

Collegium of Judiciary in the country should suggest corrective actions to ensure transparency in transfer of Judges. Explain.

- Collegium of SC consists of 5 senior most Judges including the CJI. It considers:
 - elevation of chief Justice / Judges of HC to SC,
 - elevation of Judges of HC as chief Justice

Article 222 deals with the transfer of judges and states that the President may, after consultation with the CJI, transfer a Judge from one HC to another.

Need for transparency

- there is a wide spread belief that transfers in both upper and lower judiciary is a form of punishment.
- lack of transparency erodes the trust of common man the consumer of justice.
- affects the independence of judiciary and degrades the moral of judges, which finally downgrades the judiciary.

Corrective Actions:

- both the procedure and the decision to transfer a judge should be transparent, informed and consented with the concerned judge.

- It should be independent and beyond the arbitrary power of the executive.
- Reason for transfer must be mentioned in the concern order.
- The process should come under the preview of judicial review.
- must have a time frame for transfers.

Conclusion.

Collegium system was introduced to uphold the basic structure doctrine of independent judiciary. However there is a need for transparency to dispel all notions of favouritism bias or governmental interference.