

CAMPAIGN FOR JUDICIAL ACCOUNTABILITY AND REFORMS

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Recent proactive disclosures by the Supreme Court bring much needed transparency in the functioning of the judiciary

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CJAR welcomes the recent disclosures — **including asset declarations of judges, biographical details of candidates approved by the collegium for judgeship, and documents relating to the appointment process** — on the Supreme Court website. This proactive publication brings much needed transparency in the functioning of the judiciary.

Transparency in matters of appointments, complaints, allocation of matters to benches and financial declarations of judges are key for promoting public faith in the judiciary. As the Supreme Court itself has often observed, sunlight is the best disinfectant.

Asset disclosures:

CJAR has for long campaigned that all judges must declare their assets and liabilities and place them on the website of the respective courts. In recent years (prior to May 2025), none of the Supreme Court judges and only a handful of HC judges were publicly disclosing their asset declarations. The resolution adopted by the full court of the Supreme Court on April 1, 2025 which makes placing the declaration of assets on the website mandatory is salutary, and **we urge every High Court to follow suit**. Financial declarations by judges are important to check corruption in the judiciary. We urge the Supreme Court to publish the full text of the resolution dated April 1, 2025.

We also request the Chief Justice of India to ensure that a standard format for asset declarations is adopted including, requiring disclosure of the cost of the immovable property at the time of purchase- as is prescribed for candidates contesting elections. This is important to ensure comprehensive transparency and enable effective public scrutiny.

Appointments:

CJAR welcomes the disclosure of proposals for judicial appointments approved by the Supreme Court collegium. The documents provide crucial details including- on the background of the candidates, whether they are related to any sitting/retired judge and the details of appointments approved by the collegium which are pending with the government.

The uploaded documents on the appointment process for HighCourt and SupremeCourt judges provide, for the first time, a glimpse into the criteria applied by the judiciary.

We hope that this level of disclosure become the norm for every future appointment.

In the same spirit, we urge that resolutions of the collegium continue to be made public as was the practice till November 2024. Since then, only bare statements have been uploaded. The minutes of the collegium, together with the resolutions and dissent notes, should be disclosed in line with the Court's own directions on appointments under the RTI Act and the CVC Act.

The disclosures by the Supreme Court reveal that several collegium decisions remain unimplemented because the Government has not acted on them. We suggest that the Court maintain a public dashboard listing every name cleared by the collegium, the dates of recommendation and reiteration, and the current status with the Government. We further believe the judiciary must take a firmer stand when the Executive sits on collegium recommendations, as such inaction undermines judicial independence.

Complaints mechanism:

CJAR had earlier issued a statement welcoming the decision taken by the CJI to place in the public domain important information on the allegations regarding discovery of cash at Justice Yashwant Varma's residence. That disclosures quelled rumour mongering and reassured the public that the Supreme Court was seized of the matter. Now that the in-house inquiry committee has concluded, the outcome and report should likewise be made public. The lack of disclosure is leading to all kinds of speculations about the findings of the inquiry.

Transparency in handling serious allegations of corruption or misconduct is indispensable to public trust in the higher judiciary — an institution whose functioning has too often been marked by opacity.

CJAR appreciates and commends Chief Justice Sanjiv Khanna for the strides made during his tenure toward greater transparency. We trust that future CJIs will build on this momentum. Openness and accountability to the people of India will strengthen the judiciary and safeguard its independence.
