

**Seventeenth Loksabha**

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Regarding striking down of NJAC by Supreme Court and the collegium system

PROF. SOUGATA RAY (DUM DUM): Sir, I have already changed my subject, and I have already given notice for it.

HON. CHAIRPERSON : Okay.

PROF. SOUGATA RAY: Sir, as you know the 99th Constitution Amendment striking down the National Judicial Appointment Commission, which was passed by this House was struck down by the Supreme Court as a result of which the collegium system of appointing Judges continues.

Recently, our Law Minister has been snipping at the Supreme Court and at the collegium system. We did not take him seriously because he is a talkative Minister, Mr. Kiren Rijju. But now a person in high office, who cannot be criticised except by a substantive motion, has come out to criticise the striking down of the NJAC. The Government is trying to extend its power everywhere, including into the Judiciary. It is not finding the Judiciary pliable. That is why, it is using a high dignitary to run down the Collegium system. At this point of time, our party believes that the Collegium system should continue, not that it is perfect. But the Collegium system of the Supreme Court is actually a bigger guarantee against the tyranny of the power by the Central Government. I oppose the comments made by the high authority and also by the Law Minister against the Supreme Court, and the Collegium system.

We will oppose all efforts to run down the independence of the Judiciary, which is one of the pillars of the Constitution, which this Government is trying to bring down. ... (Interruptions)

HON. CHAIRPERSON: Please sit down. The Chair has allowed him.

... (Interruptions)

\*mo2 श्री रवि शंकर प्रसाद (पटना साहिब) : महोदय, मैं एक सदस्य के रूप में अपनी बात कह रहा हूँ। ... (व्यवधान) मैं कोई रिप्लाय नहीं कर रहा हूँ, मेरा सवाल व्यवस्था का है।

माननीय सभापति : माननीय सदस्य, चेयर ने आपको बोलने के लिए अलाऊ किया है, आप बोलिए।

श्री रवि शंकर प्रसाद : महोदय, मेरा सिर्फ यही कहना है कि हम सभी न्यायपालिका का सम्मान करते हैं, लेकिन प्रत्यक्ष या अप्रत्यक्ष रूप से किसी भी सदन के ... इस तरह से आलोचना करना बिल्कुल गलत है। मैं इसकी भर्त्सना करता हूँ। कृपया करके इसको विलोपित किया जाए, इसको रिकॉर्ड से हटाया जाए। ... (व्यवधान) उनको अपनी बात कहने का अधिकार है, लेकिन एक ...\* की आलोचना नहीं होनी चाहिए। ... (व्यवधान) यह बहुत गलत बात है।

माननीय सभापति : ठीक है, इसमें क्या हो सकता है, वह देख लेंगे।

... (व्यवधान)