

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

RAJYA SABHA

UNSTARRED QUESTION NO. 2189

TO BE ANSWERED ON THURSDAY, THE 04.08.2022

Retirement age of Judges

2189. SHRI RAGHAV CHADHA:

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

- (a) whether Government is considering proposal of extending age of retirement of Supreme Court judges;
- (b) if so, the details thereof;
- (c) whether the Law Commission has recommended it or not;
- (d) if so, the details thereof; and
- (e) the details of any proposal on extension of retirement age of judges in High Courts and Subordinate Courts, if any?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (e): No, Sir. There is no proposal to increase the retirement age of Supreme Court and High Court Judges. The Constitution (114th Amendment) Bill was introduced in 2010 to increase the retirement age of High Court judges to 65. However, it was not taken up for consideration in Parliament and lapsed with the dissolution of the 15th Lok Sabha.

The proposal to increase the retirement age of High Court Judges was recommended by Law Commission in its 58th report. Further, increasing the retirement age of Supreme Court and High Court Judges finds a mention in the 232nd report of the Law Commission.

Under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States is vested with the concerned High Court. Further, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Government, in consultation with the High Court, frames the Rules and Regulations regarding the issue of appointment, promotion, reservations and retirement of Judicial Officers in the State Judicial Service. Government of India does not have any role in determining the retirement age of District and Subordinate judiciary.
