

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

**LOK SABHA  
UNSTARRED QUESTION NO. †4202**

**TO BE ANSWERED ON FRIDAY, THE 20.12.2024**

**Recommendation for Appointment of Judges in High Courts**

**†4202. SHRI MURARI LAL MEENA:**

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

- (a) whether the names re-recommended by the Collegium for appointment of Judges to the High Courts of the country are still pending;
- (b) if so, the main reasons for delay in the appointment process in such cases and the stage at which such delay is taking place;
- (c) whether the Government has followed the prescribed guidelines for appointment of Judges recommended again by the Collegium following the Supreme Court verdict, if so, the details thereof;
- (d) the number of vacancies of Judges in the High Court of Rajasthan and the steps taken by the Government to fill these vacancies; and
- (e) the steps being taken by the Government to end the delay in the appointment of Chief Justices and Judges to the High Courts?

**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 (e): The Judges of the High Courts are appointed under Article 217 and 224 of the Constitution of India and according to the procedure laid down in the

Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case).

The Supreme Court in its Judgment dated 6.10.1993 in Supreme Court Advocates on Record Vs. Union of India (Second Judges Case) inter-alia, observed that merit selection is the dominant method for judicial selections and the candidates to be selected must possess high integrity, honesty, skill, high order of emotional stability, firmness, serenity, legal soundness, ability and endurance.

Appointment of Judges in the higher judiciary is a continuous, integrated and collaborative process between the executive and the judiciary. It requires consultation and approval from various Constitutional Authorities both at State and Central level. The Government exercises its opinion on the recommendations made by the Supreme Court Collegium (SCC) by virtue of this collaborative process so as to ensure that the most suitable and meritorious candidate is appointed to the esteemed post of a Judge in the Constitutional Courts. Only those persons are appointed as Judges of the Supreme Court and High Courts whose names have been recommended by the SCC.

As on 17.12.2024, the Rajasthan High Court has a Working Strength of 32 Judges against the sanctioned strength of 50.

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