

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

STARRED QUESTION NO:13

ANSWERED ON:10.08.2007

APPOINTMENT OF JUDGES

Deshmukh Shri Subhash Sureshchandra;Reddy Shri Mekapati Rajamohan

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

- (a) the number of vacancies of judges in various High Courts in the country, at present State-wise;
- (b) whether the Government proposes to appoint more judges in High Courts and subordinate Courts to clear the backlog during the current year;
- (c) if so. the details thereof; and
- (d) the time by which these vacancies are likely to be filled ?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ)

(a) to (d) A statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (d) of the Lok Sabha Starred Question No. 13 for answer on 10.8.2007

A statement showing the number of vacancies of judges in various High Courts in the country as on 6.8.2007 is enclosed.

2. In pursuance of the judgment of the Supreme Court of October 6, 1993 in the Supreme Court Advocates on Record & Anrs. vs. the Union of India, the judge strength of the High Courts is reviewed every three years. The last triennial review was undertaken in the year 2006 whereby it is proposed to increase the judge strength by 106 in 8 High Courts, subject to concurrence of the respective State Governments.

2.1 Pursuant to the Judgment of the Supreme Court dated October 6, 1993 and their Advisory Opinion dated October 28, 1998, the proposals for appointment of Judges in the High Courts are to be initiated by the Chief Justice of the concerned High Court. The Government has, however, been requesting the Chief Justices of the High Courts and Chief Ministers of the States, from time to time, to initiate proposals for filling up of the present and anticipated vacancies during the next six months.

3. Under article 235 of the Constitution of India, the administrative control over the members of subordinate judiciary in the States vests with the concerned High Court and the State Government. Thus as regards the judge strength in the District and subordinate courts, the primary responsibility for taking necessary action for increasing the judge strength vests with the respective State Governments- Filling up of the vacant posts of judges/magistrates at the District and Subordinate Courts is the concern of the respective High Courts and the State Governments.

3.1 The Central Government has been periodically urging all the State Government/Union Territories and the High Courts to accord utmost priority to filling up of vacant posts of judges and magistrates.

Vacancies of Judges in various High Courts

Position as on 06.08.2007

S.No. High Court Sanctioned strength No of Judges Vacancies in position

- 1. Allahabad 95 16 19
- 2. Andhra Pradesh 39 31 08
- 3. Bombay 61 53 08
- 4. Calcutta 50 42 08
- 5. Chhattisgarh 08 06 02
- 6. Delhi 36 32 04
- 7. Gauhati 23 23 00
- 8. Gujarat 42 30 12
- 9. Himachal 09 09 00

Pradesh

10. Jammu & Kashmir 14 09 05
 11. Jharkhand 12 09 03
 12. Karnataka 40 36 04
 13. Kerala 29 27 02
 14. Madhya Pradesh 42 41 01
 15. Madras 46 44 02
 16. Orissa 20 14 06
 17. Patna 31 31 00
 18. Punjab & 40 35 05
- Haryana
19. Rajasthan 40 37 03
 20. Sikkim 3 01 02
 21. Uttaranchal 9 09 00

TOTAL 689 595 94