

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

UNSTARRED QUESTION NO:823

ANSWERED ON:04.03.2005

TRANSFER POLICY FOR JUDGES

Gangwar Shri Santosh Kumar;Joshi Shri Pralhad Venkatesh;Malhotra Prof. Vijay Kumar

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

- (a) whether the Government is contemplating to formulate a new transfer policy for judges;
- (b) if so, whether the Standing Committee related to the Ministry has pleaded for the role of Government in appointment and transfer of judges;
- (c) if so, the reaction of the Government thereto;
- (d) whether the Government has received any suggestions in this regard; and
- (e) if so, the details thereof?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY)

(a) No Sir.

(b) Yes Sir.

(c) Pursuant to the Supreme Court Judgment of October 06, 1993 read with their Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of Judges of a High Court lies with the Chief Justice of that High Court. The Government has, however, been requesting the Chief Justices of the High Courts, Chief Ministers and the Governors of the States, from time to time, to initiate proposals for filling up of the present and vacancies anticipated during the next six months.

(d) & (e) Do not arise.