

Probe graft charges against Balakrishnan: SC

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New Delhi: The Supreme Court on Thursday asked the competent authority of Centre to look into allegation of misconduct against former chief justice Balakrishnan, who is currently the chairman of National Human Rights Commission (NHRC).

Refusing to direct Centre for presidential reference against Balakrishnan, the apex court bench if Justices BS Chauhan and JS Khehar said the matter needs to be decided by the President on advice of Council of Ministers. The court asked the Centre to take a decision on a representation by the Committee on Judicial Accountability (CJA) seeking a presidential reference on the allegation of misconduct against NHRC chairman KG Balakrishnan when he was chief justice of India.

The court had taken up the matter after a PIL was been filed by civil society Common Cause alleging ex-CJI and his relative amassed wealth far exceeding their legal income during Balakrishnan's tenure at the Supreme Court.

Common Cause, in its petition, has annexed media reports as documents to buttress its allegations that 'benami' properties were acquired by Balakrishnan's kin during his tenure.

Pronouncing the judgement, Justice Khehar said if the government found that the allegation against the former chief justice of India was unworthy of being proceeded against then it would inform Common Cause, accordingly.

However, the court said if the government decides in favour of the representation by the CJA, then it would proceed into the matter as mandated Under Section 5 (2) of the National Human Rights Commission Act.

The court issued directions to the government citing the "peculiar sets and circumstances" of the case.

The Supreme Court had Monday reserved its order on the petition. Besides allegations of misconduct against Justice Balakrishnan, it has also been alleged in the public suit that his two sons-in-law and brother amassed wealth disproportionate to their known sources of income during his tenure in the Supreme Court.

Justice Balakrishnan was elevated as a Supreme Court judge in June 2000 and appointed the Chief Justice of India on January 14, 2007. He retired on May 12, 2010 after which he was appointed NHRC chairman.

With Agency Inputs