

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

UNSTARRED QUESTION NO:1401
ANSWERED ON:14.08.2013
RESERVATION POLICY IN JUDICIARY
Singh Shri Sukhdev

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

(a) whether the Government proposes to formulate a policy to reserve higher posts in judiciary for eligible candidates belonging to SC/ST category; and

(b) if so, the details thereof and if not, the reasons therefor?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW & JUSTICE AND COMMUNICATIONS AND INFORMATION TECHNOLOGY
(SHRI KAPIL SIBAL)

(a) and (b) Appointment of Judges of the Supreme Court and High Courts is made under Articles 124 and 217 of the Constitution of India respectively. These Articles do not provide for reservation for any caste or class of persons. The Government has, however, requested the Chief Justices of the High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Other Backward Classes, Scheduled Castes, Scheduled Tribes, Minorities and from amongst women.

Under the Constitution of India, recruitment and promotion of judicial officers in the district and subordinate courts in the country fall within the purview of the State Governments. As per information received from State Governments and High Courts, most of the States have provisions for reservation of posts in State Judicial Services for eligible candidates belonging to SC/ST category.