

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

UNSTARRED QUESTION NO:1206
ANSWERED ON:04.03.2010
JUDGES OF HIGHER JUDICIARY
Tewari Shri Manish

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

- (a) the sanctioned strength of the judges of the Supreme Court of India the various High Courts in the country;
- (b) the number of vacancies of judges in the Supreme Court and the High Courts at present, court-wise;
- (c) the number of permanent judges and additional judges in each High court as on date;
- (d) whether the Government proposes to regularize the appointment of additional judges in the High Courts;
- (e) if so, the details thereof and if not the reasons therefor;
- (f) the average time taken to appoint a Supreme Court and High Court judge from commencement of the process to the issuance of warrant of appointment; and
- (g) the details of processes involved at various stages of said appointment?

Answer

MINISTER OF LAW AND JUSTICE (DR. M. VEERAPPA MOILY)

(a), (b), & (c): A statement showing the sanctioned strength of the Judges of the Supreme Court of India and the High Courts, number of Judges in position and the vacancies of Judges is enclosed.

(d) & (e): Additional Judges are considered for appointment as Permanent Judges, subject to the availability of vacancies of Permanent Judges and as per the prescribed procedure.

(f) & (g): Pursuant to the Supreme Court Judgment of October 6, 1993 In the Supreme Court Advocates-on-Record & Anr. Vs. Union of India, read with the Advisory Opinion of 28-10-1998, the process of initiation of proposal for appointment of a Judge of the Supreme Court/High Courts lies with the Chief Justice of India and the Chief Justice of the concerned High Court respectively.

As per the Memorandum of Procedure for the appointment of Judges in the Supreme Court of India, the recommendation of the Supreme Court Collegium consisting of the Chief Justice of India and 4 seniormosj; Judges, is submitted for consideration and approval of the Prime Minister and the President.

As per the Memorandum of Procedure for the appointment of Judges in the High Courts, the proposals for filling up of vacancies in the High Courts are referred by the Chief Justice in consultation with the Collegium of the concerned High Court to the State Constitutional authorities who, along with their comments, send the proposal to the Union Government. The Union Government refers the proposal to the Chief Justice of India for advice. The advice tendered by the Chief Justice of India is submitted for consideration and approval of the Prime Minister and the President. The average time taken for appointment of a Judge is approximately one month and six months in the case of Supreme Court and the High Courts respectively.