

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

**LOK SABHA  
UNSTARRED QUESTION NO. 3615  
TO BE ANSWERED ON FRIDAY, THE 13<sup>TH</sup> MARCH, 2026**

**TRANSFER OF JUDGES**

**3615. SHRI MATHESWARAN V S:**

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

(a) the exact clause/provision under the Memorandum of Procedure (MOP) for appointment and transfer of High Court Judges that permits the Government to seek recommendation of the Supreme Court collegium regarding the transfer of High Court Judges; and

(b) the reasons behind the Government seeking reconsideration of transfer Mr. Justice Atul Sreedharan, Judge of the High Court of Madhya Pradesh to the High Court of Chhattisgarh?

**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) and (b):** Article 222 of the Constitution provides for the transfer of a Judge (including Chief Justice) from one High Court to any other High Court. As per the Memorandum of Procedure (MoP) for appointment and transfer of High Court Judges, the proposal for transfer of High Court Judges is initiated by the Chief Justice of India in consultation with four senior most puisne Judges of the Supreme Court. The MoP further provides that the Chief Justice of India is also expected to take into account the views of the Chief Justice of High Court

from which the judge is to be transferred, as also the Chief Justice of the High Court to which the transfer is to be effected, besides taking into account the views of one or more Supreme Court judges who are in position to offer views. The personal factors relating to the concerned Judge, including the Chief Justice, and his response to the proposal, including his preference of places, should invariably be taken into account by the Chief Justice of India and the first four puisne Judges of the Supreme Court before arriving at conclusion on the proposal. All transfers are to be made in public interest i.e. for promoting better administration of justice throughout the country.

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