



Judicial Accountability and the K Veeraswami Judgment, 1991

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The [Vice President](#) challenged the **constitutional basis** of [in-house inquiries](#) and called for a review of the [K Veeraswami judgment, 1991](#) following the seizure of [cash at Justice Varma's residence](#), as the SC rejected [FIR](#) petitions against Justice Varma and allowed the in-house inquiry to continue.

- **In-House Inquiry:** An **in-house inquiry** is conducted by a **panel of judges** appointed by the [Chief Justice of India \(CJI\)](#) to determine if there is a **prima facie case** against a judge.
 - The CJI's powers over errant judges are **limited** to **transferring** or **withdrawing work** assigned to them and **recommend impeachment** for the concerned judge.
 - Under the **Constitution**, **impeachment under Article 124** is the only constitutional removal process but has **never succeeded in 75 years**.
 - In **2019**, then **CJI Ranjan Gogoi** permitted the [CBI](#) to register an **FIR** against **Justice S N Shukla** while **CJI Dipak Misra** had recommended [impeachment](#), which the **government** ignored.
- **K Veeraswami Judgment, 1991:** It classified judges as **public servants** under the **Prevention of Corruption Act** but requires **CJI approval** for prosecution (registering FIR), **protecting the judiciary from executive interference** with **built-in immunity**.
- **Immunity Under the Constitution:** Unlike the **President** and [Governors \(Article 361\)](#), there is **no immunity for judges** under the Constitution.
 - The **Vice President** argues that **sanction for prosecution** must come from the authority that appoints the public servant i.e., the **President of India**, vested with **executive power** under **Article 53**.

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