

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

LOK SABHA

**UNSTARRED QUESTION NO. 1354
TO BE ANSWERED ON FRIDAY, THE 9TH FEBRUARY, 2024**

SHORTAGE OF JUDGES

1354. MS. RAMYA HARIDAS:

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

- (a) whether Government has made any assessment on the shortage of judges and vacant posts in the various courts of the country and if so, the details thereof, State-wise specially Kerala;and**
- (b) whether the process of recruitment has started against the said vacancies during the last five years and if so, the details thereof, 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): The detailed statement of vacant posts in the various courts of the country i.e. Supreme Court and High Courts (including Kerala) is given at *Annexure-I* and State-wise District and Subordinate Courts (including Kerala) is given at *Annexure-II*.

(b): Appointment of the Judges of Supreme Court and 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 State and Central level. 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.

The filling up of vacant positions in the District Courts of the country is the responsibility of the High Courts and State Governments concerned. 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. In some States, the respective High Courts undertake the recruitment process, whereas in other States, the High Courts do it in consultation with the State Public Service Commissions. The Hon'ble Supreme Court vide judicial order passed in January 2007 in the Malik Mazhar Sultan case, has stipulated certain timelines which are to be followed by the states and the respective High Courts for initiating the recruitment process of judges in subordinate courts. As such the Central Government does not have any role in the matter.

Annexure-I**STATEMENT REFERRED TO IN REPLY TO PART (A) OF LOK SABHA UNSTARRED QUESTION NO. 1354 FOR ANSWER ON 09.02.2024 REGARDING 'SHORTAGE OF JUDGES'.****Vacant Positions of Judges in the Supreme Court of India and the High Courts as on 01.02.2024**

	Name of the Courts	No. of Vacancies
A.	Supreme Court	0
B.	High Court	
1	Allahabad	70
2	Andhra Pradesh	7
3	Bombay	25
4	Calcutta	21
5	Chhattisgarh	6
6	Delhi	18
7	Gauhati	7
8	Gujarat	21
9	Himachal Pradesh	5
10	J & K and Ladakh	2
11	Jharkhand	7
12	Karnataka	11
13	Kerala	11
14	Madhya Pradesh	13
15	Madras	8
16	Manipur	1
17	Meghalaya	1
18	Orissa	13
19	Patna	18
20	Punjab & Haryana	29
21	Rajasthan	16
22	Sikkim	0
23	Telangana	16
24	Tripura	0
25	Uttarakhand	5
	Total	331

Source: - MIS portal of Department of Justice.

Annexure-II**STATEMENT REFERRED TO IN REPLY TO PART (A) OF LOK SABHA UNSTARRED QUESTION NO. 1354 FOR ANSWER ON 09.02.2024 REGARDING 'SHORTAGE OF JUDGES'.****Vacant Positions of Judicial Officers in District & Subordinate Court as on 05.02.2024**

Sl. No.	States & UTs	Vacancy
1.	Andhra Pradesh	84
2.	Arunachal Pradesh	10
3.	Assam	46
4.	Bihar	467
5.	Chandigarh	1
6.	Chhattisgarh	139
7.	D & N Haveli	1
8.	Daman & Diu	0
9.	Delhi	89
10.	Goa	10
11.	Gujarat	535
12.	Haryana	208
13.	Himachal Pradesh	22
14.	Jammu and Kashmir	94
15.	Jharkhand	182
16.	Karnataka	229
17.	Kerala	91
18.	Ladakh	7
19.	Lakshadweep	1
20.	Madhya Pradesh	295
21.	Maharashtra	250
22.	Manipur	10
23.	Meghalaya	42
24.	Mizoram	28
25.	Nagaland	10
26.	Odisha	216
27.	Puducherry	19
28.	Punjab	112
29.	Rajasthan	300
30.	Sikkim	12
31.	Tamil Nadu	334
32.	Telangana	115
33.	Tripura	21
34.	Uttar Pradesh	1250
35.	Uttarakhand	29
36.	Andaman and Nicobar	0
37.	West Bengal	96
TOTAL		5342

Source: - MIS portal of Department of Justice.