

(c) if the answer to part (a) above be in the negative whether Government proposes to frame guidelines for withdrawal of cases from courts by Governments; and

(d) if not the reason therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR): (a) to (d) The field relating to withdrawal of cases from the courts, if any such situation arises, is occupied by the statutory provisions contained in section 321 of the Code of Criminal Procedure, 1973 and Order XXIII of the Code of Civil Procedure, 1908. There is no proposal pending consideration with the Government to frame guidelines for withdrawal of cases from courts, as it is not considered desirable.

Cooling-off period for post retirement jobs by judges

400. SHRI SANJAY RAUT: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that there is a clamour for post-retirement jobs among judges of High Courts and the Supreme Court;

(b) if so, the details of judges appointed to various Commissions or Tribunals; and

(c) whether Government is considering to have a two year cooling-off period after retirement to become eligible for appointments to Commissions or Tribunals?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR): (a) and (b) As per information available, there are sixty two (62) Tribunals, Commissions and Authorities constituted under the provisions of Articles 323A and 323B of the Constitution of India. These Tribunals, Commissions and Authorities have been set up under various legislations and are under the administrative control of twenty four (24) Ministries and Departments of the Government of India. The Chairpersons and Members in many of these Tribunals, Commissions and Authorities are required to be appointed from amongst the retired judges of the High Courts/ Supreme Court or by Judges retired from the State Judicial Services. Details of Tribunals, Commissions and Authorities in which judges of High Courts and Supreme Court are appointed will be collected and laid on the table of the house.

(c) There is no such proposal.