

Plea to remove the High Court judge

Why in news?

\n\n

Over 60 members of the Rajya Sabha have submitted a motion seeking the initiation of impeachment proceedings against Justice C.V. Nagarjuna Reddy of the High Court for Andhra Pradesh and Telangana.

\n\n

What is the reason?

\n\n

\n

- Allegations against the judge include

\n

\n\n

\n

1. Interfering in the judicial process in several cases,
2. Caste slurs and
3. Death threats against Dalit Junior Civil Judge.

\n

\n\n

\n

- This is the second attempt to remove Justice.
- The first one made by 61 MPs on December 5 last failed after 19 signatories withdrew.
- When initiated, Justice Nagarjuna Reddy will be only the fifth judge of the higher judiciary to face impeachment.

\n

\n\n

What is the procedure to remove a judge of Supreme Court/High Court?

\n\n

\n

- Article 124 (4) of the Constitution stipulates that a minimum of 50 Rajya Sabha members or 100 members from the Lok Sabha are required as signatories to initiate impeachment.
- \n
- The next step in the process is for the Vice President to constitute a three-member committee under the 1968 Judges (Inquiry) Act.
- \n
- The committee generally consists of a sitting Supreme Court judge and two High Court Chief Justices.
- \n
- This is done in consultation with the Chief Justice of India.
- \n
- The committee will function like a trial court, examining the accusations and will advise in favour or against the judge's removal.
- \n
- The committee's decision will then be placed in both Houses of Parliament for a vote.
- \n
- It would require a two-third majority of MPs present voting in favour of the motion in the same session, or an absolute majority of a joint session, for the judge to be removed.
- \n

\n\n

\n\n

Source: The Hindu

\n

