



# Collegium controversy

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## **An unusual change of decision brings the judicial appointments system under scrutiny**

- The controversial collegium system of judicial appointments is under public scrutiny once again.
- This time, the potential for embarrassment to the superior judiciary is much higher.
- Former Chief Justices of India, a sitting Supreme Court judge, and the Bar Council of India have taken exception to the collegium's unusual action of revisiting decisions made at an earlier meeting, and recommending the elevation to the apex court of Justice Dinesh Maheshwari and Justice Sanjiv Khanna, instead of two judges whose names had been considered earlier.
- The allegation is not merely one concerning the seniority or the lack of it of the two appointees; rather, it is the much graver charge of arbitrarily revoking a decision made on December 12 2018.
- Former Chief Justice of India R.M. Lodha is right in underscoring the institutional nature of decisions by the collegium.
- The credibility of the collegium system has once again been called into question.
- The recent practice of making public all resolutions of the collegium has brought in some transparency.
- Yet, the impression that it works in mysterious ways refuses to go away.
- This controversy ill-serves the judiciary as an institution.

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