

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

**LOK SABHA
UNSTARRED QUESTION NO. 1325**

TO BE ANSWERED ON FRIDAY, THE 09.02.2024

Vacancy in High Courts

1325. SHRIMATI APARUPA PODDAR:

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

- (a) the number of vacancies of judges in High Courts, State-wise;
- (b) the number of SC, ST, OBC and EWS related vacancies of judges in High Courts, District Courts and Subordinate Courts in last five years, year-wise;
- (c) whether it is a fact that 5,408 positions remained vacant in District and Subordinate Courts, if so, the details thereof, State-wise; and
- (d) the details of pending cases in High Courts, District Courts and Subordinate Courts in 2023, State-wise?

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 (d): A statement showing sanctioned strength, number of working judges and vacancies in High Courts, State-wise may be seen at **Annexure-I**.

Appointment of Judges of the High Courts is made under Articles 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. Therefore, category-wise data pertaining to representation of OBCs, SCs, STs and Minorities among the Judges of High Courts are not maintained centrally. There are no vacancies earmarked for any caste or class of persons in Higher Judiciary.

However, the data regarding social diversity in High Court Judges has been institutionalized as per the revised Annexure (revised in 2018) wherein the recommendees have to provide details regarding their social background in the prescribed format (prepared in consultation with the Supreme Court). Hence, data since 2018 has been maintained. Out of 653 High Court Judges appointed since 2018, 20 Judges belong to SC category, 12 Judges belong to ST category and 77 Judges belong to OBC category.

As regards the number of SC,ST,OBC and EWS related vacancies of judges in District Courts and Subordinate Courts, the data is not maintained by the Department. The Central Government has no role in the selection, recruitment and appointment of judicial officers in District/Subordinate judiciary level, as per the provisions under the Constitution. As per the Constitutional framework, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Government in consultation with the High Court frames the rules and regulations regarding the issues of appointment and recruitment of Judicial Officers in the respective State Judicial Service. Thus, the selection and appointment of judicial officers in the Subordinate/District Courts is the responsibility of the High Courts and State Governments concerned. In some States, the respective High Courts undertake the recruitment process, whereas in other States, the High Courts does it in consultation with the State Public Service Commissions.

As on 05.02.2024, there are 5,342 vacant positions in the District and Subordinate Courts. The State-wise details of vacant positions of judicial officers in District and Subordinate Courts are at ANNEXURE-II.

The details of pending cases in High Courts and District Courts and Subordinate Courts, as on 31.12.2023, State-wise are at ANNEXURE-III & IV respectively.

Annexure-I**Statement showing Sanctioned strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts.**

		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	75	14	89	44	27	71
2	Andhra Pradesh	28	9	37	22	8	30	6	1	7
3	Bombay	71	23	94	41	28	69	30	-5	25
4	Calcutta	54	18	72	37	14	51	17	4	21
5	Chhattisgarh	17	5	22	10	6	16	7	-1	6
6	Delhi	46	14	60	37	5	42	9	9	18
7	Gauhati	22	8	30	16	7	23	6	1	7
8	Gujarat	39	13	52	31	0	31	8	13	21
9	Himachal Pradesh	13	4	17	12	0	12	1	4	5
10	J & K and Ladakh	13	4	17	13	2	15	0	2	2
11	Jharkhand	20	5	25	17	1	18	3	4	7
12	Karnataka	47	15	62	39	12	51	8	3	11
13	Kerala	35	12	47	32	4	36	3	8	11
14	Madhya Pradesh	39	14	53	39	1	40	0	13	13
15	Madras	56	19	75	54	13	67	2	6	8
16	Manipur	4	1	5	4	0	4	0	1	1
17	Meghalaya	3	1	4	2	1	3	1	0	1
18	Orissa	24	9	33	20	0	20	4	9	13
19	Patna	40	13	53	35	0	35	5	13	18
20	Punjab & Haryana	64	21	85	40	15	55	24	6	30
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	21	5	26	11	5	16
24	Tripura	4	1	5	4	1	5	0	0	0
25	Uttarakhand	9	2	11	7	0	7	2	2	4
	Total	840	274	1114	645	137	782	195	137	332

ANNEXURE II**Vacant Positions of Judicial Officers (as on 05.02.2024).**

Sl. No.	States & UTs	Vacancy
1	Andaman and Nicobar	0
2	Andhra Pradesh	84
3	Arunachal Pradesh	10
4	Assam	46
5	Bihar	467
6	Chandigarh	1
7	Chhattisgarh	139
8	D & N Haveli	1
9	Daman & Diu	0
10	Delhi	89
11	Goa	10
12	Gujarat	535
13	Haryana	208
14	Himachal Pradesh	22
15	Jammu and Kashmir	94
16	Jharkhand	182
17	Karnataka	229
18	Kerala	91
19	Ladakh	7
20	Lakshadweep	1
21	Madhya Pradesh	295
22	Maharashtra	250
23	Manipur	10
24	Meghalaya	42
25	Mizoram	28
26	Nagaland	10
27	Odisha	216
28	Puducherry	19
29	Punjab	112
30	Rajasthan	300

31	Sikkim	12
32	Tamil Nadu	334
33	Telangana	115
34	Tripura	21
35	Uttar Pradesh	1250
36	Uttarakhand	29
37	West Bengal	96
TOTAL		5342

ANNEXURE-III**Pending Cases in High Courts (as on 31.12.2023).**

Pendency in High Courts		
Sl.No	High Court	Pendency of Cases as on 31.12.2023 (Total).
1	Allahabad High Court	1076554
2	Bombay High Court	712430
3	Calcutta High Court	195379
4	Gauhati High Court	62441
5	High Court for State of Telangana	248387
6	High Court of Andhra Pradesh	249643
7	High Court Of Chhattisgarh	90463
8	High Court of Delhi	128122
9	High Court of Gujarat	169048
10	High Court of Himachal Pradesh	99545
11	High Court of Jammu and Kashmir	44243
12	High Court of Jharkhand	85790
13	High Court of Karnataka	288889
14	High Court of Kerala	255278
15	High Court of Madhya Pradesh	446348
16	High Court of Manipur	4631
17	High Court of Meghalaya	1125
18	High Court of Punjab and Haryana	441070
19	High Court Of Rajasthan	672193
20	High Court of Sikkim	179
21	High Court of Tripura	1275
22	High Court of Uttarakhand	50532

23	Madras High Court	542700
24	Orissa High Court	148447
25	Patna High Court	197663
Total		6212375

Source: NJDG

ANENXURE-IV**State-wise, Pending Cases in District and Subordinate Courts (as on 31.12.2023)**

Pendency in District Courts as on 31.12.2023		
Sl.No	States	Total
1	Andhra Pradesh	864945
2	Telangana	917595
3	Andman&Nicobar	8767
4	Auranchal Pradesh	4149
5	Assam	453536
6	Bihar	3588892
7	Chandigarh	148414
8	Chattisgarh	410579
9	Delhi	1224273
10	Diu and Daman	3073
11	DNH at Silvassa	4251
12	Goa	57178
13	Gujarat	1589468
14	Haryana	1433041
15	Himachal Pradesh	573610
16	Jammu& Kashmir	290206
17	Jharkhand	542976
18	Karnataka	1941571
19	Kerala	1830917
20	Ladakh	1328

21	Madhya Pradesh	2004570
22	Maharashtra	5200315
23	Manipur	13070
24	Meghalaya	16214
25	Mizoram	5566
26	Nagaland	2834
27	Orissa	1612195
28	Puducherry	34079
29	Punjab	851182
30	Rajasthan	2310988
31	Sikkim	1664
32	Tamil Nadu	1449005
33	Tripura	45379
34	U.T of Lakshadweep	0
35	Uttar Pradesh	11626796
36	Uttarakhand	358032
37	West Bengal	2988822
Total		44409480

Source : NJDG