

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

RAJYA SABHA

UNSTARRED QUESTION NO. 1069

TO BE ANSWERED ON THURSDAY, THE 15.12.2022

New system for appointment of judges

1069.SHRI SUSHIL KUMAR GUPTA:

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

- (a) whether Government is considering a new system for appointment of Judges;
- (b) if so, the details thereof; and
- (c) if not, whether Government is satisfied with the present system of appointment of judges of High Courts and the Supreme Court?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (c): In order to make the Collegium system of appointments of Judges of the Supreme Court and High Courts more broad-based, transparent, accountable and bringing objectivity in the system, the Government brought into force the Constitution (Ninety-Ninth Amendment) Act, 2014 and the National Judicial Appointments Commission Act, 2014 w.e.f. 13.04.2015. However, both the Acts were challenged in the Supreme Court. The Supreme Court vide Judgment dated 16.10.2015 declared both the Acts as unconstitutional and void. The Collegium system as existing prior to the enforcement of the Constitution (Ninety-Ninth Amendment) Act, 2014 was declared to be operative. Representations from diverse on lack of transparency and social diversity in appointment of judges to the Constitutional Courts are received with the request to improve the system of appointment of judges.
