

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

UNSTARRED QUESTION NO:555

ANSWERED ON:15.03.2012

SHORTAGE OF JUDGES

Jaiswal Dr. Sanjay ;Kanubhai Patel Jayshreeben;Pandey Saroj;Patil Shri C. R. ;Rathwa Shri Ramsinbhai Patalbhai;Sayeed Muhammed Hamdulla A. B.

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

- (a) the number of sanctioned posts of Judges in Supreme Court, High Courts and Subordinate Courts in the country, State-wise;
- (b) the total number of posts lying vacant at present, State-wise;
- (c) the reasons for not filling up the vacant posts so far; and
- (d) the steps taken by the Government to fill up the vacant posts to reduce the pendency of cases?

Answer

MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHID)

(a) & (b) : The Statement showing number of sanctioned posts and vacancies of Judges in Supreme Court of India and High Courts as on 09.03.2012 is at Annex-A. The Statement showing sanctioned strength and vacancies of judges in District and Subordinate Courts, as on 30.06.2011, is Annex-B.

(c) & (d) : Pursuant to the Supreme Court Judgment of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of a Judge of a High Court rests with the Chief Justice of the concerned High Court and for appointment of a Judge in the Supreme Court rests with the Chief Justice of India. In this arrangement, large number of posts have remained vacant because the Government has not received proposals to fill these positions. The Government has been periodically reminding the Chief Justices of the High Courts to initiate proposals in time for filling the existing vacancies as well as the vacancies anticipated in next six months in the High Courts.

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 State Government.