

LAW MINISTRY IS NOT A POST OFFICE, SAYS PRASAD

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Balancing act: Ravi Shankar Prasad taking charge. PTIPTI

Senior BJP leader Ravi Shankar Prasad, who took charge as Law Minister on Monday, said his Ministry would fast-track judicial appointments but asserted that it would not act as a post office.

“We will try to fast-track judicial appointments, obviously with the consultation of the Honourable Supreme Court. We will work as a team. But I would like to say with great humility that as Law Minister, I will not be a post office. The Law Minister and the Law Ministry have a role as a stakeholder, obviously giving due respect to the collegium system,” Mr. Prasad told reporters after taking charge.

“But as Law Minister, neither me nor my department will remain a post office. We have a stake and we will continue to pursue that stake in consultation with the Honourable Supreme Court and Honourable High Courts.”

Mr. Prasad’s comments are significant as the government had, as recently as last month, returned recommendations made by the Supreme Court collegium — made up of the five senior-most judges — regarding the elevation of Justice Aniruddha Bose, who was the Chief Justice of the High Court of Jharkhand, and Justice A.S. Bopanna, who was heading the Gauhati High Court. The collegium, however, reiterated its recommendation and elevated them.

Since 2014, the government and the Supreme Court collegium have had opposing views with regard to certain appointments.

From objecting to the elevation of senior advocate Gopal Subramanian as a Supreme Court judge in June 2014 to opposing the elevation of former Chief Justice of Uttarakhand High Court K.M. Joseph to the apex court in April 2018, there have been several instances of the government and the collegium taking different viewpoints.

On the contentious issue of the memorandum of procedure (MOP) regarding the appointment of judges, Mr. Prasad said, “We will work it out.”

All India service

Mr. Prasad also said his Ministry would soon take up the issue of creating an All India Judicial Service and discuss the matter with the judiciary and the State governments. The sanctioned strength of the judicial officers in the district and subordinate courts is 22,644 but there are nearly 5,000 vacancies.

The process of selection and appointments in the subordinate courts is the responsibility of the High Courts and the State governments but the Centre has suggested the creation of a pan-India judicial service that doesn’t encroach upon the States’ powers.

“We want good people into the judicial services and the selection should be merit based. There should be an intake of the best talent,” he said.

Providing easy access to legal services for the common people, creation of better legal

infrastructure and making India an arbitration hub were among the other priorities listed by the Minister. Mr. Prasad, who made his Lok Sabha debut by defeating Congress' Shatrughan Sinha, also reached out to the lawyer community by assuring that his Ministry would improve the working conditions of the lawyers, providing medical insurance and improving facilities for those who work in remote areas.

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