

PRESS RELEASE

Oct. 16, 2015

-

Randeep Singh Surjewala, Incharge Communications, AICC has issued the following statement to the press today:-

"Indian National Congress respects the judgment of Constitution Bench of Hon'ble Supreme Court on NJAC issue. Independence of judiciary is a key fundamental of our democracy. There can be no compromise on the same. NJAC judgment implicitly reflects lack of confidence in government which has eroded institutional autonomy and constitutional safeguards over last 17 months.

It is also true that the existing collegiums system is shrouded in secrecy and over confidentiality. Discretion to appoint judges must be based on objective and not subjective criteria. Transparency, accountability and responsibility of collegium system is must and has been under question. Moreover, there is no institutional mechanism to check and address complaints of corruption and nepotism in higher judiciary.

We are happy to note that Constitution Bench of Hon'ble Supreme Court has itself recognized these shortcomings and has directed to hear arguments on the issue of ensuring transparency, accountability and responsibility of collegium system in the first week of November, 2015.

Quashing of NJAC should not be viewed as a confrontation between judiciary and Parliament. Instead of looking backward, we must look forward to address the issue in hand. Under no circumstances should elements within or outside the government venture into an atmosphere of confrontation between Parliament and judiciary.

Important question is not who will appoint judges but important question is as to how will the judges be appointed? Whether system of appointment of judges to higher judiciary can be transparent, accountable and responsible in a fashion that is best for the growth of a healthy democracy while maintaining complete independence of the judiciary is the moot question to be addressed.

Over 67 years, our Constitution has seen many such healthy interpretations on a number of issues including Right to Property and Abolition of Privy Purses, issue of reservation for Scheduled Castes and Backward Classes etc. Every time, inherent strength of Indian democracy has resulted in resolution of the issue in favor of people of

the country. All parties must look forward to fiercely upholding the independence of judiciary and building a system of appointment of judges that is truly transparent, fully accountable and comprehensibly responsible.”

Randeep Singh Surjewala