

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

UNSTARRED QUESTION NO:2156
ANSWERED ON:06.12.2012
NATIONAL JUDICIAL COMMISSION
Dhurve Jyoti;Rajendran Shri C.

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

- (a) whether the Government proposes to set up National Judicial Commission; and
- (b) if so, the details and the present status thereof including the time frame within which the Commission is likely to be set up?

Answer

MINISTER OF LAW AND JUSTICE (DR. ASHWANI KUMAR)

(a) & (b) The proposal for setting up of National Judicial Commission has been on the anvil since 1990. But despite the recommendations of various Commissions including the 2nd Administrative Reforms Commission, the proposal has not reached a final conclusion. The Constitution (Amendment) Bills moved in 1990 as well as 2003 lapsed on both the occasions, due to dissolution of the House.

Currently, appointment of Judges to High Courts and Supreme Court is based on a Memorandum of Procedure for Appointment of Judges of Supreme Court and High Courts prepared in 1998. Representations have been made by various agencies and expert bodies to review / change the present procedure of appointment of judges. The proposal to have an alternative arrangement and to establish a National Judicial Commission through a constitutional amendment is under consideration.