

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

**RAJYA SABHA**

**UNSTARRED QUESTION NO. 1063**

**TO BE ANSWERED ON THURSDAY, THE 15.12.2022**

**Collegium recommendation on appointment of judges**

**1063. SHRI K.C. VENUGOPAL:**

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

- (a) whether Government has recently asked the Supreme Court to reconsider 20 names recommended for appointment as High Court judges;
- (b) if so, the reasons therefor;
- (c) whether it is a fact that 20 per cent of the judicial posts in High Courts are vacant;
- (d) if so, the reasons for delay by the National Judicial Appointments Commission (NJAC) to go ahead with collegium recommendation on appointment of judges; and
- (e) the details thereof?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (c): Government has recently referred back 20 names to Supreme Court Collegium recommended for appointment as High Court judges. As on 09.12.2022, against the sanctioned strength of 1108 Judges, 777 Judges are working in High Courts, leaving a vacancy of 331 (30%) judges to be filled. Against 331 Vacancies, at present, 147 proposals received from High Courts are at various stages of processing between the Government and the Supreme Court Collegium. Further recommendations from High Court Collegiums are yet to be received in respect of 184 vacancies in High Courts. In the year 2022 till 09.12.2022, Government has appointed a record number of 165 Judges in various High Courts, which is highest in a calendar year so far.

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(d) to (e): Constitution (Ninety-Ninth Amendment) Act, 2014 and the National Judicial Appointments Commission Act, 2014 w.e.f. 13.04.2015 were declared as unconstitutional and void vide judgement dated 16.12.2015. The Collegium system as existing prior to the enforcement of the Constitution (Ninety-Ninth Amendment) Act, 2014 was declared to be operative, and all current appointments in the Higher Judiciary are currently being made as per the existing MoP.

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