

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

UNSTARRED QUESTION NO:1811

ANSWERED ON:07.03.2013

APPOINTMENT OF JUDGES

Bapurao Shri Khatgaonkar Patil Bhaskarrao;Chitthan Shri N.S.V.;Dhruvanarayana Shri R. ;Gaikwad Shri Eknath Mahadeo;Paranjpe Shri Anand Prakash

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

- (a) whether any lack of transparency and accountability in the procedure and selection of judges for their appointment in various courts in the country have come to the notice of the Government;
- (b) if so, the details thereof including the existing procedure/system for selection of judges for the various courts;
- (c) whether the Government proposes to review/change the existing system of selection of judges to make it more transparent and accountable;
- (d) if so, the details thereof; and
- (e) the steps taken by the Government in this regard and the time by which revised system is likely to be implemented?

Answer

MINISTER OF LAW AND JUSTICE (DR. ASHWANI KUMAR)

(a) to (e) Presently, 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. It is generally felt that the present procedure of appointment needs to be reviewed in the light of past experience.

The proposal to have an alternative arrangement through a constitutional amendment is under consideration. But no time frame can be specified as amendment to the Constitution is a time consuming process.