

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

LOK SABHA

UNSTARRED QUESTION NO. 4856

TO BE ANSWERED ON FRIDAY, THE 01.04.2022

Sanctioned Strength of Judges

**4856. SHRIMATI SUMALATHA AMBAREESH:
SHRI CHANDRA PRAKASHCHOUHARY:**

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

- (a) the sanctioned and actual strength of Judges of Supreme court, High court and District and Subordinate Courts in the country, High Court-wise, State/UT-wise including Jharkhand;
- (b) the total number of vacant positions in Supreme Court, High Courts, District and Subordinate Courts in the country during the last three years, court-wise;
- (c) whether the Government has taken any steps to fill up the vacant positions of judges in the said courts, if so, the details thereof and if not reasons therefor; and
- (d) whether the Government proposes to fix any time limit for quick disposal of cases facing delay on account of vacancies of the judges?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (d): A Statement showing sanctioned strength, actual strength and vacancy of Judges of the Supreme Court, High Courts, High Court-wise, State/UT-wise during

the last three years is at **Annexure-1**. A Statement showing sanctioned strength, actual strength and vacancy of Judges of the District and Subordinate Courts, State/UT-wise during the last three years is at **Annexure-2**.

As per the existing Memorandum of Procedure for appointment of Judges of High Courts, the Chief Justice of the High Court is required to initiate the proposal for filling up of vacancies of a Judge in a High Court six months prior to the occurrence of vacancies. Government appoints only those persons as Judges of High Courts who are recommended by Supreme Court Collegium (SCC). Against the sanctioned strength of 1104, 717 Judges are working in the High Courts leaving 387 vacancies. At present, 168 proposals are at various stages of processing between the Government and the Supreme Court Collegium. Further, recommendations from High Court Collegiums are yet to be received in respect of 219 vacancies in High Courts. 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. 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.

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 04th 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.

Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the

respective courts. Government has no role in disposal of cases in courts. 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. The Central Government is fully committed to speedy disposal of cases in accordance with Article 21 of the Constitution and reducing pendency. The Government has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary.

National Mission for Justice Delivery and Legal Reforms was set up in August, 2011 with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, inter-alia, involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

ANNEXURE-1**Statement showing Sanctioned strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts****(As on 28.03.2022)**

		Sanctioned strength			Working strength			Vacancies		
A.	Supreme Court	34			32			2		
B.	High Court	Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1	Allahabad	120	40	160	74	20	94	46	20	66
2	Andhra Pradesh	28	9	37	26	0	26	2	9	11
3	Bombay	71	23	94	50	7	57	21	16	37
4	Calcutta	54	18	72	31	8	39	23	10	33
5	Chhattisgarh	17	5	22	10	3	13	7	2	9
6	Delhi	45	15	60	35	0	35	10	15	25
7	Gauhati	18	6	24	17	6	23	1	0	1
8	Gujarat	39	13	52	32	0	32	7	13	20
9	Himachal Pradesh	10	3	13	8	1	9	2	2	4
10	J & K and Ladakh	13	4	17	13	2	15	0	2	2
11	Jharkhand	19	6	25	19	1	20	0	5	5
12	Karnataka	47	15	62	39	6	45	8	9	17
13	Kerala	35	12	47	27	12	39	8	0	8
14	Madhya Pradesh	40	13	53	35	0	35	5	13	18
15	Madras	56	19	75	44	17	61	12	2	14
16	Manipur	4	1	5	4	0	4	0	1	1
17	Meghalaya	3	1	4	3	0	3	0	1	1
18	Orissa	24	9	33	21	0	21	3	9	12
19	Patna	40	13	53	27	0	27	13	13	26
20	Punjab & Haryana	64	21	85	43	6	49	21	15	36
21	Rajasthan	38	12	50	26	0	26	12	12	24
22	Sikkim	3	0	3	3	0	3	0	0	0
23	Telangana	32	10	42	29	0	29	3	10	13
24	Tripura	4	1	5	5	0	5	-1	1	0
25	Uttarakhand	9	2	11	7	0	7	2	2	4
	Total	833	271	1104	628	89	717	205	182	387

Statement showing Approved strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts (Ason 01.01.2019)

Sl. No.	Name of the Court	Approved Strength			Working Strength			Vacancies		
		Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
A.	Supreme Court of India	31			26			05		
B.	High Court									
1	Allahabad	76	84	160	61	48	109	15	36	51
2	Andhra Pradesh*	28	09	37	14	0	14	14	09	23
3	Bombay	71	23	94	53	18	71	18	05	23
4	Calcutta*	54	18	72	19	17	36	35	01	36
5	Chhattisgarh	17	05	22	08	07	15	09	-02	07
6	Delhi	45	15	60	39	0	39	06	15	21
7	Gauhati	18	06	24	14	05	19	04	01	05
8	Gujarat*	39	13	52	27	0	27	12	13	25
9	Himachal Pradesh	10	03	13	08	0	08	02	03	05
10	Jammu & Kashmir	13	04	17	09	0	09	04	04	08
11	Jharkhand	19	06	25	14	05	19	05	01	06
12	Karnataka	47	15	62	21	12	33	26	03	29
13	Kerala	35	12	47	31	07	38	04	05	09
14	Madhya Pradesh	40	13	53	35	0	35	05	13	18
15	Madras	56	19	75	41	20	61	15	-01	14
16	Manipur	04	01	05	03	0	03	01	01	02
17	Meghalaya	03	01	04	03	0	03	0	01	01
18	Orissa	20	07	27	14	0	14	06	07	13
19	Patna	40	13	53	22	06	28	18	07	25
20	Punjab & Haryana	64	21	85	46	07	53	18	14	32
21	Rajasthan	38	12	50	25	0	25	13	12	25
22	Sikkim	03	0	03	03	0	03	0	0	0
23	Telangana	18	06	24	13	0	13	05	06	11
24	Tripura	04	0	04	03	0	03	01	0	01
25	Uttarakhand	09	02	11	09	0	09	0	02	02
Total		771	308	1079	535	152	687	236	156	392

*Acting Chief Justice

Statement showing Approved strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts (As on 01.01.2020)

Sl. No.	Name of the Court	Approved Strength			Working Strength			Vacancies		
		Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
A.	Supreme Court of India	34			33			01		
B.	High Court									
1	Allahabad	76	84	160	67	40	107	09	44	53
2	Andhra Pradesh	28	09	37	15	0	15	13	09	22
3	Bombay	71	23	94	55	15	70	16	08	24
4	Calcutta	54	18	72	22	18	40	32	00	32
5	Chhattisgarh	17	05	22	11	04	15	06	01	07
6	Delhi	45	15	60	36	0	36	09	15	24
7	Gauhati	18	06	24	15	06	21	03	00	03
8	Gujarat	39	13	52	27	0	27	12	13	25
9	Himachal Pradesh	10	03	13	09	01	10	01	02	03
10	Jammu & Kashmir	13	04	17	08	0	08	05	04	09
11	Jharkhand	19	06	25	17	02	19	02	04	06
12	Karnataka	47	15	62	19	21	40	28	06	22
13	Kerala	35	12	47	27	05	32	08	07	15
14	Madhya Pradesh	40	13	53	31	0	31	09	13	22
15	Madras	56	19	75	46	09	55	10	10	20
16	Manipur	04	01	05	04	0	04	0	01	01
17	Meghalaya	03	01	04	03	0	03	0	01	01
18	Orissa	20	07	27	14	0	14	06	07	13
19	Patna	40	13	53	26	0	26	14	13	27
20	Punjab & Haryana	64	21	85	38	17	55	26	04	30
21	Rajasthan	38	12	50	21	0	21	17	12	29
22	Sikkim	03	0	03	03	0	03	0	0	0
23	Telangana	18	06	24	12	1	13	06	05	11
24	Tripura	04	0	04	03	0	03	01	0	01
25	Uttarakhand	09	02	11	09	1	10	0	01	01
Total		771	308	1079	538	140	678	233	168	401

Statement showing Approved strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts (As on 01.01.2021)

Sl. No.	Name of the Court	Approved Strength			Working Strength			Vacancies		
A.	Supreme Court of India	34			30			04		
B.	High Court	Pmt.	Addl	Total	Pmt.	Addl	Total	Pmt.	Addl	Total
1	Allahabad	120	40	160	82	14	96	38	26	64
2	Andhra Pradesh	28	09	37	18	0	18	10	09	19
3	Bombay	71	23	94	49	15	64	22	08	30
4	Calcutta	54	18	72	32	02	34	22	16	38
5	Chhattisgarh	17	05	22	13	01	14	04	04	08
6	Delhi	45	15	60	30	0	30	15	15	30
7	Gauhati	18	06	24	17	03	20	01	03	04
8	Gujarat	39	13	52	29	0	29	10	13	23
9	Himachal Pradesh	10	03	13	09	0	09	01	03	04
10	High Court for UTs of J & K and Ladakh	13	04	17	11	0	11	02	04	06
11	Jharkhand	19	06	25	17	0	17	02	06	08
12	Karnataka	47	15	62	26	20	46	21	05	16
13	Kerala	35	12	47	30	07	37	05	05	10
14	Madhya Pradesh	40	13	53	29	0	29	11	13	24
15	Madras	56	19	75	52	10	62	04	09	13
16	Manipur	04	01	05	04	1	05	00	00	00
17	Meghalaya	03	01	04	04	0	04	01	01	00
18	Orissa	20	07	27	15	0	15	05	07	12
19	Patna	40	13	53	22	0	22	18	13	31
20	Punjab & Haryana	64	21	85	42	11	53	22	10	32
21	Rajasthan	38	12	50	23	0	23	15	12	27
22	Sikkim	03	0	03	03	0	03	0	0	0
23	Telangana	18	06	24	14	0	14	04	06	10
24	Tripura	04	0	04	04	0	04	00	0	00
25	Uttarakhand	09	02	11	08	1	09	1	01	02
Total		815	264	1079	583	85	668	232	179	411

ANNEXURE-2**Statement showing sanctioned strength, working strength and vacancies of the judges District & Subordinate Courts**

As on 25.03.2022					Vacancy as on 31.12.2021	Vacancy as on 31.12.2020	Vacancy as on 31.12.2019
Sl. No.	States & Uts	Total Sanctioned Strength	Total Working Strength	Total Vacancy			
1	Andaman and Nicobar	0	13	-13	-13	-13	-13
2	Andhra Pradesh	607	487	120	115	97	68
3	Arunachal Pradesh	41	32	9	9	9	14
4	Assam	467	436	31	31	54	29
5	Bihar	1954	1385	569	560	503	776
6	Chandigarh	30	30	0	0	4	1
7	Chhattisgarh	482	407	75	73	93	74
8	D & N Haveli	3	2	1	1	1	0
9	Daman & Diu	4	4	0	0	0	1
10	Delhi	884	686	198	173	150	118
11	Goa	50	40	10	10	10	7
12	Gujarat	1523	1176	347	400	369	336
13	Haryana	772	477	295	290	279	297
14	Himachal Pradesh	175	161	14	15	14	22
15	Jammu and Kashmir	300	240	60	59	41	58
16	Jharkhand	675	517	158	152	131	216
17	Karnataka	1363	1082	281	286	286	531

18	Kerala	569	487	82	81	68	79
19	Ladakh	17	9	8	8	8	--
20	Lakshadweep	3	3	0	0	0	0
21	Madhya Pradesh	2021	1545	476	469	411	401
22	Maharashtra	2190	1940	250	250	250	247
23	Manipur	59	46	13	17	18	16
24	Meghalaya	99	51	48	48	48	48
25	Mizoram	65	41	24	23	21	18
26	Nagaland	34	24	10	10	7	8
27	Odisha	977	781	196	191	194	149
28	Puducherry	26	11	15	15	15	15
29	Punjab	692	606	86	85	99	96
30	Rajasthan	1549	1272	277	274	197	307
31	Sikkim	28	20	8	8	5	6
32	Tamil Nadu	1319	1080	239	234	249	175
33	Telangana	474	424	50	49	96	79
34	Tripura	122	108	14	25	23	24
35	Uttar Pradesh	3634	2528	1106	1092	1053	838
36	Uttarakhand	299	272	27	28	42	66
37	West Bengal	1014	918	96	96	96	96
TOTAL		24521	19341	5180	5164	4928	5203