

CAMPAIGN FOR JUDICIAL ACCOUNTABILITY AND REFORM
14, Tower 2, Supreme Enclave, Mayur Vihar Phase-I New Delhi- 110 091
Tel : 9958141703, 9811164068
judicialreforms@gmail.com, www.judicialreforms.org

Patrons: Justice V.R. Krishna Iyer, Justice P.B.Sawant, Justice H. Suresh, Shri Shanti Bhushan, Shri K.G. Kannabiran, Shri Ajit Bhattacharjea, Shri Prabhash Joshi, Prof. B.B.Pande, Admiral R.H. Tahiliani, Dr. Bhaskar Rao, Ms. Arundhati Roy, Dr. Banwari Lal Sharma, Shri Pradip Prabhu, Prof Babu Mathew, Dr Baba Adhav, Ms. Kamini Jaiswal, Shri Mihir Desai, Shri Manoj Mitta

Working Committee: Prashant Bhushan, Venkatesh Sundaram, Indu Prakash Singh, Diwan Singh, D. Leena, Devvrat, Suchi Pande, Rohit Kumar Singh, Mayank Misra, Cheryl D'Souza

**SUBJECT: PRESS CONFERENCE ON RECENT CONTROVERSIES
RELATING TO APPOINTMENT AND REMOVAL OF JUDGES**

January 17, 2008

Dear Friends,

Several recent controversies have arisen regarding the appointment and removal of judges of various High Courts. These include the appointment of Justice Ashok Kumar, as a permanent judge of the Madras High Court which has been made without consulting the Collegium and despite the refusal to confirm him by the earlier Collegium on account of adverse reports. There has been complete lack of transparency in the matter of appointment of judges, as a result of which several undesirable people have come to be appointed. One of the persons currently proposed to be appointed to the Delhi High Court is found to be involved in the purchase of a flat by employing dubious methods including forging signatures on an agreement for purchase of the flat.

We have seen that dubious persons who managed to get appointed through lack of transparency, thereafter cannot be removed even if they are found and held to be guilty of acts of serious misconduct by the authorities. One such case is that of Justice Soumitra Sen, who was appointed a judge of the Calcutta High Court despite the fact that the case regarding the misappropriation of funds given to him as a court receiver was going on in the same High Court. After his appointment, and after the judgment of the Calcutta High Court, a committee of three Chief Justices, appointed by the Chief Justice of India, found him guilty of criminal misappropriation of funds and breach of trust and thereafter the Chief Justice of India has recommended his removal by impeachment, to the government. Despite five months having elapsed since that recommendation, the government has not moved in the matter and Justice Soumitra Sen continues to remain a judge of the High Court.

Meanwhile, the Chief Justice of India has declared that the Supreme Court will file an appeal in the High Court against the order of the Central Information Commission directing the Supreme Court to disclose whether judges are complying with the Code of Conduct unanimously adopted by Chief Justice's conference in 1999 by declaring their assets. This shows that the judiciary is not even prepared to abide by the Right to Information Act which it had declared as a fundamental right of citizens and under which it has directed even candidates contesting elections to declare their assets.

To address all the above issues, the *Campaign for Judicial Accountability and Reform* invites you to a press conference to be held on **19 January 2009, at 4 PM** at the **Women's Press Corps at Windsor place (near Meridian hotel)**. The conference will be addressed by **Mr. Prashant Bhushan**, Senior advocate, Supreme Court of India, **Admiral R.H. Tahiliani (retired)**, former Chief of Naval Staff and Chairman, Transparency International, India, **Ms. Kamini Jaiswal**, Senior advocate, Supreme Court of India and others.

We hope that you will attend this important conference or send an appropriate reporter to attend it.

Sincerely,

(Prashant Bhushan)

On behalf of the *Campaign for Judicial Accountability and Reform*

--

Campaign for Judicial Accountability and Reform,
14, Tower 2, Supreme Enclave, Mayur Vihar Phase- I, New Delhi- 110 091
Tel: 011-22756796;
[E-mail:judicialreforms@gmail.com](mailto:judicialreforms@gmail.com)
website: www.judicialreforms.org