# Increasing the number of SC judges

## What is the issue?

- The Union Cabinet approved a proposal to increase the number of Supreme Court (SC) judges.
- This decision was taken against the backdrop of rising cases in SC.

## What is the proposal?

- Presently, there are 30 judges in SC excluding the chief justice of India (CJI).
- **The Supreme Court (Number of Judges) Act, 1956** was last amended in 2009 to increase the judges' strength from 25 to 30, excluding the CJI.
- Once the bill to increase the number of judges gets parliamentary nod, the number of judges would go up to 33, excluding the CJI.

## Why this proposal is welcomed?

- Given the perennial complaint that availability of judges is not increasing in proportion to the institution of cases, a move to increase the strength of the judiciary ought to be welcomed.
- CJI also highlighted the problem of paucity of judges, due to which he was unable to constitute enough Constitution Benches to decide important questions of law.

## But, why increase in the court's strength may not be enough?

- However, a moot question is whether SC, the highest, should go into the correctness of every decision of every high court.
- The judicial resources available being used optimally is to be looked into.
- There is another question whether its valuable time is being taken up by matters that do not impinge on larger questions that involve interpretation of laws and constitutional provisions.
- Every major crime or disaster seems to invite a litigant, ostensibly in public interest, who mentions the matter before the CJI for urgent hearing.
- The court is being invited to even oversee flood relief work.

## What are some other measures to be taken?

- A reasonable restraint on the duration of oral arguments and a disciplined

adherence to a schedule of hearings may be needed.

- One of the principal objectives should be to **preserve the apex court's primary role** as the ultimate arbiter of constitutional questions and statutory interpretation.
- It may be worthwhile considering the **229th Report of the Law Commission's** suggestion, a new system under which there will be
    1. One Constitution Bench in Delhi, and
    2. Four 'Cassation Benches' for different regions of the country.
- These will be final appellate courts for routine litigation.
- This arrangement may also increase access to justice to those living in far-flung areas of the country and who spend more time and money in pursuing appeals.
- It may also cut down on the time taken for disposal of cases.

**Source: The Hindu**

## Quick Facts:

### Appointment of SC Judges:

- The **judges** of the Supreme Court are appointed by the President.
- The **CJI** is appointed by the President after consultation with such judges of the Supreme Court and high courts as he deems necessary.
- The **other judges** are appointed by President after consultation with the CJI and such other judges of the Supreme Court and the high courts as he deems necessary.
- The **consultation** with the chief justice is **obligatory** in the case of appointment of a judge other than CJI.

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