

Litigation Policy by the State before 31st March 2011. States who had done it will be eligible to draw down the instalment for the succeeding fiscal years also. Accordingly 1st instalment of Rs.325.90 crore have been released to those States who have put in place the State Litigation Policy and complied with the guidelines on the subject.

Accountability of judges

*268. SHRI BHARATSINH PRABHATSINH PARMAR: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the action taken by the Ministry to enhance the dignity of the judicial system;
- (b) whether the Ministry is in the process of making or having a law for severe punishment against judges whose corruption charges have been proven; and
- (c) whether the Ministry would simplify the legal process for punishing the judges charged for corruption, as currently due to very lengthy legal process hardly any punishment is given?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) to (c) Accountability in the higher judiciary and its enforcement is presently the responsibility of the Chief Justice of India for the Judges of Supreme Court and the Chief Justices of the High Courts and Chief Justices of the High Court for the Judges of his/her Court. The manner of enquiry as well as the action to be taken against the erring Judges is within their powers. They are required to exercise this power keeping the interest of judiciary as a paramount consideration.

The removal of Judges by impeachment is, however, governed by Article 124 (4) read with proviso (b) to Article 124 (2) and proviso (b) to Article 217 (1) of the Constitution. The procedure for this is laid down in Judges (Inquiry) Act, 1968. The impeachment can take place both for misbehaviour or incapacity of the judge under this Act.

There is a proposal to change the existing system and establish a more credible and expedient mechanism for investigation into the complaints for misbehaviour or incapacity of a Judge of the Supreme Court or of a High Court. A comprehensive Bill titled "The Judicial Standards and Accountability Bill, 2010" has been introduced in the Parliament with this objective. The Bill, besides providing for a comprehensive system for looking into the complaints as well as the penalties which

can be imposed on completion of the enquiry, also lays down judicial standards and makes it incumbent on the Judges to declare their assets/liabilities. The Parliamentary Standing Committee has examined the Bill and given its recommendations. After this becomes an Act of the Parliament, there will be better enforcement of accountability of judges without compromising the independence of judiciary which is guaranteed under the Constitution.

Irrigation potential under Bharat Nirman

*269. PROF. ANIL KUMAR SAHANI : Will the Minister of WATER RESOURCES be pleased to state:

(a) whether the creation of irrigation potential of 10 million hectares was targeted under Bharat Nirman during the period from 2005-06 to 2008-09;

(b) if so, whether the targets have been achieved and, if not, the reasons therefor;

(c) the quantum of irrigation potential created in Bihar during the period from 2005-06 till date; and

(d) whether Government has identified the causes creating hindrances in achieving the targets and, if so, the action taken to remove them to achieve the targets of Bharat Nirman?

THE MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): (a) Yes, Sir.

(b) The potential created for the above period is 7.31 million hectares against the target of 10 million hectares. Water being a State subject, Planning and implementation of water resources projects are undertaken by respective State Governments as per their own priorities. Central assistance is provided to the States under "Accelerated Irrigation Benefits Programme" for early completion of the schemes.

(c) The potential created in Bihar for the period from 2005-06 to till date is 0.78 million hectares.

(d) The main hindrances to achieve the targets are lack of proper operation and maintenance, incomplete distribution systems, non-completion of command area development works, changes from the initially designed cropping pattern, and diversion of irrigable land for other purposes.