

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

UNSTARRED QUESTION NO:4892
ANSWERED ON:26.08.2010
APPOINTMENT OF JUDGES
Singh Dr. Raghuvansh Prasad;Singh Shri Uma Shanaker

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

- (a) whether judges are appointed without any police verification or clearances; and
- (b) if so, the reasons therefor?

Answer

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

(a) & (b): Pursuant to the Supreme Court Judgment of October 6, 1993 in the Supreme Court Advocates-on-Record & Anr. Vs. Union of India, read with the Advisory Opinion of October 28, 1998, the entire process of initiation of proposal for appointment of a Judge of a High Court lies with the Chief Justice of the concerned High Court. He consults the two seniormost Judges regarding the suitability of the names proposed and forward the proposal to the State Constitutional authorities who, along with their comments, send the proposal to the Union Government. The Union Government obtains confidential report on the recommendee's character, antecedents and integrity, etc. The complete information along with the confidential report of the recommendees are made available to the Chief Justice of India for consideration by the Supreme Court Collegium. The advice tendered by the Collegium is submitted for consideration of the President.