

**GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

UNSTARRED QUESTION NO:330
ANSWERED ON:02.03.2005
RIGHT TO PENALISE
Jai Prakash Shri

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

- (a) whether the Government has decided to withdraw from the Administrative Tribunals their right to penalise for its contempt; and
- (b) if so, the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS. (SHRI SURESH PACHOURI)

(a) & (b): In the light of Supreme Court judgment that writ jurisdiction of High Courts under Article 226/227 of the Constitution of India shall continue even after the setting up of the Tribunals and Administrative Tribunals shall be subject to such jurisdiction of High Courts, it was deemed necessary to review the powers to punish for contempt of the Tribunals. The High Courts as Courts of record already have the power to punish for contempt. It is, therefore, not necessary for the Administrative Tribunals to independently exercise the power to punish for contempt. Accordingly, the Government proposes to amend the Administrative Tribunals Act, 1985 to delete Section 17 of the said Act relating to the power to punish for contempt of self.