

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

**LOK SABHA**

**UNSTARRED QUESTION NO. †266  
TO BE ANSWERED ON FRIDAY, THE 03<sup>RD</sup> FEBRUARY, 2023**

**REPRESENTATION OF WOMEN IN COURTS**

**†266. SHRIMATI RANJANBEN DHANANJAY BHATT :**

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

- (a) whether the Government is considering to increase the number of women in the courts of the country;**
- (b) if so, the details thereof and the steps taken in this direction till date; and**
- (c) if not, the reasons therefor?**

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a) to (c): Appointment of judges to the Supreme Court and the High Courts is done under provisions of Articles 124, 217 and 224 of the Constitution of India which do not provide for reservation for any caste or class of persons. As per Memorandums of Procedure for Appointment of Judges to the Supreme Court and High Courts, initiation of proposal for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while initiation of proposal for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court. All the names recommended by High Court Collegium are sent with the views of the Government to the Supreme Court Collegium (SCC) for advice.

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 appointment of Judges in High Courts. Government appoints only those persons as Judges of Supreme Court and High Courts who are recommended by SCC.

In case of District and Subordinate judiciary, as per proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Governments, in consultation with their High Courts, frame the rules and regulations regarding the issue of appointment, promotion and reservations of Judicial Officers in the State Judicial Service. Hence, in so far as recruitment or reservation of judicial officers in the States is concerned, the Union Government has no role under the Constitution in the selection and appointment of judicial officers in District and Subordinate judiciary

However, the Government remains committed to social diversity in the appointment of Judges in the Higher Judiciary and 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 appointment of Judges in High Courts.

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