

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 1073

ANSWERED ON 13/02/2025

VACANCIES OF JUDGES IN THE COUNTRY

1073. DR. SASMIT PATRA:

Will the Minister of *Law and Justice* be pleased to state:

- (a) total number of vacancies of Judges in the country as on date in Supreme Court, High Courts, District Courts, Civil Courts, Sessions Courts, Magistrate Courts, Family Courts, Tribunals, etc;
- (b) the total number of vacancies in Courts, Court-wise;
- (c) the reasons for such vacancies in these Courts, hierarchy-wise;
- (d) the steps Government is taking to fill up these vacancies; and
- (e) the timeline and number of such vacancies that are expected to be filled up?

ANSWER

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

(SHRI ARJUN RAM MEGHWAL)

(a) to (e): The details of vacancies in the Supreme Court, High Courts and District and Subordinate Judiciary are at Annexure-I and Annexure-II respectively.

Filling up of vacant positions of the judicial officers in District and Subordinate courts is the responsibility of the High Courts and State Governments concerned. 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 Government in consultation with the High Court frames the rules and regulations regarding the appointment and recruitment of Judicial Officers. The Hon'ble Supreme Court vide order passed in January 2007 in the Malik Mazhar Sultan case, has inter-alia, stipulated certain timelines, which are to be followed by the States and the respective High Courts for recruitment of judges in District and Subordinate Courts.

Appointment of Judges to High Courts is made under Article 217 and 224 of the Constitution of India and according to the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case).

As per the MoP, the responsibility for initiation of proposals for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while the responsibility for initiation of proposals for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court, in consultation with two senior-most puisne Judges of the High Court. As per the MoP, the High Courts are required to make recommendations at least 06 months before the occurrence of a vacancy. However, this time limit is hardly adhered to by the High Courts. For appointments to the High Courts, the views of concerned State Government are obtained in accordance with the MoP. The recommendations also have to be considered in the light of such other reports as may be available to the Government in respect of the names under consideration. The recommendations of the High Court Collegium, the State Governments and the Government of India are then forwarded to the Supreme Court Collegium (SCC) for advice. Only those persons whose names have been recommended by the SCC are appointed as Judges of the High Courts. Appointment of Judges in the higher judiciary 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. Hence, the time needed for filling up of vacancies of the Judges in the High Courts cannot be indicated.

While every effort is made to fill up the existing vacancies expeditiously, vacancies of Judges in High Courts keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the sanctioned strength of Judges. Since May 2014, the Government has increased the sanctioned strength of High Court Judges from 906 to 1122 (as on date). Under the collaborative effort between the Government and the Judiciary, 1013 Judges have been appointed in various High Courts since 2014 till 10.02.2025.

Statement showing Sanctioned strength and Vacancies of Judges in the Supreme Court and High Courts (As on 10.02.2025)

Sl. No.	Supreme Court/ High Court(s)	Sanctioned Strength	Vacancies
	Supreme Court	34	2
1	Allahabad	160	81
2	Andhra Pradesh	37	7
3	Bombay	94	26
4	Calcutta	72	29
5	Chhattisgarh	22	6
6	Delhi	60	22
7	Gauhati	30	6
8	Gujarat	52	20
9	Himachal Pradesh	17	5
10	J & K and Ladakh	17	10
11	Jharkhand	25	9
12	Karnataka	62	13
13	Kerala	47	2
14	Madhya Pradesh	53	20
15	Madras	75	10
16	Manipur	5	1
17	Meghalaya	4	0
18	Orissa	33	15
19	Patna	53	19
20	Punjab & Haryana	85	34
21	Rajasthan	50	17
22	Sikkim	3	0
23	Telangana	42	12
24	Tripura	5	0
25	Uttarakhand	11	3
	Total	1114	367

ANNEXURE-II**State-wise vacancy report in respect of Judicial Officers in District and Subordinate Judiciary as on 10.02.2025**

Sl. NO.	States/UTs	Sanctioned Strength	Working Strength	Vacancy
1	Andhra Pradesh	639	564	75
2	Arunachal Pradesh	44	33	11
3	Assam	485	461	24
4	Bihar	2019	1536	483
5	Chandigarh	30	30	0
6	Chhattisgarh	663	465	198
7	D & N Haveli Daman & Diu	7	6	1
8	Delhi	897	803	94
9	Goa	50	40	10
10	Gujarat	1720	1185	535
11	Haryana	781	551	230
12	Himachal Pradesh	179	160	19
13	Jammu and Kashmir	322	279	43
14	Jharkhand	705	506	199
15	Karnataka	1390	1152	238
16	Kerala	612	533	79
17	Ladakh	17	11	6
18	Lakshadweep	4	4	0
19	Madhya Pradesh	2028	1692	336
20	Maharashtra	2190	1940	250
21	Manipur	62	49	13
22	Meghalaya	99	57	42
23	Mizoram	74	45	29
24	Nagaland	34	24	10
25	Odisha	1041	840	201
26	Puducherry	36	26	10
27	Punjab	804	723	81
28	Rajasthan	1654	1308	346
29	Sikkim	35	23	12
30	Tamil Nadu	1369	1023	346
31	Telangana	560	445	115
32	Tripura	133	109	24
33	Uttar Pradesh	3700	2698	1002
34	Uttarakhand	298	270	28
35	Andaman and Nicobar	1105	875	230
36	West Bengal			
TOTAL		25786	20466	5320

Source: MIS portal, Department of Justice