

GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO.903**  
ANSWERED ON 27/07/2023

**SC/ST/OBC QUOTAS IN JUDICIARY**

**903. SHRI SUSHIL KUMAR MODI:**

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

- (a): the name of the States which have been able to meet all three quotas for SC/ST/OBC in judiciary at the subordinate /district court level in the last three years;
- (b): the name of the States which met their respective quotas;
- (c): the number of SC/ST/OBC judges in High Courts, State-wise and category-wise;
- (d): the details of steps which Government is taking to fill the different quotas in subordinate/ district courts; and
- (e): the details of the efforts which Government is making to increase the number of SC/ST/OBC judges in High Courts?

**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) & (b):** The information sought regarding filling up of quota of SC/ST/OBC categories at Subordinate/District court-level is not maintained by the Department. The

Central Government has no role under the Constitution in the selection, recruitment and appointment of judicial officers in District/Subordinate judiciary level.

**(c):** As far as number of SC/ST/OBC judges in High Courts is concerned, information on social background is being provided by the recommendees for elevation to High Court Judges as per the revised Annexure put into effect since 2018 wherein besides other information details regarding their social background are made available in the prescribed format (prepared in consultation with the Supreme Court). As per information provided by the recommendees, out of 604 High Court Judges appointed since 2018 till 17.07.2023, 458 Judges belong to the General Category, 18 Judges belong to the SC category, 09 belong to the ST category, 72 Judges belong to the OBC category, 34 Judges belong to Minority and for the remaining 13 Judges there is no information available in the Annexures filled by them at the time of their consideration for appointment to the post of Judges.

**(d):** As per the Constitutional framework, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Governments in consultation with the respective High Courts frame the rules and regulations regarding the issues of appointment and recruitment of Judicial Officers in the respective State Judicial Service. Thus, the selection and appointment of judicial officers in the Subordinate/District Courts to fill up different quotas in Subordinate/District courts is the responsibility of the High Courts and State Governments concerned. In some States, the respective High Courts undertake the recruitment process, whereas in other States, the High Courts does it in consultation with the State Public Service Commissions. Therefore, the Central Government has no role in recruitment or filling up of different quotas in Subordinate/District judiciary.

**(e):** Appointment of Judges of the High Courts is made under Articles 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. However, the Government is committed to social diversity in the appointment of

Judges in the in the Higher Judiciary and 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

\*\*\*\*\*