



KAMARAJ IAS ACADEMY
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Justice BR Gavai takes over as CJI for a 6 month tenure

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Context

- Justice Bhushan Ramkrishna Gavai was sworn in by President Droupadi Murmu as the **52nd Chief Justice of India** at the Rashtrapati Bhavan on Wednesday.
- Chief Justice Gavai has a tenure of over six months till November 23. He was elevated as a judge of the Supreme Court on May 24, 2019 from the Bombay High Court.
- Justice Gavai is the **1st Buddhist Chief Justice of India and 2nd Dalit CJI**. He was born on November 24, 1960 at Amravati. He joined the Bar on March 16, 1985. Justice Gavai's father, Ramakrishna Suryabhan Gavai, also known as 'Dadasaheb', was a former Governor of Bihar and a prominent Dalit leader

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In high office: Justice B.R. Gavai takes oath as the 52nd Chief Justice of India during the swearing-in ceremony, at Rashtrapati Bhavan, next to President Droupadi Murmu on Wednesday. PTI

Appointment of CJI

- **Article 124 (1)** of the Constitution merely says, “There shall be a Supreme Court of India consisting of a Chief Justice of India.”
- Clause (2) of Article 124 of the Constitution says that every Judge of the Supreme Court shall be **appointed by the President**.
- Thus, in the **absence of a constitutional provision, the procedure to appoint CJI relies on convention**.
- The **outgoing CJI recommends his successor** a practice, which is strictly **based on seniority**.
- **Seniority, however, is not defined by age, but by the number of years a judge has been serving in the top court of the country.**
- The **Central government has no role to play in the appointment of the CJI** except for the **Union Law Minister seeking the recommendation from the incumbent CJI, before sending it to the Prime Minister**.
- Apart from being an **Indian citizen**, the person must:

1Have been for **at least five years a Judge of a High Court** or of two or more such Courts in succession or

2Have been for **at least ten years an advocate of a High Court** or of two or more such Courts in succession, or

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3Be, in the opinion of the President, **a distinguished jurist**