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News: V-P says court can't dilute Parliament's sovereignty

- VP talked about the National Judicial Appointments Commission (NJAC) Act, which was struck down by the Supreme Court of India.

National Judicial Appointments Commission (NJAC)

- In August 2014, Parliament passed the Constitution (99th Amendment) Act, 2014 along with the NJAC Act, 2014, providing for the creation of an independent commission to appoint judges to the Supreme Court and high courts to replace the collegium system.
- In 2015, the Supreme Court declared both the 99th Constitutional Amendment, 2014 and the NJAC Act, 2014 as unconstitutional and null and void.

Composition of NJAC

- The Chief Justice of India as the ex officio Chairperson.
- Two senior-most Supreme Court Judges as ex officio members.
- The Union Minister of Law and Justice as ex officio member.
- Two eminent persons from civil society (to be nominated by a committee consisting of the Chief Justice of India, Prime Minister of India and the Leader

of Opposition in the Lok Sabha; one of the eminent persons to be nominated from SC/ST/OBC/minorities or women).

Difference between Collegium System and NJAC (Appointment)

National Judicial Appointments Commission (NJAC)

- The Chief Justice of India and Chief Justices of the high courts were to be recommended by the NJAC based on seniority while SC and HC judges were to be recommended on the basis of ability, merit, and “other criteria specified in the regulations”.
- The Act empowered any two members of the NJAC to veto a recommendation if they did not agree with it.

Collegium System

- In the collegium system, a group of the senior-most judges makes appointments to the higher judiciary and this system has been operational for nearly three decades.