

CONFIDENTIAL

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3/8/06

To,
Shri Manmohan Singh
Prime Minister of India
7 Race Course Road
New Delhi

SUBJECT: Proposed elevation of Justice Vijender Jain (acting C.J. Delhi High Court) as Chief Justice, Punjab and Haryana High Court

Dear Prime Minister,

I understand that the Chief Justice of India has made a recommendation for the appointment by transfer of 4 Chief Justices of various High Courts recently. One of the recommendations is for appointing Justice Vijender Jain, acting Chief Justice of the Delhi High Court as Chief Justice of Punjab and Haryana High Court.

I want to bring to your notice that there are serious reservations among many judges of the Supreme Court about the integrity of Justice Jain. I understand that at least 1 member of the Collegium of the Supreme Court and at least 2 judges of the Supreme Court (who were earlier Chief Justices of the Delhi High Court) who were consulted by the Chief Justice on this proposed appointment had expressed serious reservations about this on account on his perceived lack of integrity. Recently, there had been a news report in the Times of India about how Justice Jain heard and decided a case of one Hari Ram (in his favour), despite the fact that he knew Hari Ram well enough to have married off Hari Ram's daughter from his house. The Committee on Judicial Accountability had written in this regard to the President recently. A copy of this letter is annexed for your reference.

I would therefore urge you to seek the views expressed by the members of the collegium and the other judges of the Supreme Court who were consulted by the Chief Justice in the matter and then perhaps seek a report from the IB about the integrity of Justice Jain, before giving consent for his appointment. It is of utmost importance that only persons of unimpeachable integrity are appointed to the critical offices of Chief Justices of various High Courts.

I would be happy to come and discuss this matter with you personally. I am taking the liberty of sending a copy of this letter to the President for his information.

With warm regards,

Sincerely,

SD/-
(SHANTI BHUSHAN)