

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO.1388
ANSWERED ON 14/12/2023

VACANCIES IN SUBORDINATE COURTS

1388. SHRI VIVEK K. TANKHA:

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

- (a) the number of vacancies in the subordinate courts, State-wise;
- (b) the number of judges recruited in subordinate courts in the last five years, State-wise and year-wise; and
- (c) the measures taken by Government to fill these vacancies expeditiously?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

(a): At present, there are 5,443 vacancies of judicial officers in the subordinate courts. The detailed, State-wise statement of vacancies in subordinate courts is at *Annexure-I*.

(b)& (c): As far as the recruitment in Subordinate courts is concerned, the Central Government does not have any direct role under the Constitution in the selection and appointment of judicial officers in District/ subordinate judiciary. As per the Constitutional framework, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Governments in consultation with their High Courts frame the rules and regulations regarding the issues of recruitment of Judicial Officers in the respective State Judicial Service. Thus, the recruitment of judicial officers in the Subordinate Courts is the responsibility of the High Courts and State Governments concerned. In some States, the respective High Courts undertake the recruitment process, whereas in other States, the High Courts do it in consultation with the State Public Service Commissions.

In its orders of 04th January, 2007 in Malik Mazhar case, the Hon'ble Supreme Court has devised a process and time frame to be followed for the filling up of vacancies in subordinate judiciary which stipulates that the process for recruitment of judges in the subordinate courts would commence on 31st March of a calendar year and end by 31st October of the same year. The Supreme Court has permitted State Governments / High Courts for variations in the time schedule in case of any difficulty based on the peculiar geographical and climatic conditions in the State or other relevant conditions.

Further, in compliance of the above directions of the Supreme Court, Department of Justice forwarded a copy of the Malik Mazhar judgement to Registrars General of all High Courts for necessary action. Registrar Generals of all High Courts have been requested at regular intervals to expedite the filling up of vacancies in subordinate judiciary as mandated under the Malik Mazhar case.

Sanctioned and working strength of judicial officers in District and Subordinate Courts has increased during the last five years, details of which are as under:

As on	Sanctioned Strength	Working Strength
30.09.2018	22,644	17,509
11.12.2023	25,439	19,996

STATEMENT REFERRED TO IN REPLY TO PARTS (A) OF RAJYA SABHA UNSTARRED QUESTION NO. 1388 FOR ANSWER ON 14.12.2023 REGARDING 'VACANCIES IN SUBORDINATE COURTS.

Vacant position of Judicial Officer in District and Subordinate Courts as on 11.12.2023

Sl. No.	States & UTs	Total Vacancy
1.	Andhra Pradesh	83
2.	Arunachal Pradesh	10
3.	Assam	46
4.	Bihar	473
5.	Chandigarh	1
6.	Chhattisgarh	139
7.	D & N Haveli	1
8.	Daman & Diu	0
9.	Delhi	89
10.	Goa	10
11.	Gujarat	545
12.	Haryana	208
13.	Himachal Pradesh	21
14.	Jammu and Kashmir	94
15.	Jharkhand	193
16.	Karnataka	225
17.	Kerala	91
18.	Ladakh	7
19.	Lakshadweep	1
20.	Madhya Pradesh	294
21.	Maharashtra	250
22.	Manipur	10
23.	Meghalaya	42
24.	Mizoram	33
25.	Nagaland	10
26.	Odisha	205
27.	Puducherry	19
28.	Punjab	212
29.	Rajasthan	296
30.	Sikkim	12
31.	Tamil Nadu	331
32.	Telangana	115
33.	Tripura	20
34.	Uttar Pradesh	1247
35.	Uttarakhand	27
36.	West Bengal	83*
37.	Andaman and Nicobar	
TOTAL		5443

Source: MIS portal, Department of Justice.

*No separate sanctioned strength exists in respect of Andaman & Nicobar Islands and the same is included in the total Sanctioned Strength, appearing in the designated column coming under the heading West Bengal.

