

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

UNSTARRED QUESTION NO:522

ANSWERED ON:11.11.2010

CORRUPTION IN JUDICIARY

Haque Shri Sk. Saidul;Majumdar Shri Prasanta Kumar;Singh Shri Ganesh;Tirkey Shri Manohar

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

- (a) whether the Supreme Court lawyer has filed any affidavit before the apex court naming some Judges as corrupt;
- (b) if so, the details thereof;
- (c) whether there is a lack of transparency at the time of appointments in judiciary;
- (d) if so, the details thereof;
- (e) whether Government would consider to have ratification of appointments in judiciary in State courts done by State Legislative Assemblies and in Supreme Court by Parliament;
- (f) if so, the details thereof;
- (g) whether Government is contemplating to enact any new law to check corruption in the judiciary; and
- (h) if so, the details thereof?

Answer

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

(a) & (b) The Supreme Court of India has intimated that a lawyer, Applicant in-person, has on 15.09.2010, filed Interlocutory Application for impleadment as a Respondent along with Application for permission to file information in sealed cover in Petition (Criminal) No.10 of 2009 in LA. Nos. 1324, 1474 & 2134 of 2007 in W.P. (Civil) No. 202 of 1995 titled Amicus Curiae Vs. Prashant Bhusan, Advocate & Anr., which is sub-judice.

(c) to (f) The existing procedure for appointment of Judges of the Supreme Court and the High Courts is based on the Supreme Court Judgment dated October 6, 1993 in the case of Supreme Court Advocates on Record & Anr. Vs. Union of India, and the Advisory-Opinion of the Supreme Court dated October 28, 1998, The procedure has been debated in various fora and there have been demands to change the same. However, there is, at present, no specific proposal to bring about any change in the present system of appointment of Judges in the Supreme Court and the High Courts.

(g) & (h) To ensure greater accountability and transparency in the higher judiciary, the Government is bringing in a Bill titled `The Judicial Standards and Accountability Bill, 2010` which incorporates a mechanism for enquiring into complaints against the Judges of the Supreme Court and the High Courts, enabling declaration of assets and liabilities of Judges and laying down judicial standards to be followed by the Judges, in the current Session of the Parliament.