

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:1630
ANSWERED ON:21.07.2014
RESERVATION FOR SC ST IN HIGH COURTS
Lokhande Shri Sadashiv Kisan;Yadav Shri Hukmdev Narayan

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

- (a) whether the Government is implementing the reservation policy in appointment of judges, nomination of advocates at various levels in Supreme Court, High Courts and various lower courts in the country;
- (b) if so, the details thereof and if not, the reasons therefor;
- (c) whether the Government has appointed judges and lawyers belonging to scheduled caste, scheduled tribes and other backward class in Supreme Court, High Courts and various other courts;
- (d) if so, the details thereof, court-wise and State-wise including Andhra Pradesh; and
- (e) the steps taken by the Government to ensure representation of persons belonging to these categories in appointment of judges as per reservation policy?

Answer

MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a) to (e) : Appointment of Judges of the Supreme Court and High Courts is made under Articles 124 and 217 of the Constitution of India respectively. These Articles do not provide for reservation for any caste or class of persons. Therefore, no caste or class-wise data of Judges is maintained. The Government has, however, requested the Chief Justices of the 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 from amongst women.

With regard to implementation of reservation policy in subordinate judiciary, under the Constitution of India, recruitment and promotion of judicial officers in the District and Subordinate Courts falls within the purview of the State Governments. As per the information received from State Governments and High Courts, the States of Andhra Pradesh, Bihar, Chhattisgarh, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Madhya Pradesh, Odisha, Punjab & Haryana, Rajasthan, Sikkim and Uttar Pradesh have provided reservation in the Subordinate Judiciary. The Union Government does not maintain data regarding number of appointments of Judges made from the category of persons belonging to Scheduled Castes, Scheduled Tribes and OBCs. In so far as lawyers are concerned there is no provision for reservation.