

## 77 per cent believe Indian judiciary is corrupt: survey

A Transparency International report released on Thursday says that 77 per cent of respondents in a survey in India believe the judiciary is corrupt.

According to the Global Corruption Report 2007, the perception of corruption is higher in India and Pakistan in comparison to Hong Kong, Malaysia, Singapore and Thailand. In Pakistan, 55 per cent of the respondents said the judiciary was corrupt.

"The degree of delays and corruption has led to cynicism about the justice system. People seek short cuts through bribery and favours, leading to more unlawful behaviour. A prime example is the unauthorized buildings in Indian cities. Construction laws are flouted in connivance with persons in authority," the report says.

Terming the report as "alarming", senior advocate KTS Tulsi said: "There is obviously some corruption in the judiciary and we need to put it down with a heavy hand. The ostrich like approach will not serve the purpose anymore."

Maintaining that corruption in the judiciary has grown in the last 30-40 years, he sought to know how many judges had been prosecuted and jailed. "Merely asking them to resign is not the solution. Corrupt judges must be given extreme punishment," he said.

"I am glad it is only 77 per cent of the people who believe so. Otherwise, it looks like the last bastion of people's hope is crumbling," Congress leader and senior advocate Salman Khursheed said, emphasising the need to take corrective steps.

Former Law Minister Ram Jethmalani, who questioned the survey's sample size, did not agree. "I don't think things are so bad. Compared to other segments of society, they are better. However, he added: "Judges are not angels. They are part of the same society."

The BJP's spokesman Ravishankar Prasad, also another former law minister, said: "This kind of sweeping comment is neither fair nor reasonable. Yes, there are areas of concern which many former Chief Justices have espoused from time to time." He favoured an in-house mechanism to deal with the problem. However, he said the impeachment provision had outlived its utility and become counter-productive.

According to the report, as of February 2006, 33,635 cases were pending in the Supreme Court with 26 judges; 3.34 lakh cases in high courts with 670 judges; and 2.5 crore cases

in 13,204 sub-ordinate courts. "This vast backlog leads to long adjournments and prompts people to pay to speed up the process. In 1999, it was estimated that at the current rate of disposal of cases, it would take another 350 years for pending cases," the report states.

It also points out that the ratio of judges is abysmally low at 12-13 per one million people compared to 107 in the United States, 75 in Canada and 51 in the United Kingdom. "If the number of outstanding cases are assigned to the current number of judges, caseloads would be 1,294 per Supreme Court judge, 4,987 per high court judge and 1,916 per lower court judge."

The report recommends judicial reforms including an independent judicial appointments body, higher salaries for judges, limited impunity to actions relating to judicial duties and transparency in the functioning of judicial organisations. Khursheed agreed that judges needed better working conditions and salaries.

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