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judicialreforms.org

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Hon'ble Chief Justice of India
Supreme Court of India
New Delhi

August 9, 2021

Dear Sir/Madam,

Please find enclosed a letter from the Campaign for Judicial Accountability and Reforms (CJAR) and the National Campaign for Peoples' Right to Information (NCPRI) addressed to the Hon'ble Chief Justice of India, Justice N. V. Ramana on the subject ***"Live webcast of hearings on the Pegasus matter"***.

Kindly ensure the letter is urgently brought to the notice of the Hon'ble Chief Justice of India.

Thank you,
Kind regards,

Prashant Bhushan

Hon'ble Justice N. V. Ramana
Chief Justice of India
Supreme Court of India
New Delhi

August 9, 2021

Subject: Live webcast of hearings on the Pegasus matter

Dear Chief Justice,

There has been deep concern regarding the recent revelations that the Pegasus software was used to hack into the phones of Indian citizens, apparently at the behest of the Indian government. NSO, the Israeli group that developed the software, claims that it sells Pegasus only to "vetted governments". Deployment of the Pegasus software has been established through cyber forensic analysis of some of the targeted phones by internationally reputed labs. Such large-scale intrusive surveillance into the phones belonging to constitutional authorities, political leaders, journalists and activists, apart from being a violation of people's fundamental right to privacy, is a frontal attack on our democracy.

The Supreme Court is seized of the matter and is hearing multiple petitions seeking a probe into the issue, including petitions by individuals whose phones were on the surveillance list. Given that this case deals with matters of tremendous public interest, and its outcome will have wide ramifications for our republic, **we are writing to request you to ensure live-streaming of the hearings of the case.**

Investigations by media reveal that phone numbers belonging to a judge of the Supreme Court, registrars of the apex court and the woman staffer (and her family members) who had accused a former CJI of sexual harassment were potentially hacked. These revelations point to a grave threat to the independence of the judiciary. An Election Commissioner of India, leaders of opposition parties, senior journalists and activists figuring prominently in the list of people allegedly surveilled before the 2019 general elections, indicate a deep subversion of electoral democracy.

In the *Swapnil Tripathi vs Supreme Court of India* (2018) judgment, the Supreme Court had agreed to live-stream proceedings in important cases. There has been significant progress in the last few years with at least some High Courts - Gujarat, Karnataka, Orissa and Madhya Pradesh - currently live-streaming their proceedings on YouTube via their official channels, which also allows the live-stream to be subsequently available as a recording. In your speech during the inauguration of the

live-streaming of proceedings of the Gujarat High Court, you had underlined the significance of this public broadcast in ensuring greater openness and access to justice for the people of India- *"It is high time for de-mystifying the justice delivery system in the country and furthering access through open courts. Access to justice will become a true reality when litigants and interested parties get to witness, understand and comprehend justice dispensation firsthand...It is only on the back of an informed citizenry that a representative democracy can survive and evolve"*.

We earnestly request you to initiate live-streaming of proceedings of the Supreme Court in matters of public importance, starting with the Pegasus case.

Thanking you,

Executive Committee, Campaign for Judicial Accountability and Reforms &
Anjali Bhardwaj, Nikhil Dey, Venkatesh Nayak, Rakesh Dubbudu, Pankti Jog, Pradip Pradhan, Dr. Shaikh, Amrita Johri, Kathyayini Chamaraj, Chakradhar Buddha,
Kathyayini Chamraj, Ajay Jangid (On behalf of the National Campaign for Peoples' Right to Information)