

SC COLLEGIUM RECOMMENDS HC CHIEF JUSTICE INDIA: POLITY

NEWS: Supreme Court Collegium recommends new Chief Justices for five High Courts

WHAT'S IN THE NEWS?

The Supreme Court Collegium recently recommended new Chief Justices for five High Courts, reaffirming the role of the collegium system in preserving judicial independence. Appointments under Article 217 require Presidential assent, but the collegium's recommendation is binding if reiterated.

Recent Recommendations for Chief Justices (June 2025)

The **Supreme Court Collegium** has proposed new Chief Justices for five High Courts to fill upcoming vacancies and maintain judicial leadership across states.

1. Madhya Pradesh High Court

- **Recommended Candidate:** Justice Sanjeev Sachdeva
- **Current Position:** Judge in Madhya Pradesh High Court
- **Parent High Court:** Delhi High Court

2. Karnataka High Court

- **Recommended Candidate:** Justice Vibhu Bakhru
- **Current Position:** Senior-most puisne judge of Delhi High Court
- **To replace:** Justice N.V. Anjaria (elevated to the Supreme Court)

3. Gauhati High Court

- **Recommended Candidate:** Justice Ashutosh Kumar
- **Current Position:** Judge in Patna High Court
- **To replace:** Justice Vijay Bishnoi (nominated to the Supreme Court)

4. Patna High Court

- **Recommended Candidate:** Justice Vipul Manubhai Pancholi
- **Parent High Court:** Gujarat High Court
- **Currently Serving:** In Patna High Court

5. Jharkhand High Court

- **Recommended Candidate:** Justice Tarlok Singh Chauhan
- **Parent High Court:** Himachal Pradesh High Court

- **To fill:** An anticipated vacancy due to transfer

Chief Justice of a High Court: Constitutional and Legal Framework

Constitutional Basis

- **Article 217** of the Indian Constitution governs the **appointment of judges** to High Courts, including the Chief Justice.

Eligibility Criteria

- Must be a **citizen of India**
- Should have either:
 - Held a **judicial office in India for at least 10 years**, or
 - Served as an **advocate in a High Court for 10 years**
- **No minimum age** is prescribed

Appointment Process

- Recommended by the **Supreme Court Collegium**
- **Formally appointed** by the **President of India**, in consultation with:
 - **Chief Justice of India (CJI)**
 - **Governor of the concerned state**
 - (For judges other than Chief Justice) the **Chief Justice of that High Court**

Removal Process

- **Cannot be removed by executive action**
- Can only be removed by **impeachment by Parliament**, as per **Article 124(4)** (same as for SC judges)

Powers and Role of a High Court Chief Justice

- **Heads the High Court administration** and supervises subordinate judiciary
- **Controls case allocation** and formation of benches
- **Leads the High Court Collegium** and participates in:
 - Judicial appointments
 - Transfers of judges
- Oversees **judicial discipline**, procedural efficiency, and **case management**

The Collegium System in Judicial Appointments

Definition

- The **Collegium System** is the mechanism through which judges are appointed to the higher judiciary.
- It evolved through **judicial interpretation**, especially the **Three Judges Cases**, and **is not mentioned in the Constitution**.

Composition

- **Supreme Court Collegium:**
 - Headed by the **CJI**
 - Includes the **four senior-most judges** of the SC
- **High Court Appointments:**
 - Involve the **CJI + 2 senior-most SC judges**
 - Plus the **Chief Justice of the concerned High Court**

Appointment Process

- **Supreme Court judges:** Recommended by the SC collegium
- **High Court judges:**
 - First recommended by the **High Court Collegium**
 - Reviewed and cleared by the **Supreme Court Collegium**
- Sent to the **President of India** for formal appointment

Role of the Executive

- The **Union Government** can seek clarification or return names for reconsideration
- But **must accept the Collegium's recommendation** if reiterated

Advantages of the Collegium System

- **Maintains judicial independence** by limiting executive interference
- Reduces **politicisation** of judicial appointments
- Ensures **peer-based evaluation** and selection, often based on merit and seniority

Source: <https://www.thehindu.com/news/national/supreme-court-collegium-recommends-new-chief-justices-for-five-high-courts/article69621898.ece>