

News



The Law Ministry informs Parliament that since 2021, three-fourths of Supreme Court and High Court judges have been appointed from upper castes.

The Union Law Ministry told Parliament in a written response to a query posed by Rajya Sabha MP P. Wilson on Wednesday that nearly three-fourths of the judges appointed to the Supreme Court and High Courts between January 1, 2021, and January 30, 2026, are members of upper castes.

Out of 593 judges appointed to various High Courts during that time, 157 were members of Scheduled Castes, Scheduled Tribes, Other Backward Classes, or minority communities, according to data provided by the government. The other appointments were made by members of the general or higher caste categories. In percentage terms, judges from higher castes made up roughly 73.5% of those appointed over the previous five years.

According to the ministry, 26 judges were members of the Scheduled Caste, 14 were members of the Scheduled Tribe, 80 were members of the OBC, and 37 were members of minority groups. Additionally, it revealed that during the same time span, 96 women were appointed to High Court justices.

On February 5, 2026, Minister of State for Law and Justice Arjun Ram Meghwal gave the

information in response to an unstarred question.

Wilson was looking for details about "the steps taken by Government to ensure social diversity and social representation in appointment of judges in higher judiciary and number of SC, ST, OBC, general, women and minority judges appointed in HCs and SC since 2021" .

According to the response: "Based on the data supplied by the recommendees, 26 of the 593 judges appointed between January 1, 2021, and January 30, 2026, fall under the SC category, 14 under the ST category, 80 under the OBC category, and 37 under the minority category." During the same time period, 96 women were appointed to positions as judges in several High Courts.

There were 593 HC judges appointed between 2021 and 2026.

SC category judges: 26 (4.38%)

ST category judges: 14 (2.36%)

37 judges (6.23%) belong to the minority category.

There were 80 judges from the OBC category (13.49%).

436 judges (73.52%) were from higher castes.

Regarding social diversity in judicial appointments, the government reaffirmed that Articles 124, 217, and 224 of the Constitution do not allow for reservations in appointments to the Supreme Court and High Courts. Consequently, there is no common repository for category-specific data. Nevertheless, the response pointed out that the data presented in Parliament are predicated on the disclosure of social background by High Court judge recommendees, who must do so in a regulated format created in cooperation with the Supreme Court as of 2018.

The government added that although the Chief Justice of India is responsible for initiating proposals for the appointment of judges in Supreme Court cases and the Chief Justices of the respective High Courts are responsible for High Court appointments, it has been asking High Courts to give candidates from SC, ST, OBC, minority communities, and women the consideration they deserve in order to promote social diversity. It emphasized that only individuals suggested by the Supreme Court Collegium are considered for appointments.

The Law Ministry cited Article 130 of the Constitution, which states that the Supreme Court will sit in Delhi or in any other location the Chief Justice of India may designate with the President's consent, in response to another section of the question about the creation of regional benches of the Supreme Court.

The response recalled that the Eighteenth Law Commission had proposed establishing a Constitutional Bench in Delhi in addition to four Cassation Benches in various parts of the nation, and that the Tenth and Eleventh Law Commissions had suggested dividing the Supreme Court into a Constitutional Court in Delhi and regional courts of appeal. But in its February 18, 2010, meeting, the Supreme Court Full Court saw no reason to establish

Supreme Court benches outside of Delhi, the Government told Parliament.

Additionally, it was noted that the Supreme Court sent the matter to a Constitution Bench in 2016 when considering a writ petition about the creation of a National Court of Appeal, and the matter is currently under judicial review.

The Law Ministry also revealed that, as of January 30, 2026, there are 308 judicial vacancies in the High Courts, compared to a sanctioned strength of 1,122 judges. Only 814 judges are currently employed, and there is a severe deficit in a number of High Courts, particularly those in Allahabad, Calcutta, and Madras.

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