

Subsequently, the Chief Engineer, Irrigation, prepared detailed plan and estimates at an estimated cost of Rs. 451.80 lakhs. Then the Director, Pre-investment Survey of Fishing Harbour, Bangalore has updated the estimate at Rs. 425 lakhs.

After that the Government of India have not taken any step to expedite the implementation of the project. If a Fishing Harbour is established at Astorang it will go a long way in boosting the fishing development in Orissa. As a large number of the people in Orissa earn their livelihood from fishing, step should immediately be taken for the development of fishing in that State.

In view of this, I demand that a Fishing Harbour be constructed at Astorang in Orissa without any further delay.

BUSINESS OF THE HOUSE

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI GULAM NABI AZAD) : Mr. Deputy Speaker, Sir, I propose that we can skip the lunch-break today, to complete the pending business of the House.

MR. DEPUTY SPEAKER : I think all of you agree to this and now we will take up the next item of the business. Mr. Ashok Sen Minister of Law and Justice, is now to reply to the Discussion under Rule 193.

DISCUSSION ON THE URGENT NEED FOR JUDICIAL REFORMS IN THE COUNTRY—(Contd.)

[English]

THE MINISTER OF LAW AND JUSTICE (SHRI ASHOK SEN) : Mr. Deputy Speaker, Sir, I am so glad that this discussion has disclosed how unanimous different sections of the House are so far as the problem of judiciary is concerned. It is like the Election Commission or the Army, one matter on which all parties converge and their views cut across party line and I may refer to what Mr. Churchill said in 1954 when he moved for increasing the salary of judges from old time £ 3500—it was the salary for hundred years before the war—to £ 8000. It was in 1954, a reasonable sum.

Today, of course, as you know, it has gone up to £ 50,000 and for the Court of Justice, £ 60,000. in England. Then, he said this if I may quote what he said in 1954 on the 23rd March in the House of Commons.

It is something worth reading because whenever our judges and our judicial administration become the subject of controversy, either here or outside, I feel very alarmed and there is no reason why the judges of our judicial administration should ever be brought under politics or in to controversy. This is what Churchill said on 23rd March, 1954 while as the Prime Minister of United Kingdom, he moved for increasing the salary of judges. All of you have said that the conveyance allowance of Rs. 500 should be increased to something more; all of you have said that Rs. 3500 in 1950 was something, but today it is nothing. This is what Churchill had said :

“There is nothing like them at all in our Island.”

He was very proud of the Island, *i.e.* United Kingdom. He said :

“They are appointed for life. They cannot be dismissed by the executive Government. They cannot be dismissed by the Crown either by the Prerogative or on the advice of Ministers. They have to interpret the law according to their learning and conscience. They are distinguishable from the great officers of State and other servants of the Executive, high or low, and from the leaders of commerce and industry. They are also clearly distinguishable from the holders of less exalted judicial office. Nothing but an address from both Houses of Parliament, assented to by the Crown, can remove them.”

Then, he said further :

“The principle of the complete independence of the judiciary from the executive is the foundation of many things in our island life.”

I am glad that Prof. Madhu Dandavate is here. Our Prime Minister, while laying the foundation stone of the new Bar Council building at Delhi said in unequivocal terms that we wanted a fearless and independent judiciary, because that is the greatest safeguard for our democratic institutions. Nothing better can be said except to quote our Prime Minister.