

## Karnataka judge's stand on asset declaration finds wide support

**Maneesh Chhibber** Posted online: Saturday , Aug 22, 2009 at 0410 hrs

**New Delhi :** The contention of Karnataka High Court Judge D V Shylendra Kumar that the Chief Justice of India can't speak on behalf of the judiciary regarding declaration of assets by the judges and that the judges should declare their assets has found strong support in the legal circles.

Bar Council of India chairman S N P Sinha feels that judges should declare their assets voluntarily without waiting for a legislation in this regard.

"Why are the judges shy? They should lead by example. I know many judges who are ready to declare their assets but are waiting for a word from the CJI," Sinha said.

Senior Supreme Court lawyer Prashant Bhushan, too, supported Justice Kumar's stand.

"He has shown that there are many judges who believe in probity and integrity. He is also right in saying that the CJI doesn't have any authority to stop any judge of the Supreme court or any High Court from declaring his/her asset if he is willing to do so," Bhushan said.

Justice Kumar's opinion was the subject of discussion in the Supreme Court on Friday, with almost all lawyers applauding his stand.

Leading lawyer K T S Tulsi described Justice Kumar's initiative as commendable. "The judge is only following the advice of eminent former CJIs and judges. It is unfortunate that the judiciary is being lectured on Constitution by MPs. But we have invited the ignominy on ourselves. Why can't the judiciary follow an order passed by none other than the Supreme Court? The argument that judges can't defend themselves is not very convincing. While judges are insulated by contempt of court laws, no such protection is available to MPs," Tulsi said.

Senior advocate and Constitution expert P P Rao agreed with Justice Kumar. "But, having said that, it is also important that there is some mechanism to ensure that the judges are not harassed on flimsy grounds," he added.