New Chief Justice of India

Prelims – *Indian polity and Governance*

Mains (GS II) – *Polity | organization and functioning of the Executive and the Judiciary*

Why in News?

Chief Justice of India Sanjiv Khanna recently wrote to the Union Law Ministry, naming Justice B R Gavai, the 2nd -most senior judge of the Supreme Court, as his successor.

Justice B R Gavai

- **Born in -** Amravati in Maharashtra.
- **Joined the Bar on -** March 16, 1985, and worked with Raja S Bhonsale, former Advocate General and judge of the Bombay High Court, till 1987.
- He served as Additional Judge of the Bombay High Court on November 14, 2003, and became a *permanent Judge of the High Court* on November 12, 2005.
- Elevated as a *judge of the Supreme Court* on May 24, 2019.
- **Landmark Rulings**

1. Supporting demonetization of currency notes of Rs 500 and Rs 1,000.
2. Allows sub-categorization of scheduled castes, extending the creamy layer principle to Scheduled Castes (SCs) and Scheduled Tribes (STs) to achieve real equality.
3. Upheld the Centre's decision to abrogate Article 370, which gave special status to the erstwhile state of Jammu and Kashmir.
4. Struck down the Electoral Bonds Scheme.
5. Criticized the use of bulldozers against properties of crime accused, and ruled that demolition of properties of citizens without following due process is contrary to the rule of law.

Chief Justice of India (CJI)

• **Appointment -** The **President** appoints the CJI under ***Article 124(2)*** of the Constitution.
• He is appointed based on a recommendation from the *Supreme Court Collegium.*
• The collegium system was established through judgments of the Supreme Court, particularly the ***Second Judges Case in 1993.***
• **Collegium -** The collegium consists of the CJI and 4 senior-most judges of the Supreme Court.
• As per the convention, the senior most judge of Supreme court will be chosen as CJI.
  - The seniority is measured by the ***length of service*** on the Supreme Court.
• **Qualification -** Must be a citizen of India.
  - Must have served as a judge in a High Court for at least five years **or**
  - Must have practiced as an advocate in a High Court for at least ten years **or**
  - He can be someone deemed as a distinguished jurist by the President.
• **Removed by -** The **President** only after Parliament presents an address, supported by a special majority in both Houses (a majority of total members and at least two-thirds of those present and voting).

Reference

The Indian Express | Chief Justice of India

