

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

UNSTARRED QUESTION NO:2459

ANSWERED ON:03.12.2009

JUDICIAL OMBUDSMAN

Alagiri Shri S. ;Nirupam Shri Sanjay Brijkishorilal ;Satpathy Shri Tathagata

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

- (a) whether the Government proposes to constitute a Judicial Ombudsman;
- (b) if so, the details thereof;
- (c) if not, whether there is any mechanism to hear the complaints against Supreme Court and High Court Judges; and
- (d) if so, the details thereof?

Answer

MINISTER OF LAW AND JUSTICE (Dr. M. VEERAPPA MOILY)

(a): No, Madam.

(b): Does not arise.

(c) & (d) : The issue of Judicial Accountability was discussed at the Conference of Chief Justices held in 1990 and on the basis of the broad consensus emerging out of the deliberations, the Chief Justice of India summed up the position as follows:

‘The Chief Justice of the High Court has the competence to receive complaints against the conduct of the Judges of his court and when he receives any he would look into it for finding out if it deserves to be closely looked into. Where he is satisfied that the matter requires to be examined, he shall have facts ascertained in such manner as he considers appropriate keeping the nature of allegations in view and if he is of the opinion that the matter is such that it should be reported to the Chief Justice of India, he shall do so.

The Chief Justice of India shall act in a similar manner in regard to complaints relating to conduct of Judges of the Supreme Court and in regard to conduct of Chief Justices of the High Courts. On the basis of the facts ascertained, the Chief Justice of the High Court or the Supreme Court, as the case may be, shall take such appropriate action as may be considered proper, keeping the interests of the judiciary as the paramount consideration.’

The complaints received against the Judges of the Supreme Court and the High Courts are dealt with in the manner indicated above.