

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF LEGAL AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 4884
TO BE ANSWERED ON FRIDAY THE 31ST MARCH, 2023**

Criteria for Designating Senior Advocates in SC and HCs

4884. SHRI MANISH TEWARI:

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

- a. the number of lawyers designated as Senior Advocates in the Supreme Court (SC) and various High Courts (HCs) between 01.04.2010 and 01.03.2023, court-wise and name-wise;
- b. the criteria followed by the Supreme Court and the various High Courts for designating Senior Advocates;
- c. whether the Government has proposed any changes in the existing criteria taking cognizance of an application filed before the Supreme Court on Feb. 16, 2023 in this regard and if so, details of the changes proposed along with reasons therefor;
- d. the details of lawyers who are wives, sons, daughters and relatives of sitting or retired High Court and Supreme Court Judges designated as Senior Advocates during the said period, name-wise and court-wise; and
- e. whether the Government has received representations for amendments in relevant statutes to abolish the category of Senior Advocates and if so, the follow-up action taken by Government thereon?

ANSWER

**MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)**

(a) As per information available with the department, the details of advocates designated as 'Senior' between 01.04.2010 and 01.03.2023 in different High Courts are as under;

S.No.	Name of the High Court	No. of designated Senior lawyers
1	High Court of Madhya Pradesh	37
2	High Court of Kerala	37
3	Punjab and Haryana High Court	55
4	High Court of Chhattisgarh	12

5	Bombay High Court	100
6	High Court of Orissa	42
7	High Court of Gujarat	29
8	High Court of Karnataka	91
9	High Court of Meghalaya	23
10	Madras High Court	103
11	High Court of Sikkim	7
12	Gauhati High Court	91
13	Patna High Court	36
14	Allahabad High Court	99
15	High Court of Jammu and Kashmir	38
16	High Court of Tripura	12

There are 231 advocates designated as 'Senior' by Supreme Court in the said period of time.

(b) to(e) The designation of Senior Advocates is dealt by the Supreme Court as per ‘the Supreme Court Guidelines to Regulate Conferment of Designation of Senior Advocates, 2018 guidelines’ framed by it after the decision in *Indira Jaising vs. Supreme Court of India W.P. (c) No. 454 of 2015*.

The designation of Senior Advocates in different High Courts is done in accordance with the Rules framed by the different High Courts under section 34(1) r.w. 16(2) of Advocates Act, 1961 for the purpose of designation of Senior Advocates after the judgement of Hon’ble Supreme Court in *Indira Jaising vs Supreme Court of India and Others* AIR 2017 SC 5017.

The Central Government in the matter of *Indira Jaising vs. Supreme Court of India & Others* has filed an application before Supreme Court seeking modification in the guidelines (@ paragraph 73) framed for determining the designation of senior advocates, as per the judgement of *Indira Jaising vs. Supreme Court of India*.

The application *inter-alia* states that the title of ‘Senior Advocate’, are bestowed with the honour based on exceptional competence, contribution to development of law, advocacy skills etc. and the system evolved through the 2017 judgment, dilutes the dignity of the such ‘honour’. Further, assigning 40% weightage to parameters like ‘publications’ and ‘interviews’ reduces advocacy to a mere job. The honour of being designated is to be based on their performance in court and the respect they command at the bar which neither have any correlation with publication and interview. A standard be maintained when the requirement of publication is considered. It also suggests that the sheer volume of the publication should not take precedence over the subject matter of the publications; prerogative to be given to publications relating to law and prerogative to be given to publications relating to law and its ancillary fields. Thus, designation of senior advocates shall be made by evaluating the performance of the applicant in a full court meeting of all

honourable judges in each constitutional court and such decision to be taken only resorting to secret ballot and passing the same by simple majority.

No data is maintained regarding the relation of advocate with sitting/retired Hon'ble Judges of the High Courts and the Supreme Court while designating them as Senior Advocates..