

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

**RAJYA SABHA
UNSTARRED QUESTION NO. 268**

ANSWERED ON THURSDAY, THE 08.12.2022

VACANCIES IN COURTS

**268. SHRI MALLIKARJUN KHARGE:
DR. JOHN BRITTAS:**

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

- (a) whether the Supreme Court recently expressed its opinion over delay in notifying the names of judges recommended by the collegium;
- (b) number of collegium proposals pending with Government as on date and the reasons for delay;
- (c) number of collegium proposals returned by Government during the last five year, the reasons therefor;
- (d) State-wise details of proposals recommended by High Courts pending with the Supreme Court collegium and Government, the reasons therefor;
- (e) number of vacancies as on date in the Supreme Court and High Courts; and
- (f) whether Government proposes to reintroduce National Judicial Appointments Commission with suitable modifications?

**ANSWER
MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)**

(a) to (d): Appointment of the Judges of the Constitutional Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various constitutional authorities both at state and central level. Government appoints only those persons as Judges of High Courts who are recommended by Supreme Court Collegium

(SCC). As on 05.12.2022, there is 01 proposal for appointment of a Supreme Court Judge and 08 proposals for appointment of High Courts Judges recommended by the SCC are pending with the Government. Further, there are 11 proposals of transfer of High Court Judges, 01 proposal of transfer of a Chief Justice and 01 proposal of appointment of Chief Justice of a High Court recommended by the Supreme Court under consideration of the Government. Supreme Court while hearing a court case has expressed its opinion over delay in notifying the names of judges recommended by the collegium.

During the last five years, a total of 256 proposals have been remitted by the Government to the High Courts. The proposals are remitted to the concerned High Courts on the advice of the Supreme Court Collegium.

As on 05.12.2022, 146 proposals recommended by the High Court Collegiums are at various stages of processing with the Government and the Supreme Court Collegium. The High Court-wise details is at **Annexure**.

(e) As on 05.12.2022, against the sanctioned strength of 34 Judges, 27 Judges are working in the Supreme Court leaving 07 vacancies. In the High Courts, against the sanctioned strength of 1108, 778 Judges are working leaving 330 vacancies.

(f) No Sir, at present there is no such proposal.

Annexure

Details of 146 proposals recommended by the High Courts and pending with GoI and SCC

Sl. No.	High Court	Number of proposals
1.	Allahabad	30
2.	Andhra Pradesh	03
3.	Bombay	16
4.	Calcutta	04
5.	Chhattisgarh	04
6.	Delhi	01
7.	Gujarat	11
8.	Gauhati	01
9.	Karnataka	11
10.	Kerala	02
11.	Madhya Pradesh	12
12.	Madras	18
13.	Manipur	02
14.	Meghalaya	01
15.	Orissa	01
16.	Patna	02
17.	Punjab and Haryana	01
18.	Rajasthan	18
19.	Telangana	03
20.	Uttarakhand	05
Total		146