

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA
UNSTARRED QUESTION NO. 580

TO BE ANSWERED ON WEDNESDAY, THE 20.11.2019

Judge Collegium Decision

580. SHRI PRASUN BANERJEE:

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

- a) whether the Government has any plan to make it mandatory for judges to furnish reasons when they recuse from a case and if so, the details thereof;
- b) the average time taken by the Government to take a call on judge collegiums decision; and
- c) the details of number of such decisions that have been overturned in the last 10 years?

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS
AND ELECTRONICS & INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) No, Sir. The Judiciary is an independent organ under the Constitution of India. The matter of recusal of a Judge from a case comes within the domain of Judiciary. The Government is committed to the independence of Judiciary and does not intervene in such matters.

(b) and (c): Filling up of vacancies in the Supreme Court and High Courts is a collaborative and integrated process, between the Executive and the Judiciary. It requires consultation and approval from various Constitutional Authorities both at the Centre and State. Hence total time taken in the process of appointment cannot be indicated. Differences of opinion, if any, are mutually reconciled by the Executive and the Judiciary to ensure that only the apposite person is appointed to the high Constitutional post of Judge of the Supreme Court and the High Courts.
