

Measuring Transparency in the Indian Judiciary

The Judicial Transparency Index



Measuring Transparency in the Indian Judiciary: The Judicial Transparency Index

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Executive Summary

Judicial transparency is known to enhance public trust in the judiciary and help promote judicial independence, efficiency, and legitimacy. For one, increased public oversight reduces the scope for arbitrariness and external interference in judicial functioning. Secondly, a transparent and accountable judiciary is likely to enjoy greater trust and legitimacy in the eyes of the public and would be better positioned to oversee government actions to uphold the rule of law. In India, concerns have arisen over the years regarding transparency in various aspects of judicial functioning, including appointments and transfers, case allocation, disciplinary actions, and recusal by judges.

To encourage greater transparency in the judiciary, this report provides a measurable framework for evaluating the transparency of courts: the Judicial Transparency Index ('JTI'). For the purposes of the index, transparency refers to proactive disclosure of information on court websites that enables the public to assess the courts' functioning. To understand which information needs to be made available, the index relies on national and international standards of transparency, including the Right to Information Act, 2005; Article 11 of the United Nations Convention Against Corruption and its implementation guide; and the Istanbul Declaration on Transparency in the Judicial Process. The JTI examines judicial transparency in three broad categories — judicial processes, institutional governance and administration, and judicial and administrative personnel — and contains 18 themes of transparency. Each of the themes are further disaggregated into components along with indicators and scoring

guides to help evaluate the indicators.

Judicial Processes



Transparency in the judicial process is mandated by the 'open courts' principle, which requires that all court proceedings and documents be open and accessible to the public. Such publicity is said to safeguard against arbitrariness in judicial decision-making, and protect the parties' right to a fair trial.

In India, physical and virtual access to court proceedings is facilitated by several laws and precedents. However, to ensure true 'openness', courts must publish information that enables the public to access court hearings in practice. Cause lists are also critical to ensuring openness of courts, and must therefore be sufficiently detailed and published well in advance of the hearings. Publication of judgements and orders enhances impartiality and fairness of the trial; public oversight ensures that judicial decisions are premised on facts and law rather than extraneous factors. Additionally, transparency in case allocation and recusal protects the parties' rights to be tried by a fair and impartial tribunal. Finally, facilitating media access to courts ensures open trials by enabling the public to receive accurate accounts of judicial proceedings. Indicators

within these themes evaluate whether courts proactively disclose the requisite information to promote transparency in these areas of judicial functioning.

Institutional Governance and Administration



Transparency in court administration provides the public insight into the governance of courts. Publication of annual reports by courts promotes not just trust in the judiciary, but also accountability of courts by providing regular statistics on institutional functioning. Publication of rules and regulations of the court allows the general public to assess whether courts are functioning in accordance with the procedure laid down by them, whereas information on court committees provides insight into the areas of judicial reform being prioritised and overseen by the courts. Budgetary disclosures by the courts ensure the efficient utilisation of funds through public accountability. Pertinently, publication of information regarding the Right to Information Act, 2005 allows the public to exercise their rights under the statute and seek information on judicial functioning, beyond mandatory disclosures. Finally, publication of information under the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 demonstrates the judiciary's compliance with the Act and its intent to foster a safe and inclusive environment for all. Indicators in these themes assess whether courts are providing the information necessary to secure transparency in their governance and administration.

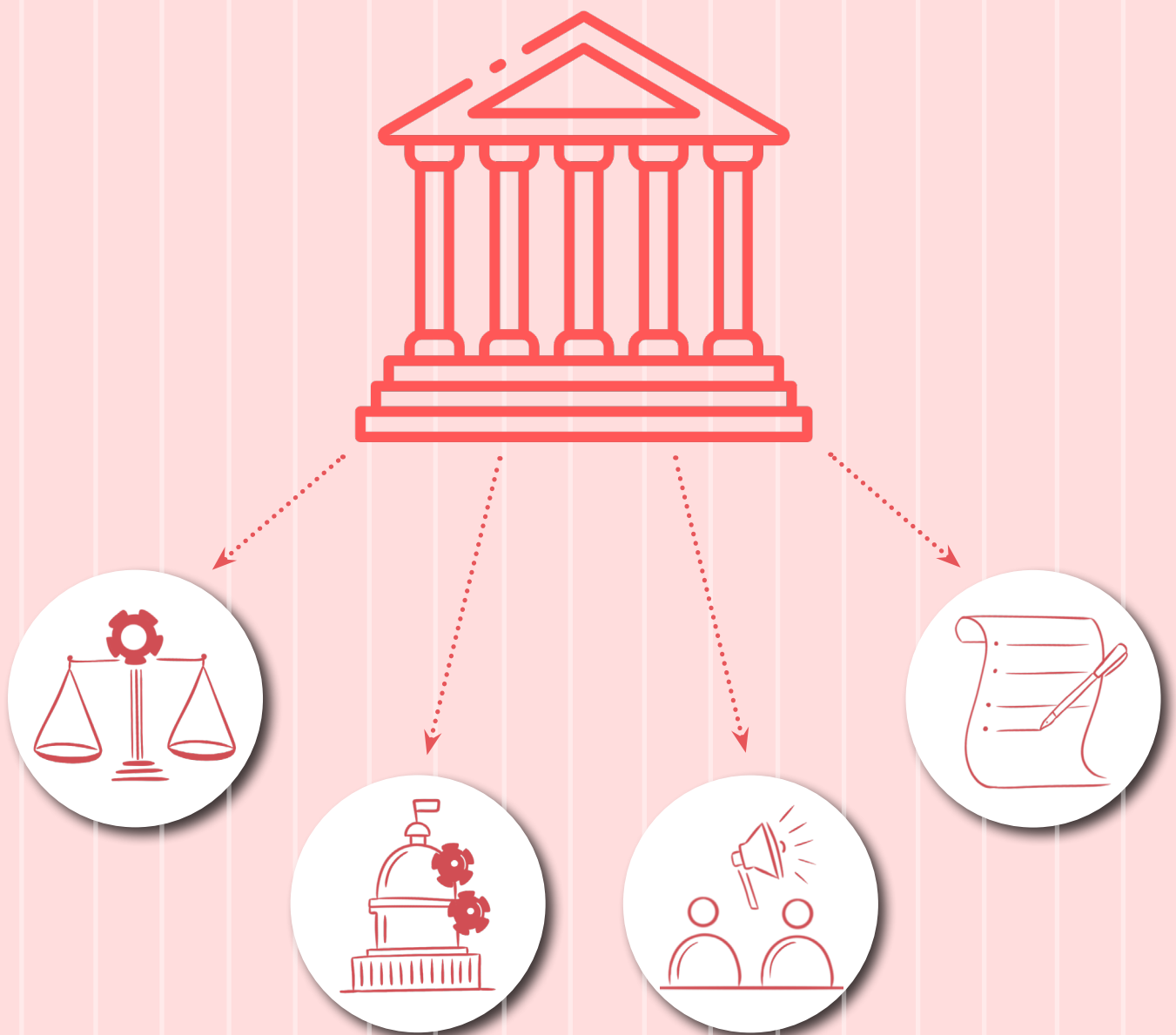
By assessing the extent of public disclosure of such information, the JTI aims to serve as a comprehensive tool for evaluating transparency of courts at all levels. Therefore, the indicators have been developed in a court-agnostic manner and can be tailored to any judicial body. Through the index, we hope to encourage greater openness and transparency in the judiciary and enable the public to better understand its functioning.

Judicial and Administrative Personnel



The efficient, independent, and fair functioning of the judiciary depends on key actors within the system. Efficiency of courts often depends on whether the courts are functioning at full capacity, and the conduct of the members of the judiciary directly impacts judicial independence, impartiality, and integrity. Therefore, disclosure of personnel-related information is crucial to ensuring judicial accountability. This category consists of six themes.

Publication of information on the working and sanctioned strength of courts helps identify and address judicial manpower shortages, and highlights any inefficiencies in the appointment process. Additionally, information on registry officials allows the public to know whom to approach in case of administrative issues. Transparency in judicial appointments and transfers acts as a necessary safeguard against favouritism and political interference in the judiciary. While disclosures regarding disciplinary actions indicate judicial accountability and fosters public trust. Finally, proactive disclosure of assets by judges helps secure judicial independence and impartiality and aligns the judiciary with other public institutions whose members are required to make similar disclosures. Indicators within these themes assess whether courts are publishing the information necessary to promote personnel-related transparency.



Introduction

Transparency in the functioning of public institutions is key to fostering public trust and ensuring adherence to the rule of law. In the context of the Indian judiciary, the importance of transparency has been highlighted time and again, both from within and outside the judicial system.

Over the past few years, every Chief Justice of the Supreme Court of India has spoken of the importance of transparency in the judiciary under various contexts. Speaking about his plans as the Chief Justice, Justice (Retd.) UU Lalit had promised, *"I must assure you that we will strive hard to make the listing as simple, as clear and as transparent as possible."*¹ In the context of live streaming of cases, Justice (Retd.) DY Chandrachud lamented *"One of the greatest dangers to the institutions in a constitutional democracy is the danger of being opaque. When you open up your processes, you generate a degree of accountability, transparency, and you generate a sense of responsiveness to the needs of citizens."*² Regarding the role of judges, Justice (Retd.) Sanjiv Khanna reflected *"As adjudicators, we eschew any sense of being beyond reproach. In being responsive to constructive*

*feedback, our courts become more efficient, citizen and public-centric, and accountable. By opening ourselves to scrutiny, we can identify systemic inefficiencies and bottlenecks, and work towards eliminating them."*³ Most recently, in the context of judicial appointments, Justice (Retd.) BR Gavai stated *"I must assure you that we will ensure that we will adopt a complete process of transparency. While ensuring that the representation is given to all sections of the society, the merit will never be compromised."*⁴

Despite repeated assurances of institutional commitment to transparency, there is still significant room for improvement. In 2025 alone, concerns have been raised regarding transparency in judicial appointments,⁵ judicial transfers and the process adopted by the Collegium,⁶ complaints against judges,⁷ as well as recusals by judges to hear cases.⁸

Multiple analyses of Collegium resolutions highlight the Supreme Court's failure in abiding by its promise of providing reasons for judicial appointments and transfers.⁹ A study on the resolutions passed between 2017 to 2019

1. PTI, 'Chief Justice of India Uday Umesh Lalit intends to work on 3 key areas, will focus on transparency during his tenure' *The Telegraph* (27 August 2022) <https://www.telegraphindia.com/india/chief-justice-of-india-uday-umesh-lalit-intends-to-work-on-3-key-areas-will-focus-on-transparency-during-his-tenure/cid/1882804#goog_rewarded> accessed 10 November 2025.

2. HT Correspondent, 'Hindustan Times Leadership Summit 2022: Judges must refashion themselves in tech age, says CJI Chandrachud' *Hindustan Times* (New Delhi, 13 November 2022) <<https://www.hindustantimes.com/india-news/hindustan-times-leadership-summit-2022-judges-must-refashion-themselves-in-tech-age-says-cji-chandracud-101668287521860.html>> accessed 10 November 2025>.

3. Ananthakrishnan G, "Judiciary not beyond reproach": CJI Sanjiv Khanna calls for grading system for judicial officers' *The Indian Express* (New Delhi, 27 November 2024) <<https://indianexpress.com/article/india/judiciary-not-beyond-reproach-cji-sanjiv-khanna-calls-for-grading-system-for-judicial-officers-9692237/>> accessed 10 November 2025.

4. Omkar Gokhale, 'Will ensure complete transparency in appointment of judges: CJI Gavai' *The Indian Express* (Mumbai, 5 July 2025) <<https://indianexpress.com/article/cities/mumbai/will-ensure-complete-transparency-in-appointment-of-judges-cji-gavai-10106926/>> accessed 10 November 2025.

5. The Hindu Bureau, 'Call for gender parity in higher judiciary: Women lawyers advocate 50% reservation' *The Hindu* (Bengaluru, 6 July 2025) <<https://www.thehindu.com/news/cities/bangalore/call-for-gender-parity-in-higher-judiciary-women-lawyers-advocate-50-reservation/article69777257.ece>> accessed 10 November 2025.

6. Umapathi S, 'Transparency Concerns Loom Over High Court Judges Transfers, Collegium Process Under Scrutiny' *(Live Law, 1 June 2025)* <<https://www.livelaw.in/articles/transparency-concerns-high-court-judges-transfers-Collegium-process-scrutiny-293997>> accessed 10 November 2025.

7. Soni Mishra, 'We need a judicial complaints commission: Prashant Bhushan' *Frontline* (17 April 2025) <<https://frontline.thehindu.com/interviews/judicial-corruption-india-justice-varma-case-accountability-reforms-prashant-bhushan/article69439089.ece>> accessed 10 November 2025.

8. Krishnadas Rajagopal, 'Recent recusals in Supreme Court, HC, tribunal send mixed signals on transparency' *The Hindu* (New Delhi, 5 September 2025) <<https://www.thehindu.com/news/national/recent-recusals-in-supreme-court-hc-tribunal-send-mixed-signals-on-transparency/article70016411.ece>> accessed 10 November 2025.

9. Rangin Pallav Tripathy, 'The Supreme Court Collegium and Transparency: A Non- Committal Relationship' (2021) 17(1) Socio

revealed that reasons were provided in only 4.43% of its decisions.¹⁰ There has also been substantial regression in the amount of information being made public by the Collegium.¹¹ As a result, judicial appointments and transfers in India's higher judiciary remain shrouded in opacity.

The Chief Justice's 'master of roster' power has also come under heavy scrutiny due to a lack of transparency and accountability in its exercise. Data from studies suggest that Chief Justices of the Supreme Court can use this power to strategically allocate cases in a manner that could influence outcomes.¹² Attempts to inject objectivity and accountability into this process include a press conference by four senior-most Supreme Court judges in 2018¹³ and two subsequent legal challenges to the master of roster power.¹⁴ They have however yielded little change.¹⁵

Another aspect of judicial functioning that remains shrouded in opacity is disciplinary measures. Though the Supreme Court has

published the in-house procedure for inquiries into alleged misconduct by Supreme Court and High Court judges,¹⁶ a similar procedure pertaining to the district judiciary is not publicly available. Moreover, the judiciary does not disclose any information on the disciplinary proceedings conducted, including statistics or inquiry reports.¹⁷ Although in an unprecedented move, the Supreme Court published the findings from a disciplinary proceeding against a High Court judge in 2025,¹⁸ the disclosure was an isolated incident, and it remains to be seen whether this indicates a broader shift toward transparency.

It is important however to acknowledge that over the past two decades, several actors have come together to shape the landscape of judicial reforms, resulting in various types of information being made available to the public. On access to information regarding case progress, eCourts (together with the National Judicial Data Grid ('NJDG')) have enabled the judiciary to make large strides in transparency through publishing dynamic real-time data regarding pending and

Legal Review <<https://repository.nls.ac.in/cgi/viewcontent.cgi?article=1005&context=slr>> accessed 10 November 2025 [“Tripathy”]; Mihir R, ‘Collegium’s 13 Resolutions Recommending SC Judges’ (*Supreme Court Observer*, 25 September 2021) <<https://www.scobserver.in/journal/collegiums-13-resolutions-recommending-sc-judges/>> accessed 10 November 2025; Jehosh Paul, ‘The Supreme Court’s Collegium Resolutions: An Empty Formality?’ (*Vidhi Centre for Legal Policy*, 15 February 2022) <<https://vidhilegalpolicy.in/blog/the-supreme-courts-collegium-resolutions-an-empty-formality/>> accessed 10 November 2025.

10. Tripathy (n 9) 19.

11. Ibid 23.

12. Aparna Chandra, Sital Kalantry, and William H.J. Hubbard, *Court on Trial: A Data-Driven Account of the Supreme Court of India* (Penguin Random House India 2023) 73-81; Nick Robinson and others, ‘Interpreting the Constitution: Supreme Court Constitution Benches since Independence’ (2011) 46 *Economic & Political Weekly* 31 <<https://www.jstor.org/stable/41151833>> accessed 10 November 2025; Krithika Ashok, ‘Yes, Master of Roster’ (*IACL-IADC*, 24 May 2018) <<https://blog-iacl-aidc.org/crisis-at-the-supreme-court-of-india/2018/5/28/yes-master-of-roster>> accessed 10 November 2025.

13. ‘Supreme Court crisis: All not okay, democracy at stake, say four senior-most judges’ *The Hindu Business Line* (New Delhi, 12 January 2018) <<https://www.thehindubusinessline.com/news/supreme-court-crisis-all-not-okay-democracy-at-stake-say-four-senior-most-judges/article64312451.ece>> accessed 10 November 2025.

14. *Asok Pande v Supreme Court of India*, (2018) 5 SCC 341; *Shanti Bhushan v Supreme Court of India*, (2018) 8 SCC 396.

15. Saurav Das, ‘Contrary To SC’s Rules of Assignment, At Least 8 Politically Sensitive Cases Moved To One Judge In 4 Months’ (*Article 14*, 7 December 2025) <<https://article-14.com/post/contrary-to-sc-s-rules-of-assignment-at-least-8-politically-sensitive-cases-moved-to-one-judge-in-4-months-65713ae124602>> accessed 10 November 2025.

16. Supreme Court of India, *Report of the Committee on In-House Procedure* <https://cdnbbsr.s3waas.gov.in/s3ec0490f1f4972d133619a60c30f3559e/documents/notices-circulars/2014-12-31_1420006239.pdf> accessed 10 November 2025 [“In-House Report”].

17. V. Venkatesan, ‘Judge inquiry: The opacity of the in-house process’ (*Supreme Court Observer*, 8 April 2025) <<https://www.scobserver.in/journal/judge-inquiry-the-opacity-of-the-in-house-process/>> accessed 10 November 2025.

18. Maneesh Chibber, ‘Read Justice Yashwant Varma Probe Report: Cash was recovered, burnt cash was removed’ (*Bar and Bench*, 19 June 2025) <<https://www.barandbench.com/news/read-justice-yashwant-varma-probe-report-cash-was-recovered-burnt-cash-was-removed>> accessed 10 November 2025.

disposed cases across the district and higher judiciary.

Recent initiatives by the Supreme Court to enhance transparency in the judiciary include publishing information regarding Collegium decisions, assets of judges, and relations of judges with other High Court or Supreme Court judges.¹⁹ By releasing information pertaining to the assets of Supreme Court judges, the Court has been commended for its move towards greater transparency into personnel in the institution.²⁰ These reforms are however piecemeal and driven largely by public pressure rather than systemic policies. There is a need therefore to move away from episodic talk to a more robust, methodologically sound system that pushes the judiciary towards greater institutional transparency.

The importance of transparency in the functioning of the judiciary is supported by international and national mandates. The United Nations Sustainable Development Goal 16 on peace, justice and strong institutions, emphasises the need to “develop effective, accountable and transparent institutions at all levels”, and “ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements”.²¹ The legal foundations for transparency in the judiciary are often rooted in the right to fair trial and the

right to information.²² In India, beyond the ‘open courts principle’, judicial transparency has been mandated through the Right to Information Act, 2005 (**‘RTI Act’**). The RTI Act mandates self-disclosure of certain types of information by public authorities, as well as provides citizens with the right to seek information.

Further, having ratified the United Nations Convention Against Corruption (**‘UNCAC’**), under Article 11 of the UNCAC, India is required to take measures to strengthen the integrity of the judiciary. In this context, the United Nations Office on Drugs and Crime has produced a detailed implementation guide (**‘UNCAC Implementation Guide’**) to assist countries in instituting measures to implement Article 11.²³ Additionally, the Istanbul Declaration on Transparency in the Judicial Process (**‘Istanbul Declaration’**) provides countries with a framework of best practices to adopt to ensure adherence to the Universal Declaration of Human Rights (**‘UDHR’**) and the International Covenant on Civil and Political Rights (**‘ICCPR’**) in providing a fair trial. Although the Istanbul Declaration is not legally binding, representatives of the Indian judiciary re-affirmed its principles and measures to implement them in October 2018.²⁴

While there exists a mandate for transparency, it is insufficient unless it results in change on ground. It is therefore imperative that we go beyond de jure

19. Supreme Court of India, *Names approved by Supreme Court Collegium (SCC) for appointment as judges of High Courts* w.e.f. 11 November 2024 (5 May 2025) <<https://cdnbbsr.s3waas.gov.in/s3ec0490f1f4972d133619a60c30f3559e/uploads/2025/05/2025051927.pdf>> accessed 10 November 2025; Chanchal, ‘Supreme Court makes judges’ family ties, assets public in major transparency push’ (*Mint*, 6 May 2025) <<https://www.livemint.com/news/supreme-court-makes-judges-family-ties-assets-public-in-major-transparency-push-11746500439493.html>> accessed 10 November 2025.

20. Kishalaya Mishra and Trisha Shreyashi, ‘Court Transparency’ *The Telegraph* (11 June 2025) <https://www.telegraphindia.com/opinion/court-transparency-asset-disclosures-is-essential-to-restoring-public-trust-in-indian-judiciary-prnt/cid/2107214#goog_rewarded> accessed 10 November 2025.

21. United Nations Department of Economic and Social Affairs, ‘Goal 16 Sustainable Development Goals’, Targets 16.6 and 16.10 <https://sdgs.un.org/goals/goal16#targets_and_indicators> accessed 10 November 2025.

22. Guilherme France, ‘Transparency of court proceedings’ (*Transparency International*, 30 September 2019) <https://knowledgehub.transparencycdn.org/helpdesk/Transparency-of-court-proceedings_2019_PR.pdf> accessed 10 November 2025 [“France”].

23. United Nations Office on Drugs and Crime, ‘The United Nations Convention against Corruption: Implementation guide and evaluative framework for Article 11’ (March 2015) <https://www.unodc.org/res/ji/import/programmes_projects_initiatives/the_united_nations_convention_against_corruption_implementation_guide/the_united_nations_convention_against_corruption_implementation_guide.pdf> accessed 10 November 2025 [“UNCAC Implementation Guide”].

24. Court of Cassation Turkey, ‘The Istanbul Declaration on Transparency in the Judicial Process’ (2020) <<https://www.>>

transparency to de facto transparency,²⁵ i.e. go beyond assessing whether there exists a mandate for transparency to assessing the practice of transparency itself. Judicial transparency must be seen as proactive disclosure, consisting of access to information as well as dissemination and publication of information pertaining to the functioning of the judiciary.²⁶

It is in this context that the Justice Access and Lowering Delays in India ('JALDI') Initiative at Vidhi has devised the Judicial Transparency Index ('JTI') to measure the transparency of India's judicial system. The index provides baseline standards against which transparency in Indian courts may be measured. Transparency in the context of the JTI refers to proactive disclosure of information on court websites that enables the public to assess the courts' functioning.

The JTI is divided into three categories of transparency, i.e., judicial processes; institutional governance and administration; and judicial and administrative personnel, and contains 18 themes of transparency. For each theme, a rationale has been provided for its inclusion in the

JTI, comparable practices in other jurisdictions have been noted, and a list of components with indicators and a scoring guide have been provided. Where there are no existing mandates, or where collation and disclosure of information may be resource-intensive, potential themes have been provided as recommendations.

The JTI aims to serve as a valuable resource for institutional and external stakeholders seeking to assess judicial transparency. For that reason, the index is designed in a court-agnostic manner and can be tailored to the court being evaluated. Indicators that are not applicable to a specific court may be discarded, and the court may be scored against the remaining indicators. For instance, while scoring the Supreme Court, the indicators on transfers will not apply. Similarly, the indicators on information regarding live streaming may not apply to the district judiciary. Further, the use of the JTI can also be expanded and adapted to measure the transparency of special courts and tribunals. As a first step towards implementing this index, the JALDI team will evaluate transparency in the higher judiciary and the district judiciary in forthcoming reports.

unodc.org/res/ji/import/law_on_administration_of_justice/istanbul_declaration_implementation/istanbul_declaration_implementation.pdf> accessed 10 November 2025 ["Istanbul Declaration"].

²⁵ Alina Mungiu-Pippidi, 'Transparency and corruption: Measuring real transparency by a new index' (2022) Regulation & Governance <<https://onlinelibrary.wiley.com/doi/epdf/10.1111/rego.12502>> accessed 10 November 2025 ["Mungiu-Pippidi"].

²⁶ Álvaro Herrero and Gaspar López, 'Access to Information and Transparency in the Judiciary: A Guide to Good Practices from Latin America' (2010) World Bank Working Paper <<https://documents1.worldbank.org/curated/en/563721467991021917/pdf/80757-Herrero-Lopez-Transparency-in-the-Judiciary-Box-377336B-PUBLIC.pdf>> accessed 10 November 2025 ["Herrero and López"].

Open

Standards

Accessible

Complete

Information

Free

Online

Timely

Proactive



Understanding Judicial Transparency

Contours of Judicial Transparency

To create a framework for evaluating transparency in the judiciary, it is first necessary to understand what constitutes judicial transparency. As stated above, judicial transparency is nuanced and complex, and though often demanded, is rarely defined. This section in the report will therefore review existing literature on transparency in an attempt to formulate a working concept of judicial transparency for the index. It posits that transparency, including judicial transparency, usually has two components – what is disclosed and the manner of disclosure.

The word “transparency” comes from the Medieval Latin term “*transparentia*”, “*trans*” meaning through and “*parere*” meaning to come into sight or appear.²⁷ The figurative meaning of transparency, therefore, is to be “*easily seen through*”.²⁸ For an institution or process to be transparent it must be “*open and available for examination and scrutiny*”.²⁹ Transparency can thus be defined as “*the release of information by institutions that is relevant to evaluating those institutions*”.³⁰

In politics, transparency means availability of information that offers insight into whether the government is working in the interests of citizens, and is free from corruption and external or private influences.³¹ In the realm of environmental regulation, disclosure of information enables determination of whether the adequate social and environmental safeguards have been implemented in developmental projects.³² Transparency in corporate governance allows the stakeholders to observe whether the management is engaging in improper or unlawful behaviour.³³ In all such instances, transparency allows the public to hold institutions accountable and evaluate their functioning according to some “*accepted standard of behavior*”.³⁴

Judicial transparency can thus be defined as the release of information by the judiciary that is relevant to evaluating the judiciary’s functioning in accordance with publicly held standards of conduct. This would of course include transparency of judicial processes, as enshrined in the age-old common law principle of ‘*open courts*’. It must also include administrative and personnel transparency. Transparency in judicial administration allows the public to assess the efficiency of the courts; and personnel-related

27. ‘Etymology of “transparency” (Online Etymology Dictionary) <<https://www.etymonline.com/word/transparency>> accessed 10 November 2025.

28. Elizabeth Figueroa, ‘Transparency in Administrative Courts: From the Outside Looking In’ (2015) 35(1) Journal of the National Association of Administrative Law Judiciary 6 <<https://digitalcommons.pepperdine.edu/cgi/viewcontent.cgi?article=1583&context=naalj>> accessed 10 November 2025.

29. Frederick Schauer, ‘Transparency in Three Dimensions’ [2011] University of Illinois Law Review 1339, 1343 <<https://illinoislawreview.org/wp-content/ilr-content/articles/2011/4/Schauer.pdf>> accessed 10 November 2025 [“Schauer”].

30. Ann Florini, ‘Does the invisible hand need a transparent glove?’ (2000) Research Collection School of Social Sciences, Singapore Management University Paper 5 <https://ink.library.smu.edu.sg/cgi/viewcontent.cgi?params=/context/soss_research/article/3349/&path_info=does_the_invisible_hand_need_a_transparent_glove__1_.pdf> accessed 10 November 2025 [“Florini”].

31. Mungiu-Pippidi (n 25).

32. Paul Nelson, ‘Multilateral development banks, transparency and corporate clients; Public-Private partnerships and public access to information’ (2003) 23 Public Administration & Development 250 <https://www.researchgate.net/publication/229916143_Multilateral_development_banks_transparency_and_corporate_clients_Public-private_partnerships_and_public_access_to_information> accessed 10 November 2025.

33. Benjamin Fung, ‘The Demand and Need for Transparency and Disclosure in Corporate Governance’ (2014) 2 Universal Journal of Management 72, 73 <<https://www.hrpub.org/download/20140105/UJM3-12101630.pdf>> accessed 10 November 2025.

34. Florini (n 30) 6.

transparency, such as information on judicial appointments, transfers, and assets of judges, helps the public understand how independently and impartially the judiciary is functioning.

How information is made available is as important a determinant of transparency as what information is made available. Candeub, for instance, frames transparency as '*lowering the cost of accessing information*', in particular the time and effort involved in securing information.³⁵ Similarly, Michener and Bersch describe transparency as '*visibility*', i.e., the degree to which information is complete and can be easily located.³⁶ Both these concepts of transparency emphasise accessibility over mere availability of information. The idea being that even if information is available, if accessing it is made prohibitively costly and time-consuming, then true transparency does not exist.

Therefore, institutions, including judiciaries, that lower the cost, time, and effort of obtaining information are considered to be more transparent than others. Judiciaries that make proactive disclosures are more transparent than those that require people to file applications for accessing information; those that publish information online are more transparent than those that require inspection of documents in office; and those that disseminate information in a timely manner are more transparent than those that fail to provide updated information. This idea has also found expression in the RTI Act. Section 4 of the Act stipulates that all appropriate records must be digitised and uploaded online to facilitate access. It further requires all public authorities, including courts, to make certain proactive disclosures so that the public will have to resort minimally to

filing RTI applications. Finally, it mandates that the dissemination of information must be in such form and manner as is easily accessible to the public. Effective transparency therefore requires that information is:



Why Does Openness Matter

Calls for transparency stem from the well-known principle, "justice must not merely be done but it must also be seen to be done".³⁷ Transparency in the judiciary is essential because it promotes public confidence in both the judiciary and the administration of justice, leading to greater efficiency.³⁸ The preamble to the Istanbul Declaration states that transparency is intrinsically linked to the rule of law, and "*is a fundamental element of the judicial process in a State that upholds human rights and the rule of law.*"³⁹ For example, providing access to court

³⁵. Adam Candeub, 'Transparency in the Administrative State' (2013) 51 Houston Law Review 385, 387 <<https://heinonline.org/HOL/LandingPage?handle=hein.journals/hulr51&div=14&id=&page=>> accessed 10 November 2025.

³⁶. Gregory Michener, Katherine Bersch, 'Identifying Transparency' (2023) Information Polity 6 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3290813> accessed 11 November 2025.

³⁷. Supreme Court of India, *Restatement of values of judicial life* (1997) <<https://www.scobserver.in/wp-content/uploads/2024/11/Restatement-of-values-of-judicial-life.pdf>> accessed 11 November 2025 ["Restatement of values of judicial life"].

³⁸. France (n 22).

³⁹. Istanbul Declaration (n 24).

judgements enables citizens to understand how judicial decisions are made, thereby improving public confidence in the institution's delivery of justice through application of the rule of law.

In terms of use of transparency, Frederick Schauer posited that transparency serves four aims: as regulation, democracy, efficiency, and epistemology.⁴⁰ These refer to transparency allowing for oversight of an institution, providing for public oversight, enabling operative effectiveness, and producing knowledge that can lead to greater progress.⁴¹

In terms of operative effectiveness, transparency in the functioning of institutions can reduce power imbalances, prevent corruption or abuse of power, enable collective action, encourage institutional action, and improve access to public services.⁴² In terms of public oversight of the institution, the openness of courts helps educate the public about court processes and inspires confidence in the authority of the judiciary.⁴³ Transparency in the judiciary can reduce information asymmetry regarding litigation and the administration of justice. Additionally, disseminating court statistics helps citizens to understand how the courts perform, allows civil society to monitor and hold the courts to account, and strengthens trust.⁴⁴ Furthermore, access to information

contributes to inclusive governance and public participation.⁴⁵ The judiciary plays a crucial role in holding the government accountable, and it is believed that a transparent judiciary with greater legitimacy would be better placed to oversee the actions of other governance institutions.⁴⁶

Furthermore, transparency in the judiciary's operations has positive spillover effects for the institution. Transparency in the judiciary helps bolster its independence as it demonstrates the judiciary's adherence to the rule of law.⁴⁷ For example, by proactively making information regarding judicial appointments or disciplinary actions against judges publicly available, the institution strengthens its independence while promoting trust in its working. Additionally, by limiting questioning into its functioning through proactive disclosures, it can also strengthen institutional accountability. Such a potential positive effect has also been acknowledged by the Supreme Court:

“Scrutiny and transparency, properly understood, are not placed in an antithesis to independence. They create conditions where Judges are protected against unwholesome influences. Scrutiny and transparency are allies of the conscientious because they are powerful instruments to guard against influences which threaten to suborn the judicial

40. Schauer (n 29).

41. Ibid.

42. Mungiu-Pippidi (n 25) 1098; ‘Enhancing Judicial Transparency’ (Transparency International, 2007) <https://images.transparencycdn.org/images/TI_Policy_Position_Judiciary_01.07.pdf> accessed 11 November 2025 [“Enhancing Judicial Transparency”].

43. Jason John Bosland and Judith Townend, ‘Open Justice, Transparency and the Media: Representing the Public Interest in the Physical and Virtual Courtroom’ (2018) 23 Communications Law 183–202 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3336948> accessed 11 November 2025; Des Butler and Sharon Rodrick, *Australian Media Law* (Lawbook, 5th ed, 2015) 235; Rangin Pallav Tripathy, ‘Who Are Our Judges? Assessing the Information Disclosure Practice of Indian Supreme Court Judges’ (2020) 9 Indian Journal of Constitutional Law 92 <https://ijcl.nalsar.ac.in/wp-content/uploads/2020/08/9IndianJConstL92_TripathyBagga.pdf> accessed 11 November 2025.

44. Herrero and López (n 26); Stephan Grimmelikhuijsen and Albert Klijn, ‘The effects of judicial transparency on public trust: Evidence from a field experiment’ (2015) 93 Public Administration 995–1011 <<https://onlinelibrary.wiley.com/doi/abs/10.1111/padm.12149>> accessed 11 November 2025.

45. UNODC, ‘Resource Guide on Strengthening Judicial Integrity and Capacity’ (December 2011) <https://www.unodc.org/documents/treaties/UNCAC/Publications/ResourceGuideonStrengtheningJudicialIntegrityandCapacity/11-85709_ebook.pdf> accessed 11 November 2025.

46. Herrero and López (n 26) 3.

47. Enhancing Judicial Transparency (n 42).

conscience. To use judicial independence as a plea to refuse accountability is fallacious. Independence is secured by accountability. Transparency and scrutiny are instruments to secure accountability.”⁴⁸

Transparency in the judiciary’s functioning therefore has several positive effects in a

democratic society governed by the rule of law. It is in this context that the JTI seeks to provide the Indian judiciary a pathway to further strengthen institutional trust, confidence, independence, and accountability, based on established and accepted principles, guidelines, and best practices.

48. Central Public Information Officer, Supreme Court of India v Subhash Chandra Agarwal, (2020) 5 SCC 481, ¶¶234.

United
Nations
Convention
Against
Corruption

Right to
Information

Court
judgements

POSH Act

UDHR

Restatement of
Values of Judicial
Life

Istanbul
Declaration

Bangalore
Principles of
Judicial Conduct

ICCPR

Benchmarking Judicial Transparency

Amid rising national demand for judicial transparency, the JTI aims to provide a framework for evaluating transparency in courts in India. To understand how transparent the judiciary is, one must first ask how transparent it ought to be, i.e. what are the baseline standards against which the transparency of courts may be measured.

Globally, no index or checklist offers a blueprint that delineates the various components of judicial transparency. The T-Index, by Transparency International, measures *de jure* and *de facto* transparency across countries. As part of its methodology, it assesses whether Supreme Court hearing schedules and sentences are published and accessible online, but does not go beyond that.⁴⁹ Its primary focus remains on transparency in governments, and it looks at judicial transparency only insofar as it relates to deterring government corruption. Similarly, the Rule of Law index by the World Justice Project evaluates the accessibility, efficiency, and independence of criminal and civil justice systems, but does not evaluate judicial transparency.⁵⁰

At the national level, a few organisations have attempted to evaluate the level of judicial transparency in their countries. In China, as part of the Rule of Law Index, a judicial transparency index measures information disclosures on court websites. It uses five themes to measure such disclosures: openness of trial affairs, openness of trials, openness of enforcement, data openness, and judicial reform.⁵¹ In the US, the American Civil Liberties Union published a scorecard evaluating transparency of State Supreme Courts using the following metrics: timely publication of pending cases, timely publication of the questions presented in the pending cases, free and timely

public access to docket information and free and timely access to party briefs.⁵² The World Bank has also provided an overview of select initiatives undertaken by countries in Latin America to enhance transparency in administrative aspects and jurisdictional functions of the judiciary.⁵³

In India too, attempts have been made to evaluate the disclosure of information by courts. In a 2019 report, the JALDI team assessed the High Courts' compliance with the RTI Act through 4 indices: the legality index, the convenience index, the practice index and the disclosures index.⁵⁴ A 2021 report by DAKSH also evaluated the accessibility and availability of information on High Court websites through a UI/UX survey.⁵⁵ These studies have been instrumental in highlighting the gaps in judicial transparency and in advocating for change. However, while they assessed certain aspects of access to information, a holistic evaluation of judicial transparency has yet not been undertaken. To address this gap, JALDI has developed the JTI, tailored to the Indian judiciary.

The JTI defines judicial transparency as the availability of information that is relevant to evaluating the Indian judiciary's functioning in accordance with publicly held standards of conduct. Further, given the need for accessibility of information, i.e., lowering the cost, time, and effort of accessing information, the index will look at transparency as information proactively disclosed online on court websites. To understand which information needs to be made available, the index relies on national and international standards of transparency. The JTI is divided into 3 categories, 18 themes, 42 components, and 68 indicators.

49. 'T-Index Methodology' (*Corruption Risk*, European Research Centre for Anti-Corruption and State-Building) <<https://corruptionrisk.org/t-index-methodology/>> accessed 11 November 2025.

50. 'Rule of Law Index' (*World Justice Project*, 2024) <<https://worldjusticeproject.org/rule-of-law-index/factors/2024/Civil%20Justice/>> accessed 11 November 2025.

51. He Tian, Yanbin Lv & Xiaomei Wang (eds) *Report on the Rule of Law Index in China 2* (Springer Singapore 2023) 141 <<https://link.springer.com/book/10.1007/978-981-19-9597-2>> accessed 11 November 2025.

52. 'Scorecard for State Supreme Court Transparency' (*American Civil Liberties Union*, March 2025) <<https://www.aclu.org/publications/scorecard-for-state-supreme-court-transparency>> accessed 11 November 2025.

53. Herrero and López (n 26).

54. Vaidehi Misra and others, 'Sunshine in the Courts- Ranking the High Courts on Their Compliance With the RTI Act' (*Vidhi Centre for Legal Policy*, 2019) <<https://jaldi-vidhilegalpolicy.in/overview-projects/capacity-performance/report?id=217>> accessed 26 November 2025.

55. Vankar Jayminbhai Kanubhai, Shruthi Naik, and Prof. Nomesh Bolia 'User interface and user experience evaluation



Judicial Processes

Transparency in court proceedings is premised on the common law principle of ‘open courts’, and is the most commonly understood conceptualisation of judicial transparency. It requires all court proceedings and orders to be open and accessible to the public. Open access to court hearings is said to safeguard against arbitrariness in judicial decision-making and to protect the rights of the parties to a fair trial. Openness of judicial proceedings also requires that related processes that impact judicial outcomes, like case allocation and recusal, be transparent. This category includes the following themes:

1



Public access to court hearings

Articles 10 and 11 of the UDHR and Article 14 of the ICCPR recognise the right to a fair and “public” trial. In India specifically, Section 153B of the Code of Civil Procedure, 1908 (‘CPC’) and

Section 366 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (‘BNSS’) require civil and criminal proceedings to be held in open court, subject to the discretion of the judge. Further, in the case of *Swapnil Tripathi v. Supreme Court of India*,⁵⁶ the Supreme Court extended the open court principle to include live streaming of court proceedings. Recognising the public’s right under Article 19(1)(a) of the Constitution of India, 1950 (‘**Constitution**’) to witness publicly significant court proceedings, as well as the logistical and infrastructural difficulties in attending physical hearings, the Court recognised the need for virtual access to courtrooms.⁵⁷ Accordingly, the Supreme Court has commenced the live streaming of its Constitution Bench cases, and briefly live streamed other publicly relevant proceedings as well.⁵⁸

The Supreme Court e-Committee has also published the Model Rules for Live Streaming and Recording of Court Proceedings (‘**Model Live Streaming Rules**’) in order to encourage High Courts to commence the live streaming of their proceedings.⁵⁹ The Rules require all proceedings to be live streamed but carve out exceptions for a few types of cases, such as family law

of Indian High Court websites’ (DAKSH, 2021) <https://www.dakshindia.org/wp-content/uploads/2022/10/Book_27_August-1-1.pdf> accessed 26 November 2025.

⁵⁶. (2018) 10 SCC 639.

⁵⁷. (2018) 10 SCC 639, 650-52.

⁵⁸. ‘Previous Sessions’ (Supreme Court of India) <<https://www.sci.gov.in/previous-sessions/>> accessed 11 November 2025.

⁵⁹. e-Committee, Supreme Court of India, *Model Rules for Live-Streaming and Recording of Court Proceedings* (13 September 2022) <<https://ecommitteesci.gov.in/document/model-rules-for-live-streaming-and-recording-of-court-proceedings/>> accessed 11 November 2025.

matters; cases concerning sexual offences and gender-based violence; matters involving the Protection of Children from Sexual Offences Act, 2012 ('POCSO'), among others.⁶⁰ Following this, some High Courts have also commenced the live streaming of their proceedings.⁶¹

It is therefore incumbent upon the courts to take steps to facilitate public access to court hearings, both physical and virtual. This includes publishing essential information such as working hours of the court, the court address and contact information, procedure to access court premises,

rules to be followed while attending proceedings, live streaming rules and links to live streamed cases.

Courts in other jurisdictions also publish information to enable citizens to attend court hearings. For example, many court websites in the USA, U.K., and Australia provide detailed information on security protocols, and courtroom etiquettes to be followed, including information on prohibited items, the policy on photography and filming, appropriate attire, etc.⁶²

Component	Indicators	Scoring Guide
Publication of information required to attend court proceedings	Does the court publish information necessary to facilitate the public's access to court proceedings?	The court website publishes the following (1 point for each): - Court address - Map location - Court calendar - Working hours - Contact number - Procedure to access court premises (for example, information on a designated entrance for litigants, information required for passes, security protocol, etc.) - Procedure to attend court hearings (for example, information on appropriate attire, protocol to be followed in courtrooms, information required for joining live streamed hearings, etc.)
Adoption of live streaming	Are live streaming rules available on the court website?	- The rules are available on the court website. (1) - The rules are not available or cannot be found on the court website. (0)

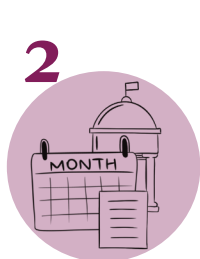
⁶⁰. Model Rules for Live-Streaming and Recording of Court Proceedings 2013, r 5.

⁶¹. The High Courts of Gujarat, Karnataka, and Gauhati are some of the few that routinely live stream their proceedings.

⁶². 'Access to Court Proceedings' (*United States Courts*) <<https://www.uscourts.gov/court-records/access-court-proceedings>> accessed 11 November 2025;

'Participating Court' (*United States District Court for the Middle District of Alabama*) <<https://www.almd.uscourts.gov/about/participating-court>> accessed 11 November 2025; 'Visitor's Guide to Oral Argument' (*Supreme Court of the United States*) <<https://www.supremecourt.gov/visiting/visitorsguidetooralargument.aspx>> accessed 11 November 2025; 'How you can

Component	Indicators	Scoring Guide
	Does the court provide a link to access live streaming of proceedings?	i. The link is available on the court website. (1) ii. The link is not available or cannot be found on the court website. (0)
Scope of live streaming	Do the court's rules prescribe which types of proceedings will be live streamed?	i. The court's rules provide information on the types of proceedings that will be live streamed. (1) ii. The court's rules do not provide any information on the types of proceedings that will be live streamed. (0)
Implementation of live streaming	Does the court live stream its proceedings?	i. Most courtrooms are live streamed. (75% and above) (1) ii. Some of the courtrooms are live streamed. (25% to 74%) (0.5) iii. Very few courtrooms are live streamed. (24% or less) (0)



2 Publication of cause lists

Principle 1 of the Istanbul Declaration requires the judiciary to “ensure that the public has access in advance to information of the time and venue of court hearings”.⁶³ Advance publication of hearing schedules or cause lists allows for greater publicity of hearings, alerting the public to

important cases and providing those interested a fair chance to tune into live streams or attend hearings in person; the Supreme Court publishes its cause lists at least two days in advance of the hearings.⁶⁴

Cause lists must also contain sufficient information to enable the public to identify which hearings to attend and how. Rule 9 of the Model Live Streaming Rules requires that daily cause lists published on court websites contain information regarding live streaming. The Supreme Court in *Sarvesh Mathur v. Registrar General, High Court*

attend or access courts or tribunals’ (HM Courts & Tribunals Service, Government UK) <<https://www.gov.uk/government/publications/how-you-can-attend-or-access-court-and-tribunal-hearings/how-you-can-attend-or-access-courts-or-tribunals>> accessed 11 November 2025;

‘For the Public’ (Supreme Court of Victoria) <<https://www.supremecourt.vic.gov.au/going-to-court/for-the-public>> accessed 11 November 2025; ‘Going to Court’ (Magistrates Court of Western Australia) <https://www.magistratescourt.wa.gov.au/G/going_to_court.aspx> accessed 11 November 2025.

⁶³. Istanbul Declaration (n 24) 21.

⁶⁴. Ninni Susan Thomas, ‘The Case for Improved Causelists’ (DAKSH India Working Paper, August 2024) 9 <https://images.assettype.com/barandbench/2024-08-21/tooro40a/The_Case_for_Improved_Causelists.pdf> accessed 11 November 2025;

of Punjab further directed the High Courts to publish video conferencing links for hearings in their cause lists.⁶⁵

To uphold the open courts principle, cause lists must therefore be published sufficiently in advance and be sufficiently detailed. These should include not just basic information like case number/name, date, and venue (courtroom) of hearing but also additional information like type/purpose of hearing, live stream details, and video conferencing links. For the purposes of the JTI, it is assumed that publication of cause lists one day (i.e. 24 hours) in advance will allow sufficient time for publicity of hearings.

Globally, while the practice of court schedule publication varies across jurisdictions, some countries fare relatively better than India. For

example, appellate courts in the USA, such as the Court of Appeal for the Federal Circuit, Ninth Circuit, and the Fifth Circuit, publish their oral argument schedules a month in advance.⁶⁶ In the UK, the Criminal Division of the Court of Appeal similarly publishes its cause list a month prior.⁶⁷ The Denmark appellate courts publish their schedules at least a week before the hearings.⁶⁸ The hearing schedules of some of these courts also capture additional details like case synopsis,⁶⁹ and nature of the case.⁷⁰

Component	Indicators	Scoring Guide
Publication of cause lists	Are the cause lists published sufficiently in advance of the hearings?	i. Cause lists are published at least one day (24 hours) in advance. (1) ii. Cause lists are published less than a day (24 hours) in advance. (0.5) iii. Cause lists are not published on the website. (0)

verified at 'Cause List' (Supreme Court of India) <<https://www.sci.gov.in/cause-list/>> accessed 11 November 2025.

⁶⁵. 2023 SCC OnLine SC 1332.

⁶⁶. 'Scheduled Cases' (United States Court of Appeals for the Federal Circuit) <<https://www.cafc.uscourts.gov/home/oral-argument/scheduled-cases/>> accessed 12 November 2025; 'Oral Argument Dates & Locations' (United States Court of Appeals for the Ninth Circuit) <<https://www.ca9.uscourts.gov/calendar/>> accessed 11 November 2025; 'Court Calendars' (United States Court of Appeals for the Fifth Circuit) <<https://www.ca5.uscourts.gov/oral-argument-information/court-calendars>> accessed 11 November 2025.

⁶⁷. 'Court of Appeal cases fixed for hearing (Criminal Division)' (HM Courts & Tribunals Service, Government UK) <<https://www.gov.uk/government/publications/court-of-appeal-cases-fixed-for-hearing-criminal-division>> accessed 11 November 2025.

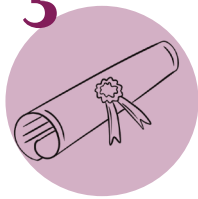
⁶⁸. 'Retslister' (Vestre Landsret) <<https://www.domstol.dk/vestrelandsret/retslister/>> accessed 12 November 2025; 'Retslister' (Østre Landsret) <<https://www.domstol.dk/oestrelandsret/retslister/>> accessed 12 November 2025.

⁶⁹. 'Calendar for James R. Browning U.S. Courthouse, San Francisco' (United States Court of Appeals for the Ninth Circuit, November 2025) <https://drive.google.com/file/d/1Z-uPPTI6f9x03wtung3AT_IYVmXoGsWn/view?usp=drive_link> accessed 12 November 2025.

⁷⁰. 'Court and Special Cases Calender' (United States Court of Appeals for the Fifth Circuit for New Orleans) <<https://www.ca5.uscourts.gov/oral-argument-information/court-calendars/Details/1888/>> accessed 12 November 2025.

Component	Indicators	Scoring Guide
	Are the cause lists sufficiently detailed?	The court website publishes the following (1 point for each): i. Cause lists provide additional information (for example, the purpose of hearing, subject-matter of proceedings, etc.). ii. Cause lists provide links to access live streaming of the hearings. iii. Cause lists provide video conferencing links for hearings.

3



Publication of judgements and orders

Publication of reasoned judicial decisions is integral to the open court principle as it allows the public to analyse and critique the judicial application and interpretation of laws. Article 14 of the ICCPR requires all judgements rendered in a criminal case or in a suit of law to be made public.⁷¹ Principles 6 and 8 of the Istanbul Declaration also require regular publication of reasoned judicial decisions on publicly available online databases. In India, Order XX Rule 1 of the CPC and Section 392 of the BNSS require judgements to be pronounced in open court, implying that judicial decisions must not only be made known to the parties but also to the public

at large. In fact, Section 392(4) of the BNSS requires the court to, as far as practicable, upload the copy of the judgement on its portal within a period of seven days from the date of judgement.

Mere availability of judgements however is insufficient if the public is unable to understand the language of the judgement. In order to ensure the linguistic accessibility of judgements, the Supreme Court has therefore started translating select categories of its judgements into regional languages using AI.⁷² An Artificial Intelligence Committee has also been constituted in each of the High Courts to oversee the translation of High Court decisions into the local State language.⁷³

Additionally, effective transparency would require that judgements and orders are published online, available free of cost, easily searchable, and published in a timely manner.

Other jurisdictions also endeavour to provide easily searchable online databases to ensure free access to their court decisions. These include

⁷¹ United Nations General Assembly, 'International Covenant on Civil and Political Rights' (16 December 1966) UN Doc A/RES/2200A (XXI) <<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>> accessed 12 November 2025.

⁷² Supreme Court of India, *Annual Report 2018-19*, 88 <<https://cdnbbsr.s3waas.gov.in/s3ec0490f1f4972d133619a60c30f3559e/uploads/2024/07/2018-19.pdf>> accessed 12 November 2025.

⁷³ Ministry of Justice, 'The Supreme Court is collaborating with the High Courts in translation of e-SCR Judgements in 18 vernacular languages', (Press Information Bureau, 2025) <<https://www.pib.gov.in/PressReleasePage.aspx?PRID=2118241#:~:text=by%20PIB%20Delhi-,The%20Supreme%20Court%20is%20collaborating%20with%20the%20High%20Courts%20in,As%20on%2028.03>> accessed 11 November 2025.

AustLII in Australia,⁷⁴ the National Archives in the UK,⁷⁵ Judicial Decisions Online in New Zealand,⁷⁶ and Finlex in Finland.⁷⁷ In Finland, free access to

court decisions is mandated by the Act on the Publicity of Court Proceedings in General Courts, 2007.⁷⁸

Component	Indicators	Scoring Guide
Publication of judgements and orders	Is there an online database providing free public access to judgements and orders?	i. Court orders and judgements are available on an online database for free. (1) ii. Court orders and judgements are not available online or require payment for access. (0)
Availability of judgements and orders	Are court orders and judgements easily searchable on the database?	i. Court orders and judgements are searchable by 3 or more criteria. (1) ii. Court orders and judgements are searchable by 2 or less criteria. (0)
	Are judgements available in the State regional language?	i. The court website publishes judgements translated into a regional language. (1) ii. The court website does not publish translated judgements. (0)

4 Transparency in case allocation

Article 11 of the UNCAC requires States to take steps to strengthen judicial integrity and prevent opportunities for corruption within the judiciary. The UNCAC Implementation Guide requires that

the assignment of cases is not influenced by the wishes of any party to a case or any person concerned with the results of the case.⁷⁹ To this end, it necessitates that the division of work among judges, including distribution of cases, be based on pre-determined transparent criteria specified in the rules or mutually agreed by judges. It further stipulates that any deviations from the established method, including withdrawal or reassignment of cases, must follow clearly defined procedure and be accompanied with valid reasons. Principle 5 of the Istanbul Declaration

74. 'Australasian Legal Information Institute' <<https://www.austlii.edu.au/>> accessed 11 November 2025.

75. 'Find Case Law: Judgments and decisions since 2001' (The National Archives) <<https://caselaw.nationalarchives.gov.uk/search/advanced?query=>>> accessed 11 November 2025.

76. 'Judicial Decisions Online' (New Zealand, Ministry of Justice) <<https://www.justice.govt.nz/courts/decisions/jdo/>> accessed 11 November 2025.

77. 'Finlex Case Law' (Finland Ministry of Justice) <<https://www.finlex.fi/en/case-law>> accessed 11 November 2025.

78. Directorate-General for Internal Policies, European Parliament, *National practices with regard to the accessibility of court documents* (June 2013) 23 <[https://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/474406/IPOL-JURI_ET\(2013\)474406_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/474406/IPOL-JURI_ET(2013)474406_EN.pdf)> accessed 11 November 2025.

79. UNCAC Implementation Guide (n 23) 45.

prescribes similar standards.

In India, the Chief Justice of the Supreme Court or a High Court is responsible for the distribution of work among judges. The Supreme Court and the High Courts have a roster system whereby certain courtrooms hear only certain types of cases and the judges are rotated between different rosters and courtrooms at the discretion of the Chief Justice.⁸⁰ Beyond the roster allocation, the Chief Justice exercises discretion in constituting larger benches to hear important cases or resolve conflicting decisions, and in re-assigning cases between judges.⁸¹ It is important for this discretion to be guided by a pre-defined objective criteria and accompanied by reasons, otherwise it becomes difficult to ascertain whether the judiciary is functioning in an independent and impartial manner.

Courts must therefore publicly disclose criteria

governing roster allocation, bench constitution, and reassignment of cases. Any deviation, including re-allocation of cases, must be accompanied with reasons recorded in writing. Additionally, courts should also publish their rosters online, in line with the practice at the Supreme Court. This will enable the public to assess whether cases are being allocated in accordance with the established criteria.

Globally, certain countries do fix the criteria for allocation of cases. In Croatia, Article 33 of the Rules of Procedure for the Court prescribes detailed procedure for case allocation. This includes the method of case assignment, explicit reasons for, and the procedure to re-allocate cases between judges.⁸² In Latvia, Section 28 of the Law on Judicial Power specifies the exact reasons under which the Chief Judge of a Court is allowed to re-allocate cases between judges.⁸³

Component	Indicators	Scoring Guide
Transparency in case allocation	Does the court publish its subject-matter roster?	i. The roster is available on the court website. (1) ii. The roster is not available or cannot be found on the court website. (0)
	Do any rules/ notifications/ directions governing the court prescribe the criteria for case allocation?	i. Clear criteria for case allocation is published on the court website. (1) ii. No criteria for case allocation is published or can be found on the court website. (0)

⁸⁰. Vaidehi Mishra and Satishwar Kedas, 'The Delhi High Court Roster Review: A Step towards Judicial Performance Evaluations' (Vidhi Centre for Legal Policy, 2021) 11 <<https://jaldi-vidhilegalpolicy.in/overview-projects/capacity-performance/report?id=225>> accessed 12 November 2025.

⁸¹. Ibid.

⁸². Ministry of Justice, Republic of Croatia, *Rules of Procedure for the Court (Book of Rules for Courts)* <https://www.vsrh.hr/CustomPages/Static/HRV/Files/Legislation__Book-of-Rules-for-Courts.pdf> accessed 11 November 2025.

⁸³. Supreme Council, Republic of Latvia, *Law on Judicial Power* (consolidated 2013, English translation) <<https://andyreiter.com/wp-content/uploads/military-justice/lv/Laws%20and%20Decrees/Latvia%20-%202013%20-%20Law%20on%20Judicial%20Power.pdf>> accessed 11 November 2025.

Component	Indicators	Scoring Guide
	Is the principal judge of the court required to record reasons for deviating from the established criteria of case allocation?	i. Court rules/ notifications/ directions require the principal judge of the court to record reasons for deviating from the established criteria of case allocation. (1) ii. Court rules/ notifications/ directions do not require the principal judge of the court to record reasons for deviating from the established criteria of case allocation. (0)



Publication of information regarding recusals

Principle 5 of the Istanbul Declaration requires judges to disclose any real or potential conflicts of interest that could appear to affect their ability to fairly decide a case, so that parties to the case may request the recusal of the judge. The UNCAC Implementation Guide also requires that the circumstances under which a judge must recuse himself be clearly specified, along with whether recusal is mandatory or optional.⁸⁴ Conflict of interest disclosures along with recusal mandates are necessary to uphold fairness and impartiality in the judicial process. With these measures in place, parties are also more likely to perceive the trial process as fair and accept its outcome.

In India, the Restatement of Values of Judicial Life specifically states that a judge should not decide

a matter involving his family, close relations or friends, or a company in which he holds shares.⁸⁵ In terms of international guidelines, Principle 2 of the Bangalore Principles of Judicial Conduct requires a judge to disqualify himself from proceedings where he has actual bias concerning a party, has previously served as a lawyer or was a material witness in the matter in controversy, or where a member of his family has an economic interest in the outcome of the matter in controversy.⁸⁶

Given the impact of these conflicts of interest on the real and perceived fairness of the trial, transparency in this regard becomes paramount. Publication of the grounds and procedure to request for recusal allows the parties to protect their right of trial by an independent and impartial tribunal.

Judiciaries in other jurisdictions also provide detailed lists of circumstances requiring recusal by judges and the procedure to be followed. For example in New Zealand, Section 171 of the Senior Courts Act, 2016 requires the Chief High Court Judge, in consultation with the Chief Justice, to develop and publish recusal guidelines for the High Court. The recusal guidelines so formulated are published on the official court website, and provide a detailed list of circumstances under

⁸⁴. UNCAC Implementation Guide (n 23) 22.

⁸⁵. Restatement of values of judicial life (n 37).

⁸⁶. Judicial Group on Strengthening Judicial Integrity, 'The Bangalore Principles of Judicial Conduct, 2002' <https://www.unodc.org/pdf/crime/corruption/judicial_group/Bangalore_principles.pdf> accessed November 2025.

which the judge must recuse himself along with the procedure for such recusal.⁸⁷ In the U.S., the grounds and procedure for recusal are provided in law under the U.S. Code: Title 28 - Judiciary and Judicial Procedure. Section 455 of the Code

details the circumstances under which a judge must necessarily recuse himself,⁸⁸ while Section 144 provides the procedure by which a party may request the recusal of a district judge.⁸⁹

Component	Indicators	Scoring Guide
Publication of grounds for recusal	Does the court publish the grounds for recusal by judges?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
Information on procedure to request recusal	Does the court publish the procedure by which a party may request the recusal of a judge?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)



6 Facilitating media access to courts

Principle 11 of the Istanbul Declaration requires that the judiciary afford access and appropriate assistance to the media to facilitate meaningful and accurate reporting on courts. This may include establishing press offices to liaise with the media, and training journalists on basic knowledge about court procedures and legal issues. The UNCAC Implementation Guide also recognises the media's role in facilitating open courts and recommends the establishment of press offices

and training of journalists by courts.

It is undisputed that the media plays a critical role in ensuring judicial transparency. First, it reports on the court's functioning for the awareness of the general public, which may otherwise be unable to attend proceedings. Second, it serves as a sentinel of judicial transparency by highlighting and critiquing deviations from the open courts principle. Thus, to uphold the ideals of open justice, courts must ensure media access to judicial proceedings.

In India, the Supreme Court has firmly located the 'freedom of press' within the freedom of speech and expression under Article 19(1)(a) of the Constitution.⁹⁰ In *The Chief Election Commissioner of India v. M.R. Vijaybhaskar*, the Court while upholding the media's right to publish oral remarks

⁸⁷. 'High Court Recusal Guidelines' (Courts of New Zealand) <<https://www.courtsofnz.govt.nz/about-the-judiciary/judicialconduct/high-court-recusal-guidelines>> accessed 12 November 2025.

⁸⁸. '28 U.S. Code § 455 - Disqualification of Justice, Judge, or Magistrate Judge' (LII / Legal Information Institute) <<https://www.law.cornell.edu/uscode/text/28/455>> accessed 12 November 2025.

⁸⁹. '28 U.S. Code § 144 - Bias or Prejudice of Judge' (LII / Legal Information Institute) <<https://www.law.cornell.edu/uscode/text/28/144>> accessed 12 November 2025.

⁹⁰. *Brij Bhushan v State of Delhi*, AIR 1950 SC 129; *Sakal Papers (P) Ltd. v Union of India*, AIR 1962 SC 305.

from court hearings, stated the following:

“This Court stands as a staunch proponent of the freedom of the media to report court proceedings. This we believe is integral to the freedom of speech and expression of those who speak, of those who wish to hear and to be heard and above all, in holding the judiciary accountable to the values which justify its existence as a constitutional institution.”⁹¹

However, the judiciary has also relied on its inherent powers to impose reporting restrictions on the press in several cases. For instance, in *Naresh Mirajkar v. State of Maharashtra*, while the Supreme Court recognised the necessity for open courts, it also held that the media’s ability to report on judicial proceedings could be restricted in the interests of administration of justice.⁹² Further, in *Sahara India Real Estate Corporation v. SEBI*, the apex court held that postponement of publication may be ordered in cases of “real and substantial risk” to fairness of trial or the proper administration of justice, in line with the principles of necessity and proportionality.⁹³ Through this, courts have effectively broadened the statutory exceptions to the open courts principle. While the courts are well within their rights to do so, it is important to define the contours of the media’s right to access and report on court proceedings

to safeguard judicial transparency.

One way to achieve this is through the formulation of a judicial press policy that provides clear information on reporting restrictions and the procedure for imposing and challenging the restrictions. Additionally, the policy may detail the facilities provided to media representatives and the protocol to be followed by them while reporting on court proceedings. It is also important for the courts to designate a contact person to liaise with the press and respond to its queries and requests.

Internationally, many judiciaries have issued detailed guidelines governing media access and liaison. In the U.K. for instance, the judiciary has published a comprehensive guide on reporting restrictions in criminal courts, detailing automatic and discretionary restrictions, and the procedure for imposing them.⁹⁴ The U.K. Supreme Court also has a dedicated Press Office and provides its contact information on the Court’s website.⁹⁵ Similarly, the Supreme Court of Victoria in Australia provides a brief media guide on its website, outlining reporting restrictions, courtroom etiquette, and use of technology, along with official contact details for media inquiries.⁹⁶

Component	Indicators	Scoring Guide
Publication of contact information for journalists	Does the court provide official contact details of a media liaison?	i. Official contact details of a media liaison is available on the court website. (1) ii. Official contact details of a media liaison is not available or cannot be found on the court website. (0)

⁹¹. (2021) 9 SCC 770, ¶¶48.

⁹². (1966) 3 SCR 744.

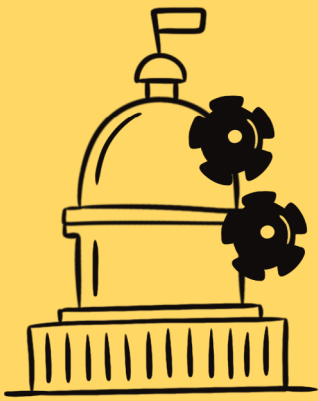
⁹³. (2012) 10 SCC 603.

⁹⁴. Judicial College, ‘Reporting Restrictions in the Criminal Courts’ (September 2022) <<https://www.judiciary.uk/wp-content/uploads/2022/09/Reporting-Restrictions-in-the-Criminal-Courts-September-2022.pdf>> accessed 28 November 2025.

⁹⁵. ‘Press Office’ (Supreme Court of the United Kingdom) <<https://supremecourt.uk/press-office>> accessed 28 November 2025.

⁹⁶. ‘Reporting on the Court: A brief guide’ (Supreme Court of Victoria) <<https://www.supremecourt.vic.gov.au/for-the-media/reporting-on-the-court-a-brief-guide>> accessed 28 November 2025.

Component	Indicators	Scoring Guide
<i>Publication of the court's media policy</i>	Does the court publish its policy governing media access and liaisons?	i. The policy is available on the court website. (1) ii. The policy is not available or cannot be found on the court website. (0)
<i>Contents of the media policy</i>	Is the policy sufficiently detailed to provide adequate guidance to media representatives?	The court's media policy includes the following (1 point for each): i. Details of the facilities available for journalists. ii. Information and processes regarding imposing reporting restrictions. iii. Procedure to access court premises and attend court hearings.



Institutional Governance and Administration

Transparency in court administration provides the public insight into the governance of courts. Greater administrative transparency creates the conditions necessary for the public to demand more accountability from the courts, which in turn can translate into improved efficiency and productivity. This category consists of the following themes:

7 Publication of annual reports

Article 11 of the UNCAC mandates strengthening the integrity of the judiciary. To implement this Article, it has been recommended that the judiciary publish annual reports to promote public trust and confidence in the delivery of justice.⁹⁷ Similarly, Principle 12 of the Istanbul Declaration reinforces the need to foster public confidence in the judiciary through the publishing of annual reports containing information regarding activities of the judiciary, difficulties encountered, and measures

to improve its functioning. Therefore, publishing annual reports of the judiciary's activities and measures to improve its functioning is considered vital.

In India, the 133rd report of the Department-Related Parliamentary Standing Committee On Personnel, Public Grievances, Law And Justice recommended that the Supreme Court as well as all High Courts prepare and publish annual reports of their functioning.⁹⁸ Further, the Centre for Research and Planning at the Supreme Court has also recommended that a culture of transparency be inculcated in district courts through publishing annual reports that cover “*infrastructural developments, judge strength, rate of institution, disposal and pendency, the status of undated cases, the performance of Lok Adalats and District Legal Services Authority, implementation of the e-Courts project, retiring employees and demises if any, and other significant initiatives and achievements.*”⁹⁹ It must be noted here that annual reports published by High Courts often contain details regarding district courts within their jurisdiction.

In order to build public trust and confidence in the judiciary, all courts must publish annual reports

⁹⁷. UNCAC Implementation Guide (n 23) 57.

⁹⁸. Department-Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice, *One Hundred Thirty-Third Report on Judicial Processes and Their Reform* (Parliament of India Rajya Sabha, 2023).

⁹⁹. Centre of Research and Planning, Supreme Court of India, 'State of Judiciary: A report on infrastructure, budgeting, human resources and ICT' (2023) 127 <https://cdnbbsr.s3waas.gov.in/s3ec0490f1f4972d133619a60c30f3559e/documents/misc/state_of_the_judiciary.pdf> accessed 12 November 2025.

detailing key statistics, including case progress (pendency, disposal, reasons for delay, subject matter details, etc.), infrastructural developments, and information about judges and court staff. These reports must be published periodically and in a timely manner to encourage transparency.

Internationally, some countries mandate courts to publish annual reports. For example, in Australia, the Federal Court of Australia Act 1976 mandates that an annual report containing details regarding the management of its administrative affairs be tabled in parliament.¹⁰⁰ Similarly, the Supreme Court of the United Kingdom is mandated to prepare annual reports regarding the business of the court in that year and lay the same before

the parliament.¹⁰¹ In Hong Kong, annual reports of its courts since 2000 have been published online, containing details such as case volume, performance metrics, major initiatives taken in the year, etc.¹⁰²

Component	Indicators	Scoring Guide
Publication of annual reports	Is the court's annual report for the past year available?	i. Annual report for the past year is available on the court website. (1) ii. Annual report for the past year is not available or cannot be found on the court website. (0)
	Are the court's previous annual reports available?	i. Annual reports are available for each of the last 3 financial years. (1) ii. Annual reports are available for some of the last 3 financial years. (0.5) iii. Annual reports are not available for any of the last 3 financial years. (0)
Content of annual reports	Does the annual report contain key statistics on case progress in the court (i.e., institution, pendency, and disposal) during the year?	i. The annual report contains the information. (1) ii. The annual report does not contain the information. (0)

¹⁰⁰. Federal Court of Australia Act 1976, s 18S.

¹⁰¹. Constitutional Reform Act 2005, s 54.

¹⁰². Hong Kong Judiciary Annual Report 2000 <https://www.judiciary.hk/en/publications/annu_rept_2000.html> accessed 12 November 2025.

8



Publication of rules, regulations, and manuals governing the court

Section 4 of the RTI Act requires public authorities, including courts, to make mandatory suo moto disclosures regarding their organisational structure and functioning. Section 4(1)(b)(v) of the Act requires publication of the rules, regulations, instructions, manuals and records held by the public authority or used by its employees for discharging its functions. In the context of courts, this means that all rules and regulations that govern the administration of the court must be published on its website. These include any legislation or rules governing practice and procedure such as the civil and criminal side practice rules, or the original and appellate side rules, the financial rules, conditions of service rules for judicial officers and court staff, RTI rules,

and the applicable e-filing, live streaming, and video-conferencing rules. Publication of these rules helps primary stakeholders understand the day-to-day functioning of courts and also allows the general public to assess whether courts are functioning in accordance with the procedure laid down by them. However, RTI rules and live streaming rules have not been included under this theme as their publication has been considered under other themes of the JTI.

As per the guidelines on suo moto disclosures issued by the Ministry of Personnel, Public Grievances and Pensions, information under Section 4 of the RTI Act must be provided in a consolidated manner under a specific page.¹⁰³ While not specifically applicable to the judiciary, the guidelines recommend best practices for effective and accessible disclosures under the Act.

Court websites in other jurisdictions also publish the rules and regulations governing their functioning. For instance, the U.S. Supreme Court publishes its court rules, guidelines and forms on its website.¹⁰⁴ Similarly, in the U.K., the Supreme Court website provides rules of the Court,¹⁰⁵ Practice Directions,¹⁰⁶ and guidelines.¹⁰⁷

Component	Indicators	Scoring Guide
Publication of rules, regulations, and manuals governing the court	Does the court publish the rules, regulations, and manuals that govern its functioning?	The court website publishes the following (1 point for each): - The legislation and/or court practice rules governing the court - Financial rules

¹⁰³. Ministry of Personnel, Public Grievances & Pensions Department of Personnel & Training, Government of India, *Implementation of suo motu disclosure under Section 4 of Right to Information (RTI) Act, 2005 - Issue of guidelines regarding* (2019) <<https://cdnbbsr.s3waas.gov.in/s32d2ca7eedf739ef4c3800713ec482e1a/uploads/2024/05/2024050632.pdf>> accessed 12 November 2025.

¹⁰⁴. 'Rules and Guidance' (Supreme Court of the United States) <https://www.supremecourt.gov/filingandrules/rules_guidance.aspx> accessed 11 November 2025.

¹⁰⁵. 'How to Appeal: Rules' (Supreme Court of the United Kingdom) <<https://supremecourt.uk/how-to-appeal/rules>> accessed 11 November 2025.

¹⁰⁶. 'How to Appeal: Practice Directions' (Supreme Court of the United Kingdom) <<https://supremecourt.uk/how-to-appeal/practice-directions>> accessed 11 November 2025.

¹⁰⁷. 'How to Appeal: Guidance' (Supreme Court of the United Kingdom) <<https://supremecourt.uk/how-to-appeal/guidance>> accessed 11 November 2025.

Component	Indicators	Scoring Guide
		iii. Court fee rules iv. Rules governing parties-in-person v. Conditions of service rules (judges) vi. Conditions of service rules (court staff) vii. eFiling rules viii. Video-conferencing rules
	Is information pertaining to the rules, regulations, and manuals easily accessible?	i. The information is available on the court website under a dedicated page. (1) ii. The information is published in a disaggregated manner. (0)



Publishing an updated list of all committees and their composition

Section 4(1)(b)(viii) of the RTI Act mandates disclosure of information regarding the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and requires that information regarding their meetings and the minutes of such meetings be open to the public. Committees in courts are primarily set

up to discharge specific administrative duties to facilitate the smooth functioning of courts or bring improvements in court administration. They can be constituted on the court's own initiative or pursuant to a policy framed by the Supreme Court or the High Court. For instance, most courts have a Computerisation Committee to facilitate the implementation of the Supreme Court's eCommittee's policies.¹⁰⁸ Similarly, all High Courts are required to constitute an Artificial Intelligence Committee to oversee the translation of their judgements into regional languages.¹⁰⁹ Publication of information on court committees allows the public to determine which areas of judicial reform the courts are prioritising and whether committees have been constituted and are functioning as required.

Courts in other jurisdictions also publish information regarding their administrative bodies/ committees on their websites. For instance, the

¹⁰⁸. 'The Committee for Computerization of High Court and Subordinate Courts, High Court of Chhattisgarh' (e-Committee, Supreme Court of India) <<https://ecommitteesci.gov.in/project/the-committee-for-computerization-of-high-court-and-subordinate-courts-high-court-of-chhattisgarh/#:~:text=Civil%20Judge%2C%20one%20Civil%20Judge,Tehsil/Sub%2Ddivision%20levels.&text=implementation%20issues.&text=THE%20CORE%20PRINCIPLES,the%20judiciary's%20competencies%20and%20effectiveness.>> accessed 11 November 2025.

¹⁰⁹. Ministry of Justice, 'The Supreme Court is collaborating with the High Courts in translation of e-SCR Judgements in 18 vernacular languages', (Press Information Bureau, 2025) <<https://www.pib.gov.in/PressReleasePage.aspx?PRID=2118241#:~:text=by%20PIB%20Delhi-,The%20Supreme%20Court%20is%20collaborating%20with%20the%20High%20Courts%20in,As%20on%2028.03>> accessed 11 November 2025.

website of the U.K. Supreme Court publishes information on its executive team and non-executive directors, who are responsible for non-judicial functions and the overall administration of the Court.¹¹⁰ In New Zealand, the Court website

provides detailed information on the Rules Committee, including its current composition, ongoing projects, and meeting minutes dating back to 1994.¹¹¹

Component	Indicators	Scoring Guide
Publication of information on committees	Does the court provide a list of all standing and ad-hoc committees constituted by the court?	i. The information is available on the court website under a dedicated page. (1) ii. The information is available but not under a dedicated page. (0.5) iii. The information is not available or cannot be found on the court website. (0)
	Does the court provide information regarding the composition (i.e., names and designations of members) of each committee?	i. Composition of all committees is available on the court website. (1) ii. Composition of only some of the committees is available on the court website. (0.5) iii. Composition is not available or cannot be found for any of the committees. (0)
	Does the court provide information regarding the tenure of the committees?	i. Information is available for all committees on the court website. (1) ii. Information is available for only some of the committees. (0.5) iii. Information is not available or cannot be found for any of the committees. (0)
	Is the purpose or mandate of the committees clear?	i. The purpose or mandate of all committees is clearly indicated on the court website. (1) ii. The purpose or mandate of only some of the committees is clear. (0.5) iii. The purpose or mandate is not clearly indicated for any of the committees. (0)
Publication of minutes of meetings	Does the court provide access to the minutes of the meetings of the committees?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)

¹¹⁰. 'About the Court: Executive Team' (*Supreme Court of the United Kingdom*) <<https://supremecourt.uk/about-the-court/executive-team>> accessed 11 November 2025; 'About the Court: Non-executive Directors' (*Supreme Court of the United Kingdom*) <<https://supremecourt.uk/about-the-court/nonexecutive-team>> accessed 11 November 2025.

¹¹¹. 'Rules Committee' (*Courts of New Zealand*) <<https://www.courtsofnz.govt.nz/about-the-judiciary/rules-committee>> accessed 11 November 2025.



Publishing information pertaining to implementation of the PoSH Act

All courts are required to set up Internal Complaints Committees ('ICC') as per Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 ('PoSH Act'). The ICC is constituted to enquire into complaints of sexual harassment of women at the workplace and to provide redress to the victims. The Supreme Court, in the case of *Binu Tamta v. High Court of Delhi*, issued directions for the adoption of the Gender Sensitisation and Sexual Harassment of Women at the Supreme Court of India (Prevention, Prohibition, and Redressal) Regulations, 2013.¹¹² The Court further directed the High Courts to frame Gender Sensitisation rules along similar lines for themselves and the district courts. Section 4 of the PoSH Act also requires that whenever offices or administrative units of a workplace are located at different places or divisional or sub-divisional levels, an ICC must be constituted at all such administrative units or offices. Therefore, separate ICCs must be set up for High Courts, its regional benches, and each district court.

The Supreme Court, in *Aureliano Fernandes v. State of Goa*, also issued directions to strengthen the implementation of the PoSH Act in public institutions.¹¹³ The Court stipulated that necessary information regarding the constitution and composition of the ICCs, details of the e-mail IDs and contact numbers of the designated person(s), the procedure prescribed for submitting an online complaint, and the relevant rules, regulations and internal policies must be made readily available on the website of the concerned authority and must be periodically updated. While this judgement does not specifically mention courts, it sets overarching standards for government institutions and public bodies to follow, and courts must ideally adhere to the same.

Publication of this information is essential because it demonstrates that the judiciary is taking the necessary steps to foster a work environment conducive to the effective participation of women. Further, in addition to being workspaces, courts are also public institutions regularly accessed by citizens. The public availability of this information will thus allow all citizens, including litigants and other visitors, to have recourse to all legally available pathways in the event they face sexual harassment within a court premises.

Internationally, the U.S. courts website provides information on the procedure to seek assistance in the event of workplace harassment, detailing the relevant reporting authorities along with the policies governing conduct and disciplinary measures.¹¹⁴

Component	Indicators	Scoring Guide
Availability of rules	Has the court published the rules governing the functioning of its ICC?	i. The rules are published on the court website. (1) ii. The rules are not published or cannot be found on the court website. (0)

¹¹². (2014) 13 SCC 257.

¹¹³. (2024) 1 SCC 632, 677.

¹¹⁴. 'Workplace Conduct in the Federal Judiciary' (*United States Courts*) <<https://www.uscourts.gov/administration-policies/>>

Component	Indicators	Scoring Guide
Information on composition of ICC	Is information on the composition of the court's ICC publicly available?	i. Names and designations of the ICC members are published on the court website. (1) ii. Names and designations of the ICC members are not published or cannot be found on the court website. (0)
Publication of contact information	Does the court publish the contact information of the ICC members?	i. The phone numbers and email addresses of the ICC members are published on the court website. (1) ii. Either only the phone numbers or only the email addresses are published on the court website. (0.5) iii. No contact information of the members is published or can be found on the court website. (0)
Information on procedure	Does the court publish the procedure to be followed for submitting an online complaint?	i. The procedure is published on the court website. (1) ii. The procedure is not published or cannot be found on the court website. (0)

11



Publishing information facilitating the implementation of the RTI Act

In addition to the mandatory disclosures, citizens also have the right to acquire information that is

otherwise held by, or is under the control of, the public authority. For this right to be realised, the public authority must publish all such information that is necessary to facilitate the public's right to seek information under the RTI Act. Section 4(1)(b)(xvi) of the Act requires publication of the names, designations and other particulars of the Public Information Officers. Similarly, Section 4(1)(b)(xv) of the RTI Act requires disclosure of the particulars of facilities available to citizens for obtaining information. As online RTI portals are an important facility to "*facilitate Indian citizens in seeking access to information*" under the RTI Act,¹¹⁵ their existence along with a link to access them must be disclosed on court websites. Finally, the rules promulgated by the High Courts under Section 28 of the RTI Act prescribe important aspects for exercising the right to information

workplace-conduct-federal-judiciary> accessed 11 November 2025.

¹¹⁵. 2023 SCC OnLine SC 1229.

such as the fee payable to secure the information, the mode of payment of fee, etc. In compliance with Section 4(1)(b)(v), the RTI rules of High Courts and district courts must be published on the court website. Said rules must also be in conformity with the RTI Act and the inclusion of any additional liabilities and disabilities, such as additional grounds for rejection of RTI applications, would severely undermine judicial transparency and would also be in contravention of existing Supreme Court jurisprudence.¹¹⁶

A few courts in other jurisdictions also publish

information facilitating citizens' right to access information under the applicable 'right to information' frameworks. In the U.K., the Supreme Court website publishes the procedure for requesting information from the Court and for processing the request under U.K.'s Freedom of Information Act, 2000.¹¹⁷ Similarly, the website of the Federal Court of Australia publishes the procedure to make a formal request to the Court under the Freedom of Information Act, 1982, the fee and charges applicable, the review and appeal process, and the contact details of the FOI Officer.¹¹⁸

Component	Indicators	Scoring Guide
Information regarding RTI Rules	Does the court publish the RTI rules applicable to it?	i. The rules are available on the court website. (1) ii. The rules are not available or cannot be found on the court website. (0)
Scope of RTI rules	Does the court provide additional grounds for rejection of RTI applications in its RTI rules?	i. The court does not provide additional grounds for rejection of RTI applications under its RTI rules. (1) ii. The court provides additional grounds for rejection of RTI applications under its RTI rules. (0)
Information regarding the Public Information Officer	Does the court provide details of the Public Information Officer ("PIO") of the court?	i. The court website provides the name, designation, and contact details of the PIO. (1) ii. The court website provides information but it is incomplete, i.e., either the name or designation or contact details have not been mentioned. (0.5) iii. The information is not published or cannot be found on the court website. (0)
Information regarding online RTI portals	Does the court provide a link to the online RTI portal of the court?	i. The link is available on the court website. (1) ii. The link is not available or cannot be found on the court website. (0)

¹¹⁶. *Kunj Behari Lal Butail v. State of Himachal Pradesh*, 2000 (1) SCR 1054.

¹¹⁷. 'Freedom of Information' (*Supreme Court of the United Kingdom*) <<https://supremecourt.uk/corporate-information/foi>> accessed 11 November 2025.

¹¹⁸. 'Freedom of Information Requests' (*Federal Court of Australia*) <<https://www.fedcourt.gov.au/about/freedom-of-information>> accessed 11 November 2025.



Budgetary disclosures

Principle 6 of the Istanbul Declaration requires disclosure of budget-related data, including information on collection of court fees and use of budgetary allocations. The UNCAC Implementation Guide also mirrors the recommendations of the Istanbul Declaration and calls for budget-related disclosures.¹¹⁹ Just like all state agencies are required to disclose information regarding management of public funds, so must the judiciary. This is necessary for two reasons. Firstly, it provides citizens the opportunity to assess the adequacy of the funds allocated to the judiciary. Secondly, it encourages public oversight to ensure the efficient utilisation of public funds.

Section 4(1)(b)(xi) of the RTI Act mandates all public authorities, including courts, to publish and update information on “*the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made*”. Courts are therefore required to disclose the budget allocation and

expenditure annually for themselves as well as the agencies under their control.

Additionally, independent auditing of public funds is necessary to ensure financial transparency in judicial administration. The Comptroller and Auditor-General's Auditing Standards 2017 emphasise the importance of public sector auditing, and state that such audits “*reinforce the expectation that public sector entities and public servants will perform their functions effectively, efficiently, ethically and in accordance with the applicable laws and regulations*”.¹²⁰

Under Section 13 of the Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Act, 1971, the CAG must audit the expenditure from the Consolidated Fund of India and of each state, and this ideally must include the expenditure incurred on the administration of justice by the courts.¹²¹ Courts must ideally publish audit reports on their websites annually, along with details of the authority that conducted the audit.

Internationally, the Supreme Court of Mexico makes budgetary disclosures on its website for the past five years in accordance with the Federal Law of Transparency and Access to Public Government Information, 2002. This includes information on budget allocations, changes in the budget, expenditure and unutilised funds.¹²²

Component	Indicators	Scoring Guide
Publication of annual budget	Is the court's budget for the current financial year publicly available?	i. The budget is published on the court website. (1) ii. The budget is not published or cannot be found on the court website. (0)

¹¹⁹ UNCAC Implementation Guide (n 23) 56.

¹²⁰ The Comptroller and Auditor General of India, *CAG Auditing Standards 2017*, 7 <https://cag.gov.in/uploads/cms_pages_files/WB-AUD-I-IA-AD-Auditing-Standards-2017-20200625132729-061713df0b578c4-01451405.pdf> accessed 11 November 2025.

¹²¹ Chitrakshi Jain, Tarika Jain, and Shreya Tripathy, ‘Back to Basics: A call for better planning in the Judiciary’ (*Justice, Access, and Lowering Delays in India*, 2020) 19 <<https://jal-di-vidhilegalpolicy.in/overview-projects/court-infrastructure/report?id=235&title=Back-to-Basics:-A-Call-for-Better-Planning-in-the-Judiciary>> accessed 11 November 2025.

¹²² Herrero and López (n 26) 15.

Component	Indicators	Scoring Guide
	Are the court's past annual budgets publicly available?	i. Annual budgets are available on the court website for each of the last 3 financial years. (1) ii. Annual budgets are available for only some of the last 3 financial years (0.5) iii. Annual budgets are not available for any of the last 3 financial years. (0)
Publication of annual expenditure statements	Is the court's annual expenditure statement for the past financial year publicly available?	i. The statement is published on the court website. (1) ii. The statement is not published or cannot be found on the court website. (0)
	Are the court's past annual expenditure statements publicly available?	i. The statements are available on the court website for each of the last 3 financial years. (1) ii. The statements are available for only some of the last 3 financial years. (0.5) iii. The statements are not available for any of the last 3 financial years. (0)
Publication of audit reports	Is the court's audit report for the past financial year publicly available?	i. The report is published on the court website. (1) ii. The report is not published or cannot be found on the court website. (0)
	Are past audit reports of the court publicly available?	i. Audit reports are available on the court website for each of the last 3 financial years. (1) ii. Audit report are available for only some of the last 3 financial years (0.5) iii. Audit reports are not available for any of the last 3 financial years. (0)



Judicial and Administrative Personnel

The efficient, independent, and fair functioning of the judiciary depends on key actors within the system. As stated in the Restatement of Values of Judicial Conduct adopted by the Supreme Court in 1997, the “*behaviour and conduct of members of the higher judiciary must reaffirm the people’s faith in the impartiality of the judiciary*”. Both the official and personal conduct of the members of the judiciary impact judicial independence, impartiality, and integrity. Moreover, the efficiency of courts is contingent on whether the courts are functioning at full capacity. Therefore, disclosure of personnel-related information is essential to promoting judicial efficiency and independence. This category consists of the following themes:

13



Publishing
up-to-date
information
on
sanctioned
and
working
strength

Article 10 of the UNCAC requires that States must implement measures to enhance transparency in public administration, which includes an obligation to disseminate information regarding their operational processes and organisational structure. Similarly, Section 4 of the RTI Act requires public authorities, including courts, to publish the particulars of their organisation and a directory of their employees and officials. While these provisions do not specifically mandate the disclosure of working and sanctioned strength of courts, the need for data-driven policy-making within the judiciary calls for the publication of updated statistics on court personnel. Disclosure of this information helps identify and address judicial manpower shortages, which directly impact case backlogs and delays. By monitoring these numbers, the judiciary and the government can make informed decisions about judicial appointments, infrastructure development and resource allocation. It can also help the public better understand the capacity of the courts and garner further transparency.

In India, statistical information regarding sanctioned strength, vacancies, etc., is currently being disseminated over various channels. The Department of Justice (‘DoJ’) publishes information regarding the appointment, transfer, and vacancies of Supreme Court and High Court judges, and these lists are updated regularly.¹²³ For

¹²³. ‘List of High Court Judges’ (Department of Justice) <<https://doj.gov.in/list-of-high-court-judges/>> accessed 12 November 2025.

district courts, the list of judicial officers in each district has also been updated on their respective eCourts websites as part of the e-Courts Mission Mode project.¹²⁴ However, the information available is disaggregated across the district court websites, making it difficult to ascertain the overall sanctioned and working strength of the district judiciary. Statistical information regarding the district courts may also be published by the High Courts as part of their Annual Reports. However, the publication of these reports can often be inconsistent. Moreover, there is no existing database that regularly captures the total sanctioned and working strength of the ministerial staff across courts. There is a need therefore for the judiciary to consistently and reliably publish updated statistics on the sanctioned and working strength of judges and court staff.

Internationally, similar guidelines have been provided in the European Commission for the Efficiency of Justice ('CEPEJ') Guidelines on Judicial Statistics, 2010. The guidelines underscore the importance of judicial statistics in formulating public policies for the judiciary and require that statistics on judicial personnel, namely judges, prosecutors, and court clerks, be regularly collated and published as part of that.¹²⁵ Consequently, it maintains a dynamic database of European judicial systems which provides, inter alia, the total number of judges, the proportion of judges per 100,000 inhabitants, and the gender diversity among judges of various EU nations.¹²⁶ Similar statistics are available for non-judge staff.¹²⁷

Component	Indicators	Scoring Guide
<i>Up-to-date information on sanctioned and working strength of judges at the court</i>	Does the court provide updated information on the sanctioned strength of judges?	i. The information is available on the court website. (1) ii. The information is not available on the court website. (0)
	Does the court provide updated information on its working strength of judges?	i. The information is available on the court website. (1) ii. The information is not available on the court website. (0)
<i>Up-to-date information on sanctioned and working strength of court staff at the court</i>	Does the court provide updated information on sanctioned strength of ministerial staff of the court?	i. The information is available on the court website. (1) ii. The information is not available on the court website. (0)

¹²⁴. 'E-Court Services: High Courts of India, District and Taluka Courts of India' <https://ecourts.gov.in/ecourts_home/index.php> accessed 12 November 2025.

¹²⁵. 'European Commission for the Efficiency of Justice (CEPEJ) Guidelines' 7 <<https://rm.coe.int/cepej-guidelines/16809f007a>> accessed 12 November 2025.

¹²⁶. 'Quantitative Data EN' (CEPEJ) <<https://public.tableau.com/app/profile/cepej/viz/QuantitativeDataEN/Tables>> accessed 12 November 2025.

¹²⁷. Ibid.

Component	Indicators	Scoring Guide
	Does the court provide updated information on the working strength of ministerial staff of the court?	i. The information is available on the court website. (1) ii. The information is not available on the court website. (0)

14



Publishing an up-to-date list of all Registrars, Additional Registrars, and Assistant Registrars

Registrars, Additional Registrars, and Assistant Registrars perform critical administrative functions in the judiciary. For example, the Registrar General of a court may be required to prepare the budget and maintain accounts of the court under the direction of the Finance Committee.¹²⁸ The Registrar Vigilance is required to process all complaints received against judicial

officers and forward the same to the administrative judge for action.¹²⁹ The Registrar Administration may undertake responsibilities pertaining to appointment, promotion, and service conditions of staff of the High Court.¹³⁰ Section 4(1)(b)(ii) of the RTI Act requires mandatory disclosure of the powers and duties of officers and employees of public authorities. It is therefore necessary for the courts to not just provide an up-to-date list of all the Registrars, Additional Registrars, and Assistant Registrars, but also disclose the functions and responsibilities undertaken by them.

Publication of information on registrars or court officers is a common practice across other jurisdictions as well. The U.K. Supreme Court publishes information on its registrars, including their names, roles and responsibilities, as well as past positions held.¹³¹ Similarly, the Supreme Court of Western Australia also provides an updated list of its registrars, including their contact details and a brief professional profile.¹³²

¹²⁸. 'Distribution of Work of Registrars' <https://www.highcourtchd.gov.in/sub_pages/top_menu/administration/responsibilities.pdf> 'Distribution of Work of Registrars' accessed 11 November 2025.

¹²⁹. Ibid.

¹³⁰. Ibid.

¹³¹. 'About the Court: Executive Team' (*Supreme Court of the United Kingdom*) <<https://supremecourt.uk/about-the-court/executive-team>> accessed 11 November 2025.

¹³². 'Current Registrars' (*Supreme Court of Western Australia*) <https://www.supremecourt.wa.gov.au/C/current_registrars.aspx?uid=6406-1572-0-00> accessed 11 November 2025.

Component	Indicators	Scoring Guide
Information on Registrars, Additional Registrars, and Assistant Registrars in court	Does the court provide a list of Registrars, Additional Registrars, and Assistant Registrars currently serving in the court?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
	Does the court provide official contact details of the Registry?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
	Does the court provide information on the responsibilities and duties of the Registrars, Additional Registrars, and Assistant Registrars?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)

15



Disclosures regarding appointments and recruitment

Principle 13 of the Istanbul Declaration requires transparency in the appointment process of judges. It stipulates that the appointment and selection criteria be made public, including the qualities required for high judicial office. To enable public scrutiny of the appointment process, a

short-list of the candidates must be published against the judicial vacancies they are being considered for. The UNCAC Implementation Guide also endorses transparency in judicial appointments and provides recommendations along similar lines.¹³³

Presently, judges of the Supreme Court and High Court are appointed by the President under Articles 124 and 217 of the Indian Constitution. In *Supreme Court Advocates-on-Record Association v. Union of India* ('**Second Judges' case**')¹³⁴ and *In Re Presidential Reference 1998* ('**Third Judges' case**'),¹³⁵ the Supreme Court established the primacy of the judiciary in these appointments, recognising it as essential to judicial independence and separation of powers. The cases resulted in the formation of what is now known as the

¹³³. UNCAC Implementation Guide (n 23) 25.

¹³⁴. (1993) 4 SCC 441.

¹³⁵. (1998) 7 SCC 739.

Collegium system.

Under this system, the Chief Justice of India ('CJI'), in consultation with the four senior-most judges of the Supreme Court, recommends appointments to the Supreme Court. For High Court appointments, the Chief Justice of the High Court consults the two senior-most judges of the Court and forwards the recommendation to the CJI. These procedures have also been codified in the Memorandum of Procedure of Appointment of High Court and Supreme Court Judges.¹³⁶

At the district judiciary level, district judges are appointed by the Governor of the State in consultation with the relevant High Court as per Article 233. Article 234 further states that appointments of persons other than district judges (i.e., civil judges, senior division and junior division) are to be made in accordance with rules framed by the State Government in consultation with the State Public Service Commission and the High Court. Consequently, recruitment to the district judiciary is governed primarily by the judicial service rules of the respective States.

Irrespective of the method of judicial appointment, transparency is essential to ensure that only truly meritorious candidates are appointed and to prevent favouritism, nepotism, or political interference in the process. Justice (retd.) DY Chandrachud, in his concurring opinion in *CPIO, Supreme Court v. Subhash Chandra Agarwal*, called for making the appointment and selection criteria of the High Court and Supreme Court judges

public.¹³⁷ The opinion asserted that transparency in this regard would enhance public confidence in the judiciary, ensure consistency in application of the criteria, and would be in line with the purpose and mandate of Section 4 of the RTI Act.

The need for transparency in the judicial appointment process has also been recognised by the Supreme Court in its Collegium resolution dated 3 October 2017.¹³⁸ The resolution stated that Collegium recommendations for elevating judges to the High Court and the Supreme Court would thereafter specify the reasons for elevation. In the interest of transparency, courts must therefore publish the criteria and procedure of appointment, a short-list of the judicial candidates, and the reasons or justifications for their selection.

In Canada, the court website provides a detailed overview of the qualifications and assessment criteria for elevation to the Supreme Court, including the personal skills and experience of the candidate, their personal qualities, and the institutional needs that must be considered.¹³⁹ To further instill transparency, the questionnaires and certain answers provided by the selected candidate are made public.¹⁴⁰ New Zealand's Judicial Protocol, 2013 details a range of clearly defined criteria for selection of High Court judges, covering aspects of legal ability, personal skills, personal qualities, and social awareness.¹⁴¹ The protocol further lays down the procedure to be followed in judicial appointments to the High Court.

¹³⁶. Department of Justice, Ministry of Law and Justice, Government of India, *Memorandum of Procedure of Appointment of High Court Judges* 2021 <<https://doj.gov.in/memorandum-of-procedure-of-appointment-of-high-court-judges/>> accessed 11 November 2025.

¹³⁷. (2020) 5 SCC 481, ¶¶321.

¹³⁸. Supreme Court of India, *Re: Transparency in Collegium system* (3 October 2017) <<https://cdnbbsr.s3waas.gov.in/s3ec0490f1f4972d133619a60c30f3559e/documents/Collegium/2017.10.03-minutes-transparency.pdf>> accessed 12 November 2025 [“Re: Transparency in Collegium system”].

¹³⁹. ‘Qualifications and Assessment Criteria’ (Office of the Commissioner for Federal Judicial Affairs Canada, 20 June 2023) <<https://www.fja-cmf.gc.ca/scc-csc/2023/qualifications-eng.html>> accessed 12 November 2025.

¹⁴⁰. ‘The Honourable Mary Moreau’s Questionnaire’ (Office of the Commissioner for Federal Judicial Affairs Canada, 26 October 2023) <<https://www.fja-cmf.gc.ca/scc-csc/2023/nominee-candidate-eng.html>> accessed 12 November 2025.

¹⁴¹. ‘Judicial Protocol’ (Crown Law, 2013) 4 <<https://www.crownlaw.govt.nz/assets/Uploads/Judicial-Appointments/Judicial-Protocol.pdf>> accessed 11 November 2025.

Component	Indicators	Scoring Guide
Transparency in appointment and selection criteria	Does the court publish any rules/ notifications/ directions that lay down the appointment criteria for judges of the court?	i. The rules/ notifications/ directions containing appointment criteria are published on the court website. (1) ii. The rules/ notifications/ directions containing appointment criteria are not published or cannot be found on the court website. (0)
Publication of list of proposed candidates	Are the names of candidates who are proposed to be judges of the court published?	i. The list of candidates is made publicly available on the court website. (1) ii. The list of candidates is not available or cannot be found on the court website. (0)
Disclosure of reasons to recommend candidates for appointment	Do the appointment recommendations of the court disclose the reasons behind recommending the candidates' selection?	i. The last 5 appointment recommendations disclose the reasons for the candidates' selection. (1) ii. Only some of the last 5 appointment recommendations disclose the reasons for the candidates' selection. (0.5) iii. None of the last 5 appointment recommendations disclose the reasons for the candidates' selection. (0)

16



Disclosures regarding transfers

Principle 13 of the Istanbul Declaration requires the judiciary to promulgate procedures that govern the transfer of judges for regular rotation or on an emergency basis.¹⁴² The UNCAC Implementation Guide also stipulates that “a judge should not be transferred from one jurisdiction or function to another without his or her freely given consent, except pursuant to a system of regular rotation or

*promotion formulated after due consideration by the judiciary.”*¹⁴³ Promulgation of an official transfer policy curbs unbridled discretion in the transfer process and the requirement of obtaining the transferee’s consent prevents the use of transfers as a punitive mechanism.

In India, transfers of High Court and district court judges are governed by Articles 222 and 235 of the Constitution respectively. Article 222 states that the President may, after consultation with the CJI, transfer a judge from one High Court to another. In the Second¹⁴⁴ and Third Judges’ case,¹⁴⁵ the Supreme Court held that the CJI’s opinion, formed after consultation with 4 senior-most Supreme Court judges, is determinative,

¹⁴². Istanbul Declaration (n 24) 32.

¹⁴³. UNCAC Implementation Guide (n 23) 28.

¹⁴⁴. (1993) 4 SCC 441.

¹⁴⁵. (1998) 7 SCC 739.

thus establishing judicial primacy in the transfer process as well. Since transfers of High Court judges are neither routinely conducted nor consider the judges' consent, it has been urged that the reasons for transfers be publicly disclosed in the interest of transparency.¹⁴⁶ Recognising the need for transparency, the Collegium resolution passed on 3 October 2017 stated that all Collegium recommendations, including for transfers, will disclose reasons.¹⁴⁷

With respect to the district judiciary, Article 235 provides that “*the control over the District Courts and Courts subordinate thereto*” shall be vested in the High Court. In the *State of Assam v. Ranga Mohd.*, the Supreme Court held that this included the authority to transfer district court judges as well.¹⁴⁸ Consequently, the 2024 National Court Management Systems Committee's report on Human Resource Development Strategy requires High Courts to formulate a written transfer policy for the district judiciary, clearly specifying the tenure between transfers and the timeline for annual general transfers.¹⁴⁹ Further, as per the guidelines on suo moto disclosures under Section 4 of the RTI Act, the transfer policy for different grades/cadres of employees serving in a public authority should be proactively disclosed.¹⁵⁰ All transfer orders are also required to be publicised

through the website managed by the authority.¹⁵¹

Therefore, to instill transparency in the process of judicial transfers, the judiciary must have a written transfer policy in place that details the tenure and timelines of routine transfers, or the objective criteria for effecting non-routine transfers. Transfer recommendations/orders must be published on court websites and must specify the reasons for non-routine, involuntary judicial transfers.

Globally, to safeguard judicial independence, several regional instruments recommend transparency in the process of judicial transfers. For instance, the Warsaw Recommendations, 2023 state that to prevent the perception of nepotism, corruption and undue influence, transfer of judges should only be effected according to explicitly set out criteria and be accompanied with “*clear and legally grounded reasoning*”.¹⁵² While not much is known about the level of compliance of individual jurisdictions with these regional recommendations, in a 2021 case, the Court of Justice of the European Union struck down the involuntary transfer of a Polish judge from one court to another, and held that such transfers can only be ordered on “*legitimate grounds*”.¹⁵³

146. Umapathi S, 'Transparency Concerns Loom Over High Court Judges Transfers, Collegium Process Under Scrutiny' (Live Law, 1 June 2025) <<https://www.livelaw.in/articles/transparency-concerns-high-court-judges-transfers-Collegium-process-scrutiny-293997>> accessed 11 November 2025; L Ravichander and Ayman Umme, 'Opinion: India's Opaque Judge Transfers Make the Promise of Justice Ring Hollow' (The News Minute, 6 August 2025) <<https://www.thenewsminute.com/voices/opinion-indias-opaque-judge-transfers-make-the-promise-of-justice-ring-hollow>> accessed 11 November 2025.

147. Re: Transparency in Collegium system (n 138).

148. (1967) 1 SCR 454.

149. National Court Management Systems Committee, Supreme Court of India, *Baseline Report on Human Resource Development Strategy in the District Judiciary* (2024) 74-75 <<https://cdnbbsr.s3waas.gov.in/s3ec0490f1f4972d133619a60c30f3559e/uploads/2024/11/2024111432.pdf>> accessed 11 November 2025.

150. Ministry of Personnel, Public Grievances & Pensions Department of Personnel & Training, Government of India, *Implementation of suo motu disclosure under Section 4 of Right to Information (RTI) Act, 2005 - Issue of guidelines regarding* (2019) <<https://cdnbbsr.s3waas.gov.in/s32d2ca7eedf739ef4c3800713ec482e1a/uploads/2024/05/2024050632.pdf>> accessed 12 November 2025.

151. Ibid.

152. 'Recommendations on Judicial Independence and Accountability (Warsaw Recommendations)' (OSCE Office for Democratic Institutions and Human Rights, 2023) 14 <<https://www.osce.org/files/f/documents/c/5/552718.pdf>> accessed 11 November 2025.

153. 'Transfers without consent of a judge from one court to another or between two divisions of the same court are liable to undermine the principles of the irremovability of judges and judicial independence' (Court of Justice of the European Union, 6 October 2021) <<https://curia.europa.eu/jcms/upload/docs/application/pdf/2021-10/cp210173en.pdf>> accessed 11 November 2025.

Component	Indicators	Scoring Guide
<i>Transparency in the judicial transfer policy</i>	Does the court publish the transfer policy for judges?	i. A written transfer policy is available on the court website. (1) ii. A written transfer policy is not available or cannot be found on the court website. (0)
	Does the transfer policy provide details on the tenure and timelines of routine transfers?	i. Information on tenure and timelines of transfers is provided. (1) ii. The policy does not specify the tenure of judges or the timeline of routine transfers. (0)
	Does the policy provide objective criteria for non-routine, non-consensual transfers?	i. The policy provides objective criteria for effecting non-routine, non-consensual transfers. (1) ii. The policy does not provide any criteria for effecting non-routine, non-consensual transfers. (0)
<i>Transparency in judicial transfer recommendations/ orders</i>	Does the court publish transfer recommendations/ orders of judges?	i. Transfer recommendations/ orders are available on the court website. (1) ii. Transfer recommendations/ orders are not available or cannot be found on the court website. (0)
	Do the transfer recommendations/ orders disclose the reasons for transferring judges?	i. The last 5 transfer recommendations/ orders disclose the reasons for the judges' transfer. (1) ii. Only some of the last 5 transfer recommendations/ orders disclose the reasons for the judges' transfer. (0.5) iii. None of the last 5 transfer recommendations/ orders disclose the reasons for the judges' transfer. (0)



Disclosures regarding disciplinary actions against judges

As accountability and independence are key tenets to the functioning of the judiciary, in implementing Article 11 of the UNCAC it has been recommended that: a body be established to receive complaints regarding misconduct of judges, the conduct giving rise to disciplinary proceedings be defined in detail, complainants be informed about the outcome of any investigation undertaken prior to initiating disciplinary action, a procedure be provided for the disciplinary proceedings, and decisions imposing sanctions against any judge be made publicly available.¹⁵⁴ It has also been recommended that similar provisions be made applicable in the event of removal of a judge from office.¹⁵⁵ Additionally, Principle 12 of the Istanbul Declaration states the need to have an effective and impartial complaint system, while Principle 14 requires the judiciary to be transparent while responding to allegations regarding the unethical conduct of judges.¹⁵⁶ To ensure such transparency, it requires the judiciary to adopt a code of conduct that is widely disseminated, and establish a credible and independent committee to receive, inquire into, and resolve complaints. Further, Principle 15 of the Istanbul Declaration calls for transparency

in the process of removal of judges; this entails informing the complainant about the outcome of the investigation into the complaint, and ensuring that any final decision involving a sanction against a judge be made public.¹⁵⁷

In India, the conduct expected of judges has been laid out in the Restatement of Values of Judicial Life.¹⁵⁸ To ensure adherence to such values, the Supreme Court in 1977 adopted an “in-house procedure” that lays out the process to address complaints against the higher judiciary.¹⁵⁹ However, the removal of judges at the Supreme Court and High Court is governed by Articles 124 and 218 of the Constitution of India. As regards the district courts, Article 235 of the Constitution of India provides High Courts “control” over subordinate courts. The term “control” has been interpreted by the Supreme Court to provide High Courts disciplinary jurisdiction, however the power to dismiss or remove a judge requires an order to be passed by the Governor.¹⁶⁰ In 2014, the Department of Justice, Government of India also requested all High Courts and district courts to publicise the procedure to file any grievances/complaints relating to the judiciary on their respective court websites.¹⁶¹

To uphold the principle of open justice through transparency and accountability, there must be a process in place for registering complaints against judicial officers for misconduct. This process must be publicised so that citizens are aware of how to file a complaint. Transparency must also be ensured so that complainants are provided with reasoned decisions regarding the outcome of any investigations or steps taken as a result of a complaint. Additionally, to foster public trust in the judiciary, the judiciary must make any

¹⁵⁴. UNCAC Implementation Guide (n 23) 32.

¹⁵⁵. Ibid 34.

¹⁵⁶. Istanbul Declaration (n 24) 18, 20.

¹⁵⁷. Ibid 20, 33.

¹⁵⁸. Restatement of values of judicial life (n 37).

¹⁵⁹. In-House Report (n 16).

¹⁶⁰. *The State of West Bengal v Nripendra Nath Bagchi*, 1965 SCC OnLine SC 22 ¶15; *Shamsher Singh v State of Punjab*, (1974) 2 SCC 831 ¶ 78.

¹⁶¹. Department of Justice, Ministry of Law and Justice, Government of India, *Guidelines for dealing with the complaints against*

sanctions imposed on judicial officers as a result of disciplinary proceedings publicly available.

Internationally, countries have prescribed procedures to file complaints against judicial officers for misconduct, laid out the process to be followed for investigation and disciplinary proceedings, as well as mandated public disclosure of disciplinary decisions. For example, in England, complaints alleging misconduct against judges and tribunal members can be filed online with The Judicial Conduct Investigations Office ('JCIO').¹⁶² The JCIO makes publicly available information on what constitutes misconduct,¹⁶³ the rules

and regulations to be followed for disciplinary proceedings,¹⁶⁴ and disciplinary statements containing the decisions of the authority.¹⁶⁵ In the United States of America, state commissions are entrusted with the responsibility of investigating allegations of judicial misconduct and undertaking disciplinary proceedings. For example, the New York State Commission on Judicial Conduct makes publicly available the rules governing judicial conduct,¹⁶⁶ the operating rules for the commission,¹⁶⁷ forms to make an online complaint or complaints that can be sent via mail,¹⁶⁸ and searchable commission decisions, including statistics by disposition.¹⁶⁹

Component	Indicators	Scoring Guide
Publication of code of judicial conduct	Does the court publish information on the expected conduct of judicial officers?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
	Does the court publish information regarding conduct against which complaints can be made?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)

the subordinate judiciary (31 December 2014) <<https://www.calcuttahighcourt.gov.in/Notice-Files/general-notice/1244>> accessed 12 November 2025.

¹⁶². 'Making A Complaint' (Judicial Conduct Investigations Office, United Kingdom) <<https://www.complaints.judicialconduct.gov.uk/makeacomplaint/>> accessed 12 November 2025.

¹⁶³. 'What can I complain about?' (Judicial Conduct Investigations Office, United Kingdom) <https://www.complaints.judicialconduct.gov.uk/what_can_i_complain_about/> accessed 12 November 2025.

¹⁶⁴. 'Rules Regulations' (Judicial Conduct Investigations Office, United Kingdom) <<https://www.complaints.judicialconduct.gov.uk/rulesandregulations/>> accessed 12 November 2025.

¹⁶⁵. 'Disciplinary Statements' (Judicial Conduct Investigations Office, United Kingdom) <<https://www.complaints.judicialconduct.gov.uk/disciplinarystatements/>> accessed 12 November 2025.

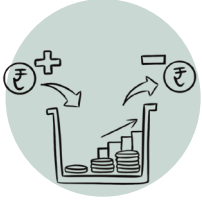
¹⁶⁶. 'About us' (New York State Commission on Judicial Conduct) <<https://cjc.ny.gov/General.Information/Gen.Info.Pages/About.us.html>> accessed 12 November 2025.

¹⁶⁷. 'Operating Rules' (New York State Commission on Judicial Conduct) <<https://cjc.ny.gov/Legal.Authorities/nysjc.rules.html>> accessed 12 November 2025.

¹⁶⁸. 'Filing a Complaint' (New York State Commission on Judicial Conduct) <<https://cjc.ny.gov/General.Information/Gen.Info.Pages/filecomplaint.html>> accessed 12 November 2025.

¹⁶⁹. 'Commission Decision' (New York State Commission on Judicial Conduct) <https://cjc.ny.gov/Determinations/all_decisions.html> accessed 12 November 2025.

Component	Indicators	Scoring Guide
Information on process to be followed for disciplinary proceedings against judges	Does the court publish information on the process to be followed to make a complaint?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
	Does the court provide information regarding the process and timeline that will be followed to investigate the alleged misconduct?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
Information to be provided to the complainant	Does the procedure for disciplinary action require providing the complainant details regarding the findings of any investigation into the complaint?	i. The procedure requires provision of information to the complainant. (1) ii. The procedure does not require provision of information to the complainant. (0)
	Does the procedure for disciplinary action require providing the complainant details regarding the outcome of the disciplinary proceedings?	i. The procedure requires provision of information to the complainant. (1) ii. The procedure does not require provision of information to the complainant. (0)
Publication of decisions of disciplinary proceedings against judges	Does the court publish decisions where sanctions have been imposed through disciplinary proceedings?	i. The information is available on the court website. (1) ii. The information is not available on the court website. (0)



Proactive disclosure of assets

Principle 14 of the Istanbul Declaration calls for judiciaries to promulgate procedures requiring judges to make regular declarations of their assets and liabilities.¹⁷⁰ The UNCAC Implementation Guide also recommends disclosure of financial interests by judges.¹⁷¹ This provides an internationally recognised framework of ethical disclosures by judges.

Proactive disclosure of assets held by judges is one of the key factors that contribute to upholding public trust in the system. Judges are seen to exercise immense power over the rights and liberties of citizens, and information regarding their financial interests ensures that they can also be held accountable by the common citizens. It also aligns the judiciary with democratic norms, where legislators and civil servants are required to make similar disclosures.

In India, a Full Court resolution adopted by the Supreme Court in 1997 required the judges of a court to compulsorily declare their assets to the Chief Justice of the court.¹⁷² The resolution further directed that the disclosures would remain confidential. Years later, in 2019, a five-judge bench of the Supreme Court deliberated upon whether the Chief Justice was obliged to release these declarations in response to an RTI request.¹⁷³ The resulting judgement was

ground-breaking in many regards. It held the CJI to be a 'public authority' under the RTI Act and therefore obliged to disclose information. It further held that transparency is not antithetical but rather integral to judicial independence. The decision however stopped short of instilling true financial transparency by holding that the asset declarations by judges were 'personal information' under the RTI Act and thus exempt from disclosure unless 'public interest' outweighed the privacy concerns in a specific case.

However, on 1 April 2025, the Supreme Court adopted a Full Court resolution requiring all its judges to publicly disclose their assets on appointment, along with providing regular disclosures on subsequent acquisitions.¹⁷⁴ Subsequently, 29 judges of the Supreme Court have provided disclosures and the practice is also followed in certain High Courts.¹⁷⁵ Together, these measures reflect a recognition that financial disclosures are a safeguard against conflicts of interest, even though the degree of public accessibility remains contested. However, as of now, no such movement is happening towards disclosure of such information for the district courts.

Internationally, Title III of the Ethics in Government Act of 1978 in the USA requires all federal officers, including Supreme Court judges, to disclose certain financial information to the Chief Justice. This includes the source and amount of their income, as well as the source, description, and value of gifts exceeding a certain threshold. As of 2022, the annual financial disclosures of all judges, including judicial officers, bankruptcy judges, magistrate judges, and special trial judges, are publicly available on

¹⁷⁰. Istanbul Declaration (n 24) 32.

¹⁷¹. UNCAC Implementation Guide (n 23) 21.

¹⁷². '1997 Resolution on Judges Assets' (*India Lawyers*, 2 September 2009) <<https://indialawyers.wordpress.com/2009/09/02/1997-resolution-on-judges-assets/>> accessed 28 November 2025.

¹⁷³. *Central Public Information Officer, Supreme Court of India v. Subhash Chandra Agarwal*, (2020) 5 SCC 481.

¹⁷⁴. 'Assets of Judges' (*Supreme Court of India*) <<https://www.sci.gov.in/assets-of-judges/>> accessed 12 November 2025.

¹⁷⁵. 'Assets of Judges' (*High Court of Delhi*) <<https://www.delhihighcourt.nic.in/web/assets>> accessed 12 November 2025; 'Hon'ble Judges' (*High Court of Punjab and Haryana*) <<https://highcourtchd.gov.in/?mod=chief>> accessed 12 November 2025.

the website of the Administrative Office of the United States Courts.¹⁷⁶ In South Africa as well, judges are required to publicly disclose certain

financial interests and gifts under the Judicial Service Commission Act of 1994.¹⁷⁷

Component	Indicators	Scoring Guide
Proactive disclosure of assets	Does the court publish disclosures regarding real estate owned by the judges and their dependants?	i. The court website contains disclosures for all the judges and their dependants. (1) ii. The court website contains disclosures for all the judges. (0.75) iii. The court website contains disclosures for only some, not all, of the judges. (0.5) iv. Disclosures have not been made or cannot be found for any of the judges on the court website. (0)
	Does the court publish disclosures regarding investments made by judges and their dependants?	i. The court website contains disclosures for all the judges and their dependants. (1) ii. The court website contains disclosures for all the judges (0.75) iii. The court website contains disclosures for only some, not all, of the judges. (0.5) iv. Disclosures have not been made or cannot be found for any of the judges on the court website. (0)
	Does the court publish disclosures regarding movable properties of the judges and their dependants?	i. The court website contains disclosures for all the judges and their dependants. (1) ii. The court website contains disclosures for all the judges. (0.75) iii. The court website contains disclosures for only some, not all, of the judges. (0.5) iv. Disclosures have not been made or cannot be found for any of the judges on the court website. (0)

¹⁷⁶. 'Federal Judicial Financial Disclosure Reports' (*United States Courts*) <<https://pub.jefs.uscourts.gov/>> accessed 12 November 2025.

¹⁷⁷. 'ATC130619: Code of Judicial Conduct and Regulations on Judges' Disclosure of Registrable Interests (NA) Ad Hoc Committee, 19 June 2013' (*Parliamentary Monitoring Group*) <<https://pmg.org.za/tailed-committee-report/42/>> accessed 12 November 2025.

Component	Indicators	Scoring Guide
	Does the court publish disclosures regarding liabilities of the judges and their dependants?	i. The court website contains disclosures for all the judges and their dependents. (1) ii. The court website contains disclosures for all the judges. (0.75) iii. The court website contains disclosures for only some, not all, of the judges. (0.5) iv. Disclosures have not been made or cannot be found for any of the judges on the court website. (0)



Recommendations

1



Transparency regarding use of artificial intelligence ('AI') tools

The growth of AI has led to its widespread use in recent years, with the Indian judiciary also embracing new technologies. While some tools

have been developed by the judiciary itself, for example the Supreme Court Vidhik Anuvaad Software (SUVAS), a machine-assisted translation tool trained by AI,¹⁷⁸ courts have also begun using AI tools developed by private entities for purposes such as transcribing court hearings.¹⁷⁹ The use of AI and the risks it poses depends on the type of function it is used for, and courts in other jurisdictions have detailed frameworks to govern its usage.¹⁸⁰ As the use of AI is likely to grow in the years to come, the following indicator has been recommended:

Component	Indicators	Scoring Guide
Publishing information on the use of AI	Has the court published a policy regarding the use of AI?	- The court website has published a policy on the use of AI. (1) - The court website has not published a policy on the use of AI. (0)

¹⁷⁸. 'SC Has Deployed AI to Promote Regional Languages, RS Told' *The Indian Express* (New Delhi, 9 December 2023) <<https://indianexpress.com/article/india/sc-has-deployed-ai-to-promote-regional-languages-rs-told-9060516/>> accessed 12 November 2025.

¹⁷⁹. Sagrika Kissu, '4000 Indian courts have done away with typing. An AI revolution is on' *The Print* (27 October 2025) <<https://theprint.in/ground-reports/4000-indian-courts-have-done-away-with-typing-an-ai-revolution-is-on/2770297/>> accessed 12 November 2025.

¹⁸⁰. 'Principles and Practices for Using AI Responsibly and Effectively in State Courts' (*National Centre for State Courts*) <<https://nationalcenterforstatecourts.app.box.com/v/AI-principles-and-practices>> accessed 12 November 2025.

Component	Indicators	Scoring Guide
	Has the court published information regarding AI tools being used by the court?	i. The court website has published information regarding AI tools being used by the court. (1) ii. The court website has not published information regarding AI tools being used by the court. (0)

2



Publication of periodic reports containing statistics on court performance

The judiciary currently provides information regarding case progress and court performance through two primary means, NJDG and court annual reports. However, the NJDG provides real-time information with no access to archived data, while annual reports largely contain overall figures of pendency and disposal with no detailed data on case progress. In order to understand changes in court performance over time, it is important that courts publish periodical statistics on case progress and court performance. For this, it is recommended that the following indicator be used:

Component	Indicators	Scoring Guide
<i>Publishing periodic reports on court performance</i>	Does the court publish periodic reports containing statistics on court performance?	i. Periodic reports containing statistics are available on the court website for each of the last 3 years. (1) ii. Periodic reports containing statistics are available on the court website for some of the last 3 years. (0.5) iii. Periodic reports containing statistics are not available on the court website for any of the last 3 years. (0)

3



Access to disaggregated court data

While judicial data is open to the public, it is currently available in an aggregated form through NJDG or available for a specific case through eCourts, but is inaccessible in a disaggregated form at a large scale. The Supreme Court of India in its vision for Phase III of the eCourts Project opined that digital infrastructure should be open

and interoperable.¹⁸¹ It posited that open APIs can enable ecosystem players to access open data to undertake studies, help develop case management solutions, and produce services for the judicial and legal community. Disaggregated

data also provides more granular insights into the functioning of the courts, beyond the aggregate statistics published. It is in this context that the following indicator has been recommended:

Component	Indicators	Scoring Guide
Publication of a policy on accessing bulk data	Has the court published a policy regarding access to bulk data?	i. The court website has published a policy regarding access to bulk data. (1) ii. The court website has not published a policy regarding access to bulk data. (0)
Publishing open APIs	Does the court publish open APIs to access disaggregated data regarding cases and their hearings?	i. The court website provides an open API to access disaggregated data. (1) ii. The court website provides an open API to access limited disaggregated data. (0.5) iii. The court website does not provide an open API to access disaggregated data. (0)

4


Access to case documents

Case pleadings and filings are part of the foundational documents in any court case. Case documents are a rich source of information as they provide context to the dispute as well as the law sought to be applied, which can help inform one’s understanding of the application of law by courts. In the United States, for example,

the Public Access to Court Electronic Records (PACER) system allows electronic public access to case documents filed at all federal courts. In India, although the judiciary follows the principle of open courts and the public has access to case hearings, case documents are not made publicly available. Historically, these documents were filed as physical documents before the court, which made public access difficult. However, with the implementation of e-filing systems, courts now also possess digital copies of case documents. Anonymised versions of these documents may therefore be made available for public viewing in the interest of open justice. It is in this context that the following indicator has been recommended:

¹⁸¹. e-Committee, Supreme Court of India, *Digital Courts Vision & Roadmap: e-Courts Project Phase III* (2022) 50, 51 <<https://cdnbbsr.s3waas.gov.in/s388ef51f0bf911e452e8dbb1d807a81ab/uploads/2023/04/2023042088.pdf>> accessed 12 November 2025.

Component	Indicators	Scoring Guide
<i>Making available access to case documents</i>	Does the court provide access to case documents?	i. The court provides access to case documents. (1) ii. The court does not provide access to case documents. (0)



Annexure

Table of Indicators

Component	S. No.	Indicators	Scoring Guide
JUDICIAL PROCESSES			
Public access to court hearings			
Publication of information required to attend court proceedings	1	Does the court publish information necessary to facilitate the public's access to court proceedings?	The court website publishes the following (1 point for each): - Court address - Map location - Court calendar - Working hours - Contact number - Procedure to access court premises (for example, information on a designated entrance for litigants, information required for passes, security protocol, etc.) - Procedure to attend court hearings (for example, information on appropriate attire, protocol to be followed in courtrooms, information required for joining live streamed hearings, etc.)
Adoption of live streaming	2	Are live streaming rules available on the court website?	- The rules are available on the court website. (1) - The rules are not available or cannot be found on the court website. (0)

	3	Does the court provide a link to access live streaming of proceedings?	i. The link is available on the court website. (1) ii. The link is not available or cannot be found on the court website. (0)
Scope of live streaming	4	Do the court's rules prescribe which types of proceedings will be live streamed?	i. The court's rules provide information on the types of proceedings that will be live streamed. (1) ii. The court's rules do not provide any information on the types of proceedings that will be live streamed. (0)
Implementation of live streaming	5	Does the court live stream its proceedings?	i. Most courtrooms are live streamed (75% and above). (1) ii. Some of the courtrooms are live streamed (25% to 74%). (0.5) iii. Very few courtrooms are live streamed (24% or less). (0)

Publication of cause lists

Publication of cause lists	6	Are the cause lists published sufficiently in advance of the hearings?	i. Cause lists are published at least one day (24 hours) in advance. (1) ii. Cause lists are published less than a day (24 hours) in advance. (0.5) iii. Cause lists are not published on the website. (0)
	7	Are the cause lists sufficiently detailed?	The court website publishes the following (1 point for each): i. Cause lists provide additional information (for example, the purpose of hearing, subject-matter of proceedings, etc.). ii. Cause lists provide links to access live streaming of the hearings. iii. Cause lists provide video conferencing links for hearings.

Publication of judgements and orders

Publication of judgements and orders	8	Is there an online database providing free public access to judgements and orders?	i. Court orders and judgements are available on an online database for free. (1) ii. Court orders and judgements are not available online or require payment for access. (0)
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Availability of judgements and orders	9	Are court orders and judgements easily searchable on the database?	i. Court orders and judgements are searchable by 3 or more criteria. (1) ii. Court orders and judgements are searchable by 2 or less criteria. (0)
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	10	Are judgements available in the State regional language?	i. The court website publishes judgements translated into a regional language. (1) ii. The court website does not publish translated judgements. (0)
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Transparency in case allocation

Transparency in case allocation	11	Does the court publish its subject-matter roster?	i. The roster is available on the court website. (1) ii. The roster is not available or cannot be found on the court website. (0)
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	12	Do any rules/ notifications/ directions governing the court prescribe the criteria for case allocation?	i. Clear criteria for case allocation is published on the court website. (1) ii. No criteria for case allocation is published or can be found on the court website. (0)
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	13	Is the principal judge of the court required to record reasons for deviating from the established criteria of case allocation?	i. Court rules/ notifications/ directions require the principal judge of the court to record reasons for deviating from the established criteria of case allocation. (1) ii. Court rules/ notifications/ directions do not require the principal judge of the
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court to record reasons for deviating from the established criteria of case allocation. (0)

Publication of information regarding recusals

Publication of grounds for recusal	14	Does the court publish the grounds for recusal by judges?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
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Information on procedure to request recusal	15	Does the court publish the procedure by which a party may request the recusal of a judge?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
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Facilitating media access to courts

Publication of contact information for journalists	16	Does the court provide official contact details of a media liaison?	i. Official contact details of a media liaison is available on the court website. (1) ii. Official contact details of a media liaison is not available or cannot be found on the court website. (0)
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Publication of the court's media policy	17	Does the court publish its policy governing media access and liaisons?	i. The policy is available on the court website. (1) ii. The policy is not available or cannot be found on the court website. (0)
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Contents of the media policy	18	Is the policy sufficiently detailed to provide adequate guidance to media representatives?	The court's media policy includes the following (1 point for each): i. Details of the facilities available for journalists. ii. Information and processes regarding imposing reporting restrictions. iii. Procedure to access court premises and attend court hearings.
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INSTITUTIONAL GOVERNANCE AND ADMINISTRATION

Publication of annual reports

Publication of annual reports	19	Is the court's annual report for the past year available?	i. Annual report for the past year is available on the court website. (1) ii. Annual report for the past year is not available or cannot be found on the court website. (0)
	20	Are the court's previous annual reports available?	i. Annual reports are available for each of the last 3 financial years. (1) ii. Annual reports are available for some of the last 3 financial years. (0.5) iii. Annual reports are not available for any of the last 3 financial years. (0)
Content of annual reports	21	Does the annual report contain key statistics on case progress in the court (i.e., institution, pendency, and disposal) during the year?	i. The annual report contains the information. (1) ii. The annual report does not contain the information. (0)

Publication of rules, regulations, and manuals governing the court

Publication of rules, regulations, and manuals governing the court	22	Does the court publish the rules, regulations, and manuals that govern its functioning?	The court website publishes the following (1 point for each): i. The legislation and/or court practice rules governing the court ii. Financial rules iii. Court fee rules iv. Rules governing parties-in-person v. Conditions of service rules (judges) vi. Conditions of service rules (court staff) vii. eFiling rules viii. Video-conferencing rules
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| 23 | Is information pertaining to the rules, regulations, and manuals easily accessible? | <ul style="list-style-type: none"> i. The information is available on the court website under a dedicated page. (1) ii. The information is published in a disaggregated manner. (0) |
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Publishing an updated list of all committees and their composition

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| Publication of information on committees | 24 | Does the court provide a list of all standing and ad-hoc committees constituted by the court? | <ul style="list-style-type: none"> i. The information is available on the court website under a dedicated page. (1) ii. The information is available but not under a dedicated page. (0.5) iii. The information is not available or cannot be found on the court website. (0) |
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| 25 | Does the court provide information regarding the composition (i.e., names and designations of members) of each committee? | <ul style="list-style-type: none"> i. Composition of all committees is available on the court website. (1) ii. Composition of only some of the committees is available on the court website. (0.5) iii. Composition is not available or cannot be found for any of the committees. (0) |
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| 26 | Does the court provide information regarding the tenure of the committees? | <ul style="list-style-type: none"> i. Information is available for all committees on the court website. (1) ii. Information is available for only some of the committees. (0.5) iii. Information is not available or cannot be found for any of the committees. (0) |
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| 27 | Is the purpose or mandate of the committees clear? | <ul style="list-style-type: none"> i. The purpose or mandate of all committees is clearly indicated on the court website. (1) ii. The purpose or mandate of only some of the committees is clear. (0.5) iii. The purpose or mandate is not clearly indicated for any of the committees. (0) |
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Component	S. No.	Indicators	Scoring Guide
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Publication of minutes of meetings	28	Does the court provide access to the minutes of the meetings of the committees?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
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Publishing information pertaining to the implementation of the PoSH Act

Availability of rules	29	Has the court published the rules governing the functioning of its ICC?	i. The rules are published on the court website. (1) ii. The rules are not published or cannot be found on the court website. (0)
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Information on composition of ICC	30	Is information on the composition of the court's ICC publicly available?	i. Names and designations of the ICC members are published on the court website. (1) ii. Names and designations of the ICC members are not published or cannot be found on the court website. (0)
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Publication of contact information	31	Does the court publish the contact information of the ICC members?	i. The phone numbers and email addresses of the ICC members are published on the court website. (1) ii. Either only the phone numbers or only the email addresses are published on the court website. (0.5) iii. No contact information of the members is published or can be found on the court website. (0)
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Information on procedure	32	Does the court publish the procedure to be followed for submitting an online complaint?	i. The procedure is published on the court website. (1) ii. The procedure is not published or cannot be found on the court website. (0)
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Publishing information facilitating the implementation of the RTI Act

Information regarding RTI Rules	33	Does the court publish the RTI rules applicable to it?	i. The rules are available on the court website. (1) ii. The rules are not available or cannot be found on the court website. (0)
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Scope of RTI rules	34	Does the court provide additional grounds for rejection of RTI applications in its RTI rules?	i. The court does not provide additional grounds for rejection of RTI applications under its RTI rules. (1) ii. The court provides additional grounds for rejection of RTI applications under its RTI rules. (0)
Information regarding the Public Information Officer	35	Does the court provide details of the Public Information Officer ("PIO") of the court?	i. The court website provides the name, designation, and contact details of the PIO. (1) ii. The court website provides information but it is incomplete, i.e., either the name or designation or contact details have not been mentioned. (0.5) iii. The information is not published or cannot be found on the court website. (0)
Information regarding online RTI portals	36	Does the court provide a link to the online RTI portal of the court?	i. The link is available on the court website. (1) ii. The link is not available or cannot be found on the court website. (0)

Budgetary disclosures

Publication of annual budget	37	Is the court's budget for the current financial year publicly available?	i. The budget is published on the court website. (1) ii. The budget is not published or cannot be found on the court website. (0)
	38	Are the court's past annual budgets publicly available?	i. Annual budgets are available on the court website for each of the last 3 financial years. (1) ii. Annual budgets are available for only some of the last 3 financial years (0.5) iii. Annual budgets are not available for any of the last 3 financial years. (0)

Component	S. No.	Indicators	Scoring Guide
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Publication of annual expenditure statements	39	Is the court's annual expenditure statement for the past financial year publicly available?	i. The statement is published on the court website. (1) ii. The statement is not published or cannot be found on the court website. (0)
	40	Are the court's past annual expenditure statements publicly available?	i. The statements are available on the court website for each of the last 3 financial years. (1) ii. The statements are available for only some of the last 3 financial years. (0.5) iii. The statements are not available for any of the last 3 financial years. (0)
Publication of audit reports	41	Is the court's audit report for the past financial year publicly available?	i. The report is published on the court website. (1) ii. The report is not published or cannot be found on the court website. (0)
	42	Are past audit reports of the court publicly available?	i. Audit reports are available on the court website for each of the last 3 financial years. (1) ii. Audit report are available for only some of the last 3 financial years (0.5) iii. Audit reports are not available for any of the last 3 financial years. (0)

JUDICIAL AND ADMINISTRATIVE PERSONNEL

Publishing up-to-date information on sanctioned and working strength

Up-to-date information on sanctioned and working strength of judges at the court	43	Does the court provide updated information on the sanctioned strength of judges?	i. The information is available on the court website. (1) ii. The information is not available on the court website. (0)
	44	Does the court provide updated information on its working strength of judges?	i. The information is available on the court website. (1) ii. The information is not available on the court website. (0)

Component	S. No.	Indicators	Scoring Guide
Up-to-date information on sanctioned and working strength of court staff at the court	45	Does the court provide updated information on sanctioned strength of ministerial staff of the court?	i. The information is available on the court website. (1) ii. The information is not available on the court website. (0)
	46	Does the court provide updated information on the working strength of ministerial staff of the court?	i. The information is available on the court website. (1) ii. The information is not available on the court website. (0)

Publishing an up-to-date list of all Registrars, Additional Registrars, and Assistant Registrars

Information on Registrars, Additional Registrars, and Assistant Registrars in court	47	Does the court provide a list of Registrars, Additional Registrars, and Assistant Registrars currently serving in the court?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
	48	Does the court provide official contact details of the Registry?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
	49	Does the court provide information on the responsibilities and duties of the Registrars, Additional Registrars, and Assistant Registrars?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)

Disclosures regarding appointments and recruitment

Transparency in appointment and selection criteria	50	Does the court publish any rules/ notifications/ directions that lay down the appointment criteria for judges of the court?	i. The rules/ notifications/ directions containing appointment criteria are published on the court website. (1) ii. The rules/ notifications/ directions containing appointment criteria are not published or cannot be found on the court website. (0)
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Component	S. No.	Indicators	Scoring Guide
Publication of list of proposed candidates	51	Are the names of candidates who are proposed to be judges of the court published?	i. The list of candidates is made publicly available on the court website. (1) ii. The list of candidates is not available or cannot be found on the court website. (0)
Disclosure of reasons to recommend candidates for appointment	52	Do the appointment recommendations of the court disclose the reasons behind recommending the candidates' selection?	i. The last 5 appointment recommendations disclose the reasons for the candidates' selection. (1) ii. Only some of the last 5 appointment recommendations disclose the reasons for the candidates' selection. (0.5) iii. None of the last 5 appointment recommendations disclose the reasons for the candidates' selection. (0)
Disclosures regarding transfers			
Transparency in the judicial transfer policy	53	Does the court publish the transfer policy for judges?	i. A written transfer policy is available on the court website. (1) ii. A written transfer policy is not available or cannot be found on the court website. (0)
	54	Does the transfer policy provide details on the tenure and timelines of routine transfers?	i. Information on tenure and timelines of transfers is provided. (1) ii. The policy does not specify the tenure of judges or the timeline of routine transfers. (0)
	55	Does the policy provide objective criteria for non-routine, non-consensual transfers?	i. The policy provides objective criteria for effecting non-routine, non-consensual transfers. (1) ii. The policy does not provide any criteria for effecting non-routine, non-consensual transfers. (0)

Transparency in judicial transfer recommendations/ orders	56	Does the court publish transfer recommendations/ orders of judges?	i. Transfer recommendations/ orders are available on the court website. (1) ii. Transfer recommendations/ orders are not available or cannot be found on the court website. (0)
	57	Do the transfer recommendations/ orders disclose the reasons for transferring judges?	i. The last 5 transfer recommendations/ orders disclose the reasons for the judges' transfer. (1) ii. Only some of the last 5 transfer recommendations/ orders disclose the reasons for the judges' transfer. (0.5) iii. None of the last 5 transfer recommendations/ orders disclose the reasons for the judges' transfer. (0)

Disclosures regarding disciplinary actions against judges

Publication of code of judicial conduct	58	Does the court publish information on the expected conduct of judicial officers?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
	59	Does the court publish information regarding conduct against which complaints can be made?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
Information on process to be followed for disciplinary proceedings against judges	60	Does the court publish information on the process to be followed to make a complaint?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)
	61	Does the court provide information regarding the process and timeline that will be followed to investigate the alleged misconduct?	i. The information is available on the court website. (1) ii. The information is not available or cannot be found on the court website. (0)

Information to be provided to the complainant	62	Does the procedure for disciplinary action require providing the complainant details regarding the findings of any investigation into the complaint?	i. The procedure requires provision of information to the complainant. (1) ii. The procedure does not require provision of information to the complainant. (0)
	63	Does the procedure for disciplinary action require providing the complainant details regarding the outcome of the disciplinary proceedings?	i. The procedure requires provision of information to the complainant. (1) ii. The procedure does not require provision of information to the complainant. (0)
Publication of decisions of disciplinary proceedings against judges	64	Does the court publish decisions where sanctions have been imposed through disciplinary proceedings?	i. The information is available on the court website. (1) ii. The information is not available on the court website. (0)

Proactive disclosure of assets

Proactive disclosure of assets	65	Does the court publish disclosures regarding real estate owned by the judges and their dependants?	i. The court website contains disclosures for all the judges and their dependants. (1) ii. The court website contains disclosures for all the judges. (0.75) iii. The court website contains disclosures for only some, not all, of the judges. (0.5) iv. Disclosures have not been made or cannot be found for any of the judges on the court website. (0)
	66	Does the court publish disclosures regarding investments made by judges and their dependants?	i. The court website contains disclosures for all the judges and their dependents. (1) ii. The court website contains disclosures for all the judges (0.75) iii. The court website contains disclosures for only some, not all, of the judges. (0.5) iv. Disclosures have not been made or cannot be found for any of the judges on the court

website. (0)

67

Does the court publish disclosures regarding movable properties of the judges and their dependants?

- i. The court website contains disclosures for all the judges and their dependents. (1)
- ii. The court website contains disclosures for all the judges. (0.75)
- iii. The court website contains disclosures for only some, not all, of the judges. (0.5)
- iv. Disclosures have not been made or cannot be found for any of the judges on the court website. (0)

68

Does the court publish disclosures regarding liabilities of the judges and their dependants?

- i. The court website contains disclosures for all the judges and their dependents. (1)
- ii. The court website contains disclosures for all the judges. (0.75)
- iii. The court website contains disclosures for only some, not all, of the judges. (0.5)
- iv. Disclosures have not been made or cannot be found for any of the judges on the court website. (0)

RECOMMENDATIONS

Transparency regarding use of AI tools

Publishing information on the use of AI

1

Has the court published a policy regarding the use of AI?

- i. The court website has published a policy on the use of AI. (1)
- ii. The court website has not published a policy on the use of AI. (0)

2

Has the court published information regarding AI tools being used by the court?

- i. The court website has published information regarding AI tools being used by the court. (1)
- ii. The court website has not published information regarding AI tools being used by the court. (0)

Publication of periodic reports containing statistics on court performance

Publishing periodic reports on court performance	3	Does the court publish periodic reports containing statistics on court performance?	i. Periodic reports containing statistics are available on the court website for each of the last 3 years. (1) ii. Periodic reports containing statistics are available on the court website for some of the last 3 years. (0.5) iii. Periodic reports containing statistics are not available on the court website for any of the last 3 years. (0)
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Access to disaggregated court data

Publication of a policy on accessing bulk data	4	Has the court published a policy regarding access to bulk data?	i. The court website has published a policy regarding access to bulk data. (1) ii. The court website has not published a policy regarding access to bulk data. (0)
Publishing open APIs	5	Does the court publish open APIs to access disaggregated data regarding cases and their hearings?	i. The court website provides an open API to access disaggregated data. (1) ii. The court website provides an open API to access limited disaggregated data. (0.5) iii. The court website does not provide an open API to access disaggregated data. (0)

Access to case documents

Making available access to case documents	6	Does the court provide access to case documents?	i. The court provides access to case documents. (1) ii. The court does not provide access to case documents. (0)
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