

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) to (c) The Central Government was considering the proposal to amend the Anand Marriage Act, 1909 so as to provide for registration of Sikh Marriages therein. However, pursuant to the direction of the Hon'ble Supreme Court in the case of Seema Vs. Ashwani Kumar, reported in AIR 2006 SC 1158, most of the State Governments and Union territory Administrations are taking necessary steps to make all marriages compulsorily registered in their respective States territories where such marriage is solemnized irrespective of religious denominations. Having regard to the position of law as contained in Hindu Marriage Act, 1955 which is applicable to Hindus, Sikhs, Buddhist, Jainas and other persons who are not Muslims, Christians, Parsis and Jews and that Section 8 thereof covers the registration of Sikh Marriages within its ambit and that secluding Sikhs from other categories of person may invite similar demands from other religious denominations which would go against directive principle contained in article 44 of the Constitution. Hence, no separate legislation for registration of Sikh marriages is considered necessary.

Appointment of Judges in higher judiciary

2867. SHRI JAI PRAKASH:

SHRIMATI SHOBHANA BHARTIA:

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

(a) whether the present collegium system of appointment of Judges to the Supreme Court and High Courts needs drastic changes;

(b) if so, whether Government has taken steps to deal with the issue;

(c) if so, whether a National Judicial Commission would be set up to ensure greater transparency in the appointment of Judges to the Supreme Court and the High Courts; and

(d) if so, the steps taken by Government in this direction?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) to (d) The existing procedure for appointment of Judges of the Supreme Court of India and the High Courts, which is based on the Supreme Court Judgment of October 6, 1993 in the case of Supreme Court Advocates on Record and Anr. Vs. Union of India and the Advisory Opinion dated October 28, 1998, has been debated in various fora and there have been demands to change the same. No proposal has been finalised by Government to reconsider this procedure.

Resignation by the Solicitor General

2868. SHRI RAM KRIPAL YADAV: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Solicitor General had resigned over the appointment of a private counsel to appear for Government in a 2G related case in the Supreme Court;