

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO.757

TO BE ANSWERED ON WEDNESDAY, THE 26TH JUNE, 2019

Appointment of Retired Judges

757 SHRI ADHIR RANJAN CHOWDHURY:

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

- (a) whether the retired Judges of Supreme Court/High Courts are appointed as Governor of States and if so, the details thereof along with the reasons for appointments;
- (b) whether the retired Judges of Supreme Court/High Courts appointed as Chairmen/Members of various Tribunals/Commissions are allowed to provide legal advice by charging huge fees; and
- (c) if so, the details thereof along with the reasons therefor?

ANSWER

MINISTER FOR LAW AND JUSTICE, COMMUNICATIONS AND
ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

- (a) Yes, Article 155 of the Constitution, which relates to the appointment of a Governor, provides that Governor of a State shall be appointed by the President by warrant under his hand and seal. As per Article 157 relating to qualification for appointment of Governor, "No person shall be eligible for appointment as Governor unless he is a citizen of India and has completed the age of thirty-five

years.” Thus, any citizen including retired Judges of the Supreme Court or High Courts, who meet the qualifications prescribed in Article 157, can be appointed Governor of a State. Shri Justice (Retired) Palanisamy Sathasivam, who was Chief Justice of India, is presently the Governor of Kerala.

(b) & (c) Retired Judges of Supreme Court/High Courts appointed as Chairmen/Members of various Tribunals/Commissions are not allowed to provide legal advice by charging fees.
