

ಪತ್ರಿಕಾ ತುಣುಕುಗಳು  
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# SC flags delay in appointment of judges

Bench seeks details on 213 names pending with government and Collegium

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Two hundred and thirteen names recommended for appointment to various High Courts are pending with the government/Supreme Court Collegium, the Supreme Court said in a judicial order.

At least the names on which the Supreme Court Collegium, the High Courts and the governments had agreed upon should be appointed within six months, the order said.

"If recommendations of the High Court Collegium meet with the approval of the Supreme Court Collegium and the government, at least their appointments

## Empty chairs

38% of all sanctioned posts for judges in High Courts are lying vacant as of December 1, 2019. The six HCs with most vacancies:

Name of High Court	Sanctioned strength	Working strength	Vacancies	% of vacancies
A.P.	37	15	22	59.46
Rajasthan	50	21	29	58
J&K	17	8	9	52.94
Patna	53	27	26	49.06
Odisha	27	14	13	48.15
Gujarat	52	28	24	46.15

must take place within six months. This is not to say that in other cases the process should not be completed within six months," a Bench of Justices Sanjay

Kishan Kaul and K.M. Joseph said in an order dated December 6 and made available on Tuesday.

It emphasised that the appointments required "a con-

tinuous, collaborative and integrated process, where the government is an important consultee".

The order is significant, coming at a time when inordinate delays in the appointment of High Court judges and depleting numbers in the higher judiciary threaten to affect the justice delivery mechanism.

The court has asked for a list with details of the 213 names, including when their files were forwarded to the Prime Minister's Office (PMO) and the time taken by the Law Ministry to forward them to the PMO.

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## SC flags delay in HC judges' appointment

On the Supreme Court collegium clearing the recommendees, the Union Law Ministry has to put up within three weeks the recommendations to the Prime Minister who would advise the President on the appointment. However, no time limit has been prescribed for action by the Prime Minister and the President.

The Bench directed that the list, which has to be vetted by Attorney General K.K. Venugopal, to also include other details of the 213 pending names, including the date when each recommendation was made by the High Court collegium concerned; date when the recommendation was forwarded to the collegium after consulting with the State government by the

Law Ministry; the time period between these two dates; the date when the collegium cleared the names; the time period, etc.

### Falling appointments

The Bench observed in the order that the number of judges appointed to the High Courts has steadily dipped since 2017. Judicial appointments to High Courts have nearly halved in 2019 compared to 2017 and 2018.

Only 65 judges have been appointed to High Courts in 2019. It was 115 in 2017 and 108 in 2018. The High Courts are functioning at nearly 50% of their sanctioned judicial strength. Of a total 1,079 judges sanctioned in the High Courts, there are 410 vacancies.