

Seventeenth Loksabha

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Title: Regarding View of Government on Supreme Court Collegium System for Appointment of Judges.

PROF. SOUGATA RAY (DUM DUM): Sir, there is a growing conflict between the Government, that is, the Executive and the higher judiciary. This has been triggered by the Law Minister's sharp criticism of the collegium system of appointment of judges.

The Law Minister's statements are disturbing and inappropriate because they relate to the way the court should function. He has suggested that judges should not have too many vacations. He has said this because he does not have any idea of the workload and the pressure judges undergo, which also impact their health. The Law Minister also said that the SC should not hear bail pleas and frivolous PILs. Not hearing bail pleas will be taking away the Fundamental Rights enshrined in article 21.

माननीय अध्यक्ष : आप तो अपनी बात बोलिए। आप सीनियर व्यक्ति हैं। आप अपना विषय रख दीजिए। इनका स्टेटमेंट मत पढ़िए।

प्रो. सौगत राय : सर, मैंने विषय रख दिया है। मैं सिर्फ एक मिनट ही बोलूंगा।

If they take away the PIL facility, which gives justice to the common people, it will be taking away the facility that was given by Justice P.N. Bhagwati. We think we should not allow the Government to be the final arbiter on the appointment of judges to the Supreme Court and the High Courts. Making such statements by the Government through the Law Minister does not augur well. There can be a difference of opinion but to comment on the functioning of the Supreme Court is unacceptable. I would like the Government to find a solution to these impasses that are developing.