

B.A. LL.B VI SEMESTER

MOOD COURT

Unit-2 Judicial System In India

Topic:- Appointment of district judges

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DATE: 07-04-2020

Introduction:-

- According to Article 233 of the **Indian** Constitution, **appointment of district judges** in any State is made by the Governor of the State in consultation with the High **Court** exercising jurisdiction in relation to such State.

The **District Courts** of [India](#) are the [district courts](#) of the [State governments in India](#) for every district or for one or more districts together taking into account of the number of cases, population distribution in the district. They administer justice in India at a [district](#) level.

Appointment :-

- The judges of subordinate courts are appointed by the governor in consultation with the chief justice of the high court of the concerned state. A minimum of seven years of practise as a lawyer at bar is a necessary qualification for direct entry level to become a district judge upon a written examination and oral interview by a committee of high court judges, the appointment of district judges is notified by the state government. This is referred to as direct recruitment. District judges are also appointed by way of elevation of judges from courts subordinate to district courts provided they fulfill the minimum years of service

The next level of ascendancy for a district judge who served sufficient number of years is the post of high court judge. High court judges are usually appointed from a pool of advocates practicing at the bar of the high court and district judges who served for sufficient number of years. This has also caused angst among district judges as they have come to realize that elevation of lawyers directly to high court judges dampens their process of being awarded with promotions for the work they've put in over many years of service.

A district judge or additional judge may be removed from his office by the governor on conformation from the high court collegium.

Appointment of district judges:-

- (1) Appointments of persons to be, and the posting and promotion of, district judges in any State shall be made by the Governor of the State in consultation with the High Court exercising jurisdiction in relation to such State.
- (2) A person not already in the service of the Union or of the State shall only be eligible to be appointed a district judge if he has been for not less than seven years an advocate or a pleader and is recommended by the High Court for appointment.

Who can appoint a district judge?

- Presuming it to be technical legal term of “district judge” rather than layman use of “district judge” (which will mean all the judges of district court):
- According to **Article 233**, the appointment of district judges is to be made by Governor in consultation with the High Court exercising jurisdiction in that area.
- This consultation is with the entire body of judges constituting the High Court and not with a single individual like the Chief Justice of the High Court.