

Judicial Accountability

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Judicial Accountability: The Inquiry Against Justice Yashwant Varma

Context:

Chief Justice of India (CJI) **Sanjiv Khanna** has initiated a **three-member in-house inquiry** into **Delhi High Court judge Justice Yashwant Varma**. This follows allegations that **bundles of currency notes** were found at his residence, where a **fire broke out on March 14**.

This inquiry follows the **judiciary's internal accountability mechanism**, distinct from the **constitutional impeachment process**.

Impeachment Process of Judges

- **Articles 124(4) and 218** govern the removal of **Supreme Court** and **High Court** judges.
- A judge can be removed only on two grounds:
 - **Proven misbehavior**
 - **Incapacity**

Parliamentary Procedure

1. A motion is introduced in either House of **Parliament**.
2. It requires **two-thirds majority** of those present and voting, and over **50% of total membership** in both Houses.
3. If passed, the **President issues an order for removal**.

This high threshold ensures **judicial independence**.

In-House Inquiry Mechanism

- Established in **1999** to address misconduct that does not meet **impeachment criteria**.
 - First initiated after allegations against **Bombay HC Chief Justice A M Bhattacharjee (1995)**.
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Procedure

1. **Complaint received** by HC Chief Justice, CJI, or President.
 2. **Preliminary assessment** by CJI to determine merit.
 3. **If needed, a three-member inquiry committee** is formed, consisting of:
 - **Two High Court Chief Justices**
 - **One High Court judge**
 4. **Report submitted to CJI**, stating:
 - If allegations are **substantiated**.
 - If removal proceedings should begin.
 5. **If misconduct is minor**, the judge is advised.
 6. **If serious, the judge is asked to resign or retire.**
 7. **If refusal, judicial work is stopped and removal process begins.**
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Significance of In-House Inquiry

- Ensures **judicial accountability** without compromising **independence**.
 - Provides a **structured, transparent process** for misconduct cases.
 - **Strengthens public trust** in the judiciary.
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Conclusion

The **in-house inquiry mechanism** is crucial for **maintaining judicial integrity**. It allows for **disciplinary action** while ensuring the **dignity of the judiciary is upheld**.



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