

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

LOK SABHA

**UNSTARRED QUESTION NO. †1975
TO BE ANSWERED ON FRIDAY, THE 06TH DECEMBER, 2024**

RECRUITMENT OF JUDICIAL OFFICER

†1975. SHRI AMRA RAM:

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

- (a) whether the Government proposes to set up a centralized recruitment commission for the recruitment of judicial officers;**
- (b) if so, the time by which it is likely to be set up;**
- (c) if not, the reasons therefor;**
- (d) the reasons for judicial officers not being recruited by the commission as the recruitment are made by the Union Public Service Commission, State Public Service Commission and Staff Selection Commission;**
- (e) whether the Government proposes to implement reservation policy in the judicial services;**
- (f) if so, the time by which it is likely to be implemented; and**
- (g) if not, the reasons therefor?**

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 (g): In terms of Article 235 of the Constitution of India, the administrative control over the District and Subordinate Courts vests with the concerned High Court. Further, in exercise of powers conferred under the proviso to Article 309 read with Article 233 and Article 234 of the Constitution of India, the service conditions, including recruitment, appointment, promotion,

reservations etc. of judicial officers in the District and Subordinate Courts are governed by the respective State Governments in consultation with the High Courts concerned.

In the case of Malik Mazhar Sultan and Anr, vs. U.P. Public Service Commission & Ors. (Civil Appeal no. 1867 of 2006), the Supreme Court took suo-motu cognizance of large number of judicial vacancies in lower courts. Through a judicial order dated 04.01.2007 in the said matter, the Supreme Court stipulated a timeline for filling up of judicial vacancies in District and Subordinate Courts in a time-bound manner. The Supreme Court also permitted State Governments / High Courts variations in the time schedule in case of any difficulty based on the peculiar geographical and climatic conditions in the State or other relevant conditions. Since year 2007, the Malik Mazhar Sultan matter has been listed several times before Supreme Court wherein the court has been monitoring the steps taken by the various High Courts for filling up of judicial vacancies in the District and Subordinate Courts.
