

No.25/RTI(US-I)/2018
Government of India
Ministry of Law and Justice
Department of Justice

Jaisalmer House, 26, Man Singh Road,
New Delhi 27th August, 2018

To,

Shri Venkatesh Nayak
55A, 3rd Floor,
Siddharth Chambers-1
Kalu Sarai,
New Delhi – 16

Subject: Application under RTI Act, 2005

With reference to your RTI application dated 03.03.2018, the information as available with us is furnished as under:

Point No.1 – 3: The appointment of Judges to High Courts are made under Articles 217 & 224 of the Constitution which does not provide any provision for reservation in the appointment of Judges of the High Court. Hence, no data in this regard is maintained. However, the Government have been requesting the Chief Justices of the High Court that while sending the proposal for appointment of Judges, due consideration should be given to suitable candidates belonging to Scheduled Caste, Scheduled Tribed, OBC, Minorities and women also. Matters relating to appointment of Judges are treated as confidential. As such, communication/letter between the Chief Justices and Government as sought by you are not disclosed.

Point No. 4 & 5: Appointment of Judges of the High Courts are made as per the Memorandum of procedures for appointment of Judges of High Courts. The number of candidates recommended by the Chief Justices of the High Courts which were found suitable and appointed as Judges, High Court-wise, from 1.1.2014 to 20.8.2018 is as Follows: (i) Karnataka HC:19, (ii) Bombay HC: 34, (iii) Madras HC: 44, (iv) Calcutta HC: 23, and (v) Allahabad HC: 71.

Further, in terms of order dated 4.12.2009 in SLP (C) No.32855/2009 titled Central Public Information Officer & Anr. Versus Subhash Chandra Agrawal, there is a stay of disclosure of information relating to matters like the present one. Hence disclosure of information in the nature of details in this regard may constitute contempt of court. Therefore, the information in the nature sought by you is exempted under Section 8, 1, b of the Right to Information Act, 2005.

If not satisfied with this reply, you may prefer an appeal under section 19 of the RTI Act, 2005 to: Shri A. N. Saxena, Deputy Secretary & FAA, Department of Justice, Jaisalmer House, 26, Mansingh Road, New Delhi.

Yours faithfully,



(K. C. Thang)
Under Secretary/CPIO
Desk-I
Tele: 2338 2978



(S. Vijay Gopal)
Under Secretary/CPIO
Desk-II
Tele: 2338 2978

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To,

Sh. Venkatesh Nayak
SSA, 2nd floor,
Siddharth Chambers - 1
Kalu Sarai, New Delhi. 16

Department of Justice
Jawahar House,
Mansingh Road, New Delhi

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