

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

STARRED QUESTION NO:81  
ANSWERED ON:09.07.2009  
APPOINTMENT OF JUDGES  
Muttemwar Shri Vilas Baburao

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

- (a) whether suggestions have been received from various bodies including Law Commission in the matter of appointment of Judges to the higher courts;
- (b) if so, the details thereof;
- (c) whether the Government proposes to include this within the scope of the proposed judicial reforms; and
- (d) if so, the details thereof?

**Answer**

MINISTER OF LAW AND JUSTICE(DR. M. VEERAPPA MOILY)

(a) to (d) A Statement is laid on the Table of the House.

Statement referred to in reply to Lok Sabha Starred Question No. 81 for answer on 09.07.2009

(a): Yes, Madam.

(b): The Law Commission has, inter alia, suggested in its 124th Report that the primacy of the Chief Justice of India and the power of the executive to make appointment of Judges of the Supreme Court and the High Courts should be restored. The Department-Related Parliamentary Standing Committee had also recommended restoration of pre-1993 position wherein the executive and the judiciary both were involved and the executive had primacy in the matter of appointment of Judges of the higher Courts. The Committee also suggested that appointment of Judges could also be entrusted to a wider body other than the Collegium with representation from both judiciary and the executive.

(c) & (d): The Government is in the process of preparing a road map for judicial reforms in the country. For this purpose, the Government has begun to hold wide consultations. A final view on this matter will be taken thereafter.