

CAMPAIGN FOR JUDICIAL ACCOUNTABILITY AND REFORMS

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CJAR APPLAUDS THE VARIOUS POSITIVE STEPS TAKEN BY THE HON'BLE CHIEF JUSTICE OF INDIA IN IMPROVING THE EFFICIENCY IN FUNCTIONING OF THE SUPREME COURT

30TH SEPTEMBER 2022

On the occasion of completion of one month of the tenure of Hon'ble Justice U.U. Lalit as Chief Justice of India,, the Campaign for Judicial Accountability and Reform (CJAR) would like to congratulate CJI Lalit on the positive and constructive steps that have been taken in quick succession soon after he assumed office as the Chief Justice of India, to enable a more efficient and transparent functioning of the Supreme Court. These measures to increase transparency and accountability in the functioning of the Supreme Court, have been some of CJARs long standing demands.

We commend CJI Lalit for having ensured the prompt and systematic listing of all pending cases along with the listing of Constitution Bench matters concerning important questions of public and constitutional significance. With the constitution of multiple such benches hearing matters simultaneously, we see that the court has been put on the course of regaining its stature as a judicial body which is concerned with the most important and serious matters of the day. We endorse the approach of the CJI in this respect to give the responsibility of leading constitution benches to judges in the order of seniority.

We welcome the move of live-streaming proceedings in Constitution Bench cases. While this is in compliance with the court's own orders in the past and the demand of the public and the Bar, we acknowledge the effort of the Court to put in place the infrastructure and mechanism for this measure. Live streaming of court proceedings increases transparency in the functioning of courts, ushers in judicial accountability and increases public confidence in the judiciary. Besides this, livestreaming has an enormous benefit to legal education. We expect the Supreme Court to extend this to all benches and all hearings.

We note with appreciation the move by the Supreme Court collegium to start evaluating judges on the basis of their performance before recommending their elevation to the Supreme Court. The introduction of objective criteria in the recommendation of judges to the Supreme Court was long pending and this will improve the quality of candidates being recommended apart from inspiring faith in the collegium system. The criteria for selecting judges should be largely objective, detailed and transparent. We believe this measure will achieve its fullest impact if the criteria are also made public. We reiterate that reasoned decisions of the collegiums meetings, minutes and resolutions must be uploaded on the Supreme Court website, as had been earlier decided by the collegium. Transparency in the functioning of the Collegium system is crucial to building an independent institution free of partiality and nepotism.

We believe that these steps taken by the Supreme Court under CJI Lalit's leadership are critical to restoring the court's credibility and increasing the confidence of the public in the judiciary. We urge the court to institutionalise these reforms and build on the same in order to carry out its constitutional functions and retain the confidence of the public. We hope and expect that succeeding Chief Justices would take forward these important reforms and fully restore the credibility of the Supreme Court which will be a beacon for the High Courts and for the judiciary globally.