



EDITORIAL: THE HINDU

GENERAL STUDIES 2: POLITY

TOPIC: JUDICIARY

DATE: 12.12.2024

CHIEF JUSTICES NEED LONGER TENURES

Issue of Short Tenures for High Court Chief Justices

- India's judiciary faces the challenge of short tenures for High Court Chief Justices, stemming from frequent transfers and appointments. This instability hampers their ability to implement long-term reforms and disrupts the functioning of the courts.

Recent Appointments and the Problem of Brief Tenures

- In September, eight new Chief Justices were appointed, with some serving only a few weeks or months. For example, Justice Rajiv Shakdher served just 24 days as the Chief Justice of the Himachal Pradesh High Court. Such short tenures limit their ability to address institutional challenges and improve the courts.

The Multifaceted Role of a Chief Justice

- Chief Justices play a vital role in managing the court's administration, appointing judges, overseeing staff welfare, and maintaining discipline. Short tenures hinder their ability to fulfill these responsibilities effectively.

Challenges Posed by Short Tenures

- Frequent leadership changes prevent Chief Justices from fully understanding the court's needs and implementing reforms. This disrupts the court's functioning and delays necessary changes, preventing long-term institutional improvements.

Historical Perspective and Concerns Raised

- During the British era, Chief Justices served long tenures (around eight years), providing stability. In contrast, the shorter tenures post-independence raise concerns about the effectiveness of judicial leadership and reforms.

Proposals for Addressing the Issue

Several solutions are proposed:

1. **Constitutional Amendment:** To establish fixed tenures for judges, ensuring stability.
2. **Increased Retirement Age:** Raising the retirement age to 65 to retain experienced judges.
3. **Independent Judicial Commission:** To reduce executive influence in appointments and transfers.



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4. **Enhanced Security of Tenure:** Strengthening safeguards to protect judges from arbitrary removal.

Call for a Collaborative Solution

- Addressing short tenures requires collaboration among stakeholders, including the legal community and lawmakers, to ensure effective leadership and long-term judicial development. A stable judiciary is essential for India's democratic health.

Source : <https://www.thehindu.com/opinion/op-ed/chief-justices-need-longer-tenures/article68972661.ece#:~:text=While%20the%20tasks%20of%20Chief,innovation%2C%20reform%2C%20and%20improvement%3F>

