

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

**RAJYA SABHA
UNSTARRED QUESTION NO. 1870
ANSWERED ON 16.03.2023**

Proposals from Supreme Court Collegium for appointment of judges

1870. SHRI P. WILSON:

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

- (a) the number of proposals which were received from the Supreme Court Collegium for consideration of appointment of judges for Supreme Court and High Courts and the status of the proposals;
- (b) the reasons for delay in processing the recommendations of the Collegium for appointment of the judges;
- (c) the reasons for not maintaining any service records/details of judges belonging to different caste/communities since 1950;
- (d) whether Government has taken steps to adhere to social diversity in memorandum of procedure during appointment of the judges to Supreme Court and High Courts; and
- (e) if so, details thereof and if not, reasons therefor?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (e):As on 10.03.2023 there is no vacancy in the Supreme Court. As far as the High Courts are concerned, against the sanctioned strength of 1114 Judges, 780 Judges are working and 334 posts of Judges are vacant. Presently, there are a total of 118 proposals recommended by High Court Collegiums which are at various stages of processing. The recommendations against 216 vacancies in the High Courts are yet to be received from the High Court Collegiums.

While filling up of vacancies in the High Courts is a continuous, integrated and collaborative process requiring consultation and approval from various constitutional authorities, vacancies keep on arising on account of retirement, resignation or elevation of Judges. Government is committed to filling up of vacancy expeditiously in time-bound manner.

The data regarding Social diversity in High Court Judges has been institutionalized as per the revised Annexure (revised in 2018) wherein the recommendees have to provide details regarding their social background in the prescribed format (prepared in consultation with the Supreme Court). Hence, data after 2018 has been maintained.

Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. However, the Government has been requesting the Chief Justices of High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and Women to ensure social diversity in appointment of Judges in High Courts.
