

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

UNSTARRED QUESTION NO:4880  
ANSWERED ON:26.08.2010  
ELEVATION OF JUDGES  
Gulshan Smt. Paramjit Kaur

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

- (a) whether similar norms have been laid down for elevation of judges to High Courts from services and bars;
- (b) if so, the details thereof;
- (c) the reasons that each High Court adopts its own norms for such elevations;
- (d) the number of times and details when these norms were disregarded by different High Courts or same High Court during the last one year; court-wise;
- (e) whether in such elevations consideration is also given to SC/ST cases, if not, the reasons therefor; and
- (f) if so, the details of judges belonging to SC/ST elevated to different courts during the last three years both from services and bars?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (DR. M. VEERAPPA MOILY)

(a); Yes, Madam.

(b), & (c): Appointment of Judges of High Court is made by the President under article 217 of the Constitution after consultation with State constitutional authorities/Chief Justice of the High Court and the Chief Justice of India. A person shall not be qualified for appointment as a Judge of a High Court unless he is a citizen of India and has for at least ten years held a judicial office in the territory of India; or has for at least ten years been an advocate of a High Court or of two or more such Courts in succession.

The appointment of Judges of the High Courts is done keeping in view the educational qualifications, nature and extent of practice, the field of specialization of the persons being considered. Besides this, the competence of the person, his judicial potential, temperament, seniority and integrity are also considered. The complement of Judges in the High Courts is in the ratio of 2:1 between the Bar and the Judicial Services,

(d): These norms are followed by all the High Courts.

(e): Appointment of Judges of the High Courts is made under Article 217 of the Constitution of India, which does not provide for any reservation, (f): No such information is maintained.