

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

**RAJYA SABHA**

**UNSTARRED QUESTION NO. 4105**

**TO BE ANSWERED ON THURSDAY, THE 07.04.2022**

**Need to increase judges in High Courts**

**4105. SHRI T.G. VENKATESH:**

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

- (a) whether it is a fact that there is a need to both increase the number of judges in High Courts and urgently fill existing vacancies of judges, if so, the details thereof and steps being taken thereon;
- (b) whether Judicial infrastructure does not even meet the basic minimum standards, if so, the details thereof and the reasons therefor; and
- (c) whether there is a need for the setting up of statutory authorities, both at the Centre and at the States, if so, the details thereof and the steps being taken thereon?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) : Subsequent to the deliberations held in the Conference of the Chief Ministers and Chief Justices in 2013 it was inter-alia resolved that the total sanctioned strength of each High Court could be increased. Subsequently, the Judge strength of various High Courts was increased. At present, the sanctioned strength of Judges of High Courts has increased from 906 in 2014 to 1104 in 2022.

Judges of various 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). As per MoP, initiation of proposal for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court. Chief Justice of the High Court is required to initiate the proposal to fill up of vacancy of a High Court Judge six months prior to the occurrence of vacancy. While filling up of vacancies in the High Courts is a continuous, integrated and collaborative process requiring consultation and approval from various constitutional authorities, vacancies keep on arising on account of retirement, resignation or elevation of Judges. Government is committed to fill up vacancies expeditiously in a time-bound manner. As on 31.03.2022, against the sanctioned strength of 1,104 Judges in the High Courts, 717 Judges are in position, leaving 387 vacancies of Judges to be filled. Against 387 vacancies, 168 proposals are at various stages of processing between the Government and the Supreme Court Collegium. Recommendations from High Court Collegiums are yet to be received in respect of 219 vacancies in High Courts.

(b) & (c): The primary responsibility of development of infrastructure facilities for judiciary rests with the State Governments. To augment the resources of the State Governments, the Union Government has been implementing a Centrally Sponsored Scheme for Development of Infrastructure Facilities in district and subordinate courts since 1993-94. The scheme covers construction of court buildings and residential accommodation of judicial officers of district and subordinate courts. The scheme has been extended from time to time and has been last extended from 2021-22 to 2025-26 with a total financial outlay of

Rs. 9,000 crores including Central Share of Rs. 5,307.00 crore. Besides the construction of court halls and residential quarters the scheme now also covers the construction of lawyers' halls, digital computer rooms and toilet complexes in the District and Subordinate Courts. Till date the Central Government has sanctioned Rs. 8,758.70 crore under the scheme to States/UTs.

The Registry of Supreme Court of India has compiled data on the status of judicial infrastructure and court amenities. A proposal has been received from Chief Justice of India for setting up of National Judicial Infrastructure Authority of India (NJIAI) for arrangement of adequate infrastructure for courts, as per which there will be a Governing Body with Chief Justice of India as Patron-in-Chief. The other salient features of the proposal are that NJIAI will act as a central body in laying down the road map for planning, creation, development, maintenance and management of functional infrastructure for the Indian Court System, besides identical structures under all the High Courts. The proposal, as received from the Hon'ble Supreme Court of India, has been sent to the various State Government/UTs, as they are important stakeholder, for their views on the contours of the proposal to enable taking a considered view on the matter.

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