

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO. 1668

TO BE ANSWERED ON FRIDAY, THE 16.12.2022

Appointment of Additional Judges in High Courts

1668. SHRI MANISH TEWARI:

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

- (a) the details of memorandum or guideline for appointing additional judges to High Courts;
- (b) the list of vacancies of permanent judges in High Courts, State-wise;
- (c) the list of additional judges appointed during the last two years along with vacancies of permanent judges in the respective High Courts at a time when such additional judges were appointed, State-wise;
- (d) whether additional judges to High courts are to be appointed only when there exists no vacancy for a permanent judge and if so, the details thereof;
- (e) the grounds or reasons for appointing additional judges when vacancies for permanent judges remain unfilled in High Courts; and
- (f) whether the Government has sought any advice from the judiciary in this respect and if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (f): A permanent Judge is appointed in the High Court under Article 217 of the Constitution and shall hold office until he attains the age of 62 years. An Additional Judge is appointed under Article 224 of the Constitution for a period not exceeding

two years and shall hold office till the age of 62 years. In consultation with Chief Justice of India, the sanctioned strength of High Courts Judges is distributed into Permanent and Additional Judges in the ratio of 75:25. The appointment of Judges is made in the parent High Court from Bar and Service quota. When there is a vacancy of a Permanent Judge in the parent High Court and there is no Additional Judge appointed in the said High Court, fresh appointment would be made as a Permanent Judge. In case of no vacancy of a permanent Judge in the parent High Court or there is a vacancy of a Permanent Judge of the said High Court but an Additional Judge has already been appointed, the fresh appointment will be made as an Additional Judge.

The list of vacancies of Permanent Judges and Additional Judges in High Courts as on 13.12.2022, High Court-wise is at **Annexure-I**.

As on 01.01.2021, 232 posts of Permanent Judges were lying vacant in various High Courts and from 01.01.2021 to 31.12.2021, 99 Additional Judges were appointed. Similarly, as on 01.01.2022, 229 posts of Permanent Judges were vacant and from 01.01.2022 till 13.12.2022, 93 Additional Judges have been appointed in various High Courts. The details of High Court-wise appointment of Additional Judges are at **Annexure-II**.

ANNEXURE-I**Statement showing Sanctioned strength, Working Strength and Vacancies of Judges in the High Courts (As on 13.12.2022)**

S. No.	High Court	Sanctioned strength			Working strength			Vacancies		
		Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1	Allahabad	119	41	160	77	23	100	42	18	60
2	Andhra Pradesh	28	9	37	27	3	30	1	6	7
3	Bombay	71	23	94	39	26	65	32	-3	29
4	Calcutta	54	18	72	35	19	54	19	-1	18
5	Chhattisgarh	17	5	22	8	6	14	9	-1	8
6	Delhi	46	14	60	44	1	45	2	13	15
7	Gauhati	18	6	24	16	8	24	2	-2	0
8	Gujarat	39	13	52	28	0	28	11	13	24
9	Himachal Pradesh	13	4	17	10	0	10	3	4	7
10	J & K and Ladakh	13	4	17	10	4	14	3	0	3
11	Jharkhand	20	5	25	20	1	21	0	4	4
12	Karnataka	47	15	62	40	9	49	7	6	13
13	Kerala	35	12	47	28	9	37	7	3	10
14	Madhya Pradesh	39	14	53	31	0	31	8	14	22
15	Madras	56	19	75	44	10	54	12	9	21
16	Manipur	4	1	5	3	0	3	1	1	2
17	Meghalaya	3	1	4	3	0	3	0	1	1
18	Orissa	24	9	33	22	0	22	2	9	11
19	Patna	40	13	53	34	0	34	6	13	19
20	Punjab & Haryana	64	21	85	39	27	66	25	-6	19
21	Rajasthan	38	12	50	26	0	26	12	12	24
22	Sikkim	3	0	3	3	0	3	0	0	0
23	Telangana	32	10	42	31	2	33	1	8	9
24	Tripura	4	1	5	3	0	3	1	1	2
25	Uttarakhand	9	2	11	7	0	7	2	2	4
	Total	836	272	1108	628	148	776	208	124	332

Annexure-II**Details of vacancies of Permanent Judges and appointment of Additional Judges
in the year 2021 and 2022 (till 13.12.2022)**

S. No.	High Court	Vacancy of permanent Judges as on 01.01.2021	Additional Judges appointed in the year 2021	Vacancy of permanent Judges as on 01.01.2022	Additional Judges appointed in the year 2022
1	Allahabad	38	17	46	12
2	Andhra Pradesh	10	02	8	03
3	Bombay	22	06	19	19
4	Calcutta	22	08	24	14
5	Chhattisgarh	04	03	7	03
6	Delhi	15	0	15	01
7	Gauhati	01	06	1	02
8	Gujarat	10	07	7	0
9	Himachal Pradesh	01	01	2	0
10	J & K and Ladakh	02	02	0	04
11	Jharkhand	02	0	0	01
12	Karnataka	21	06	8	06
13	Kerala	05	12	8	01
14	Madhya Pradesh	11	0	11	0
15	Madras	04	05	11	04
16	Manipur	0	0	1	0
17	Meghalaya	-01*	0	0	0
18	Orissa	05	04	2	0
19	Patna	18	04	14	0
20	Punjab & Haryana	22	06	21	21
21	Rajasthan	15	03	10	0
22	Sikkim	0	0	0	0
23	Telangana	04	07	13	02
24	Tripura	0	0	-01**	0
25	Uttarakhand	01	0	2	0
	Total	232	99	229	93

* In the year 2021, against the sanctioned strength of 03 Permanent Judges and 01 Additional Judge in the Meghalaya High Court, 04 Permanent Judges were working, therefore, there was -01 vacancy of Permanent Judge.

** In the year 2022, against the sanctioned strength of 04 Permanent Judges and 01 Additional Judge in the Tripura High Court, 05 Permanent Judges were working, therefore, there was -01 vacancy of Permanent Judge.