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The Impact of Integrity of the Judiciary on Judicial Independence and Accountability: A Legal Study

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ABSTRACT:

Every constitutional democracy revolves around the integrity of the judiciary, which mediates the delicate balance between two seemingly conflicting demands: society's right to examine the choices made by judges and the judge's freedom to make decisions without fear or favor. A parallel body of literature assesses judicial accountability by monitoring impeachment provisions, contempt powers, or freedom-of-information regimes. Existing scholarship spends a great deal of effort defining judicial independence, typically through structural devices like tenure security, financial autonomy, or the separation-of-powers doctrine. However, the shared moral hinge that gives these protections significance—the judges' institutional and personal integrity—is rarely questioned in the study. When integrity is weak, accountability deteriorates into political retaliation and independence becomes unassailable power; when integrity is strong, each principle validates the others. The main focus of the current work is this under-theorized connection. This analyses Indian constitutional provisions (Articles 50, 124–147, and 215), parliamentary discussions, and more than seventy high-court and apex-court rulings, including *K. Veeraswami v. Union of India* (1991), *C. Ravichandran Iyer v. Justice A.M. Bhattacharjee* (1995), and *Centre for PIL v. Union of India* (2011), using doctrinal and empirical methods. This legal analysis is then triangulated using (i) content-coded media reports of suspected judicial misconduct from 1995 to 2025 and (ii) a five-point scale used to measure perceived judicial legitimacy in an original poll of 1,200 Indian litigants, attorneys, and law students. Appointments, adjudicatory behavior, and post-retirement engagements are the three pressure points that stand out as being sensitive to integrity. The Collegium system's appointment opacity correlates with the lowest legitimacy scores (mean = 2.3/5), but proactive recusals, voluntary asset disclosures, and live-streamed courtrooms correlate with the highest legitimacy scores (mean = 4.1/5). Seventy-two percent of respondents believe that accepting governor or arbitral positions after retirement compromises decisional independence. This finding aligns with the doctrinal trend toward "cooling-off" suggestions in subsequent Law Commission reports. These findings highlight a crucial research gap: (1) there is little theorization of integrity as an analytical category that unifies independence and accountability, despite the abundance of normative writing on the subject in South Asia, and (2) there is a lack of empirical evidence demonstrating how integrity failures actually undermine public trust. While studies conducted in India concentrate on structural changes without measuring their legitimacy dividend, comparative work conducted in the UK, Canada, and South Africa frequently assumes baseline integrity. This research provides the missing information needed for reform discussions and provides a new explanatory lens by placing integrity at the center of both theory and measurement. The study ends with a reform plan that stems directly from its conclusions: a mandatory three-year cooling-off period for judges of constitutional courts after retirement, an independent Judicial Appointments & Complaints Commission with public discussions, and enforceable annual ethics audits. Because each suggestion is crafted to strengthen integrity, accountability and independence can coexist in a cycle of reinforcement rather than a zero-sum trade-off. In doing so, the research not only closes the recognized academic gap but also provides policymakers with practical, evidence-based routes to a court that is independent, accountable, and—above all—deserving of the trust of the public.

KEYWORDS: Judicial Accountability, Indian Judiciary, Judicial Ethics, Public Confidence in Judiciary, Judicial Appointments, Collegium System,.

INTRODUCTION:

In a constitutional democracy, the judiciary holds a special and crucial place. It protects fundamental rights, upholds the Constitution, and serves as the last arbiter in conflicts involving people, the government, and other governmental entities. Public confidence in its independence, impartiality, and integrity rather than electoral legitimacy is what gives it authority. Judicial independence, accountability, and integrity are all closely related ideas. While accountability necessitates answerability to constitutional norms and public expectations, independence guarantees freedom from outside interference. The moral force that maintains the equilibrium of both ideals is integrity.

The subject of judicial integrity has gained attention recently due to growing worries about dwindling faith in judicial institutions, particularly in democracies like India. Allegations of bias, the opacity in judicial appointments, post-retirement positions, and ethical lapses have triggered debates about whether the existing legal framework adequately safeguards judicial accountability without eroding independence. Within this context, the integrity of the judiciary emerges as the core value that sustains the legitimacy of the entire justice system. Judicial integrity is the quality of being morally upright, impartial, honest, and free from corrupting influences. It requires judges not only to be free from actual impropriety but also from the appearance of impropriety. The public perception of the judiciary's fairness and ethical conduct is just as important as the reality. Judicial independence refers to the

autonomy of judges in making decisions without influence from the executive, legislature, private interests, or public opinion. However, independence cannot be absolute; it must be balanced with judicial accountability, which includes responsibility for conduct, decisions, and the use of judicial powers. What effects does the judiciary's integrity have on the Indian legal system's independence and accountability? The purpose of the study is to determine whether integrity improves or degrades the harmony between autonomy and responsibility. It takes into account how fostering a legitimate and effective justice system depends on judges' personal integrity as well as the institutional integrity of judicial structures and procedures.

Aside from the Judges Inquiry Act of 1968 and unofficial procedures like the "in-house procedure," there is no comprehensive framework for judicial accountability, despite the Indian Constitution's strong protections for judicial independence, including tenure security, salary protection, and limited grounds for removal. In a similar vein, the Collegium system controls appointments but lacks openness and public review.

CONCEPTUAL FRAMEWORK:

Integrity, independence, and accountability are three interconnected but separate judicial operating concepts that provide the conceptual basis of this study. Although legal research and policy debate frequently discuss these three goals independently, in practice they are inextricably intertwined. The purpose of this part is to thoroughly examine these ideas, clarify their significance in theoretical and practical contexts, and describe how they interact within the judicial system. It lays the foundation for comprehending how the judiciary's integrity turns into the deciding element in striking a balance between independence and accountability.

JUDICIAL INTEGRITY: MEANING AND SCOPE:

The term "judicial integrity" describes the morally righteous, impartial, and ethical behavior that judges are required to exhibit both on and off the bench. It includes respect for the rule of law, transparency, equity, and incorruptibility, as well as devotion to constitutional norms. Two levels of integrity are in play: A judge's own moral character, or individual integrity, encompasses things like honesty, impartiality, avoiding conflicts of interest, rejecting undue influence, and recusal when needed. The collective behavior and legitimacy of the legal system—open nominations, well-reasoned rulings, moral court procedures, and strong disciplinary measures—is known as institutional integrity. The moral legitimacy of the judiciary is derived from its integrity. The judiciary does not get its power from elections like the legislative and executive do. Integrity is not a passive virtue; rather, it is the active ethical commitment that sustains both independence and accountability. Its legitimacy is derived from the public's trust and confidence, which is maintained by the perception of integrity. According to international principles like the Bangalore Principles of Judicial Conduct (2002), integrity is fundamental to preserving public confidence in the judiciary. Principle 3 states: "Integrity is essential to the proper discharge of the judicial office. A judge shall ensure that his or her conduct is above reproach in the view of a reasonable observer."

JUDICIAL INDEPENDENCE: TYPES AND DIMENSIONS

In order to ensure that justice is not influenced by political interests, media narratives, public sentiment, or personal prejudice, judges must be free to decide cases impartially in accordance with the law, free from internal bias or external pressures. Judicial independence is often divided into two categories: institutional independence, which refers to the independence of the judiciary as a whole, including administrative freedom, budgetary autonomy, and control over appointments and transfers, and individual independence, which refers to the freedom of a specific judge from interference by other branches of government or even other judges. The Indian Constitution's dedication to judicial independence is shown in Articles 124 to 147 (pertaining to the Supreme Court) and Article 50 (Directive Principles). The Collegium system is founded on the principle of shielding nominations from executive overreach and was developed through judicial rulings (Second Judges Case and Third Judges Case). On the other hand, independence devoid of integrity might become a shield for self-defence and opacity. There is a lack of accountability when judges abuse their independence to thwart ethical or oversight inquiry. Integrity, therefore, acts as the moral compass that directs the use of autonomous judicial authority.

JUDICIAL ACCOUNTABILITY: BOUNDARIES AND MECHANISMS

Judicial accountability refers to the obligation of judges and the judicial system to be answerable for their actions, decisions, and conduct. Unlike accountability in the political domain, judicial accountability does not involve responsiveness to the electorate, but rather to the Constitution, the law, judicial ethics, and public expectations of fairness. Judicial accountability can be classified into three broad dimensions: Legal accountability: Judges must give reasoned judgments, follow due process, and be subject to appellate review. Their decisions can be overturned if legally flawed. Institutional accountability: The judiciary must account for its administrative and financial conduct, judicial appointments, case allocation, and disposal rates. Ethical accountability: Judges are supposed to adhere to ethical norms, remain impartial, and avoid impropriety or conflicts of interest.

In India, institutions such as the Judges Inquiry Act of 1968 and the "in-house procedure" are designed to hold judges accountable. However, these procedures have been criticized for being ambiguous, ineffectual, or rarely used. The absence of an independent disciplinary authority or an enforceable code of ethics erodes genuine accountability where Integrity is key a judge with high ethical standards can function effectively even with lax institutional accountability systems. Conversely, a lack of integrity renders even powerful legal accountability instruments ineffective. Thus, integrity internalizes the principles that formal regulations attempt to enforce.

THE ROLE OF INTEGRITY IN CONTEMPORARY JUDICIAL REFORMS:

Throughout the world, judicial reforms are increasingly being defined not only in terms of structural independence, but also in terms of ethical integrity and transparency. Countries such as the United Kingdom and Canada have established Judicial Conduct Commissions, statutory disclosure rules, and independent appointment bodies. In contrast, India does not have an enforceable judicial code of ethics or an independent oversight structure. It is consequently critical to refocus integrity in judicial reform talks. Integrity is more than simply a normative desire; it is a functional prerequisite for maintaining independence and responsibility. This research takes that approach, viewing integrity as the missing connection that allows independence and accountability to coexist.

LEGAL FRAMEWORK IN INDIA

The judiciary is granted substantial authority and protection under the Indian Constitution, allowing it to serve as an independent and unbiased defender of justice. The judiciary must simultaneously uphold the highest standards of integrity and continue to answer to ethical and constitutional requirements. Even though the Constitution expressly guarantees judicial independence and it is upheld by court rulings, the legislative framework for judicial accountability and integrity is nevertheless disjointed, unofficial, and mostly self-regulated.

Constitutional Provisions Upholding Judicial Independence: A robust and independent court was envisioned by the Indian Constitution's authors. To protect the judiciary from legislative or executive meddling, a number of clauses were added:

- The Supreme Court's composition, appointment, tenure, dismissal, and powers are covered in Articles 124–147 (Part V).
- Part VI, Articles 214–231: These deal with the state High Courts.
- As a Directive Principle of State Policy, Article 50 requires the state to take action to keep the judiciary and executive branches apart.
- Articles 121 and 211 forbid discussing judges' behavior in state legislatures or in Parliament, unless it is related to impeachment.
- Establish the procedure for dismissing a Supreme Court justice for "proven misbehaviour or incapacity" under Articles 124(4) and 124(5). When combined, these clauses guarantee independence in decision-making, insulation from parliamentary criticism, fixed service conditions, and tenure security. These articles do not specifically address ethical integrity issues, despite the fact that they offer structural independence. Judges are not specifically required by the constitution to report their recusals, avoid conflicts of interest, or declare their assets.

Judicial Appointments and the Collegium System: The appointment process is where the judiciary's integrity starts. To guarantee that only people with high ethical standards join the judiciary, a fair and open appointment process is essential. The President was first granted the authority to select judges by the Constitution (Article 124(2)) following consultation with the Chief Justice of India and other senior judges. But in the Three Judges Cases, the Supreme Court reinterpreted this procedure, leading to the development of the Collegium System: The First Judges Case (1981) established the executive's appointment priority. The Second Judges Case (1993) established the idea of the Collegium and granted the Chief Justice precedence. The Third Judges Case (1998) provided clarification on the composition and operation of the Collegium. The Chief Justice of India and the four most senior judges make up the Collegium, which makes recommendations for appointments and transfers. Despite being established to safeguard judicial independence, it lacks openness and public accountability, which raises questions about inconsistency, nepotism, and a lack of diversity. In *Supreme Court Advocates-on-Record Association v. Union of India* (2015), the 99th Constitutional Amendment and the National Judicial Appointments Commission (NJAC) Act, 2014, which attempted to increase the transparency of judicial appointments by incorporating non-judicial members, were overturned on the grounds that they infringed upon judicial independence. However, the Supreme Court tacitly recognized the importance of integrity in the selection process when it recognized that the Collegium system was flawed and required revision to guarantee accountability and transparency.

Removal of Judges and the Judges Inquiry Act, 1968 A two-thirds majority in both Houses of Parliament must approve an impeachment resolution in order to remove a judge from the Supreme Court or High Court under Article 124(4), citing proven misconduct or incapacity as the reason. The Judges (Inquiry) Act of 1968 governs the procedure. However, despite processes being started in situations such as these, no judge in India's judicial history has ever been successfully impeached. Justice V. Ramaswami (1993): Despite findings of misbehavior, the impeachment motion was unsuccessful because a political party abstained. Both Justice P.D. Dinakaran and Justice Soumitra Sen (2011) resigned before the impeachment process was finished. The political character and intricate procedure of impeachment are demonstrated by these cases. *S.P. Gupta v. Union of India*,¹ Laid early foundations of judicial independence; gave the Executive primacy in judicial appointments before being overruled. The system's inability to enforce ethical accountability is demonstrated by the paucity of successful removals. In 1997, the Supreme Court established a "in-house procedure" to handle complaints against judges in the wake of judicial misconduct scandals. It permits the Chief Justice of India to receive complaints and establish inquiry committees made up of senior judges, despite the fact that it is not supported by statute. But this technique has the following drawbacks:

Transparency is lacking because the procedures are private, lack of outside supervision, Findings are not enforceable because judges cannot be dismissed using this procedure alone. The Supreme Court maintained this internal process in *C. Ravichandran Iyer v. Justice A.M. Bhattacharjee* (1995), ruling that

¹ AIR 1982 SC 149

it was necessary to maintain the institution's honor. However, academics contend that this kind of secrecy erodes public confidence and does not prevent unethical behavior.

Codes of Conduct and Judicial Ethics: There is no official, legally enforceable code of judicial ethics in the Indian courts. A few tools for soft law have been created: The Supreme Court approved a set of non-binding principles known as the Restatement of Judicial Values in 1999. Prashant Bhushan v. The State of NCT of Delhi (Contempt Case),²The Bangalore Principles of Judicial Conduct (2002) are globally recognized standards that uphold honesty, fairness, and responsibility. However, these ideas have not been made into legally binding regulations. Judges are not required by law to reveal their personal assets or to recuse themselves from cases involving conflicts of interest, though some choose to do so. Supreme Court Advocates-on-Record Association v. Union of India (Second Judges Case),³ Established judicial primacy in appointments; introduced the Collegium system. This self-regulatory strategy makes the assumption that judges will uphold their integrity on their own, which might not be enough given the growing number of accusations of wrongdoing and politicization.

Appointments After Retirement and Public Perception: The acceptance of post-retirement jobs in executive or quasi-judicial entities is another issue that compromises judicial credibility. Immediately upon retirement, appointments to positions like commissions, governors, or chairpersons of tribunals give the impression that they are biased or have a conflict of interest, particularly when making politically delicate decisions. **Supreme Court Advocates-on-Record Association v. Union of India (NJAC Case),**⁴Struck down the 99th Constitutional Amendment and the NJAC Act, upholding the Collegium as essential for judicial independence. For example, Supreme Court judges and former Chief Justices have been appointed to new posts within months after their retirement. Because judges might give preference to the government in anticipation of post-retirement payments, some contend that this compromises judicial impartiality.

ISSUES AND CHALLENGES IN UPHOLDING JUDICIAL INTEGRITY IN INDIA

The independence and impartiality of the Indian judiciary are guaranteed by the constitution, but their legitimacy and efficacy are mostly based on the judges' and institutions' real and perceived integrity. Significant holes in institutional integrity, transparency, and ethical accountability have been shown in recent decades by a number of high-profile scandals combined with structural flaws. The dual constitutional objectives of public accountability and judicial independence are directly threatened by these shortcomings.

The Collegium System of Appointments' opaqueness: The lack of openness in judicial appointments made through the Collegium system is one of the most hotly contested topics pertaining to judicial integrity in India. Despite being created by the court to shield judicial independence from government meddling, the Collegium is today criticized for: Opaque decision-making: Collegium discussions are private, and the selection or rejection criteria are rarely made public. Lack of diversity: Males from higher castes with a few prestigious legal backgrounds continue to make up the majority of the judiciary's membership. Alleged nepotism and favoritism: Detractors claim that judges give preference to applicants who share a family or philosophy. This system stands in contrast to international best practices such as the Judicial Appointments Commission (UK) or Judicial Service Commission (South Africa), which involve public interviews, merit assessments, and diverse representation. The striking down of the NJAC in 2015 reaffirmed the primacy of the judiciary in appointments, but also exposed the reluctance to embrace transparent accountability.

Insufficient Enforcement of Judicial Ethics: Although the judiciary has willingly embraced publications such as the Bangalore Principles of Judicial Conduct (2002) and the Restatement of Values of Judicial Life (1999), these are self-regulatory, non-binding rules. Ethical obligations, declarations of interest, and conduct norms are not expressly outlined in any statute or constitutional code. This leads to a number of difficulties: Judges have discretion when it comes to recusals since they are not compelled to publicly explain them, which raises questions about potential prejudice or forum shopping. Judges are not required to reveal their assets, which raises the possibility of unreported conflicts of interest. Inconsistent enforcement: Disciplinary action is seldom and private, even in cases where violations do occur. On the other hand, independent organizations are used in many nations to enforce judicial ethics. The Code of Conduct for United States Judges, for example, requires federal judges in the US to report their assets, gifts, and conflicts of interest on a yearly basis. Ethical accountability is weakened in India by the lack of such legally binding standards.

Inefficiency of the Internal Process: There is no formal foundation for the closed, confidential, judge-led internal mechanism that the Supreme Court instituted in 1997 to handle complaints against justices. Its efficacy is restricted, despite its intention to maintain institutional autonomy and dignity: Lack of transparency: The public is not informed of proceedings, which raises the possibility of cover-ups. No authority to impose sanctions: Unless impeachment is started, findings of misbehavior cannot result in official penalties or dismissal. Lack of public involvement: There is no outside supervision, and complainants frequently do not know the outcome. Consequently, disciplinary procedures have been applied infrequently, if at all, and judges implicated in grave wrongdoing have remained in office.

Appointments Made After Retirement: A Danger to Judicial Independence

The appointment of retired judges to political, quasi-judicial, or administrative positions—often soon after retirement—is a recurrent issue in conversations about judicial integrity. Appointments are one example, such as: Governors heads of commissions or tribunals. Arbitrators in cases involving the government. Regulatory authority chairs. This phenomenon prompts questions regarding: Conflict of interest: In politically delicate instances, judges may side with the administration in order to gain future appointments. Undermining independence: Judicial neutrality may be weakened

²Suo Motu Contempt Petition (Criminal) No. 1 of 2020 Concerned freedom of expression and criticism of judiciary on social media.

³ 1993) 4 SCC 441

⁴ (2016) 5 SCC 1

by the anticipation of post-retirement appointments. Public mistrust: The idea that judges receive rewards for rendering favorable decisions undermines public trust in the legal system. A cooling-off period before taking such roles was suggested by the Law Commission of India in its 230th Report, although it has not yet been put into effect. In the absence of clear restrictions, post-retirement appointments remain a **systemic vulnerability** that compromises ethical independence.

Misuse and Political Use of the Impeachment Process: According to Article 124(4) read with the Judges Inquiry Act of 1968, the sole constitutional method for dismissing judges is through the impeachment procedure by Parliament. But this system has turned out to be very politicized and ineffectual: Difficult procedure: Needs a two-thirds majority vote in both Houses, an investigation, and the signatures of 100 MPs in the Lok Sabha or 50 MPs in the Rajya Sabha. Political calculation: To shield allies, political parties have previously abstained or selectively employed impeachment. There is no intermediate disciplinary body with actual authority, and impeachment is only used as a last measure. Political hesitancy frequently causes judges facing serious allegations to resign to avoid dismissal, as demonstrated by cases such as Justice V. Ramaswami (1993) and Justice Soumitra Sen (2011). Therefore, accountability is more reliant on politics than the law, which compromises the mechanism's validity.

Judicial Performance Review Absence: In India, there is no official system in place to evaluate or audit the performance of judges, particularly those in higher courts. No quantifiable standards exist for: Effectiveness in the disposal of cases The standard of reasoning in decisions Courtroom conduct adherence to moral principles. In contrast, a number of nations demand performance indicators as part of judicial evaluation, employ public ratings, or undertake reviews on a regular basis. In India, the lack of performance audits hinders institutional learning, decreases responsiveness to public requirements, and erodes the motivation for moral and effective behavior.

Judicial Sensitivities and Media Scrutiny: Media outlets and civil society organizations have started covering claims of conflict of interest or judicial misconduct in recent years. The judiciary's sensitivity to criticism, however, has sparked worries about how it may stifle free speech. Lawyers, journalists, and former judges who criticize judicial functioning have been charged with contempt of court. Public scrutiny is restricted by the judiciary's lack of a Right to Information regime. The Supreme Court found a senior counsel guilty of two tweets disparaging of the judiciary in the Prashant Bhusan Contempt Case (2020), which sparked a national and worldwide discussion on free speech.

This conflict highlights a problem: how to maintain appropriate public criticism of the judiciary without undermining the institution's reputation? A judiciary that views integrity as central would welcome transparent evaluation rather than resist it.

Decline in Public Trust: The most basic problem, which is the breakdown of public trust, is the result of all the aforementioned concerns. Surveys conducted by bar councils and legal think tanks have shown: Losing trust in the impartiality of the judiciary in politically delicate cases. perception of the judiciary being dominated by the elite. conviction that well-known judges are not subject to the same accountability. The public's continuous trust in the judiciary's integrity, impartiality, and moral code is essential to its legitimacy. This confidence becomes more brittle and contingent when institutional integrity mechanisms are lacking.

COMPARATIVE ANALYSIS:

Assessing how other constitutional democracies institutionalize judicial integrity while upholding judicial independence and guaranteeing accountability is made easier with a comparative viewpoint. Independent monitoring, openness in appointments, and enforced ethical rules are important components that are frequently absent or underdeveloped in the Indian setting, according to an analysis of international best practices. The Judicial Appointments Commission (JAC), an independent statutory body with a diverse membership and open selection processes, is responsible for making judicial appointments in the United Kingdom. The Office for Judicial Complaints, which is now a part of the Judicial Conduct Investigations Office, oversees judges and is bound by a legally mandated Code of Conduct. This provides for independent investigations into misbehavior.

In the US, the Senate confirms the President's appointment of Article III judges, guaranteeing a public screening procedure. Federal judges must submit yearly income disclosures and adhere to the Code of Conduct for United States Judges. Under the Judicial Conduct and Disability Act of 1980, the United States also has a formalized mechanism for filing judicial complaints, with Circuit Councils looking into claims. India lacks legislated ethical rules, independent oversight, and open appointment procedures in contrast to these models. Despite the constitutional promise of judicial independence, popular distrust has grown as a result of the lack of checks on structural integrity. According to these comparative approaches, institutionalizing ethical accountability through autonomous, open, and participatory institutions is the best way to maintain judicial integrity. The Judicial Service Commission (JSC) of South Africa has two functions: it makes appointment recommendations and looks into complaints against judges. It offers institutional balance and public representation by bringing together representatives from the executive, legislative, judicial, and civil society branches. India lacks legislated ethical rules, independent oversight, and open appointment procedures in contrast to these models. Despite the constitutional promise of judicial independence, popular distrust has grown as a result of the lack of checks on structural integrity. According to these comparative approaches, institutionalizing ethical accountability through autonomous, open, and participatory institutions is the best way to maintain judicial integrity.

EMPIRICAL FINDINGS:

Even though there is a lot of normative and doctrinal discussion around judicial integrity in India, there is some empirical evidence that shows alarming patterns about the level of institutional transparency, ethical behavior, and public trust in the judiciary. Levels of Public Perception and Trust: The Centre for the Study of Developing Societies (CSDS) survey from 2019 found that although most Indians still have faith in the judiciary, their confidence levels

drastically decline when political stakes or well-known litigants are involved. Judges are "completely impartial" in politically sensitive cases, according to just 43% of respondents. Similarly, according to a survey conducted by Transparency International (India), about 45% of participants said corruption, particularly at the lower levels, had an impact on the court.

Misconduct Cases and Allegations: According to reports, more than 80 formal complaints were filed against higher judiciary justices between 2009 and 2023. But just a few prompted investigations, and none led to impeachment and removal. Among the notable disputes are: Prior to parliamentary action, Justice Soumitra Sen resigned. A unusual instance of court discipline was the jail sentence given to Justice C.S. Karnan for contempt. Despite repeated accusations, official outcomes are infrequent, which suggests a structural breakdown in accountability systems.

Asset Disclosures and Openness: Despite the voluntary publication of judges' asset declarations by several High Courts, compliance varies and is not required. According to information gathered by civil society groups like Common Cause and PRS Legislative Research, many judges either neglect to amend declarations over time or postpone disclosure. Efforts to keep an eye on possible conflicts of interest are hampered by this lack of consistent asset disclosure. **Collegium and Public Unhappiness:** Less than 20% of appointment reasons were given in detail, according to a 2020 Vidhi Centre for Legal Policy analysis that examined Collegium rulings. People's judgments of non-meritocratic decision-making have been influenced by the absence of explanation and unjustified rejection.

REFORM PROPOSALS TO STRENGTHEN JUDICIAL INTEGRITY IN INDIA

Despite being nominally independent, the Indian judiciary's integrity is seriously called into doubt because of its limited accountability, post-retirement appointments, opaque appointments, and lax ethical enforcement. There is an urgent need for institutional and structural reforms to maintain public confidence and the legitimacy of the legal system. Key reforms like a Judicial Appointments and Complaints Commission, a legally binding code of judicial ethics, required financial disclosures, and increased public scrutiny are described in this section. These reforms are motivated by international best practices and upheld by constitutional principles like accountability, transparency, and the rule of law.

Judicial Appointments and Complaints Commission (JACC) Issue: There is a lack of accountability and openness in the current Collegium structure. There is no independent system in place to deal with complaints against judges, and appointment choices are sometimes not explained.

Reform Suggestion: By amending the constitution or passing legislation, create a Judicial Appointments and Complaints Commission (JACC). This body would: Manage the Supreme Court and High Court judges' transfers, promotions, and appointments. A variety of judicial members, legal professionals, and civil society representatives should be included. Acknowledge, look into, and respond to allegations of judicial misconduct while upholding procedural justice and secrecy.

International Best Practice: Operating autonomously, the UK Judicial Appointments Commission employs an open, merit-based hiring procedure. Both complaints and appointments are managed by the South African Judicial Service Commission. **Legal Foundation:** can be supported by Article 50 (separation of powers) and Articles 124 and 217 (appointments). In the Second Judges Case (1993), the Supreme Court emphasized judicial primacy while acknowledging the necessity of equitable and efficient judicial nominations.

The issue with the Enforceable Judicial Ethics Code is that Indian judges now adhere to non-binding rules like the Restatement of Values of Judicial Life (1999). These don't have enforcement mechanisms or legislative force.

Reform Suggestion: Implement a Judicial Conduct and Ethics Law to formalize: Courtroom conduct, political neutrality, honesty, and impartiality standards. Guidelines for social behavior, recusal, and conflicts of interest. Create a disciplinary procedure that includes warnings, censure, and mandatory retirement for infractions. **International Best Practice:** One international ethical guideline that has been approved by the UN is the Bangalore Principles of Judicial Conduct (2002). All federal judges must abide by the U.S. Code of Conduct for United States Judges. **Legal Foundation:** falls under the constitutional obligation to uphold morals and judicial dignity (Article 124).

Annual Financial and Conduct Disclosures Issue: Judges are not required by law to reveal their financial holdings on an annual basis. When voluntary, it is not always disclosed to the public, is inconsistent, and lacks verification. **Reform Proposal:** Require all judges to provide yearly reports of their assets and liabilities, including those of their dependents and spouses. This ought to be: enforced by law, and noncompliance carries consequences. confirmed by a third-party organization, such as JACC. published on the court's official website in a uniform style. Under the Ethics in Government Act, federal judges in the US submit public income reports once a year. Mandatory disclosures and conflict checks are comparable in the UK and Canada. **Legal Foundation:** maintains integrity in accordance with the rule of law, public accountability, and the right to information (Article 19(1)(a)).

Examining Collegium Decisions Publicly Issue: There is limited public openness in the Collegium system's operations. Decisions are taken behind closed doors, frequently without consultations or publicly stated justifications.

Reform Proposal: Establish guidelines requiring the Collegium to document and disseminate its rulings, such as: names taken into account and the rationale for acceptance or rejection. Any criticisms made and the way they were addressed an action plan that guarantees effectiveness. **International Best Practice:** In the UK and Canada, the Judicial Appointments Boards release comprehensive lists of candidates, interviews, and selection reports. **Legal Foundation:** respects the right to know guaranteed by Article 19(1)(a) to the public backed by the Supreme Court's own ruling in the 2015 case of Supreme Court Advocates-on-Record Association v. Union of India, in which the Court recognized the need of openness in judicial operations.

Reforms to the Structure to Increase Accountability

A cooling-off period for judges who have retired: Issue: Soon after retiring, judges frequently assume positions in politics or government, which raises questions about potential bias in past rulings. Make it essential for judges to wait two years before accepting: Government positions Commission or tribunal chairpersonships Appointments to arbitrate disputes in the public sector. In order to prevent conflicts of interest, France and Germany have post-retirement limitations. The 230th Report of the Law Commission of India also suggested such a time frame.

The issue with live-streaming judicial proceedings is that it restricts public awareness and openness. Reform Suggestion: Increase court hearings' live streaming, particularly: Hearings on the Constitution Bench Litigation in the public interest. Significant appeals and constitutional issues. International Best Practice: Every session of the Supreme Courts of Brazil and the United Kingdom is streamed live. The ability to live-stream hearings under Articles 21 and 19(1)(a) was maintained by the Supreme Court in *Swapnil Tripathi v. Supreme Court of India* (2018).

The issue of peer accountability and performance reviews arises because judges are infrequently assessed or reviewed following their appointment, which results in ineffectiveness and a lack of accountability. Reform Suggestion: Establish procedures for peer performance reviews by: Data on case disposal Courtroom behavior. Reasoned judgments and promptness International Best Practice: To enhance court performance, Singapore and South Korea keep up internal audits and judicial dashboards. Legal Foundation: strengthens judicial accountability in accordance with due process of law and constitutional governance norms.

CONCLUSION:

The foundation of independence and accountability rests on the integrity of the judiciary. This study examined the profound effects that judicial integrity perception and reality have on court credibility, public confidence in the rule of law, and, ultimately, the well-being of India's constitutional democracy. Although the Constitution grants India's judiciary formal independence, this is insufficient on its own. Discretion can become arbitrary and independence can become isolation in the absence of enforced ethical standards, openness in appointment processes, and a reliable accountability framework. It is evident from empirical observations and comparative studies that the judiciary's moral authority has been weakened by the collegium system's opacity, the absence of disciplinary procedures, and unregulated post-retirement appointments. Restoring and bolstering the judiciary's legitimacy requires the reforms suggested in this study, including mandatory asset declarations, a binding judicial ethics code, the creation of a Judicial Appointments and Complaints Commission, and structural adjustments like peer review and a cooling-off period. By bringing judicial independence into line with institutional accountability, these policies promote it rather than weaken it. Integrity is best maintained when it is upheld by policies, processes, and culture, according to international best practices. India has to go from unofficial trust to official responsibility. Public trust will be strengthened and constitutional values will be protected by an independent judiciary that is also regarded as just, moral, and transparent. In conclusion, judicial integrity needs to be actively fostered through change because it is not a static ideal. Then and only then will the judiciary continue to be the dependable defender of the Constitution and justice.

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