

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 441
ANSWERED ON 28/11/2024
Declaration of assets by judges

441 Shri Vivek K. Tankha:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the number of present and former Judges of High Courts and Supreme Court who have declared their assets in the last 5 years, the details thereof;
- (b) whether Government is contemplating to enact a law mandating judges of the higher judiciary to furnish their property returns as recommended by the Parliamentary Standing Committee in its report titled 'Judicial Processes and their Reform' of August, 2023;
- (c) if so, the details thereof and the timeline by which the government intends to enact the law: and
- (d) if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS
(SHRI ARJUN RAM MEGHWAL)

(a) The details on the declaration of assets by the Judges of the High Courts and the Supreme Court are not maintained centrally.

(b) to (d) No. However, the "Restatement of values of Judicial Life" adopted by a full Court Meeting of Supreme Court on 07.05.1997 lays down certain judicial standards which are to be followed by the Judges of the Supreme Court and the High Courts. The Full Bench in its meeting dated 26th August, 2009 decided to disclose the statement of assets submitted

by the Judges on the basis of Resolution dated 7th May 1997 to public by putting it on Supreme Court website. Further, the Full Court in its meeting dated 8th September 2009 resolved to put the declaration of assets in the Supreme Court website on or before 31st October 2009 and that is purely on Voluntary basis.

The Supreme Court of India constituted a Committee of Judges of the Supreme Court to examine the issue of mandatory declaration of assets by the Judges of the Supreme Court of India on the recommendations of the Departmental related Parliamentary Standing Committee on Personnel, Public Grievance, Law and Justice. The Committee observed that the issue pertaining to declaration of assets by the Judges of the higher judiciary and furnishing of such information under the Right to Information Act, 2005, has been extensively examined and dealt with in the Constitution Bench judgment of this Court in CPIO, Supreme Court of India Vs. Subhash Chandra Agrawal, reported in (2020) 5 SCC 481. The procedure adopted and followed in terms of the decisions of the Full Court are in conformity with the aforesaid decision. The Committee reiterated the earlier decision of the Full Court of the Supreme Court that every Judge should make a declaration of his/her assets on assuming office and also whenever any acquisition of a substantial nature is made to the Chief Justice. This also includes the declaration of the CJI. The Committee proposed that the official website of the Supreme Court should display the name of the Judges, who have made declaration of assets to the Chief Justice. The said proposal has been approved by the CJI and accordingly, the name of the Judges have been displayed on the official website of the Supreme Court.
