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भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

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1. The sustained and synchronized attack on Supreme Court by some senior advocates and former judges is a conspiracy to weaken and browbeat the institution. Never before in the history of the country has such a concerted attack by some disgruntled members of the bar and some unhappy and disappointed former judges has been witnessed. Some people are using social media, electronic and print media to castigate and scandalize judiciary by imputing baseless motives on the Supreme Court judges. They are in virtual competition with each other in hurling choicest of derogatory and indecent words to denigrate the Supreme Court. They know that Supreme Court Judges are under compulsion to remain within the Lakshman Rekha and are unable to come out to defend themselves.

And it is because of this reason that the Bar has to come forward to save the institution. It is the duty of the Bar to protect the Institution and to ensure that no unscrupulous attack succeeds in weakening our Judiciary.

This is a very sad state of affairs. Indian Bar is worried about the possible and disastrous results of such onslaught which is being aimed with complete lack of sense.

2. It's painful to see that only a few days after two Advocates made unfair and unhealthy remarks against our apex Court, Mr. Justice Madan Lokur, a former Judge of Supreme Court has also joined this bandwagon fully knowing that such idle talk lead to undermine the authority of judiciary as a whole. We have heard justice Lokur giving sermons that no-one from the Bench and Bar should ever indulge in an act that would shake the faith of the public in judiciary. Now, he himself becoming part of these misguided group of people is a mind-boggling departure by him of his own much hyped principles.

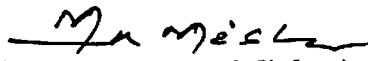
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3. This is more reprehensible because the Supreme Court is currently seized of the issues of migrant workers and the kind of brazen attack these purported intellectuals are making is nothing but an attempt to influence the Supreme Court to toe a particular line in this matter which would fulfill their agenda to defame the government which is grappling to ameliorate the sufferings of common man.
4. For last few years, we are watching that a handful of people indulge in making relentless efforts to make such reckless comments and criticize the Highest Judiciary of the Country. The object behind such misdeeds is very much apparent. This is done to settle their political agenda by training their guns against the Judiciary, but, they have consistently failed in achieving their morbid designs. Such lot of people are frustrated and aggrieved with the Government, but, they have been making unsuccessful attempts to utilize the forum of apex Court to settle the score.
5. Names of such persons can be counted on fingers. Only 2 to 3 Advocates are there, whose sole aim is to lay undue pressure upon the Judges of Supreme Court by making such reckless remarks on almost every decision of the apex Court. They want Supreme Court to run as per their dictates and according to their wishes. But, since the Bar, the common Advocates and even the Judges of Supreme Court have now become very much aware of their modus-operandi, their nefarious attacks are ignored and people (particularly the Advocates of the country) do not even take notice of such comments. People very well know the purpose behind such statements. People know that a handful of persons want the courts to deliver the orders of their choice, but, they have been failing in their sinister bid always.
6. A Senior Advocate of Supreme Court has recently made comments against the apex Judiciary saying that the judiciary should have been proactive and has used Article 14 to suggest the kind of arbitrariness in some order of the Supreme Court. Without making any other comment, we would request this Senior Advocate that he should have carefully read Article 14 of the Constitution alongwith the provisions and bye-laws of Supreme Court Bar Association Rules, before suspending/removing the elected Secretary of Supreme Court Bar Association. Unfortunately, even such people are daring to talk of Article-14 and are preaching many things. Before reminding the Judges of anything, one should be mindful of his own deeds and misdeeds.

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7. The criticism of a judgment on principle or levelling criticism which would make the institution stronger, is always justified, but, imputing motive behind any order or Judgment is nothing but contempt.
8. The indulgence of former Judges is really very unfortunate. What the people have started to believe is that some former Chief Justices of High Courts or some former Judges of Supreme Court, who could not get a suitable berth after their superannuation, become disgruntled and start going in media and malign the system of which they were integral part for quite long period. Such people should join politics and go in public directly and face the common mass of this country. The people will deal with them properly.
9. Bar also supports the recent contempt case initiated by the Andhra Pradesh High Court against some people including political leaders. It was fully justified, given that the comments by the contemnors were abusive, in defiance of the Court, and against the majesty of the Court.
10. The statements issued by these few Advocates and Mr. Justice Lokur impute derogatory, defamatory allegations against the Supreme Court of India, which aims to disgrace, defame and lower the reputation of the Supreme Court. Bar totally disapproves and deprecates such act. Being part of this Institution, Justice Lokur is not expected to do so.
11. The people know everything, the motive behind every statement/interview. Therefore, the Bar will request such people that instead of doing such mischief with the system, they should maintain the dignity and decorum of the Institution.


(Manan Kumar Mishra)
Chairman
Bar Council of India