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## **Old foes ally against UPA's judicial reform**

By Mail Today Bureau in New Delhi



POLITICAL adversaries Arun Jaitley and A. B. Bardhan joined hands on Saturday against the Centre's proposal to make certain changes with regard to the judiciary.

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The two Opposition leaders stressed that the quality of Supreme Court and high court judges would improve if information pertaining to the appointment process was revealed to the people under the Right to Information ( RTI) Act.

The government is actively considering a proposal to amend the RTI Act to keep the office of the Chief Justice of India ( CJI) outside the ambit of the transparency law.

Jaitley, the leader of the Opposition in the Rajya Sabha, and CPI leader Bardhan differed with the government proposal to make an amendment to restore the role of the executive in the appointment of judges. Opposing the Centre's idea, the BJP leader said: " This will require an amendment in the

Constitution and we will oppose it." Bardhan said he would also oppose the move as the " quality of politics had gone down" and " appointments would be coloured". The veteran CPI leader said he agreed with Jaitley that providing access to file notings under the RTI will act as a deterrent. It would encourage accountability, Bardhan said.

Jaitley said he differed from his initial opinion to keep appointments out of the disclosure process. " The quality of appointments will improve the moment it is opened to public scrutiny," he said.

The two leaders shared the dais and addressed a gathering at the National Convention on Judicial Accountability and Reform in the Capital.

It must be noted that law minister M. Veerappa Moily had said on January 31 that the government was considering a proposal to amend the RTI Act to keep the office of the CJI outside the ambit of the transparency law.

Jaitley, however, believed that revelation of certain exchanges between the judiciary and the executive during the appointment process could prevent the selection of undeserving candidates. He stressed that his inference was based on his experiences with respect to appointments while he was the law minister.

" The executive should not have the last word. There has been a decline in politics and we are bound to fall to temptations," Jaitley added.

He said the objective criteria should be framed for selection rather than giving absolute discretion to the judges to appoint anyone.

Jaitley stressed that he favoured constitution of a National Judicial Commission for appointments rather than going with the collegium system.

Bardhan said he supported his rival Jaitley on the reforms suggested by him.

“ This is a matter which is above politics. We are on opposite sides but we have to agree on this issue,” Bardhan said.

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