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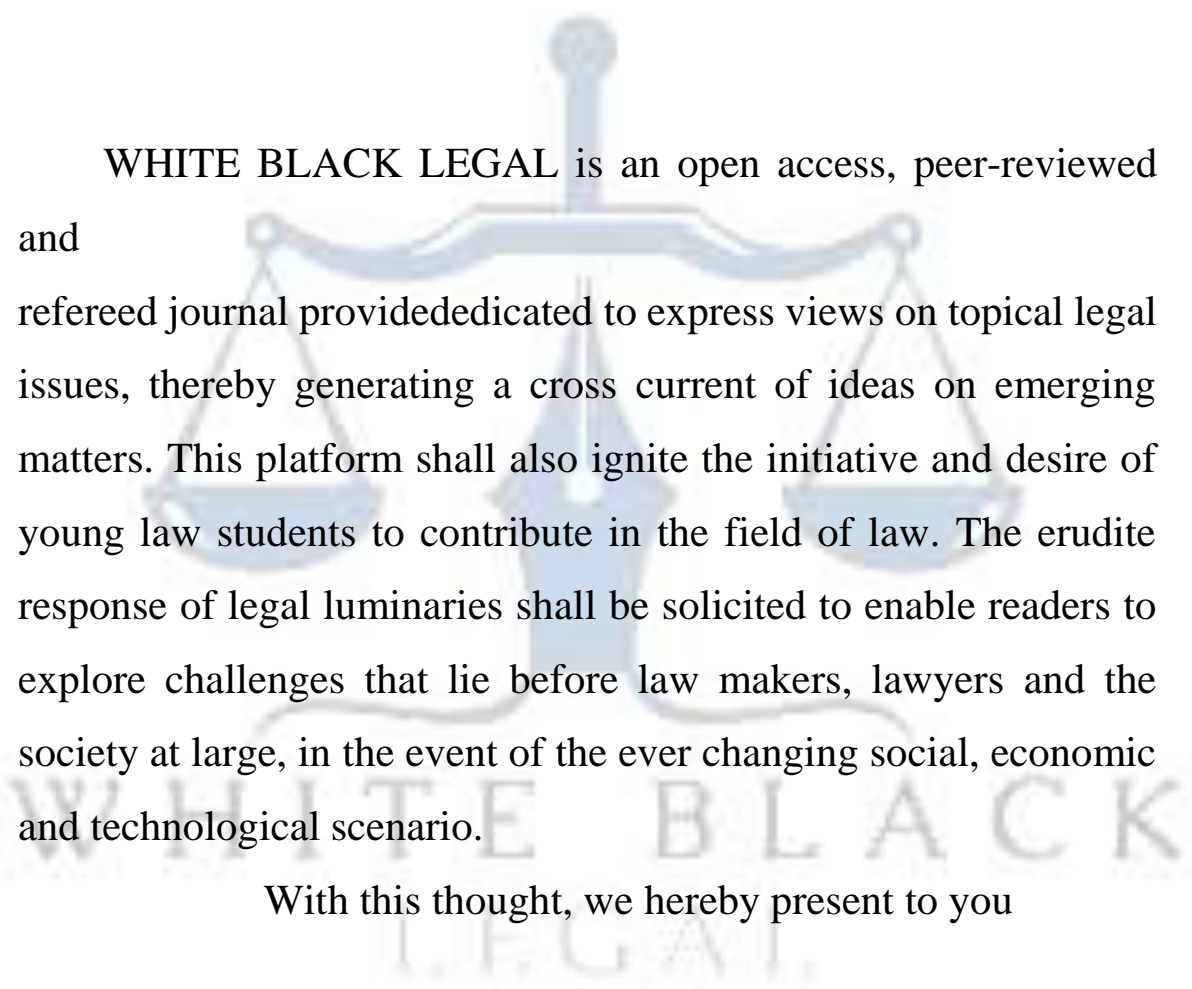


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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

# **COLLEGIUM - A CLOSED DOOR AFFAIR - A NEED FOR NJAC**

AUTHORED BY - NARRI AASHRITHA

## **ABSTRACT**

In India judges are appointed and transferred through collegium system. This evolution had been led by judicial precedents. However, there has been tussle between judiciary and executive since the Third Judges Case which had held judiciary's primacy and as result NJAC Act, 2014 had been passed unanimously in Lok Sabha with zero dissent and in Rajya Sabha with only dissent proposing to replace the collegium system. However, in 2015 this had been held unconstitutional by SC. However, in the claim of moment after 2015 judgement, Vice-President's comments had further agitated the debate. This paper deals in analyzing the need for replacement of Collegium with NJAC and in order to achieve the objective the paper deals in examining the criticism and drawbacks of the existing system with NJAC Act as solutions to these drawbacks and bringing its view from the Global perspective as well.

## **KEYWORDS**

Collegium, NJAC Act, Appointment of SC and HC Judges, Independent judiciary and Executive.

## **INTRODUCTION**

There has been no mention of the term collegium in the constitution. This was evolved through the series of cases popularly known as Three Judge Cases. The collegium is headed by CJ Of India and its composition consisting of top 4 senior most judges for appointment of SC judge and two seniors most judges for appointment of HC judge. However, this mechanism was criticized for it being opaque i.e., lack of transparency during the procedure. Therefore, there were various initiatives to abolish this process and one such initiative was establishing NJAC. This had been established by 99<sup>th</sup> Constitutional Amendment Act, 2014 dealing with the amendment of 124A, 124B and 124C defining NJAC and powers of parliament to make laws in appointment and transfer of judges and the establishment of commission. However, this was declared as unconstitutional by SC in 2015.



The collegium system was criticized since decades, however since 2015<sup>1</sup> the debate about abolishing the Collegium and replacing it with NJAC had further worsened the tussle and had become a vulnerable topic.

## NEED AND RELEVANCE OF THE TOPIC IN THE CONTEMPORARY SENARIO

In December 2022, when the Vice- President of India **Jagdeep Dhankar**, had raised an issue in Rajya Sabha on SC scrapping off the NJAC Act as a:

***“SEVERE COMPROMISE” OF PARLIMENTORY SOVERINITY AND DISREGARD OF THE “MANDATE OF THE PEOPLE”.***<sup>2</sup>

He stated that the NJAC ACT was the **“will of the people”** being approved by both the House of the Parliament and their **ordainment** transfigured into a **constitutional provision** and as per Article 145(3)<sup>3</sup>, the Constitution vests only interpretation power with the SC and hasn't derived the power of running down a constitutional provision. The voice of Vice- President represented the efforts of the government in bringing the change in the existing collegium system in India. Vice-President comment on NJAC judgement had further embarked the need for reforming and abolishing the existing collegium system. This debate had further intensified with the EX-Law Minister, **Kiran Rijju's** written suggestion to CJ DY Chandrachud about incumbent of government representatives in the appointment process. However, when this had come under the court's scrutiny, Justice Sanjay Kishan Kaul remonstrated against the Mr. Rijju remarks:

***“HOWEVER, IT THE LAW OF THE LAND WHILE IT IS IN FORCE. ALTHOUGH I HAVE DISREAGED ALL THE PRESS STORIES, THIS CAME FROM A HIGH AUTHORITY. IT OUGHT NOT TO HAVE OCCURRED.”***<sup>4</sup> *(live law what pappa sent)*

This had marked as a relevance of this paper as the sudden recollection of seven-year-old judgement by the Vice-President instils a thought of developments of the judiciary in the near future as there is always a tussle between executive and judiciary. Those who support judiciary highlight about separation of powers and as threat for independent judiciary, and those who oppose challenge the democratic legitimacy and seeking for transparency in appointment of judges as judiciary has been institutionalized to enforce individuals' rights. The present mechanism of collegium having judges chosen by judges creates despotism and concentration

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<sup>1</sup> Supreme Court Advocates on Record v. Union of India, (2015) 6 SCC 408.

<sup>2</sup><https://www.livelaw.in/amp/top-stories/power-of-the-people-was-undone-world-doesnt-know-of-any-such-instance-vice-president-jagdeep-dhankhar-on-njac-verdict-215668>

<sup>3</sup> <https://www.livelaw.in/amp/top-stories/power-of-the-people-was-undone-world-doesnt-know-of-any-such-instance-vice-president-jagdeep-dhankhar-on-njac-verdict-215668>

<sup>4</sup> Supra note 3.



of power leading to lack of conspiracy. The reason behind lengthy procedure, delay in appointment and vacancy as per SC was because of government for not clearing the names of the judges even if the collegium reiterates and SC stands on its decision of undermining the independence of judiciary. However, the government counterattacking the arguments stated that it wasn't clearing in order to appoint competent judges.

The present need of NJAC Act, 2014 results in ensuring transparency by bringing in the change through the composition in appointing and transfer of judges of SC and HC. The existing System of collegium had been condemned in various aspects like opaque procedure, nepotism, restricted methods of choice, absence of government rules, appointment in inefficient judges there by super passing competent judges. In NJAC Judgement Justice Chalmeshwar gave a dissenting opinion on continuance of collegium *“India encountered various upsetting episodes identified with legal arrangements—occasions that loan legitimacy to the supposition that the collegium framework is perhaps not the best methodology for ensuring an autonomous legal executive.”*<sup>5</sup> In 2018 Apex Court Judges intended media to highlight the internal drawbacks of collegium.<sup>6</sup>

### **ISSUES IDENTIFIED:**

1. Why should the system of **NJAC** be preferred over **Collegium**?
2. What are the drawbacks in the existing Collegium System?

### **RESEARCH OBJECTIVES:**

After Vice- President comments on the seven years old judgement and the suggestion of incumbent of executive by Law Minister, this paper aims at the need for NJAC over Collegium System thereby identifying the drawbacks and criticisms over the collegium system on one hand and identifying merits of NJAC on the other hand.

## **LITERATURE REVIEW**

This literature review has been done to analyse perspective of various authors and their stands on it. Though each authors' perspective being different there revolution basically delas with the criticisms and merits on the both systems. This literature review had been done to keenly

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<sup>5</sup> Apex Court Advocates-on-Record-Association and Another v Union of India (2016) 4 SCC 1 at 505.

<sup>6</sup> Rajesh Inamdar, “SC Jurists’ Press Conference: A Dark Day or A Beacon of Light:?” , <http://www.livelaw.in/sc-jurists-press-conference-dark-day-beacon-light> (February 14, 2018) (Time 11:40 am).

analyse the collegium system which had evolved through the cases known as three judge and cases, and the proposed NJAC act which had been passed by both the houses of the Parliament receiving President's consent for the same to replace the existing system.

1. Satyam Rathore and Ankita Rituraj, National Judicial Appointment Commission an Analysis of NJAC'S Effect on Judicial Independence In India.<sup>7</sup> The objective of the article revolved in analysing need for reformation of judiciary by the means of implementing of NJAC Act. The commendable portion of the article is when the author highlights the need for the inclusion of system of checks and balances in judiciary for better accountability and its relation to basic structure of the Constitution, which can be achieved by the implementation of the article.
2. Dr. Dhamendra Kumar Singh and Dr. Amit Singh, Appointment of Judges and Overview of Collegium System in India: A Need to Reform<sup>8</sup>. This Article revolved in analysing the existing collegium system with the case laws that had led to the development of the same. The author had conducted deeper analysis on all the three judgements along with NJAC judgement putting forth point views of various judges and suggested for the reformations for India being a democratic country, in the existing system for transparency.
3. A Study of Constitutionality of Collegium System and Proposed NJAC Act, Hetal Chavda and Dr. Vidhya Sakhtawat<sup>9</sup>, this research article aimed at focusing and analysis of various opinions and legal situation wherein debate was prevailing over collegium or NJAC. In order to achieve this the researchers had firstly analysed the cases and then the constitutionality of NJAC and had drawn their opinion in favouring collegium.
4. The Collegium Vs The NJAC: Navigating Judicial Independence Amidst Judicial Appointments, Fahad Nahvi<sup>10</sup>. The research paper had evaluated the evolution of the collegium system. After examining both systems, the author aimed to identify any substitute mechanism to strike balance between the transparent appointment process

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<sup>7</sup> National Judicial Appointment Commission an Analysis of NJAC's effect on judicial independence in India, Satyam Rathore and Ankita Rituraj, Volume 2, International Monthly Journal (I.S.S.N),1-7 (2015).

<sup>8</sup> Dr. Dhamendra Kumar Singh and Dr. Amit Singh, Appointment of Judges and Overview of Collegium System in India: A Need to Reform, International Journal of Advanced Research (IJAR) ,1-7, (2017). Available at: [https://www.journalijar.com/uploads/197\\_IJAR-18089.pdf](https://www.journalijar.com/uploads/197_IJAR-18089.pdf)

<sup>9</sup> A Study of Constitutionality of Collegium System and Proposed NJAC Act, Hetal Chavda and Dr. Vidhya Sakhtawat, Volume 6, International Journal of Scientific Research In Science and Technology (IJSRT),938-948(2019).

Available at: <https://www.ijsrst.com/paper/9295.pdf>

<sup>10</sup> The Collegium Vs The NJAC: Navigating Judicial Independence Amidst Judicial Appointments, Fahad Nahvi, Social Policy Research Foundation (SPRF) 16-26 (2023). Available at: <https://sprf.in/the-collegium-vs-the-njac/>

and independent judiciary there by author had suggested stating that there should be different commission for the appointment of judges either decisive or recommendatory and since there is a fear of threat of judiciary there should be a composition with involves high proportion of judicial officers just like Commonwealth nation so that there is no political influence in the process.

5. Debating Collegium System: A Comparative Analysis, Aja Sikri and Ayush Lahoti<sup>11</sup>, the author after briefly, explaining the evolution of the cases in order to bring the importance of NNAC Act, elevates its relevance from global point of view, comparing with other countries like South Africa, USA and UK. Through comparative analysis the author had rightly depicted the need for NJAC and creates a sort of success that would be achieved by overcoming the drawbacks of the existing collegium system.
6. Debating the NJAC: The Philosophy of Revival, Sanjay Jain<sup>12</sup>, the article revolved in around the application of doctrine of revival on unconstitutional constitutional amendment. The author argues on how 31C, not provide any special powers and limit to immunity itself. He then tries to create analogy between Article 31C, 124A, 124B, 124C (i.e., 99<sup>th</sup> Constitutional Amendment Act, NJAC) and was of opinion that both the both judiciary and legislature should strike to balance or collaborate with each other to organise the system of adjudication and rule of status as this would further clarify and strengthen SC takes if it takes a call on the doctrine of revival and also stated that parliament should clarify its position by on Article 31C by making appropriate amendments. He concludes the article by stating overuse of any implication by any organ would affect the legal system in the economy.
7. The Need for A National Judicial Appointment Commission and The Appointment of Jurists, Abhishek Singh, the author throughout the article highlights the importance of strong judiciary and depicts the certain drawbacks of existing system i.e., lack of transparency of selection process. The article aimed at analysing the examine the chronicle of appointments and NJAC structure and the arguments surrounding the same. In order to achieve the same, the author had conducted a deep analysis and stated the drawbacks and merits on both the systems<sup>13</sup>.

Having reviewed the said articles, there were some research gaps which would have led to the

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<sup>11</sup> Debating the Collegium System: A Comparative Analysis, Aaj Sikri and Ayush Lahoti, manupatra (2021).  
[Debating the Collegium System: A Comparative Analysis \(manupatra.com\)](https://www.manupatra.com/debating-the-collegium-system-a-comparative-analysis)

<sup>12</sup> Debating the NJAC: The Philosophy of Revival, Sanjay Jain, Indian Constitutional Law and Philosophy (2015).

<sup>13</sup> The Need for A National Judicial Appointment Commission and The Appointment of Jurists, Abhishek Singh, Social Science Research Network (SSRN), 1-10, 2023.



better understanding of the Articles. Firstly, in the Article Sathyam Rathore and Ankita Rituraj, though the researchers through their article had spotted out the independence of Judiciary and how the NJAC would interference with it. Hower, though author had favoured NJAC he failed to pitch in global perspective and elaboration on how judiciary doesn't intervene. Secondly, the Article by Dhamendra Kumar and Dr. Amit Singh, though published in the year 2017 there was no trace of NJAC in the paper. Since, NJAC was a mechanism, he should have put forth his perspective on invalidity on NJAC and then investigate more into reformatations. Thirdly, in the article by Hetal Chavda and Dr. Vidhya Sakhtawat, their research aimed to incorporate opinions and legal situation. However, the elaboration on demerits on NJAC were completely missing which constituted their major part of the research. Fourthly, in the discussion paper by Fahad Nahvi the policy suggestion given by her was influenced by global nations. However, elaboration on the same was missing. Fifthly, in the blog by Aja Sikri and Ayush Lahoti the authors had brought the relativity of NJAC with Global Nations. However, there no analysis of its impact in the domestic nation. Sixthly, in the article by Sanjay Jain. Though suggested Parliament and Judiciary to clarify the prevailing situation to strengthen democracy in the form of Constitutional Amendments, there was no trace of what kind of amendments to be adopted. Seventhly, in the research paper by Abhishek Singh the recommendation stated by him were influenced by global nation and the elaboration on this aspect was missing.

Having conducted a deep analysis on the research papers and existing system. The shall attempts the various research gaps with drawbacks in the existing and new system in the appointment and transfer of judges.

#### **EVOLUTION OF EXISTING COLLEGIUM SYSTEM:**

Collegium system was a product of judicial precedents and this cane be understood in three-fold manner.

- FIRST JUDGES CASE OR SP. GUPTA v. UNION OF INDIA<sup>14</sup>

The question raised in this case was whether executive or judiciary's decision would have a primacy status in the appointment of SC judges. The court interpreting article 127 and 214 held executives' primacy will prevail.

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<sup>14</sup> S.P Gupta v. Union Of India, AIR 1982 SC 149.

- SECOND JUDGES CASE OR SUPREME COURT ADVOCATE ON RECORD ASSOCIATION v. UNION OF INDIA<sup>15</sup>:

This case reserved first judge's case and held judiciary primacy will prevail because of its independency. This judgement marked the end of executive's interference stating CJI would be the ultimate decision marked the beginning of collegium.

- THIRD JUDGES CASE<sup>16</sup>

In this case the question raised was if CJI's consultation would be enough for appointment and transfer of judges. The court held; the consultation would not be just limited to CJI but there should be a collegium with the existing composition.

Since then, there was a tussle between Executive and Judiciary. As a result of this Parliament had passed NJAC Act, 2014. This had been introduced by Ex-law minister Ravi Shanker Prasad and was approved by both the houses of the Parliament and had received President's consent as well. However, on 16<sup>th</sup> October, 2015 in SUPREME COURT ADVOCATES ON RECORD v. UNION OF INDIA, Justice Khehar had struck down the same act which had been challenged holding it as unconstitutional because it was violating basic structure of the Constitution i.e., independency of judiciary because as NJAC composition includes two eminent members who will be nominated by CJI, PM and the leader of the opposition, if in the absence of leader of the opposition then the opposition leader of largest party will be taken into account. This creates govt representation in the process and NJAC cannot recommend a judge if any of its two members dissent and SC was of the opinion that because of those who have been appointed by govt it creates threat to independence of judiciary these members can use veto-power.

Few of the recent incidents further demands the need for implementation of NJAC, on February 2023, in Tamil Nadu a group of lawyers had boycotted the HC for collegium recommending Justice Gowri irrespective of her hate speech against the Christians and Muslims and expressed their dismay.<sup>17</sup> On 17<sup>th</sup> November, 2022<sup>18</sup> lawyers of both Gujarat and Telangana HC had boycotted the court for the transfer of judges, Justice Nikhil Kariel and Justice Abhishek Reddy respectively.

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<sup>15</sup> Supreme Court Advocate On Record v. Union Of India, AIR 1994 SC 268.

<sup>16</sup> Re: Special Reference No.1 of 1988, (1988) 7 SC 739.

<sup>17</sup> <https://indianexpress.com/article/cities/chennai/tn-lawyers-protest-to-president-collegium-against-bid-to-appoint-gowri-as-hc-judge-8420875/>

<sup>18</sup> Telangana High Court Bar resolves to abstain from work indefinitely to protest against proposed transfer of justice Abhishek Reddy, livelaw, 17-2-2022 (7:11)pm. <https://www.livelaw.in/news-updates/telangana-high-court-bar-resolves-to-abstain-from-work-indefinitely-to-protest-against-proposed-transfer-of-justice-abhishek-reddy-214386#:~:text=The%20Telangana%20High%20Court%20Bar,Reddy%20to%20Patna%20High%20Court.>

## COMPOSITION OF NJAC

The Chief Justice of India as the chairperson.

Secondly, two seniormost judges of SC as ex-officio members.

Thirdly, the Minister of Law and Justice.

Lastly, two eminent nominated members.

## CRITISICMS AND DRAWBACKS OF THE EXISTING SYSTEM:

**Lack of transparency** is one of the major drawbacks prevailing in this system, it is often referred a back door or opaque appointment and because of this flexible choice, the concept of choice prevails over the choosing on the basis of efficiency. Due to the allowance of publishing selected material, recordings by judiciary and the absence of clear-cut criteria for appointment and there is no dedicated method personal and professional background check of the prospective appointees the collegium system further arbitrary and opaque. This method being a closed process often attracts a sense of choice which supresses many efficient advocates and judges. For example, there has been a lot of criticism when Justice Dinakaran<sup>19</sup> had been appointed as Madras High Court Judge though there were corruption charges against him. This creates a strong mechanism for a sense of choice and lack of answerability.

The sense of choice also adds a critic on nepotism as there are many judges in the same ancestral hood for example Justice P.N. Bhagwati, Justice N. Santosh Hedge, Justice S. M. Fazal Ali, Justice D.Y Chandrachud, Justice B.P Singh are the sons of former SC judges. The same thread continues over in HC as well like Justice A.K. Mukherjee (s/o B.K. Mukherjee), Justice R.P. Mishra (s/o R.B. Mishra) A.N. Ray (s/o Ajith Nath Ray), Justice K.M. Joseph (s/o K.K. Mathew etc.

The **principal of consultation** goes missing because the system basically deals with **Judges being appointed by Judges**, this creates another blemish as during recommendation if any member of the composition dissents, he might be easily convinced or forced due to the **mutual consent** and this doesn't reach the eye of the people for whose enforcement judiciary had been established and due to the lack of any external authority during the process further makes the process vulnerable.

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<sup>19</sup> <https://www.thehindu.com/news/justice-dinakaran-faced-serious-charges/article2306214.ece>.



It has been often criticized that collegium is **unconstitutional and autocratic** since there being no trace of the system in the constitution and its evolution being led by verdicts and limiting power to the judges further creates suspension. It would also be undemocratic to certain extent to the lack of answerability to the public as at the dawn of the day it is the judges who are the key roles of the judiciary.

The process of collegium is very elaborated due to the complex procedures involved in appointment and transfer of judges under the Memorandum of procedure and this often leads to the **vacancies**, as per Department of Justice 2023 reflects that out of 1114, 331 seats stand vacant. The SC itself with 7 vacancies out of 34 and 30% of HC seats stands vacant. Usually, a collegium has to be set up 6 months prior any retirement of the judge<sup>20</sup> but this is rarely initiated and the second major issue is the pendency of exorbitant further forces judiciary to delay the procedure.

The judges who are appointed by the collegium system usually lacks the **diversity** in terms of gender, caste or backgrounds majorly HC court judges are elevated to SC ignoring several competent junior judges and advocates. Out of 788 HC judges all over India only 107 are women judges. Better diversity leads better empowerment and understanding of various prevailing conditions over the country.

### **NJAC- A SOLUTION FOR THE EXISTING DRAWBACKS**

With the change in composition by NJAC it broadens the horizon in the appointment and transfer of judges by incumbent of government as it considers Governor and the Chief Secretary of the State assessments. By executive interference the discretionary shape would go missing. This aims at marking an end to the nepotism and biasedness in the collegium system by further strengthening transparency. With the operation of NJAC the mechanism of checks and balances prevails which is an aspect of separation of powers will curtail the arbitrary of power which judiciary might misuse during the appointment of judges with the system of monitoring and increasing accountability of judiciary towards other organs and public, which was absent before because of composition consisting only judges

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<sup>20</sup> Department-Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice. (2021). Demands for Grants (2021-22) Of the Ministry of Law and Justice (Report No. 107). Rajya Sabha Secretariat.

[https://rajyasabha.nic.in/rsnew/Committee\\_site/Committee\\_File/ReportFile/18/146/107\\_2021\\_3\\_10.pdf](https://rajyasabha.nic.in/rsnew/Committee_site/Committee_File/ReportFile/18/146/107_2021_3_10.pdf).

NJAC enhances the democracy as in majority of the country's judges are not allowed to choose the judges, India bring a democratic as envisaged in the Indian Constitution it should done with the minimum interference of the elected representees and not just by judges as democracy predominantly means we rule.

With government or executive interference there can be a through personal and background checks of the prospective appointees which would be otherwise be burdensome for Judiciary through intelligence gathering mechanism. This aspect which is lacking in the existing system might create a mishap in the future and one of the examples for a great lesson was appointment of Justice Dinakaran who had charges against him and this method could have been prevented by this mechanism.

There would not be any delay leading to vacancies as the new composition suggests further involvement in the composition i.e., the presence of law minister and other to eminent persons.

#### **NJAC- AS A GLOBAL SCANERIO**

**UNITED KINGDOM:** Initially, in UK as well the system of appointment of judges was similar to that of collegium because of its opaqueness. However, since 2005 a commission had been established to keep a check on appointments and mechanism adopted by Lord of Chancellor, who before was neither accountable nor bound. Therefore, the aim of NJAC matches with that of new commission.<sup>21</sup>

**SOUTH AFRICA:** This South- Asian country as well has its own commission which is an amalgamation of both political and judicial background people representing the aspect of diversity of NJAC. The commission would be recommending the names to President who is in return bound to accept and CJ and appointed political party leaders.

**United States of America:** Initially, in USA, President used to nominate judges at his own discretion and senate was bound to accept. However, after the strong opposition the appointment process had been elevated wherein the senate would recommend judges to President and these senators would rely on various commissions for recommendation thereby

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<sup>21</sup> Kate Malleson, Appointment, Discipline and Removal of Judges: Fundamental Reforms in the United Kingdom in judiciaries In Comparative Perspective (2011).

not restricting to only judicial members.

Having analysed from global progression, India should step forward and adopt NJAC for appointment of judges of SC and HC.

### **CONCLUSION AND SUGGESTIONS**

In order to sum up the above paper, the NJAC judgement had come to limelight after the recent developments that is when the Vice-President had recalled the 2015 NJAC judgement as severe compromise on sovereignty and Ex- law Minister Kiran Rijju suggestion on incumbent of executive in the appointment and transfer further aggrieved the issue. The concept of collegium, though not being present anywhere in the constitution, had evolved through the judicial precedents which was the result of controversial issue of whose primacy would be prevailing either judiciary or executive and court in the Third Judges Case held Judiciary's decision would prevail. Since then, there was tussle between executive and judiciary and as result NJAC had been passed. However, in NJAC judgement held the involvement of executive would be against basic structure of Constitution and therefore void. However, there was a dissenting opinion by Justice J Chelameshwar who favoured NJAC and lashed out the secrecy and transparency and even refused to participate in collegium and its meeting unless there is a record of transparency.

Having analysed the drawbacks of the existing collegium system, judges appointing judges which attracts a sense of choice, favouritism, nepotism thereby leading to lack of transparency. All these drawbacks who suppress competent, efficient advocates and lawyers over the incompetent. The competency of judiciary is very much required as it is the enforcing body, the guardian of the Constitution and key role for the proper function of the democratic country. As per authors suggestion NJAC would be an accurate commission over the collegium system as this involves the process of checks and balances, judiciary's accountability by eradicating the concept of favouritism by elevating the process from grey area to transparency. It's also suggested that since the major portions of the Constitution had been influenced from the foreign nations this concept of NJAC though different aspects in various forms can be envisaged. The In order to make NJAC also more transparent, the original members which had 6 members should be reduced to 5 suggesting that there should only one seniormost SC judge instead of two in order to create equal representation. Comparing, with an impartial hand though there



are minimal issues with that of NJAC, Collegium would be more pathetic.

Since the implementation of NJAC would be taking a considerable time, it is suggested for certain reformatations in the existing collegium system. Firstly, there should be a formal CV which has to drafted by an eager-judges to the collegium and this should be available for the publication. Video recordings of the meetings conducted by collegium should also be published Secondly, Judges who try to get preferential treatment and use their position as back door should get a warning letter from the collegium. Thirdly, a proper verified mechanism should be involved in appointment of judges.

However, these mechanisms would only create temporary relief as the process would still be under the process amongst judges. Thereby, this article concludes in favour of Vice-President Jagdeep Danker's comments and ends on a positive note of **REPLACING COLLEGIUM WITH NJAC**.

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