

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 2359
ANSWERED ON – 12/03/2026

APPOINTMENT OF JUDGES

2359 DR. SASMIT PATRA:
SHRI MOHAMMED NADIMUL HAQUE:

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

- (a) the number of recommendations received from the collegium for appointment and elevation of judges to the Supreme Court and High Courts during the last five years, year-wise;
- (b) the number of such recommendations cleared, returned or pending with Government, along with the average and maximum time taken at each stage of processing; and
- (c) whether any timelines have been prescribed for each stage of the appointment process and if so, the extent to which such timelines have been adhered to?

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 (c): As on 06.03.2026, against the sanctioned strength of 1122 Judges, 810 Judges are working and 312 posts of Judges are vacant in various High Courts. Against these vacancies, 132 proposals for appointment of High Court Judges are at various stages of processing between the Government and the Supreme Court Collegium.

Appointment of Judges to the Supreme Court and High Courts is made under Articles 124, 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. 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.

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. Only those persons whose names have been recommended by the SCC are appointed as Judges of the High Courts.

From 01.01.2020 till 06.03.2026, 37 Judges have been appointed to the Supreme Court and 660 Judges have been appointed to various High Courts. Further, 381 names have been remitted to the High Courts during the same period.
