

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

RAJYA SABHA

**UNSTARRED QUESTION NO. 279
TO BE ANSWERED ON THURSDAY, THE 3RD FEBRUARY, 2022**

RESERVED VACANCIES

279. SHRI RAJMANI PATEL:

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

- (a) the number of Judges from SC/ST and OBC, the details thereof, State-wise;**
- (b) the number of vacant posts, State-wise;**
- (c) whether any action is being taken to fill up these vacancies; and**
- (d) if so, the details thereof and, if not, the reasons therefor?**

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a): The number of Judges from SC/ST and OBC, State/UT wise, as provided by respective High Courts on the MIS Portal of Department of Justice, is at ***Annexure - I***.

(b): The number of vacant posts, State-wise, as provided by respective High Courts on the MIS Portal of Department of Justice, is at ***Annexure – II***.

(c) & (d): 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 PART (a) of RAJYA SABHA UNSTARRED QUESTION NO. 279 FOR ANSWER ON 03.02.2022 REGARDING RESERVED VACANCIES.**Working position of Judges from SC/ST and OBC in District and Subordinate Courts as on 28.01.2022**

Sl. No.	States & UTs	Civil Judge (Junior Division)	Civil Judge (Junior Division)	Civil Judge (Junior Division)	Civil Judge (Senior Division)	Civil Judge (Senior Division)	Civil Judge (Senior Division)	District Judge/ DJ	District Judge/ DJ)	District Judge/ DJ
		SC	ST	OBC	SC	ST	OBC	SC	ST	OBC
1	Andhra Pradesh	42	15	93	23	9	50	19	1	43
2	Delhi	54	6	0	14	2	0	8	1	0
3	Karnataka	76	11	125	48	8	127	54	9	81
4	Rajasthan	87	66	105	37	30	68	43	20	83
5	Nagaland	0	0	0	0	0	0	0	0	0
6	Jammu and Kashmir	7	9	2	5	6	3	8	5	0
7	D & N Haveli	0	0	1	0	0	1	0	0	0
8	Daman & Diu	0	0	0	0	0	0	0	0	1
9	Goa	0	2	0	0	0	1	0	0	1
10	Arunachal Pradesh	0	13	0	0	9	0	0	9	1
11	Telangana	40	22	100	11	7	35	14	7	57
12	Maharashtra	140	2	266	43	3	128	44	2	106
13	Meghalaya	0	20	0	0	14	0	0	12	0
14	Sikkim	0	2	2	0	1	5	0	4	6
15	Gujarat	58	2	41	46	3	142	10	0	41
16	Ladakh	0	4	0	0	2	0	0	0	0
17	Assam	15	22	0	7	16	0	0	0	0
18	Manipur	1	5	7	2	4	5	1	4	0
19	Tripura	5	11	0	4	5	0	3	6	0
20	Andaman and Nicobar	0	0	0	0	0	0	0	0	0
21	West Bengal	0	0	0	0	0	0	0	0	0
22	Bihar	115	9	254	64	5	22	38	1	54
23	Chandigarh	2	0	3	0	0	0	0	0	0

24	Chhattisgarh	23	56	29	20	30	13	25	27	36
25	Haryana	38	0	35	26	0	16	22	0	16
26	Himachal Pradesh	7	4	5	8	2	4	7	2	2
27	Jharkhand	26	61	34	0	0	0	0	0	0
28	Kerala	21	1	97	9	0	53	7	0	97
29	Lakshadweep	0	0	0	0	1	0	0	0	1
30	Madhya Pradesh	104	91	109	69	84	57	60	59	87
31	Mizoram	0	16	0	0	13	0	0	13	0
32	Odisha	17	0	52	0	0	0	0	0	0
33	Puducherry	0	0	4	0	0	0	0	0	4
34	Punjab	79	0	45	38	0	20	29	0	18
35	Tamil Nadu	121	5	376	58	3	227	46	1	215
36	Uttar Pradesh	193	14	272	155	11	191	155	7	360
37	Uttarakhand	20	4	16	14	3	12	13	9	11
Total		1291	473	2073	701	271	1180	606	199	1321

STATEMENT REFERRED TO IN REPLY TO PART (b) RAJYA SABHA UNSTARRED QUESTION NO. 279 FOR ANSWER ON 03.02.2022 REGARDING RESERVED VACANCIES.

State-wise position of Judges in District and Subordinate Courts as on 28-01-2022				
S. NO.	State/UTs	Total Sanctioned Strength	Total Working Strength	Total Vacancy
1	Andaman and Nicobar	0	13	-13
2	Andhra Pradesh	607	491	116
3	Arunachal Pradesh	41	32	9
4	Assam	467	436	31
5	Bihar	1954	1394	560
6	Chandigarh	30	30	0
7	Chhattisgarh	482	409	73
8	D & N Haveli	3	2	1
9	Daman & Diu	4	4	0
10	Delhi	884	692	192
11	Goa	50	40	10
12	Gujarat	1523	1126	397
13	Haryana	772	482	290
14	Himachal Pradesh	175	160	15
15	Jammu and Kashmir	300	240	60
16	Jharkhand	675	523	152
17	Karnataka	1363	1087	276
18	Kerala	569	488	81
19	Ladakh	17	9	8
20	Lakshadweep	3	3	0
21	Madhya Pradesh	2021	1552	469
22	Maharashtra	2190	1940	250
23	Manipur	59	42	17
24	Meghalaya	97	49	48
25	Mizoram	65	42	23
26	Nagaland	34	24	10
27	Odisha	976	785	191
28	Puducherry	26	11	15
29	Punjab	692	607	85
30	Rajasthan	1549	1274	275
31	Sikkim	28	20	8
32	Tamil Nadu	1316	1082	234
33	Telangana	474	424	50
34	Tripura	121	97	24
35	Uttar Pradesh	3634	2542	1092
36	Uttarakhand	299	271	28
37	West Bengal	1014	918	96
TOTAL		24514	19341	5173