

Feb

1. There is a need for an independent mechanism in the Judicial appointments that ensures public scrutiny of their suitability. Analyse.

Judicial Independence is the most important feature of Judiciary in India. The questionable elevation of advocate L. Victoria Gounder as a Judge of the Madras High Court epitomises the problematic nature of the system of judicial appointment.

Judicial Appointment

"Under collegium system" - Itself the product of a 1993 Judgement of the Supreme Court, where three senior-most Judges of Supreme Court make recommendation for appointments which govt. is bound to accept.

Problems

- > Opacity :- function of collegium can be contrasted with Judicial system in U.S, South Africa etc where processes are all open.
- > Issue of suitability :- What Judges consider in Judicial Review is only eligibility and not suitability.