



**KAMARAJ IAS ACADEMY**  
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# Supreme Court Considers PIL on Collegium System and NJAC Revival

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## Context:

The Supreme Court recently agreed to consider a Public Interest Litigation (PIL) challenging the Collegium system for appointments of judges to the Supreme Court and High Courts. The petition also seeks the revival of the **National Judicial Appointments Commission (NJAC)**.

## About the NJAC Act, 2014:

**Constitutional Amendment:** The NJAC was established through the **99th Constitutional Amendment** to replace the Collegium system for higher judiciary appointments.

**Composition:** The Commission consisted of six members:

1 Chief Justice of India (Chairperson)

2 Two senior Supreme Court judges

3 Union Minister of Law & Justice

4 Two eminent persons

**Judicial Verdict:** The NJAC was struck down by the Supreme Court in the **Fourth Judges Case (2015)**, holding it unconstitutional for violating the **'Basic Structure'** principle, particularly judicial independence.

## Concerns with the Collegium System:

**1 Opaqueness and Accountability Deficit:** Decisions are taken internally by judges and are not answerable to Parliament or the executive.

**2 Exclusionary Nature:** Criticised for under-representation of women and marginalised communities in the higher judiciary.

**3 Constitutional Ambiguity:** The system emerged from judicial interpretation through the **Three Judges Cases**, raising concerns about Parliament's limited role in institutional design.

**4 Vacancy Delays:** Disagreements between the Collegium and the Executive often result in prolonged judicial vacancies.

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