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ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: The Hindu

ದಿನಾಂಕ : DATE: 26/8/21

Why no decision on list sent by Collegium, SC asks government

Recommendations pending for six to 18 months ^{26/8/21}

KRISHNADAS RAJAGOPAL
NEW DELHI

The Supreme Court on Thursday asked the government to clarify on the status of 55 recommendations made by the Collegium for judicial appointments to High Courts six months to nearly a year-and-a-half ago.

Of the pending recommendations, 44 were made to fill vacancies in the Calcutta, Madhya Pradesh, Gauhati, Rajasthan and Punjab High Courts.

These recommendations have been pending with the government for over seven

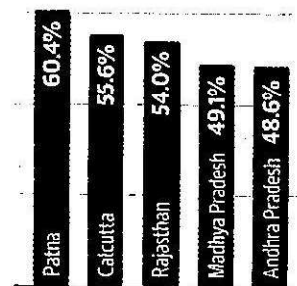
Short staffed

As of March 1, over 60% of the sanctioned strength of judges were vacant at the Patna High Court (in photo), the highest in % terms in India. Three High Courts, all from the northeast, had no vacancies

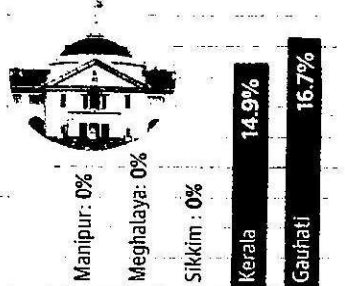
months to a year.

The remaining 10 names have been pending with the government despite their reiteration by the Collegium. They include five for the Calcutta High Court pending for one year and seven months. The recommendations of

High Courts with highest vacancy %



High Courts with lowest vacancy %



SOURCE: DEPARTMENT OF JUSTICE

four names made by the Collegium to the Delhi High Court have been pending for seven months.

"This is a matter of grave concern... When do you propose to take a decision?" a Special Bench, led by Chief Justice of India Sharad A.

Bobde, asked Attorney General K.K. Venugopal. The total sanctioned strength in the 25 High Courts is 1,080. However, the present working strength is 661 with 419 vacancies as on March 1.

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The court asked Mr. Venugopal to enquire with the Union Ministry of Law and Justice and make a statement on April 8 about their status. The Bench handed over to Mr. Venugopal a chart containing the details of the 55 recommendations.

Justice Sanjay Kishan Kaul said on the 10 recommendations, some of which date back to a year-and-a-half, that "neither have they been appointed nor have you (government) given us a response". Justice Kaul, who was accompanying the Chief Justice and Justice Surya Kant, said the "thought pro-

cess" of both the government and the Collegium should be modulated. He said a time frame needed to be fixed for both the Collegium and the Ministry to complete the appointment process.

Senior advocate and president of the Supreme Court Bar Association Vikas Singh said there was a need to institutionalise a process for considering advocates practising in the top courts to judgeships in the High Courts. The Supreme Court has been repeatedly conveying to the government its growing alarm at the judicial vacancies in High Courts.