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Balakrishnan not for compulsory declaration of assets by judges

"Legislation can be challenged but grounds for judicial review are limited"

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K.G. Balakrishnan

New Delhi: Holding that there was no limit to judicial review, Supreme Court Chief Justice K.G. Balakrishnan has ruled out the question of having any compulsory annual declaration of wealth and assets by judges of the apex court and high courts.

No self-respecting judge would accept the idea of such compulsory declaration or have any committee of lay persons probe the conduct of the judiciary, Justice Balakrishnan said in an interview to CNN-IBN. Welcoming the proposed National Judicial Council intended for enforcing judicial accountability, the Chief Justice, however, rejected the idea of involving any lay persons in the Council.

"It is a question of independence of the judiciary. If any other person conducts such an inquiry about any judge, it will cause serious encroachment into the independence of the judiciary. I personally believe if anyone else inquires into the allegations against the judges and imposes punishment, I don't think any self-respecting judge will like it," Justice Balakrishnan said .

Judicial review

On the power of judicial review, the Chief Justice of India said, "There is no limit as such. Any Parliamentary legislation can be challenged but then the grounds for judicial review are limited."

He, however, clarified that nobody should jump to any conclusion that the legislation providing for 69 per cent reservations in Tamil Nadu would be struck down in view of the apex court's historic ruling in the Ninth Schedule case. "We cannot say whether the challenge will be sustainable. We cannot say now. Nothing is stated about any specific legislation," he said.

— PTI

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