

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:1789

ANSWERED ON:01.08.2003

NATIONAL JUDICIAL COMMISSION

CHARAN DAS MAHANT;CHELLAMELLA SUGUNA KUMARI;PRAVEEN RASHTRAPAL;PUSHPDAN SHAMBHUDAN
GADHAVI;SATYAVRAT CHATURVEDI;SHYAMA SINGH;SUNDER LAL TIWARI

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

(a) whether the Government have recently decided to set up the National Judicial Commission;

(b) if so, the details in this regard;

(c) the composition, terms and conditions of the said commission; and

(d) the time by which it is likely to be set up?

Answer

MINISTER OF STATE FOR LAW AND JUSTICE (SHRI P.C. THOMAS)

(a), (b), (c) & (d) A statement is enclosed.

Statement referred to in reply to Parts (a), (b), (c) & (d) of Lok Sabha Unstarred Question No. 1789 for answer on 1.8.2003.

The Constitution (Ninety-Eighth Amendment) Bill, 2003 has already been introduced in the Parliament on May 9, 2003 for the setting up of National Judicial Commission. The Bill provides that the said Commission would consist of:

(i) the Chief Justice of India - Chairman;

(ii) two other Judges of the Supreme Court next to the Chief Justice of India in seniority;

(iii) the Union Minister-in-Charge of Law and Justice;

(iv) one eminent citizen to be nominated by the President in consultation with the Prime Minister for a period of three years;

2. The proposed Commission shall:

(i) make recommendations of persons for appointment of Judges of the Supreme Court and Chief Justices and Judges of the High Courts;

(ii) make recommendations for the transfer of Chief Justices of High Courts and the Judges of the High Courts from one High Court to any other High Court;

(iii) draw up a Code of Ethics for Judges of the Supreme Court, Chief Justices of High Courts and the Judges of the High Courts;

(iv) inquire into, suo-moto or on a complaint or reference, cases of misconduct or such deviant behaviour of a Judge other than those calling for his removal and advise the Chief Justice of India or the Chief Justice of a High Court appropriately after such inquiry.

