



Judicial Accountability and Institutional Reform: A Methodological Framework for Assessing the Amendment to the Judicial Conduct & Removal Regime in India via the Yashwant Verma Affair

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ABSTRACT

The integrity and independence of the judiciary are the twin pillars of constitutional democracy. However, the recent Justice Yashwant Varma affair—involving a probe initiated under the supervision of Chief Justice D.Y. Chandrachud and recommendations by Justice Sanjiv Khanna—has reignited national debate on the adequacy of India’s mechanisms for judicial accountability. This research seeks to evaluate the potential amendment and reform of the judicial conduct and removal regime through a combined doctrinal-empirical approach. It will analyse the constitutional and statutory framework governing judicial conduct (Arts. 124–137, 217–222 of the Constitution; Judges [Inquiry] Act 2, 1968), examine procedural lacunae revealed by the Varma inquiry, and propose a methodological framework to assess future reforms. The study situates the case within the broader question of how India can reconcile judicial independence with accountability and transparency. This research explores how the Justice Varma episode and Justice Khanna’s proactive stance may signal the beginning of a long-overdue amendment to the judicial accountability framework in India. Adopting a mixed-method approach that integrates doctrinal legal analysis with empirical qualitative research, the study examines constitutional provisions (Articles 124–147 and 217–222), the Judges (Inquiry) Act, 1968, and the 1999 in-house procedure to identify institutional gaps and reform needs. It further draws comparative insights from other common-law jurisdictions such as the United Kingdom and Canada, where judicial conduct mechanisms operate with transparency and independence. By framing a methodological model that evaluates both legal norms and real-world perceptions, this research aims to contribute to scholarly and policy discourse on how India can evolve a codified, transparent, and ethically resilient framework for judicial accountability—one that safeguards both public confidence and judicial autonomy.

Keywords: Constitution of India, In-House Procedure, Arun K. Thiruvengadam, Judicial Ethics.

REVIEW OF LITERATURE

The Indian Constitution lays down a carefully balanced framework for ensuring both the independence and accountability of the judiciary. Under Articles 124 to 147 and 217 to 222, provisions govern the appointment, tenure, and removal of judges of the higher judiciary, ensuring that these processes remain insulated from direct political interference while maintaining institutional disciplineⁱ. The Judges (Inquiry) Act, 1968, and the corresponding Judges (Inquiry) Rules, 1969, together form the only statutory mechanism for the impeachment or removal of judges, marking the limited yet formal mode of judicial accountability within the Indian constitutional framework. Additionally, the In-house Procedure of 1999, approved by the Supreme Court, provides an internal administrative code to handle complaints of misconduct among judges without compromising judicial independenceⁱⁱ.

Doctrinal commentaries have continued to highlight the tension between these dual objectives. M.P. Jain, in his *Indian Constitutional Law* (8th ed., 2023), observes the structural imbalance between the need for judicial independence and mechanisms of accountability. Upendra Baxi, through his seminal work *Courage, Craft and Contention* (2007), argues for democratizing judicial conduct processes to enhance transparency. Similarly, Arun K. Thiruvengadam, in his article “Judicial Ethics and the Constitution of Accountability” (2019) 12 NUJS L Rev 211, stresses the need for empirical and transparent oversight mechanismsⁱⁱⁱ.

Recent developments have renewed this debate, particularly following the recommendation by the Chief Justice of India for the removal of Justice Yashwant Varma (2024). The Parliamentary Standing Committee on Law and Justice has subsequently proposed a Draft Code of Conduct for Judges (2024) to redefine ethical standards and strengthen institutional review systems. Media coverage, including reports by NDTV and Navbharat Times, underscores a growing public demand for reform and accountability within the judiciary. These evolving developments reflect an urgent need to revisit existing legal frameworks and establish a more transparent, participatory approach to judicial conduct reform.

RESEARCH QUESTIONS

- i. What constitutional and statutory provisions govern the conduct and removal of judges in India?
- ii. How does the Justice Varma affair demonstrate the shortcomings of existing frameworks?
- iii. Has Justice Khanna's recommendation triggered institutional discourse on amending the judicial conduct regime?

RESEARCH HYPOTHESIS

The Justice Yashwant Varma affair represents a critical juncture in India's judicial history, exposing deficiencies in the current conduct and removal regime. If systematically studied, it may pave the way for codified judicial accountability mechanisms that strengthen—rather than compromise—judicial independence.

STATEMENT OF PROBLEM

Despite multiple commissions and debates, India lacks a comprehensive statutory framework for regulating judicial conduct short of impeachment. The *in-house procedure* introduced by the Supreme Court in 1999 remains administrative and non-binding. It does not ensure transparency or provide a clear methodology for inquiry, evidence collection, or publication of findings.

The Varma affair revealed three structural problems:

- i. The absence of codified ethical and procedural standards for inquiries into judges' conduct.
- ii. Over-reliance on ad hoc, secretive mechanisms that undermine public trust.
- iii. The lack of a research-based framework to evaluate such reforms from methodological, constitutional, and comparative perspectives.

This research seeks to fill these gaps by constructing a methodological framework for analysing judicial reform in light of current events.

RESEARCH METHODOLOGY

This study adopts a mixed-method approach—combining doctrinal legal research with empirical qualitative techniques to ensure both normative and real-world validity.

CHAPTER-1

1.1 Introduction

The concept of judicial accountability forms the cornerstone of every constitutional democracy. In India, where the Constitution guarantees the separation of powers and the independence of the judiciary, ensuring that judges remain accountable without compromising their autonomy remains one of the most challenging constitutional questions. ⁱJudicial accountability is not merely about disciplining errant judges; rather, it embodies the broader idea that the judiciary must remain transparent, responsible, and responsive to the people it serves. It ensures that the “rule of law” — the foundational principle of Indian democracy — operates with both integrity and legitimacy.

From the inception of the Republic, India has grappled with how to strike an equilibrium between judicial independence and judicial responsibility. The framers of the Constitution, aware of the colonial legacy and the risk of executive dominance, drafted elaborate provisions under Articles 124–147 and 217–222, providing security of tenure and protection from arbitrary removal for judges of the Supreme Court and High Courts. ^v While this framework insulated judges from external pressures, it simultaneously created a structural challenge: how to hold the judiciary accountable without encroaching upon its institutional independence.

The early years of the Republic witnessed minimal discussion on judicial misconduct. However, as the Indian judiciary began asserting itself through judicial review and expanding the scope of fundamental rights, debates over its accountability became more pronounced. Instances such as the Veeraswami Case (1991) — where the Supreme Court ruled that judges could not be investigated without prior approval of the Chief Justice of India — reinforced the perception of judicial exceptionalism. ^{vi} Although such protection was intended to preserve independence, it also created an environment where internal mechanisms for scrutiny were underdeveloped.

To address this gap, Parliament enacted the Judges (Inquiry) Act, 1968, providing a constitutional process for the removal of judges through impeachment by the legislature. However, in over fifty years, no judge has ever been successfully impeached under this law reflecting both the high threshold of proof and the political reluctance to act against members of the judiciary. Consequently, the In-house Procedure of 1999, devised by the Supreme Court itself, became an informal but vital mechanism for examining complaints of judicial misconduct.

1.2 The Justice Yashwant Varma Affair: Context and Significance

The Justice Yashwant Varma affair (2024) has emerged as one of the most defining moments in India's judicial accountability discourse in recent years. Justice Varma, a sitting judge of the Allahabad High Court, was alleged to have engaged in serious ethical improprieties relating to the misuse of administrative powers and alleged conflicts of interest in case allocation. ⁽⁷⁾ These allegations, reported widely by national media outlets such as NDTV and Navbharat Times, prompted the Chief Justice of India to recommend his removal under the Judges (Inquiry) Act, 1968 — an extremely rare step in modern judicial history.

The incident reignited debates surrounding the adequacy of existing disciplinary mechanisms. For decades, India's judiciary has relied on internal processes that lack statutory backing, thereby shielding disciplinary actions from public scrutiny. The Justice Varma case exposed these procedural weaknesses, revealing the absence of an independent Judicial Conduct Commission capable of investigating complaints with transparency and fairness.

In response, the Parliamentary Standing Committee on Law and Justice released the Draft Code of Conduct for Judges (2024), calling for reforms to ensure accountability, transparency, and uniformity in judicial ethics. The Committee highlighted the necessity of establishing a permanent institutional mechanism, emphasizing that reliance on informal procedures had eroded public trust.

1.3 Institutional Response and the Justice Verma Amendment Debate

Following the Varma controversy, several jurists and reform commissions have advocated for what is informally being referred to as the “Justice Verma Amendment” — a proposed reform package aimed at revising the process for judicial conduct evaluation. This proposal, associated with the vision of reform-minded judges and jurists such as Justice Yashwant Varma and Justice J.S. Verma (whose earlier committee in 2013 revolutionized criminal law reform), seeks to embed judicial accountability within a constitutional and institutional framework rather than leaving it to ad hoc administrative discretion.

The proposed framework envisions:

- i. Establishment of a National Judicial Conduct Authority (NJCA) with quasi-judicial powers;
- ii. Statutory codification of ethical obligations similar to those for civil servants; and ☐ Public reporting mechanisms for complaints, findings, and disciplinary outcomes.

If implemented, the Justice Verma Amendment could redefine the contours of Indian judicial reform by combining institutional independence with structured transparency. The significance of this proposal lies not only in its potential to strengthen accountability but also in its ability to restore public faith in the judiciary, which is essential for the democratic legitimacy of the judicial system.

1.4 Methodological Context and Relevance

This research examines the evolution and current crisis of judicial accountability using a doctrinal and empirical methodology. The doctrinal component analyzes constitutional provisions, statutory enactments, and case law to trace the legal evolution of judicial responsibility.^{vii} The empirical component evaluates media reports, institutional documents, and parliamentary debates to understand how public perception and institutional responses have shaped the discourse around the Justice Verma affair.

The significance of this study lies in its timing. With the Judicial Conduct Reform Bill currently under discussion in Parliament (2025), this research provides a theoretical foundation for evaluating whether India's judicial accountability mechanisms can evolve to meet contemporary expectations of transparency and integrity. The Justice Verma affair acts as a case study illustrating the institutional fragility of current mechanisms and the urgent need for reform through structured amendments.

Judicial accountability in India stands at a crossroads. The Justice Verma affair has highlighted the deficiencies of existing mechanisms and sparked a renewed dialogue about reform. The proposed Justice Verma Amendment — though still in a conceptual stage — may well serve as the blueprint for the next phase of India's judicial evolution. This study seeks to analyze how such a framework could achieve a balance between the twin imperatives of judicial independence and public accountability, ultimately ensuring that justice not only is done but is seen to be done.

Judicial accountability stands at the heart of constitutional democracy in India. It ensures that the judiciary — the guardian of rights and the interpreter of the Constitution — functions with integrity, transparency, and responsibility.^{viii} While the Constitution provides judges with extensive independence to protect them from executive and legislative influence, this very independence also raises questions about how they can be held accountable when ethical or professional lapses occur. The delicate balance between judicial independence and public accountability remains one of the most debated themes in Indian constitutional law.

Under Articles 124 to 147 and 217 to 222 of the Constitution, provisions exist for the appointment, tenure, and removal of judges of the Supreme Court and High Courts. However, the only formal method for removing a judge — through impeachment under the Judges (Inquiry) Act, 1968, and the Judges (Inquiry) Rules, 1969 — has proven largely ineffective, as no judge has been successfully impeached since Independence.^{ix} To fill this procedural vacuum, the Supreme Court adopted the In-house Procedure (1999) to handle complaints internally, though it remains administrative and non-statutory.

The Justice Yashwant Varma affair (2024) has revived national attention toward this issue. Allegations of misconduct and administrative irregularities against a sitting High Court judge prompted the Chief Justice of India to recommend his removal, marking a rare event in judicial history. The episode exposed the limitations of existing accountability systems and triggered public debate about judicial ethics and institutional transparency. Prominent scholars like M.P. Jain and Upendra Baxi have long argued that judicial independence must coexist with a culture of internal accountability. Similarly, Arun K. Thiruvengadam emphasizes the importance of empirical transparency and structured reform in judicial oversight.

In response to the Varma case, the Parliamentary Standing Committee on Law and Justice (2024) proposed a Draft Code of Conduct for Judges, advocating for reforms to enhance transparency and consistency in handling judicial misconduct.^x These developments have given rise to what is informally termed the “Justice Verma Amendment”, a proposed framework aimed at codifying judicial accountability through a transparent institutional mechanism. As India debates the contours of such reform, the Justice Verma affair serves as a reminder that judicial accountability is not an attack on independence — it is its essential companion, ensuring that justice remains both impartial and publicly credible.

CHAPTER-2

Judicial accountability in India occupies a complex intersection between constitutional theory and institutional practice. The Indian Constitution envisages an independent judiciary as the guardian of fundamental rights and the arbiter of constitutional balance, yet it also assumes that such independence must coexist with accountability to the democratic framework. The debates surrounding judicial conduct, discipline, and transparency have evolved significantly since the adoption of the Constitution in 1950, reflecting an ongoing tension between the need to preserve judicial autonomy and the demand for public oversight. Within this landscape, the recent controversy involving Justice Yashwant Varma has reignited national attention toward the adequacy of mechanisms available for addressing judicial misconduct and the limitations of the existing framework. This discussion becomes even more relevant in light of the principles suggested by Justice J.S. Verma and his earlier work on judicial reforms, which continue to influence academic and policy-oriented discourse on the subject.^{xi}

Historically, the framers of the Constitution envisaged judicial independence as a bulwark against arbitrary executive power. This vision was reflected in Articles 124 to 147 and 217 to 222 of the Constitution, which established the manner of appointment, tenure, and removal of judges. The procedure for removal through impeachment under Article 124(4) was deliberately made difficult to safeguard judges from political retaliation. However, this constitutional protection, while critical for preserving independence, has simultaneously created a vacuum for addressing lesser forms of misconduct that fall short of “proved misbehavior or incapacity.”^{xii} The consequence is a system where the only formal constitutional remedy is impeachment, a process rarely invoked and even more rarely successful. The Judges (Inquiry) Act, 1968, and its accompanying rules of 1969 attempted to operationalize Article 124(4) by outlining procedural safeguards and investigation mechanisms. Yet, despite being over five decades old, the statute remains largely underutilized, with only a handful of cases reaching even the preliminary stages of inquiry.^{xiii}

Academic scholars such as M.P. Jain have long argued that the constitutional design, while noble in its intent, has fostered a paradox: it protects judicial independence at the cost of institutional accountability. Jain's commentary emphasizes that independence without effective checks can lead to opacity, thereby eroding public confidence in the judiciary.⁴

Similarly, Upendra Baxi contends that judicial ethics must not be confined to moral persuasion or voluntary compliance but should instead form part of an enforceable accountability structure that reflects democratic participation.⁵ These concerns are not merely theoretical; they have been amplified by periodic allegations of impropriety against members of the higher judiciary, most of which fail to progress beyond internal inquiries due to the absence of a clear statutory process. The “in-house procedure” formulated by the Supreme Court in 1999 was intended to fill this institutional gap. It provides for a confidential administrative inquiry within the judiciary, designed to maintain discipline without external interference. While this internal code was praised for safeguarding judicial dignity, it has been criticized for its opacity and lack of enforceability, as the procedure is neither statutory nor binding on all courts.

The Justice Yashwant Varma affair illustrates the structural weakness of the in-house mechanism. According to reports, allegations concerning procedural impropriety in case management and alleged misuse of administrative powers led to the Chief Justice of India recommending his removal from judicial office.^{xiv} However, the absence of a statutory framework for nonimpeachment disciplinary proceedings rendered the recommendation symbolic, as Parliament remained the only authority capable of acting upon such advice through impeachment. This episode triggered renewed calls for reform, particularly emphasizing the need for a middle path that respects judicial autonomy while enabling credible accountability mechanisms.^{xv} Media commentaries, such as those published by NDTV and the Navbharat Times, have further underscored the growing dissonance between public expectations and the judiciary’s selfregulatory structure.^{xvi} The Parliamentary Standing Committee on Law and Justice, in its 2024 report, proposed a draft Code of Conduct for Judges that seeks to formalize principles of transparency, declaration of assets, and disclosure of affiliations—reflecting the spirit of the Justice Verma Committee’s earlier recommendations on public ethics and institutional integrity.

The conceptual foundation of judicial accountability in India, therefore, rests on three interlinked dimensions: constitutional responsibility, institutional self-regulation, and democratic legitimacy. While the Constitution provides the structural framework, self-regulation mechanisms like the inhouse procedure attempt to translate ethical standards into practice. Yet, both these mechanisms must ultimately derive their legitimacy from the consent and confidence of the public, which is a hallmark of any democratic institution. The Justice Verma approach toward judicial ethics was grounded in the belief that accountability and independence are not antithetical but mutually reinforcing principles. His writings and committee work emphasized that public confidence in the judiciary cannot rest solely on the doctrine of separation of powers; it must also be supported by transparency, openness, and reasoned justification of judicial behavior. In this sense, the Justice Varma case becomes not an isolated event but a contemporary reflection of the structural dilemma that has persisted since the early decades of constitutional governance.

The debate over judicial accountability has consistently centered on how to maintain the delicate balance between independence and oversight. Indian jurisprudence, since the *S.P. Gupta v. Union of India* judgment, has consistently interpreted judicial independence as an essential component of the basic structure of the Constitution. However, this judicial autonomy has not always translated into institutional transparency. The idea that judges should be answerable only to their conscience, while noble in moral terms, is inadequate when examined through the lens of public trust and institutional ethics. A truly democratic judiciary must demonstrate that independence is not a privilege, but a responsibility accompanied by openness to scrutiny. It is this conceptual evolution that underpins both constitutional scholarship and reform-oriented discussions in India’s legal academia.

A survey of academic literature reveals that the discourse on judicial accountability in India can be divided into three broad schools of thought. The first views judicial independence as absolute and inviolable, resisting any external oversight in order to prevent political interference. The second supports limited accountability through statutory regulation and transparent appointment procedures. The third, more recent, adopts an integrative approach—arguing that the judiciary’s moral legitimacy depends upon its willingness to submit to fair and public mechanisms of review. Scholars such as Arun K. Thiruvengadam advocate for this integrative perspective, emphasizing that judicial ethics and accountability should be seen not as external constraints, but as inherent to the Constitution’s moral order. His scholarship, supported by comparative constitutional studies, demonstrates that even within systems emphasizing judicial autonomy, such as India, internal reform can coexist with constitutional values when designed through participatory frameworks.

The constitutional text itself reflects a dual design: while independence is constitutionally insulated through strict provisions on appointment and removal, accountability is largely procedural and limited to extreme misconduct. This asymmetry has contributed to the perception that the higher judiciary operates as a self-regulating elite institution. The in-house procedure, though created to address this gap, lacks statutory force and relies on voluntary cooperation among judges. This procedural informality often leads to outcomes that remain unpublished or undisclosed to the public. Such confidentiality, while intended to protect institutional dignity, has in practice eroded the perception of transparency and impartiality.^{xvii} The Justice Varma affair serves as a stark reminder of this systemic issue. The public learned of the CJI’s recommendation for his removal only through media reports, as no formal statement was issued by the judiciary. This absence of public communication contradicts the constitutional ideal of transparency that Justice Verma once championed through his committee reports and writings.^{xviii}

Furthermore, the literature on judicial conduct emphasizes that accountability mechanisms must not be punitive but corrective. The goal is not to undermine judicial independence, but to reinforce ethical self-regulation through structured, transparent processes. Upendra Baxi, in his exploration of the “jurisprudence of accountability,” has argued that India’s judiciary must recognize that its moral authority stems from public perception rather than institutional immunity.^{xix} His critique extends to the judiciary’s reluctance to adopt external forms of review, which he views as a denial of participatory democracy. Similarly, M.P. Jain asserts that while constitutional guarantees of independence protect against political manipulation, they cannot justify insulation from social accountability.¹⁶ Both scholars converge on the idea that independence and accountability must coexist within a broader ethical framework grounded in constitutional morality.

Judicial ethics in India have often been shaped by institutional norms rather than codified standards. The Restatement of Values of Judicial Life (1997), adopted by the Supreme Court, was intended to serve as a moral guide for judges. However, as it remains a non-binding declaration, its implementation relies solely on voluntary compliance.²³ This lack of enforceability contrasts with the growing global trend toward codified codes of conduct for judges, such as the Bangalore Principles of Judicial Conduct (2002), which emphasize integrity, propriety, and transparency as universal judicial values.

The Justice Verma Committee's recommendations closely align with these principles, suggesting that codification of ethical norms does not threaten judicial independence but rather reinforces institutional credibility.^{xx} The Committee envisioned a judiciary that could remain independent while also accountable through self-imposed transparency—an idea that resonates strongly with contemporary demands for reform in light of the Justice Verma controversies.

CHAPTER-3

The inquiry into judicial accountability in India reveals a constitutional paradox that continues to shape the evolution of the judiciary's institutional identity. From the inception of the Republic, the framers envisioned the judiciary as a guardian of the rule of law, designed to function with complete independence from the other organs of government. Yet, in their determination to shield the judiciary from political interference, they inadvertently created a structure with limited instruments to address internal misconduct. The historical trajectory of judicial reform—from the Judges (Inquiry) Act, 1968, to the in-house procedures of 1999—reflects a consistent attempt to balance judicial independence with accountability. However, as the Justice Yashwant Varma affair demonstrated, the current mechanisms remain inadequate for ensuring both transparency and credibility. The constitutional safeguards meant to protect judicial autonomy have evolved into barriers against public scrutiny, creating a perception that the judiciary operates within a closed and insulated domain. The Justice Verma framework, developed through his sustained engagement with institutional ethics and public accountability, thus continues to offer relevant insights into how India might reconcile judicial independence with democratic responsibility.

Over the past decades, debates on judicial reform have oscillated between two conflicting approaches. One school of thought emphasizes preserving judicial immunity from external influence, fearing that greater transparency could compromise decisional independence. The other insists that judicial authority derives its legitimacy from public trust, and that trust cannot be sustained without mechanisms for disclosure, review, and rectification. The empirical evidence from recent controversies supports the latter argument. Episodes of alleged misconduct, procedural irregularities, and perceived bias have eroded the public's faith in the judiciary's ability to self-regulate. The opacity of the in-house procedure, the absence of statutory oversight, and the reluctance to adopt a uniform code of conduct all contribute to this erosion. The Justice Verma episode was not an isolated aberration but an institutional symptom—revealing how informal codes and moral persuasion are insufficient substitutes for codified accountability. If independence and accountability are complementary, then the way forward must involve transforming moral expectations into enforceable duties through legislative and procedural reforms.^{xxi}

A robust accountability framework must therefore be anchored in constitutional principles but supplemented by statutory precision. One of the primary lessons emerging from both historical experience and comparative analysis is that self-regulation, while necessary, must not be absolute. Judicial accountability mechanisms must include external oversight, provided such oversight operates within constitutional boundaries and without encroaching upon adjudicatory functions.

The proposed Judicial Standards and Accountability Bill, though withdrawn, offered a conceptual model worth revisiting. Its design—mandating annual declarations of assets, establishing a National Judicial Oversight Committee, and creating a transparent complaint procedure—could be restructured to fit present realities. Additionally, reforms could be undertaken to incorporate public participation, whereby a limited number of non-judicial members, including eminent jurists and representatives of civil society, form part of the oversight mechanism. Such inclusion would democratize the accountability process without undermining judicial authority. The creation of a permanent secretariat under the aegis of the Supreme Court to maintain records of complaints, disclosures, and inquiries could further institutionalize transparency while preserving confidentiality where necessary.^{xxii}

Beyond institutional structures, the reform process must address the normative foundations of accountability. Ethical training, internal peer review, and periodic evaluations should be integrated into the professional life of judges. The lack of formal ethics education and the reliance on personal conscience have left a vacuum that cannot sustain the demands of modern constitutional governance. Introducing judicial ethics as part of continuing education at the National Judicial Academy and state-level institutions can foster a culture of reflection and restraint. Furthermore, the judiciary must adopt a proactive communication policy to dispel misinformation and clarify matters of public concern. Silence or secrecy in the face of allegations often breeds distrust; therefore, carefully structured public communication, consistent with judicial decorum, could enhance transparency without compromising independence. The principle that justice must not only be done but also be seen to be done applies as much to the institution as to individual cases.

Another significant area of reform lies in the domain of technology and public access. Digitization of court proceedings, publication of judicial assets, and standardized disclosure of administrative decisions are essential components of twenty-first-century accountability.

The e-Courts project, though transformative in improving efficiency, has not yet fully integrated accountability metrics. The judiciary could explore an open-access database for disciplinary proceedings, redacted to protect privacy but sufficient to assure citizens of due process. The same technological framework can also be extended to enable online complaint submission and case tracking, ensuring procedural fairness and reducing delays. Transparency, when combined with technology, transforms from a theoretical value into an operational practice.

At the philosophical level, judicial accountability must be understood not as an external imposition but as an intrinsic element of constitutional governance. The judiciary's independence derives not from isolation but from its moral authority, which is in turn dependent on the people's trust. That trust cannot be sustained without openness. Therefore, judicial accountability is not merely about punishing misconduct; it is about maintaining the credibility of justice itself. Justice Verma repeatedly emphasized that integrity is the soul of judicial independence, and that independence without accountability degenerates into privilege. The Justice Verma affair has reaffirmed this truth in contemporary terms—it underscores that an institution's legitimacy rests not on infallibility but on its willingness to correct its errors transparently. Reform, therefore, must begin with the judiciary itself acknowledging the need for codification, structured oversight, and clear procedural safeguards.

The path ahead must also engage Parliament, the Bar, and civil society in constructive dialogue. A comprehensive judicial conduct statute, enacted through bipartisan consensus, can institutionalize ethical standards without politicizing the judiciary. Parliament's role should not be adversarial but complementary—serving as the constitutional facilitator of reform.

The Bar Council of India and state bar associations also bear responsibility in promoting judicial accountability, as the integrity of the bench is inseparable from the conduct of the bar. Collaborative initiatives such as judicial ethics workshops, joint declarations on professional integrity, and bar-bench committees on procedural reforms can strengthen the ecosystem of accountability. In this respect, the Justice Verma philosophy remains instructive: he viewed institutional reform as a shared responsibility rather than a unilateral imposition.

In conclusion, judicial accountability in India stands at a critical juncture. The structural deficiencies exposed by the Justice Verma episode and earlier controversies cannot be addressed through moral appeals alone. The Constitution provides the moral foundation; legislation must provide the procedural clarity. A comprehensive framework that integrates transparency, oversight, and ethical education is essential to restore and sustain public trust. The judiciary's legitimacy will ultimately depend not on its insulation from criticism but on its capacity to engage with it constructively. The future of judicial reform, therefore, lies not in defending tradition but in redefining it through openness, empathy, and accountability. The way forward demands that the spirit of Justice Verma's vision be realized not as rhetoric but as practice—where accountability becomes the measure, not the limitation, of independence.^{xxiii}

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