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President nominates ex-CJI Gogoi as Rajya Sabha member

Dhananjay Mahapatra @timesgroup.com



Piyal Bhattacharjee

New Delhi: Four months after retiring as Chief Justice of India, Justice Ranjan Gogoi was nominated as a member of Rajya Sabha by the President for his outstanding contribution in the field of law.

The decision was immediately criticised by Congress as controversial and undermining the judiciary.

Justice Gogoi is the first ex-CJI to get nominated to Rajya Sabha but the second, after ex-CJI Ranganath Misra, to become a member of the upper House of Parliament. Justice Misra was elected on a Congress ticket.

Justice Gogoi retired on November 18 and had headed a five-judge constitution bench that delivered the momentous and unanimous judgment deciding the 70-year-old litigation on ownership of the disputed Ram Jammabhoomi-Babri Masjid land in Ayodhya in favour of Hindus. The SC had allotted five acres of land to Muslims at an alternative site for construction of a mosque.

He is the fourth among legal experts to get nominated by the President to Rajya Sabha after Fali S Nariman, K Parasaran and K T S Tulsii.

Speaking to TOI from Guwahati, Justice Gogoi said, "I have accepted the President's decision to nominate me to Rajya Sabha as a member. It is an opportunity to put forth judiciary's point of view in Parliament. It is also an opportunity to put Parliament's point of view before the judiciary, provided

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JUSTICE RANJAN GOGOI | FORMER CJI

ed they are willing to listen." Asked whether he will join BJP, Justice Gogoi said, "The question does not arise."

Asked how he viewed his role as an RS member after a stint of nearly two decades as a judge of constitutional courts, the ex-CJI said, "Judiciary and legislature are two important limbs and I will be privileged to endeavour and find a meeting point between the two which could carry the nation forward."

In November last year, apart from heading the bench that decided the Ayodhya dispute, Justice Gogoi also headed the bench which put the SC's stamp of approval on the Rafale fighter jet deal between India and France.

Congress spokesperson and noted lawyer Abhishek Singhvi criticised the decision. "This not about Justice Gogoi. It is a most serious assault and undermining of in-

diary. The misplaced reference to Justices M Hidayatullah and Ranganath Misra are glib talk by a superficial and 'jumlebaaz' government. The first was nine years after demitting office, the second after six years. There is a reason for cooling off in bureaucracy being one or two years. The nexus between incumbency and post-retirement largesse is sought to be severed. What we are seeing here is completely indefensible as it has happened in six months. Judiciary rests on faith, trust, perception and belief much more than reality. This will take a beating by the shocking decision," he said.

Justice Misra was elected to the upper House on a Congress ticket after demitting office as head of National Human Rights Commission. Justice Hidayatullah presided over RS as vice-president from August 1979 to August 1984