



Jus Corpus Law Journal

Open Access Law Journal – Copyright © 2023 – ISSN 2582-7820
Editor-in-Chief – Prof. (Dr.) Rhishikesh Dave; Publisher – Ayush Pandey

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

Book Review: Justice for the Judge: An Autobiography

Aditi Shree^a

^aUniversity of Lucknow, Lucknow, India

Received 14 April 2023; *Accepted* 06 May 2023; *Published* 10 May 2023

INTRODUCTION

'Justice for the Judge'¹ is an autobiography written by Ranjan Gogoi, the 46th Chief Justice of India. The book provides rare insights into his tenure as a judge in the Indian Judiciary. This book is a candid account of his journey as a judge and also provides a unique perspective on the Indian judiciary. In this book, Mr. Ranjan Gogoi also provides personal accounts of the controversial judgments he delivered during his tenure. It also focuses on his early life in Dibrugarh, Assam. The former CJI is known for his controversial time in office, mainly because he presided over many high-profile cases and achieved many historic firsts, leaving a mark on the Indian judiciary. Through the title "Justice for the Judge," Mr. Gogoi aims to present his side of the story as hard facts for the vast majority and also create an inner understanding of the Indian Judiciary. The book is divided into several chapters, all dealing with particular aspects of his life while also pointing out larger issues in the judicial system. The author also discusses some notable cases, including the Ayodhya verdict², Rafale deal³, and NRC⁴. The book centers

¹ Ranjan Gogoi, *Justice for the Judge* (Rupa Publications 2021)

² *M Siddiq v Mahant Suresh Das* (2010) Civ App No 10866/2010

³ *Manohar Lal Sharma v Narendra Damodardas Modi* (2019) CrI P No 46/2019

⁴ *Assam Public Works v Union of India* (2009) WP No 274/2009

on his life as a judge in the High Court and then the Supreme Court of India; later becoming a Rajya Sabha member. The book was published by Rupa Publications and came out on December 8th, 2021.

SUMMARY OF THE BOOK

The book starts with former CJI Ranjan Gogoi introducing his hometown, Dibrugarh to the readers. He talks about his personal life and childhood days in Assam. He portrays himself as a virtuous man who lives life by simple means; he credits this to the atmosphere in his house, where values were strong and consciously cultivated, creating a deep sense of righteousness. He then goes on to give a detailed view of his family background. His father was a very successful senior advocate in the Guwahati High Court who later became the Chief Minister of Guwahati for a brief period. He comes from a well-connected family of politicians; his grandfather and grandmother were MLAs, and even his mother ran the most reputed NGO in the northeast. His siblings were high-ranking government employees, like his sister, who was an IAS officer, and his brother, an Air Force Marshall. Through his description of his family, one can see that he belongs to an influential family, which in some way or another helps in the governance of the country.

He then moves on to share about his college life at St. Stephen's College in Delhi. The reason for choosing Delhi was due to his mother, who valued education a lot and pushed him to get admission to Delhi University. He also shares the experiences of his friends and professors. He recalls his struggle with the English language, as it was not his first language. He says he felt self-conscious about his accent and worked hard to master the language, which proved to be a valuable asset in his legal career. In one instance, he shares that his friend R. Balakrishnan (Retd. IAS) gave him all his notes for the exam, which helped him secure the highest marks in his exams. After completing his M.A., he went on to pursue an LLB from Delhi University, as suggested by his father.

He then goes on to become a lawyer at the Guwahati High Court. He shares that his first day at court was a memorable one; many senior members of the bar and other successful lawyers came

to compliment him on his choice of legal profession. He mentions that this was a general practice during that time at Guwahati High Court and had nothing to do with him being a law minister's son. Mr. Gogoi later got recommended to be elevated as a judge at the High Court at the age of 39. Though the general rule was that one should be at least 45 years of age. At that time, the Guwahati High Court served seven states, and circuit benches were running. So for one to be a judge there, all seven state chief ministers should agree. He shares that six states agreed to his elevation as a judge, but CM Hiteshwar Saikia, then Chief Minister of Assam, had objections regarding his age. He blames this on Hiteshwar Saikia being his father's political rival. Later on, Mr. Gogoi's name was once again sent for elevation as a judge and this time he was finalized. He provides very detailed information on his appointment and why he was chosen before the other senior members, though seniority is everything in the appointment of judges.

He discusses how working at the Guwahati High Court was different than working at other high courts because, during that time, the Code of Civil Procedure (1908)⁵ and the Code of Criminal Procedure (1973)⁶ were excluded from application in the north-east states and cases had to be decided based on justice, equity, and good conscience. Cases from tribal areas had to be decided by the application of customary laws, for which texts of law were rare. Mr. Gogoi shares one incident where then Chief Minister Tarun Gogoi called his mother, requesting they meet in Guwahati. When his mother went to meet CM Tarun Gogoi at his official residence, he asked her if she could speak to her son and secure a favorable order in the "Constables Case", which was a case dealing with the selection and appointment of constables in all districts. Mr. Rajan Gogoi shares that he was utterly disappointed by this incident, as he held that person in very high esteem.

After his tenure as a judge at Guwahati High Court, he was transferred to Punjab & Haryana High Court based on the "Horizontal Transfer Policy," which was introduced by then CJI S.H. Kapadia. After three to four months of his transfer, he was elevated to the Chief Justice of the Punjab and Haryana High Court. He then describes a depressing six-month period at the Punjab

⁵ Code of Civil Procedure 1908

⁶ Code of Criminal Procedure 1973

and Haryana High Court, during which he became seriously ill. He says that it was not considered good for someone who has to be elevated to the Supreme Court to be unfit, so the collegium was thinking of writing him off when Justice Kapadia sent Justice Altamas Kabir, who was the senior-most judge of the Supreme Court, to visit Mr. Gogoi. Later on, he found out that Justice Kabir had informed the Collegium that Mr. Gogoi was fit to discharge his duties. Promptly, the Collegium recommended his name, and he was elevated as a judge of the Supreme Court.

In the later chapters, Mr. Gogoi provides comprehensive accounts of the workings of the Supreme Court and the regular challenges faced by the Supreme Court judges. On October 3rd, 2018, Ranjan Gogoi was elevated as the Chief Justice of India, succeeding Justice Dipak Mishra. Now starts one of the most interesting parts of the book, i.e., Mr. Gogoi's tenure as the Chief Justice of India. Mr. Gogoi presided over several high-profile cases. In this book, he talks about all those cases, provides reasoning for his decisions, and also provides some orders and documents in such matters.

In one of the chapters, he presents his opinions on the collegium system and how it has evolved over the years. He argues that the Collegium is essential for ensuring the independence of the judiciary and preventing any interference from the legislature. A point to be noted here is that Mr. Gogoi himself was a member of the Collegium. He criticizes the collegium on many accounts; for example, the member judges didn't have harmony among themselves. He is very specific in detailing the incidents and says that often Justice Chelameswar didn't attend the Collegium meetings and once stormed out of the room over some disagreement. In the book, he advocates for the transparency and accountability of the Collegium but also says that the inner decision-making of the Collegium cannot be shared with everyone as it will raise scrutiny, which can hinder the Collegium's decision-making.

The book is filled with controversial incidents, such as when, for the first time in judicial history, a former judge of the Supreme Court, Justice Markandey Katju, was proceeded against for contempt by the Supreme Court itself. Another such incident that he shares were when, for the first time, the top four judges of the Supreme Court, including himself, organised a press

conference. He justifies it by saying that he was not aware of the magnitude of the press conference and thought only a few journalists would be present. Among the cases that he discussed in his book, some were highly controversial verdicts, such as the Rafale Verdict⁷, for which the Supreme Court was highly criticized for promoting sealed cover documents presented by the government. He strongly defends his stance that he wasn't responsible for this adaptation and gives examples of past instances. Another such case was Assam's National Register of Citizens (NRC)⁸, which aimed to identify illegal immigrants in the state. The process was highly criticized because many people were left off the list and some were wrongly included. Mr. Gogoi has dedicated a whole chapter to bringing forward his stance in this particular case. Not only these, but he also talks about numerous cases, such as the CBI Director's case⁹, the Sabrimala Temple¹⁰ case, and the Kashmir case¹¹ regarding Article 370 of the Constitution of India. One incident that raised many eyebrows was when he mentioned that he assigned all the Kashmir cases to another bench with the senior-most judge available because he was in the middle of the Ayodhya hearing. He provides specific orders in the Kashmir case to prove that the cases were listed the very next day. He does so in response to the criticism he received for not prioritising this case.

One of the most surprising parts of the book is when he discusses the sexual harassment allegations that were leveled against him in 2019. This allegation was made by a female employee who had worked in his home office; this was while Mr. Gogoi was the Chief Justice of India. He denies all allegations and claims that they were made to jeopardise the functioning of the CJI. Though there was a special sitting of judges formed to present an order, the bench constituted was inclusive of Mr. Ranjan Gogoi himself, against whom allegations were made. He states that no effective judicial orders were passed on that day. He later writes that a separate inquiry committee was formed by Justice Bobde, consisting of Justice Indira Banerjee and Justice N.V. Ramana, who was later replaced by Justice Indu Malhotra.

⁷ *Ibid*

⁸ *Ibid*

⁹ *Alok Verma v Union of India* (2018) WP (C) 1309

¹⁰ *Indian Young Lawyers' Association v State of Kerala* (2006) WP (C) 373

¹¹ *Manohar Lal Sharma v Union of India* (2019) WP (C) 1013

The most prominent and most talked-about verdict of former CJI Gogoi's tenure was the Ram Janmbhoomi ¹² verdict, commonly called the Ayodhya verdict. The case contained voluminous records and documents totaling thousands of pages. He shares that the arguments were heard by a five-judge bench for 40 straight days and were concluded by a 1045-page judgment. In the book, he shares how he adjudicated this particular case and why it was a priority. After his retirement, he was offered a nomination to the Rajya Sabha, which he accepted only because he was recommended by the President of India. Mr. Gogoi mentions that he faced a lot of criticism for this, which was not valid as his appointment as a Rajya Sabha member was constitutional under Article 80 of the Indian Constitution¹³. He also clarifies that he did not join any political party and is an individual candidate. At last, he ends his book by saying that he has been molded by divinity and that on several occasions he was advised to go slowly, to act softly, and to alter his opinions, but he remained true to himself and led his life as narrated in the book.

ANALYSIS OF THE BOOK

Justice for the Judge is an engaging and compelling autobiography. The book offers a rare glimpse into the life of one of the most prominent judges in India. The book is very detailed and touches on many important and controversial matters. It has 14 chapters and is well structured. One of the strengths of the book is that former CJI Gogoi has presented it in a very candid manner. He discussed both his successes and the challenges he faced during his judicial career. A noteworthy aspect of the book is the clarity with which he explains the thought process behind the decision-making of the judges. It provides numerous accounts of the inner workings of the judicial system, which are commonly unknown to the general public. The book is informative and a valuable resource for someone wanting to know the complexities of the Indian justice delivery system.

However, there are some aspects of the book that are problematic. For example, while reading the book, anyone can sense that it is written to justify the criticisms faced by Mr. Gogoi and heavily aims to rebrand his image as a righteous judge who stands tall against all evil. Though

¹² *Ibid*

¹³ Constitution of India 1950, art 80

he tries to prove himself as a self-made person, it is evident that he has benefited from his influential family. For instance, his father requested that J.P. Bhattacharjee, the most successful lawyer in Guwahati, take Mr. Gogoi as his junior. Another issue with the book is that it sometimes comes across as too self-serving. Mr. Gogoi talks a lot about his achievements and the impact he has had on the Indian judiciary. On many occasions, he can sound bitter towards his detractors. It feels like he is trying to defend his actions as a judge rather than providing a balanced view of his career. For example, he mentions the sexual harassment allegations but does not provide much insight as to how these matters should be dealt with. At last, his appointment as a Rajya Sabha member may come across as contradictory to the essence of the judiciary, as he was part of the judicial system. The content of the book contains a lot of rare incidents that may never have been known to the public, but at the same time, the contents of the book may raise a lot of scrutiny towards the judges. However, the book is a valuable read for anyone who wants to gain more knowledge about the inner workings of the Indian judicial system.

CONCLUSION

The book *Justice for the Judge* is a thought-provoking book that provides valuable insights into the functioning of the Indian judiciary from the perspective of former Chief Justice of India, Ranjan Gogoi. At times, the writing can be straightforward, providing a no-frills account of the events and issues discussed in the book. However, at other times, it may seem a bit vague, leaving the reader wanting more detail or explanation. Nevertheless, the book offers a plethora of knowledge about the judicial system, ranging from the roles of judges and lawyers to the intricacies of legal proceedings. Despite a few limitations, the book *Justice for the Judge* remains enlightening for anyone interested in the Indian judicial system. The book never fails to be engaging as the author presents various personal incidents and cases in a way that keeps the reader engaged, and the discussion of serious issues such as corruption and political interference in the judiciary makes the book an interesting read. Overall, *Justice for the Judge* offers an intriguing look into the world of Indian law and justice, making it a must-read for anyone interested in the subject.