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To

Hon'ble Dr. Justice D.Y. Chandrachud,
The Chief Justice of India,
Supreme Court of India,
New Delhi.

**Sub.: Urgent Call for Judicial Reforms to Address Disrespect Towards
Advocates and Safeguard Judicial Integrity**

My Lord,

1. I am writing this letter to bring to your kind attention an issue of growing concern within the legal community, which has surfaced due to recent events that highlights the troubling behavior of Hon'ble Judges of various high courts towards advocates within the courtrooms. These incidents have raised serious questions about courtroom decorum and the treatment of legal professionals by the Hon'ble judges during the hearing of the court proceedings.
2. A alarming incident occurred at the Madurai Bench of the Madras High Court during virtual proceedings, involving Hon'ble Mr. Justice R. Subramanian and Senior Advocate Mr. P. Wilson. During the hearing, Hon'ble Mr. Justice Subramanian was seen reprimanding and using inappropriate language towards Senior Advocate and the counsel-on-record when they were attempting to highlight a potential conflict of interest without suggesting recusal of the concerned Judge. Despite the Senior Advocate's intent to only highlight the potential conflict of interest—without suggesting

recusal—the judge responded with aggression. The Senior Advocate, with great courtesy, repeatedly clarified his position and even offered an apology to de-escalate the situation, but Hon'ble Justice Subramanian continued to berate the advocates. The Senior Judge went so far as to accuse the counsel on record of unethical conduct, which was entirely unfounded. What is more concerning is that the Bench later recorded remarks in its order, alleging that the Senior Advocate made irresponsible comments toward the court, which were never actually made. The circulated video of the proceedings demonstrates this misrepresentation clearly. Such erroneous and potentially malicious records could create a chilling effect on legal professionals, who might fear unjust treatment for merely discharging their duties as officers of the court.

3. Further, the Hon'ble Madras High Court's Video Conferencing Rules strictly prohibit the downloading, sharing, and circulation of any court proceedings, whether conducted in person or virtually. These rules were put in place to ensure the confidentiality and integrity of judicial processes, safeguarding the privacy of all parties involved and protecting the sanctity of the courtroom environment. Despite these clear regulations, there has been no explanation as to how the video of the proceedings in question was widely circulated and went viral across various platforms. The unauthorized dissemination of court proceedings undermines the very foundation of judicial decorum. The fact that a video, expressly protected under court regulations, was leaked without consequence casts doubt on the efficacy of the current safeguards.
4. The courtroom is a place where advocates are expected to present their cases freely and without fear of intimidation. The fact that such a senior and respected member of the Bar was subjected to demeaning behavior speaks to a much larger issue of how the judiciary interacts with members of the Bar. Over the course of 25 years, Mr. P Wilson has earned a reputation for not only his legal acumen but also for his tireless efforts in spearheading meaningful reforms within the judiciary. He is widely recognized as a legal

luminary whose work speaks volumes for his commitment to upholding the integrity of the legal profession. Senior Advocates like Mr. Wilson, with their vast experience, wisdom, and contributions to the legal fraternity, play a pivotal role in shaping the future of law in the country. The manner in which the senior advocate was reportedly treated inside the courtroom is alarming.

If such treatment can be meted to senior member of the bar, it raises concerns about the experiences of younger, less-established advocates. The very essence of the Bar-Bench relationship is founded on mutual respect, and when that respect is diminished, it threatens the entire framework of justice. This incident highlights the urgent need for reforms in how courtroom decorum and interactions between advocates and the judiciary are managed, ensuring that no advocate—no matter their level of experience—is subjected to public rebuke, humiliation, or intimidation while carrying out their duties.

5. The Universal Declaration of Human Rights (UDHR) and other international human rights frameworks uphold the principles of dignity, respect, and fairness, which are equally applicable to members of the legal profession. Article 1 of the UDHR emphasizes that "All human beings are born free and equal in dignity and rights," a principle that should be reflected in the treatment of advocates within the judicial system. By disrespecting advocates, judges or other court officials violate these basic human rights principles, impinging upon the right to dignity and professional respect.

Moreover, such behavior threatens the rule of law and the proper functioning of the judiciary. A judiciary that treats its advocates as subordinates rather than as equals in the administration of justice risks eroding public confidence in the legal system. Advocates must be able to challenge legal and procedural matters without fear of retribution or unprofessional conduct from the Bench. In this sense, disrespect towards advocates can also be viewed as an infringement

on their right to work in a professional, respectful, and non-hostile environment, as guaranteed by human rights norms.

6. Thus, addressing disrespect towards advocates is not only a matter of preserving professional decorum but also about safeguarding their fundamental human rights, ensuring that the legal process remains fair, just, and free from intimidation.

The recent Suo motu observations of the Hon'ble Supreme Court have already emphasized the need for maintaining fairness and dignity in judicial proceedings, urging judges to refrain from making personal remarks against advocates. These remarks only further highlight the urgency of addressing the issues at hand, especially when judicial conduct has crossed acceptable boundaries.

7. The Judges (Protection) Act, 1985 provides certain legal immunities to judges for actions taken in the course of their judicial duties, safeguarding them from civil and criminal proceedings. However, it is essential to recognize that this protection has its limits. Specifically, the Act does not grant protection when judges make observations or comments that extend beyond the scope of the pleadings or judicial proceedings. When a judge's remarks stray into personal or unfounded criticism, or when their behavior toward advocates or litigants becomes disrespectful or demeaning, such actions fall outside the purview of judicial immunity. This gap in the law underlines the need for a stricter code of conduct to address these issues.

The increasing number of instances where judicial conduct has crossed acceptable boundaries emphasise a pressing need for the establishment of a clear and enforceable code of conduct for judges. This code should focus on maintaining decorum and ensuring that judges interact with advocates, litigants, and court staff in a respectful and professional manner. While judges must be allowed the discretion to control court proceedings, this should not extend to making observations that are irrelevant to the case, that border

on personal attacks, or that create an atmosphere of intimidation. A comprehensive code of conduct would provide clear guidelines on what is expected of judges in terms of behavior and would include consequences for those who deviate from these standards.

8. One of the ways to address inappropriate judicial conduct is through psychological training and orientation programs. Periodic evaluations of judges' mental health can also play a crucial role in preventing instances of judicial misconduct. The mental well-being of judges is essential to ensuring that they can discharge their duties fairly, impartially, and respectfully. By regularly evaluating their mental health, the judiciary can identify early signs of burnout, stress, or other issues that could affect their conduct in court. The results of these evaluations should be kept confidential and submitted to a specially formed committee for review, ensuring that any necessary interventions are carried out discreetly and effectively.

A dedicated committee, ideally comprising retired judges could oversee the implementation of these guidelines and the mental health evaluations. This committee could ensure that judges who exhibit signs of stress or misconduct receive appropriate support, training, or counselling. By fostering a culture of mutual respect and support, such initiatives would not only help improve the mental health of judges but also preserve the dignity of the legal profession and protect the fundamental human rights of advocates.

Addressing these concerns is not merely about rectifying individual instances of misconduct but about preserving the fundamental principles of justice that underpin our entire legal system. The Bar and the Bench must work in harmony, built on a foundation of mutual respect and dignity, to ensure that justice is administered fairly and impartially. When advocates are treated with disrespect or when judicial conduct goes unchecked, it weakens the trust that the public places in the judiciary and erodes the credibility of our legal institutions.

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Therefore, I urge your Lordship to consider the proposals put forth and to take appropriate action to prevent the recurrence of such incidents. By implementing a clear code of conduct, prioritizing judicial well-being, and fostering an environment of professionalism, we can ensure that the courtrooms remain spaces of justice, free from intimidation or fear.

Obligated,


(Manan Kumar Mishra)

Senior Advocate, Supreme Court of India

Chairman, Bar Council of India

Member of Parliament (Rajya Sabha)