

**GOVERNMENT OF INDIA  
LAW AND JUSTICE  
LOK SABHA**

UNSTARRED QUESTION NO:4617

ANSWERED ON:17.12.2009

CORRUPTION IN JUDICIARY

Agarwal Shri Jai Prakash; Namdhari Shri Inder Singh; Satpathy Shri Tathagata

**Will the Minister of LAW AND JUSTICE be pleased to state:**

- (a) whether conduct of Judges of various courts is reviewed/monitored regularly to avoid corruption from the judiciary;
- (b) if so, the details thereof;
- (c) the number of corrupt High Court/District Court Judges were removed/given compulsory retirement during the last one year, State-wise;
- (d) whether any enquiry was held before removal of any Judges; and
- (e) if so, the details thereof?

**Answer**

MINISTER OF LAW AND JUSTICE (Dr. M. VEERAPPA MOILY)

(a) to (e) : The issue of Judicial Accountability was discussed at the Conference of Chief Justices held in 1990 and on the basis of the broad consensus emerging out of the deliberations, the Chief Justice of India summed up the position as follows:

‘The Chief Justice of the High Court has the competence to receive complaint against the conduct of the Judges of his Court and when he receives any, he would look into it for finding out if it deserves to be closely looked into. Where he is satisfied that the matter requires to be examined, he shall have facts ascertained in such manner as he consider appropriate keeping the nature of allegation in view and if he is of the opinion that the matter is such that it should be reported to the Chief Justice of India, he shall do so.

The Chief Justice of India shall act in a similar manner in regard to complaints relating to conduct of Judges of the Supreme Court and in regard to conduct of Chief Justice of the High Courts, On the basis of the facts ascertained, the Chief Justice of the High Court or the Supreme Court, as the case may be, shall take such appropriate action as may be considered proper, keeping the interests of the judiciary as the paramount consideration.’

The complaints received against the Judges of the Supreme Court and the High Courts are, at present, dealt with in the manner indicated above.

No Judge of any High Court has been removed from office so far.

Under Article 235 of the Constitution of India, the administrative control over the members of subordinate judiciary in the States vests with the concerned High Court and the State Government. The officers of the subordinate judiciary are guided by the set of rules framed by the respective State Governments.