

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 3138

ANSWERED ON 27/03/2025

Mandatory declaration of assets by Judges

3138. SHRI MANOJ KUMAR JHA:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether Government has taken note of the Parliamentary Committee's recommendation to make asset disclosure mandatory for Supreme Court and High Court Judges;
- (b) the reasons for the delay in framing statutory rules under the High Court Judges Act, 1954 and the Supreme Court Judges Act, 1958, for asset declaration;
- (c) whether consultations with the Supreme Court's registry on this matter have been completed, if so, the details thereof;
- (d) whether the voluntary asset disclosure resolution by Judges has seen compliance, if so, the details thereof; and
- (e) the steps taken by Government to fast-track the consultation process and implement mandatory asset declaration rules?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (c) The recommendations of the Departmental related Parliamentary Standing Committee on Personnel, Public Grievance, Law and Justice for mandatory declaration of assets by the Judges of the Supreme Court and High Courts was taken up with the Supreme Court of India. The Supreme Court constituted a Committee of Judges of the Supreme Court

to examine the issue of mandatory declaration of assets by the Judges of the Supreme Court. The Committee observed that the issue pertaining to declaration of assets by the Judges of the higher judiciary and furnishing of such information under the Right to Information Act, 2005, has been extensively examined and dealt with in the Constitution Bench judgment of this Court in CPIO, Supreme Court of India Vs. Subhash Chandra Agrawal, reported in (2020) 5 SCC 481. The procedure adopted and followed in terms of the decisions of the Full Court are in conformity with the aforesaid decision. The Committee reiterated the earlier decision of the Full Court of the Supreme Court that every Judge should make a declaration of his/her assets on assuming office and also whenever any acquisition of a substantial nature is made to the Chief Justice. This also includes the declaration of the CJI. The Committee proposed that the official website of the Supreme Court should display the name of the Judges, who have made declaration of assets to the Chief Justice. The said proposal has been approved by the CJI and accordingly, the name of the Judges have been displayed on the official website of the Supreme Court.

(d) & (e) “Restatement of values of Judicial Life” adopted by a full Court Meeting of Supreme Court on 07.05.1997 lays down certain judicial standards which are to be followed by the Judges of the Supreme Court and the High Courts. The Full Bench in its meeting dated 26th August, 2009 decided to disclose the statement of assets submitted by the Judges on the basis of Resolution dated 7th May 1997 to public by putting it on Supreme Court website. Further, the Full Court in its meeting dated 8th September 2009 resolved to put the declaration of assets in the Supreme Court website on or before 31st October 2009 and that is purely on Voluntary basis. The details on the declaration of assets by the Judges of the High Courts and the Supreme Court are not maintained centrally.

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