

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

LOK SABHA

UNSTARRED QUESTION NO. 1571

TO BE ANSWERED ON FRIDAY, THE 28.07.2023

Appointment of Additional Judges

1571. SHRI THOMAS CHAZHIKADAN:

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

- (a) the details of memorandum or guidelines for appointing additional judges to High Courts and the Supreme Court;
- (b) the details of vacancies of permanent judges and appointment of additional judges in various High Courts during the last five years, State-wise; and
- (c) whether the Government has sought any advice from the apex court for appointing additional judges when vacancies for permanent judges remained unfilled in High Courts and if so, the details thereof?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (c): The Memorandum of Procedure of appointment and transfer of Chief Justices and Judges of High Courts inter-alia states that Additional Judges can be appointed by the President under clause (1) of Article 224 of the Constitution. The sanctioned strength of Permanent and Additional Judges in the High Court is fixed in a ratio of 75:25. 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 but an Additional Judge has already been appointed in the said High Court, the fresh appointment will be made as an Additional Judge. There is no provision for appointment of an Additional Judge in the Supreme Court of India.

The list of vacancies of Permanent Judges and Additional Judges in High Courts as on 24.07.2023, High Court-wise is at **Annexure-I**. The list of vacancies of Permanent Judges and appointment of judges in various High Courts since 01.01.2019 is at **Annexure-II**.

Statement showing Sanctioned Strength, Working Strength and Vacancies of Judges in the High Courts (As on 24.07.2023)

A.	Supreme Court	Sanctioned strength			Working strength			Vacancies		
		34			32			2		
B.	High Court	Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1	Allahabad	119	41	160	74	21	95	45	20	65
2	Andhra Pradesh	28	9	37	22	5	27	6	4	10
3	Bombay	71	23	94	40	26	66	31	-3	28
4	Calcutta	54	18	72	33	19	52	21	-1	20
5	Chhattisgarh	17	5	22	10	5	15	7	0	7
6	Delhi	46	14	60	41	3	44	5	11	16
7	Gauhati	22	8	30	15	9	24	7	-1	6
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	12	4	16	1	0	1
11	Jharkhand	20	5	25	19	1	20	1	4	5
12	Karnataka	47	15	62	37	13	50	10	2	12
13	Kerala	35	12	47	28	6	34	7	6	13
14	Madhya Pradesh	39	14	53	34	0	34	5	14	19
15	Madras	56	19	75	47	16	63	9	3	12
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	33	0	33	7	13	20
20	Punjab & Haryana	64	21	85	38	22	60	26	-1	25
21	Rajasthan	38	12	50	34	0	34	4	12	16
22	Sikkim	3	0	3	3	0	3	0	0	0
23	Telangana	32	10	42	25	2	27	7	8	15
24	Tripura	4	1	5	3	0	3	1	1	2
25	Uttarakhand	9	2	11	8	0	8	1	2	3
	Total	840	274	1114	621	152	773	219	122	341

Annexure-II

**Details of vacancies of Permanent Judges and appointment of Additional Judges
from the years 2019 to 2023 (till 24.07.2023)**

S. No.	High Court	2019		2020		2021		2022		2023	
		Vacancy of Permanent Judges as on 01.01.2019	Additional Judges appointed in the year 2019	Vacancy of Permanent Judges as on 01.01.2020	Additional Judges appointed in the year 2020	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	Vacancy of Permanent Judges as on 24.07.2023	Additional Judges appointed in the year 2023
1	Allahabad	15	10	09	04	38	17	46	12	45	09
2	Andhra Pradesh	14	-	13	-	10	02	8	03	6	02
3	Bombay	18	11	16	04	22	06	19	19	31	04
4	Calcutta	35	06	32	01	22	08	24	14	21	-
5	Chhattisgarh	09	-	06	-	04	03	7	03	7	01
6	Delhi	06	-	09	-	15	-	15	01	5	03
7	Gauhati	04	04	03	-	01	06	1	02	7	02
8	Gujarat	12	-	12	-	10	07	7	-	10	-
9	Himachal Pradesh	02	01	01	-	01	01	2	-	4	-
10	J & K and Ladakh	04	-	05	-	02	02	-	04	1	-
11	Jharkhand	05	02	02	-	02	-	-	01	1	-
12	Karnataka	26	10	28	10	21	06	8	06	10	04
13	Kerala	04	01	08	06	05	12	8	01	7	-
14	Madhya	05	-	09	-	11	-	11	-	5	-

S. No.	High Court	2019		2020		2021		2022		2023	
		Vacancy of Permanent Judges as on 01.01.2019	Additional Judges appointed in the year 2019	Vacancy of Permanent Judges as on 01.01.2020	Additional Judges appointed in the year 2020	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	Vacancy of Permanent Judges as on 24.07.2023	Additional Judges appointed in the year 2023
	Pradesh										
15	Madras	15	01	10	10	04	05	11	04	9	11
16	Manipur	01	-	-	01	-	-	1	-	1	-
17	Meghalaya	-	-	-	-	-01*	-	-	-	0	-
18	Orissa	06	-	06	-	05	04	2	-	3	-
19	Patna	18	-	14	-	18	04	14	-	7	-
20	Punjab & Haryana	18	10	26	01	22	06	21	21	26	01
21	Rajasthan	13	-	17	-	15	03	10	-	4	-
22	Sikkim	-	-	-	-	-	-	-	-	0	-
23	Telangana	05	-	06	-	04	07	13	02	7	-
24	Tripura	01	-	01	-	-	-	-01**	-	1	-
25	Uttarakhand	-	01	-	-	01	-	2	-	1	-
	Total	236	57	233	37	232	99	229	93	219	37

* 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.