

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 4441
ANSWERED ON - 02/04/2026

RESERVATION AND REPRESENTATION IN JUDICIARY

4441. SHRI HARSH MAHAJAN:

Will the Minister of *Law and Justice* be pleased to state:

- (a) whether there is any provision of reservation for Scheduled Castes (SC), Scheduled Tribes (ST) and Other Backward Classes (OBC) in the appointment of judges in various courts of the country such as the Supreme Court, High Courts, District and Sessions Courts etc.;
- (b) if so, the court-wise percentage of reservation prescribed for these categories;
- (c) if not, the reasons therefor; and
- (d) whether Government is considering introducing any policy or special measures to enhance social diversity and representation of these categories in the judiciary?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): Appointment of Judges to 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. Therefore, category-wise data pertaining to representation of Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) among the Judges of High Courts are not centrally

maintained. However, since 2018, the recommendees for the post of High Court Judges are required to provide details regarding their social background in the prescribed format (prepared in consultation with the Supreme Court). Accordingly, as per the information provided by the recommendees, out of 849 High Court Judges appointed since 2018, 33 belong to SC category, 17 belong to ST category and 104 belong to OBC category.

As per the Memorandum of Procedure (MoP), the responsibility for initiation of proposals for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while the responsibility for initiation of proposals for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court. 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 the appointment of Judges in High Courts. Only those persons, who are recommended by the Supreme Court Collegium, are appointed as Judges of the Supreme Court and High Courts.

As far as appointment of judicial officers in District and Subordinate Courts is concerned, under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vests with the concerned High Court. 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 High Court, frame the Rules and Regulations regarding the issue of appointment, promotion, reservations and retirement of Judicial Officers in the State Judicial Service.

The number of Judicial Officers from the Scheduled Caste, Scheduled Tribe and Other Backward Classes communities serving in various District and Subordinate Courts is not centrally maintained.
