

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

**LOK SABHA**

**UNSTARRED QUESTION NO. 1100  
TO BE ANSWERED ON FRIDAY, THE 3RD DECEMBER, 2021**

**VACANCIES OF JUDGES IN SUBORDINATE COURTS**

**1100. SHRI SUSHIL KUMAR SINGH:**

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

- (a) the number of vacancies of judges in district and subordinate courts, State-wise;**
- (b) whether there are plans to increase the sanctioned strength of judges in district and subordinate courts;**
- (c) if so, the details thereof; and**
- (d) the details of manner in which the sanctioned strength of a court is determined in the country?**

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

**(a) to (d):** The State/UT wise details of sanctioned strength, working strength and vacancy position of judges in the country is at **Annexure.**

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 Governments, in consultation with the High Court, frames the Rules and Regulations regarding the issue of appointment, promotion, reservations and retirement 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.

The Union Government does not have a role under the Constitution in the selection and appointment of judicial officers in District/ subordinate judiciary. The Supreme Court, in its orders of 04<sup>th</sup> January, 2007 in Malik Mazhar case, has devised a process and time frame to be followed for the filling up of vacancies in subordinate judiciary which stipulates that the process for recruitment of judges in the subordinate courts would commence on 31st March of a calendar year and end by 31st October of the same year. The Supreme Court has permitted State Governments / High Courts for variations in the time schedule in case of any difficulty based on the peculiar geographical and climatic conditions in the State or other relevant conditions.

Further, in compliance of the above directions of the Supreme Court, Department of Justice forwarded a copy of the Malik Mazhar judgement to Registrars General of all High Courts for necessary action. Department of Justice is writing from time to time to Registrars General of all High Courts to expedite the filling up of vacancies in subordinate judiciary mandated by Malik Mazhar case.

In September, 2016, Union Minister of Law & Justice wrote to the Chief Ministers of States and the Chief Justices of High Courts to enhance the cadre strength of the District and Subordinate Courts and provide physical infrastructure to the State judiciary. The same was reiterated in May, 2017. The sanctioned strength of judges in District and Subordinate Courts increased from 19,518 in the year 2014 to 24,485 as on 30.11.2021. In August, 2018, in the context of increasing pendency of cases, the Union Minister of Law & Justice has written to all Chief Justices of High Courts to monitor the status of the vacancies regularly and to ensure proper coordination with the State Public Service Commission to fill up vacant posts as per time schedule prescribed by the Hon'ble Supreme Court in the Malik Mazhar Sultan case. The filling up of vacancies is also being monitored by the Supreme Court in a *suo-motu* Writ Petition (Civil) No. 2 of 2018.

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**STATEMENT REFERRED TO IN REPLY TO PARTS (A) to (D) OF LOK  
SABHA UNSTARRED QUESTION NO. 1100 FOR ANSWER ON 03.12.2021  
REGARDING VACANCIES OF JUDGES IN SUBORDINATE COURTS.**

**Latest Vacancy Report As on 30-11-2021**

S. No.	States & UTs	Total Sanctioned Strength	Total Working Strength	Total Vacancy
1.	Andaman and Nicobar	0	13	-13
2.	Andhra Pradesh	607	492	115
3.	Arunachal Pradesh	41	32	9
4.	Assam	467	436	31
5.	Bihar	1953	1405	548
6.	Chandigarh	30	30	0
7.	Chhattisgarh	482	411	71
8.	D & N Haveli	3	2	1
9.	Daman & Diu	4	4	0
10.	Delhi	862	691	171
11.	Goa	50	40	10
12.	Gujarat	1523	1129	394
13.	Haryana	772	482	290
14.	Himachal Pradesh	175	164	11
15.	Jammu and Kashmir	300	243	57
16.	Jharkhand	675	523	152
17.	Karnataka	1361	1082	279
18.	Kerala	569	490	79
19.	Ladakh	17	9	8
20.	Lakshadweep	3	3	0
21.	Madhya Pradesh	2021	1555	466
22.	Maharashtra	2190	1940	250
23.	Manipur	59	42	17
24.	Meghalaya	97	49	48
25.	Mizoram	64	42	22
26.	Nagaland	34	24	10
27.	Odisha	976	790	186
28.	Puducherry	26	11	15
29.	Punjab	692	608	84
30.	Rajasthan	1547	1274	273
31.	Sikkim	28	20	8
32.	Tamil Nadu	1315	1052	263
33.	Telangana	474	359	115
34.	Tripura	121	97	24
35.	Uttar Pradesh	3634	2559	1075
36.	Uttarakhand	299	271	28
37.	West Bengal	1014	918	96
<b>TOTAL</b>		<b>24485</b>	<b>19292</b>	<b>5193</b>

Source: - MIS portal of DoJ