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ಇಲಾಖೆ / ವಿಷಯ: DEPARTMENT / SUBJECT:

Court matter

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER:

The Hindu

ದಿನಾಂಕ : DATE: 07/05/2019

Justice Bobde panel gives CJI a clean chit

My worst fears have come true, says complainant

KRISHNADAS RAJAGOPAL
NEW DELHI

The Justice S.A. Bobde in-house committee has found "no substance" in the sexual harassment allegations levelled by a former Supreme Court staff member against Chief Justice of India Ranjan Gogoi.

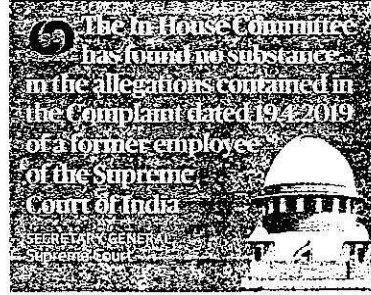
A statement issued by the Supreme Court on Monday evening said the committee's report would be kept confidential. As part of the in-house procedure, the report would not be placed in the public domain, the court added.

It said copies of the report were given to Chief Justice Gogoi and the "next senior judge competent to receive the report", that is Justice Arun Mishra who is the fourth seniormost judge.

Justice Ramana, the third seniormost judge, was not handed the report as he had recused from the committee following allegations raised by the woman about his proximity to Chief Justice Gogoi.

Official sources in the Supreme Court said the report would go no further than Justice Mishra and Chief Justice Gogoi. There would be no Full Court meeting on the contents of the "informal" proceedings.

The inquiry was by nature



Indira Jaising vs Supreme Court of India of 2003 is the verdict quoted by the SC to keep the inquiry report confidential. It says the in-house power of inquiry is either moral or ethical and not in exercise of powers under any law. It is an exercise of moral authority. Hence, the report cannot even be sought by approaching a constitutional court through a writ petition

purely preliminary, ad hoc and only for the purpose of getting information. The report was "wholly confidential" and existed "only for the purpose of satisfaction that such a report has been made".

'Highly disappointed'

"Today, my worst fears have come true, and all hope of justice and redress from the highest court of the land has been shattered. In fact, the committee has announced that I will not even be provided a copy of the report, and so I have no way of comprehending the reasons and basis for the summary dismissal of my complaint of sexual harassment and victimisation," the former Supreme Court staffer reacted.

Today, my worst fears have come true, and all hope of justice and redress from the committee has been shattered
WOMAN COMPLAINANT

The complainant said she was "highly disappointed and dejected" to learn that the in-house committee had found no substance in her complaint.

The Supreme Court on Monday quoted its reported decision of 2003 in *Indira Jaising versus Supreme Court of India*, which had held that an in-house inquiry report was "discreet" and "not for the purpose of disclosure to any other person".

The 2003 decision, however, does not contemplate a situation when the Chief Justice of India is himself under inquiry as in this case.

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A MISCARRIAGE OF JUSTICE
EDITORIAL PAGE

Justice Bobde panel gives CJI clean chit

7-4-15/19
The panel report comes amidst stories published in the media of dissent in the highest judiciary about the manner of the committee proceedings.

In a similar statement on Sunday, the Secretary General clarified that the Justice Bobde Committee deliberates on its own without taking any "inputs" from other apex court judges.

Fears for family

The complainant said she had no information about others whom the committee examined as witnesses or whether the call records of

the CJI or the Supreme Court Secretary General was even called for.

She wondered whether the police officer who allegedly took her to the CJI's residence where she apologised to the top judge's wife in a "humiliating manner" was examined at all.

She said she was "extremely scared and terrified".

"I and my family members remain vulnerable to the ongoing reprisals and attack," she said. The woman said she would consult her lawyers on the future course of action.