

Bill on Judicial graft coming in winter session

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NEW DELHI: The Centre on Tuesday finalised a comprehensive Judicial Inquiry Bill that proposes to fix accountability of judges of the High Courts and the Supreme Court, as well as a mechanism to inquire into specific complaints of corruption and misconduct against individual judges.

The Bill would be presented in the winter session of Parliament, law minister Veerappa Moily told TOI in an exclusive interview.

This move assumes significance in the wake of the shrill controversy over the recommendation of the Supreme Court Collegium, headed by Chief Justice K G Balakrishnan, to elevate Karnataka Chief Justice P D Dinakaran as a judge of the SC. Various Bar bodies have hurled accusations of corruption against him and sought an inquiry into them. Justice Dinakaran had denied all charges.

Moily would not go into specific cases like the one relating to Justice Dinakaran, for he does not want to be seen as an instrument of the executive intruding into the sensitive selection process of apex court judges.

But he was of the firm view that unless accountability was fastened on the judges, incidents of corruption in the judiciary were bound to increase.

Would it erode the independence the the Indian judiciary enjoyed for all these years? He says both accountability and independence have to be intrinsic part of the judiciary.

"Judicial independence will have no meaning if there is no accountability. The present system of lengthy in house inquiry into complaints of misconduct of judges and the meandering process of impeachment have not yielded desired results. Hence, there is an urgent need for setting up a mechanism under the force of law to address these issues," he said.

The declaration of assets and investments by judges and their dependents would also be part of this Bill, he said. This portion needed re-drafting after the Supreme Court and some of the High Courts decided in full-court meetings to post the wealth statement of each judge on their official court website.

The mechanism proposed under the new Bill would quicken the process of inquiry into complaints against judges, Moily said, adding, "We want to create an environment of accountability with protection to honest judges against harassment." The law minister quickly

clarified, "But, protection does not mean protection for their misconduct, commissions and omissions or corruption."

The Indian judiciary, he said, enjoyed the highest reputation in the world and it was only a minuscule number of judges who bring in a bad name for the entire community. "So, we also have kept in mind the fact that the honest judges should not be harassed and the independence of judiciary was not compromised, " Moily said.

"I will not do anything to disturb that credibility or inhibit fearlessness with which the judges discharge their duties, but I also have a duty to see that judges eschewed corruption," Moily said.