

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

UNSTARRED QUESTION NO:615

ANSWERED ON:26.02.2015

NATIONAL JUDICIAL APPOINTMENTS COMMISSION

Owaisi Shri Asaduddin;Reddy Shri J.C. Divakar;Thakur Shri Anurag Singh

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

- (a) whether the Bill for establishment of National Judicial Appointments Commission (NJAC) has been ratified by the requisite number of States and assented to by the President;
- (b) if so, the details thereof along with the details of States which have not ratified the said Bill;
- (c) the time by which notification in this regard is likely to be issued and NJAC is established; and
- (d) the other steps taken/being taken by the Government in this regard?

**Answer**

MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA)

(a) & (b) : Yes, Madam. The Constitution (One Hundred and Twenty First Amendment) Bill, 2014, which provides for making amendments to the Constitution for establishing a National Judicial Appointments Commission for appointment of Judges of Supreme Court and High Courts as passed by the Houses of the Parliament has been ratified by the Legislatures of not less than one-half of the States in accordance with the provisions of the proviso to clause (2) of article 368 of the Constitution. Out of the 29 State Legislatures, the Legislatures of 17 States viz.

- (i) Tripura,
- (ii) Rajasthan,
- (iii) Goa,
- (iv) Haryana,
- (v) Mizoram,
- (vi) Sikkim,
- (vii) Meghalaya,
- (viii) Uttarakhand,
- (ix) Gujarat,
- (x) Tamil Nadu,

- (xi) Chhattisgarh,
- (xii) Maharashtra (Council/Assembly),
- (xiii) Bihar (council/Assembly),
- (xiv) Andhra Pradesh (Council/Assembly),
- (xv) Manipur,
- (xvi) Nagaland, and

(xvii) Madhya Pradesh have ratified the Constitution (One Hundred and Twenty First Amendment) Bill till 30th December, 2014 and the President accorded his assent to the Bill on 31st December, 2014. The Legislatures of 3 more States viz. Karnataka (Council/Assembly), Punjab and Jharkhand have ratified the Constitution amendment as on 9th January, 2015. The remaining Legislatures of 9 States viz. Arunachal Pradesh, Assam, Himachal Pradesh, Jammu & Kashmir, Kerala, Orissa, Uttar Pradesh, West Bengal and Telangana have not ratified the Constitution (One Hundred and Twenty First Amendment) Bill.

(c) & (d): 'The Constitution (One Hundred and Twenty First Amendment) Bill, 2014' after assent by the President has been enacted as 'The Constitution (Ninety Ninth Amendment) Act, 2014'. This along with the accompanying 'National Judicial Appointments Commission Act, 2014' has been published in the Gazette of India on 31.12.2014. Both the Acts shall come into force on such date as the Central Government may, by Notification in the official Gazette, appoint. The process for the establishment of National Judicial Appointments Commissions such as accommodation, staffing, etc. has been initiated.