

## Steps needed to improve collegium system, says SC

Urgent measures are required to improve the collegium system of appointment of judges, including the setting up of an independent secretariat, the Supreme Court highlighted in a judgment on Wednesday.

The apex court said “corrective measures” needed to be taken against “post-appointment conduct or inadequate performance or failure to uphold righteous conduct” by sitting judges.

A Bench of Justices A.K. Goel and Rohinton F. Nariman said the improvements contemplated by the five-judge NJAC Bench, in December 2015, in the collegium system had not “seen the light of the day”. The court ordered that the Centre should ensure that the new memorandum of procedure brought about the improvements recommended by the NJAC Bench.

The apex court highlighted how various High Courts remained without permanent Chief Justices. The Law Ministry website shows that seven High Courts have been making do with Acting Chief Justices for months on end. Justice Goel, who authored the verdict, said Acting Chief Justices were meant only as a temporary measure before a permanent Chief Justice is appointed.

The judgment points out how High Court Chief Justices are appointed for a few days before they retire, serving no purpose to the cause of justice delivery. The court stressed the need for a “full-time” and independent body of experts to help in the appointment process.

“A full-time body consistent with independence of judiciary appears to be immediate need for the system. Absence thereof contributes to denial of justice,” the judgment observed.

END

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