

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

**LOK SABHA
UNSTARRED QUESTION NO. †1996**

TO BE ANSWERED ON FRIDAY, THE 06.12.2024

Appointment of Judges of Weaker Section in Judiciary

†1996. Shri Daroga Prasad Saroj:

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

- (a) whether the Government is serious and sincere in appointing judges from the categories of Scheduled Castes, Scheduled Tribes, Other Backward Classes and the Minorities to the higher judiciary of the country in a proportionate manner;
- (b) whether entries of categories like the SC, ST, OBC and Minorities are mentioned in application invited for appointment of judges and application submitted by the applicants;
- (c) if so, the number of application from the said classes out of the total application received for appointment as judges of High Courts and Supreme Court during the last ten years; and
- (d) the constraints faced in collecting the data and making appointments in highest judiciary more representative in nature?

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 SCs, STs and 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). Based on the information provided by the recommendees, out of 684 High Court Judges appointed since 2018, 21 belong to SC category, 14 belong to ST category, 82 belong to OBC category and 37 belong to Minorities.

2. 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, in consultation with two senior-most puisne Judges of the 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.
