



KAMARAJ IAS ACADEMY
Only IAS Academy by Grandson of "Perunthalaivar Kamarajar"

53rd Chief Justice of India

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Context

- **Justice Surya Kant** is set to take oath as the **53rd Chief Justice of India (CJI)** on **24 November 2025**, succeeding CJI B. R. Gavai.
- His tenure will run till **9 February 2027**, making it one of the **longer tenures** among recent CJIs

About the Office of the Chief Justice of India

Constitutional Basis

- **Article 124(1)**: Establishes the **Supreme Court of India**, consisting of a Chief Justice of India and other judges.
- **Article 124(2)**: Judges (including CJI) are appointed by the **President** by warrant under his hand and seal, after consultation.
- **Article 126**: Provides for appointment of an **Acting CJI** when the office is vacant or the CJI is unable to perform duties.
- **Article 127**: Appointment of **ad hoc judges** of the Supreme Court.
- **Article 128**: Retired SC judges may be requested to sit and act as judges.

Procedure for Appointment of the CJI

1 Seniority Principle (Convention)

- The **senior-most judge** of the Supreme Court (based on tenure in SC) is appointed as the next CJI, if considered fit.
- This is a long-standing convention reinforcing **judicial independence**.

2 Recommendation by Outgoing CJI: About one month before retirement, the outgoing CJI **recommends the name** of the next CJI to the **Union Minister of Law & Justice**.

3 Executive Processing: Law Minister ? forwards the file to the **Prime Minister** ? PM advises the **President**.

4 Presidential Appointment: The President issues the **warrant of appointment** under **Article 124(2)**.

5 Oath of Office: The incoming CJI takes oath before the **President of India**.

6 Memorandum of Procedure (1999): Codifies the convention: "*The appointment to the office of the Chief Justice of India should be of the seniormost Judge of the Supreme Court considered fit to hold the office.*"

Key Features of the CJI Appointment System

- **Seniority-based, convention-driven** ? limits executive discretion and ensures continuity.
- **Consultative system** ? judiciary-led recommendation, executive formalisation.
- **CJI heads the Collegium** ? hence the appointment influences the entire **judicial appointments ecosystem**.

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Significance of the CJI's Role

1Judicial Head & Master of the Roster: Allocates benches, lists cases, and decides which matters receive priority.

2Head of the Collegium: Plays a crucial role in **appointments and transfers** of High Court and Supreme Court judges.

3Constitutional Guardian

- Chairs benches that decide matters relating to:
- **Fundamental rights**
- **Federal disputes**
- **Electoral issues**
- **Constitutional amendments**
- **Separation of powers**

4. Administrative Leader: Supervises the entire administration of the Supreme Court.