

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

UNSTARRED QUESTION NO:1533
ANSWERED ON:22.03.2012
JUDGES IN FAMILY COURTS
Singh Shri Radhey Mohan

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

- (a) whether there are large number of male judges at family courts;
- (b) if so, the comparative details thereof, State-wise and gender-wise; and
- (c) the steps being taken to appoint more women judges in family courts?

Answer

MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHID)

(a): Judges of both the gender, female and male, are appointed to Family Courts. However, as per Section 4(4)(b) of the Family Courts Act, 1984 preference is provided to be given to women in selecting persons for appointment as Judges.

(b)&(c): Family Courts are set up by the State Governments in consultation with the respective High Court. As per Section 4(3) of the Family Courts Act, 1984 a person shall not be qualified for appointment as a Judge unless he; (a) has for at least seven years held a judicial office in India or the office of a member of a tribunal or any post under the Union or a State requiring special knowledge of law; or (b) has for at least seven years been an advocate of a High Court or of two or more such Courts in succession; or (c) possesses such other qualifications as the Central Government may, with the concurrence of the Chief Justice of India, prescribe. Thus, the judges of the Family Court would be selected only if they satisfy the criteria laid down in the Act. Though there is a provision for giving preference to women, it will be subject to their satisfying the criteria. Since the selection is made at the subordinate level and data maintained by them and since the incumbency position keeps on changing with time due to transfer etc., it is difficult to provide the number statewise, genderwise.