

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

STARRED QUESTION NO:45

ANSWERED ON:23.07.2015

Appointment of Judges

Rori Shri Charanjeet Singh;Sahu Shri Chandu Lal

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

- (a) the total sanctioned strength of Judges in the Supreme Court, High Courts and Subordinate Courts in the country along with the number of posts lying vacant, State/UT-wise;
- (b) whether the appointment of Judges has been held up for want of National Judicial Appointment Commission (NJAC) and if so, the details thereof;
- (c) the number of Judges appointed during the current year, Court-wise;
- (d) the follow up action taken by the Government to improve the Judges: population ratio in the country and its present status; and
- (e) the steps taken/being taken by the Government for establishment of NJAC and its present status?

Answer

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI D.V. SADANANDA GOWDA)

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 45 TO BE ANSWERED ON 23.7.2015 REGARDING APPOINTMENT OF JUDGES

(a) : There is a total sanctioned strength of 31 judges in the Supreme Court and 1017 Judges in the High Courts. Out of which, there is a working strength of 28 judges in the Supreme Court and 636 Judges in the High Courts as on 15.7.2015, leaving 3 vacancies in the Supreme Court and 381 vacancies in the High Courts. A statement showing the total sanctioned strength of Judges as well as the vacancies in the Supreme Court and High Courts as on 15.7.2015 is at Annexure-I. As regards, District and Subordinate courts, as on 31.12.2014, there is a total sanctioned strength 20214 judges, with a working strength of 15634 leaving vacancies of 4580 judges. A statement showing sanctioned strength, working strength and vacancies of Judges in District and Subordinate Courts (as on 31.12.2014) is at Annexure-II.

(b) to (e): The Collegium system of appointment of Judges of the Supreme Court and High Courts has ceased to exist consequent upon the coming into force of the Constitution (Ninety-Ninth Amendment) Act, 2014 and the National Judicial Appointments Commission Act, 2014 w.e.f 13.04.2015. During the current year till 13.04.2015, 1 Judge was appointed in Supreme Court and 35 Judges were appointed in various High Courts as per Annexure-III. However, writ petitions were filed in the Supreme Court challenging the Constitutional validity of both the Acts. The hearing of the cases in the Supreme Court concluded on 15.07.2015 and judgement is reserved. The Supreme Court as an interim measure during the course of the proceedings has directed that appointment of Additional Judges in High Courts already in Office shall be continued for a period of 3 months or till the date of their superannuation whichever is earlier, till the disposal of the writ petitions. Accordingly, after 13.04.2015, the term of 3 Additional Judges of Gauhati High Court, 1 Additional Judge of Patna High Court and 7 Additional Judges of Bombay High Court have been extended. Therefore at present, no action on Appointment of Judges is being taken except under court orders.

There has been concerted effort to improve the Judges:Population ratio in the country. The Judge strength in subordinate judiciary has increased from 17,715 at the end of 2012 to 20,214 in December, 2014. Similarly, the Judge strength of High Courts has increased from 906 in June, 2014 to 1017, presently. The Judges: Population ratio in the country taking into account Judges at all levels now stands at about 17 Judges per one million of the population.

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Annexure-I

Statement showing the Approved strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts

(As on 15.07.2015)

Sl. No. Name of the Court Approved Strength Working Strength Vacancies as per Approved Strength

A. Supreme Court of India 31 28 03
 B. High Court Pmt. Addl Total Pmt. Addl Total Pmt. Addl Total
 1 Allahabad 76 84 160 58 20 78 18 64 82
 2 High Court of Judicature at Hyderabad * 33 16 49 17 10 27 16 06 22
 3 Bombay 71 23 94 42 22 64 29 01 30
 4 Calcutta 45 13 58 22 22 44 23 -09 14
 5 Chhattisgarh 17 05 22 03 06 09 14 -01 13
 6 Delhi 45 15 60 35 05 40 10 10 20
 7 Gauhati * 18 06 24 09 08 17 09 -02 07
 8 Gujarat * 39 13 52 26 03 29 13 10 23
 9 Himachal Pradesh 10 03 13 07 -- 07 03 03 06
 10 Jammu & Kashmir 13 04 17 09 01 10 04 03 07
 11 Jharkhand 19 06 25 09 05 14 10 01 11
 12 Karnataka* 47 15 62 23 09 32 24 06 30
 13 Kerala 27 11 38 22 16 38 05 -05 0
 14 Madhya Pradesh 40 13 53 26 07 33 14 06 20
 15 Madras 45 15 60 38 0 38 07 15 22
 16 Manipur 04 0 04 03 0 03 01 0 01
 17 Meghalaya 03 0 03 03 0 03 0 0 0
 18 Orissa 20 07 27 16 06 22 04 01 05
 19 Patna 29 14 43 26 07 33 03 07 10
 20 Punjab & Haryana * 64 21 85 43 11 54 21 10 31
 21 Rajasthan 38 12 50 25 03 28 13 09 22
 22 Sikkim 03 0 03 03 0 03 0 0 0
 23 Tripura 04 0 04 04 0 04 0 0 0
 24 Uttarakhand 09 02 11 06 0 06 03 02 05
 Total 719 298 1017 475 161 636 244 137 381

* Acting Chief Justice

Annexure-II

Sanctioned Strength, Working Strength and Vacancies of Judges / Judicial Officers in District and Subordinate Courts as on 31.12.2014

S. No. State / Union Territory Sanctioned Strength Working Strength Vacancies

1 Andhra Pradesh and Telangana 1034 884 150
 2 Arunachal Pradesh 16 15 1
 3 Assam 403 312 91
 4 Bihar 1670 1027 643
 5 Chandigarh 30 30 0
 6 Chhattisgarh 354 302 52
 7 Delhi 793 476 317
 8 Diu and Daman & Silvassa 7 6 1
 9 Goa 52 40 12
 10 Gujarat 1963 1216 747
 11 Haryana 644 485 159
 12 Himachal Pradesh 146 128 18
 13 Jammu and Kashmir 244 221 23
 14 Jharkhand 578 382 196
 15 Karnataka 1085 832 253
 16 Kerala and Lakshadweep 447 431 16
 18 Madhya Pradesh 1460 1243 217
 19 Maharashtra 2072 1784 288
 20 Manipur 40 30 10
 21 Meghalaya 55 30 25
 22 Mizoram 67 31 36
 23 Nagaland 27 25 2
 24 Orissa 690 569 121
 25 Puducherry 21 10 11

26 Punjab 672 505 167
27 Rajasthan 1145 831 314
28 Sikkim 18 15 3
29 Tamil Nadu 997 876 121
30 Tripura 104 78 26
31 Uttar Pradesh 2097 1761 336
32 Uttarakhand 289 191 98
33 West Bengal and Andaman & Nicobar 994 868 126
Total 20214 15634 4580
Source : High Courts

Annexure-III

JUDGES APPOINTED IN THE CURRENT YEAR UPTO 13.4.2015 IN SUPREME COURT AND HIGH COURTS

Sl. No Name of the Court Appointments (upto 13.4.2015)

A. SUPREME COURT OF INDIA 01

B. HIGH COURTS

1. GAUHATI 05

2. ALLAHABAD 07

3. CALCUTTA 08

4. KERALA 07

5. SIKKIM 01

6. ORISSA 03

7. JHARKHAND 01

8. PATNA 02

9. PUNJAB & HARYANA 01

TOTAL 35