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CURRENT AFFAIRS



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Collegium system

- The Supreme Court Collegium has recommended the appointment of five new Chief Justices in the High Courts.

Collegium System and Its Development:

- It is a system of appointment and transfer of judges, which has evolved through decisions of the Supreme Court, not established by an Act of Parliament or a provision of the Constitution.

Development of Collegium System:

First Judge Case (1981):

- It stipulated that the “principle” of the suggestion of the Chief Justice of India (CJI) on judicial appointments and transfers can be rejected for “substantial reasons”.
- This decision has established the primacy of the executive over the judiciary in judicial appointments for the next 12 years.

Second Judge Case (1993):

- The Supreme Court introduced the collegium system by clarifying that “consultation” actually means “consent”.
- In this case the Supreme Court further said that it would not be the personal opinion of the CJI, but an institutional opinion taken in consultation with the two senior most judges of the Supreme Court.

Third Judge Case (1998):

- Following a presidential reference issued by the President, the Supreme Court expanded the collegium as a five-member body consisting of the CJI and his four senior-most aides.

Head of Collegium System:

- The Supreme Court Collegium is presided over by the CJI and includes four other senior-most judges of the Supreme Court.
- The Collegium of a High Court is headed by its Chief Justice and four other senior-most judges of that Court.
- Names recommended for appointment by the High Court Collegium reach the Government only after the approval of the CJI and the Supreme Court Collegium.
- The judges of the higher judiciary are appointed through the collegium system and the role of the government in this process is only after the collegium is nominated.

Prescribed procedure for various judicial appointments:

Chief Justice of India (CJI):

- The CJI and other judges of the Supreme Court are appointed by the President of India.
- The outgoing CJI recommends the name of his successor with reference to the next CJI.
- However, since the infringement controversy of the 1970s, it is practically followed by seniority.

Supreme Court Judges:

- The proposal for selection of names for other judges of the Supreme Court is initiated by the CJI.
- The CJI consults with the rest of the members of the Collegium as well as the senior-most Judge of the High Court to which the person recommended for the post of Judge belongs.
- Consultants are required to submit their opinion in writing as per the prescribed procedure and it should be made part of the file.
- After this the collegium sends its recommendation to the Union Law Minister, through which it is sent to the Prime Minister to advise the President.

For the Chief Justice of the High Court:

- The Chief Justice of the High Court is appointed on the basis that the person to be appointed as the Chief Justice shall not be from the State concerned but from any other State.
- Although the decision of selection is taken by the collegium.
- Judges of the High Court are recommended by a collegium consisting of the CJI and two senior-most judges.
- However, the proposal for this is moved by the outgoing Chief Justice of the concerned High Court after consultation with his two senior most colleagues.
- This recommendation is sent to the Chief Minister, who advises the Governor to send this proposal to the Union Law Minister.

Criticism of Collegium System:

- Lack of clarity and transparency.
- Possibility of discrepancies like nepotism.
- Engaging in public disputes.
- Many talented junior judges and advocates overlooked.

Efforts to improve the recruitment system:

- An attempt by the 'National Judicial Appointments Commission' (via the 99th Amendment Act, 2014) to replace it was rejected by the Court in 2015 on the grounds that it was a threat to the independence of the judiciary.

National technology day

- Prime Minister on National Technology Day (May 11) expressed “gratitude” to the scientists and their “efforts” whose efforts resulted in the ‘successful Pokhran test in the year 1998’.

About National Technology Day:

- This day was first observed on May 11, 1999, its purpose is to commemorate the scientific and technological achievements of Indian scientists, engineers. The day was named by former Prime Minister Atal Bihari Vajpayee.
- Every year the Technology Development Board of India (a statutory body under the Ministry of Science and Technology) celebrates this day by conferring national awards on individuals for their contribution to science and technology in India.
- The focus of this year is ‘Integrated Approach in Science & Technology for Sustainable Future’.

Importance:

- On this day, India successfully tested nuclear bombs in Pokhran on May 11, 1998.
- Nuclear missile was test fired at Indian Army’s Pokhran test range in Rajasthan. This was the second test conducted after Operation Smiling Buddha of Pokhran-I in May 1974.
- India successfully test-fired its Shakti-1 nuclear missile in an operation called Pokhran-II, known as Operation Shakti, which was led by the then President Dr. APJ Abdul Kalam.
- On the same day India conducted successful test firing of Trishul missile (short range surface-to-air missile) and test-fired the first indigenous aircraft ‘Hansa-3’.

Shaurya Chakra: Gallantry Award

- Recently, the President honored 13 soldiers of the Indian Army with the country's third highest gallantry award, the Shaurya Chakra, at the Defense Decoration Ceremony (Phase-1), out of which 6 have been awarded posthumously.
- Along with this, the President also presented Param Vishisht Seva Medal, Uttam Yudh Seva Medal and Ati Vishisht Seva Medal for exceptional service.

Gallantry Awards in India:

- After independence, the first three gallantry awards namely Param Vir Chakra, Maha Vir Chakra and Vir Chakra were started by the Government of India on 26 January 1950, which were considered effective from 15 August 1947.
- After this the other three gallantry awards namely Ashoka Chakra Category-I, Ashoka Chakra Category-II and Ashoka Chakra Category-III were introduced by the Government of India on January 04, 1952, which were deemed to be effective from August 15, 1947.
- These awards were renamed as Ashok Chakra, Kirti Chakra and Shaurya Chakra respectively in January 1967.
- The order of priority of these awards is – Param Vir Chakra, Ashok Chakra, Mahavir Chakra, Kirti Chakra, Vir Chakra and Shaurya Chakra.

Eligibility for Awards:

- All officers of all ranks of the Army, Navy and Air Force or any Reserve Force, Territorial Army and any other armed force legally constituted are eligible for these awards.
- Matrons, nurses, employees of nursing services and other employees attached to hospitals and nursing services and civilians (both male and female) other than the above personnel who are under the orders, directions or supervision of any of the above forces, on regular or temporary basis are eligible for this award.

Highest Wartime Gallantry Award:

Param Vir Chakra:

- It is India's highest military decoration, given for displaying acts of unparalleled courage and exceptional valor during war (whether on land, at sea or in the air).

Mahavir Chakra:

- It is the second highest gallantry award given for acts of conspicuous gallantry in the presence of the enemy on land, at sea or in the air.

Vir Chakra:

- It is the third highest wartime gallantry award in the country after Param Vir Chakra and Maha Vir Chakra.

Highest Peacetime Gallantry Award:

Ashoka Chakra:

- It is the highest military award given for gallantry, courageous action or sacrifice during peacetime.
- It is awarded in peace time for conspicuous bravery or any other act of courage or gallantry or self-sacrifice.

Kirti Chakra:

- It is the second highest peacetime gallantry award and is given for courageous action or self-sacrifice in peace time.

Shaurya Chakra:

- It is awarded to the personnel of the Armed Forces for exceptional gallantry.

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