

Observations on Publicly Available Data on Profiles of the Judges of Punjab and Haryana High Court

I have collected data on the Judges of Punjab and Haryana High Court (P&H HC) from 6th October, 1993 to 2004 and the Chief Justices since 1993 (Total 113 judges). At the outset, it is important to make a larger observation about the scarcity of data available on the Official P&H HC. The website only shows the date on which the judge was appointed and the date they left the HC. Even full names of the judges are missing and only abbreviations are available. Whereas, some other High Court's websites (like Bombay and Allahabad) have detailed profiles of the judges appointed and were a helpful source of information about judges who were transferred either from or to these Courts.

The first striking observation is of representation, in terms of geography, gender and caste. In all of the judges I profiled I found only one judge (Ranjan Gogoi J.) who had a parent High Court in the Northeast and only two (Palanisamy Sathasivam J. & Kumaran Sreedharan J.) who had their parent HC in the South. In terms of gender, there were only six female judges (Daya Chaudhary J., Har Mohinder Kaur Sandhu J., Sarojnei Saksena J., Bakshish Kaur J., Kiran Anand Lall j. & Nirmal Yadav J.) and no female Chief Justice. The religion and caste profiles were largely dominated by Hindu, upper-caste men; there were considerable judges from Sikh (26) and Jain (7) community too but no judge belonging to Muslim or Christian religion.

Second observation is regarding transfers to and from P&H HC to other HCs. There is a discernible pattern during the early years from 1993 that barring a few exceptions, judges were only transferred between a few states in the North (to name a few - P&H, Allahabad, Jammu and Kashmir, Himachal Pradesh, etc.). I also noticed an unusually high number of transfers (21 out of total 51), either to or from, P&H HC in the year 1994. And half of these judges (11 out of 21) came to P&H HC as their first transfer from their respective parent HCs. And of the judges who came to P&H HC as their first transfer in the year 1994, seven of transfers (Sarojnei Saksena J., Shrikant C Malte J., Sharad Sakharam Sudhalka J., Swatanter Kumar J., THB Chalapathi J., Vinod Sagar Aggarwal J., and Sambhu Charan Datta J.) were done in less than a month of their appointment and in some cases even less than that (For eg, Swatanter Kumar J. was appointed on 10-Nov-1994 to the Delhi HC and transferred to P&H HC on 20-Nov-1994).

Judges appointed from the Judicial services (21 out of 75 total identified) were considerably lower than judges appointed from the Bar. After calculation I also found that Judges from the Service cadre spend substantially less time as a HC judge than judges appointed from

the Bar. Average time spent on the bench by a judge of a Service Cadre is only 2317 days (a little over 6 years) whereas average time spent by a judge appointed from the Bar is 4762 days (13 years). I also found that only one judge died while in office (VM Jain J.) and only two judges resigned while in office (Swatanter Kumar J. & IP Vasishth J.). Of all the judges profiled who were either Advocate Generals or Additional Advocate Generals (16) during their litigation experience, most of them went on to become Chief Justices of other HCs (11 out of 16) and few were appointed to the Supreme Court (7 out of 16). Out of the 18 judges who were appointed to the Supreme Court and also served as a judge of the P&H HC, 17 of them had been a Chief Justice of a HC at some point in time (sometimes of two HCs), 8 had served as Government Counsels, 7 as Advocate Generals and 6 judges had done a Post Graduate in law.

Lastly, an anecdotal observation I had while reading the profiles of the judges was the unconcealed intergenerational ties of an appointed judge to the legal profession. In many cases I found that the descendants of the judge I was profiling are now sitting judges in the P&H HC or in some other HC. There was also a peculiar case of Nirmal Singh J., who won the State Assembly elections and served in the Punjab Legislative Assembly from 2012-2017 post his retirement. Post retirement jobs in Tribunals or as a part of a commission for specific purposes were also far too common.