

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
STARRED QUESTION NO. 197
ANSWERED ON – 06/08/2026

POSTS AND VACANCIES IN COURTS

***197 SHRI SATNAM SINGH SANDHU:**

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

- (a) the number of sanctioned and vacant judges in the Supreme Court, High Courts and subordinate courts;
- (b) the present vacancy levels in the Punjab and Haryana High Court and its subordinate judiciary;
- (c) whether any study has been undertaken to assess how judicial delays due to vacancies impact economic and civil cases in States like Punjab; and
- (d) the steps taken to fill up the vacancies in a fast track manner?

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 (d): A statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (D) OF RAJYA SABHA
STARRED QUESTION NO. 197 FOR ANSWER ON 06.08.2026 REGARDING POSTS
AND VACANCIES IN COURTS.**

(a) and (b): As on 31.07.2026, the sanctioned strength and vacancies of judges in Supreme Court, High Courts and subordinate courts are as follows:

Court	Sanctioned strength	Vacancies
Supreme Court	38 (including the Chief Justice of India)	3
High Courts	1122	341
Subordinate Courts	30,868	7,311

As on 31.07.2026, against strength of 85 Judges, 55 Judges are working in the Punjab & Haryana High Court. As on 30.07.2026 against a sanctioned strength of 834 Judges, 696 Judges are working in District and Subordinate Courts in Punjab.

(c) and (d): Appointment of Judges to High Courts is made under Articles 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 rarely observed. 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 Government 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.

Filling up of vacant positions of judges in District and Subordinate courts is the responsibility of the respective High Courts and State Governments. As per the Constitutional framework, in exercise of powers conferred under the 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 in the respective State Judicial Service. 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 the recruitment of judges in District and Subordinate Courts.

Disposal of cases pending in various courts lies within the domain of the judiciary. However, the Government is fully committed for speedy disposal of cases and reducing pendency as mandated under Article 21 of the Constitution. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary which, *inter-alia*, includes amalgamation of latest technologies for increasing access to justice and greater transparency under the e-Courts Mission Mode Project, better infrastructure for courts, increase in strength of subordinate, judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.
