

Tribune

March 1, 2009

<http://www.tribuneindia.com/2009/20090301/main4.htm>

MPs: Link judges' salary to accountability

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New Delhi, February 28

A Parliamentary panel has suggested the constitution of a National Judicial Service Commission with powers to revise judges' salaries according to the service conditions and accountability on the lines of the practice in advanced countries.

"The government should immediately examine the feasibility of introducing the pattern of allowances and salary, applicable to the judges of some advanced countries of the world, by setting up such a commission," the Standing Committee on Law and Justice said in its 34th report tabled in Parliament.

The commission, a permanent body with statutory powers, would also address the problems of huge accumulation of cases in the Supreme Court, High Courts and Subordinate Courts, vacancies of judges and absence of infrastructural facilities that posed greater challenges to the judiciary.

These issues had engaged the attention of the committee for quite some time, the 30-member panel headed by Dr EM Sudarsana Natchiappan said. Besides the chair, the committee has nine members from the Rajya Sabha and 20 (including two vacancies) from the Lok Sabha.

Such problems should be attended simultaneously with the issue of salary hiked three-fold by an ordinance issued on January 9 which would be replaced by an Act for which the Parliament had passed the HC and SC Judges (Salaries and Conditions of Service) Amendment Bill, 2008, the panel said.

"The committee, therefore, recommends that the government should deal with these problems as part of judicial reforms and hope that the enhanced salary and allowances with these reforms may bring noticeable changes, both in the functioning of Judiciary and the perception of the people," it said.

At present, only one-third Judges of HCs enrolled from the Bar became entitled to full pension and similarly many of the Judges of the SC inducted from the Bar did not get full pension as they retired before completing the qualifying period for full pension.

"The committee is of the strong opinion that the differentiation between the Judges appointed directly from the Bar and promoted from State Judiciary needs to be

removed. This would act as an incentive for talented legal persons to accept their elevation as Judges of HCs and SC," the report said.

Post-retirement benefits such as medical, telephone, secretarial allowances given to SC judges should also be extended to retired HC judges, keeping their stature in mind.

The committee said it had received lots of memoranda from various individuals, organisations and stakeholders, highlighting the issue of performance-based salary structure, accountability, corruption and other related issues.