

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO. 251

TO BE ANSWERED ON FRIDAY, THE 21.07.2023

Representation of Weaker Sections in High Court Judges

251. SHRI ASADUDDIN OWAISI:

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

- (a) whether it is a fact that 79% judges appointed in all High Courts were from upper castes during the last five years indicating inequitable representation of backward and minorities;
- (b) if so, the reasons therefor;
- (c) whether it is a fact that only 2.6% of the total 537 judges since 2018 were from sections other than upper castes, if so, the details thereof;
- (d) whether the Government has urged CJI and CJs of High courts to address the issue of social diversity and social justice and if so, the details thereof;
- (e) whether the situation has worsened after the collegium system was introduced in appointment of judges; and
- (f) if so, the steps taken or being taken in this regard in consultation with Supreme Court and High Courts?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF
LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE
MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (f): Information on social background is being provided by the recommendees for elevation to High Court Judges as per the revised Annexure put into effect since 2018 wherein besides other information details regarding their social background are made available in the prescribed format (prepared in consultation with the Supreme Court). As per information provided by the recommendees, out of 604 High Court Judges appointed since 2018 till 17.07.2023, 458 Judges belong to the General Category, 18 Judges belong to the SC category, 09 belong to the ST category, 72 Judges belong to the OBC category, 34 Judges belong to Minority and for the remaining 13 Judges there is no information available in the Annexures filled by them at the time of their consideration for appointment to the post of Judges.

Appointment of Judges of the Supreme Court and High Courts is made under Articles 124, 217 and 224 of the Constitution of India, which do not provide for reservation for any caste or class of persons. However, the Government has been requesting the Chief Justices of High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and Women to ensure social diversity in the appointment of Judges in High Courts. As per the Memorandum of Procedure for appointment of Judges in the Supreme Court and High Courts, the Government appoints only those persons who are recommended by the Supreme Court Collegium.
