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SC Collegium Recommends 4 HC Chief Justices and Senior Advocate V. Mohana for Supreme Court

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WHY IN NEWS:

The **Supreme Court Collegium**, headed by **CJI Surya Kant**, on **May 27, 2026** finalised recommendations for the elevation of **five names** to the Supreme Court — **four sitting High Court Chief Justices** (Justices Sheel Nagu, Shree Chandrashekhar, Sanjeev Sachdeva and Arun Palli) and **Senior Advocate Mrs V. Mohana** from the Bar. The Collegium met on **May 22 and May 27, 2026** to consolidate the recommendations. If approved by the President, **V. Mohana’s elevation will raise the number of sitting women SC judges from one to two.**

THE FIVE RECOMMENDATIONS

#	NAME	CURRENT POSITION	BACKGROUND
1	Justice Sheel Nagu	Chief Justice, Punjab & Haryana HC	Sitting HC CJ
2	Justice Shree Chandrashekhar	Chief Justice, Bombay High Court	Sitting HC CJ
3	Justice Sanjeev Sachdeva	Chief Justice, Madhya Pradesh High Court	Sitting HC CJ
4	Justice Arun Palli	Chief Justice, High Court of Jammu & Kashmir and Ladakh	Sitting HC CJ
5	Mrs V. Mohana, Senior Advocate	Senior Advocate, Supreme Court of India	Direct elevation from the Bar

SUPREME COURT — COMPOSITION SNAPSHOT

PARAMETER	DETAIL
Sanctioned strength	34 judges (1 CJI + 33 judges)
Statutory basis	Supreme Court (Number of Judges) Act, 1956 — amended in 2008 (31), 2019 (34)
Constitutional basis	Article 124(1) — original strength of 7 (excluding CJI); empowers Parliament to increase by law
Sitting women judges (2026)	1 — Justice B.V. Nagarathna (in line to become India's first woman CJI on September 25, 2027)
CJI	Justice Surya Kant — 53rd CJI, sworn in November 24, 2025 ; retires February 9, 2027

APPOINTMENT ARCHITECTURE

LAYER	SOURCE
Article 124(2)	SC judges appointed by the President after consultation with such judges of the SC and HCs as the President deems necessary. CJI must always be consulted.
Article 217	HC judges appointed by President after consultation with CJI, Governor and HC CJ.
Collegium System	Evolved through judicial pronouncements — see below.

The Three Judges Cases

CASE	YEAR	EFFECT
First Judges Case (S.P. Gupta v. Union of India)	1981	“Consultation” with CJI does not mean “concurrence” — executive primacy.
Second Judges Case (Supreme Court Advocates-on-Record Assn. v. Union of India)	1993	“Consultation” means “concurrence”. Collegium system born — judicial primacy.
Third Judges Case (In re Special Reference 1 of 1998)	1998	Collegium expanded to CJI + 4 senior-most SC judges for SC appointments.
Fourth Judges Case (NJAC Case)	2015	Struck down the 99th Constitutional Amendment, 2014 that had set up the National Judicial Appointments Commission (NJAC) . Collegium restored.

THE COLLEGIUM TODAY (AS OF MAY 2026)

POSITION	JUDGE
Head	CJI Surya Kant
Members	Four senior-most SC judges
Senior-most after CJI (likely)	Justice B.V. Nagarathna; Justice K.V. Viswanathan; Justice Manoj Misra; Justice Pamidighantam Sri Narasimha

(Exact composition rotates as judges retire/are elevated.)

WHY THIS ROUND MATTERS

1. Gender Representation

- SC has had **only 11 women judges in 75 years**.
- Currently, only **Justice B.V. Nagarathna** is the lone sitting woman judge.
- V. Mohana’s elevation would mean **2 women** on the SC, and would also be a **direct Bar elevation** — a rare path.

2. Direct Bar Elevations — A Trickle

- Most SC judges come up through the HC bench. Direct Bar elevations are uncommon:

- Notable recent: **K.V. Viswanathan** (2023), **L. Nageswara Rao** (2016), **P.S. Narasimha** (2021).
- V. Mohana’s elevation would mark another Bar elevation, broadening the talent pool.

3. Regional Balance

- HCs of Punjab & Haryana, AP, and others represented.
- Critics often flag **under-representation of South India, North-East, and Dalit/OBC/Adivasi/Minority judges** – collegium minutes are watched for diversity commitments.

4. Pendency Pressure

- SC has **~80,000 pending cases** (2026). Each new elevation marginally helps; the structural backlog needs deeper reforms.

THE MEMORANDUM OF PROCEDURE (MOP) STATUS

The **Memorandum of Procedure (MoP)** governing appointments has been **under negotiation between the executive and judiciary since 2015**. Disputes:

- **National security veto** for the government.
- **Reasons for rejecting a name.**
- **Time limits** for executive action on Collegium recommendations.

As of May 2026, the **MoP is still not finalised**.

CRITIQUE OF THE COLLEGIUM

CRITIQUE	COUNTER
Lack of transparency in selection	Collegium minutes are now published since 2017
In-breeding / “judges appointing judges”	Counter: judicial independence requires distance from the executive
Limited social and gender diversity	Collegium minutes 2022 onwards expressly flag diversity considerations
No formal eligibility metric	Combination of seniority + integrity + judgments + collegial input

THE NJAC EPISODE

YEAR	EVENT
August 13, 2014	99th Constitutional Amendment Act + NJAC Act — replaced Collegium with NJAC (CJI + 2 senior-most SC judges + Law Minister + 2 eminent persons)
October 16, 2015	NJAC struck down by SC (4:1 — Khehar, Lokur, Goel, Joseph; dissenting: Chelameswar). Collegium restored.

A revived NJAC-style reform with judicial primacy + safeguards remains a periodically discussed option.

WIDER SIGNIFICANCE

- **Judicial independence anchor** — Collegium remains the operational reality despite criticism.
- **Diversity progress** — V. Mohana's potential elevation is a small but visible shift.
- **Centre-Judiciary relations** — appointment delays have repeatedly led to public friction; this round's quick movement is a positive sign.
- **MoP finalisation** remains the most important structural reform pending.

WAY FORWARD

- **Finalise the MoP** with mutually acceptable balance of national-security input + transparency + time limits.
- **Publish detailed selection criteria** (not just minutes) to inform Bar and HC aspirants.
- **Diversity targets** — gender, SC/ST/OBC, regional — without compromising merit.
- **All India Judicial Service (AIJS)** — Article 312, long-proposed but stalled, deserves revival.

UPSC RELEVANCE

GS Paper 2 — Polity & Governance:

- Structure, organization and functioning of the Executive and the Judiciary.
- Appointment to various Constitutional posts, powers, functions and responsibilities.

Analytical hooks for Mains:

- The Collegium vs NJAC debate — independence vs accountability.
- Judicial diversity — gender, region, social background.

- Centre-Judiciary relations: MoP, transfer policy, vacancies.

FACTS CORNER

Collegium meetings: May 22 and May 27, 2026.

5 recommendations: Justices Sheel Nagu, Shree Chandrashekhar, Sanjeev Sachdeva, Arun Palli (sitting HC CJs); Senior Advocate Mrs V. Mohana (direct Bar elevation).

SC sanctioned strength: 34 (1 CJI + 33 judges) — under SC (Number of Judges) Act, 1956 (amended 2008, 2019).

Constitutional basis: Article 124(2) — Presidential appointment after consultation; Article 124(1) for strength.

Three Judges Cases: 1981 (executive primacy), 1993 (Collegium born), 1998 (5-member Collegium).

NJAC Case (2015): Struck down 99th Amendment, 2014 + NJAC Act.

Current sitting woman SC judge: Justice B.V. Nagarathna (likely India's first woman CJI, September 2027).

Total women SC judges in history: 11.

CJI Surya Kant: 53rd CJI; sworn in November 24, 2025; retires February 9, 2027.

SC pendency (2026): ~80,000 cases.

Sources: *LiveLaw*, *The Hindu*, *Supreme Court of India*

Source: SC Collegium Recommends 4 HC Chief Justices and Senior Advocate V. Mohana for Supreme Court —
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