

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA
UNSTARRED QUESTION NO. 4248

TO BE ANSWERED ON WEDNESDAY, THE 21.03.2018

Disagreement over Judicial Appointments

4248. SHRI B.N. CHANDRAPPA:

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

- (a) whether it is true that the executive and the judiciary were very strongly disagreeing over judicial appointments;
- (b) if so, the details along with the reasons therefor;
- (c) whether the Government is aware that there is huge number of vacancies in the post of judges in various courts including Supreme Court in the country; and
- (d) if so, the details thereof along with the steps taken in this regard so far?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS

(SHRI P.P. CHAUDHARY)

(a) and (b): No, Madam. Appointment of Judges in Higher Judiciary is a collaborative and integrated process involving both the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities. Differences of opinion if any are mutually reconciled by the Executive and the Judiciary to ensure that only the apposite person is appointed to the high Constitutional post of Judge.

(c) and (d): A Statement showing the Approved Strength, Working Strength and Vacancies in the Supreme Court and the High Courts as on 01.03.2018 is at Annexure-I.

A Statement showing the details of vacant posts of judicial officers of District and Subordinate Courts as on 31.12.2017 is at Annexure-II.

The Judges appointed during last 3 years in the Supreme Court and High Courts are given below:-

Years	Supreme Court	High Courts
2016	4	126
2017	5	115
2018 (upto 16.03.2018)	-	11

As per the Constitutional framework, the selection and appointment of judges in subordinate courts is the responsibility of the High Courts and State Governments concerned. In so far as recruitment of judicial officers in the States is concerned, respective High Courts do it in certain States, whereas the High Courts do it in consultation with the State Public Service Commissions in other States.

Statement referred to in reply to Parts (c) & (d) of Lok Sabha Unstarred Question No. 4248 to be answered on 21.03.2018

(As on 01.03.2018)

Sl.No.	Name of the Court	Approved Strength	Working Strength	Vacancies as per Approved Strength
A	Supreme Court of India	31	24	07
B	High Court			
1	Allahabad	160	103	57
2	Telangana & Andhra Pradesh	61	30	31
3	Bombay	94	70	24
4	Calcutta	72	30	42
5	Chhattisgarh	22	12	10
6	Delhi	60	38	22
7	Gauhati	24	18	06
8	Gujarat	52	30	22
9	Himachal Pradesh	13	08	05
10	Jammu & Kashmir	17	11	06
11	Jharkhand	25	17	08
12	Karnataka	62	30	32
13	Kerala	47	37	10
14	Madhya Pradesh	53	33	20
15	Madras	75	58	17
16	Manipur	05	02	03
17	Meghalaya	04	02	02
18	Orissa	27	16	11
19	Patna	53	32	21
20	Punjab & Haryana	85	50	35
21	Rajasthan	50	33	17
22	Sikkim	03	03	0
23	Tripura	04	02	02
24	Uttarakhand	11	08	03
Total		1079	673	406

Statement referred to in reply to Parts (c) & (d) of Lok Sabha Unstarred Question No. 4248 to be answered on 21.03.2018

(As on 31.12.2017)

Sl. No	Name of States/UTs	Vacant posts of Judicial Officers of District and Subordinate Courts
1	Andhra Pradesh & Telangana	66
2	Arunachal Pradesh	11
3	Assam	77
4	Bihar	835
5	Chhattisgarh	63
6	Goa	12
7	Gujarat	375
8	Haryana	149
9	Himachal Pradesh	11
10	Jammu & Kashmir	29
11	Jharkhand	253
12	Karnataka	327
13	Kerala	85
14	Madhya Pradesh	728
15	Maharashtra	167
16	Manipur	09
17	Meghalaya	58
18	Mizoram	17
19	Nagaland	12
20	Orissa	206
21	Punjab	136
22	Rajasthan	103
23	Sikkim	5
24	Tamil Nadu	200
25	Tripura	31
26	Uttar Pradesh	1348
27	Uttarakhand	61
28	West Bengal	40
29	A & N Island	0
30	Chandigarh	0
31	D & N Haveli and Daman & Diu	0
32	Delhi	317
33	Lakshadweep	1
34	Pondicherry	14
Total		5746
