

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

**LOK SABHA**

**UNSTARRED QUESTION NO. †1209  
TO BE ANSWERED ON FRIDAY, THE 9<sup>TH</sup> FEBRUARY, 2024**

**VACANCY OF JUDGES IN SESSION COURTS**

**†1209. SHRI BHOLANATH (B.P. SAROJ):**

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

- (a) whether a number of posts of judges are lying vacant in the Sessions Courts of the country leading to pendency of cases of different category, especially land dispute cases in rural areas for many years;**
- (b) if so, the details thereof along with thereasons therefor, State-wise and district-wise includingUttar Pradesh;**
- (c) whether any guidelines have been issued by the Government to set any time limit for immediate disposal of the land disputes in rural areas pending in the Sessions Courts and if so, the details thereof;**
- (d) whether the number of cases related to land dispute has been rising in the Sessions Courts due to the fact that Scheduled Caste farmers in the rural areas do not get justice in the respective police stations of the same area; and**
- (e) if so, whether any concrete guidelines have been issued in this regard so that their cases aresetled in their respective police stations?**

**ANSWER**

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF  
LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF  
PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE  
MINISTRY OF CULTURE**

**(SHRI ARJUN RAM MEGHWAL)**

**(a) & (b):** The State-wise, details of vacant positions in the District and Subordinate Courts, including Uttar Pradesh is given at *Annexure-I*. The information regarding District-wise vacancy position in Sessions Courts is not centrally maintained.

Further, as per information provided by Department of Land Resources, Ministry of Rural Development, the pendency of land dispute cases are not Centrally maintained.

The filling up vacant positions in the Sessions Courts of the country is the responsibility of the High Courts and State Governments concerned. The Central Government has no direct role in the selection, recruitment and appointment of judicial officers in District/Subordinate judiciary level, as per the provisions of the Constitution. As per the Constitutional framework, 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 and recruitment of Judicial Officers in the respective State Judicial Service. In some States, the respective High Courts undertake the recruitment process, whereas in other States, the High Courts does it in consultation with the State Public Service Commissions.

**(c) to (e):** The disposal of cases in courts is within the exclusive domain of the judiciary. The Central Government has no direct role in the stated matter.

Further, as per information provided by Department of Land Resources, Ministry of Rural Development, as per Entry 18 and Entry 45 (State List) of the Seventh Schedule to the Constitution of India, “Land and its management” falls within the jurisdiction of States. Similarly, as per Entry 2 (State List) of the Constitution’s Seventh Schedule “Police (including railway and village police)” falls within the jurisdiction of the States.

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**Annexure-I****STATEMENT REFERRED TO IN REPLY TO PARTS (A) & (B) OF LOK SABHA UNSTARRED QUESTION NO. †1209 FOR ANSWER ON 09.02.2024 REGARDING 'VACANCY OF JUDGES IN SESSION COURTS'.****Vacant Positions of Judicial Officers in District & Subordinate Court as on 05.02.2024**

<b>Sl. No.</b>	<b>States &amp; UTs</b>	<b>Vacancy</b>
1.	Andhra Pradesh	84
2.	Arunachal Pradesh	10
3.	Assam	46
4.	Bihar	467
5.	Chandigarh	1
6.	Chhattisgarh	139
7.	D & N Haveli	1
8.	Daman & Diu	0
9.	Delhi	89
10.	Goa	10
11.	Gujarat	535
12.	Haryana	208
13.	Himachal Pradesh	22
14.	Jammu and Kashmir	94
15.	Jharkhand	182
16.	Karnataka	229
17.	Kerala	91
18.	Ladakh	7
19.	Lakshadweep	1
20.	Madhya Pradesh	295
21.	Maharashtra	250
22.	Manipur	10
23.	Meghalaya	42
24.	Mizoram	28
25.	Nagaland	10
26.	Odisha	216
27.	Puducherry	19
28.	Punjab	112
29.	Rajasthan	300
30.	Sikkim	12
31.	Tamil Nadu	334
32.	Telangana	115
33.	Tripura	21
34.	Uttar Pradesh	1250
35.	Uttarakhand	29
36.	Andaman and Nicobar	0
37.	West Bengal	96
<b>TOTAL</b>		<b>5342</b>

Source:- MIS portal of Department of Justice.