

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO. 2274

TO BE ANSWERED ON FRIDAY, THE 10.12.2021

Judicial Accountability

2274. SHRI SHYAM SINGH YADAV:

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

- (a) whether the Government is planning to bring a law for judicial accountability of higher judiciary;
- (b) if so, the details thereof and if not, the reasons therefor;
- (c) whether the Government proposes to implement a regular performance evaluation system for judges; and
- (d) if so, the details thereof and if not, the reasons therefor;

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (b): No, Sir. Accountability in higher judiciary is maintained through “in-house mechanism”. The Supreme Court of India, in its full Court meeting on 7th May, 1997, 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” fortaking suitable remedial measure against Judges who do not follow the 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 are forwarded to the Chief Justice of India or to the Chief Justice of the High Court concerned, as the case may be, for appropriate action. Administrative control over the members of the subordinate judiciary in the States vests with the concerned High Court.

(c) to (d) : No, Sir. Judiciary being an independent organ under the Indian Constitution is capable of handling its internal matters. The Government is committed to the independence of Judiciary and does not and should not intervene in its functioning.
