

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

**LOK SABHA**

**UNSTARRED QUESTION NO. ‡3898  
TO BE ANSWERED ON FRIDAY, THE 25<sup>TH</sup> MARCH, 2022**

**SHORTAGE OF JUDGES IN COURT**

**‡3898. SHRI SUDARSHAN BHAGAT:**

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

- (a) whether there is acute shortage of judges in all the courts of the country;**
- (b) if so, the details thereof, State-wise; and**
- (c) if not, the number of cases in the country lying pending due to delay in hearings of cases by judges?**

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

**(a) & (b):** The details of existing vacancies in Supreme Court of India & High Courts and District & Subordinate Courts is at *Annexure-I* and *Annexure-II* respectively.

As per the Memorandum of Procedure, for the appointment of Judges of High Courts, the Chief Justice of the High Court is required to initiate the proposals in consultation with two senior-most Judges from amongst the eligible candidates from the Bar and concerned State Judicial Service six months prior to the occurrence of vacancies.

Filling up of vacancies in the 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. Every

effort is made to expedite the process of appointment of Judges following the due procedure.

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 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.

(c): The number of cases pending in Supreme Court of India, High Courts and District & Subordinate Courts in the country is as under:-

Sl. No.	Name of Court	Pendency as on
1	Supreme Court of India	70,154 (02.03.2022)*
2	High Courts	58,94,060 (21.03.2022)**
3	District & Subordinate Courts	4,10,47,976 (21.03.2022)**

Source \*Website of Supreme Court of India.

\*\*National Judicial Data Grid (NJDG).

Disposal of cases pending in various courts is within the domain of judiciary. Timely disposal of cases in courts depends on several factors which, *inter-alia*, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders *viz.* bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. There are several factors which may lead to delay in disposal of cases. These, *inter alia*, include vacancies of judges, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing.

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**STATEMENT REFERRED TO IN REPLY TO PARTS (A) & (B) OF LOK SABHA**  
**UNSTARRED QUESTION NO. ‡3898 FOR ANSWER ON 25.03.2022**  
**REGARDING SHORTAGE OF JUDGES IN COURT**

**Statement showing sanctioned strength, working strength of the judges in the Supreme Court and High Court as on 14.03.2022**

		Sanctioned strength			Working strength			Vacancies		
<b>A.</b>	<b>Supreme Court</b>	<b>34</b>			<b>32</b>			<b>02</b>		
<b>B.</b>	<b>High Court</b>	<b>Pmt.</b>	<b>Addl</b>	<b>Total</b>	<b>Pmt.</b>	<b>Addl</b>	<b>Total</b>	<b>Pmt.</b>	<b>Addl</b>	<b>Total</b>
1	Allahabad	120	40	160	74	19	93	46	21	67
2	Andhra Pradesh	28	09	37	26	0	26	02	09	11
3	Bombay	71	23	94	51	07	58	20	16	36
4	Calcutta	54	18	72	31	08	39	23	10	33
5	Chhattisgarh	17	05	22	10	03	13	07	02	09
6	Delhi	45	15	60	33	0	33	12	15	27
7	Gauhati	18	06	24	17	06	23	01	0	01
8	Gujarat	39	13	52	32	0	32	07	13	20
9	Himachal Pradesh	10	03	13	08	01	09	02	02	04
10	J & K and Ladakh	13	04	17	13	0	13	0	04	04
11	Jharkhand	19	06	25	19	01	20	0	05	05
12	Karnataka	47	15	62	39	06	45	08	09	17
13	Kerala	35	12	47	27	12	39	08	0	08
14	Madhya Pradesh	40	13	53	35	0	35	05	13	18
15	Madras	56	19	75	44	15	59	12	04	16
16	Manipur	04	01	05	03	01	04	01	0	01
17	Meghalaya	03	01	04	03	0	03	0	01	01
18	Orissa	24	09	33	21	0	21	03	09	12
19	Patna	40	13	53	25	0	25	15	13	28
20	Punjab& Haryana	64	21	85	43	06	49	21	15	36
21	Rajasthan	38	12	50	26	0	26	12	12	24
22	Sikkim	03	0	03	03	0	03	0	0	0
23	Telangana	32	10	42	19	0	19	13	10	23
24	Tripura	04	01	05	05	0	05	-01	01	0
25	Uttarakhand	09	02	11	07	0	07	02	02	04
	<b>Total</b>	<b>833</b>	<b>271</b>	<b>1104</b>	<b>614</b>	<b>85</b>	<b>699</b>	<b>219</b>	<b>186</b>	<b>405</b>

**Annexure-II****STATEMENT REFERRED TO IN REPLY TO PARTS (A) & (B) OF LOK SABHA UNSTARRED QUESTION NO. †3898 FOR ANSWER ON 25.03.2022 REGARDING SHORTAGE OF JUDGES IN COURT****(As on 21.03.2022)**

<b>S. No.</b>	<b>State &amp; UTs</b>	<b>Total Sanctioned Strength</b>	<b>Total Working Strength</b>	<b>Total Vacancy</b>
<b>1.</b>	Andaman and Nicobar	0	13	-13
<b>2.</b>	Andhra Pradesh	607	487	120
<b>3.</b>	Arunachal Pradesh	41	32	9
<b>4.</b>	Assam	467	436	31
<b>5.</b>	Bihar	1954	1385	569
<b>6.</b>	Chandigarh	30	30	0
<b>7.</b>	Chhattisgarh	482	407	75
<b>8.</b>	D & N Haveli	3	2	1
<b>9.</b>	Daman & Diu	4	4	0
<b>10.</b>	Delhi	884	686	198
<b>11.</b>	Goa	50	40	10
<b>12.</b>	Gujarat	1523	1176	347
<b>13.</b>	Haryana	772	477	295
<b>14.</b>	Himachal Pradesh	175	161	14
<b>15.</b>	Jammu and Kashmir	300	240	60
<b>16.</b>	Jharkhand	675	517	158
<b>17.</b>	Karnataka	1363	1082	281
<b>18.</b>	Kerala	569	487	82
<b>19.</b>	Ladakh	17	9	8
<b>20.</b>	Lakshadweep	3	3	0
<b>21.</b>	Madhya Pradesh	2021	1545	476
<b>22.</b>	Maharashtra	2190	1940	250
<b>23.</b>	Manipur	59	46	13
<b>24.</b>	Meghalaya	99	51	48
<b>25.</b>	Mizoram	65	41	24
<b>26.</b>	Nagaland	34	24	10
<b>27.</b>	Odisha	977	781	196
<b>28.</b>	Puducherry	26	11	15
<b>29.</b>	Punjab	692	606	86
<b>30.</b>	Rajasthan	1549	1272	277
<b>31.</b>	Sikkim	28	20	8
<b>32.</b>	Tamil Nadu	1319	1080	239
<b>33.</b>	Telangana	474	424	50
<b>34.</b>	Tripura	122	108	14
<b>35.</b>	Uttar Pradesh	3634	2528	1106
<b>36.</b>	Uttarakhand	299	272	27
<b>37.</b>	West Bengal	1014	918	96
<b>Total</b>		<b>24521</b>	<b>19341</b>	<b>5180</b>

Source MIS portal of DoJ

