

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION No. 126
ANSWERED ON THURSDAY, THE 20.07.2023

Appointment of SCs, STs and OBCs in judiciary

126. Smt. Phulo Devi Netam:

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

- (a) the details of steps taken to provide reservation to Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) according to population in the appointment of Judges of High Courts and the Supreme Court; and
- (b) whether Government proposes to amend the Constitution for providing representation to Scheduled Castes, Scheduled Tribes and Other Backward Classes in the appointments of Judges, if so, the details thereof, if not, the reasons therefor?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a): Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. However, the Government has been requesting the Chief Justices of High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and Women to ensure social diversity in appointment of Judges in High Courts. As per Memorandum of Procedure for appointment of Judges in the Supreme Court and High Courts, the Government appoints only those persons who are recommended by the Supreme Court Collegium.

(b): There is at present no such proposal to amend the Constitution for providing representation to Scheduled Castes, Scheduled Tribes and Other Backward Classes in the appointments of Judges.
