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Title: Regarding alleged encroachment of Judiciary into powers of Parliament.

SHRI R.K. SINGH (ARRAH): Madam, in the recent past, the hon. Supreme Court has struck down the constitutional amendment providing for a National Judicial Appointments Commission.

Madam, this amendment was passed unanimously by both the Houses of Parliament and provided a transparent mechanism for appointments to the higher judiciary. This judgment of the Supreme Court encroaches upon the powers of the Parliament and this must be challenged. This infringes upon the rights of all the Members here as also both the Houses. It is a matter which concerns not only the Government but also the Parliament in its entirety because the rights of the Parliament conferred upon it by the Constitution are under challenge.

I propose that this Parliament pass a Resolution asserting its sovereign powers under the Constitution and pointing out to the judiciary that the Constitution, as enacted by its makers, did not envisage that the judges will appoint themselves and that the system of judges appointing themselves is not in vogue anywhere in the world. We must, as a Parliament, stand up and uphold the Constitution when the judiciary which is supposed to uphold the Constitution is in violation of that Constitution.

HON. SPEAKER:

Shri Bhairon Prasad Mishra,

Dr. Satya Pal Singh and

Shri Dushyant Chautala are permitted to associate with the issue raised by Shri R.K. Singh.

**13.00 hours**