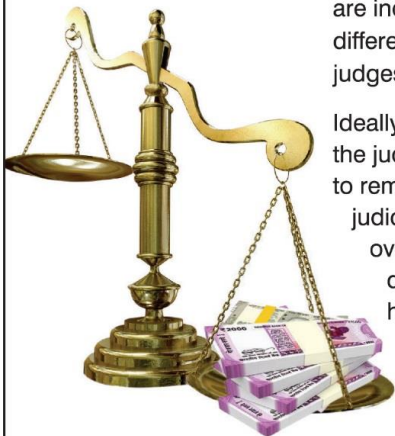


India needs Court Transcripts to tackle Corruption in Judiciary

How do we hold a judge accountable? How do we ensure that the judgement pronounced matches with the arguments at the hearing? How do we try and close one door of corruption in our justice system?

The answer: Court Transcripts



The judicial courts of India have always found it hard to shrug off the label of corruption in their corridors. Recently this stench of corruption even reached the inner chambers of the judges of the Supreme Court where orders were found to be rewritten by court masters for the benefit of one party as against what was originally ordered by the judge in open court.

It was caught by an eagle-eyed lawyer and brought to the attention of the judges. Luckily the judges remembered their original decision and saw the discrepancy and the order could be corrected. But does it not then make you wonder how many orders are incorrectly written and different from what the judges say?

Ideally you would expect the judges and the lawyers to remember. But the Indian judiciary is massively overburdened with the dates between hearings so long that it could be months or sometimes even years. The famous

Sunny Deol line, "*Tareekh pe Tareekh, Tareekh pe Tareekh...*" is not only a famous dialogue now but a sad reality of the justice system in India.

Insiders would vouch that there are ample examples of judgements delivered months after the hearings being dramatically opposed to the arguments made and accepted by the judges at the hearing. In the absence of any check or mechanism on such anomalies the only remedy is the appellate forum. But the problem gets compounded if the judgements in appeal are equally vitiated in the absence of any official record of what actually transpired at the appeals' hearing.

That's why, we still don't have RULE OF LAW but what we have could be loosely labeled as RULE OF MEN.

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Perhaps many in India would have heard the words, Court Transcript for the first time. But it is an embedded part of the judicial system for all western and developed countries like Australia, UK and USA, to name a few.

It is also not a very complicated and expensive procedure and can be added to our Indian courts easily. Basically the proceedings of the court are voice recorded and simultaneously typed on the day itself by stenographers.

The transcript becomes an exact record of every word spoken by any such person as indicated which includes the judges, barristers, lawyers and witnesses etc.

The transcript can also be helpful to refresh one's memory in our judicial system where the dates between hearings are so long that the judges roster itself changes before



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Many great minds and eminent personalities including Chief Justices, Judges of the Supreme Court, the High Courts, the Law Ministers, the Law Commission, media, etc. have all lamented over the delay in the dispensation of justice in India, but little to nothing has been done to ensure the swift delivery of justice and that too without corruption.

a matter comes up again. It can help the parties and the judges to see what arguments have been taken and where the hearing concluded with what remarks, so that repetition may be avoided and time may be saved for future.

Simply put, a transcript makes those in open court be accountable for their words. Judges can be shown what was said in the

last hearing. It can also ensure that a clean and respectable hearing takes place without the unnecessary mudslinging that has become so prevalent in India.

At the very end it will ensure that a poorer party does not get screwed over by a richer party with deeper pockets willing to spend it in unlawful ways and true justice can be upheld.

FMSDGs: Committed to Sustainable Development

With poverty alleviation being one of the most important goals for Foundation for Millennium Sustainable Development Goals, it is difficult to envisage achieving them till the menace of corruption is eradicated from all levels. To do so, it is imperative to bring governments, businesses, civil society organisations and individuals on board to stimulate actions for humane progress.