

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE**

RAJYA SABHA

**UNSTARRED QUESTION NO.2027
TO BE ANSWERED ON THURSDAY, THE 05th AUGUST, 2021**

VACANCIES IN NORTH EASTERN STATES

2027. SHRI BHUBANESWAR KALITA:

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

- (a) whether Government has made any assessment of existing vacancies in District Courts and High Courts in the country;**
- (b) if so, the details thereof particularly with reference to North Eastern States;**
- (c) whether Government propose to take up measures to fill up the vacancies in the Courts; and**
- (d) if so, the details thereof?**

**ANSWER
MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)**

(a) & (b): The details of existing vacancies in Subordinate Courts and High Courts, including North Eastern States, is at *Annexure-I* and *Annexure-II* respectively.

(c) & (d): As per the Memorandum of Procedure, for the appointment of Judges of High Courts, the Chief Justice of the High Court is required to initiate the proposals in consultation with two senior-most Judges from amongst the eligible candidates from the Bar and concerned State Judicial Service six months prior to the occurrence of vacancies.

Filling up of vacancies in the High Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities both at the State and Centre

level. Every effort is made to expedite the process of appointment of Judges following the due procedure.

Under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vest with the concerned High Court. Further, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the constitution, the respective State Government, in consultation with the High Court, frames the Rules and Regulations regarding the issue of appointment, promotion, reservations and retirement of Judicial Officers in the State Judicial Service. Hence, in so far as recruitment of judicial officers in the States is concerned, respective High Courts do it in certain States, whereas the High Courts do it in consultation with the State Public Service Commissions in other States.

The Union Government does not have a role under the Constitution in the selection and appointment of judicial officers in District/ subordinate judiciary. The Supreme Court, in its orders of 04th January, 2007 in Malik Mazhar case, has devised a process and time frame to be followed for the filling up of vacancies in subordinate judiciary which stipulates that the process for recruitment of judges in the subordinate courts would commence on 31st March of a calendar year and end by 31st October of the same year. The Supreme Court has permitted State Governments / High Courts for variations in the time schedule in case of any difficulty based on the peculiar geographical and climatic conditions in the State or other relevant conditions.

Further, in compliance of the above directions of the Supreme Court, Department of Justice forwarded a copy of the Malik Mazhar judgement to Registrars General of all High Courts for necessary action. Department of Justice is writing from time to time to Registrars General of all High Courts to expedite the filling up of vacancies in subordinate judiciary mandated by Malik Mazhar case.

**STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (B) OF RAJYA SABHA
UNSTARRED QUESTION NO. 2027 FOR ANSWER ON 05.08.2021 REGARDING
VACANCIES IN NORTH EASTERN STATES (As on 30.07.2021)**

S. No.	State & UTs	Total Sanctioned Strength	Total Working Strength	Total Vacancy
1.	Andaman and Nicobar	0	13	-13
2.	Andhra Pradesh	607	494	113
3.	Arunachal Pradesh	41	23	18
4.	Assam	467	410	57
5.	Bihar	1936	1403	533
6.	Chandigarh	30	27	3
7.	Chhattisgarh	482	419	63
8.	D & N Haveli	3	2	1
9.	Daman & Diu	4	4	0
10.	Delhi	862	679	183
11.	Goa	50	40	10
12.	Gujarat	1523	1138	385
13.	Haryana	772	488	284
14.	Himachal Pradesh	175	161	14
15.	Jammu and Kashmir	296	251	45
16.	Jharkhand	675	530	145
17.	Karnataka	1328	1062	266
18.	Kerala	541	496	45
19.	Ladakh	16	9	7
20.	Lakshadweep	3	2	1
21.	Madhya Pradesh	2021	1586	435
22.	Maharashtra	2190	1940	250
23.	Manipur	59	43	16
24.	Meghalaya	97	49	48
25.	Mizoram	64	43	21
26.	Nagaland	33	26	7
27.	Odisha	957	749	208
28.	Puducherry	26	11	15
29.	Punjab	692	589	103
30.	Rajasthan	1540	1283	257
31.	Sikkim	25	20	5
32.	Tamil Nadu	1312	1041	271
33.	Telangana	474	378	96
34.	Tripura	121	97	24
35.	Uttar Pradesh	3634	2581	1053
36.	Uttarakhand	298	254	44
37.	West Bengal	1014	918	96
Total		24368	19259	5109

Source MIS portal of DoJ.

Annexure-II**STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (B) OF RAJYA SABHA UNSTARRED QUESTION NO. 2027 FOR ANSWER ON 05.08.2021 REGARDING VACANCIES IN NORTH EASTERN STATES****(As on 01.07.2021)**

S. No.	Name of High Court	Total Sanctioned Strength	Total Working Strength	Total Vacancy
1.	Allahabad	160	95	65
2.	Andhra Pradesh	37	19	18
3.	Bombay	94	63	31
4.	Calcutta	72	31	41
5.	Chhattisgarh	22	14	08
6.	Delhi	60	31	29
7.	Gauhati	24	20	04
8.	Gujarat	52	28	24
9.	Himachal Pradesh	13	10	03
10.	High Court for UTs of J & K and Ladakh	17	11	06
11.	Jharkhand	25	15	10
12.	Karnataka	62	48	14
13.	Kerala	47	347	10
14.	Madhya Pradesh	53	29	24
15.	Madras	75	58	17
16.	Manipur	05	05	0
17.	Meghalaya	04	04	0
18.	Orissa	27	14	13
19.	Patna	53	20	33
20.	Punjab & Haryana	85	46	39
21.	Rajasthan	50	23	27
22.	Sikkim	03	03	0
23.	High Court for the State of Telangana	42	14	28
24.	Tripura	05	04	01
25.	Uttarakhand	11	07	04
Total		1098	649	449

Source MIS portal of DoJ.