

For a clean judiciary: the importance of in-house mechanisms

With an in-house committee concluding that a judge of the Allahabad High Court had committed judicial impropriety serious enough to warrant his removal, the subject of corruption in the higher judiciary is in the news. Justice Shri Narayan Shukla had come under adverse notice before a Supreme Court Bench headed by Chief Justice of India Dipak Misra last year. The Bench had found he had violated a restraining order from the apex court by allowing the GCRG Memorial Trust, Lucknow, to admit students. The Supreme Court observed that the Bench headed by Justice Shukla had violated judicial propriety. The CJI formed a three-member committee, comprising Chief Justices Indira Banerjee of the Madras High Court and S.K. Agnihotri of the Sikkim High Court and Justice P.K. Jaiswal of the Madhya Pradesh High Court, to examine his conduct. The committee has now found substance in the allegations and that the judge had deviated from the “values of judicial life”. It is unfortunate that Justice Shukla has not tendered his resignation or sought retirement, the options available to him to avoid the ignominy of impeachment in Parliament. His position has paved the way for the CJI to recommend his removal.

CJI recommends impeachment of Allahabad High Court judge Shri Narayan Shukla

The allegations against him appear to correspond to the claims in a first information report registered by the CBI against another medical college trust and alleged middlemen, including a retired judge of the Orissa High Court, that there was a plot to influence public servants to obtain favourable orders. The allegation had set off a storm in the judiciary, as some orders related to medical colleges in Uttar Pradesh were also passed by Supreme Court Benches headed by Chief Justice Misra himself. The climactic event was the [unprecedented press conference](#) at which four senior-most judges alleged the CJI had departed from convention while using his power to draw up the roster. It is important for the institution that the charges against Justice Shukla are properly investigated. It may have a sobering effect on those who desire that the institution be cleansed as well as those who feel there is an unwarranted onslaught on it. The process of removing a judge is too elaborate and somewhat cumbersome. However, an in-house finding may help hasten it in flagrant cases. The possibility of getting a motion passed in Parliament is brighter, and the charge of the process being misused for partisan ends is reduced. The removal of a serving judge is undoubtedly a sad development, but one that the institution should not fight shy of in appropriate cases. That internal mechanisms work with due regard for institutional integrity is something that should be welcomed.

Receive the best of The Hindu delivered to your inbox everyday!

Please enter a valid email address.

The draft of Assam's National Register of Citizens is a first step, but it opens up concerns

END

Downloaded from **crackIAS.com**

© **Zuccess App** by crackIAS.com