

[Shri K. C. Pant]

- (vi) G.S.R. 1471 published in Gazette of India dated the 10th August, 1968, containing corrigendum to G.S.R. 1217 dated the 29th June, 1968. [*Placed in Library, see No. LT-1754/68.*]
- (3) A copy each of the following Uttar Pradesh Government Notifications under sub-section (3) of section 3A of the Uttar Pradesh Sales Tax Act, 1948, read with clause (c)(iv) of the Proclamation dated the 25th February, 1968, as varied by Proclamation dated the 15th April, 1968, issued by the President in relation to the State of Uttar Pradesh (Hindi and English versions) :—
- (i) Notification No. ST-78-A/X-902(9)-61, published in Uttar Pradesh Gazette dated the 1st February, 1968.
- (ii) Notification No. ST-747/X-950(22)-67, published in Uttar Pradesh Gazette dated the 1st March, 1968.
- (iii) Notification No. ST-247/X-900(12)-68, published in Uttar Pradesh Gazette dated the 1st April, 1968.
- (iv) Notification No. ST-1022/X-902(8)-65, published in Uttar Pradesh Gazette dated the 1st April, 1968.
- (v) Notification No. ST-1377/X-902(8)-65 published in Uttar Pradesh Gazette dated the 1st April, 1968.
- (vi) Notification No. ST-1920/X-950(1)-64, published in Uttar Pradesh Gazette dated the 1st May, 1968.
- (vii) Notification No. ST-1921/X-950(1)-64 published in Uttar Pradesh Gazette dated the 1st May 1968. [*Placed in Library, See No. LT-1755/68.*]
- (4) A copy of the U.P. Sales Tax (Amendment) Rules, 1968, published in Notification No. ST-615/X-948(3)-1967 in Uttar Pradesh Gazette dated the 24th February, 1968, under sub-section (5) of section 24 of the Uttar Pradesh Sales Tax Act, 1948, read with clause (c) (iv) of the Proclamation dated the 25th

February 1968 as varied by the Proclamation dated the 15th April, 1968, issued by the President in relation to the State of Uttar Pradesh (Hindi and English versions).

(5) A statement showing reasons for delay in laying the Notifications mentioned at items (3) and (4) above (Hindi and English versions). [*Placed in Library, See No. LT-1755/68.*]

LOKPAL AND LOKAYUKTAS BILL

MOTION *Re* : APPOINTMENT OF RAJYA SABHA MEMBER TO JOINT COMMITTEE

SHRI TENNETI VISWANATHAM
(Visakhapatnam) : I beg to move :

"That this House do recommend to Rajya Sabha that Rajya Sabha do appoint a member of Rajya Sabha to the Joint Committee on the Bill to make provision for the appointment and functions of certain authorities for the investigation of administrative action taken by or on behalf of the Government or certain public authorities in certain cases and for matters connected therewith, in the vacancy caused by the resignation of Shri Awadeshwar Prasad Sinha and do communicate to this House the name of the member so appointed by Rajya Sabha to the Joint Committee."

MR. SPEAKER : The question is :

"That this House do recommend to Rajya Sabha that Rajya Sabha do appoint a member of Rajya Sabha to the Joint Committee on the Bill to make provision for the appointment and functions of certain authorities for the investigation of administrative action taken by or on behalf of the Government or certain public authorities in certain cases and for matters connected therewith, in the vacancy caused by the resignation of Shri Awadeshwar Prasad Sinha and do communicate to this House the name of the member so appointed by Rajya Sabha to the Joint Committee."

The motion was adopted

12.10 Hrs.

JUDGES (INQUIRY) BILL—*contd.*

Clause 6—*contd.*

MR. SPEAKER : We shall now take up further clause-by-clause consideration of

the Judges (Inquiry) Bill. We had originally thought that this Bill would take only 2 hours or even less than 2 hours. We have already taken 2 hours on this. So, we shall have to finish this in the next few minutes.

Shri Om Prakash Tyagi was speaking. But I find that he is not present here just now.

Anyhow, we shall take up clause 6 and the amendments thereto. I shall now put the amendments to clause 6 to vote.

श्री जार्ज फरनेन्डीस : (बम्बई-दक्षिण) : अध्यक्ष महोदय, मैंने आपको एक चिट्ठी लिखी थी, जिसमें मैंने कहा है कि मैं रूल 340 के अन्तर्गत स्थगन प्रस्ताव रखना चाहता हूँ। आप जानते हैं कि राज्य सरकारों के पांच हजार कर्मचारी इस वक्त सदन के बाहर बाये हुए हैं.....

MR. SPEAKER: Order, order. He cannot adjourn the House in this manner. I am not allowing it. I am not going to hear him. He has just sent a chit to me and he wants the proceedings to be stopped. That is not the proper way to do it. He cannot just send some chit to me and say that the proceedings of the House should be stopped because he wants to talk about something else. This cannot be done.

श्री जार्ज फरनेन्डीस : मेरी बात तो सुनिय.....

MR. SPEAKER: This is not the method.

श्री जार्ज फरनेन्डीस : मगर रूल 340 के अन्तर्गत मैं इसे उठा सकता हूँ।

MR. SPEAKER. Under whatever rule it be, he cannot send a chit like this and say that the proceedings should be stopped. I am not allowing anything. Nothing that he says will be taken down.

SHRI GEORGE FERNANDES**

MR. SPEAKER: A point of order can arise only on a subject which is before the House. But he is raising something which is not before the House. I am not going to allow it and what he says will not be taken down.

SHRI S. M. BANERJEE (Kanpur) : May I make a submission ?

MR. SPEAKER: On what subject? He is wanting to raise something extraneous. I am not going to allow it.

SHRI GEORGE FERNANDES and SHRI S. M. BANERJEE rose—

MR. SPEAKER: Will both the hon. Members kindly sit down? When I am on my legs, they should sit down. If this is the way of functioning that they would just send a chit and stop the proceedings of the House, I do not know under what rule or under what *vyavastha* it can be done.

SHRI GEORGE FERNANDES: Kindly read rule 340.

MR. SPEAKER: If this is the way then I do not think that this Parliament can function at all; today he may do it and tomorrow somebody else may do it and at that rate we shall have to wind up the show and go away. The hon. Member has just sent me a chit and he wants that the proceedings should be stopped because he is going to raise some other subject. I am sure that Shri George Fernandes himself will be laughing at this.

श्री जार्ज फरनेन्डीस : अध्यक्ष महोदय, यदि आप यह कहते हैं कि जो पत्र मैंने दिया है, वह अभी दिया है तो मैं व्यवस्था का प्रश्न उठाना चाहता हूँ। मैं नियम 340 को पढ़ कर सुनाता हूँ—

"At any time after a motion has been made, a member may move that the debate on the motion be adjourned."

अब, अध्यक्ष महोदय, मैं आपकी इस पर व्यवस्था चाहता हूँ ताकि आगे के लिये मेरे हाथों से गल्ती न हो जाय। नियम 340 के अन्तर्गत मैं आप को यह नोटिस कब दे सकता था। जब यहाँ पर यह प्रस्ताव आया कि इस बिल पर विचार किया जाय, तभी मैंने आपको नोटिस देकर यह कहा कि मैं इस पर बहस को स्थगित कराना चाहता हूँ। चूँकि यह सरकारी कर्मचारियों का मामला है और इस बिल को भी गृह मंत्री यहाँ पर लाये हैं.....

SHRI S. M. BANERJEE : I move a privilege motion against the Home Minister. How can he stop those Government employees from meeting us ?

MR. SPEAKER : We have taken up the Bill now. Half the Bill is over, and some clauses have already been adopted.

SHRI S. M. BANERJEE : Kindly hear me for a minute. Let there be no misunderstanding between you and us at least. I am raising a fundamental issue. I am a Member of this House. There are about five thousand people who have come and who want to meet us. They wanted to come before Parliament House and meet the Members of Parliament. They never wanted to meet the Home Minister. An appeal has been made to the Members of Lok Sabha and Rajya Sabha, and they wanted to come and meet us, and they wanted to come at least up to Parliament House. Here is the House of the People and they wanted to meet the people's representatives. But, unfortunately Shri Y. B. Chavan has converted Delhi into a concentration camp.... (Interruptions)

MR. SPEAKER : Order, order.

SHRI S. M. BANERJEE : I want that the House should be adjourned and this matter should be discussed. Let the Home Minister make a statement.

SHRI JYOTIRMOY BASU (Diamond Harbour) : He should not be allowed to continue any more as Home Minister.

SHRI NATH PAI *rose*—

MR. SPEAKER : If speeches begin now I cannot stop it anywhere. There is no point of order. If any hon. Member wants to go and meet them, he can go and meet them.

We shall now take up clause 6..

SHRI S. M. BANERJEE : I make a motion under rule 340 that the debate on motion be adjourned.

MR. SPEAKER : I think the Home Minister wanted to move an amendment to clause 6.

Amendment made :

Page 4, line 32.—for "stand rejected" substitute—"not be proceeded with". (50).

(Shri Y. B. Chavan)

SHRI H. N. MUKERJEE (Calcutta North East) : We do not know what the amendments are and what is being put to vote....

MR. SPEAKER : The hon. Member should know that this is an old Bill which is part-discussed.

SHRI GEORGE FERNANDES : We want your ruling on our point of order. Are you not allowing it under rule 340 ?

MR. SPEAKER : I have already ruled it out.

SHRI SRINIBAS MISRA (Cuttack) : I have two amendments, namely amendments Nos. 34 and 35 to clause 6. I want to move them.

MR. SPEAKER : I think they have already been moved.

SHRI GEORGE FERNANDES : What about our point of order ?

MR. SPEAKER : That is ruled out already. Now, he may sit down.

Regarding Shri Srinibas Misra's amendments, I am told that they were already moved the other day.

SHRI SRINIBAS MISRA : They were only formally moved. I want to speak on the amendments now.

My amendments raise the question both of propriety and also of the constitutionality of the provision. This Bill is being introduced on the strength of article 124 (5), which says :

"Parliament may by law regulate the procedure for the presentation of an address and for the investigation and proof of the misbehaviour or incapacity of a judge under clause (4)."

Under clause (4) of that article, Parliament has the power to move a motion.

It appears that the hon. Home Minister did not take any lesson from the evidence that was collected by a former Joint Committee. Now, we are going to appoint a committee. That is not going to be a committee of the House. It will be a committee consisting of outsiders. Now, Parliament is being made to delegate its power or abdicate its power or divest itself of the power of voting and passing a

resolution or motion. Under the provisions of this Bill if the committee says that the judge is not disqualified or is not to be removed, then the matter will not come up before the House and it will stand rejected. Under article 118, this House has got the power to regulate its own proceedings. We have got our rules. The Speaker may reject it according to our own rules. If the Speaker accepts the Motion, it must be put to the vote of the House. Simply because any Committee says that he is not guilty or is not disqualified, it will stand rejected. That is abdication of the power of this House.

MR. SPEAKER: He has moved an amendment. Instead of the words 'stand rejected', he wants to put in there 'not be proceeded with'.

SHRI SRINIBAS MISRA: We have not received it. Anyway, it is almost the same thing.

The power of this House to discuss the Motion or vote on it is being taken away. The Constitution does not authorise this House to abdicate its power and delegate it somebody else, an outside authority. Even if it be a Committee of this House, the Motion is put here for discussion. Unless you reject it under the procedure, it has to come before the House for discussion or without discussion for voting. Here by making this provision, the hon. Minister has almost tried to take away this power of the House and vest it in a Committee of outsiders.

I will simply read out from the evidence tendered before the Joint Committee on the Judges (Inquiry) Bill where Shri P. Barman stated:

"The framers of the Constitution have never contemplated that these rules or laws be framed in such a way as to take away any of the rights or privileges of the Parliament".

Again at page 25 he says:

"That is the meaning. Parliament cannot authorise somebody else to do it".

This is because under the Constitution Parliament has to pass a Motion in both Houses. So this power of accepting or rejecting the Motion cannot be given to a committee.

Then at p. 461 we have the evidence of Shri M. N. Kaul, former Secretary of Lok Sabha. He says:

"Now, what are those powers? The first power that is given to the Members of Parliament under art. 124 is the constitutional right to give notice of a Motion for an address to be presented to the President praying for the removal of a Judge. That is a constitutional right of Members of Parliament. That is the first thing to remember, that nothing that is done by legislation should, in any way, subtract, take away or postpone the exercise of that power. That power exists *ab initio* and it is implicit in every word of the relevant article of the Constitution".

Then he gave an illustration of how the Speaker used his office by writing for clarification to clear some misunderstanding, and stated:

"I cite this illustration to show that if you pass this legislation, you destroy all these precedents, practices and conventions that have been built up. Under this legislation, if enacted, Parliament is not at all seized of the matter right until the stage the tribunal has reported. Till then, all the powers of Parliament and the Speaker are taken away.

MR. SPEAKER: His point is that Parliament should have the power to reject or accept it.

SHRI SRINIBAS MISRA: Yes. That report will be placed before the House for its consideration. That is my amendment.

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN): While dealing with the amendments, I had dealt with this. It is again a question of the interpretation of the Constitution. The whole scheme of the Constitution, as we have been advised, and the position which the Committee itself has accepted, is that if a Judge's conduct is to be discussed in the House, it must be on *proved* misconduct. Here what the hon. Member is suggesting is that if the Speaker after going into the matter admits the Motion and then appoints a Committee with either the Chief Justice or a Judge of the Supreme Court, one of the Chief Justices of the High Courts and

[SHRI Y. B. CHAVAN]

an eminent jurist and if, after going into all the facts, the Committee comes to a negative conclusion, even then it should be brought to the House for discussion. According to our interpretation of the Constitution, it will be very inappropriate for this hon. House to discuss the conduct of a judge when it is not proved.

MR. SPEAKER : Suppose the report is divided, is not unanimous.

SHRI Y. B. CHAVAN : Then naturally we will have to consider.

MR. SPEAKER : Even then you will have to reject.

SHRI Y. B. CHAVAN : Not necessarily.

MR. SPEAKER : The wording is like that. Suppose it is two to one. This point needs a little clarification.

SHRI Y. B. CHAVAN : If the report of the committee contains a finding that the Judge is not guilty...

MR. SPEAKER : You must say unanimous; otherwise, even it is two to one, the whole House cannot discuss it at all.

SHRI Y. B. CHAVAN : Personally I think that finding means majority finding, and the provision in the Bill means that.

MR. SPEAKER : That is why the House is barred from discussing it even if it is two to one.

SHRI Y. B. CHAVAN : What is the finding of a committee? Even in the Supreme Court judgments we find that the majority decision is the decision of the Supreme Court which is the highest judicial body which gives the supreme and final interpretation of the Constitution.

MR. SPEAKER : But the House is barred here.

SHRI Y. B. CHAVAN : The House is prevented not because of this Bill. If you see article 121 of the Constitution, you will see that a discussion of the conduct of a Judge is barred. This is not something that we are barring by this Bill. There is a ban already. The entire Bill is meant to facilitate that discussion, and that facility of discussion will rise only if the finding of the committee which is supposed to enquire into it is against the judge. When there is a committee of

more than two persons and its finding has to be accepted, naturally we have to go by the general rules that the majority finding is accepted as the finding of the committee. If we expect unanimity, we are making the whole thing impossible. Then, it is better to appoint one man Committee; but that would also create many difficulties.

I think the recommendation by the Joint Committee is based on a very mature and wise examination of the situation.

SHRI SRINIBAS MISRA : The hon. Minister has laid stress on unanimity. That was not my point. The question is : once a motion is admitted, can it be thrown out by an outside authority ?

SHRI K. NARAYANA RAO (Bobbili) : It is in pursuance of the Act that we are passing, it is not by the committee.

SHRI SRINIBAS MISRA : Does the hon. member mean to say that we can delegate all the powers of Parliament to the Home Minister ? It is unconstitutional.

SHRI Y. B. CHAVAN : I am not asking for any powers.

SHRI SRINIBAS MISRA : Clause 6(1) says that if the finding of the committee is negative, the motion pending in the House or the Houses of Parliament shall stand rejected. That means that on a finding by an outside authority, a motion here will stand rejected. Article 118 gives the right to both the Houses to regulate their own proceedings. Can the decision of an outside authority take away this power ? That is something unconstitutional. We cannot do it.

SHRI K. NARAYANA RAO : Mr. Misra has raised his objection on the premise that the committee constituted under this Bill is going to reject the motion before the House. That is not correct. A legal fiction or presumption is created on the existence of certain facts and certain legal consequences will follow consequent on the findings of the committee to be appointed. We are creating a legal fiction or bring about a legal solution. What is to happen when the committee comes to such and such finding or conclusion ? Under this Bill, the Parliament wants to provide that if the committee comes to a certain conclusion, certain consequences

should follow. What is the legal consequence? The motion which has been pending before the House stands rejected. 'Rejected' is not a happy word. But that is the legal consequence of it.

SHRI NATH PAI (Rajapur) : The committee is to be appointed—not by Parliament—by the Speaker. You are the custodian of the rights of Parliament. Still it would make a material difference if the committee were to be appointed by Parliament because a committee of Parliament is Parliament in miniature. But this committee would not be directly appointed by it. We have to see whether the requirements of article 121 are complied with. With all respect to your authority, the fact is that the committee is appointed by you.

MR. SPEAKER : Two of them are judges.

SHRI NATH PAI : It is true. But this House has no right to discuss it. The exact wording is 'stand rejected'. The machinery that you are providing for is a satisfactory one. We have heard him on three occasions; the hon. Home Minister referred to 'facilitating the enquiry'. For that a committee is appointed. But what happens to the right of Parliament when it is categorically stated in sub-clause (c) that the motion pending in the House or the Houses of Parliament shall stand rejected.

MR. SPEAKER : The wording has been changed to 'not to be proceeded with'. That makes no difference.

SHRI Y. B. CHAVAN : The right of Parliament to discuss the conduct of the Supreme Court Judge is not unrestricted. This is a basic point which we must understand. Article 121 read with article 124(4) lays down that the conduct of a Judge can be discussed only on a motion for presenting an address to the President. There are two phases of the motion. One is before the proof and second is for the presentation of an address to the President after the proof. These are two different motions. A discussion on the conduct of the Judge arises only if there is proved misconduct and incapacity. The committee appointed by the Speaker goes into all these matters and comes to a finding that there is no proved misconduct. If I follow the advice of the hon. Member and

remove this clause, and if such a discussion takes place, I am afraid it will be against the spirit of the Constitution.

SHRI NATH PAI : With all respect to the Home Minister, may I submit that there is only one motion—not two.

SHRI Y. B. CHAVAN : I meant two stages.

SHRI NATH PAI : That is for presenting an Address to the President. It is clear that there is only one motion. If I want to impeach a particular judge, if he is guilty of misconduct or whatever the charge may be, the motion will be a single one in the form of an address to the President to remove him. There are no two motions.

MR. SPEAKER : He said two stages.

श्री अटल बिहारी वाजपेयी (बलरामपुर) : अध्यक्ष महोदय, इस में दो स्थितियां हो सकती हैं, या तो संसद स्वयं जांच करे और निर्णय करे या जांच का काम किसी उच्चाधिकार सम्पन्न समिति को सौंपे। अब हमारे मित्र श्री मिश्र यह आपत्ति कर रहे हैं कि जो समिति आप-के द्वारा नियुक्त होने वाली है और कोई भी समिति सदन के द्वारा नियुक्त नहीं हो सकती है, वह आप के द्वारा नियुक्त होगी, अगर वह समिति इस निर्णय पर पहुंचती है कि जज के विरुद्ध कोई कार्यवाही नहीं होनी चाहिए और सदन को यह अधिकार दिया जाता है कि वह फिर से उस पर पुनर्विचार कर सके तो कोई भी जज उस समिति में जाना नहीं चाहेगा। हमारे संविधान के अन्तर्गत जो व्यवस्था की गई है उस में इस सदन को अदालत नहीं बनाया गया है और हम ने जांच की प्रक्रिया के लिए नियम बनाने का अधिकार संसद को दिया है। उसी अधिकार के अन्तर्गत यह विधेयक लाया गया है। वैसे तो सुनने में यह आपत्तिजनक जान पड़ता है कि संसद को जांच समिति के निर्णय पर विचार करने का अधिकार न हो लेकिन जब एक बार हम ने जांच समिति नियुक्त करने का निर्णय कर लिया तो उस के निर्णय को मानने के अतिरिक्त इस सदन के सामने और कोई चारा नहीं है लेकिन जो शब्द प्रयोग है उस में परिवर्तन

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होना चाहिए। उस को रिजैक्टेड कहना ठीक नहीं है।

MR. SPEAKER : It has been done.

SHRI NATH PAI : But, Sir, that does not meet our point of view. With great respect to my friend Shri Vajpayee, I may say that that change in the wording, though it may be a happier one, does not meet our objection. It is only a Committee of Parliament which can give the power. The Committee that is now under discussion is not a Committee of Parliament in the normal sense. We should have the power to select the Committee; not nominated by him. Of course, this is not the time to cast any aspersion. That is a totally different matter. The Committee now suggested is not binding on Parliament; it is only in a limited way, not in an unlimited way. Parliament has many Committees appointed by it. Take, for example, a Select Committee. We are free to change the words there. But here is a Committee appointed by the Speaker and it takes away the right of Parliament to proceed with the matter. It is not a happy state of affairs.

MR. SPEAKER : Anyway, the Minister has replied. Shall I put all the amendments to the vote ?

SHRI NATH PAI : Sir, what about our objections ? Have they been ruled out by a majority or minority ? Even you are convinced, Sir, of the cogency of our arguments.

SHRI H. N. MUKERJEE : Could you not suggest to the Home Minister that he may take some more time and arrive at some *via media* which can be discovered, because this touches the authority of Parliament ? He can easily take some more time and come back and let us know. It does touch the authority of Parliament.

MR. SPEAKER : If the Home Minister wants more time, it is for him to say. Not that I am blocking it. But he says categorically that he has given thought to it.

SHRI H. N. MUKERJEE : Could anybody put some clamp on the authority of the House ? You are here to uphold the authority of the House and you can at least ask the Home Minister to take some time and then come back to the House and then we can take a decision. Well, I do not know, my hands are tied.

MR. SPEAKER : Well, I agree with the hon. Member, but unless the Home Minister agrees, I cannot help it. I shall put all the other amendments to clause 6 to the vote.

Amendments Nos. 31 to 35 and 47 to 49 were put and negatived

MR. SPEAKER : The question is :

"That clause 6, as amended, stand part of the Bill."

The motion was adopted

Clause 6, as amended, was adopted to the Bill

Clause 7 was added to the Bill

Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI Y. B. CHAVAN : Sir, I beg to move :

"That the Bill, as amended, be passed."

MR. SPEAKER : Motion moved :

"That the Bill, as amended, be passed."

SHRI LOBO PRABHU (Udipi) : I am rising to speak on this Bill only because the Home Minister made a statement that the Bill having gone to the Select Committee could not be changed by this House. It is a very dangerous proposition for the Minister to assert that this House which has a procedure for discussing the Bill and amending it is precluded from doing so because this Bill has been to the Select Committee and therefore it is sacrosanct.

SHRI Y. B. CHAVAN : No.

SHRI LOBO PRABHU I shall show you. I am saying this because every amendment has been rejected by the Minister as if it is of no importance at all. Some vital amendments were suggested and it has come to a situation where the Home Minister regards all amendments as irrelevant and not deserving of the attention of this House. I would like him to clarify at least that the findings of the Committee do not fetter the authority of this House to consider the Bill. I would also like him to again reconsider, as my good friend Mr. Mukerjee has said, whether this Bill should go on the Statute-Book with so many patent defects.

12.34 Hrs.

[MR. DEPUTY-SPEAKER in the Chair]

SHRI H. N. MUKERJEE : Mr. Deputy-Speaker, Sir, I would not have spoken at this stage of the Bill but for the fact that

it has become apparent that the practice of referring every single piece of legislation to a Select Committee of the present functioning House should be immediately adopted by Government. I say so because in a recent issue of the Journal of Parliamentary Information published by the Institute of Parliamentary Studies, I believe, there was an article by the former Secretary of the Law Ministry who was one of the key-draftsmen in legislation and who has left it on record that it is extremely desirable to have a Select Committee for every Bill because the Ministers very often find themselves at a disadvantage in coming to a quick decision with regard to the adoption of amendments suggested on the floor of the House. We have seen an instance of this which relates to a matter which is of somewhat basic importance. I wish also take advantage of this occasion to say that for myself I would have welcomed it if this kind of legislation was unnecessary. I may sound idealistic but I hope that our judiciary is such that good behaviour is so easily and genuinely forthcoming that recourse to the kind of emergency measure castigating and punishing a judge becomes a very abnormal occurrence. If I were a judge I would have felt it rather bad that there is a kind of damocles' sword hanging over every judge's head in regard to a kind of inquiry to be held about the conduct of a judge. But I know the conditions in our country are such that an inquiry in regard to the conduct of judges does become from time to time necessary.

But this happens largely on account of the attitude of the executive in regard to the judiciary. I remember very distinctly, and possibly you also do because you were a Member of Parliament when this matter came up, the case of a former judge of Calcutta High Court who was made to retire at a certain point of time when he was supposed to have attained the age of 60. He contested that proposition. He went from pillar to post. He fought a lone battle. His name was Mr. Justice J. P. Mitter. Ultimately he got a decision from the Supreme Court in his favour. It shows that the decision of the President's advisers in regard to his matter was absolutely wrong. But by that time much water had flowed down the bridges and nothing

could be done about it. A judge who could be treated in this fashion is an instance of how the executive behaves in this kind of matter.

I know also how at the present moment, for instance, in the Calcutta High Court, one of the oldest judicial foundations in this country, there is an agitation going on, an agitation based on the alleged grievance of Indian trained advocates that their case vis-a-vis members of the English Bar—unfortunately I happen to belong to that category—is made to suffer. They have a grievance that members of the English Bar get a certain advantage in regard to judicial appointments. I find also that as far as members of the higher judicial services are concerned their ideas, their expectations and their aspirations in regard to elevation to the highest judiciary, the State High Court, are sometimes given a go-by. I could perhaps pass on to the Home Minister certain material which I have got in regard to the way in which very highly placed members of the higher judicial service were disregarded for no fault of their own that they could find out. Therefore, in the minds of the judiciary and all those lawyers and other legal practitioners who might conceivably be appointed to higher judicial offices there is a very genuine misgiving in regard to the attitude of the executive and as long as that path is mustered whatever safeguard you choose to put up with regard to the character of the judiciary would not do much good at all.

But, as I said earlier, the conditions in our country at the moment are such that some procedure has got to be there in regard to inquiry into conduct of judges even though I feel that the Home Minister should have taken some more time to consider how far the position of the House of the People in this regard should be safeguarded and he should have taken more time to consider this matter and brought about the necessary amendments in clause 6 of this Bill. But he has not done so. He generally steam-rollers whatever opposition there is because he is backed by a mammoth majority. But the use of a mammoth majority particularly in relation to the rights of the highest legislature and the highest judiciary is by no means the right kind of thing. With this caveat, so to speak, I say that after all this kind

[Shri H. N. Mukerjee]

of a motion has got to be there and even though I have some misgivings in regard to certain matters we have got to swallow it.

श्री अब्दुल गनी बार (गुड़गांव) : उपाध्यक्ष महोदय, जब यह बिल पास होने जा रहा है उस मीके पर मैं दो दिन तीन बातें होम मिनिस्टर साहब की खिदमत में अर्ज करना चाहता हूँ। वाकया यह है कि इस बिल की शायद जरूरत न पड़ती, लेकिन बदकिस्मती से दो ऐसे वाकयात हुए जो हुकूमत की नोटिस में आए और उन में कुछ दिक्कत आई। एक वाकया तो जस्टिस इमाम का था जो कि सुप्रीम कोर्ट के जज थे और उस वक्त जो चीफ जस्टिस थे उन के बाद वह चीफ जस्टिस होने वाले थे। उन की सेहत कुछ खराब हुई और कहा जाता है कि चीफ जस्टिस ने कहा कि वह भारी जिम्मेदारी अपने उपर ल। लेकिन कुछ असें के बाद जो मैडिकल लाइन की सब से बड़ी अथारिटी थी डा० विग उन्होंने इस बात के लिए सिफारिश की कि वह अब काम करने के अहल हैं। फिर भी उन को ड्यूटी नहीं दी गई। उस वक्त पंडित जवाहरलाल नेहरू जिन्दा थे। मैंने उन्हें लिखा। उन्होंने मुझे लिखा कि इस तरह की दिक्कत है। मैंने फिर लिखा कि जो सब से बड़ी अथारिटी डा० विग हैं उन्होंने कहा है कि वह काम करने के काबिल हैं। लेकिन यह बात पंडित जी को अपील नहीं की। उन्होंने कह दिया कि जज साहब खुद अपने आप को रिटायर कर लें क्योंकि पंडित जी चाहते थे कि उन पर ज्यादा बोझ न डाला जाए।

दूसरी दिक्कत तब आई जब यू० पी० असेम्बली और यू० पी० हाई कोर्ट की आपस में तलखी हुई। जब दोनों का झगड़ा हुआ तो उस के बाद यह बात जेरे गौर आई कि अगर इस तरह की कोई दिक्कत आए तो उस के लिए यहां पर बिल लाया जाए। यह बिल जरूर लाया जाए, मैं मानता हूँ, लेकिन अगर वैसे ही छोड़ दे चीफ जस्टिस, सुप्रीम कोर्ट, के ऊपर कि अगर कोई जज ना अहल हो

गया है, काम के काबिल नहीं है, जैसे कि जस्टिस इमाम का मामला था, बाबजूद इस बात के कि वह चीफ जस्टिस बनने वाले थे, उन को इस काबिल नहीं समझा गया, तो क्या पोजीशन रह जाएगी। अगर मेडिसिन की सब से बड़ी अथारिटी यह कहे कि जज इस काबिल है कि वह अपनी ड्यूटी को संजाम दे सकता है, तो उस सूरत में क्या होगा? मैं नहीं जानता कि श्री चव्हाण जो सब से बड़ी मेडिकल अथारिटी है उस की बात को मानेंगे, क्योंकि अथारिटी वह है मैं नहीं हूँ। या कि वह भी पंडित जवाहरलाल नेहरू की तरह से प्राइवेटली कह देंगे कि तुम काम का बोझ नहीं सम्भाल सकते इस लिए तुम को रिटायर हो जानना चाहिए। मेरी दख्खास्त यह है कि होम मिनिस्टर साहब को इस बारे में अपना दिमाग साफ कर लेना चाहिए।

दूसरी बात यह है कि यकीनन मेरे दिल में, श्री चव्हाण जानते हैं, जुडिशरी के लिए सब से बड़ी इज्जत है, और ऐसी दशा में जस्टिस हो वह अपने आप में महसूस करे कि उस पर किसी तरह का कोई दबाव नहीं है एग्जिक््यूटिव का, इस के लिए मैं यह कहना चाहता हूँ कि हो सकता है कि कभी किसी हाउस की चाहे स्टेट असेम्बली हो या पार्लियामेंट हो, वहां के हाई कोर्ट से सुप्रीम कोर्ट से अनबन हो जाए, हाई कोर्ट की कुछ राय हो और विधान सभा की कुछ राय हो और उन की आपस में तलखी बढ़े, जज से इस का रिवेज लिया जाए, तो मैं समझता हूँ कि यह कोई हैल्दी मिसाल कायम नहीं होगी। मैं जानता हूँ कि यह बिल यहां पास तो हो ही जाएगा, लेकिन मेरी राय में इस बिल का ज्यादा सहारा नहीं लिया जाना चाहिए। अपने मुल्क का ट्रेंडिशन तो यह रहा है कि सिर्फ एक घोबी ने कह दिया घोबिन से कि मैं कोई राम थोड़े ही हूँ कि रावण के यहां रही हुई, सीता को दुबारा रख लूं। भगवान राम जानते थे कि सीता मैया दुनिया की सब से बड़ी और पवित्र देवी है और सत्ती है, लेकिन फिर भी दुनिया में इस बात को कायम करने के लिए कि राम राज्य में छोटे से छोटे

کی بات بھی مانی جا سکتی ہے، انہوں نے انکو نکال دیا۔ اسی तरह سے جج کے اوپر جو یہ تلوار لٹکی ہوئی ہے، کبھی اس کا تو دستمال نہیں کیا جائے گا اور جج کو یہ اہساس کرانا چاہیے گا کہ ان کے اوپر ممبروں کا دباؤ ہے؟ یقیناً ہوم مینسٹر صاحب کی پارٹی ہے جس میں 100 ممبر سے زیادہ ہیں، اور کسی بھی پارٹی میں 100 ممبر نہیں ہیں۔ میں سمجھتا ہوں کہ 100 ممبروں کا پھرتا نہیں لایا جائے گا اور یہ کوشش کی جائے گی کہ جو 50 کروڑ روپے اور بھرتا یہاں بٹھاتا ہے ان میں سے اس بات کو اہساس ہوگا کہ جج کو بھی یہاں پر اہساس مل سکتا ہے۔ اگر میں چاہتا ہوں کہ اہساس نہ ملے، اگر پرائمری مینسٹر صاحب بھی چاہتے ہیں کہ اہساس نہ ملے تب بھی انکو اہساس دلانے سے کوئی روک نہیں سکتا ہے، یہ اہساس ان میں رکھنا چاہیے۔ میں اہساس کرتا ہوں اس بات کا خیال رکھا جائے گا۔

[شری عبدالغنی ڈار (گڑگانوں) :

اپادھیکش مودے۔ جب یہ بل پاس ہونے لگا رہا ہے اس موقع پر میں دو تین باتیں اپنے ہوم منسٹر صاحب کی خدمت میں عرض کرنا چاہتا ہوں واقع یہ ہے کہ اس بل کی شائد ضرورت نہ پڑتی۔ لیکن بدقسمتی سے دو ایسے واقعات ہوئے جو حکومت کی نوٹس میں آئے اور ان میں کچھ دقت آئی۔ ایک واقعہ تو جسٹس امام کا تھا جو کہ سپریم کورٹ کے جج تھے اور اس وقت جو چیف جسٹس تھے ان کے بعد وہ چیف جسٹس ہونے والے تھے ان کی صحت کچھ خراب ہوئی اور کما جاتا ہے کہ چیف جسٹس نے کما کما وہ ہماری ذمہ داری اپنے اوپر نہ لیں

لیکن کچھ عرصہ کے بعد جو میڈیکل لائن سب سے بڑی اتھارٹی تھے ڈاکٹر۔ انہوں نے اس بات کے لئے سفارش کی کہ وہ اب کام کرنے کے اہل ہیں۔ پھر بھی ان کو ڈیوٹی نہیں دی گئی اس وقت پنڈت جواہر لال نہرو زندہ تھے۔ میں نے انہیں لکھا انہوں نے مجھے لکھا کہ اس طرح کی دقت میں نے پھر لکھا کہ جو سب سے بڑی اتھارٹی ڈاکٹر ہیں انہوں نے کہا ہے کہ وہ کام کرنے سے کے قابل ہیں۔ لیکن یہ بات پنڈت جی کو اپیل نہیں کی۔ انہوں نے کہہ دیا کہ جج صاحب خود اپنے کو رٹائر کر لیں کیونکہ پنڈت جی چاہتے تھے کہ ان پر زیادہ بوجھ نہ ڈالا جائے۔

دوسری دقت تب آئی جب یو۔ پی۔ اسمبلی اور یو۔ پی ہائی کورٹ کی آپس میں تلخی ہوئی۔ جب دونوں کا جھگڑا ہوا تو اس کے بعد یہ بات زیر غور آئی کہ اگر اس طرح کی کوئی دقت آئے تو اس کے لئے یہاں پر بل لایا جائے۔ یہ بل ضرور لایا جائے میں ماننا ہوں۔ لیکن اگر ویسے ہی چھوڑ دیں چیف جسٹس سپریم کورٹ کے اوپر کہ اگر کوئی جج نا اہل ہو گیا ہے۔ کام کے قابل نہیں ہے۔ جیسے کہ جسٹس امام کا معاملہ تھا۔ باوجود اس کے کہ وہ چیف جسٹس بننے والے تھے۔ ان کو اس قابل نہیں سمجھا گیا۔ تو کیا

سری عبدالغنی ڈار
پوزیشن رہ جائے گی۔ اگر میڈین
کی سب سے بڑی اتھارٹی یہ کہے کہ
جج اس قابل ہے کہ وہ اپنی
ڈیوٹی کو سرانجام دے سکتا ہے۔
تو اس صورت میں کیا ہو گا۔
میں نہیں جانتا کہ سری چوہان جو
سب سے بڑی میڈیکل اتھارٹی ہے اس
بات کو مانیں گے۔ کیونکہ اتھارٹی
وہ ہیں میں نہیں ہوں۔ یا کہ وہ
بھی پنڈت جواہر لال نہرو کی طرح
سے پرائیویٹلی کہ دیں گے کہ تم کام
کا بوجھ نہیں سنبھال سکتے اس لئے
تم کو رٹائر ہو جانا چاہئے۔ میری
درخواست یہ ہے کہ ہوم منسٹر صاحب
کو اس بارے میں اپنا دماغ صاف کر
لینا چاہئے۔

دوسری بات یہ ہے کہ یقیناً میرے
دل میں۔ سری چوہان جانتے ہیں
جوڈیشیری کے لئے سب سے بڑی عزت
ہے۔ اور ایسی دشا میں جو جسٹس
ہو وہ اپنے آپ میں مہسوس کرے کہ
اس پر کسی طرح کا کوئی دباؤ نہیں
ہے ایگزیکٹیو کا۔ اس کے لئے میں یہ
کہنا چاہتا ہوں کہ ہو سکتا ہے کبھی
کسی ہاوس کی۔ چاہے سٹیٹ اسمبلی
ہو یا پارلیامینٹ ہو۔ وہاں کے ہائی
کورٹ سے۔ سپریم کورٹ سے ان بن
ہو جائے۔ ہائی کورٹ کی کچھ رائے
ہو اور ودھان سبھا کی کچھ رائے
ہو اور ان کی آپس میں تلخی بڑھے۔
جج سے اس کا ریونج لیا جائے۔ تو میں

سمجھتا ہوں کہ یہ کوئی ہیلدی مثال
قائم نہیں ہو گی۔ میں جانتا ہوں کہ
یہ بل یہاں پاس تو ہو ہی جائے گا
لیکن میری رائے میں اس بل کا زیادہ
سہارا نہیں لیا جانا چاہئے۔ اپنے
ملک کا ٹریڈیشن تو یہ رہا ہے کہ
ایک دھوبی نے کہ دیا دھوبن سے
کہ میں کوئی رام تھوڑے ہی
ہوں کہ راون کے یہاں رہی ہوئی
ماتا سینا کو دوبارہ رکھ لوں۔
یہ تو رام جانتے تھے کہ سینا مٹھا
دنیا کی سب سے بڑی اور پوتر دیوی
ہیں اور ستی ہیں۔ لیکن پھر بھی دنیا
میں اس بات کو قائم کرنے کے لئے
کہ رام راجہ میں چھوٹے سے چھوٹے
کی بات بھی مانی جا سکتی ہے
انہوں نے ان کو نکال دیا۔ اسی طرح سے
جھیز کے اوپر جو تلوار لٹکی ہوئی
ہے کہیں اس کا تو استعمال نہیں کیا
جائے گا۔ اور جھیز کو یہ احساس
کرایا جائے گا کہ ان کے اوپر معبروں
کا دباؤ ہے یقیناً ہوم منسٹر صاحب کی
پارٹی ہے جس میں ۱۰۰ ممبر سے زیادہ
ہیں اور کسی بھی پارٹی میں ۱۰۰
ممبر نہیں ہیں۔ میں سمجھتا ہوں کہ
۱۰۰ ممبروں کا پریشر نہیں لایا جائے
گا۔ اور یہ کوشش کی جائے گی
کہ جو ۵ کروڑ بھائی اور یہاں
بہتے ہیں ان میں بھی اس بات کا احساس
ہوگا۔ کہ جھیز کو بھی یہاں پر
انصاف مل سکتا ہے۔ اگر منسٹر چوہان
بھی چاہیں کہ انصاف نہ ملے۔ اگر

پر اہم منسٹر بھی چاہیں کہ انصاف نہ ملے تب بھی ان کو انصاف دلانے سے کوئی روک نہیں سکتا ہے۔ یہ احساس ان میں رہنا چاہئے۔ میں امید کرتا ہوں کہ اس بات کا خیال رکھا جائے گا۔

SHRI SRINIBAS MISRA : Mr. Deputy-Speaker, Sir, let us hope that the provisions of this Bill will not be put to use because this Bill wants to provide for such rare cases as we have come across on two occasions previously. These facts were discussed and the then Secretary of the Lok Sabha was of opinion that the Speaker's office was being utilised for the purpose of solving such matters when they came up before this House.

This Bill has been introduced on the strength of one article, article 124 (5), which authorises the House to regulate the procedure for the presentation of an address. But while doing it the hon. Home Minister has sought not to regulate procedure but to find out the conclusion itself by means of a committee.

What does this clause, clause (5), of article 124 authorise Parliament to do? It authorises Parliament to "regulate the procedure for the presentation of an address and for the investigation and proof of the misbehaviour", that is, material for coming to the conclusion that there was misbehaviour will be gathered and how it will be investigated. These ought to have been the subject matter of this Bill, but the Bill goes far beyond that.

Article 118 provides :—

"Each House of Parliament may make rules for regulating, subject to the provisions of his Constitution, its procedure and the conduct of its business."

The very Constitution guarantees here that our Rules of Procedure only will regulate our procedure and not an Act.

Then, the hon. Minister is taking shelter under article 121 by saying that this puts a bar to the discussion in this House

of the conduct or misbehaviour of judges. But this very article says that the bar will be removed as soon as a motion is tabled in this House saying that such-and-such a Judge should be removed for misbehaviour. On a motion for the removal of a Judge this bar is removed and this House is competent to discuss the conduct of a Judge. Once such a motion is tabled this bar is removed and there is no further apprehension that we will violate the Constitution; we can discuss the conduct of a Judge as soon as a motion is tabled.

The other question is what practically will happen when such a matter is before this House. According to the Bill, some Members—a large number of Members—will table a motion and that will be accepted by the Speaker according to our rules. Once a motion is accepted, as you know, it must be placed before the House. Now, suppose, out of the three persons, who are appointed for the purpose of investigating and collecting proof or of giving an opinion, two of them say that no misbehaviour is proved and the third one gives a note of dissent, then according to the Bill as it is going to be passed, this will stand rejected. The Speaker will not reject it; this House will not reject it. Who will reject it then?

MR. DEPUTY-SPEAKER : It says : "not further proceeded with". That is all; it is not rejected.

SHRI SRINIBAS MISRA : After the motion is admitted, can any outside agency take it away from the purview of discussion in this House?

MR. DEPUTY-SPEAKER : You have already argued this point. Let us conclude.

SHRI SRINIBAS MISRA : These occasions will be rare. We are discussing about the misbehaviour of Judges, but the committee may also miscarry sometimes. Even then, will this House be precluded from discussing it? Article 124(4) says :—

"A Judge of the Supreme Court shall not be removed from his office except by an order of the President passed after an address by each House of Parliament supported by a majority" etc.

[Shri Srinibas Misra]

Will the majority be counted here? It has been argued that this House is not a court of judges, it has no judicial power. But somehow the Constitution gives that right—to make and pass a motion that such and such judge be removed. When such a matter comes before the House, the House has to decide. The majority view must be ascertained. There may be occasions when we may go wrong. Even then, the Constitution gives the right. It is expected that the House will never go wrong. After getting the report of the Inquiry Committee, it will be placed before the House. The Speaker may prohibit the House from discussing and may simply guillotine it saying that this is the Inquiry Committee's report and asking how many support it and how many are against it. That can be done...

MR. DEPUTY-SPEAKER: You have already argued your point. I have listened to you very patiently. Now you should conclude.

SHRI SRINIBAS MISRA: Although I welcome this Bill because the power of the Constitution is used and rules have been framed and the Bill is being passed into an Act. Still it should not have been carried to that extent, it should not have the appearance of abdication of the power by Parliament and contravention of article 118. No rule can contravene the Constitution; rules are subject to the Constitution.

SHRI K. NARAYANA RAO: This matter has been agitating the House for quite some time. An impression has been sought to be created that it is Constitutionally wrong. Therefore, please permit me to place the correct legal position in its proper perspective.

The problem is about the procedural matter. So far as removal of judges is concerned, the procedural matter is also directly to be regulated by law that has to be made by Parliament. About that, there is no difficulty...

MR. DEPUTY-SPEAKER: I want to finish this before Lunch.

SHRI K. NARAYANA RAO: I will take only two minutes. Now what is to take place if a judge is to be removed in accordance with the Constitutional pro-

vision? Here comes the question how the procedure in the House is to be regulated. That power has been given to Parliament. According to this power, a provision has been made that a motion signed by one hundred members of this House and fifty members in the case of Rajya Sabha, should be brought in. Then it will be regulated in accordance with the provisions of the Constitution. As the hon. Home Minister has correctly pointed out, the power of the House to discuss the conduct of a judge is very much circumscribed by the Constitution. The Constitution says that removal can take place on the condition that the misbehaviour is proved. 'Proved misbehaviour' is the expression used in the Constitution. How can we know... (Interruption).

MR. DEPUTY-SPEAKER: This has already been discussed threadbare.

SHRI K. NARAYANA RAO: How can we know whether the misbehaviour is proved or not? If the Committee says that the misbehaviour is not proved, then certainly the case has not reached the stage for the House to discuss. Therefore, I submit that the entire argument of my hon. friend is not correct.

SHRI Y. B. CHAVAN: I only want to say a few sentences. I do not want to take much time.

Hon. Member, Shri Lobo Prabhu, said that I was making a doctrine of the recommendations of the Joint Committee. That is not so. For me, the document of the Joint Committee was very important because I agreed with it, and I agreed with it despite the fact that the Joint Committee produced a report which was completely contrary to the original Bill moved by the Executive here. This also meets the point of Shri Mukerjee. He thinks that whatever viewpoints are expressed here are not taken into consideration. Not at all. I always respect them, but when I hold a very definite view, I am sorry I will be equally categorical about the assertion of my own view.

The third point is this, Hon. Member, Shri Abdul Ghani Dar, said,

मुझे दिमाग साफ कर लेना चाहिये ।

I would only like to tell him this. He mentioned a case which is a case of promotion of a judge. Here we are discussing about removal of a judge.

इस वास्ते किसी को दिमाग साफ करने की जरूरत है तो वह उनको है ।

श्री अब्दुल गनी दार : डिप्टी स्पीकर साहब, जो कंटेडिक्शन है उसकी तरफ मैंने होम मिनिस्टर साहब का ध्यान दिलाया था । मैंने प्रमोशन की बात नहीं कही । मैंने तो यह कहा था कि अगर मैडिकल रिपोर्ट उसके हक में हो तो आप क्या करेंगे— क्या वैसा ही करेंगे जैसा पंडित नेहरू ने किया था ।

شری عبدالغنی ڈار : ڈپٹی سپیکر صاحب— جو کنٹراڈکشن ہے اسکی طرف میں نے ہوم منسٹر صاحب کا دھیان دلایا تھا— میں نے پرموشن کی بات نہیں کہی— میں نے تو یہ کہا تھا اگر میڈیکل رپورٹ اس کے حق میں ہو— تو آپ کیا کریں گے— کیا ویسا ہی کریں گے جیسا پنڈت نہرو نے کہا تھا —

MR. DEPUTY-SPEAKER : The question is :

"That the Bill, as amended, be passed."

The motion was adopted.

MR. DEPUTY-SPEAKER : The House stands adjourned to meet again at 2.00 P.M.

13.00 Hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at five minutes past Fourteen of the Clock.
[SHRIMATI TARKESHWARI SINHA in the Chair]

*DEMANDS FOR SUPPLEMENTARY GRANTS (RAILWAYS), 1968-69

MR. CHAIRMAN : The House will now take up the Demands for supplementary Grants (Railways), 1968-69. Hon. Members who want to move their cut motions may do so now.

DEMAND No. 2—MISCELLANEOUS EXPENDITURE.

MR. CHAIRMAN : Motion moved : "That a supplementary sum not exceeding Rs. 3,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1969 in respect of 'Miscellaneous Expenditure'."

DEMAND No. 15—OPEN LINE WORKS—CAPITAL, DEPRECIATION RESERVE FUND AND DEVELOPMENT FUND.

MR. CHAIRMAN : Motion moved :

"That a supplementary sum not exceeding Rs. 1,01,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1969 in respect of 'Open Line Works—Capital, Depreciation Reserve Fund and Development Fund'."

SHRI RAMAVATAR SHASTRI (Patna) : I beg to move :

That the Demand for a Supplementary Grant of a sum not exceeding Rs. 3,000 in respect of Miscellaneous expenditure be reduced by Rs. 100

[Failure of Railway Board in checking accidents on Railways (4)].

That the Demand for a Supplementary Grant of a sum not exceeding Rs. 3,000 in respect of Miscellaneous expenditure be reduced by Rs. 100

[Need to accept the cooperation of Station Masters' Association in checking railway accidents (5)].

That the Demand for a Supplementary Grant of a sum not exceeding Rs. 3,000

*Moved with the recommendation of the President.