

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

UNSTARRED QUESTION NO:6231  
ANSWERED ON:06.05.2005  
VACANCIES OF JUDGES  
Dhanaraju Dr. K.

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

- (a) whether a study has been conducted by the Government to know the requirement of Judges in different Courts for a population of one lakh people;
- (b) if so, the details of the study conducted;
- (c) whether the judges are as per the requirement of population in India; and
- (d) if not, the steps Government propose to take to appoint more judges?

**Answer**

MINISTER OF LAW AND JUSTICE (SHRI H.R.BHARDWAJ)

(a) to (c) The Judge strength in Supreme Court is as per the Constitution of India. The Judge strength in the High Courts is reviewed once in three years, as per prescribed norms, on the basis of figures of institution, disposal and pendency of cases in each High Court. As regards District and Subordinate Courts, the Judge strength is worked out by State Governments in consultation with the concerned High Courts.

The Supreme Court, in its Judgment of 21st March, 2002, in All India Judges' Association & Ors. Vs. Union of India & Ors, has directed that an increase in the judge strength from the existing ratio of 10.5 to 13 per 10 lakh people to 50 judges per 10 lakh people should be effected and implemented within a period of five years in a phased manner to be determined and directed by the Union Ministry of Law. The Central Government has filed application before the Supreme Court, seeking modification of its directions for increase in Judge strength on the basis of population in respect of Union Territories, and permit the out, union Government to determine the appropriate judge strength based on relevant factors including pendency of cases. The matter is subjudice.

(d) : The service conditions, including filling up of vacancies, of the members of Subordinate Judiciary of the State, are governed by their respective State Governments. The filling up of vacancies in the High Courts is a collective consultative process among the constitutional authorities. The process of initiation of proposal for appointment of Judges of a High Court lies with the Chief Justice of that High Court. The Central Government has, however, been requesting the Chief Justices of the High Courts, Chief Ministers and the Governors of the States, from time to time, to initiate proposals for filling up of the present and anticipated vacancies during the following six months.