

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

STARRED QUESTION NO:319

ANSWERED ON:12.02.2014

JUDICIAL ACCOUNTABILITY

Alagiri Shri S. ;Pandey Shri Ravindra Kumar

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

- (a) whether the Government maintains records of complaints against judges of the Supreme Court and High Courts and has a mechanism to monitor the action taken on the same;
- (b) if so, the details thereof and if not, the system put in place to deal with complaints against judges;
- (c) the provisions made in the Judicial Standards and Accountability Bill to handle complaints made by citizens against higher judicial authorities; and
- (d) the current status of the Bill along with the time by which the same is likely to become a law?

Answer

MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS & INFORMATION TECHNOLOGY (SHRI KAPIL SIBA1)

(a) to (d) : A Statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (d) of the Lok Sabha Starred Question No.319 to be answered on 12.02.2014 regarding `Judicial Accountability1.

(a) and (b): As per the established `in-house mechanism` for the higher judiciary, Chief Justice of India receives complaints against the conduct of Judges of the Supreme Court and the Chief Justice of the High Courts. Similarly, the Chief Justices of the High Courts receive complaints against the conduct of High Court Judges. In view of this, the Central Government does not maintain records of such complaints and has no mechanism to monitor the action taken on the same.

(c) and (d): To ensure greater accountability and transparency in the higher judiciary, a bill titled, `the Judicial Standards and Accountability Bill`, was introduced in the Lok Sabha on 01.12.2010. The Bill has been prepared after holding wide ranging consultations and discussions with legal experts, eminent Jurists, Non-governmental Organisations (NGO) etc. The Bill has three parts. It lays down Judicial Standards which are derived from the Restatement of Values in Judicial Life, 1997 and have the acceptance and approval of the Full Court of the Supreme Court. It makes it mandatory for Judges to declare their assets and liabilities as well as that of their spouses and dependent children. It provides for a comprehensive mechanism for handling complaints made by citizens on alleged misbehaviour and incapacity against judges of the Supreme Court and High Courts and for taking action against those found guilty after investigation.

The Judicial Standards and Accountability Bill was considered and passed in die Lok Sabha on 29.3.2012. It is now pending for consideration and passing in the Rajya Sabha.