

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

UNSTARRED QUESTION NO:551

ANSWERED ON:23.07.2015

Appointment Process in Subordinate Courts

Pandey Shri Ravindra Kumar;Tadas Shri Ramdas Chandrabhanji;Verma Shri Rajesh

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

- (a) whether the Government proposes to reform the existing selection process of Judges in Subordinate Courts and the appointments in higher judicial services in the country;
- (b) if so, the details thereof and if not, the steps taken/being taken to ensure that these appointments are made in a fair, transparent and judicious manner;
- (c) whether the Supreme Court has given adverse opinion regarding appointment procedure of lower court judges and magistrates in the country and if so, the details thereof;
- (d) whether the Government has received any suggestion in this regard and if so, the action taken thereon; and
- (e) the steps taken/being taken by the Government to reform the aforesaid appointment procedures in the country?

Answer

ANSWER

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

(a) to (e) : The recruitment of judicial officers / judges in Districts and Subordinate Courts is within the domain of State Governments and High Courts concerned. In exercise of powers conferred under Article 309 read with Articles 233 and 234 of the Constitution, the State Governments frame rules and regulations in consultation with the High Courts for recruitment of persons to the subordinate judiciary. The recruitment process is carried out either through State Public Service Commission or by the High Courts themselves. The Supreme Court is monitoring the recruitment of the subordinate judiciary in *Malik Mazhar Sultan & Another versus U.P. Public Service Commission & Others*.

During the recently held Conference of Chief Justices of High Courts on 03rd and 04th April, 2015 at New Delhi, the matter regarding uniform procedure for appointment of district judges and creation of Judicial Service Commission for conducting a common written examination for recruitment to the post of district judges was included in the agenda along with review of selection process of judges / judicial officers at all levels in District and Subordinate Courts. As per the decision taken in the above Conference, it has been left open to the respective High Courts to evolve appropriate methods within the existing system to fill up the vacancies for appointment of district judges expeditiously.