

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

LOK SABHA

UNSTARRED QUESTION NO. 3990

TO BE ANSWERED ON FRIDAY, THE 24.03.2023

Strength of Judges

**3990. SHRI NALIN KUMAR KATEEL:
SHRI KAUSHALENDRA KUMAR:
SHRI DINESH CHANDRA YADAV:
SHRI RAJIV RANJAN SINGH ALIASLALAN SINGH:
SHRIMATI SUMALATHA AMBAREESH:
SHRI D.K. SURESH:**

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

- (a) whether around forty percent of posts of judges in Supreme Court (SC) and High Courts are lying vacant and if so, the details thereof and the reasons therefor indicating the sanctioned strength and vacancies, Court-wise;
- (b) whether the disagreement between the Government and the Supreme Court has aggravated the situation of increasing vacancies in the courts, if so, the steps taken to resolve this issue;
- (c) whether the shortage of judges has resulted in further increase in the pendency of cases in the said courts and if so, the details thereof;
- (d) whether the Government is taking any concrete decision/measures on this issue; and
- (e) if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (e): As on 21.03.2023, there is no vacancy of Judges in the Supreme Court. As far as the High Courts are concerned, against the sanctioned strength of 1114 Judges, 785 Judges are working and 329 posts of Judges are vacant. Against these 329 vacancies, 119 proposals

recommended by High Court Collegiums are at various stages of processing between the Government and the Supreme Court Collegium and recommendations against remaining 210 vacancies are yet to be received from the High Court Collegiums. The High Court-wise detail of sanctioned strength, working strength and vacancy as on 21.03.2023 is at **Annexure.**

Appointment of Judges in higher judiciary is a collaborative and integrated process involving 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 a Judge.

While every effort is made to fill up the existing vacancies expeditiously, vacancies of Judges in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the strength of Judges. Government is committed to filling up of vacancy expeditiously in time-bound manner.

During the period from May, 2014 to 2023 (till 21.03.2023), 54 Judges were appointed in Supreme Court of India, 893 fresh Judges were appointed in the various High Courts and 646 Additional Judges were appointed as Permanent Judges of High Courts.

The detailed statement of Pendency of Cases in Supreme Court and High Court for the past three years, showing the increase/decrease of pendency of cases in the respective courts is as below:

Year	2020	2021	2022
Supreme Court*	64,429	96,855	69,598
High Courts**	56,42,567	56,49,068	59,78,714

*Source: Supreme Court of India pendency as on 4.12.2020, 6.12.2021 and 1.12.2022 respectively.

**Source: National Judicial Data Grid pendency as on 31st December of respective years i.e. 2020, 2021 and 2022.

The pendency of cases in courts is not only due to shortage of judges in High Courts but also due to various other factors like (i) increase in number of state and central legislations, (ii) accumulation of first appeals, (iii) continuation of ordinary civil jurisdiction in some of the High Courts, (iv) appeals against orders of quasi-judicial forums going to High Courts, (v) number of revisions/appeals, (vi) frequent adjournments, (vii) indiscriminate use of writ jurisdiction, (viii) lack of adequate arrangement to monitor, tracking and bunching of cases for hearing, (ix) assigning work of administrative nature to the Judges, etc.

ANNEXURE

Statement showing Sanctioned strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts (As on 21.03.2023)

		Sanctioned strength			Working strength			Vacancies		
A.	Supreme Court	34			34			0		
B.	High Court	Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1	Allahabad	119	41	160	82	21	103	37	20	57
2	Andhra Pradesh	28	9	37	26	5	31	2	4	6
3	Bombay	71	23	94	42	23	65	29	0	29
4	Calcutta	54	18	72	34	19	53	20	-1	19
5	Chhattisgarh	17	5	22	9	4	13	8	1	9
6	Delhi	46	14	60	45	0	45	1	14	15
7	Gauhati	22	8	30	14	9	23	8	-1	7
8	Gujarat	39	13	52	29	0	29	10	13	23
9	Himachal Pradesh	13	4	17	9	0	9	4	4	8
10	J & K and Ladakh	13	4	17	11	4	15	2	0	2
11	Jharkhand	20	5	25	20	1	21	0	4	4
12	Karnataka	47	15	62	40	13	53	7	2	9
13	Kerala	35	12	47	31	6	37	4	6	10
14	Madhya Pradesh	39	14	53	31	0	31	8	14	22
15	Madras	56	19	75	47	11	58	9	8	17
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	21	0	21	3	9	12
19	Patna	40	13	53	32	0	32	8	13	21
20	Punjab & Haryana	64	21	85	38	27	65	26	-6	20
21	Rajasthan	38	12	50	33	0	33	5	12	17
22	Sikkim	3	0	3	3	0	3	0	0	0
23	Telangana	32	10	42	30	2	32	2	8	10
24	Tripura	4	1	5	2	0	2	2	1	3
25	Uttarakhand	9	2	11	5	0	5	4	2	6
	Total	840	274	1114	640	145	785	200	129	329