

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

RAJYA SABHA

STARRED QUESTION NO. 18

TO BE ANSWERED ON THURSDAY, THE 03.02.2022

Number of Women Judges in Courts

***18. SHRI JOHN BRITTAS:**

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

- (a) the number of women judges in Supreme Court and High Courts against the current strength of Judges;
- (b) the details thereof, High Court-wise;
- (c) the stand of Government regarding the enhancement of number of women judges and judges from Dalit and backward communities; and
- (d) the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (d): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (d) of Rajya Sabha Starred Question No. * 18 due for answer on 03.02.2022 regarding “Number of Women Judges in Courts”

(a) & (b): As on 28.01.2022, 04 women Judges are working in the Supreme Court against the current total sanctioned strength of 34 Judges and 83 women judges are working in various High Courts of the country against the total sanctioned strength of 1098 Judges. A Statement showing working strength of women Judges in the Supreme Court and High Courts as on 28.01.2022 is at **Annexure.**

(c) & (d): Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. However, the Government has been requesting the Chief Justices of High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and Women to ensure social diversity in appointment of Judges in High Courts.

ANNEXURE

Statement referred to in reply to part (a)&(b) of Starred Question No. 18 to be answered in the Rajya Sabha on 03.02.2022 regarding “Number of Women Judges in Courts” by Shri John Brittas.

| Sl. No. | Name of the Court | Approved total Judges Strength | Working Strength of Female Judges as on 28.01.2022 |
|--------------|-------------------------------|--------------------------------|--|
| A. | Supreme Court of India | 34 | 04 |
| B. | High Courts | | |
| 1 | Allahabad | 160 | 5 |
| 2 | Andhra Pradesh | 37 | 2 |
| 3 | Bombay | 94 | 7 |
| 4 | Calcutta | 72 | 5 |
| 5 | Chhattisgarh | 22 | 1 |
| 6 | Delhi | 60 | 6 |
| 7 | Gauhati | 24 | 3 |
| 8 | Gujarat | 52 | 6 |
| 9 | Himachal Pradesh | 13 | 2 |
| 10 | J & K and Ladakh | 17 | 1 |
| 11 | Jharkhand | 25 | 1 |
| 12 | Karnataka | 62 | 6 |
| 13 | Kerala | 47 | 6 |
| 14 | Madhya Pradesh | 53 | 3 |
| 15 | Madras | 75 | 13 |
| 16 | Manipur | 5 | 0 |
| 17 | Meghalaya | 4 | 0 |
| 18 | Orissa | 27 | 1 |
| 19 | Patna | 53 | 0 |
| 20 | Punjab& Haryana | 85 | 7 |
| 21 | Rajasthan | 50 | 1 |
| 22 | Sikkim | 3 | 1 |
| 23 | Telangana | 42 | 6 |
| 24 | Tripura | 5 | 0 |
| 25 | Uttarakhand | 11 | 0 |
| Total | | 1098 | 83 |

भारत सरकार
विधि और न्याय मंत्रालय
न्याय विभाग
राज्य सभा
तारांकित प्रश्न सं. *18
जिसका उत्तर गुरुवार, 03 फरवरी, 2022 को दिया जाना है
अदालतों में महिला न्यायाधीशों की संख्या

18. श्री जॉन ब्रिटास:

क्या विधि और न्याय मंत्री यह बताने की कृपा करेंगे कि :

(क) न्यायाधीशों की वर्तमान संख्या की तुलना में सर्वोच्च न्यायालय और उच्च न्यायालयों में कितनी-कितनी महिला न्यायाधीश हैं ;

(ख) तत्संबंधी उच्च न्यायालय-वार ब्यौरा क्या है ;

(ग) महिला न्यायाधीशों और दलित तथा पिछड़े समुदायों से संबंधित न्यायाधीशों की संख्या में वृद्धि किए जाने के मामले में सरकार का क्या रुख है ; और

(घ) तत्संबंधी ब्यौरा क्या है ?

उत्तर

**विधि और न्याय मंत्री
(श्री किरेन रीजीजू)**

(क) से (घ) : एक विवरण सदन के पटल पर रख दिया गया है ।

राज्य सभा तारांकित प्रश्न संख्या *18 जिसका उत्तर तारीख 03.02.2022 को दिया जाना है, के भाग (क) से (घ) के उत्तर में निर्दिष्ट विवरण ।

(क) और (ख) : तारीख 28.01.2022 तक, उच्चतम न्यायालय में न्यायाधीशों की कुल स्वीकृत पद संख्या 34 के समक्ष 04 महिला न्यायाधीश कार्यरत है और देश के विभिन्न उच्च न्यायालयों में न्यायाधीशों की कुल स्वीकृत पद संख्या 1098 के समक्ष 83 महिला न्यायाधीश कार्यरत है । तारीख 28.01.2022 तक, उच्चतम न्यायालय और उच्च न्यायालयों में कार्यरत महिला न्यायाधीशों की संख्या दर्शाने वाला विवरण **उपाबंध** पर दिया गया है ।

(ग) और (घ) : उच्चतम न्यायालय और उच्च न्यायालयों में न्यायाधीशों की नियुक्ति भारत के संविधान के अनुच्छेद 124, अनुच्छेद 217 और अनुच्छेद 224 के अधीन की जाती है । तथापि, सरकार द्वारा उच्च न्यायालयों के मुख्य न्यायमूर्तियों से यह अनुरोध किया जाता रहा है कि उच्च न्यायालयों में न्यायाधीशों की नियुक्ति के लिए प्रस्ताव भेजते समय, न्यायाधीशों की नियुक्ति में सामाजिक विविधता सुनिश्चित करने के लिए अनुसूचित जातियों, अनुसूचित जनजातियों, अन्य पिछड़े वर्गों, महिलाओं और अल्पसंख्यकों से संबंधित उपयुक्त अभ्यर्थियों पर सम्यक् रूप से विचार किया जाए ।

उपाबंध

"अदालतों में महिला न्यायाधीशों की संख्या" के संबंध में श्री श्री जॉन ब्रिटान द्वारा पूछे गए राज्य सभा तारांकित प्रश्न संख्या *18 जिसका उत्तर तारीख 03.02.2022 को दिया जाना है के भाग (क) और (ख) के उत्तर में निर्दिष्ट विवरण

| क्र.सं. | न्यायालय का नाम | न्यायाधीशों की स्वीकृत पद संख्या | 28.01.2021 तक महिला न्यायाधीशों की कार्यरत पद संख्या |
|---------|---------------------------|----------------------------------|--|
| क | भारत का उच्चतम न्यायालय | 34 | 04 |
| ख | उच्च न्यायालय | | |
| 1 | इलाहाबाद | 160 | 5 |
| 2 | आंध्र प्रदेश | 37 | 2 |
| 3 | बॉम्बे | 94 | 7 |
| 4 | कलकत्ता | 72 | 5 |
| 5 | छत्तीसगढ़ | 22 | 1 |
| 6 | दिल्ली | 60 | 6 |
| 7 | गुवाहाटी | 24 | 3 |
| 8 | गुजरात | 52 | 6 |
| 9 | हिमाचल प्रदेश | 13 | 2 |
| 10 | जम्मू और कश्मीर और लद्दाख | 17 | 1 |
| 11 | झारखंड | 25 | 1 |
| 12 | कर्नाटक | 62 | 6 |
| 13 | केरल | 47 | 6 |
| 14 | मध्य प्रदेश | 53 | 3 |
| 15 | मद्रास | 75 | 13 |
| 16 | मणिपुर | 5 | 0 |
| 17 | मेघालय | 4 | 0 |
| 18 | उड़ीसा | 27 | 1 |
| 19 | पटना | 53 | 0 |
| 20 | पंजाब और हरियाणा | 85 | 7 |
| 21 | राजस्थान | 50 | 1 |
| 22 | सिक्किम | 3 | 1 |
| 23 | तेलंगाना | 42 | 6 |
| 24 | त्रिपुरा | 5 | 0 |
| 25 | उत्तराखंड | 11 | 0 |
| कुल | | 1098 | 83 |

SHRI PRASANNA ACHARYA: Sir, though it is a question regarding the appointment of women judges, my supplementary is regarding the total number of vacancies in the Supreme Court and different High Courts in the country. My question is how many recommendations have already been made by the Collegium, which are pending with the Government, and, in spite of the recommendations made by the Collegium, Judges are not being appointed.

Sir, I think, India is the only democratic country where people's representative decide their own salary -- of course, now, the system of deciding salaries of Members of Parliament has been changed -- and the Judges appoint their successors. Is the Government going to bring an amendment in the law to suggest an alternative to the Collegium system so that there is transparency in appointment of judges?

MR. DEPUTY CHAIRMAN: You have put three questions.

SHRI KIREN RIJUJU: Sir, at this moment, we are happy that in the Supreme Court, out of the total strength of 34 judges, we have, for the first time, four women judges in the Supreme Court. Three women judges were appointed when I took over as the Minister for Law and Justice.

Similarly, out of a total of 1098 judges in the High Courts, we have 83 women judges. I can give more explanation but I would like to state only one thing that we have been stressing time and again, and, personally, I have also been asking the Collegium led by the Chief Justices of the Supreme Court and the High Courts, that while recommending the names for the appointment as judges, preference may be given to women and persons from backward classes, Scheduled Caste or Scheduled Tribes.

SHRI BIKASH RANJAN BHATTACHARYYA: That is not the issue.

MR. DEPUTY CHAIRMAN: Please. It is not allowed.

SHRI KIREN RIJUJU: Sir, the hon. Member has asked three questions. If you permit, I would like to respond to the last point which he made. This Government on its own has never deliberately held up any appointment process. The Government has to take due diligence while appointing the judges because while appointing the judges,

we have to ensure that he is fit to be a judge in the court. This is very important. And then, all the cases which come to us have to go through a process. Some of the names are with the collegium in the Supreme Court. Some of the names are with the Government at different stages. This is a well-established process as per the Memorandum of Procedure. We don't make any delay on our part just because we don't want to make any kind of judgement on our own while appointing the judges, but only to look after the issue of appointing only the qualified judges.

SHRI N.R. ELANGO: Thank you, Sir. Coming to the State of Tamil Nadu, I am very happy to note in the reply made by the hon. Minister that in Tamil Nadu, out of 75 hon. Judges, 13 are woman judges. That is in the case of Tamil Nadu. But, it is agonising to see that there are zero woman judges in five States. It is also agonising that most of the times the Scheduled Castes, the Scheduled Tribes and the Backward Classes persons, though very eminent, are deprived of their elevation.

MR. DEPUTY CHAIRMAN: Please, put question.

SHRI N.R. ELANGO: The question is: Apart from requesting the High Courts, what are the concrete steps that are being taken by the Government to ensure that there is due representation by these classes?

SHRI KIREN RIJJU: Sir, I have partially mentioned in my earlier statement that there is no provision of reservation in the appointment of judges in the judiciary. But still we keep on insisting that while we are talking about appointing quality judges, at the same time, we have to also ensure that preferences are given for the appointment of woman judges as well as people belonging to the Backward Classes, including the Scheduled Castes and the Scheduled Tribes.

श्री उपसभापति : श्री राम नाथ ठाकुर। आप बैठ कर बोलें।

श्री राम नाथ ठाकुर: महोदय, मैं आपके माध्यम से मंत्री जी से जानना चाहता हूँ कि पटना हाई कोर्ट में महिलाओं, पिछड़ा वर्ग और दलित लोगों के जजों की संख्या कितनी है?

श्री किरन रिज्जु : सर, मेरे पास पूरे देश की figures हैं। मैं माननीय सदस्य को बताना चाहता हूँ कि पटना हाई कोर्ट में टोटल अप्रूव्ड जजों की strength 53 है। इस वक्त वहां कोई woman judge नहीं है। यह थोड़ी सी दुख की बात है। इसलिए हमने वहां के चीफ जस्टिस को भी लेटर

लिखा है कि पटना हाई कोर्ट से जो अगले नाम आएंगे, उनमें महिलाओं की संख्या बढ़ा दी जाए, ताकि सरकार को विमेन जजेज़ को appoint करने में मदद मिले।

श्री उपसभापति : क्वेश्चन नम्बर 19, श्री राम शकल जी।