

of the Constitution — (a) the limited nature of the amending power under Article 368, and (b) judicial review — in the *Minerva Mills* case.³⁶

A five-judge bench of the Supreme Court with a 3:2 majority ruled that the Office of Chief Justice and the Right to Information Act, 2005. office of Chief Justice of India (CJI) comes under the purview of the Right to Information (RTI) Act. The Supreme Court held that the public interest test would be applied to determine whether information should be furnished or would be exempt.

The Supreme Court held that the Chief Justice and the Supreme Court are not two distinct and separate public authorities, albeit the latter is a public authority and the Chief Justice and the judges together form and constitute the public authority, that is, the Supreme Court of India.³⁷

The Constitution of India in its Preamble has assured the people a three-dimensional justice including social justice. Under the domain of “social justice”, several cases highlighting social issues are included, viz. the release of surplus food-grains lying in stocks for the use of people living in the drought affected areas, to frame a fresh scheme for public distribution of food-grains, to take steps to prevent untimely death of women and children for want of nutritious food, providing hygienic mid-day meals, besides issues relating to children, to provide night shelter to destitutes and homeless, to provide medical facilities to all the citizens irrespective of their economic conditions, to provide hygienic drinking water, to provide safety and secured living conditions for the fair gender who are forced into prostitution, etc. are pending in the Supreme Court for several years. In order to give a specialised approach for their early disposal so that the masses will realize the fruits of the rights provided to them by the constitutional text, the Hon’ble Chief Justice of India Shri H L Dattu has ordered constitution of a Special Bench titled as the “Social Justice Bench” to deal especially with the matters relating to society and its members, to secure social justice, one of the ideals of the Indian Constitution. This Bench, comprising of Hon’ble Mr Madan B Lokur J and Hon’ble Mr Uday U Lalit J, has started functioning from 12 December 2014 and in order to ensure that these matters are monitored on a regular basis, they will continue to sit on every working Friday at 2 pm. Not only pending cases, but fresh matters will also be dealt with by this Special Bench. The social justice bench of the Supreme Court has directed all the State Governments/Union Territories to make sure that free medical treatment is provided to all the acid attack victims in government as well as private hospitals. Criminal action can be taken against hospital/clinic for refusal to treat any victim of an acid attack.³⁸

REFERENCES

1. The Constitution provided for seven judges besides the Chief Justice, subject to legislation by Parliament. Parliament has enacted the Supreme Court (Number of Judges) Acts, 1956, 1986 and 2008, raising this number to 30 and further raised to 33 by the Supreme Court (Number of Judges) Amendment Act, 2019 (37 of 2019) as published in the Gazette of India, Extraordinary Part II section 1 dated 09 August 2019.
- 1A. Vide the Constitutional (Ninety-Ninth Amendment) Act, 2014 in Article 127 of the Constitution, in clause (1), for the words, “the Chief Justice of India may, with the previous consent of the President”, the words, “the National Judicial Appointments Commission on a reference made to it by the Chief Justice of India, may with the previous consent of the President” shall be substituted, and further in Article 128 of the Constitution, for the words “the Chief Justice of India”, the words, “the National Judicial Appointments Commission” shall be substituted. This Amendment Act was held invalid by the Supreme Court.