

JUDGES TO SELECT JUDGES: COLLEGIUM IS NEO-COLONIALISM THROUGH THE BACKDOOR

Description



The Bizarre Story Of The Democracy-Axing Practice Of Colonial Legacy In India

The judicial intervention on the government/parliamentary system is rising in an alarming proposition in India. It is high time to end the monopoly of congress-sponsored judges, and to ask them to give up their feudal colonial behaviour.

Time and again, the wanton inability of the Indian judiciary to deliver speedy and affordable justice has been coming under scrutiny. But it has never been as chronic as these days when the very Chief Justice of India became emotional and literally broke down while addressing the inaugural session of Joint Conference of Chief Ministers and Chief Justices

of High Courts on April 24, 2016, for the reason that no one is paying attention to what CJI said “crisis of credibility” of our judiciary and called to fix what he termed “challenges from within”.

Here I am examining the following factors that mainly lay behind the crisis:

- How Collegium, a cosy colonial club, has become a potential cancerous virus devastating most benefits of democracy
- Today India is reeling under the worst colonial legacy in history. With key sectors like the Indian Constitution, Indian Democracy, Judiciary, Education, Economy, Science and Technology, Media ... all having been deeply entrenched in her colonial legacies and having strong western orientation, ‘handling’ or dealing with any post-independent government in India has been a child play for the global forces exploiting India, especially the global corporate owned Indian media.
- The Judiciary in India is functioning literally under colonial hangover. See how it emboldens certain egoistic judges to subvert the system through judicial activism recently in Uttarakhand. Congress governments sponsored judges who were congress party sabotaged the order of the President of India. Here how on earth the judge forgot the fact that it is the President who appoints even the highest judge in India, namely CJI, and also it is the President who is empowered to pardon a convict sentenced to death by the Supreme Court of India. This sort of over-indulgence of the interference of courts in the policy and execution domains can ultimately lead to a situation like that in Pakistan, where the judiciary considers itself more powerful and legitimate than an elected Government.

Judiciary has lost the trust of “we the people”. No court can re-instate the government dismissed by the President. Democracy just does not work that way. Over-indulgence of the interference of courts in the policy and execution domains can ultimately lead to a situation like that in Pakistan, where the judiciary considers itself more powerful and legitimate than an elected Government. Pakistan Supreme Court sacked democratically elected Prime Minister Yousuf Raza Gilani for what it called “Contempt Of Court”.

This is conspiracy activism by the HC. How can such high responsibility be vested upon the Judges. Does that mean someone studies law – mainly colonial laws – for a few years, become a judge and rule this country? The present trend shows just this only. Here the connection of certain foreign funded Trojan horse NGOs, their ‘PIL’ tricks, and judicial overreach and unholy nexus with certain judges and the mainstream media cannot be ruled out.

There are many instances of Supreme Court fast tracking the forien-funded PIL of NGOs even when there are lakhs of cases common citizens of India pending in the apex courts.

It all seems that India is badly caught in the vicious circle of her own COLONIAL LEGACY. The post-independent Indian administrative structure is largely a legacy of the British rule. The various functional aspects such as judiciary, public services, education system, political set-up, media, recruitment, training, office procedures, districts administration,

local administration, police system, revenue administration, budgeting, auditing, and so on, have their roots in the British rule. The continuing OMNIPOTENCE OF COLONIAL LEGACY is still prevalent in Indian psyche that is being pathetically getting manifested through her borrowed CONSTITUTION, DEMOCRACY, JUDICIARY and BUREAUCRACY from her former ruler, the colonial Britain.

Our colonial legacies are highly dangerous viruses that are sickening and damaging all democratic achievement by the people in India. The greatest and the longest lasting colonization is the colonization of the mind. In the initial stages of colonization, the conquered people are enslaved and controlled with the force of arms. The weakness of this form of colonization is that the colonized people can rise up in revolution and send the colonizer packing permanently. This colonization is transient. However, the colonizer has other weapons in their arsenal and these are used to colonize the minds of the conquered people, even after the colonized people gain independence and freedom, since colonization of the mind is more permanent.

Collegium: The Product Of A Neo-Colonialist System Coming Through Backdoor

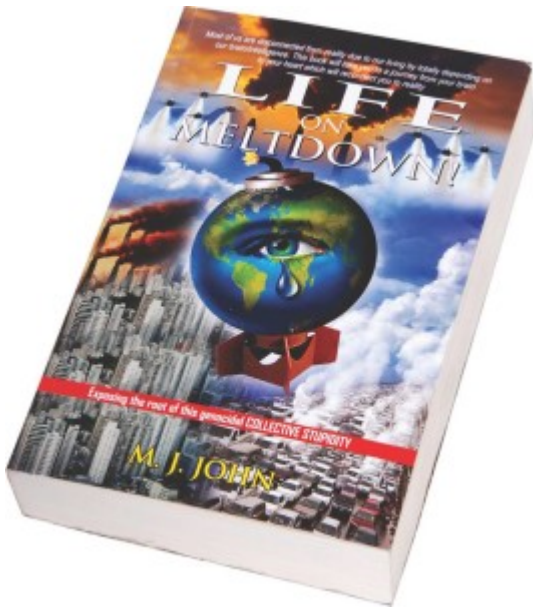
The present practice of judges to select judges is highly illogical and also a democracy-axing practice of colonial legacy in India. In this way, at present, the judicial power is centralized only in hands of judges themselves who would pick their own and there is no check. There needs to be check in place to ensure that no nepotism and favoritism is allowed in selection process. There is huge wheeling and dealing that is happening in Delhi and it needs to stop. Certain judges are only shedding crocodile tears. Collegium is no more a worthy Institution

Judiciary cannot appoint itself. That's highly unethical. Selection has to be by a different forum as in all forms of any service sector like jobs. Judiciary cannot be a retirement home for lawyers, paid from taxpayer's money. People demand transparency. If not, let there be a referendum, people will which will give a befitting reply to this corrupt judicial practice.

It is the common citizen of the nation who has been, is and will suffer as a result of the judiciary's unwillingness to comprehend the fact that the parliament is supreme. It virtually amounts to overruling the voice of the electorate which is supposedly all supreme in a democracy

In a democratic State all the organs of the government needs to created and adhered through the will of the people. THE WILL OF THE PEOPLE STANDS SUPREME IN A DEMOCRACY. This will is represented through the parliament and elected representative whom ironically people have called politicians (Pun intended). Our elected representatives are Supreme and they represent the will of the people. But this supremacy should not be Independence of each organ of the Constitution namely the Legislature, the Judiciary and the Executive is based on the premise that their functioning should not be interfered upon by the other organs of democracy. This premise does not mean that an Organ of the democracy is above the Will of the People. The Collegium system of Judges Appointment and Transfer is flawed on this premise.

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admin