RAJYA SABHA
UNSTARRED QUESTION NO. 2662

TO BE ANSWERED ON THURSDAY, THE 18.03.2021

Strength of Judges in Supreme Court

2662 SHRI BHUBANESWAR KALITA:

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

(a) the details of present strength of Judges in the Supreme Court;

(b) whether there is a practice of reviewing the Judge's strength from time to time and if so, the details thereof;

(c) the number of times in the past when Judge's strength in the Apex Court has been increased;

(d) whether Government would strengthen the mechanism for better results in future;

(e) whether Government recently received a proposal to appropriately increase the Judge's strength in the Supreme Court; and

(f) if so, whether the proposal is under active consideration of Government?

ANSWER

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

(SHRI RAVI SHANKAR PRASAD)

(a) to (f): The Judge strength of the Supreme Court is 34 (including Chief Justice of India). As on 12.03.2021, 30 Judges are in position, leaving 04 vacancies to be filled.
The Supreme Court (Number of Judges) Act 1956, as originally enacted, provided for the maximum number of Judges (excluding the Chief Justice of India) to be 10. This number was increased to 13 by the Supreme Court (Number of Judges) Amendment Act, 1960, and to 17 by the Supreme Court (Number of Judges) Amendment Act, 1977. The working strength of the Supreme Court excluding the Chief Justice of India was, however, restricted to 15 Judges by the Cabinet till the end of 1979. The restriction was withdrawn at the request of the Chief Justice of India and the Supreme Court (Number of Judges) Amendment Act, 1986 augmented the strength of the Supreme Court Judges from 17 to 25 excluding the Chief Justice of India. Subsequently, the Supreme Court (Number of Judges) Amendment Act, 2009 further augmented the strength of the Supreme Court Judges, from 25 to 30.

The Chief Justice of India vide letter dated 21.6.2019 requested the Government to consider augmenting the Judge-strength in the Supreme Court appropriately. Though there has been no criteria for fixing the judge strength of the Supreme Court, in view of the number of cases pending disposal, an increase in the judge strength was considered by Government. The sanctioned strength of Supreme Court of India has been increased from 30 to 33 (excluding the Chief Justice of India) w.e.f. 09.08.2019.

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