



2nd AMITY NATIONAL DEBATE COMPETITION, 2014

On

**“Should Collegium System be replaced by National Judicial
Appointment Commission?”**

17TH October, 2014

Venue: F1 Seminar Hall

AT

Amity Law School, Delhi
(An institution of Ritnand Balved Education Foundation)
Affiliated to Guru Gobind Singh Indraprastha University, Delhi
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ABOUT AMITY LAW SCHOOL DELHI

The Amity Law School Delhi (ALSD) was established in 1999 under the aegis of Ritnand Balved Education Foundation (RBEF) to provide world class legal education in India. The objective of the law school, envisioned by Hon'ble Founder President Dr. Ashok K. Chauhan, is to create lawyers and legal professionals who are not only qualified and competent but also torch bearers of great human and moral values in society. The ALSD has the unique distinction of being the first Law School in Delhi/NCR to offer a 5-year integrated law programme. At present the law school offers five year integrated BA, LL.B. (H) degree at graduate level and two year LL.M. degree at post graduate level.

Apart from academics, ALSD is involved in the extra-curricular and co-curricular activities too. Amity National Moot Court Competition, *Sangathan* - Sports Meet of Amity Institutions, Hindi Diwas Celebration, Client Counseling Competition and Model United Nations Conference are few of the regular activities at the law school which are organized every year. ALSD publishes an annual journal titled as *Amity Law Review*. There are two student-run publications – *ALSD Students Journal* and *BHOR-Bi-lingual Cultural Magazine*.

BACKGROUND- DEBATE

Article 124 of the Constitution provides that the President shall appoint judges to the Supreme Court after consultation with such of the judges of the Supreme Court and of the High Courts in the States as he deem necessary. In case of appointment of a judge other than the Chief Justice of India, the President is mandatorily required to consult the Chief Justice. Further, Article 217 provides that the President shall appoint judges to the High Court after consultation with the Chief Justice of India, the Governor of the State, and in case of appointment of a judge other than the Chief Justice, the Chief Justice of the High Court concerned. When drafting the Constitution, the Constituent Assembly ensured that the judiciary was independent of any coercive political influence and for this it stated that the judges of the Supreme Court and the High Court serve not at the pleasure of the President, but until they attain a fixed age. To ensure independence salaries and allowances of the judges are charged from the Consolidated Fund of the State and the judges of the higher judiciary can be removed through impeachment by the Parliament.

National Judicial Appointments Commission (NJAC) proposes for the appointment and transfer of judges to the higher judiciary in India through its ninety-ninth constitution amendment. The amendment was passed by the Lok Sabha on 13 August 2014 and by the Rajya Sabha on 14 August 2014. It aims to replace the collegium system for the appointment of judges which is not only opaque and extra-constitutional, but an abject failure. The NJAC will be responsible for making binding recommendations to the President for appointing judges to the Supreme Court and to various High Courts. While the collegium system used to be criticized

for total lack of transparency and unfair practices (such as denying appointments) the NJAC is also not without its drawbacks. It has been criticized and has met with vigorous dissent from several stakeholders of Indian judiciary on the grounds of:

- Violating the Constitution's basic structure
- Vesting excessive power in the executive and unbridled power to Parliament in composition of panel
- Impinges the independence of the judiciary
- Sidelining Judiciary's voice and opinion by the members of the commission

In order to have a dispassionate view of what the bill proposes and what changes it would entail in the system of judicial appointments this house believes that the collegium system shall be replaced with NJAC. So the topic of motion is:

“Should Collegium System be replaced by National Judicial Appointment Commission?”

ELIGIBILITY

- Competition is open to all undergraduate college students

TEAM CAP

There shall be total 20 (subject to change, if college deems fit) teams and the registration shall be done on *first come first serve basis*.

PROGRAMME SCHEDULE

Registration: 09:30-10:30 AM
Tea break: 10:30-11:00 AM
Prelims: 11:00 AM
Lunch: 1:00- 2:00 PM
Finals: 2:00 PM
Prize Distribution: 3:30 PM

AWARDS

1st Best Team- Rs. 3000, trophy & Books
2nd Best Team - Rs. 2000 & Books
Best speaker- Rs 1000
Two Best Audience Interjection- Rs 500 each

RULES OF THE DEBATE

1. There shall be a team of two candidates from each University/institute/ college– (one for the motion and one against the motion).
2. Each speaker will get four (3+1), minutes in total for debate and there will be 1 interjection from the participants.
3. The debate shall be in English language only.
4. **The Institute shall not provide boarding and lodging to the participants,** however, due help may be sought in arranging the same. Further, the travelling and other expenses shall be borne by the participant's University/institute/college.
5. Each team must register by sending the completed Registration form along with the required Demand Draft of Rs.300/- in favour of Amity Law School, Delhi, payable at New Delhi by 14th October, 2014. The scanned copy/ (Picture) must also be mailed at- alsd.debsoc@gmail.com
6. The judgment of the jury shall be final and binding on the team.

FOR FURTHER DETAILS CONTACT

Faculty Conveners:-

Ms. Neelam Tyagi (Convener): 9810460304

Dr. Rakesh Rai (Co-convener): 7838507074

Student Conveners: -

Mohit Khubchandani – 9871606291

Diviya Patpatia – 8527440289

Tanmay Bagga – 9873666560

THANKS & REGARDS

Prof. Dr. B. P. Singh Sehgal
(Director, ALSD)



ALSD DEBATING SOCIETY

REGISTRATION FORM

1. Name of the Participant 1. :
2. Name of the Participant 2. :
3. Name and Address of the Institution:
4. E-mail Address:
5. Telephone/Mobile No.(s) :
6. Fax:

Undertaking:

We hereby state that we will fully comply with the Rules and Regulations of the 2nd AMITY NATIONAL DEBATE COMPETITION– **2014** and that we shall adhere to the same throughout the Competition proceedings.

Signature of the Participants: 1.

2.

Seal and Signature of the Head of the Institution:

Dated:

*Completed Form must reach as per the Rules latest by 8th October, 2014 along with a Demand Draft of Rs. 300/- in favour of Amity Law School, Delhi payable at New Delhi.

Please write your name, address and mobile at the back of the Demand Draft.

For Office Use Only:-

Remarks:

Received on: **(The entry form and related information can also be downloaded from our official website <http://www.amity.edu/als/>)**