

Collegium recommendation on transfer of hc judges

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Context: Collegium recommended transfer of six high court judges to other high courts.

- While the collegium took the decision taken last week, the recommendations were made public on Friday.
- Justice Purushendra Kumar Kaurav of Madhya Pradesh High Court has been recommended for transfer to Delhi High Court.
- Justice Chitta Ranjan Dash of Orissa High Court has been recommended for transfer to Calcutta High Court while Justice Subhashis Talapatra has been recommended to be moved from Tripura High Court to Orissa High Court.
- Justice Lanusungkum Jamir of Manipur High Court has been recommended for transfer to Gauhati High Court while Justice Dhiraj Singh Thakur has been recommended for transfer from Jammu and Kashmir High Court to Bombay High Court.
- Justice Thakur, the third senior-most judge in Jammu and Kashmir High Court.
- The significant among the six transfer recommendations is that of Justice Ahsanuddin Amanatullah of the Andhra Pradesh High Court.
- The collegium has recommended the “repatriation” of Justice Amanatullah to his parent high court – Patna High Court.
- Incidentally, the collegium headed by CJI Ramana itself had recommended that Justice Amanatullah be transferred from Patna to Andhra Pradesh High Court in September last year.
- This is the second such decision to transfer a judge back to the parent high court within a short duration.
- In September 2021, Justice Joymalya Bagchi was recommended for “re-transfer” to Calcutta High Court, just nine months after he had been transferred to Andhra Pradesh High Court.

- In December 2020, the collegium, then headed by former CJI S A Bobde, had recommended his transfer from Calcutta High Court amidst controversy at that time over allegations by Andhra Pradesh Chief Minister Y S Jaganmohan Reddy that a senior judge of Supreme Court was interfering with the functioning of Andhra Pradesh High Court.
- Later, in September 2021, the collegium in a statement said, "The Supreme Court Collegium in its meeting held on 16th September 2021 has recommended re-transfer of Mr .Justice Joymalya Bagchi, Judge, Andhra Pradesh High Court to Calcutta High Court."
- Transfers are often recommended in the "better administration of justice" but the collegium does not disclose reasons for its decisions.
- In October 2019, the collegium headed by then CJI Dipak Misra had decided that its decisions will be put in public domain to ensure transparency and yet maintain confidentiality in the collegium system. However, the practice was discontinued in two years, without citing reasons.