

**GOVERNMENT OF INDIA  
LAW , JUSTICE AND COMPANY AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:1837  
ANSWERED ON:14.03.2002  
CORRUPTION IN JUDICIARY OFFICIALS  
SUSHIL KUMAR INDORA

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

- (a) whether the C.J.T has recently admitted that 20 percent of the judiciary officials are corrupt;
- (b) if so, whether due to cumbersome procedure such corrupt judges cannot be dismissed;
- (c) if so, the facts with reasons therefor;
- (d) the steps taken to check corruption from judiciary; and
- (e) the steps taken by the Government to amend the various laws and to simplify the procedure for taking action against the corrupt judges?

**Answer**

MINISTER OF LAW,JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY)

(a) No, Sir.

(b) to (d) The Hon`ble Chief Justice of India on 23rd December, 2001 at a joint conference organized by the Bar Council of India and the State Bar Council of Kerala, inter-alia, stated:-

`....I have said it before and I will say it again: in my opinion, more than 80% of the Judges in this country, across the board, are honest and incorruptible. It is that smaller percentage that brings the entire judiciary into disrepute. To make it known that the judiciary does not tolerate corruption in its ranks, it is requisite that corrupt Judges should be investigated and dismissed from Service. This is very much possible in the case of subordinate judiciary because disciplinary control lies with the High Court. It is difficult where the higher judiciary is concerned because the only recourse in law is impeachment, which is a cumbersome process and which, as a recent instance showed, may not achieves the desired result for reasons that are political. The Supreme Court and the High Courts have attempted to evolve an informal procedure to meet the situation, but it is yet to be tested.`

(e) Under Articles 235 of the Constitution of India, the administrative control over the members of subordinate Judicial Service vests with the concerned High Court. In exercise of powers conferred under Proviso to Article 309 read with Article 233 and 234 of the Constitution, the State Government frames rules and regulations in consultation with the High Court exercising jurisdiction in relation to such State. The members of the State Judicial Service are governed by these rules and regulations.