

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

**LOK SABHA
STARRED QUESTION NO. †*303
TO BE ANSWERED ON WEDNESDAY, 17th MARCH, 2021.**

SHORTAGE OF JUDGES

†*303. SHRIMATI JYOTSNA CHARANDAS MAHANT:

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

- (a) whether the Government has made any assessment regarding the shortage of judges and the vacant posts in the courts of the country and is so, the details thereof, State-wise;**
- (b) whether the process of recruitment has started against the said vacancies during the last three years and if so, the details thereof, State-wise; and**
- (c) whether any assessment has been made regarding the number of such vacant posts in Chhattisgarh and if so, the details thereof?**

ANSWER

**MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND ELECTRONICS
& INFORMATION AND TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a) to (c): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (c) OF LOK SABHA STARRED QUESTION NO. †*303 FOR ANSWER ON 17.03.2021 REGARDING ‘SHORTAGE OF JUDGES’.

(a) & (b): A Statement showing the sanctioned strength, working strength, vacancies and appointment of Judges made in Supreme Court and High Courts during the last three years i.e. 2018-2020 is at Annexure I. As per the Constitutional framework, the appointments of Judges of the Supreme Court and High Courts are made under Articles 124, 217, and 224 of the Constitution of India respectively. Judges of the Supreme Court of India and High Courts are appointed 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 Supreme Court vests with the Chief Justice of India while the same for Judges in the High Courts vests with the Chief Justice of the concerned High Court. Therefore, the filling up of vacancies in the High Courts is a collaborative and integrated process between the Executive and the Judiciary. It requires consultation and approval from various Constitutional authorities both at the Centre and State.

A Statement showing the sanctioned strength and working strength of Subordinate Judiciary during the last three years i.e. 2018-2020 is at Annexure-II. Under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vest with the concerned High Court. Further, 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, promotion, reservations, etc. of Judicial Officers in the State Judicial Service. Hence, in so far as recruitment of judicial officers in the States is concerned, respective High Courts do it in certain States, whereas the High Courts do it in consultation with the State Public Service Commissions in other States. Central Government has no role in

the matter. Recruitment in the Subordinate judiciary is an ongoing and continuous process and each year vacancies are filled either fully or partially.

(c): Vacancies in Subordinate Judiciary are filled up every year in accordance with the time schedule prescribed by the Hon'ble Supreme Court of India in its order dated 04.01.2007 passed in Civil Appeal no. 1867/2006 *Malik Mazhar Sultan & Anr. vs. U.P. Public Service Commission*. As per this time schedule, the vacancies for the category of District Judge (Entry Level) and Senior Civil Judge are to be notified commencing on 31st March of a calendar year and end by 31st October of the same year.

The sanctioned and working strength of Judicial Officers and vacancies in the Subordinate Judiciary in the State of Chhattisgarh as on 28.02.2021 is as follows:-

Sanctioned Strength	Working Strength	Vacancy
481	387	94

**STATEMENT REFERRED TO IN REPLY TO PART (a) & (b) OF LOK SABHA
STARRED QUESTION NO. †*303 FOR ANSWER ON 17.03.2021 REGARDING
SANCTIONED STRENGTH, WORKING STRENGTH, VACANCIES AS ON 11.03.2021
AND APPOINTMENT OF JUDGES MADE IN SUPREME COURT AND HIGH COURTS
DURING THE LAST THREE YEARS i.e. 2018-2020.**

Sl. No.	Name of the Court	Sectioned Strength	Working Strength	Vacancies	Number of appointment made during last three years i.e. 2018-2020		
					2018	2019	2020
A	Supreme Court	34	30	04	08	10	-
B	High Court						-
1	Allahabad	160	96	64	28	10	04
2	Andhra Pradesh	37	19	18	-	02	07
3	Bombay	94	63	31	04	11	04
4	Calcutta	72	32	40	11	06	01
5	Chhattisgarh	22	14	08	04	-	-
6	Delhi	60	31	29	05	04	-
7	Gauhati	24	20	04	02	04	-
8	Gujarat	52	30	22	04	03	07
9	Himachal Pradesh	13	10	03	-	02	-
10	High Court for UT of Jammu & Kashmir and UT of Ladakh	17	11	06	02	-	05
11	Jharkhand	25	17	08	03	02	-
12	Karnataka	62	46	16	12	10	10
13	Kerala	47	40	07	04	01	06
14	Madhya Pradesh	53	27	26	08	02	-
15	Madras	75	62	13	08	01	10
16	Manipur	05	05	0	-	-	01
17	Meghalaya	04	04	0	01	01	-
18	Orissa	27	15	12	01	01	02
19	Patna	53	21	32	-	04	-
20	Punjab & Haryana	85	47	38	07	10	01
21	Rajasthan	50	23	27	-	03	06
22	Sikkim	03	03	0	-	-	-
23	Telangana	24	14	10	-	03	01
24	Tripura	05	04	01	01	-	01
25	Uttarakhand	11	07	04	03	01	-
	Total	1080	661	419	108	81	66

ANNEXURE-II**STATEMENT REFERRED TO IN REPLY TO PART (a) & (b) OF LOK SABHA STARRED QUESTION NO. †*303 FOR ANSWER ON 17.03.2021 REGARDING SANCTIONED AND WORKING STRENGTH, VACANCIES OF SUBORDINATE JUDICIARY DURING THE LAST THREE YEARS i.e. 2018-2020.**

Sl. No	States & Uts	2018			2019			2020		
		Sanctioned Strength	Working Strength	Vacancy	Sanctioned Strength	Working Strength	Vacancy	Sanctioned Strength	Working Strength	Vacancy
1	Andaman and Nicobar	11	11	0	0	13	-13	0	13	-13
2	Andhra Pradesh	494	445	49	597	529	68	607	510	97
3	Arunachal Pradesh	30	25	5	41	27	14	41	32	9
4	Assam	430	383	47	441	412	29	466	412	54
5	Bihar	1845	1205	640	1925	1149	776	1936	1433	503
6	Chandigarh	30	30	0	30	29	1	30	26	4
7	Chhattisgarh	452	397	55	468	394	74	481	387	94
8	D & N Haveli	3	3	0	3	3	0	3	2	1
9	Daman & Diu	4	4	0	4	3	1	4	4	0
10	Delhi	799	541	258	799	681	118	799	649	150
11	Goa	50	42	8	50	43	7	50	40	10
12	Gujarat	1506	1150	356	1521	1185	336	1521	1152	369
13	Haryana	651	489	162	772	475	297	772	493	279
14	Himachal Pradesh	159	149	10	175	153	22	175	161	14
15	Jammu and Kashmir	310	224	86	290	232	58	296	255	41
16	Jharkhand	676	460	216	677	461	216	675	544	131
17	Karnataka	2614	2181	433	1345	1106	239	1357	1071	286
18	Kerala	496	433	63	536	457	79	538	470	68
19	Ladakh	0	0	0	0	0	0	16	8	8
20	Lakshadweep	3	3	0	3	3	0	3	3	0
21	Madhya Pradesh	1872	1361	511	2021	1620	401	2021	1610	411
22	Maharashtra	2011	1844	167	2189	1942	247	2190	1940	250
23	Manipur	55	40	15	55	39	16	54	36	18
24	Meghalaya	97	39	58	97	49	48	97	49	48
25	Mizoram	67	46	21	64	46	18	64	43	21
26	Nagaland	33	26	7	33	25	8	33	26	7
27	Odisha	911	755	156	919	770	149	950	756	194
28	Puducherry	26	19	7	26	11	15	26	11	15
29	Punjab	674	530	144	675	579	96	692	593	99
30	Rajasthan	1337	1108	229	1428	1121	307	1489	1292	197
31	Sikkim	23	19	4	25	19	6	25	20	5
32	Tamil Nadu	1143	905	238	1255	1080	175	1298	1049	249
33	Telangana	493	445	48	413	334	79	474	378	96
34	Tripura	115	75	40	120	96	24	120	97	23
35	Uttar Pradesh	3225	2037	1188	3416	2578	838	3634	2581	1053
36	Uttarakhand	293	234	59	294	228	66	297	255	42

37	West Bengal	1013	938	75	1014	918	96	1014	918	96
	TOTAL	23951	18596	5355	23721	18810	4911	24247	19319	4928