The appointment of judges in each country has been granted as government power of the President by each the Constitutions. However in Republic of India the appointment is created with the ‘consultation with judiciary’, whereas in U.S the appointment is created with ‘parliamentary approval’. Each nation follows the ‘appointive system’ of judicial appointment wherever the appointments are made by the chief government. At only once appointment of judges in U.S.A were accustomed to be made by the ‘elective method’ of appointment of judges, however throughout the latter a part of the nineteenth century, the final trend began to maneuver far from the elective system.

Now the Comparative analysis on the method of appointment of judges between Republic of India and U.S.A may be higher created by comparison the 2 strategies within which the appointive technique of appointment of judges is utilized, i.e. the appointive technique with ‘parliamentary approval’ and appointive technique in ‘consultation with judiciary’. These mechanism
were followed so as to reduce the exclusive government power to appoint judges. Since, the method on appointment of judges has already been mentioned intimately, this chapter would solely specialize in deserves and demerits of the strategies of appointment of judges in Republic of India and U.S.A. Parliamentary Approval (Method of appointment in U.S.A) beneath this mechanism the chief government at the start selects the candidates for judicial office, however makes formal appointments only the picks square measure approved by parliament. For example, within the us the President nominates and ‘by and with the recommendation and Consent of the Senate’ appoints federal judges. Parliamentary approval provides a check on the facility of the government and there's scope for public scrutiny of the appointment method. However, this system has some inherent defects. Firstly, parliament has nothing to try and do with the initial stages of selecting candidates. Since the initial choice of candidates could be a very important issue in appointing judges and it's solely unconditional within the government, this method might not be effective to regulate pre-eminent political or alternative relevant issues in choosing candidates for judicial workplace. Rather it should foster an increasing tendency to introduce political negotiation. Secondly, although the demand of approval by parliament could impose some restrictions on the discretion of the executive government, it should not be effective to vary the essential style of ‘political
infighting'. Moreover, it should ‘result within the quite coalition building
type behaviour common in alternative legislativematters’. Thirdly, if the party in
power commands a majority in parliament, political ‘patronagemay still be a
robust factor’ in appointing judges. Therefore, tho' parliamentary approval
hassome implications for checking exclusive government power in appointing
judges and creating theappointment method hospitable the general public
through parliament, it's serious drawbacks. Theparliamentary mechanism is
clear and hospitable public scrutiny, however if there's a majority
inParliament, nothing may be done: even though the general public doesn't
approve of the appointment.