

Title: Supreme Court's observation on Prime Minister's prerogative to choose his council of Minister.

SHRI RUPCHAND PAL : Sir, the observation of the Supreme Court made last Monday, is an interference with the prerogative of the Prime Minister to choose his Council of Ministers. It is a very serious matter. The Apex Court has indicated that in keeping with the spirit of the Constitution and citizens' rights to clean governance, the Supreme Court may examine the issue of tainted Ministers.

It is interference. The three organs of the parliamentary democracy of our State – the Judiciary, the Executive and the Parliament – have autonomous regions. It is interference with the rights and infringement of the conventions...(Interruptions)

PROF. VIJAY KUMAR MALHOTRA : Sir, it is an important issue. We should have a structured debate on it...(Interruptions)

MR. SPEAKER: I agree with what you say. I am sure some hon. Members will give notice on this.

...(Interruptions)

श्री देवेन्द्र प्रसाद यादव : मल्होत्रा जी, आप इसे नहीं समझ पा रहे हैं, आप बैठ जाइए।

PROF. VIJAY KUMAR MALHOTRA : Sir, we cannot do it in 'Zero Hour'. 'Zero Hour' does not mean that we can do anything and everything in it...(Interruptions)

MR. SPEAKER: I have heard the matter. We will discuss it, as you suggest.

...(Interruptions)

SHRI RUPCHAND PAL : Sir, with all respect to the judiciary, I am constrained to make an observation that one former Chief Justice has publicly stated that 20 per cent of the Judges are corrupt. Could it be like that the Parliament would scrutinise the performance of the Judges? The interference that we are noticing is a serious matter. We all should be careful that no organ intrudes into the autonomous region of the State. We are a parliamentary democracy. We have well-laid conventions. The observation of the Supreme Court is a blatant interference with the Prime Minister's prerogative to choose his Council of Ministers. So, it is a serious matter.

MR. SPEAKER: The House stands adjourned to meet again at 2 p.m. when we will have an important discussion.

**13.06 hrs.**

*The Lok Sabha then adjourned for Lunch till*

*Fourteen of the Clock.*

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**14.01 hrs.**

*The Lok Sabha re-assembled after Lunch at one minute past*

*Fourteen of the Clock.*

*(Mr. Speaker in the Chair)*

**MATTERS UNDER RULE 377 \***

MR. SPEAKER: The 'Matters under Rule 377' listed for the day may be treated as laid on the Table of the House.