

CJI alone is master of roster, rules SC

The term 'Chief Justice of India' denotes an individual judge and not a collective of the first three or five senior-most judges of the Supreme Court called the 'Collegium,' the Supreme Court declared on Friday.

It is the exclusive authority of this individual judge to allocate cases to fellow judges in his role as the master of the roster, a Bench of Justices A.K. Sikri and Ashok Bhushan clarified in their separate but concurring opinions. The ruling is based on a petition by former Law Minister Shanti Bhushan to have the Collegium collectively allocate cases.

The master of roster may end up being a "absolute, singular and arbitrary power", Mr. Bhushan feared and said the Collegium should collectively allocate cases rather than have one man decide which judge should hear what case in the highest court in the land.

But the court disagreed, saying the CJI is the ultimate authority to distribute judicial work. Justice Sikri wrote that the CJI is only a 'first among equals' in his judicial functions on the Bench. As an administrator, he is their leader and spokesperson.

With this latest verdict, the court has declared its Chief Justice as the 'Master of Roster' for the third time in the past eight months.

Justice Sikri, who joined the Collegium after the retirement of Justice J. Chelameswar on June 22, quoted Edmund Burke in his opinion: 'Applaud us when we run; Console us when we fall; Cheer us when we recover; but let us pass on — for God's sake, let us pass on'. He wrote that SC shall remain greater than the men and women who temporarily occupy it as judges.

Justice Sikri highlighted the moral responsibility the CJI owes to his colleagues and the public at large while flexing his powers as master of roster to allocate cases in the Supreme Court.

END

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