

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 1410

TO BE ANSWERED ON WEDNESDAY, THE 19th DECEMBER, 2018.

Vacancies of Judicial Officers

1410. SHRI B.V. NAIK:
SHRI PRATHAP SIMHA:
KUMARI SHOBHA KARANDLAJE:
SHRI S.P. MUDDAHANUME GOWDA:

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

- (a) the sanctioned strength and vacancies for Judicial Officers and Prosecutors, State, Rank and Court-wise;
- (b) the steps taken by the Government to reduce the gap between their sanctioned and actual strength;
- (c) the total number of training academies/institutes with their trainee capacities available for the training of Judicial Officers and Prosecutors, Statewise;
- (d) the total number of Judicial Officers and Prosecutors who have been imparted basic training during the last three years, State-wise and rank-wise;
- (e) whether it is a fact that the appointment of Judges and Judicial Officers in the District and Subordinate Courts fall within the domain of the High Courts and State Governments concerned; and
- (f) whether the Government has suggested certain options to the Hon'ble Supreme Court for creation of a central selection mechanism to expedite and rationalise the process of selection and the responses / suggestions of States and UTs in this regard?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)

(a) : Judicial Officers in District and Subordinate Courts are recruited and appointed by the respective High Courts and State Governments. Prosecutors are also recruited and appointed by the respective State Governments. As per the information made available by the State Governments / High Courts, State / UT-wise and category-wise details of sanctioned strength and vacancies of Judicial Officers in District and Subordinate Courts are given in Statement at **Annexure – I**.

(b) & (e): 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, in certain States recruitment is done by the High Courts, whereas in other States, the recruitment is done by High Courts in consultation with State Public Service Commission.

In August, 2018, the Minister of Law & Justice had written to all the Chief Justices of all the High Courts that increasing pendency of cases is a source of concern both the Government and Judiciary; one of the underlying reasons behind the high pendency is sometimes the inordinate delay in filling up the vacancies of judicial officers. It was, accordingly, requested that the High Court may monitor the status of the vacancies regularly and to ensure proper coordination with the state Public Service Commission so that the examination and interviews are conducted in accordance with the time schedule prescribed by the Supreme Court in the Malik Mazhar Sultan case.

(c) & (d): As per the information available, a list of National and State Judicial Academies is given in Statement at **Annexure – II**. The Central Government does not maintain the details of trainings imparted to the Judicial Officers and Prosecutors.

(f) : The appointment of Judges and Judicial Officers in the District and Subordinate Courts falls within the domain of the High Courts and State Governments concerned in which the Central Government has no role. However, in order to facilitate regular filling up of these vacancies in a smooth and time-bound manner, the Department of Justice *vide* its letter dated 28th April, 2017 suggested certain options to the Hon'ble Supreme Court for creation of a Central Selection Mechanism. The Hon'ble Supreme Court *suo motu* converted the Government's suggestions into a writ petition on 09th May, 2017 and directed all State Governments (including Union Territories) to file their responses and suggestions by way of affidavits. The above matter is *subjudice* at present.

Annexure – I

Statement referred to Lok Sabha Unstarred Question No. 1410 for reply on 19th December, 2018.

Category-wise Sanctioned Strength and Vacancies of Judicial Officers of District and Subordinate Courts as on 30.09.2018.

Sr. No.	Name of State / UT	Number of Judicial Officers of Higher Judicial Service as on 30.09.2018		Number of Judicial Officers of Subordinate Judicial Service as on 30.09.2018		Total Sanctioned Strength as on 30.09.2018	Total Vacancy as on 30.09.2018
		Sanctioned Strength	Vacancy	Sanctioned Strength	Vacancy		
1	Andaman & Nicobar Islands	4	0	7	0	11	0
2	Andhra Pradesh and Telangana	234	22	753	75	987	97
3	Arunachal Pradesh	10	3	20	2	30	5
4	Assam	111	14	319	33	430	47
5	Bihar	557	227	1288	395	1845	622
6	Chandigarh	10	0	20	0	30	0
7	Chhattisgarh	218	72	234	-17	452	55
8	Daman and Diu	0	0	4	0	4	0
9	Dadra and Nagar Haveli	0	0	3	0	3	0
10	Delhi	276	15	523	243	799	258
11	Goa	11	1	39	7	50	8
12	Gujarat	374	96	1132	260	1506	356
13	Haryana	200	21	451	141	651	162
14	Himachal Pradesh	49	5	110	5	159	10
15	Jammu & Kashmir	78	14	232	72	310	86
16	Jharkhand	237	75	439	141	676	216
17	Karnataka	346	71	961	160	1307	231
18	Kerala*	154	20	342	43	496	63
19	Lakshadweep*	1	0	2	0	3	0
20	Madhya Pradesh	681	139	1191	372	1872	511
21	Maharashtra	389	66	1622	101	2011	167
22	Manipur	24	7	31	8	55	15
23	Meghalaya	46	35	51	23	97	58
24	Mizoram	17	4	50	17	67	21
25	Nagaland	14	3	19	4	33	7
26	Orissa	204	36	707	120	911	156
27	Puducherry	8	1	18	6	26	7
28	Punjab	191	18	483	126	674	144
29	Rajasthan	551	148	786	81	1337	229
30	Sikkim	13	3	10	1	23	4
31	Tamilnadu*	280	81	863	157	1143	238
32	Tripura	31	7	84	33	115	40
33	Uttar Pradesh	1336	394	1889	794	3225	1188
34	Uttarakhand	100	18	193	41	293	59
35	West Bengal	281	30	732	45	1013	75
Total		7036	1646	15608	3489	22644	5135

*As on 30.06.2018

Statement referred to Lok Sabha Unstarred Question No. 1410 for reply on 19th December, 2018.

List of Judicial Academies

1. National Judicial Academy, Bhopal.
2. Judicial Training & Research Institute, Uttar Pradesh.
3. Andhra Pradesh Judicial Academy
4. Maharashtra Judicial Academy, Thane.
5. West Bengal Judicial Academy.
6. Chhattisgarh State Judicial Academy.
7. Delhi Judicial Academy, New Delhi.
8. Assam State Judicial Academy.
9. Gujarat State Judicial Academy.
10. Himachal Pradesh Judicial Academy.
11. Jammu & Kashmir State Judicial Academy.
12. Judicial Academy, Jharkhand.
13. Karnataka Judicial Academy
14. Kerala Judicial Academy
15. Madhya Pradesh State Judicial Academy.
16. Tamil Nadu State Judicial Academy.
17. Odisha Judicial Academy
18. Bihar Judicial Academy
19. Chandigarh Judicial Academy
20. Rajasthan State Judicial Academy
21. Uttarakhand Judicial and Legal Academy.
22. Sikkim Judicial Academy.
