

CJI rues 'sorry state of affairs' in lawmaking

'Ambiguity in laws triggering litigation and causing inconvenience to citizens'

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Chief Justice of India N.V. Ramana on Sunday lamented the "sorry state of affairs" of lawmaking and Parliamentary debate in the country, saying there was "a lot of ambiguity in laws" which was triggering litigation and causing inconvenience to citizens, courts and other stakeholders.

Speaking on the occasion

of the 75th Independence Day celebrations held at the Supreme Court lawns, Chief Justice Ramana rued how the standards of lawmaking had fallen over the years.

"Now it is a sorry state of affairs. There is a lot of ambiguity in the laws. We don't know for what purpose they are made. They are causing a lot of litigation and inconvenience to the people, courts..." Chief Justice Rama-

na said. The observations by the CJI follow closely after Parliament cleared the Tribunal's Reforms Bill of 2021, which has sought the abolishment of as many as nine appellate tribunals, including the Film Certificate Appellate Tribunals, despite the Opposition charge that the legislation undermined the independence of the judiciary.

The Bill has also revived provisions of tenure and service of members of tribunals which were earlier struck down by the Supreme Court

in a judgment.

The CJI, in his speech on Sunday, mentioned how lawyers had led the nation, right from the struggle for Independence to being the first legislators of the country.

'Constructive debates'

"Then the debates and discussions in the House were constructive. They could elaborately discuss the legislation taking place... Laws used to be discussed and deliberated... Unfortunately, over a period of time... you know what is happening in

the House. In the absence of quality debate, courts are unable to fathom the intent and object of the new laws," the CJI addressed an audience of judges and lawyers.

He said the lack of intellectual heft witnessed in the House could be remedied if more lawyers actively participated in public life rather than confine themselves to their legal practice and homes.

He said the leaders of the Independence struggle were lawyers, such as Mahatma

Gandhi and Jawaharlal Nehru. "They sacrificed not only their professions but also their families and property for the struggle..." the CJI exhorted.

The contributions of the Supreme Court to democratic rights enshrined in the Constitution had been immense over the years, he said. Chief Justice Ramana also noted that the fundamental right of access to justice was evident from the fact that India's legal services aid machinery catered to 75% of its total population.