

'Judges free to make their assets public' **CJI Says Time Has Come To Set Right Public Perception Of Judiciary**

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New Delhi: Faced with all-round criticism of the higher judiciary over its reluctance to make judges assets public, Chief Justice of India K G Balakrishnan says if individual judges of the High Courts and the Supreme Court want to make public their assets, they are free to do so.

Reacting to criticism by a Karnataka HC judge that CJI's views on assets was not the view of a majority of judges, Justice Balakrishnan said that there was no institutional deterrence against an individual judge going public with his or her assets.

"If an overwhelming majority of the judges in the high courts and the SC are willing to declare their assets, what is stopping them? Why are they not doing it? Why is it not publicised?" he asked. "All judges as individuals are absolutely free to make public their assets," he said as if meeting the accusation levelled in certain quarters that though judges are willing, it is the CJI who was stopping them from doing so.

"What I had talked before on the assets issue pertained to the SC judges, all of whom have diligently declared their assets and investments to me and have updated the list everytime they made fresh investments," the CJI told TOI in an exclusive interview.

And he and other senior judges appear to be concerned with the damage caused to the judiciary by perception spread by vested interests that judges are reluctant to declare their assets. "None of it. It's true we are concerned about frivolous litigation. But, we do declare our income and pay tax. It's all in the records. But, the time has come to seriously think of some way to undo the damage caused to the judiciary because of misinformation," he said.

"The SC will consider what we should do regarding the assets to be made public," CJI said. However, he asked this reporter: "Are the assets and investments of all government servants and their dependents made public every year?" He said SC judges have been scrupulously following 1997 Resolution adopted at a full court meeting of the SC, which said, "Every judge should make a declaration of all his/her assets in the form of real estate or investments (held in his/her own name or in the name of his/her spouse or any person dependent on him/her) within a reasonable time of assuming office to the CJI, who should also make a similar declaration for the purpose of record."

Regrettably, many of the HCs do not even follow this voluntary declaration procedure, he said, adding: "The assets declared to the CJI by SC judges are held in confidence and if all judges decide then it could be placed in a website or in any other mode by which it could be made public." "We should seriously think of doing something. We have not done anything wrong so why should we receive so much of rebuke," he said.