

- (a) whether it is a fact that the population of Gujarat has been increasing rapidly;
- (b) if so, whether the notarial works have also correspondingly increased;
- (c) if so, the steps taken for enhancement of quota of notaries for that State; and
- (d) the numbers of notaries appointed during 2008-09?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) and (b) No specific data regarding increase in population of the State of Gujarat is available with the Department.

(c) No request for enhancement of quota of Notaries has been received from the Government of Gujarat.

- (d) Central Government has appointed 310 Notaries in the State of Gujarat during 2008-09.

Appointment of judges without police verification

2341. SHRI RAM KRIPAL YADAV: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether judges have been appointed without any police verification or clearances;
- (b) if so, the reasons therefor;
- (c) whether it is a fact that few Judges have been appointed even in High courts, having bad characters and they have been removed from judiciary once the facts came out;
- (d) whether recently one such matter came to the light of the Supreme Court in the matter of Khajia Md. Majamil, Karnataka High Court judge, who was appointed in 1996 and challenged his removal from the service; and
- (e) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) to (c) Pursuant to the Supreme Court Judgment of October 6, 1993 in the Supreme Court Advocates-on-Record & Anr. Vs. Union of India, read with the Advisory Opinion of October 28, 1998, the entire process of

initiation of proposal for appointment of a Judge of a High Court lies with the Chief Justice of the concerned High Court. He consults the two seniormost Judges regarding the suitability of the names proposed and forward the proposal to the State Constitutional authorities who, along with their comments, send the proposal to the Union Government. The Union Government obtains confidential report on the recommendee's character, antecedents and integrity, etc.

The complete information along with the confidential report of the recommendees are made available to the Chief Justice of India for consideration by the Supreme Court Collegium. The advice tendered by the Collegium is submitted for consideration of the President.

(d) and (e) In respect of Khajia Md. Majmil, who was a practicing advocate and was appointed as District Judge under the Karnataka Judicial Services (Recruitment) Rules, 1983 and joined service on 15th May, 1996, Hon'ble Supreme Court upheld the order of removal from service.

Vacations in higher judiciary

2342. SHRI T.M. SELVAGANAPATHI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that Government is considering to do away with the vacations of the Supreme Court and the High Courts;

(b) if so, the details thereof;

(c) whether it is also a fact that Government has received many representations in this regard; and

(d) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) to (d) No, Sir. Vacation in the Supreme Court and the High Courts is governed by the Rules/Regulations framed by the concerned Court. Government have received representations favouring abolition of vacation in the High Courts and Supreme Court.

Retirement age of judges

2343. SHRI H.K. DUA:

SHRI NARESH CHANDRA AGRAWAL:

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