Malady and remedy: On the collegium system of judicial appointments

Holding back names is not the right response to flaws in collegium system

The collegium system of making appointments to the higher judiciary has come under focus, largely due to critical remarks made by Union Law Minister Kiren Rijiju. A lawyer has now formally approached the Supreme Court for reconsideration of its 2015 judgment striking down the Constitution **amendment** and the law creating a National Judicial Appointments Commission (NJAC). While the petition will be "listed in due course", there is another aspect that flags the tension between the Government and the judiciary over judicial appointments. A Bench of the Court voiced its displeasure over the Government delaying its recommendations for appointment, as well as ignoring names that had been reiterated twice or even thrice. The result was that lawyers whose names had been recommended for appointment had withdrawn their consent to be judges. The Bench was forced to observe that keeping the recommendations on hold was "some sort of a device to compel these persons to withdraw their names". The Government's keenness to wrest back the power to make judicial appointments from the judiciary is clear. However, it is doubtful whether this can be achieved by a review petition. The 4:1 verdict can only be reviewed by a Bench of equal strength, and the Government has not **sought** a review all these years. Mr. Rijiju did say, as part of his series of comments critical of the collegium system, that the Government had accepted the decision, but added that it could not be silent forever over the opaqueness and lack of accountability in the system.

Much of the criticism heaped upon the collegium system is not unfounded. It is opaque, it does limit the zone of consideration to those known to its members and judges who are consulted on appointments, and there is no indication that it is conducive to attracting the best legal talent. Some maladies it was supposed to remedy — mainly, the perception about the executive's influence over the judiciary — persist. Even the judgment that struck down the 99th Constitution Amendment and the NJAC Act accepted that there were flaws, but the majority chose to retain the collegium system until it was improved. The exercise to improve it was also abandoned soon. However, if the Government is really keen to bring about a change, the petulant response of stalling appointments is not the way. It has to work towards an alternative mechanism, one that does not have the perceived infirmities that led to the invalidation of the earlier law. The NJAC mechanism enabled the outnumbering of judicial members by executive nominees. A better system than the present one should avoid such pitfalls in the name of executive primacy in judicial appointments. [Practice Ex.]

- > Opaque (adjective) Obscure, unclear, dense, difficult, impenetrable, incomprehensible अस्पष्ट
- Red/blue coloring of words in the sentence indicates subject verb relationship; where 'red' denotes 'subject' and 'blue' denotes 'verb'.

Vocabulary

- 1. Malady (noun) Problem, difficulty, trouble, woe ख़राबी
- Remedy (noun) Solution, cure, answer, rectify उपाय
- Collegium system (noun) The collegium system is the one in which the Chief Justice of India and a forum of four senior most judges of the Supreme Court recommend appointments & transfers of judges. There is no mention of the collegium in the Constitution of India.
- 4. Hold back (phrasal verb) Restrain, keep back, withhold, inhibit रोकना
- 5. Flaw (noun) fault, defect, blemish, imperfection, shortcoming खामियां, दोष
- 7. Approach (verb) Contact, accost, solicit, appeal to, apply to, make a request to पहंचना
- 8. **Reconsideration** (noun) review, revision, rethink, afterthought, re-examination पूनर्विचार
- 9. **Strike down** (phrasal verb) cancel, cut down, knock down, drop रद्द करना
- 10. Amendment (noun) correction, emendation, improvement, enhancement संशोधन

- 11. **Petition** (noun) appeal, request, application, याचिका
- 12. In due course (phrase) at some time in the future, quite soon उचित समय पर; यथासमय
- 13. **Aspect** (noun) A distinct feature or element in a problem पहलू
- 14. Flag (verb) draw attention to; highlight, Identify, mark दर्शाना
- 15. **Bench** (noun) The judge or judges composing a court. ਜ਼ਿਧਾਧੀਠ
- 16. **Voice** (verb) Declare, express, pronounce, state व्यक्त करना
- 17. **Displeasure** (noun) —disapproval, discontentment, discontent, anger, unhappiness नाराजगी
- 18. **Reiterate** (verb) repeat, restate, retell, recapitulate दोहराना
- 19. Withdraw (verb) Take back, remove, take out वापस लेना
- 20. **Consent** (noun) agreement, assent, concurrence, accord सहमति
- 21. **Device** (noun) Way, method, trick, plan, maneuver तरीका
- 22. **Compel** (verb) force, induce, require, coerce, oblige विवश/ मजबूर करना

- 23. **Keenness** (noun) Enthusiasm, eagerness, zeal, gusto, willingness, zest इच्छा/ उत्सुकता
- 24. **Wrest** (verb) grab, extract, snatch, obtain, gain हथियाना
- 25. **Review** (verb) assess, judge, examine, appraise, look at, go through समीक्षा करना
- 26. Seek (verb) ask for, solicit, call for मांगना
- 27. **Opaqueness** (noun) Opacity, cloudiness, murkiness, haziness, obscurity अपारदर्शिता
- 28. Accountability (noun) responsibility, liability, answerability जवाबदेही
- 29. **Criticism** (noun) censure, condemnation, critique, disapproval आलोचना
- 30. Heap upon/on (phrasal verb) to give someone a lot of praise, criticism, etc. का ढेर लगाना
- 31. **Unfounded** (adjective) not based on or supported by facts निराधार, बेब्नियाद
- 32. Limit (verb) restrict, curb, check, place a limit on, cap सीमित करना
- 33. **Zone** (noun) an area (subject to particular restrictions) क्षेत्र
- 34. **Consideration** (noun) factor, issue, point, concern, item, matter उद्देश्य, विचार

- 35. **Conducive** (adjective) favourable, helpful, encouraging, advantageous, beneficial अन्कूल
- 36. **Supposed** (adjective) alleged, presumed, assumed, so-called कल्पित, माना ह्आ
- 37. **Perception** (noun) View, opinion, picture, assessment, insight धारणा
- 38. **Executive** (noun) The person or branch of a government responsible for putting policies or laws into effect. कार्यपालिका
- 39. **Persist** (verb) persevere, continue, carry on, go on क़ायम रहना
- 40. **Retain** (verb) keep, hold, maintain, preserve बनाए/ बरकरार रखना
- 41. **Abandon** (verb) to stop doing something, especially before it is finished छोड़ देना, त्याग देना
- 42. Keen (adjective) eager, acute, enthusiastic, penetrating , willing उत्सुक
- 43. **Bring about** (phrasal verb) bring in, produce, cause, make happen घटित करना
- 44. **Petulant** (adjective) irritable, impatient, or sullen in a peevish or capricious way ਫੀਠ/ ਸਜਸੀਤੀ
- 45. **Stall** (verb) obstruct, impede, interfere with, hinder, hamper रोकना

- 46. **Way** (noun) approach, manner, style, tactic तरीका
- 47. **Mechanism** (noun) procedure, process, system, operation, method तंत्र, क्रियाविधि
- 48. **Perceived** (adjective) apparent, professed, supposed, seeming, alleged माना जाता/ कथित
- 49. **Infirmity** (noun) frailty, weakness, feebleness, enfeeblement, delicacy दुर्बलता
- 50. **Lead** (to) (verb) cause, give rise to, result in, bring about वजह बनना

- 51. Invalidation (noun) Cancelation, nullification अमान्यकरण
- 52. **Outnumbering** (noun) a group having more members than required
- 53. Nominee (noun) a person who has been officially suggested for a position उम्मेदवार
- 54. **Pitfall** (noun) Drawback, danger, hazard, difficulty, issue, problem नुकसान/ खतरा
- 55. **Primacy** (noun) Preeminence, superiority, importance, prevalence प्रधानता

Practice Exercise

Direction (Q1 – Q3): Select the best express synonym of the given words [Editorial page]

- 1. The Government had accepted the decision, but added that it could not be silent forever over the *opaqueness* and lack of accountability in the system.
 - A. Hapless
 - B. Tentative
 - C. Docile
 - D. Obscurity
- 2. Much of the criticism heaped upon the collegium system is not *unfounded*.
 - A. Profane
 - B. Groundless
 - C. Acrimonious
 - D. Mellifluous
- 3. The exercise to improve it was also *abandoned* soon.
 - A. Discard
 - B. Catholic
 - C. Apotheosis
 - D. Elliptical

4. Idioms & Phrase

Abi has really *upped her game* this year, and is now in contention for a gold medal.

- A. To create or form something quickly or roughly out of many different things.
- B. To give someone responsibility for dealing with something
- C. To understand or accept an idea or a piece of information
- D. To try harder and improve the quality of what you are doing
- 5. Direction: Six statements are given below, which are jumbled in any random order. These statements will form a coherent and meaningful paragraph, when arranged in the correct sequence. Arrange the sentences in the right order and answer the questions that follow. The Reserve Bank of India's rate decision on Friday was ultimately inevitable.

P. RBI Governor Shaktikanta Das cited the 'aggressive monetary policy actions and even more aggressive communication from advanced economy central banks'

Q. as a third shock -- following the pandemic and Russia's invasion of Ukraine — which he said had thrust the 'global economy into the eye of a new storm'.

R. "Emerging market economies, in particular, are confronted with challenges of slowing global growth,

S. elevated food and energy prices, spillovers from advanced economy policy normalisation... and sharp currency depreciations," Mr. Das explained, elaborating on the external challenges confronting emerging economies, including India.

T. Monetary policymakers were left with little choice but to raise interest rates by 50 basis points,

U. as a bout of extreme volatility in international financial markets combines with persistently high domestic retail inflation to threaten macroeconomic stability, globally and in India. Which among the following will be the **Fourth** sentence of the paragraph after the rearrangement?

A. U B.S C.T D.Q E.R Direction (Q6 – Q7): Read the given sentences to find out whether there is any grammatical error in them

6. Neroli oil is an essential oil (A)/ obtained from (B)/ the flowers of orange trees. (C)/ No Error(D)
7. Neurotoxin attacks (A)/ the nervous system (B)/ and damage it. (C)/ No Error(D)

Directions (8-9): In the following questions two columns are given containing three Sentences/phrases each. In first column, sentences/phrases are A, B and C and in the second column the sentences/phrases are D, E and F. A sentence/phrase from the first column may or may not connect with another sentence/phrase from the second column to make a grammatically and contextually correct sentence. Each question has five options, four of which display the sequence(s) in which the sentences/phrases can be joined to form a grammatically and contextually correct sentence. If none of the options given forms a correct sentence after combination, mark option (E), i.e. "None of these" as your answer.

8.

	Column (1)		Column (2)	
Α.	Scarcely had we reached the office	D.	when it started raining cats and dogs	
В.	When I get back I shall pay back the	Ε.	I borrowed from you last month	
	money that			
C.	The perquisites attached to this		it even more attractive than the salary	
	makes		indicated	
C-D	B. B-D, C-E C. A-E, C-D D. A-	D	E. None of these	

9.

Α.

	Column (1)		Column (2)	
Α.	The teacher was tense when he	D.	D. which comprised a hundred students	
	entered the class			
В.	There is no rule regarding the length	Ε.	a precise with relation to that of the	
	of		original passage	
С.	Had I realised your house was such	F.	a long way off I would have taken a taxi	

A. A-E **B.**A-D, C-F **C.**A-E, C-D **D.**B-D

E. None of these

- 10. Find the incorrectly spelt word
 - A. Irksome
 - B. Treacherous

- C. Insidious
- D. Sponteneously

Direction: Read the passage given below and answer the following questions.

(The Hindu Editorial: Tread carefully – Oct 18, 2022)

India's latest inflation data present policymakers with a fraught choice: whether to respond to the latest acceleration in retail price gains to a five-month high with more sizeable interest rate increases, or pause the monetary tightening so as to allow fragile growth to gain more traction.(1)/ Inflation figures based on the Consumer Price Index (CPI) show retail price gains on a resurgent trajectory with food prices leading the charge.(2)/ Vegetables and cereals were the biggest culprits, with the prices of the former surging 18% from a year earlier and rising a substantial 2.6% from the preceding month; staple grains, including rice and wheat, climbed 11.5% from September 2021 and increased 2% from August levels.(3)/ These two food items have a combined weight of 15.7% in the overall CPI and account for more than a third of the food and beverages category's cumulative weight.(4)

Rice prices have continued to rise in the face of (A)/a projected 6% shortfall in kharif output, the Government's efforts (B)/a to ease supply through export (C)/a curbs over non-Basmati rice notwithstanding. (D)

Heavy rains at the monsoon's tail end have hit vegetable output, causing wholesale level prices to accelerate by an eye-watering 39.7% in September, with month-on-month gains alone exceeding 10%. The forecast for food prices, therefore, remains clouded with uncertainty, at least in the short term, with the risks ______ to the upside.

The rupee's continuing depreciation against the dollar has further _____12____ the outlook for price stability, with imported inflation hard to counter through monetary measures. As RBI Deputy Governor Michael Patra noted in the central bank's Monetary Policy Committee meeting last month, that India is a 'net commodity importer, with over a third of the CPI being imported' complicates policymaking, especially when the terms of trade turn unfavourable. Also, with five of the six services categories registering sequential inflation as well, it is hard to disagree with RBI Governor Shaktikanta Das's argument that policy must be aimed at preventing price pressures from _____13_____. Still, with the latest private sector output **looming(A)** in S&P Global's survey-based manufacturing and services PMI data for September flagging a renewed **slowdown(B)**, and a **trends(C)** global recession pointing to a decline in demand for India's exports, the outlook for growth appears **tenuous(D)**. Given that monetary policy affects real interest rates with a distinct lag, it may be a difficult but wiser choice to heed the MPC's ______14_____ voices of Ashima Goyal and Jayanth Varma and **refrain** momentarily from raising interest rates till the fog of uncertainty lifts and a clearer picture of price and growth trends emerges.

Fill in the blank with the most appropriate word given in the option (From Q11 – Q14)

- 11. The forecast for food prices, therefore, remains clouded with uncertainty, at least in the short term, with the risks ______ to the upside.
 - A. Capricious
 - B. Colloquial

- C. Ruminated
- D. Tilted
- 12. The rupee's continuing depreciation against the dollar has further ______ the outlook for price stability, with imported inflation hard to counter through monetary measures.
 - A. Compelling
 - B. Roiled
 - C. Chasm
 - D. Penitent
- 13. It is hard to disagree with RBI Governor Shaktikanta Das's argument that policy must be aimed at preventing price pressures from ______.
 - A. Monolithic
 - B. Fidelity
 - C. Exhorting
 - D. Broadening
- 14. It may be a difficult but wiser choice to heed the MPC's ______ voices of Ashima Goyal and Jayanth Varma and refrain momentarily from raising interest rates till the fog of uncertainty lifts and a clearer picture of price and growth trends emerges.
 - A. Dissenting
 - B. Precipitating
 - C. Facile
 - D. Deriding
- 15. The following sentence may or may not contain an error in one of its parts. Identify the part containing the error. If the sentence is correct, select 'No error' as your answers.

Rice prices have continued to rise in the face of (A)/ a projected 6% shortfall in kharif output, the Government's efforts (B)/ to ease supply through export (C)/ curbs over non-Basmati rice notwithstanding. (D)

- A. (A)
- B. (B)
- C. (C)
- D. (D)
- E. No Error

16. Rearrange the sentence to form a meaningful sentence.

India's latest inflation data present policymakers with a fraught choice: whether to respond to the latest acceleration in retail price gains to a five-month high with more sizeable interest rate increases, or pause the monetary tightening so as to allow fragile growth to gain more traction.(1)/ Inflation figures based on the Consumer Price Index (CPI) show retail price gains on a resurgent trajectory with food prices leading the charge.(2)/ Vegetables and cereals were the biggest culprits, with the prices of the former surging 18% from a year earlier and rising a substantial 2.6% from the preceding month; staple grains, including rice and wheat, climbed 11.5% from September 2021 and increased 2% from August levels.(3)/ These two food items

have a combined weight of 15.7% in the overall CPI and account for more than a third of the food and beverages category's cumulative weight.(4)

- A. 2341
- B. 1234
- C. 2134
- D. 2143
- E. 4321

17. Given below is a word, followed by three sentence that consist of that word. Identify the sentence (S) that best express (es) the meaning of the word. Choose option 5 'None of the above' if the word is not suitable in any of the sentence

REFRAIN

- (i) For the sake of brevity, we have refrained from a detailed exposition
- (ii) The reference positions and velocities were **refrained** from the movement of human walking.
- (iii) Students refrain for the vast majority of our customers.
 - A. Only (i)
 - B. Only (ii)
 - C. Only (iii)
 - D. (i), (ii)
 - E. (ii), (iii)
- 18. In the following question, a sentence is given with four words marked as (A), (B), (C), and (D). These words may or may not be placed in the correct order. Four options with different arrangements of these have been provided. Mark the option with the correct arrangement as the answer. If no rearrangement is required, mark option (5) as your answer.

Still, with the latest private sector output **looming(A)** in S&P Global's survey-based manufacturing and services PMI data for September flagging a renewed **slowdown(B)**, and a **trends(C)** global recession pointing to a decline in demand for India's exports, the outlook for growth appears **tenuous(D)**

- A. A D
- B. B A
- C. D B
- D. A C
- E. No arrangement
- 19. Select the phrase/ connector/ word-pair from the given three options to form a single sentence from the two-sentence given, implying the same meaning as expected in the original sentences. The phrase/ connector must appear at the beginning of the final sentence.
 - (i) The man's temperature was normal on arrival.
 - (ii) He developed a cough and fever on 29 February and was driven to a hospital where he tested positive for coronavirus.
 - A. Unlike

- B. And
- C. While
- D. Such As
- E. None of these

20. Fill the appropriate preposition in the given blanks

Please don't get offended _____ her as she is honest.

- A. Of
- B. In
- C. With
- D. To

Answers

1. D 2. B 3. A 4. D 5. D 6.D 7. C 8. D 9.B 10. D 11. D 12. B 14. A 15. D 16. B 17.A 13.D 18. D 19.C 20.C [Practice Exercise]

Explanations

- 4. Up one's game (phrase) to try harder and improve the quality of what you are doing
- 5. TUPQRS

The Reserve Bank of India's rate decision on Friday was ultimately inevitable. Monetary policymakers were left with little choice but to raise interest rates by 50 basis points, as a bout of extreme volatility in international financial markets combines with persistently high domestic retail inflation to threaten macroeconomic stability, globally and in India. RBI Governor Shaktikanta Das cited the 'aggressive monetary policy actions and even more aggressive communication from advanced economy central banks' as a third shock -- following the pandemic and Russia's invasion of Ukraine — which he said had thrust the 'global economy into the eye of a new storm'. "Emerging market economies, in particular, are confronted with challenges of slowing global growth, elevated food and energy prices, spillovers from advanced economy policy normalisation... and sharp currency depreciations," Mr. Das explained, elaborating on the external challenges confronting emerging economies, including India.

- 6. (D) No error.
- 7. (C) 'damage' के बदले 'damages' का प्रयोग होगा क्योंकि Subject 'Neurotoxin' Singular है जिसके लिए part(A) में Singular Verb 'attacks' का प्रयोग है, और Part (C) में Singular Verb 'damages' का प्रयोग होगा
 - 'damages' will be used instead of 'damage' because the subject 'Neurotoxin' is Singular for which the Singular Verb 'attacks' is used in Part (A), and the Singular Verb 'damages' in Part (C) Will be used.

8. Correct Option: D

Scarcely had we reached the office when it started raining cats and dogs.

Fragment A of column 1 is matched with fragment D of column 2 to make the sentence contextually and grammatically correct.

When I get back I shall pay back the money that I borrowed from you last month. Fragment B of column 1 is matched with fragment E of column 2 to make the sentence contextually and grammatically correct

The perquisites attached to this makes it even more attractive than the salary indicated. Fragment C of column 1 is not matched with fragment F of column 2 to make the sentence contextually and grammatically correct

Correct is: The perquisites attached to this make it even more attractive than the salary indicated

- 'makes' के बदले 'make' का प्रयोग होगा क्योंकि वाक्य का Subject 'perquisites' Plural है।
- 9. Correct Option: B

The teacher was tense when he entered the class which comprised a hundred students. Fragment A of column 1 is matched with fragment D of column 2 to make the sentence contextually and grammatically correct

There is no rule regarding the length of a precise with relation to that of the original passage. Fragment B of column 1 is not matched with fragment E of column 2 to make the sentence contextually and grammatically correct

Correct is: There is no rule regarding the length of a precise in relation to that of the original passage.

- ''with' के बदले 'in' का प्रयोग होगा क्योंकि 'in relation to' एक Idiom है जिसका अर्थ है 'concerning' (संबंधित): जैसे
 - i. He made no comments in relation to her affairs.

Had I realised your house was such a long way off I would taken a taxi.

Fragment C of column 1 is matched with fragment F of column 2 to make the sentence contextually and grammatically correct

- 10. Spontaneously (adverb) of one's own accord, voluntarily, on impulse, impulsively स्वेच्छा से
- 11. Tilt (verb) incline or bend from a vertical position झुकाव
- 12. Roil (verb) To cause (something) to become very agitated or disturbed को हिला देना, अशान्त करना
- 13. Broaden (verb) expand, widen, extend, enlarge, increase व्यापक बनाना, विस्तृत करना
- 14. Dissenting (adjective) disagreeing, opposing, disputing, deferring, dividing, varying असहमति
- 15. 'Curb over' के बदले 'Curb on' का प्रयोग होगा क्योंकि Curb (NOUN) के साथ fixed preposition 'On' का प्रयोग होता है!
- 16. (B) **1234**

India's latest inflation data present policymakers with a fraught choice: whether to respond to the latest acceleration in retail price gains to a five-month high with more sizeable interest rate increases, or pause the monetary tightening so as to allow fragile growth to gain more traction. Inflation figures based on the Consumer Price Index (CPI) show retail price gains on a resurgent trajectory with food prices leading the charge. Vegetables and cereals were the biggest culprits, with the prices of the former surging 18% from a year earlier and rising a substantial 2.6% from the preceding month; staple grains, including rice and wheat, climbed 11.5% from September 2021 and increased 2% from August levels. These two food items have a combined weight of 15.7% in the overall CPI and account for more than a third of the food and beverages category's cumulative weight.

17. Refrain (from) (verb) – abstain, desist, forbear, avoid, eschew से बचना चाहिए

According to the given options only (i) is contextually correct.

Because the (ii) and (iii) sentences are not giving any meaning and correct sentences should be like

(ii)The reference positions and velocities were obtained from the movement of human walking.

(iii) Students account for the vast majority of our customers.

- 18. Still, with the latest private sector output trends in S&P Global's survey-based manufacturing and services PMI data for September flagging a renewed slowdown, and a looming global recession pointing to a decline in demand for India's exports, the outlook for growth appears tenuous.
- 19. While the man's temperature was normal on arrival, he developed a cough and fever on 29 February and was driven to a hospital where he tested positive for coronavirus

Explanation of other important words

0.210		-		
Sr.NO	Words		Meanings	
Q1	Hapless	adjective	Unlucky	अभागी
	Tentative	adjective	Experimental; temporary; uncertain	प्रायोगिक; अस्थायी
	Docile	adjective	Easily taught; obedient; easy to handle	विनम, सीधा
Q2	Profane	adjective	Not having to do with religion; irreverent; blasphemous	अपवित्र
	Acrimonious	adjective	Full of spite; bitter; nasty	उग्र, रूखा, चिड़चिड़ापन
	Mellifluous	adjective	Sweetly flowing	मधुर
Q3	Catholic	adjective	Universal; embracing everything	उंदार, दुनिया भर का
	Apotheosis	noun	Elevation to divine status, the perfect example of something	गुणगान, आदर्श
	Elliptical	adjective	Oval; missing a word or words; obscure	अंडाकार
Q11	Capricious	adjective	Unpredictable; likely to change at any moment	मनमौजी
	Colloquial	adjective	Conversational; informal in language	बोल-चाल का
	Ruminate	verb	To contemplate; to ponder; to mull over	मनन करना; विचार करना
Q12	Compelling	adjective	Forceful; causing to yield	सम्मोहक, प्रभावी
	Chasm	noun	A deep, gaping hole; a gorge	खाई, दरार
	Penitent	adjective	Sorry; repentant; contrite	माफ़ करना
Q13	Monolithic	adjective	Massive, solid, uniform and unyielding	अखंड
	Fidelity	noun	Faithfulness; loyalty	निष्ठा, विश्वस्तता, वफादारी
	Exhort	verb	To urge strongly; to give a serious warning to	समझाना
Q14	Precipitate	verb	To cause to happen abruptly	अचानक होने का कारण
	Facile	adjective	Fluent; skillful in a superficial way; easy	सरल, सुगम, आसान
	Deride	verb	To ridicule; to laugh at contemptuously	हंसी उड़ाना, मज़ाक उड़ाना



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