

EXPRESSION OF VIEWS NOT BIAS: CJI

Relevant for: Indian Polity | Topic: Judiciary in India: its Structure, Organization & Functioning, Judges of SC & High Courts, Judgments and related Issues

Chief Justice of India (CJI) Sharad A. Bobde on Tuesday orally observed during a hearing that there was a “peculiar lack of comprehension” on the constitution of committees.

The CJI said a person's views earlier about a subject did not disqualify him from being a part of a committee formed to examine a particular issue. An expression of views by a person on a subject did not mean bias, he added.

“There is some confusion in understanding the law. One person may have an opinion before being a part of the committee, but his opinion can change... There is no way that such a member cannot be part of a committee,” he stated.

The oral remarks came even as social media was rife with criticism about the court's choice of members of the expert committee it set up on January 12 to negotiate between farmers protesting the agri-marketing laws and the government.

There was criticism on social media that these members had supported the farm laws. One of the four members, Bhupinder Singh Mann, national president, Bhartiya Kisan Union, had recused himself from the committee, which has to commence talks between the agitating farmers and the government, and submit a report to the court within two months.

The CJI, however, did not refer to the controversy surrounding this particular committee during the hearing.

His remarks came when senior advocate Siddharth Luthra, who was tapped by the court to act as *amicus curiae* in a case concerning physical court hearings in the Delhi High Court, notified the court that his earlier opinion in favour of virtual court conferences, were already on record.

“Just because a person has expressed a view on the matter, that is not a disqualification to be a member of committee. Generally, there is a peculiar lack of comprehension about the constitution of a committee. They are not judges,” Chief Justice Bobde said.

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