

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

Lok Sabha

Unstarred Question No. 2213

TO BE ANSWERED ON FRIDAY, THE 29.07.2022

Advocates and Judges Holding Office of Profit

2213. SHRI UPENDRA SINGH RAWAT:

Will the Minister of LAW AND JUSTICE

विधि और न्याय मंत्री

be pleased to state:

- (a) Whether the Government has compiled any information regarding the appointment of advocates and Judges in various courts while they are holding multiple posts of offices of profit;
- (b) if so, the details thereof, State/UT-wise including Uttar Pradesh; and
- (c) the corrective steps taken by the Government in this regard?

ANSWER
MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJIJU)

(a) & (b): Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India and its procedure thereof is laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgement of October 6, 1993 (Second Judges case) r.w. their Advisory Opinion of October, 28, 1998 (Third Judges case). Further, the provisions for appointment of judges of subordinate courts are prescribed in articles 233 and 234 of the Constitution.

As far as Judges of the Supreme Court and High Courts, holding post of office(s) of profit are concerned, no such information is maintained by the Government.

(c) Does not arise.