

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

**LOK SABHA**

**UNSTARRED QUESTION NO. 2663**

**TO BE ANSWERED ON FRIDAY, THE 04.08.2023**

**Vacancy in Telangana High Court**

**2663. SHRI VENKATESH NETHA BORLAKUNTA:  
DR. G. RANJITH REDDY:**

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

- (a) whether it is true that there are 11 vacancies of judges in High Court of Telangana and if so, the details thereof;
- (b) the details of vacancies of Additional Judges in Telangana High Court;
- (c) the time since when they are lying vacant;
- (d) the steps taken by the Government to fill the vacancies;
- (e) whether there have been demands to increase the number of courts and judges of Telangana High Court; and
- (f) if so, the steps taken by the Government in this regard so far?

**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 (f): There are 30 Judges [25 Permanent and 05 Additional] working in the Telangana High Court against the sanctioned strength of 42, leaving 12 vacancies [07 Permanent and 05 Additional] as on 31.07.2023. At present, 04 proposals of the Telangana High Court are at various stages of processing between the Government and the Supreme Court Collegium. Further recommendations from High Court Collegium are yet to be received in respect of the remaining 08 vacancies in the Telangana High Court. The oldest vacancy of Judge in the Telangana High Court dates back to 03.05.2022.

Judges of various High Courts are appointed under Article 217 and 224 of the Constitution of India and as per the procedure laid down in the Memorandum of Procedure (MoP) prepared in

1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case). As per MoP, initiation of proposal for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court. Chief Justice of the High Court is required to initiate the proposal to fill up the vacancy of a High Court Judge six months prior to the occurrence of vacancy. Government appoints only those persons as Judges of High Courts who are recommended by Supreme Court Collegium (SCC).

Filling up of vacancies in High Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities both at the State and Centre level. At regular intervals, Government receives names recommended by the Supreme Court Collegium for appointment as Judges in various High Courts, which are processed for necessary approval as per the provisions of Memorandum of Procedure. 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.

Additional Benches of High Courts in places other than Principal Seat of High Courts are established in accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P.(C) No. 379 of 2000 after due consideration of a complete proposal from the State Government which has to provide necessary expenditure & infrastructural facilities and the recommendation of the Chief Justice of the concerned High Court who is required to look after the day-to-day administration of the High Court. The complete proposal should also have the consent of the Governor of the concerned State.

Requests for establishment of High Court Benches have been received from various organizations from time to time. However, at present, no complete proposal regarding setting up of a Bench(es) of the Telangana High Court is pending with the Government.

In the Joint Conference of Chief Justices and Chief Ministers held on 07.04.2013, a decision was taken to increase the number of Judges of the High Courts by 25%. Accordingly, the Judge Strength of the High Court for the State of Telangana was enhanced from 24 to 42 on 09<sup>th</sup> June 2021.