

Master of Roster

September 7, 2020

Four Supreme Court Justices – Justice J. Chelameswar, Justice Ranjan Gogoi, Justice Madan B. Lokur and Justice Kurian Joseph in 2018 had held a press conference to **register their differences with the Chief Justice of India in matters related to court administration.** Later, a letter they had written to the Chief Justice was made available to the media. One of the key issues raised in the letter revolved around the term ‘master of the roster.’

Master of Roster

Roster is defined as a list of people’s names and the jobs they have to do at a particular time. Thus, simply speaking, ‘master of roster’ becomes a man who decides such a list. Therefore, the ‘master of roster’ can mean to refer to a person who decides and distributes the works to his colleagues.

‘Master of the Roster’ in Indian judiciary refers to the **privilege of the Chief Justice to constitute Benches to hear cases.** It is the **administrative power of the Chief Justice of India and the Chief Justices of the High Courts to allocate the matters that their brother and sister judges shall be hearing,** respectively. This privilege was emphasised when a Constitution Bench, led by the Chief Justice of India Dipak Misra, declared that the **Chief Justice is the master of the roster and he alone has the prerogative to constitute the Benches of the Court and allocate cases to the Benches so constituted.** It further said that no Judge can take up the matter on his own, unless allocated by the Chief Justice of India, as he is the master of the roster.

It was contested that the ‘master of roster’ was **not an unguided and unbridled discretionary power to be exercised**

arbitrarily by the CJI by hand-picking benches of select judges or by assigning cases to particular judges. The contesting petition had claimed that the CJI's authority as the master of roster is not an absolute, arbitrary, singular power that is vested in the chief justice alone and which may be exercised with his sole discretion.

A significant portion of the Indian Constitution is derived from the **'Government of India Act, 1935'**. This Act, through its section 214(3) prescribed in relation to the then **Federal Court of India**, that 'Subject to the provisions of any rules of court, the Chief Justice of India shall determine what judges are to constitute any division of the court and what judges are to sit for any purpose.' The Supreme Court of India is a successor institution of the Federal Court of India. Therefore, the said **provision of the then 'Government of India Act, 1935' has been accepted as a sound convention for the smooth functioning of the superior courts, though there is no similar provision in the Constitution of India.**