

## SC clears the air on 'senior lawyer' designation

After the Supreme Court drew back the curtains to let the sunshine in on the secretive Collegium system of judicial appointments, the court repeated the act of transparency on Thursday by making the procedure for conferment of 'senior advocate' designation to lawyers uniform and objective to ensure that only the deserving will get the coveted status.

So far, the judges of the Supreme Court and the high courts had sole discretion over whom to grant the senior gown. The reasons for conferring this honour have often remained opaque.

The status of senior advocate commands enormous respect from courts and, as far as the litigant is concerned, it is synonymous with considerable fee charged.

"Legal practice in India, though [it is] a booming profession, success has come to a few select members of the profession, the vast majority of them being designated senior advocates. The issues are highly contentious raising question of considerable magnitude so far as the Indian Bar and in fact the country's legal system is concerned," the judgment by a Bench of Justices Ranjan Gogoi, Rohinton F. Nariman and Navin Sinha observed.

Indira Jaising, herself a senior advocate designated by the Bombay High Court in 1986, had challenged the selection system as arbitrary and opaque.

### Strict process

"The court held that the credentials of everyone who seeks to be designated as a senior advocate or whom the Full Court *suo motu* decides to confer the honour must be subject to the "utmost strict process of scrutiny leaving no scope for any doubt."

For the first time, the court recorded that the pro bono work done by lawyers would be a major consideration for grant of the senior status. The Bench directed the setting up of a permanent committee headed by the Chief Justice of India and consisting of two senior-most Judges of the SC or the high courts. The panel will have the Attorney General of India or the Advocate General of the State in case of a high court. The fifth member of the panel would be nominated from the Bar.

The panel would examine each candidate based on the data provided by the secretariat and interview them. It would make its overall assessment on the basis of a point-based format. The names shortlisted by the panel would be placed before the Full Court, which will take the final decision.

END

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