

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 3951

ANSWERED ON 06.04.2023

Allegations on former Judges being part of anti-India gang

3951. SHRI JAVED ALI KHAN:
SHRI RAM NATH THAKUR:

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

- (a) whether, as per the Union Minister for Law and Justice, few former Judges of Supreme Court are part of anti-India gang;
- (b) if so, the details thereof along with the source of information;
- (c) whether, in view of national security, Government has informed the Chief Justice of India and the Ministry of Home Affairs in this regard; and
- (d) if so, the details thereof and the details of action taken by the Chief Justice in this regard?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (e): From time to time, complaints are received in the Department of Justice against sitting as well as retired Judges of Supreme Court and High Courts. Department of Justice is concerned only with the appointment and service

conditions of the sitting Judges of the Supreme Court and High Courts. Accountability in higher judiciary is maintained through “in-house mechanism”. The Supreme Court of India, in its full Court meeting on 7 May, 1997, the Supreme Court of India adopted two Resolutions namely (i) The Restatement of Values of Judicial Life” which lays down certain judicial standards and principles to be observed and followed by the Judges of the Supreme Court and High Courts (ii) “in-house procedure” for taking suitable remedial action against judges who do not follow universally accepted values of Judicial life including those included in the Restatement of Values of Judicial life.

As per the established “in-house mechanism” for the higher judiciary, the Chief Justice of India is competent to receive complaints against the conduct of Judges of the Supreme Court and the Chief Justices of the High Courts. Similarly, the Chief Justices of the High Courts are competent to receive complaints against the conduct of High Court Judges. The complaints/representations received by Department of Justice are forwarded to the Chief Justice of India or to the Chief Justice of the concerned High Court, as the case may be, for appropriate action. Complaints relating to the retired judges of the Supreme Court/High Courts are not handled by the Department.
