

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 578

TO BE ANSWERED ON WEDNESDAY, THE 20th NOVEMBER, 2019

Job Vacancy in High Courts

578. ADV. A.M. ARIFF:

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

- (a) whether over 10,000 posts of LDA, Copyist, Typist, Law Clerks, Private Secretary, Stenographer, Judicial Assistant, Research Assistant are vacant in different High Courts of the country and if so, the details thereof;
- (b) whether nearly 450 posts of Judges are still vacant cumulatively in the Supreme Court and all 24 High Courts of the country thereto and if so, the details thereof
- (c) whether in four High Courts, there are acting Chief Justices;
- (d) if so, the details of category-wise vacancies and proposal to fill up all vacancies in a time-bound mechanism; and
- (e) the details of referral of Supreme Court Collegiums and State's recommendations therein and action taken thereon?

ANSWER

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &
INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

- (a): Information relating to vacancies in non-judicial staff in High Courts and subordinate judiciary is not maintained in the Union Government as the matter comes under the purview of the High Courts and respective State Governments.

(b): A statement showing vacancies of Judges in the Supreme Court of India and all 25 High courts as on 13.11.2019 is attached.

(c): Acting Chief Justices were functioning in the High Courts of Madras, Madhya Pradesh, Jharkhand and Tripura, however, appointment of regular Chief Justices in the above High Courts have been notified by the Government of India.

(d): Judges of the Supreme Court of India and High Courts are appointed as per the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case). Initiation of proposal for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while initiation of proposal for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court.

Filling up of vacancies is a continuous process, as it requires consultation and approval from various Constitutional Authorities. Hence, the time frame for filling up of the vacancies cannot be indicated. While every effort is made to fill up the existing vacancies keep on arising on account of retirement, resignation or elevation of Judges.

(e): At present, as on 13.11.2019, 248 names recommended by High Court Collegiums for appointment as Judges of various High Courts, which are under various stages of processing with the Government, as per the procedure prescribed in the MoP.

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Annexure

Statement referred to in Lok Sabha Unstarred Question Question No. 578
due for answer on 20.11.2019 regarding 'JOB VACANCY IN HIGH COURTS'

(As on 13.11.2019)

| Sl. No. | Supreme Court/High Courts | Vacancies |
|--------------|-------------------------------|------------|
| A | Supreme Court | 00 |
| B | Name of the High Court | -- |
| 1 | Allahabad | 60 |
| 2 | Andhra Pradesh | 22 |
| 3 | Bombay | 29 |
| 4 | Calcutta | 32 |
| 5 | Chhattisgarh | 07 |
| 6 | Delhi | 23 |
| 7 | Gauhati | 06 |
| 8 | Gujarat | 24 |
| 9 | Himachal Pradesh | 03 |
| 10 | Jammu & Kashmir | 08 |
| 11 | Jharkhand | 07 |
| 12 | Karnataka | 23 |
| 13 | Kerala | 15 |
| 14 | Madhya Pradesh | 22 |
| 15 | Madras | 21 |
| 16 | Manipur | 01 |
| 17 | Meghalaya | 02 |
| 18 | Orissa | 13 |
| 19 | Patna | 26 |
| 20 | Punjab & Haryana | 35 |
| 21 | Rajasthan | 28 |
| 22 | Sikkim | 0 |
| 23 | Telangana | 11 |
| 24 | Tripura | 01 |
| 25 | Uttarakhand | 01 |
| Total | | 420 |