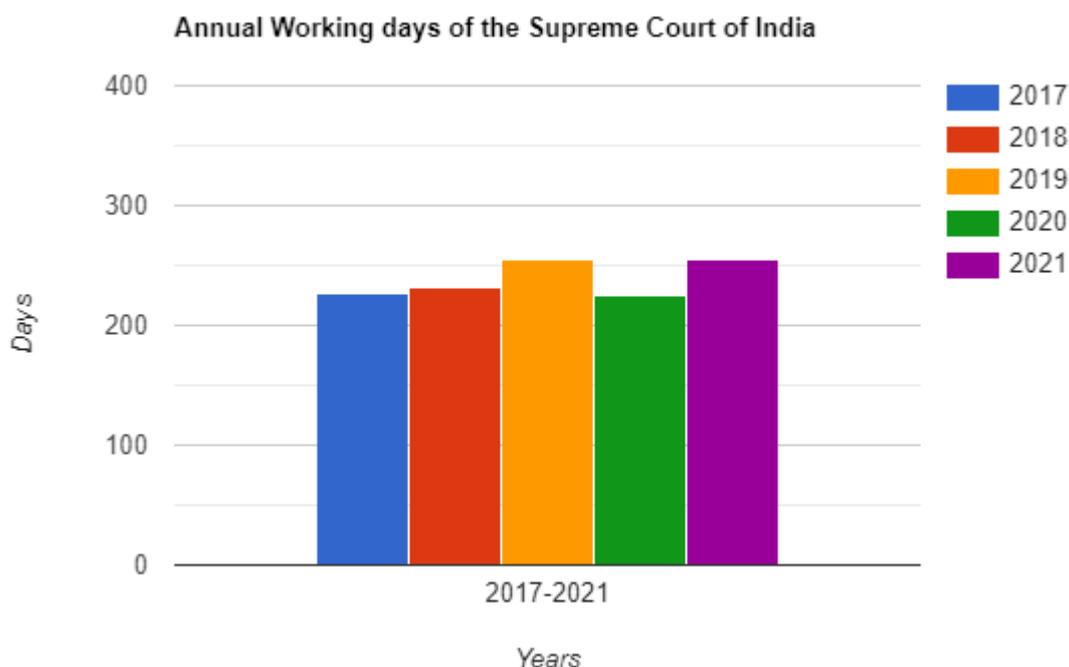
In the last decade, the average uniform holidays, including Sundays and the Summer and Winter vacations from 2010 to 2021, are 139 days.

Pendency Statistics

A huge percentage of 19.9 % of matters are incomplete currently in the highest court of appeal.

Pending Matters in the Apex Court as of October 1st 2021 is as follows: -

According to the official website of the Supreme Court, the pendency of the Principal Bench of the Supreme Court of India is currently a whopping number of 70,038 pending cases.



- **Allahabad High Court**

Allahabad was made the seat of Government of North-Western Provinces and a High Court was established in 1834 but was at that time moved to Agra within the time of a year. In 1869 it was moved back to Allahabad.

After the change of the place High Court for the North-Western Provinces from Agra to Allahabad in 1869 and the name was correspondingly altered to the High Court of Judicature at Allahabad from 11 March 1919.

Composition

With an authorized strength of 160 judges and the number of cases listed, the Allahabad High

Court is the largest of the 25 High Courts in the country. After the elevation of 28 judges of the Allahabad High Court as permanent judges, in the November of 2020, the strength of the High Court judges is the maximum number prescribed to the Court, which is 160.

Total number of Working days

The Allahabad High Court rules suggest that there shall not be less than 265 working days in the Courts Subordinate to the High Court of Judicature at Allahabad in a year. Even after such a rule, the average number of working days from 2016 to 2021 is approximately 241 days.

Comparative study

The Allahabad High Court on an average works for 265 days a year which is more as compared to Supreme Court, which has worked for 237 days in the years (2016-2021)

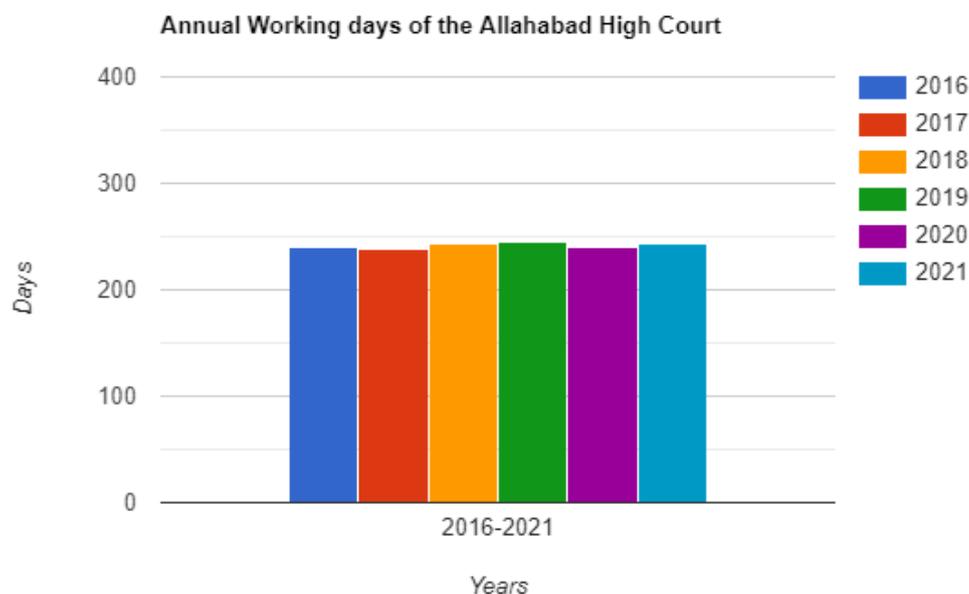
General/ Uniform holidays

The average number of holidays for the Allahabad High Court between and including 2010 and 2021 is approximately 67 days.

Pendency Statistics

According to the National Judicial Data Grid (NJDG), the pendency figures of the Principal Bench of the Allahabad High Court stand as enumerated:

- i) Civil Pending Cases: 420328
- ii) Criminal Pending Cases: 382495
- iii) Total Pending Cases: 802823



- **Andhra Pradesh High Court**

The High Court of Andhra Pradesh was recognized in 1954 when the state was formed from the former Madras Presidency. After the union of the Hyderabad State with Andhra State to form the State of Andhra Pradesh, the Court originally continued at Guntur till 1956. However, post divergence of Andhra Pradesh, as per the Andhra Pradesh Reorganisation Act, 2014, the High Court of Judicature at Hyderabad was established as a common High Court, until the new High Court for the State of Andhra Pradesh is created. Later by a Presidential order, the High Court for the state of Andhra Pradesh was established on 1 January 2019 under the Andhra Pradesh Reorganisation Act, 2014.

Composition

The Court has an authorized strength of 28 permanent and 9 additional judges which makes a total of 37 judges. The Court presently has 20 judges.

Total number of Working days

The average number of working days of the Andhra Pradesh High Court in the years (2016 to 2021) can be fixed at approximately 234 days. The Total Number of working days are calculated including the days when the registry is functioning and the restricted holidays.

Comparative study

As compared to the Supreme Court which has worked for 237.3 days the Andhra Pradesh High Court has worked for 234 days which closely follows the Supreme Court.

General/ Uniform holidays

The average number of general/uniform holidays between and including the years 2013 to 2020 is 125 days.

Restricted Holidays

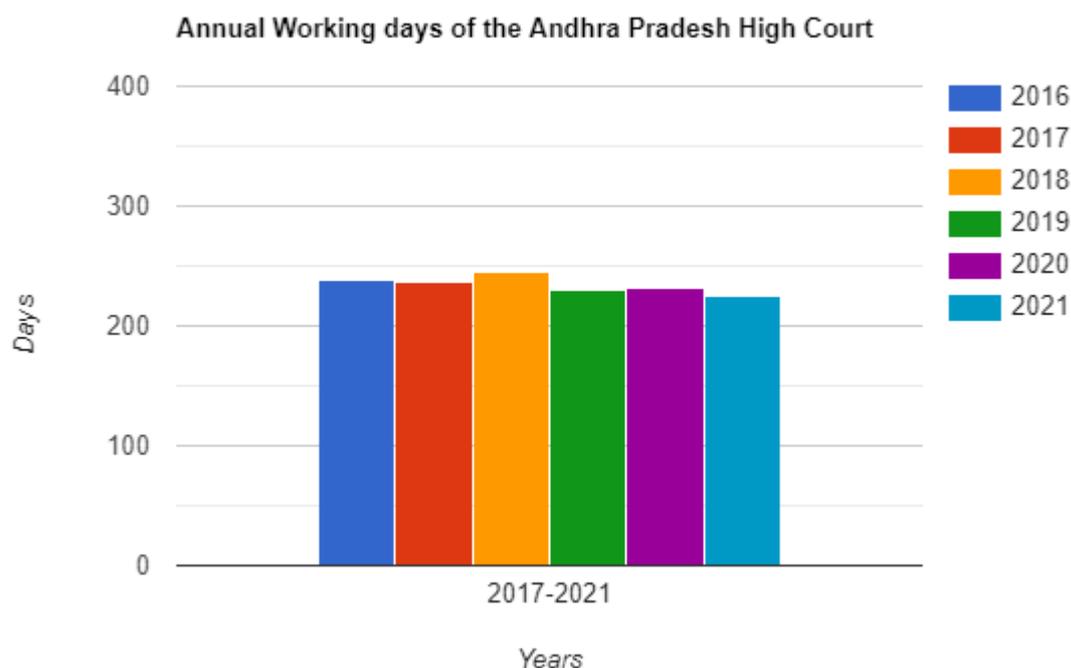
The average number of restricted or optional holidays in the High Court of Andhra Pradesh between and including years 2013 to 2020 is 15 days.

Pendency Statistics

i) Civil Pending Cases: 186880

ii) Criminal Pending Cases: 32340

iii) Total Pending Cases: 219220



- **Bombay High Court**

The Bombay High Court was one of the High Courts in India recognized at the Presidency Towns by Letters patent given by Queen Victoria, with the date June 26, 1862. It was inducted on August 14, 1862 under the High Court Act, 1861.

Composition

The total capacity of judges in the Bombay High Court is 94 including 71 permanent, 23 additional judges. Presently, the strength of sitting judges is 49 permanent and 9 additional judges which makes it 58 judges.

Total number of Working days

The Bombay High Court has worked on an average for a total of 228 days between the years 2016 to 2021.

Comparative study

The Supreme Court has functioned for 237.3 days between 2016-2021 and Bombay High Court for 228 days which is quite close.

General/ Uniform holidays

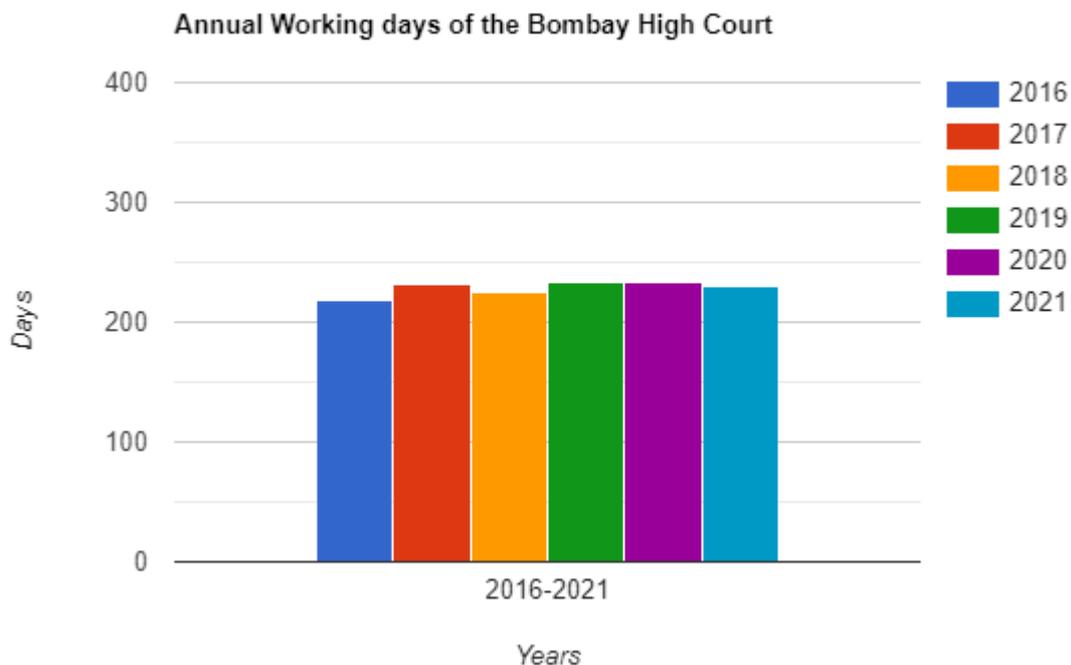
The average number of general/uniform holidays in the Bombay High Court between and including the years 2010 to 2021 is 130 days.

Pendency Statistics

i) Civil Pending Cases: 464479

ii) Criminal Pending Cases: 92362

iii) Total Pending Cases: 556841



- **Calcutta High Court**

The Calcutta High Court is the earliest High Court formed in India. It has jurisdiction over the State of West Bengal and the Union Territory of the Andaman and Nicobar Islands.

The Calcutta High Court is one of the three High Courts in India established at the Presidency Towns by Letters patent granted by Her Majesty Queen Victoria, bearing date June 26, 1862, and is the oldest High Court in India. Despite the name of the city having officially changed from Calcutta to Kolkata in 2001, the Court, as an institution, retained the old name.

Composition

The Calcutta High Court has a sanctioned strength of 72 judges. 54 Permanent and 18 additional. Currently the High Court has 30 permanent and 6 additional judges which makes a total of 36 judges.

Total number of Working days

The average number of working days of the Calcutta High Court in the last decade (2016 to

2021) is a figure of approximately 236 days. The Total Number of working days are calculated including the days when the registry is functioning and the restricted holidays.

Comparative study

The Supreme Court has worked for 237.3 days between 2016-2021 and the Calcutta High Court for 236 days which is very close.

General/ Uniform holidays

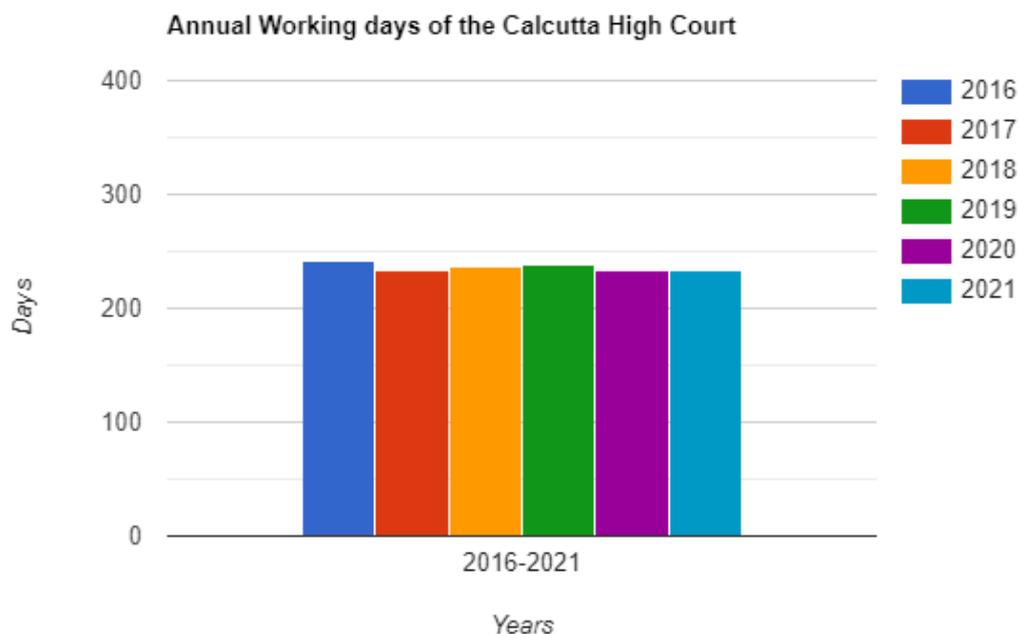
The average number of general/uniform holidays in the Bombay High Court between and including the years 2017 to 2021 is 147 days.

Pendency Statistics

i) Civil Pending Cases: 189116

ii) Criminal Pending Cases: 35744

iii) Total Pending Cases: 224860



- **Chhattisgarh High Court**

The Chhattisgarh High Court is located at Village Bodri, Bilaspur with jurisdiction over the state of Chhattisgarh. It was established on 1 November 2000 with the formation of the state of Chhattisgarh upon the reorganisation of the state of Madhya Pradesh under the Madhya Pradesh Reorganisation Act. The High Court of Bilaspur is the 19th High Court of India. It's new building is situated in Bilaspur at Bodri.

Composition

The court has a sanctioned strength of twenty-two judges. At present the Court has 14 judges, 11 permanent and 3 additional.

Total number of Working days

The Chhattisgarh High Court has worked on an average for a total of 239 days between the years 2016 to 2021.

Comparative study

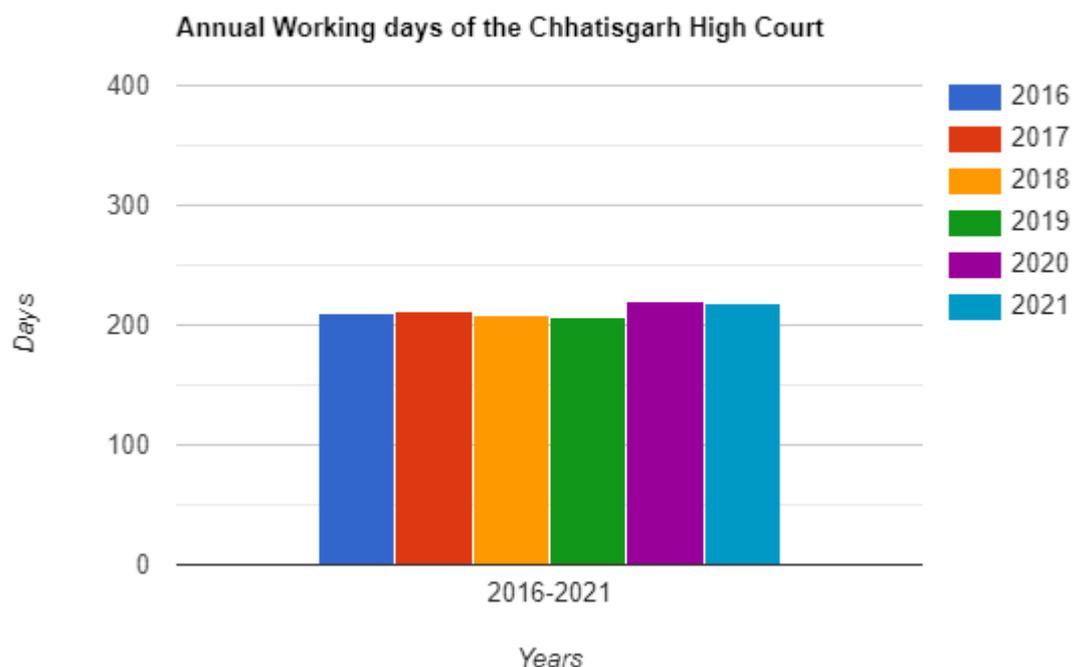
The Chhattisgarh High Court has worked for 239 days on an average between 2016 to 2021 which is more than the Supreme Court which has worked for 237.3 days.

General/ Uniform holidays

The average number of general/uniform holidays in the Bombay High Court is approximately 155 days.

Pendency Statistics

- i) Civil Pending Cases: 49675
- ii) Criminal Pending Cases: 28376
- iii) Total Pending Cases: 78051



- **Delhi High Court**

In 1882, the High Court of Judicature at Lahore was recognized with jurisdiction over the areas of Punjab and Delhi. This continued until 1947 when India underwent partition.

When the Secretariat of the Punjab Government moved to Chandigarh in 1954–55, the High Court also moved to Chandigarh. The High Court of Punjab, as it later came to be called, jurisdiction over Delhi through a Circuit Bench which heard the matters relating to the Union Territory of Delhi and the Delhi Administration. Considering the importance of Delhi, its population and other factors, the Indian Parliament, by passing the Delhi High Court Act, 1966, established the High Court of Delhi operative from 31 October 1966. The High Court of Delhi was established with four judges.

Composition

It now has a sanctioned strength of 45 permanent judges and 15 additional judges. At present the High Court of Delhi has 31 judges.

Total number of Working days

Between and during the years 2016 – 2021 the Delhi High Court has worked for 239 days. The Total Number of working days are calculated including the days when the registry is functioning and the restricted holidays.

Comparative study

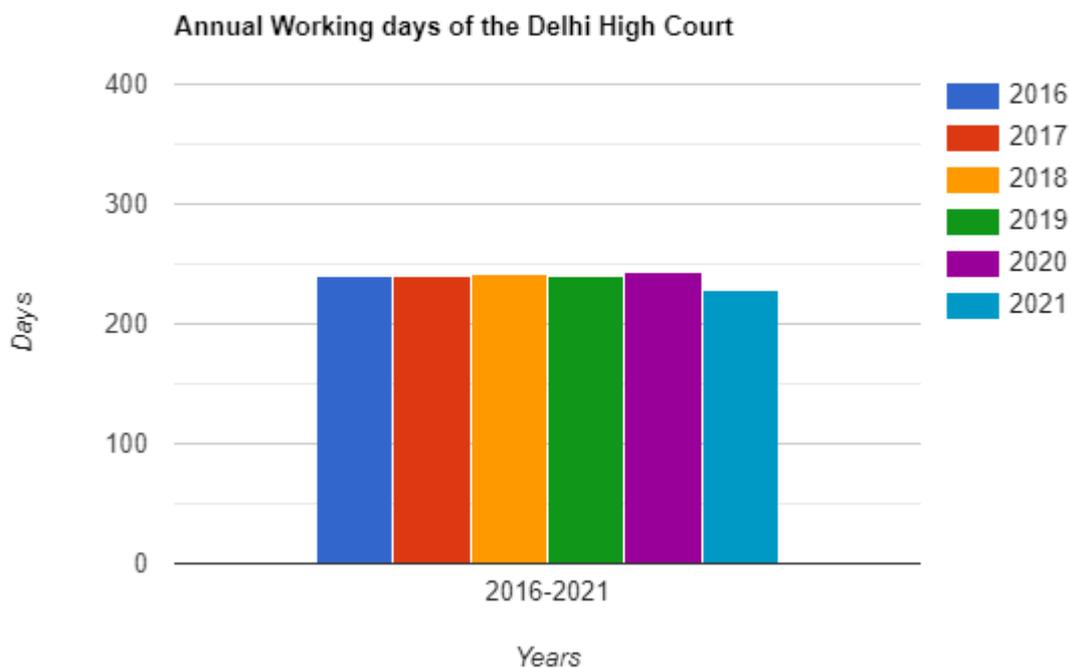
The Supreme Court worked for 237.3 days while Delhi High Court has worked for 239 days.

General/ Uniform holidays

In the last decade 2010- 2021 the Delhi High Court was on a holiday for 125 days on an average.

Pendency Statistics

- i) Civil Pending Cases: 72913
- ii) Criminal Pending Cases: 26580
- iii) Total Pending Cases: 9949



• Guwahati High Court

The Gauhati High Court was formed from the High Court of Assam. On 9th September 1947, the Assam Legislative Assembly approved a resolution that a High Court be recognized for the Province of Assam.

The Assam High Court originally had its hearings at Shillong but moved to Gauhati from 14th August 1948. Subsequently, the Assam High Court came to be known as the High Court of Assam and Nagaland on the composition of the State of Nagaland with effect from 1st December 1963. And finally, under the (Re-organization) Act, 1971, a mutual High Court was recognized for the five North-Eastern States including Assam, Nagaland, Manipur, Meghalaya and Tripura and the two Union Territories of Mizoram and Arunachal Pradesh until their individual High Courts were established.

Composition

The sanctioned Judge strength of the Gauhati High Court is 24 including the Hon'ble Chief Justice and 6 Additional Judges. The High Court has 19 permanent and 6 additional judges at present.

Total number of Working days

The Gauhati High Court has worked on an average for a total of approximately 216 days between the years 2018 to 2021.

Comparative study

Gauhati High Court has worked for 216 days on an average between 2016-2021 while the Supreme Court has worked for 237.3 days which differs by 21.3 days.

General/ Uniform holidays

In the years Between and including 2018- 2021 the Gauhati High Court on an average is on a holiday for 150 days.

Restricted holidays

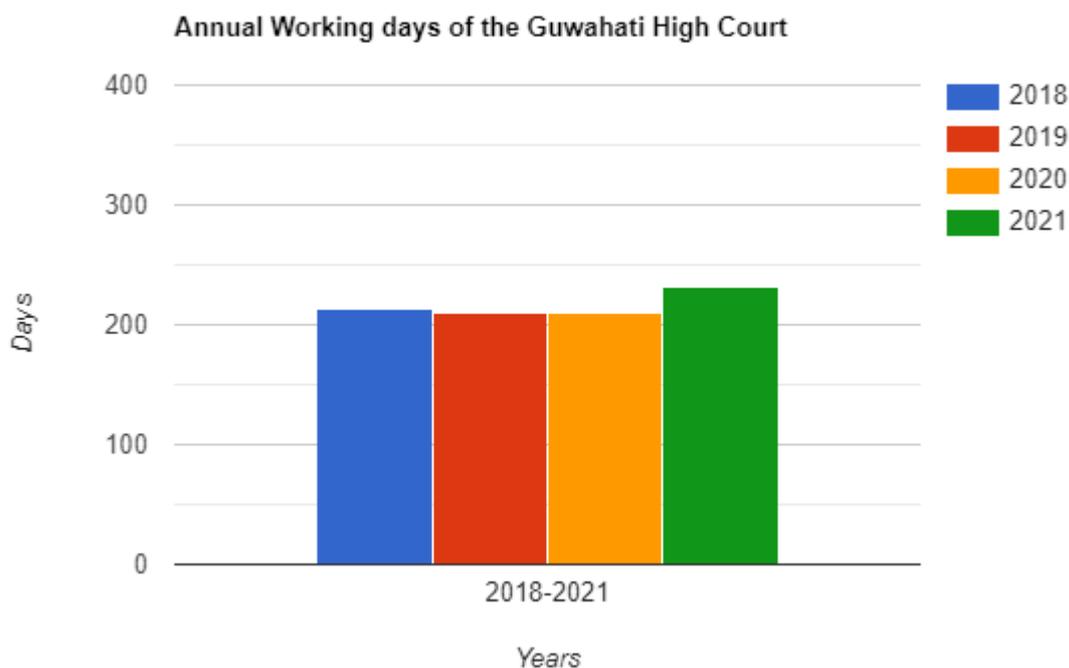
In the year 2021, there were 10 restricted holidays by the Gauhati High Court.

Pendency Statistics

i) Civil Pending Cases: 44559

ii) Criminal Pending Cases: 10798

iii) Total Pending Cases: 55357



- **Gujarat High Court**

Came to be established on 1st May, 1960 as a result of bifurcation of the former State of Bombay into two States of Maharashtra and Gujarat. The High Court started functioning near Akashwani, Navrangpura, Ahmedabad. The High Court was later shifted to the new building at Sola, Ahmedabad, from 16th January, 1999.

Composition

The Gujarat High Court is permitted to have a maximum strength of 52 judges of which 39 may be permanently appointed and 13 additionally appointed. Currently, it has 25 judges. There are 25 sitting judges in the Gujarat High Court.

Total number of Working days

The Gujarat High Court has worked on an average for a total of approximately 224 days between the years 2017 to 2021.

Comparative study

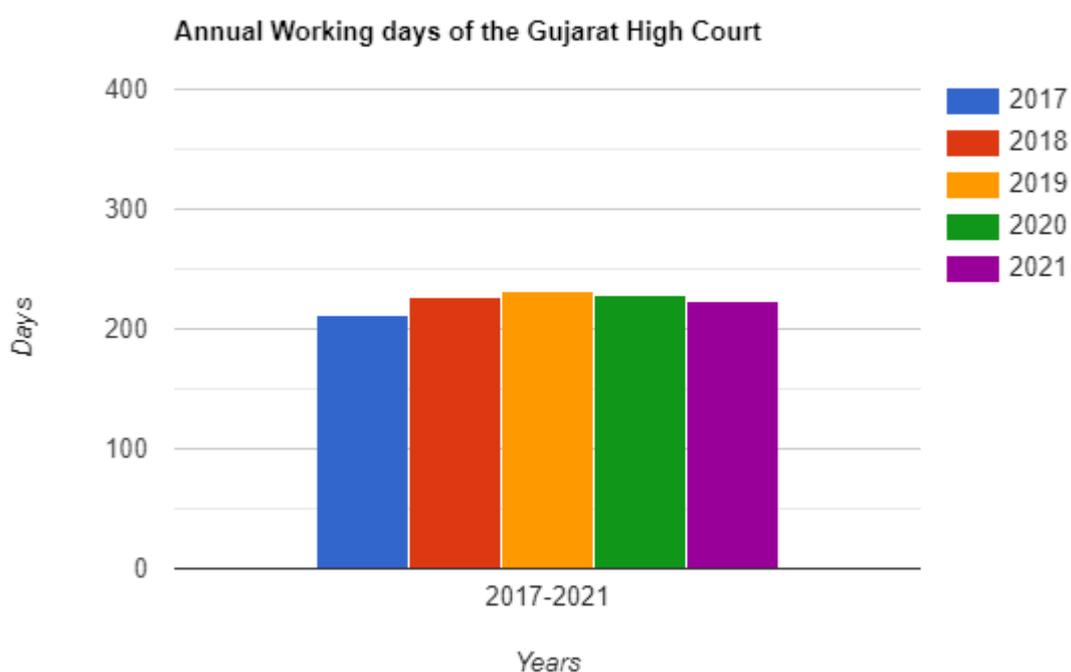
The Gujarat High Court has worked for 224 days between 2016-2021 which is a little less compared to the Supreme Court which worked for 337.3 days.

General/ Uniform holidays

In the years Between and including 2018- 2021 the Gauhati High Court on an average is on a holiday for 140 days.

Pendency Statistics

- i) Civil Pending Cases: 101465
- ii) Criminal Pending Cases: 50665
- iii) Total Pending Cases: 152150



- **Himachal Pradesh High Court**

The Himachal Pradesh High Court is the High Court of the state of Himachal Pradesh. The State of Himachal Pradesh came into existence as a consequence of integration of 26 provinces and 4 Punjab Hill states into a Centrally Administered Area on 15th April 1948. On 15 August 1948, the Himachal Pradesh (Courts) Order, 1948 was promulgated by the Central Government.

Thereafter, the Government of India enacted the Delhi High Court Act in the year 1966 which extended the jurisdiction of the said Act to the Union territory of Himachal Pradesh which substituted the Court of Judicial Commissioner by the Himachal Bench of Delhi High Court situated in Shimla. The Parliament passed the State of Himachal Pradesh Act on December 18, 1970 and thereby the state came into existence on January 25, 1971. The new state then established its own High Court with headquarters at “Ravenswood,” Shimla, which consisted of Hon’ble Chief Justice and two Hon’ble judges.

Composition

The Himachal Pradesh High Court sits in Shimla and has a sanctioned judge strength of 13 judges including the Chief Justice. The present strength of judges as per the website of the Himachal Pradesh High Court is 10 judges including the Chief Justice. The High Court of Himachal Pradesh is permitted to have a maximum of 13 judges of which 10 may be appointed permanently and other 3 may be additionally appointed. Justice Mohammad Rafique took oath as the Chief Justice of the Himachal Pradesh High Court on October 14, 2021.

Total number of working days

The Himachal Pradesh High Court has worked on an average for 210 days. The Working Days includes the days when the Registry is working and taking into consideration the general and restricted holidays.

General/uniform holidays

The General holidays for the Himachal Pradesh High Court is 150 days.

Comparative Study

The Himachal Pradesh High Court’s working days stands at 210 days for the year 2020-21 compared to the average working days of the Supreme Court which stands at 240 days for the years 2020-2021.

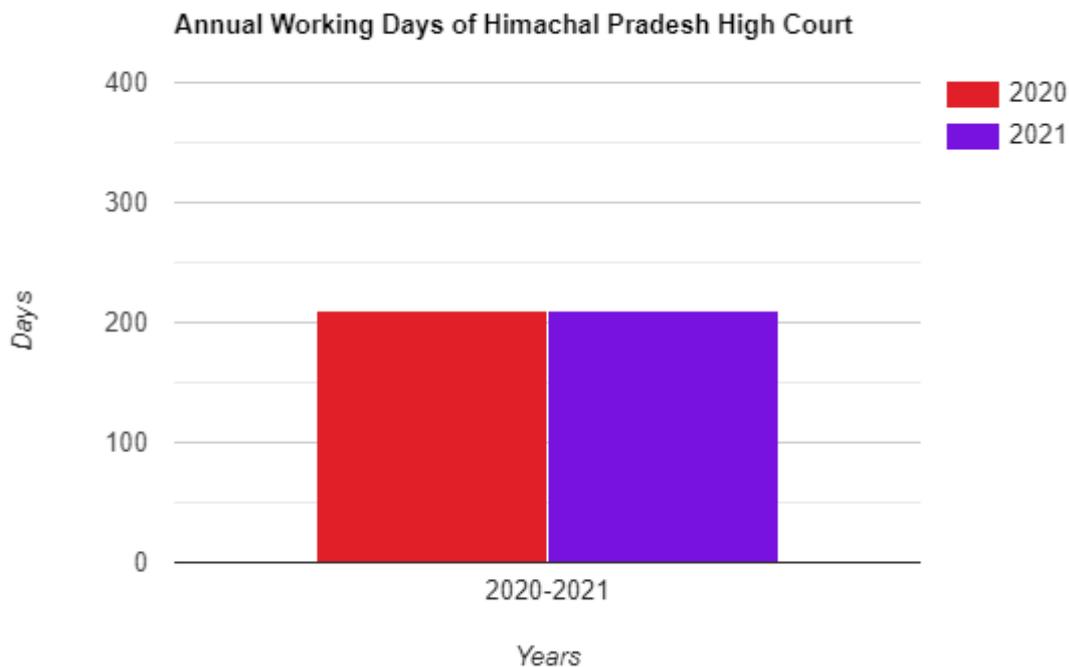
Judicial Pendency

The National Judicial Data Grid provides the number of the pending cases for the Himachal Pradesh High Court which is as follows:

Civil Cases:70033

Criminal Cases: 9808

Total Pendency of Cases: 79841



- **Jammu & Kashmir High Court**

The High Court of Jammu & Kashmir came into existence on 26th March 1928 and was set up by Maharaja Hari Singh of Jammu & Kashmir. Lala Kanwar Singh Sain was appointed as the first Chief Justice and Lala Bodh Raj Sawhney and Khan Sahib Aga Syed Hussain were appointed as puisne judges by the Maharaja. The High Court seat shifts to summer capital Srinagar during the summers and to winter capital Jammu during the winters.

A Reorganization Bill was passed by both the houses of the parliament of India in the month of August, 2019. As per this Bill, the state of Jammu and Kashmir and Ladakh were reorganized into two Union territories on October 31,2019. Due to this Bill, the High Court of Jammu & Kashmir became a common High Court, serving both the union territories – Jammu & Kashmir and Ladakh.

Composition

The Jammu & Kashmir High Court has jurisdiction over Ladakh also and hence called as

Jammu & Kashmir & Ladakh High Court. During the summer season, the J&K High Court sits in Srinagar and during winters, the J&K High Court sits in Jammu. The High Court has been permitted to have a total strength of 17 judges of which 13 may be permanent and 4 may be additionally appointed. Currently, the strength of judges is 11 in J&K High Court. Justice Pankaj Mithal is the current Chief Justice of the High Court, appointed on January 4 2021.

Total number of working days

The average working days taking into mind the general holidays, provincial holidays and the days when the Registry is working stands at 210 days, out of 365 days.

General/uniform holidays

The General Uniform holidays on an average for the High Court of Jammu & Kashmir and Ladakh is 150 days

Comparative Study

The Supreme Court worked for 241.5 days on an average for the years 2018-2021 whereas the Jammu & Kashmir High Court worked on an average for 208 days which is less.

Judicial Pendency

According to the National Judicial Data Grid the pendency of the High Court of Jammu & Kashmir and Ladakh is as follows:

Seat at Jammu

Civil cases : 28757

Criminal cases:5065

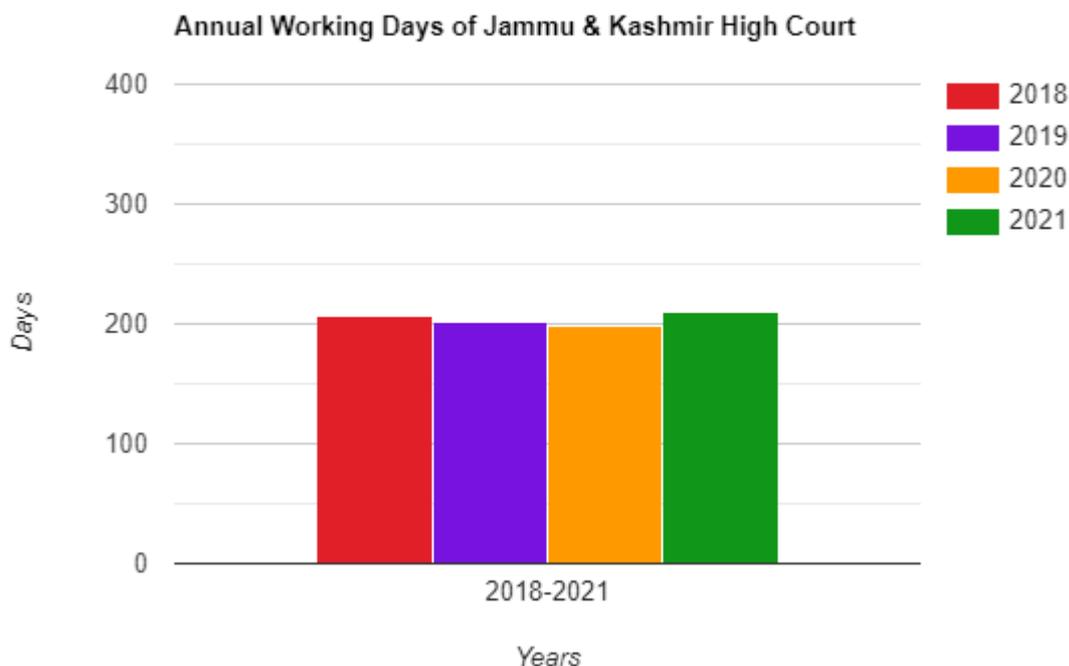
Total: 33822

Seat at Srinagar

Civil cases: 14392

Criminal cases: 1701

Total: 16093



- **Jharkhand High Court**

On March 6, 1972, a circuit bench of the Patna High Court was established at Ranchi under clause 36 of the letters patent of the Patna High Court. The Circuit bench had become the Permanent Bench of the Patna High Court under the High Court of Patna (Establishment of Permanent Bench at Ranchi) Act 1976 (Act 57 of 1976) on April 8, 1976. Later on, this permanent bench was converted into Jharkhand High Court on November 15, 2000 under the Bihar Reorganization Act when Jharkhand was carved out of the State of Bihar. The seat of the Court is at Ranchi, the administrative capital of the State. The Jharkhand High Court was established in the year 2000

Composition

The Jharkhand High Court has jurisdiction over the State of Jharkhand and sits in Ranchi. The maximum permitted strength of Jharkhand High Court is 25 judges of which 19 may be permanently appointed and 6 may be additionally appointed. The current strength of judges in Jharkhand High Court is 15.

Total number of working days

On an average, the Jharkhand High Court has 210 working days, taking into account the general Holidays and the restricted holidays.

General/uniform holidays

The General Holidays for the Jharkhand High Court is 140 days.

Restricted Holidays

The Jharkhand High Court has on an average 5-10 restricted holidays.

Comparative Study

Compared to the Supreme Court's working days of 240 days, the working days of the Jharkhand High Court is merely 210 days.

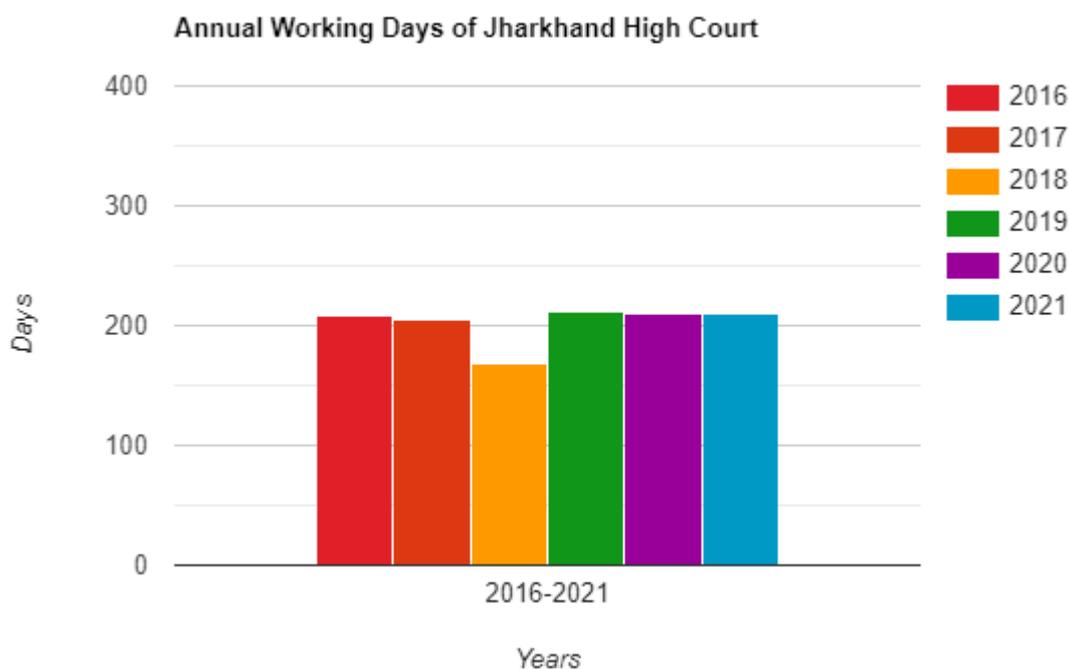
Judicial Pendency

The pending cases in the Jharkhand High Court as per the data provided by the National Judicial Data Grid is as follows:

Civil Cases: 4175

Criminal Cases: 46094

Total Pendency: 87853



- **Karnataka High Court**

The High Court of Karnataka was established in the year 1884. Earlier it was called as the High Court of Mysore and it is 137 years old. The Principal Bench of the Karnataka High Court is situated in Bangalore. Bangalore, now Bengaluru is the capital of the State of Karnataka. The

other 2 additional benches of the state of Karnataka are located in Hubli-Dharwad and Gulbarga. The additional Bench at Hubli-Dharwad was established in the year 2008 and was given the status of permanent bench in the year August 2013. The bench at Gulbarga too was established in 2008 and was given the status of permanent bench in the year 2013.

Composition of the court

The Karnataka High Court has jurisdiction over the state of Karnataka and sits at Bangalore. The Karnataka High Court has a total sanctioned strength of 62 judges wherein 47 judges may be appointed permanently and 15 judges may be appointed additionally. The High Court has presently a strength of 43 judges. Since May 10, 2019, Justice Abhay Shreeniwas Oka is the Chief Justice of the Karnataka High Court.

Total number of working days

The Karnataka High Court has worked for 227 days on an average for the years 2018-2021. The working days have been calculated taking into account the general holidays and the restricted holidays.

General/uniform holidays

The General Holidays of the High Court of Karnataka is 120 days on an average.

Restricted Holidays

There are 20 Restricted holidays on an average prescribed by the High Court of Karnataka.

Comparative Study

Compared to the 241.5 working days of the Supreme Court for the years 2018-2021, the Karnataka High Court is behind by just 14.5 days with average working days of 227 days.

Judicial Pendency

The pendency of cases in the Karnataka High Court is as follows. The National Judicial Data Grid calculates the pendency of cases.

Main Bench at Bengaluru

Civil Cases:157609

Criminal Cases: 33632

Total Pendency:191241

Bench at Dharwad

Civil Cases:55576

Criminal Cases: 6087

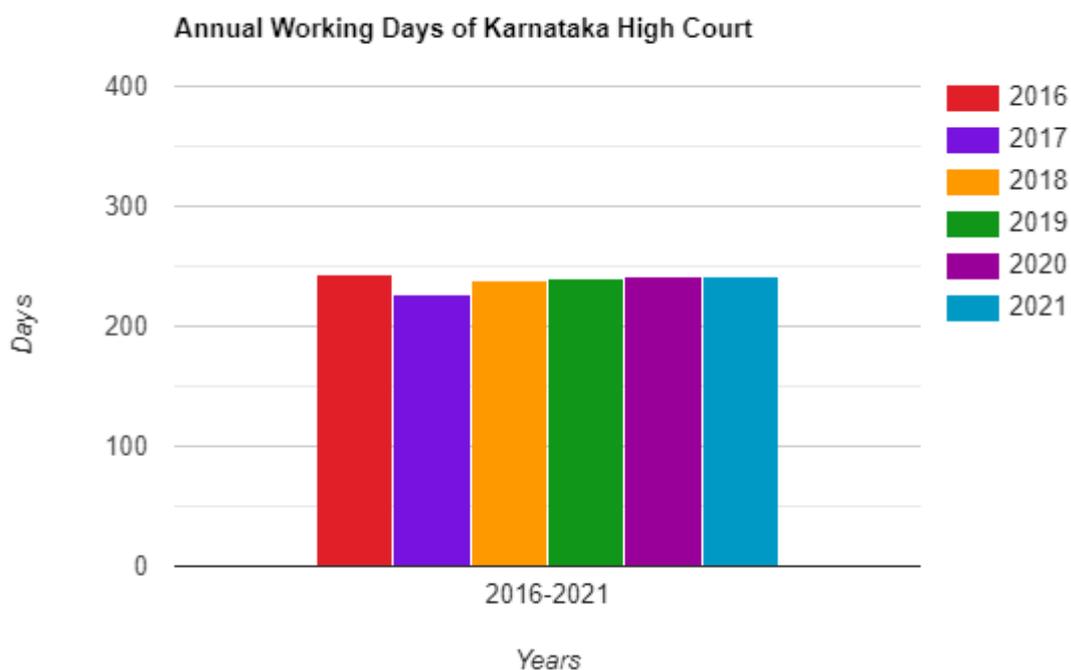
Total Pendency: 61663

Bench at Gulbarga

Civil Cases:24312

Criminal Cases: 1916

Total Pendency: 26273



- **Kerala High Court**

The State of Kerala came into existence on November 1, 1956, as a result of integration of the erstwhile princely kingdoms of Travancore and Cochin with Malabar district and Kasaragod. The States Reorganization Act, 1956 was passed to integrate these princely kingdoms to form the present State of Kerala. The High Court of Kerala was established on November 1, 1956 as the High Court for the State of Kerala. The High Court of Kerala is governed by the Kerala High Court Act, 1958 which defines its jurisdiction, functions and its powers. It is the highest court in the State of Kerala and in the Union Territory of Lakshadweep. The High Court is located in Kochi. The first Chief Justice of the Kerala High Court was Justice K.T. Koshi, appointed in the year 1944.

Composition of the court

The Kerala High Court has jurisdiction over the state of Kerala and sits at Kochi. The Kerala High Court has a maximum capacity of 45 judges of which 35 may be appointed permanently and the remaining 12 may be appointed additionally. The present strength of judges in Kerala High Court is 41. S. Manikumar is the present Chief Justice of Kerala High Court.

Total number of working days

The Kerala High Court has 210 working days out of the 365 days on an average, which has been calculated taking into mind the general holidays and the restricted holidays

General/uniform holidays

The High Court of Kerala on an average enjoys 150 days of general holidays.

Comparative Study

When compared to the average working days of the Supreme Court for the period 2019-2021 which is 245 days, the Kerala High Court is behind it with 210 working days for the years 2019-2021.

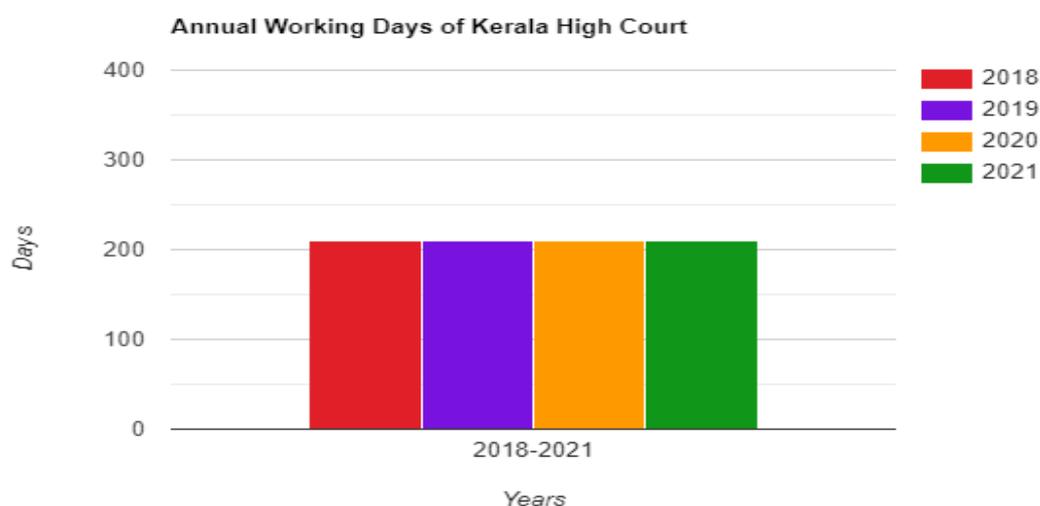
Judicial Pendency

According to the National Judicial Data Grid, the pendency statistics of the High Court of Kerala stands as follows:

Civil Cases:172517

Criminal Cases:43990

Total pendency:216507



- **Madhya Pradesh High Court**

In the 19th Century, the state of Madhya Pradesh was created as Central provinces as Judicial Commission's territory and was administered by the Judicial Commissioner. Under the States Reorganization Act, the new state of Madhya Pradesh was formed on November 1, 1956. The States reorganization Act ordained that from the appointed day of November 1, 1956, the high Court which exercised jurisdiction in relation to the existing state of Madhya Pradesh i.e., the Nagpur High Court shall be deemed to be the High Court for the present state of Madhya Pradesh. The Nagpur High Court was thus, not abolished but by a legal fiction it became High Court for the new State of Madhya Pradesh with its seat at Jabalpur. The Principal Seat of Madhya Pradesh is at Jabalpur. Hon'ble Chief Justice had constituted temporary benches of the High Court at Indore and Gwalior vide order dated November 1, 1956. On November 28, 1968, by a notification, these two benches were made Permanent Bench.

Composition of the court

The Madhya Pradesh High Court has jurisdiction over the state of Madhya Pradesh. It has been authorized to have a total strength of 53 judges, of which 40 are permanently appointed and 13 may be appointed additionally. Currently, the total strength of judges is 30 in Madhya Pradesh Court.

Total number of working days

The Madhya Pradesh High Court has on an average worked for 227 days, out of the 365 days for the years 2017-2021.

General/uniform holidays

The Madhya Pradesh High Court on an average enjoys 140 general holidays.

Comparative Study

In comparison to the average working days of the Supreme Court for the years 2017-2021 which is 238.4 days, it can be said that the working days of the Madhya Pradesh High Court closely follows with 227 working days.

Judicial Pendency

The pending cases statistics of the Madhya High Court has been provided by the National Judicial Data Grid which is as follows:

Principal Bench at Jabalpur

Civil Cases:151780

Criminal Cases:90151

Total Pendency:241931

Permanent Bench at Indore

Civil cases:51996

Criminal Cases:34263

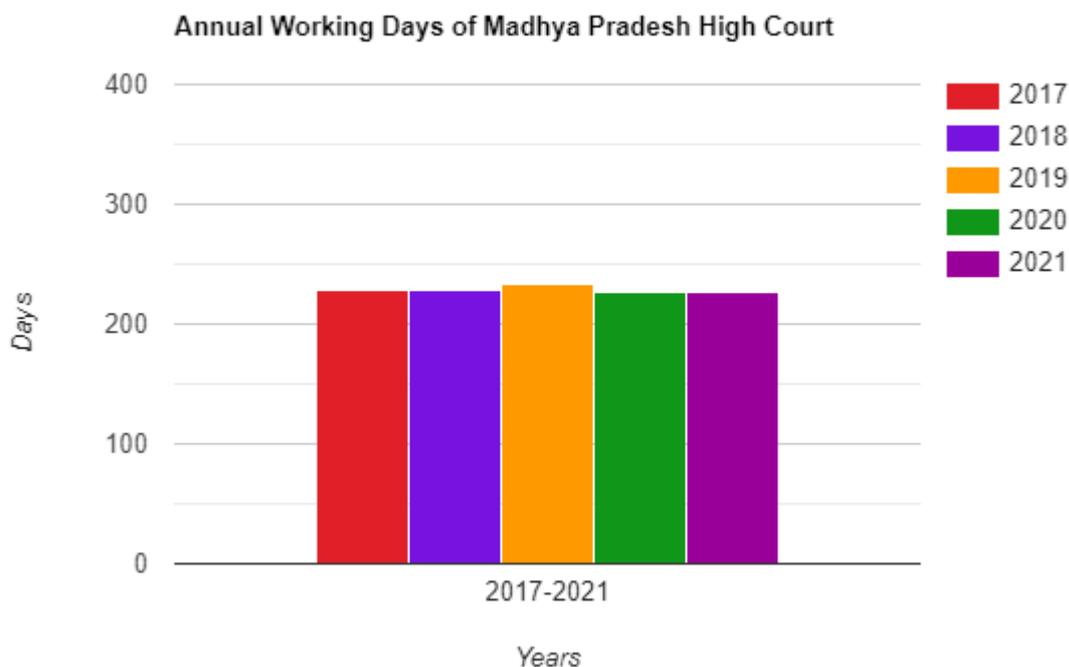
Total Pendency:86259

Permanent Bench at Gwalior

Civil cases:47259

Criminal Cases:29854

Total Pendency:77113



- **Madras High Court**

The Madras High Court is one of the three High Courts in India, established in the three Presidency town of Bombay, Calcutta and Madras by letters patent granted by Queen Victoria, dated 26th June, 1862 and is the second oldest High Court of India after the Calcutta High Court in Kolkata. The High Court of Madras came into existence by merging the Supreme Court of Judicature at Madras, and the Sadr Diwani Adalat. The Principal Bench of Madras High Court is at Chennai, Tamil Nadu. The Madurai Bench was established in the year 2004 and is

considered a boon for the people in 14 southern districts of Tamil Nadu. The Madras High Court exercises original jurisdiction over the city of Chennai and appellate jurisdiction over the entire State of Tamil Nadu and the Union Territory of Pondicherry (now Puducherry). The Court complex is one of the largest in the world with 107 acres of land, next only to the Supreme Court of the United Kingdom in London.

Composition of the court

The Madras High Court has jurisdiction over the state of Tamil Nadu and the Union Territory of Puducherry with a capacity of appointing 75 judges wherein 56 are appointed permanently and the rest 19 as additional judges. The present strength of judges in Madras High Court is 57 judges. Currently, Justice Sanjib Banerjee is the Chief Justice of the Madras High Court.

Total number of working days

On an average, the Madras High Court works for 210 days, out of the 365 day, considering the general holidays.

General/uniform holidays

The general Holidays for the Madras High Court stands at 150 days.

Comparative Study

The Supreme Court has worked for 237.3 days for the years 2016 to 2021, whereas the Madras High Court works on an average for 210 days.

Judicial Pendency

According to the National Judicial Data Grid, the pending cases of the Madras High Court is as follows:

Principal Bench at Chennai

Civil Cases: 358555

Criminal cases:39650

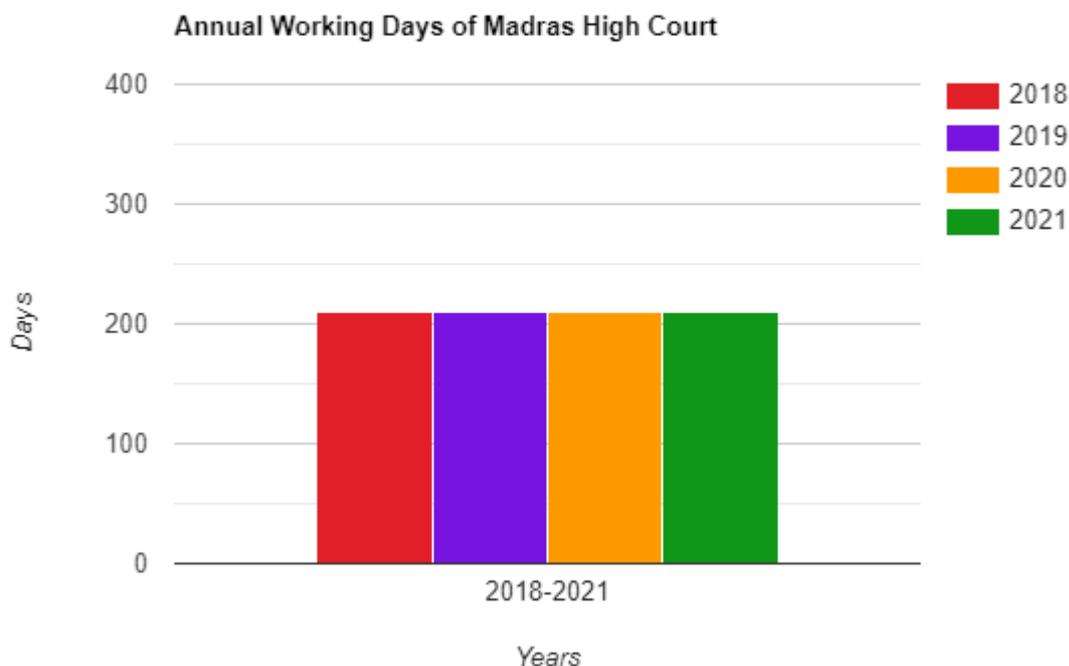
Total pendency:398205

Bench at Madurai

Civil Cases:165569

Criminal Cases:20991

Total pendency:186560



- **Manipur High Court**

The Manipur High Court was established on 25th March 2013 and is the High Court of the State of Manipur. The High Court was set up after making necessary amendments in the Constitution of India and North-Eastern Areas (Re-organisation) Act, 1971. Previously, a bench of the Gauhati High Court had jurisdiction over the State of Manipur. The seat of the High Court is at Imphal which is the capital of Manipur. Justice Abhay Manohar Sapre was the first Chief Justice of the Manipur High Court.

Composition of the court

The Manipur High Court has jurisdiction over the State of Manipur and sits at Imphal. The capacity of Manipur High Court is 5 judges of which 4 are appointed as permanent judges and 1 may be appointed additionally. Currently, the Manipur High Court is functioning with a full capacity of 5 judges. The present Chief Justice is P. V. Sanjay Kumar.

Total number of working days

As per the calendar of the Manipur High Court, uploaded on their official website, the average working days of the High Court out of 365 days is 210 days. The working days have been calculated bearing into mind the days when the Registry works as well and taking into account the general holidays.

General/uniform holidays

The average general holiday stands at 140 days for the Manipur High Court.

Restricted Holidays

The Manipur High Court had 16 restricted holidays in the year 2019.

Comparative Study

On an average, the working days of the Supreme Court between the period 2019-2021 is 245 days, whereas the Manipur High Court worked for 210 days which is 35 days less than the working of the Supreme Court.

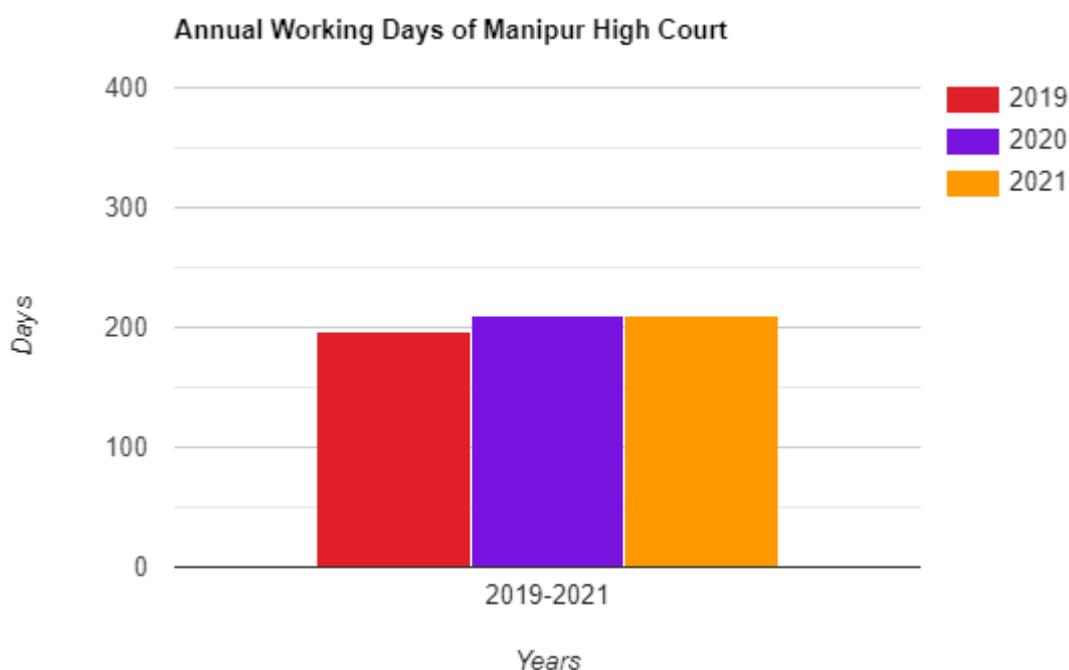
Judicial Pendency

As per the data provided by the National Judicial Data Grid (High Courts of India), the current civil and criminal pendency of the principal bench of the Manipur High Court at Imphal is as follows:

Civil Pendency: 4349

Criminal Pendency: 466

Total Pendency stands at 4815 cases



- **Meghalaya High Court**

Until March 2013, the northeastern state of Meghalaya was judicially presided over by a special bench of the Guwahati High Court. It was only on 23rd March 2013, that the Meghalaya High

Court was established, with its seat at the state capital of Shillong and Hon'ble Justice T Meena Kumari as its first Chief Justice.

Composition of the Court

The sanctioned strength of the High Court is 4 judges, including the Chief Justice, appointed by the President, in consultation with the Chief Justice of India and the Governor of Meghalaya.

Total no. of Working Days

According to the Meghalaya High Court calendar, uploaded on its official website, the High Court is proposed to function for 212 days, out of the 365 days in a year, taking into account the general as well as restrictive holidays.

Comparative Study

Compared to the 255 days that the Supreme Court plans to function in 2021, the Meghalaya High Court falls behind by as many as 42 days.

Judicial Pendency

According to the National Judicial Data Grid (NJDG), the pendency figures of the Principal Bench of the Meghalaya High Court stand as enumerated:

Civil Pending Cases: 1319

Criminal Pending Cases: 156

Total Pending Cases: 1475

- **Odisha High Court**

Under the British Raj, the state of Odisha was a part of the Bengal Presidency, which also consisted of the present-day states of Bihar, Jharkhand, Assam, West Bengal. Owing to the vast area under the presidency and the administrative challenges that followed, new provinces of Bihar and Odisha followed.

Initially, Odisha was under the jurisdiction of the Patna High Court, until 26 July 1948, when the High Court of Odisha was formally constituted, with its first sitting at Cuttack

Composition of the Court

The sanctioned strength of the High Court is 27 judges; 20 Permanent and 7 additional judges, appointed by the President of India, after consultation with the Chief Justice of India and the Governor of Odisha. The High Court is presided by Chief Justice S Muralidhar, who took oath as the Chief Justice on 4th January 2021

Total no. of Working Days

According to the court calendars available on the high court website, the Odisha High Court functioned for almost 227 days on average, between the years 2017 and 2021.

Comparative Study

Compared to the average working days of the Hon'ble Supreme Court for the years 2017-2021, of 238.4 days, the Odisha High Court follows closely.

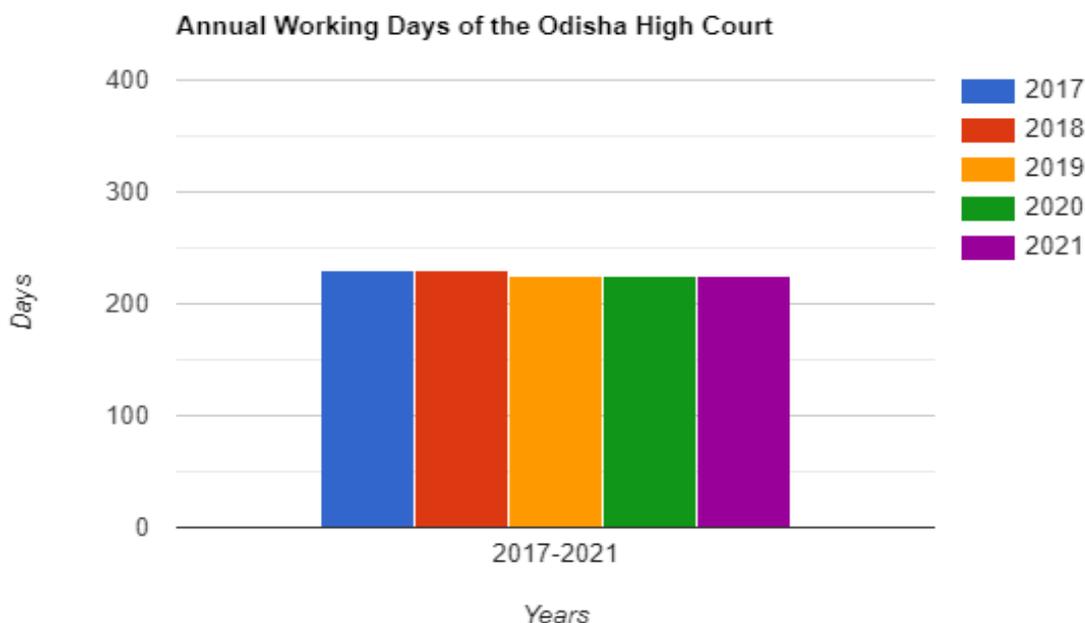
Judicial Pendency

According to the National Judicial Data Grid (NJDG), the pendency figures of the Principal Bench at Cuttack stand as enumerated:

Civil Pending Cases: 130422

Criminal Pending Cases: 52190

Total Pending Cases: 182612



- **Patna High Court**

The Patna High Court was established in 1916 by the Government of India Act, 1935, with Hon. Sir Edward Maynard Des Champs Chamier as its first Chief Justice and its principal and sole seat in Patna. It is one of the few high courts in the country to have completed more than a century of its existence, currently 105 years old.

Composition of the Court

The High Court of Patna has a sanctioned strength of 53 judges, who are to be appointed by the President on the combined advice of the Chief Justice of India and the Governor of Bihar. Hon'ble Justice Sanjay Karol serves as the present Chief Justice of the Patna High Court.

Total no. of Working Days

Calculating the average number of working days between 2018 & 2021, it can be seen that the Patna High Court has functioned for a total of 173.6 days over the four years.

Comparative Study

When compared to the four-year average of the working days of the Supreme Court, between 2018-21, i.e., 241.5 days, the difference between that of the Patna High Court is a little on the higher side, as many as 64 days.

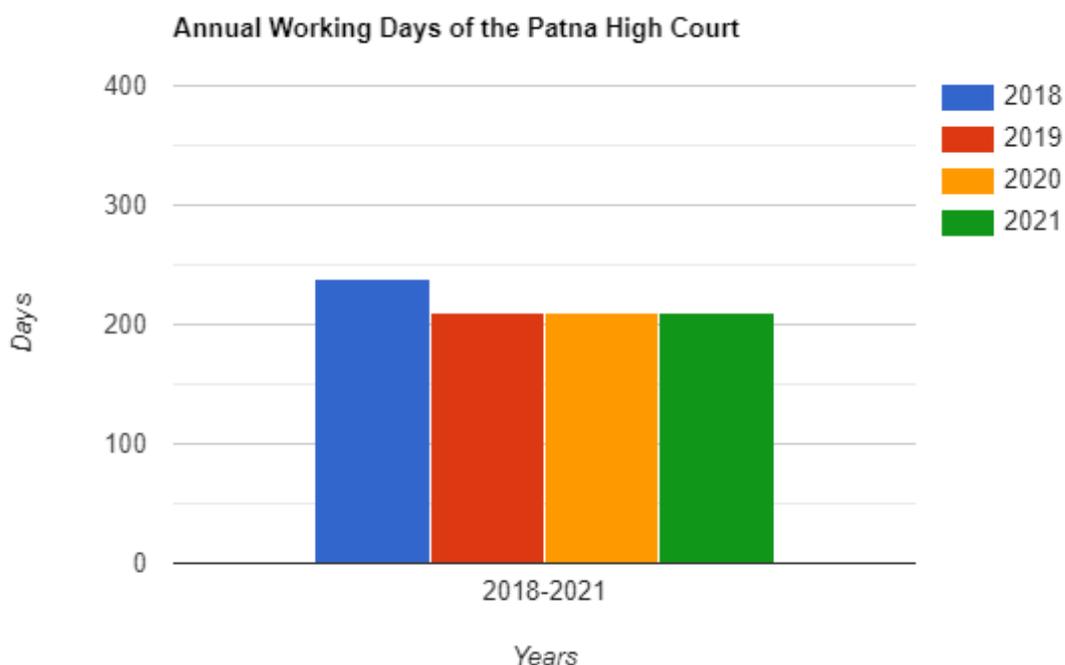
Judicial Pendency

According to the National Judicial Data Grid (NJDG), the pendency figures of the Principal Bench of the Patna High Court stand as enumerated:

Civil Pending Cases: 112234

Criminal Pending Cases: 116059

Total Pending Cases: 228293



• Punjab & Haryana High Court

With its jurisdiction extending to the states of Punjab & Haryana, along with the Union Territory of Chandigarh, the Punjab and Haryana High Court was established in the year 1919, in the city of Shimla. Prior to Indian independence, it had jurisdiction over undivided Punjab and Delhi. After 1947, and the subsequent creation of a separate state of Himachal Pradesh and its own high court, the seat of the Punjab & Haryana High Court was shifted to Chandigarh, in January 1955.

Composition of the Court

The Punjab & Haryana High Court has a sanctioned strength of 85 judges, including 64 permanent judges and 21 additional judges; all appointed by Presidential assent, upon the recommendations of the Chief Justice of India and the Governor of the respective state. Hon'ble Justice Ravi Shankar Jha is the incumbent Chief Justice.

Total no. of Working Days

Taking into account an average of the annual working days of the court between 2016-2021, we find that the P&H High Court has functioned for 210.5 days in a year.

Comparative Study

Upon calculating the average annual working days for the period of 2016-21, which comes to be almost 237 days, it is evident that the P&H High Court follows closely behind, with a fortnight short on the working days.

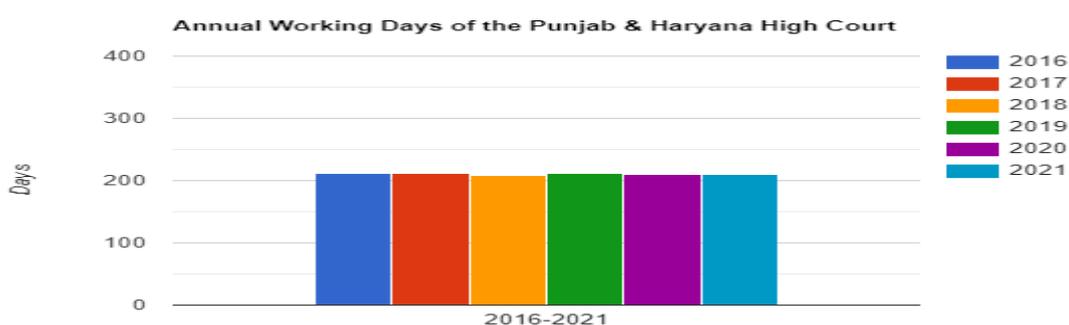
Judicial Pendency

According to the National Judicial Data Grid (NJDG), the pendency figures of the Principal Bench of the Patna High Court stand as enumerated:

Civil Pending Cases: 284459

Criminal Pending Cases: 167436

Total Pending Cases: 451895



- **Rajasthan High Court**

The Rajasthan High Court was established in 1949, with its seat in the city of Jodhpur through the Rajasthan High Court Ordinance, 1949 with Justice Kamala Kant Verma as its first Chief Justice. Initially, the High Court was founded at Jaipur and only shifted to Jodhpur after the complete integration of Rajasthan, in 1956.

Composition of the Court

The High Court has a sanctioned strength of 50 judges, including 38 permanent judges along with 12 additional judges; all appointed by Presidential assent, upon the recommendations of the Chief Justice of India and the Governor of the respective state. Hon'ble Justice Akil Kureshi presides over the court, as its Chief Justice.

Total no. of Working Days

According to the court calendars available on the high court website, the Rajasthan High Court functioned for almost 216 days on average, between the years 2018 and 2021.

Comparative Study

Compared to the average working days of the Hon'ble Supreme Court for the years 2018-2021, of 241.5 days, the Rajasthan High Court follows closely.

Judicial Pendency

According to the National Judicial Data Grid (NJDG), the pendency figures of the principal seat of the Rajasthan High Court at *Jodhpur* stand as enumerated:

Civil Pending Cases: 168857

Criminal Pending Cases: 58147

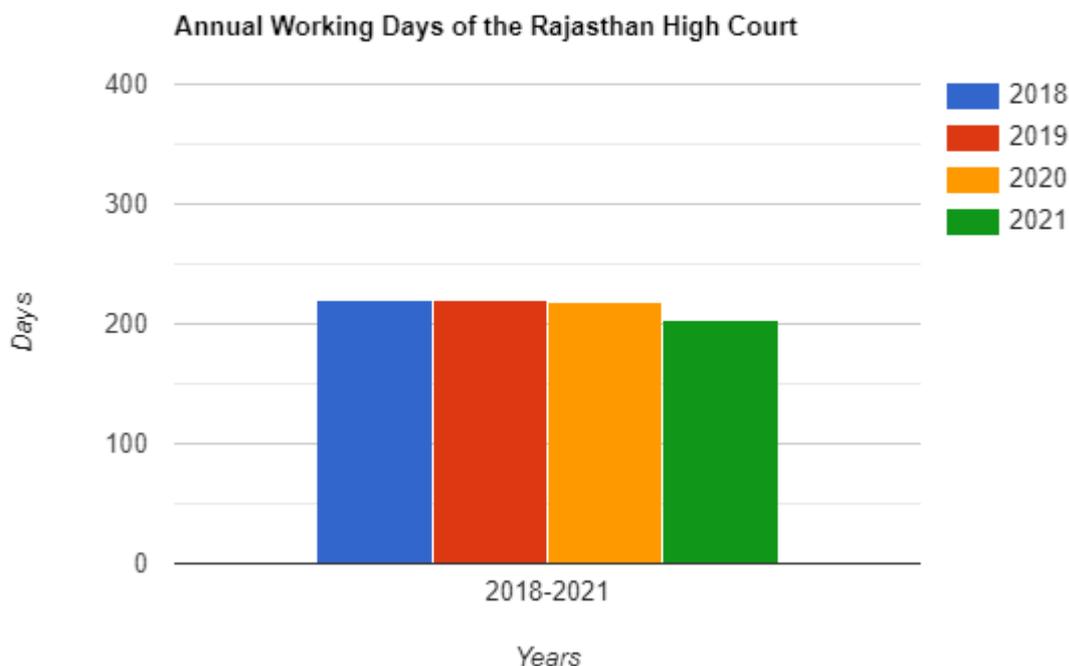
Total Pending Cases: 227004

According to the National Judicial Data Grid (NJDG), the pendency figures of the bench of the Rajasthan High Court at *Jaipur* stand as enumerated:

Civil Pending Cases: 247303

Criminal Pending Cases: 90366

Total Pending Cases: 337669



- **Sikkim High Court**

The smallest high court in India, the High Court of Sikkim was established in 1955, through the High Court of Judicature (Jurisdiction and Powers) Proclamation of 1955. After the merger of Sikkim with the Union of India, it was brought under the ambit of the Indian Constitution in 1975, with its seat at Gangtok, the administrative capital of the state.

Composition of the Court

The Sikkim High Court has a sanctioned strength of three judges, including the Chief Justice; all of which are appointed via Presidential assent, upon the recommendations of the Chief Justice of India and the Governor of the respective state. Presently, Hon'ble Justice Meenakshi Madan Rai presides over the court as its acting Chief Justice.

Total no. of Working Days

According to the court calendars available on the high court website, the Sikkim High Court functioned for almost 192.5 days on average, between 2020 & 2021.

Comparative Study

Compared to the average working days of the Hon'ble Supreme Court for the years 2020-2021, of 240 days, there appears to be a huge gap between that of the Sikkim High Court.

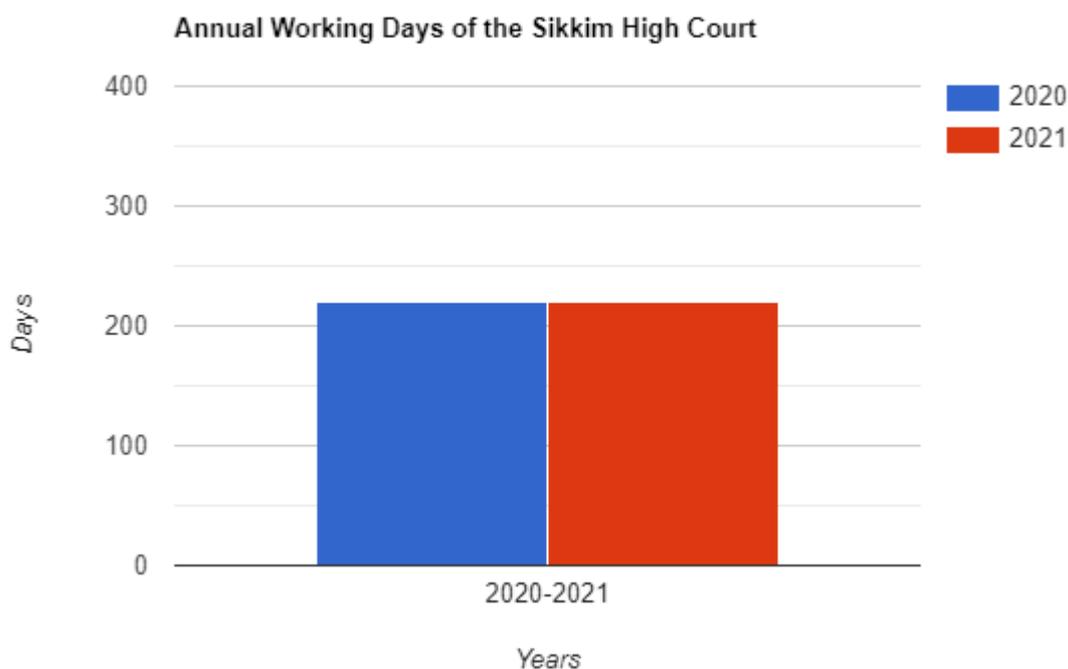
Judicial Pendency

According to the National Judicial Data Grid (NJDG), the pendency figures of the bench of the Sikkim High Court at Jaipur stand as enumerated:

Civil Pending Cases: 174

Criminal Pending Cases: 35

Total Pending Cases: 209



- **Telangana High Court**

The Telangana High Court was constituted as a result of the bifurcation of the state of Andhra Pradesh into Andhra Pradesh and Telangana and a consequent split of the erstwhile Andhra Pradesh High Court into two high courts for the newly formed states in 2019.; with its seat in the state capital of Hyderabad.

Composition of the Court

The Telangana High Court has a sanctioned strength of 24 judges, including 18 permanent judges and 6 additional judges; all of which are appointed via Presidential assent, upon the recommendations of the Chief Justice of India and the Governor of the respective state. Presently, Hon'ble Justice Satish Chandra Sharma presides over the court as its Chief Justice.

Total no. of Working Days

Taking into account an average of the annual working days of the court between 2016-2021, we find that the Telangana High Court has functioned for 240 days in a year.

Comparative Study

Upon calculating the average annual working days for the period of 2016-21, which comes to be almost 237 days, it is evident that the Telangana Court is at par with the Apex Court, in terms of annual working days.

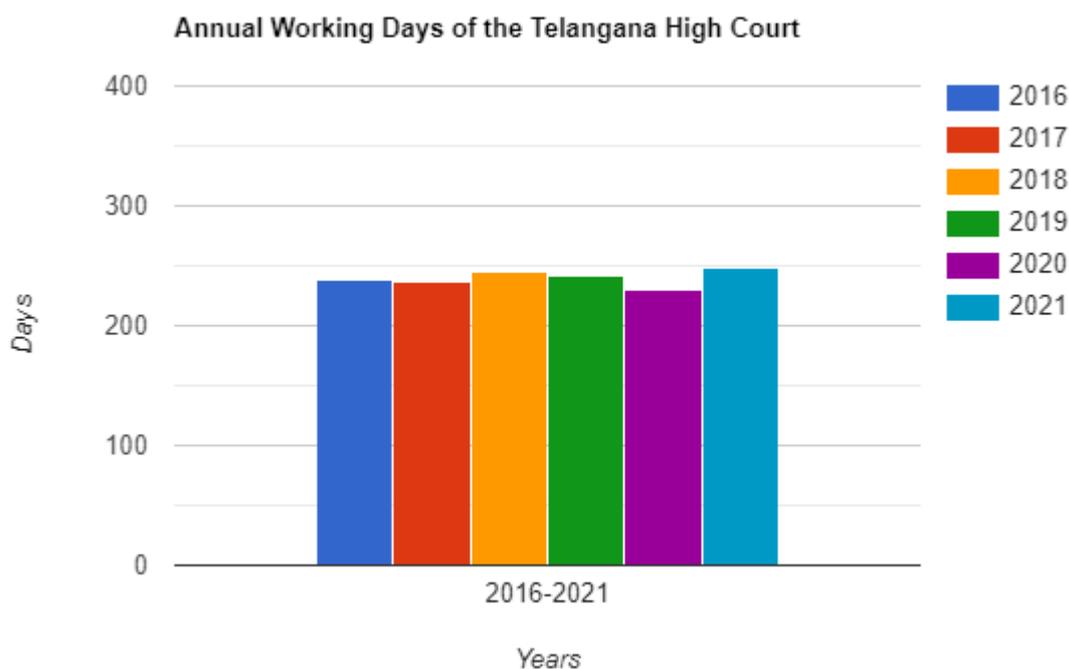
Judicial Pendency

According to the National Judicial Data Grid (NJDG), the pendency figures of the bench of the Rajasthan High Court at Jaipur stand as enumerated:

Civil Pending Cases: 211532

Criminal Pending Cases: 36153

Total Pending Cases: 247685



- **Uttarakhand High Court**

The Uttarakhand High Court was established in 2000, with its seat at Nainital along with the creation of the state of Uttarakhand from Uttar Pradesh.

Composition of the Court

Initially, at the time of the creation of the Uttarakhand High Court, the sanctioned strength was 7 judges, which has now been increased to 11 judges, including 9 permanent judges and 2 additional judges; all of which are appointed via Presidential assent, upon the recommendations of the Chief Justice of India and the Governor of Uttarakhand.

Total no. of Working Days

Taking into account an average of the annual working days of the court between 2016-2021, we find that the Uttarakhand High Court has functioned for 206.3 days in a year.

Comparative Study

Upon calculating the average annual working days for the period of 2016-21, which comes to be almost 237 days, it is evident that the Uttarakhand High Court is almost falling short of a fortnight of working days as compared to the Supreme Court.

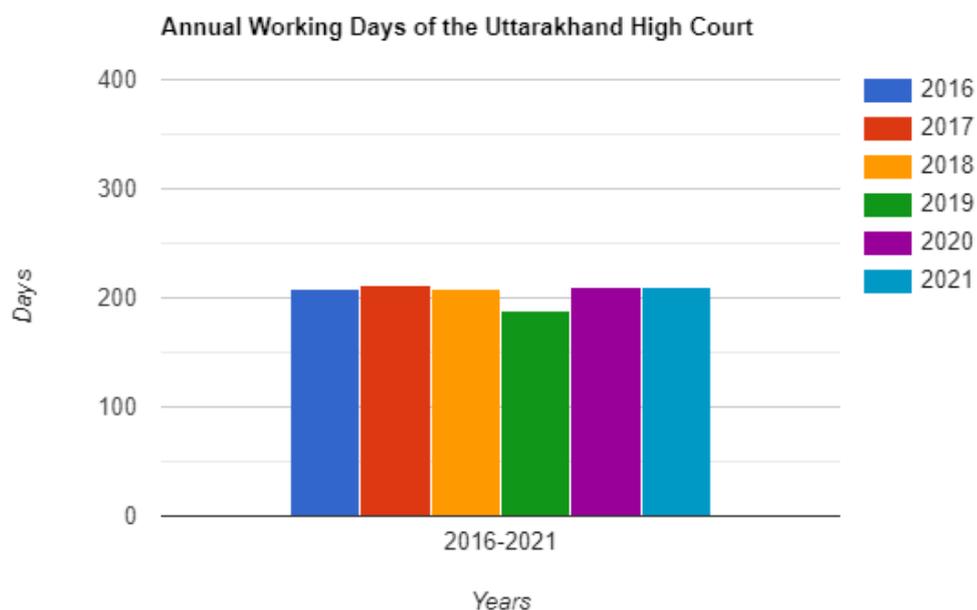
Judicial Pendency

According to the National Judicial Data Grid (NJDG), the pendency figures of the bench of the Rajasthan High Court at Jaipur stand as enumerated:

Civil Pending Cases: 24370

Criminal Pending Cases: 16861

Total Pending Cases: 412



III. PART 2

- **Andhra Pradesh**

13 District Courts and various Criminal, civil and small cases courts are in place in the State of Andhra Pradesh. Prime amongst them are, Anantapur, Guntur, Kurnool, Prakasam, Sri Potti Sriramulu (Nellore), Visakhapatnam.

YEAR	ANNUAL WORKING DAYS
2019	245
2020	241
2021	234

- **Arunachal Pradesh**

There are 16 district courts in the state of Arunachal Pradesh. The East Division of the District & Sessions Judge Division is headquartered at Tezu, the district HQ of Lohit district. There are eight districts that come under the East Division jurisdiction. They are:

- East Siang
- Upper Siang
- Upper Dibang Valley
- Lower Dibang Valley
- Anzaw
- Lohit
- Changlang
- Tirap

YEAR	ANNUAL WORKING DAYS
2021	262
2021	261

- **Assam**

The State of Assam has 27 Subordinate Courts; the important ones are Baksa, Chirang, Darrang, Jorhat, Karimganj, Lakhimpur, Sivasagar, Sonitpur, Udalguri.

YEAR	Subordinate Civil Courts	Subordinate Criminal Courts
2017	241	259
2018	243	261
2019	243	261
2020	243	261
2021	243	261

- **Bihar**

The state of Bihar has 37 district courts and 42 subdivisional courts functioning under the subordination of the Patna High Court, including major districts like Champaran, Aurangabad, Gaya, Muzaffarpur. Their annual calendar is issued by the High Court of Patna, and the trend of their annual working days is enlisted below.

YEAR	ANNUAL WORKING DAYS
2017	255
2018	257
2019	255
2020	254
2021	248

- **Chhattisgarh**

The State of Chhattisgarh has 25 subordinate Courts the prime among them are, Raigarh, Bilaspur, Durg, Bijapur etc.

YEAR	ANNUAL WORKING DAYS
2017	241
2018	244
2019	241
2020	238
2021	244

- **Goa**

DISTRICT AND SUBORDINATE JUDICIARY OF NORTH GOA

In North Goa District, there is 1 Principal District & Sessions Judge and 20 other Judges, it has got Original, Appellate & Special Jurisdiction.

The District and Sessions Court, North Goa, Panaji is situated on the bank of the river Mandovi, near the old Secretariat of the Government of Goa and in the heart of the Capital City of Panaji the State of Goa

YEAR	ANNUAL WORKING DAYS
2020	240
2021	235

DISTRICT AND SUBORDINATE JUDICIARY OF SOUTH GOA

The District & Sessions Court, South Goa, started functioning w.e.f. 4.2.1981. Dr. Eurico Santana da Silva was the first District Judge of this Court and he was Presiding for the period from 4.2.1981 till 30.11.1988. Initially the District & Sessions Court South Goa was housed in

a rented building till 1992.

The Subordinate judiciary of South Goa consists of 1 Principal District & Sessions Judge and 22 other Judges.

YEAR	ANNUAL WORKING DAYS
2020	240
2021	235

- **Gujarat**

There are 33 Subordinate Courts in the State of Gujarat. The important amongst them are, Ahmedabad, Bhavnagar, Devbhumi Dwarka, Gandhinagar, Gir Somnath, Jamnagar, Junagadh, Kutch, Porbandar, Rajkot, Surat, Vadodara.

YEAR	ANNUAL WORKING DAYS
2021	290

- **Himachal Pradesh**

There are a total 11 Subordinate Courts in the State of Himachal Pradesh. They are in Bilaspur, Chamba, Hamirpur, Kangra, Kinnaur, Kullu, Mandi, Shimla, Sirmaur, Solan and Una.

YEAR	ANNUAL WORKING DAYS
2020	235
2021	223

- **Jharkhand**

The State of Jharkhand has 24 District Courts in all. The District Court of Ranchi was established in the year 1861; the first District Judge was major W.H.Oakes. Civil Courts, Ranchi is under the Jurisdiction of Jharkhand High Court w.e.f 15 November 2000.

YEAR	ANNUAL WORKING DAYS
2019	247
2020	236
2021	240

- **Madhya Pradesh**

In the state of Madhya Pradesh, the total number of district courts is 50. The historical building of Indore District Court was established in 1905 by the Regency Council during the reign of Maharaja Tukaroji Holkar III. The famous architecture M/s Stevenson & Company did in the celebration of the proposed Indore visit of England's future emperor George V.

YEAR	ANNUAL WORKING DAYS
2021	238
2020	245

- **Maharashtra**

The State of Maharashtra has 39 Subordinate Courts including District Courts, Civil Courts, Criminal Courts, and Small Causes Courts. Some of the most important districts are Aurangabad, Kolhapur, Maharashtra CoOperative Courts, Maharashtra Family Courts, Maharashtra Industrial/Labour Courts, Mumbai City Civil Court, Mumbai CMM Court, Mumbai Motor/Accident Claims Tribunal, Mumbai Small Cause Court, Nagpur, Nashik, Pune, Ratnagiri, Satara, Washim, Yavatmal, Mumbai.

YEAR	Court	ANNUAL WORKING DAYS
	Nagpur	234
	Mumbai	235

2021	Aurangabad	262
	Pune	236

- **Manipur**

The Manipur (Courts) Act, 1955 is “An Act to provide for the establishment of a Judicial Commissioners Court and other Courts in Manipur.” There are in all 7 District courts in the State of Manipur. They are in

- Bishnupur
- Churachandpur
- Imphal East
- Imphal West
- Senapati
- Thoubal
- Ukhrul

YEAR	ANNUAL WORKING DAYS
2021	Civil Court -252
	Criminal Court- 262

- **Mizoram**

There are a total 8 District Courts in the State of Mizoram. They are in Aizwal, Chamhai, Kolasib, Lawngtlai, Lunglei, Mamit, Saiha, Serchhip.

YEAR	ANNUAL WORKING DAYS
2019	216
2020	211

2021	218
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- **Odisha**

The state of Odisha has about 30 district courts operating under the jurisdiction of the Odisha High Court, in districts of Puri, Balasore, Boudh, etc., to name a few. Their annual calendar is issued by the High Court of Odisha, and the trend of their annual working days for the year 2021 is estimated to be 242.

- **Punjab, Haryana, and Chandigarh**

The subordinate courts in the states of Punjab and Haryana follow a common calendar issued by the Punjab & Haryana High Court jointly for the district courts operating in the two states. The State of Punjab consists of 21 districts- Pathankot, Gurdaspur, Amritsar, Hoshiarpur, Tarn Taran, Kapurthala, Jalandhar, Nawanshahr, Rup Nagar, SAS Nagar, Ludhiana, Firozpur, Faridkot, Moga, Fazika, Muktsar, Bathinda, Barnala, Mansara, Sangrur, Patiala, Fatehgarh Saheb. The state of Haryana, on the other hand, comprises of 21 districts of Ambala, Panchkula, Yamuna Nagar, Kurukshetra, Kaithal, Karnal, Sirsa, Fatehabad, Jind, Hisar, Panipat, Sonipat, Rohtak, Bhiwani, Jhajjar, Mahendragarh, Rewari, Gurgaon, Faridabad, Mewat, and Palwal. The trend of their annual working days for 2021, is estimated to be 273.

- **Rajasthan**

The state of Rajasthan is bifurcated into 35 judgeships, comprising 388 courts of District Judge cadre, 319 courts of Senior Civil Judge Cadre, and 438 courts of Civil Judge Cadre. All these courts have their annual calendar issued by the High Court of Rajasthan, and the trend of their annual working days is listed below.

YEAR	ANNUAL WORKING DAYS
2020	241
2021	240

- **Sikkim**

The Sessions Division of East & North Districts of Sikkim consists of one Court of the Sessions Judge (East & North), one Court of the Sessions Judge, one Court of the Sessions Judge, one Court of Chief Judicial Magistrate (East & North), one Court of Judicial Magistrate (East) and

one Court of Judicial Magistrate (North).

The District Judicial Division of East & North Districts of Sikkim consists of one Court of District Judge (East & North), one Court of District Judge, one Court of District Judge, one Court of Civil Judge (East & North), one Court of Civil Judge (East) and one Court of Civil Judge (North).

The District & Sessions Judge (East & North) is the judicial and administrative head of the entire judicial setup of the East & North Districts of Sikkim.

All these courts have their annual calendar issued by the High Court of Sikkim, and the trend of their annual working days for the year 2021 is estimated to be 249 days.

- **Tamil Nadu**

The state of Tamil Nadu has 32 District Courts. Apart from this there are 24 Metropolitan Magistrate Courts functioning in Chennai City. All other Metropolitan Magistrates are in the cadre of Civil Judge. The Metropolitan Magistrates are exercising jurisdiction with reference to the police stations in the City of Chennai.

YEAR	ANNUAL WORKING DAYS
2021	201

- **Telangana**

The state of Telangana, presently consists of 9 district courts, including civil and criminal metropolitan sessions courts and city civil judge courts in the cities of Hyderabad & Secunderabad. Their annual calendar issued by the High Court of Telangana, and the trend of their annual working days is enlisted below.

YEAR	ANNUAL WORKING DAYS
2019	244
2020	206
2021	245

- **Uttar Pradesh**

Uttar Pradesh has 75 District Courts prominent ones include Agra, Aligarh, Allahabad, Amethi, Bareilly, Fatehpur, Firozabad, Ghaziabad, Gorakhpur, Jhansi, Kannauj, Lucknow, Mathura, Meerut, Varanasi.

YEAR	ANNUAL WORKING DAYS
2017	257
2018	257
2019	260
2020	261
2021	258

- **Uttarakhand**

Thirteen district courts are operating in the state of Uttarakhand, under the subordination of the High Court of Uttarakhand in Amora, Bageshwar, Chamoli, Champawat, Dehradun, Haridwar, Nainital, Pauri Garhwal, Pithoragarh, RudraPrayag, Tehri Garhwal, Udham Singh Nagar, and Uttarkashi. Their annual calendar issued by the High Court of Uttarakhand and the trend of their annual working days is enlisted below.

YEAR	ANNUAL WORKING DAYS
2017	222
2018	229
2019	203
2020	225
2021	248

- **West Bengal**

West Bengal has 23 subordinate Courts, including Civil, Criminal, and Small causes Courts. The Important ones are Darjeeling, Howrah, Jalpaiguri, Kolkata-City Civil Court, Kolkata-City Sessions Court, Kolkata-Presidency Small Causes Court, Malda, Murshidabad.

YEAR	ANNUAL WORKING DAYS
2019	247
2020	247
2021	247

IV. EPILOGUE

Interestingly, judicial sitting days as well as their vacations differ around the world depending upon their geographical reasons, culture and traditions and the population in that region. The above study is a sneak peek into the judicial system of the United Kingdom, The United States of America, Canada, Australia, Germany, China, Bangladesh, North Korea, New Zealand, Japan, France & Spain while the crux being the Indian Judiciary, on which the authors have entirely focused.

The study carried out on the court sitting days and the vacation culture of the Indian Judiciary has made several revelations. The fact that the Supreme Court works only for 190 days while the High Court's works for only 210 days on an average. Only the subordinate courts in India have an average 245 working days. The High Courts & the Supreme Courts on an average enjoy a total of 140 days of general holidays.

Despite the escalation in the pendency of cases across courts in India in the last decade, the vacation period being enjoyed by the Superior Courts is rather a consternation. In a study conducted by the PRS Legislative research there are 4.5 crores pending cases across all the courts in India with nearly 9 out of 10 pending cases stuck in the subordinate courts. As per PRS research between 2006 and 2018 (up to April), there has been an 8.6% rise in the pendency of cases across all courts. Pendency before the Supreme Court increased by 36%, High Courts by 17%, and subordinate courts by 7%. In addition to the surge in backlog of cases, vacancies in subordinate judiciary have increased from 19% to 26% between 2006 and 2017. As of 2017, the subordinate courts have a vacancy of 26% (5,746) against a sanctioned strength of 22,474

judges, reveals the PRS study,

Noteworthy to say that these are not the only factors contributing to the piling up of cases. One of the important points of consideration is the vacation period being enjoyed by the Judiciary. This has been pointed by the 230th Report of the Law Commission of India titled as “Reforms in the judiciary – Some suggestions”, that Considering the staggering arrears, vacations in the higher judiciary must be curtailed by at least 10 to 15 days and the court working hours should be extended by at least half-an hour. Moreover, the Committee has called the present scenario of judiciary a distressing situation and emphasized on increasing the number of working days and keeping a check on the vacations enjoyed by the High Courts.

According to a study titled “Court Performance Around the World”, France, Germany, Peru, and Singapore are currently capable of addressing the number of filed cases in the courts without significant delay and congestion. Peru achieved this capability through the employment of temporary judges-some of whom became permanent-as well as through training, case management, and automation. In France, Germany and Singapore, where judicial and administrative responsibilities are separate, judges spend one hundred percent of their time on judicial tasks.

As seen in Singapore and Peru, increased productivity through clearance rates can be a positive result of judicial reforms. However, if we want to bring about reformatory changes in the current judicial system of India, it is extremely essential that the working days of the Courts be increased considerably, just as the other Central Government and State Government Departments. The judiciary should look at other professionals as well who work all around the year to get their work done. The Argument is simply that the vacation culture emerged from colonial rule in India, however, the times have changed today. India is an independent country in need of a radical change in the judicial system to cater to the prevailing needs of the litigants. It is coherent to say that curtailing vacation periods and increasing the working days of the Higher Judiciary will only benefit in bringing out the reformatory changes in the present judicial system. The Judiciary should be mindful of “Justice delayed is justice denied”, a saying which establishes the fact that delaying justice is nothing but depriving an aggrieved person from justice.

V. ANNEXURES

The data collected through the annual calendars of the Supreme Court, High Courts and Subordinate Courts in the country, published on their official websites and tabulated accordingly.

ANNEXURE I

Annual working days of the Supreme Court of India from 2010 - 2021

Calendar Year	No. of Working Days
2010	230
2011	229
2012	230
2013	226
2014	224
2015	228
2016	232
2017	226
2018	231
2019	255
2020	225
2021	255

**The total number of working days include the days the registry is functioning*

***Total Number of working days include restricted holidays*

ANNEXURE II

Annual working days of the High Courts, from 2016-2021

HIGH COURT	2016	2017	2018	2019	2020	2021
Allahabad High Court	240	239	243	245	240	244
Andhra Pradesh High Court	238	237	245	230	232	225
Bombay High Court	219	231	225	233	233	230
Calcutta High Court	241	234	236	238	233	234
Chhattisgarh High Court	210	211	208	206	220	218
Delhi High Court	240	240	242	240	243	229
Guwahati High Court	-	-	214	210	210	232
Gujarat High Court	-	211	227	232	229	223
Himachal Pradesh High Court	-	-	215	215	204	2021
Jammu & Kashmir High Court	-	-	206	202	199	206
Jharkhand High Court	209	205	168	211	210	210
Karnataka High Court	243	227	238	240	242	241
Kerala High Court	-	-	210	210	210	210
Madhya Pradesh High Court	-	229	228	233	226	227
Madras High Court	-	-	210	221	210	210
Manipur High Court	-	-	-	196	210	210
Meghalaya High Court	-	-	-	-	-	212
Odisha High Court	-	230	230	225	225	225

Patna High Court	-	-	238	210	210	210
Punjab & Haryana High Court	211	211	209	212	210	210
Rajasthan High Court	-	-	220	220	218	204
Sikkim High Court	-	-	-	-	176	209
Telangana High Court	238	237	245	241	230	249
Uttarakhand High Court	209	211	209	189	210	210

***Total number of working days include restricted holidays

ANNEXURE III

STATE/ UNION TERRITORIES	CITY/ COURT	2017	2018	2019	2020	2021
Andhra Pradesh	All Subordinate Courts	-	-	245	241	234
Arunachal Pradesh	All Subordinate Courts	254	251	258	262	261
Assam	Subordinate Civil Courts/ Subordinate Criminal Courts	241/259	243/261	243/261	243/261	243/261
Bihar	All Civil Courts	255	257	255	254	248
Chhattisgarh	All Courts subordinate to the High Court	241	244	241	238	244
Goa	-	-	-	225	228	225
Himachal Pradesh	All Subordinate Courts	-	-	-	232	231

Jharkhand	Subordinate Civil Courts	226	245	246	238	224
Madhya Pradesh	All Subordinate Civil Courts	-	243	245	242	237
Maharashtra	Nagpur	-	-	-	-	234
	Mumbai	-	-	-	-	235
	Aurangabad	-	-	-	-	262
	Pune	-	-	-	-	236
Manipur	All Subordinate Courts	-	-	-	-	210
Mizoram	All Subordinate Courts	222	224	216	211	218
Odisha	All Civil and Criminal Courts	-	-	-	-	242
Punjab, Haryana, and Chandigarh	All Subordinate Courts	-	-	-	-	273
Rajasthan	All Civil Courts	-	-	-	241	240
Sikkim		-	-	-	-	249
STATE/ UNION TERRITORIES	CITY/ COURT	2017	2018	2019	2020	2021
Tamil Nadu	All Subordinate Courts	-	-	-	-	201
Telangana	All Subordinate	-	-	244	206	245

	Courts					
Uttar Pradesh	All District Courts	257	257	260	261	258
Uttarakhand	All Subordinate Courts	222	229	203	225	248
West Bengal	All Subordinate Civil Courts	-	-	247	247	247

******Total No. of Working days exclude local holidays for the North-Eastern States**

*******Total No. of Working days include restricted holidays**

*******The total number of working days for those subordinate courts not issued separate working calendars have been calculated by the formula- $365 - (\text{no. of holidays} + 52 + 12)$ [52 Sundays and 12 Second Saturdays in a year are presumed holidays]**
