

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

UNSTARRED QUESTION NO:5  
ANSWERED ON:07.07.2014  
JUDICIAL APPOINTMENT COMMISSION  
Dhruvanarayana Shri Rangaswamy

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

- (a) whether the Government has set up Judicial Appointment Commission (JAC);
- (b) if so, the details thereof along with its aims and objectives; and
- (c) the work done by JAC so far?

**Answer**

MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a) to (c) : No, Madam. The Government had introduced two bills titled the 'Constitution (One Hundred and Twentieth Amendment) Bill, 2013' and the 'Judicial Appointments Commission Bill, 2013' in the Rajya Sabha to change the existing system for appointment and transfer of Judges in the Supreme Court and High Courts by establishing a Judicial Appointments Commission (JAC). The objective of the Bills was to broad base the process of appointment and making it more participatory to ensure greater transparency and objectivity in the appointments to the higher judiciary. The JAC would be headed by the Chief Justice of India (CJI) and would consist of two other Judges of the Supreme Court next to the CJI in seniority, Union Minister in charge of Law and Justice and two eminent persons to be nominated by Collegium consisting of the Prime Minister, CJI and the Leader of Opposition in the House of People. One of such eminent person shall be nominated by rotation from amongst the persons belonging to the Scheduled Castes, Scheduled Tribes, Other Backward Classes, and Minorities.

The 'Constitution (One Hundred and Twentieth Amendment) Bill, 2013', which is an enabling legislation for JAC, was passed by the Rajya Sabha on 5th September, 2013 as the 'Constitution (Ninety Ninth Amendment) Bill, 2013'. However, 'The Judicial Appointments Commission Bill, 2013' was referred to the Department-Related Parliamentary Standing Committee (PSC) on Personnel, Public Grievances, Law and Justice for examination.

The Parliamentary Standing Committee presented its report on the Judicial Appointments Commission, Bill, 2013 on 9th December, 2013 to Parliament. After examining the report, necessary amendments were made in the Constitution (One Hundred and Twentieth Amendment) Bill and the Judicial Appointments Commission Bill, 2013. However, the Bills could not be considered in the last Session of the Parliament. The Constitution (One Hundred and Twentieth Amendment) Bill has lapsed consequent to the dissolution of the 15th Lok Sabha. The 'Judicial Appointments Commission Bill, 2013' is pending in the Rajya Sabha. The Judicial Appointments Commission has not been established so far.