

Trust judiciary to decide on CAA: Gogoi

'For a \$5-trillion economy, rebuilding the judiciary is essential, without which the country cannot prosper'

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FORMER CHIEF Justice of India Rajan Gogoi on Monday referred to the protests against the Citizenship Amendment Act (CAA) as a "parallel forum" and appealed to people to "trust the judiciary" to take a decision in the matter.

"The Citizenship Amendment Act is an issue. You may have a view about it. I may have a view about it, our views may not match. I have a right to express my view, you have a right to express your view, fine. But the resolution must be through constitutional means. The matter is pending before the Supreme Court, trust your judges, they'll decide according to the Constitution. Protests are being held, viewpoints are being expressed, enough. You can't have two parallel forums - the Supreme Court and somewhere else," said Justice (retd) Gogoi who was in Gandhinagar to deliver a public lecture on "Rebuilding the judiciary: Nation building", his first public address after retirement.

Chief Minister Vijay Rupani was also present at the public lecture organised by the Gujarat National Law University (GNLU).

Appealing to students to rebuild the judiciary and assist in nation-building, Gogoi referred to the protests in Assam, his home state, and said, "The protests over Citizenship Amendment Act began from my state, although the problem of my state is different from the problem of the rest of the country. I had just retired and reached Guwahati... after five days of intense trouble, the student community (that was spearheading the protests) said, 'We will call off all our protest move at 5 in the evening. After sundown, no protests'. The law and order became alright overnight. This is the role of students... There are elements who want to harm the integrity of the country and the students solved it... A former Chief justice of India who has been a judge for about 20 years, is appealing to you, do something about the judiciary, think about it. My judiciary is



Former Chief Justice of India Rajan Gogoi and Chief Minister Vijay Rupani at the Gujarat National Law University in Gandhinagar on Monday. *Express*

not working — the way I want and perhaps the way you want. The moment we have a fearless, independent, effective, working judiciary, the nation will be on the march."

Emphasising that something requires to be "rebuilt", when "everything is broken", Justice Gogoi cited Wikipedia data and said, "India in terms of population is Number 2. Happiness... how are we doing? India is ranked 140 out of 156. There's something wrong somewhere. If someone had a choice of where to be born, India is positioned at 66 out of 80 countries... In freedom of press index, it is 140 out of 180. Democracy rank-

ing, 65 out of 112. Air quality index, 84 out of 92... I don't think we are doing too well."

For a \$5-trillion economy, rebuilding the judiciary is essential, Justice Gogoi said, adding, "When we talk of judiciary, we talk of independence of judiciary, the collegium and pendency of cases... The Prime Minister of the country mentioned about \$5-trillion economy... You want a \$5-trillion economy, rebuild the judiciary as Sardar Patel built the nation. The judiciary you have today, is not going to bring you \$5-trillion economy... We talk about foreign investments. Why would foreign investments

comes and disputes require resolution and if you don't have a mechanism of resolution of disputes, why would anyone want to come?..." He emphasised that unless the judiciary is rebuilt, the country cannot prosper, and said increasing the number of courts or fast-tracking appointment procedure wouldn't "get us anywhere".

The retired judge, however, noted that he "could not have said this, two months ago", prior to his retirement. The former CJI retired on November 17, 2019. "Judges don't have freedom of speech," he said and thanked Gujarat "for giving me the first whiff of freedom of speech".

Hailing Sardar (Vallabhbhai) Patel's role in "nation-building", Justice Gogoi said, "Can you imagine what would have happened if the 500 princely states had not been integrated into a nation called 'India'?... One of the main reasons for the British taking over India is disintegration within the country. A disunited country is an easy prey... perhaps the most important of our fundamental duties is the respect for unity and integrity of the country." The former CJI visited the Statue of Unity on Sunday along with his wife, Rupanjali, who was present among the audience at GNLU.