

No proposal now for reservation in higher judiciary: Govt

New Delhi: There is no proposal being considered now to amend the Constitution to allow reservation in higher judiciary but the issue needs to be looked into at some point of time, government said today.

Law Minister Ravi Shankar Prasad told Lok Sabha that he has requested Chief Justices of High Courts to give due consideration for people from backward classes, among others, while sending proposals for appointment of judges.

"The suggestions from various quarters/sources have been received for making reservations in higher judiciary and amending the Constitution. However, at present there is no proposal under consideration to amend the Constitution for providing reservation in higher judiciary," Prasad said during Question Hour.

Referring to the issue whether there should be reservation, Prasad said, "kabhi vichar karna padega (it has to be thought about at some point of time)".

Prasad said appointment of judges of the Supreme Court and High Courts are made under Articles 124 and 217 of the Constitution and they 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," the Minister said.

Under Article 235 of the Constitution, the administrative control over the members of district and subordinate judiciary in the states vest with the High Court concerned, he added.

Prasad also referred to the Supreme Court quashing the National Judicial Appointments Commission (NJAC) legislation passed by the Parliament and said the government would try to move forward.

Justice delivery system should be good for ensuring good governance, he added.

Responding to a query, the Minister said there are around 4,400 vacancies out of the 20,000 sanctioned posts in the subordinate judiciary.