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## Registrar: judges not averse to declaring assets as per law

Legal Correspondent

New Delhi: Judges of the Supreme Court are not opposed to making known their assets provided the declarations are made as per the procedure laid down by the law, its Registrar told the Delhi High Court.

The High Court on January 19 stayed the January 6 order of the Central Information Commission (CIC), asking the Supreme Court Registry to provide information in the possession of the Chief Justice of India (CJI) on declaration of assets by judges. On Friday, Justice S. Ravindra Bhatt adjourned the hearing to March 17.

### Question of law

The Registrar, in his written submissions, said the appeal was filed not with a view to raising technical objections to avoid declaring assets, but on a fundamental question of law and principle on the scope and applicability of the Right to Information Act. “Judges of the Supreme Court are not opposed to declaring their assets provided that such declarations are made in accordance with the due procedure laid down by a law which would prescribe the authority to which the declaration would be made; the form in which the declaration would have to be made along with a clear definition of what constitutes ‘assets’; and proper safeguards, checks and balances to prevent misuse of the information which would be made available.”

### Dismissal of order sought

Seeking dismissal of the CIC order to furnish to S.C. Agarwal, an applicant, information whether judges declared their assets as per a May 7, 1997 resolution adopted at an all-India judges conference, the Registrar said what was sought by the respondent was not ‘information’ which was in the public domain.

### Voluntary declarations

Voluntary declarations given by judges could not be said to be information in the public domain. Moreover, the May 7, 1997 resolution had no force of law.

The Registrar said: “The CJI is the head of the judiciary and the declarations, if any, are made voluntarily to him in his fiduciary capacity.

In these circumstances, the information sought by the respondent is not information which is under the purview of the Right to Information Act, 2005.

The respondent has no right to access information as such information is not held or required to be held by any public authority under any law.”