

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

STARRED QUESTION NO:210
ANSWERED ON:11.03.2010
ALLEGED CORRUPTION IN JUDICIARY
Lal Shri Kirodi ;Rao Shri Sambasiva Rayapati

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

- (a) the details of the mechanism in place to address the problem of corruption in the judiciary;
- (b) whether any structural changes are proposed to be brought to the aforesaid mechanism in view of the cases of alleged corruption in the recent past; and
- (c) if so, the details thereof?

Answer

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

(a) to (c) : A statement is laid on the Table of the House.

Statement referred to ta reply to parti (a), (b) & (c) of the Lok Sabha Starred Question No. 210 for answer on 11.03.2010

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.

The Government is considering to bring in A comprehensive legislation to set up a mechanism for enquiry into complaints made by members of the public against the Judges of the Supreme Court and the High Courts.