

ANNOUNCEMENT BY THE SPEAKER
RE : NOTICE FROM SUPREME
COURT REQUIRING HIS APPEAR-
ANCE IN THE COURT ON
9.11.1987

[English]

MR. SPEAKER : I have to inform the House that on 20th October, 1987, a notice was received from the Assistant Registrar of the Supreme Court of India requiring my appearance before the Supreme Court on 9th November, 1987 at 10.30 A.M. in connection with a Transfer Petition (Civil) No. 461 of 1987 and Civil Miscellaneous Petition No. 20825 of 1987. The Transfer Petition seeks to transfer from the High Court of Delhi to the Supreme Court of India, the Civil Writ No. 2470 of 1987 filed by Shri Ram Dhan and Shri Satpal Malik MPs, against the Union of India and others challenging the validity and constitutionality of the constitution (Fifty-Second Amendment) Act, 1985 and the Tenth Schedule added to the Constitution by the said Act.

As per well established practice and convention of Lok Sabha, I have decided not to respond to the notice. I have passed on the relevant papers to the Minister of State in the Ministry of Law and Justice for taking such action as he may deem fit to apprise the court of the correct constitutional position and the well established conventions of the House.

[English]

SHRI CHIRANJI LAL SHARMA (Karnal) : Political murder is being committed in Haryana and atrocities are being perpetrated.

MR. SPEAKER : I cannot talk about State subjects here.

SHRI CHIRANJI LAL SHARMA : Excesses are being committed. Where should we go ?

[Translations]

MR. SPEAKER : Sharmaji, please listen to me. I know that the Government

should observe the rule of law and treat everyone equally. If any person, who is in power, acts dishonestly, makes discrimination and indulges in vendetta, he does a wrong thing. But you should write to the Home Minister and the Election Commission.

SHRI CHIRANJI LAL SHARMA : Democracy is being throttled there.

[English]

MR. SPEAKER : It is a State Subject I cannot discuss State Subjects here.

[Translation]

SHRI CHIRANJI LAL SHARMA : There the elections are being held on 8th instant. Candidates are being arrested. Where should we go ?

MR. SPEAKER : You go to the Election Commission.

[English]

SHRI CHIRANJI LAL SHARMA : Let the elections be fair. The chief Election Commissioner may be directed to send the CRPF.

[Translation]

MR. SPEAKER : You go to the Election Commission and talk to the State Election Commission.

[English]

I cannot do anything.

[Translation]

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH) : Mr. Speaker, Sir, the hon. Members who have referred to Haryana Elections.....

(Interruptions)

MR. SPEAKER : It is quite wrong to adopt a revengeful attitude.

SHRI CHIRANJI LAL SHARMA : You please give us an assurance.