

ment of industry in the small-scale sector and to co-ordinate the functions of the institutions engaged in the promotion, financing or developing industry in the small-scale sector and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted

MR. DEPUTY-SPEAKER: The House will now take up clause-by-clause consideration of the Bill. I shall now put clause 2 to 9 to the vote of the House.

"That clauses 2 to 9 stand part of the Bill."

The motion was adopted

Clauses 2 to 9 were added to the Bill.

*Clause 10—Casual vacancies in office of
Managing Director*

Amendment made:

Page 6, line 8,—
for "involving" substitute—
"Not involving" (i)

(Shri Eduardo Faleiro)

MR. DEPUTY-SPEAKER: The question is:

"That clause 10, as amended, stand part of the Bill."

The motion was adopted

*Clause 10, as amended, was added to the
Bill.*

MR. DEPUTY-SPEAKER: The question is:

"That clauses 11 to 54 stand part of the Bill"

The motion was adopted

Clauses 11 to 54 were added to the Bill.

MR. DEPUTY-SPEAKER: The question is:

"That the First Schedule and the Second Schedule stand part of the Bill".

The motion was adopted.

The First Schedule and the Second Schedule were added to the Bill.

MR. DEPUTY-SPEAKER: The question is:

"That clause 1, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted

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

SHRI EDUARDO FALEIRO: Sir, I move:

"That the Bill, as amended be passed"

MR. DEPUTY-SPEAKER. The question is:

"That the Bill, as amended, be passed"

The motion was adopted

15.25 hrs.

HIGH COURT AND SUPREME COURT
JUDGES (CONDITIONS OF SERVICE)
AMENDMENT BILL

[English]

MR. DEPUTY SPEAKER: Now we take up Item No. 13 for discussion. Shri B. Shankaranand to move the Bill.

THE MINISTER OF LAW AND JUSTICE (SHRI B. SHANKARANAND): I beg to move*—

"That the Bill further to amend the High Court Judges (Conditions of Service) Act, 1954 and the Supreme Court Judges (Conditions of Service) Act, 1958 be taken into consideration."

As you are aware, during the year 1986 and 1988 substantial improvements in the service conditions of the Judges of the High Courts and Supreme Court had been made. The present Bill is also a result of our concern for bringing further improvements in the service conditions of the Judges. It also reflects our continuous effort to preserve the independence of the judiciary. In the Bill passed by the Lok Sabha on 8-8-1986 and 21.3.1988, enhanced pensionary benefits, enhanced sumptuary allowances and conveyance allowances were extended to the Judges with effect from 1-11-1986.

Now Government proposes to give benefits to the Judges of the High Courts and Supreme Court in the form of raising the quantum of carry forward of leave to Judges from one hundred eighty days to two hundred forty days; enhanced leave allowances after 45 days of leave and to raise the minimum family pension to Rs. 375/- per month to a Judge w.e.f. 1-11-1986 and to clarify the meaning expression 'Family pension' to make it more specific.

In view of above, the present Bill is being introduced. I hope this will meet with wholehearted support from all Members of the House.

MR. DEPUTY SPEAKER: Motion moved:

"That the Bill further to amend the High Court Judges (Conditions of Service) Act, 1954 and the Supreme Court Judges (Conditions of service) Act, 1958 be taken into consideration."

Shri Aziz Qureshi.

[*Translation*]

SHRI AZIZ QURESHI (Satna): Mr.

Deputy Speaker, Sir, I rise to support the High Court and Supreme Court Judges (Conditions of Service) Amendment Bill. As he hon. Minister has stated, there are three main objectives behind bringing this Bill. The first objective of the Bill is that in case of Judges, who have held any pensionable post prior to their appointment as judges, the present ceiling of carrying forward leave earned by them in earlier post be increased from 180 days to 240 days w.e.f. 1.11.1986. The second objective of the Bill is to increase the amount of family pension in case of judges of High Courts who prior to their appointment, have not held a pensionable post and who retire within a period of less than seven years. At present they get a pension of Rs. 15,750 per annum only and in case of their death Rs. 328 a month is paid as family pension to their family. Under the proposed amendment the family pension has been increased to Rs. 375. It means that the amount of family pension has been increased by Rs. 47 a month.

Mr. Deputy Soeaker, Sir, when I rose to support this Bill, I had the Constitution of India and its founding fathers in my mind. When our founding fathers were engaged in the task of constitution making, their main object was to safeguard democracy in India through adopting the principle of separation of powers, for which an independent Judiciary was required. In pursuance of the above objective, they provided for an independent judiciary in the Constitution. Many people had raised doubts that by empowering so much power to the judiciary, we were creating a third chamber in our polity. In this context I am reminded of the following words of Pandit Nehru:

[*English*]

"The Supreme Court shall not be allowed to become a Third Chamber."

[*Translation*]

But along with it, the hopes and aspirations of the citizens and the common man of this country rested on the judiciary and it was

[Sh. Aziz Qureshi]

generally expected that fair, full and impartial justice will be made available to them.

[English]

MR. DEPUTY SPEAKER: You can continue on Monday or whenever it comes for discussion next time.

The House shall now take up Private members' business.

15.31 hrs.

COMMITTEE ON PRIVATE MEMBERS'
BILLS AND RESOLUTIONS

Sixty-Seventh Report

[Translation]

SHRI CHANDRA KISHORE PATHAK:
I beg to move:

"That this House do agree with the Sixty-Seventh Report of Committee on Private Members' Bills and Resolutions presented to the House on 26th July, 1989 subject to the modification that—

(i) Para 3 and part (i) of para 7 relating to examination of Constitution (Amendment) Bill and

(ii) Sub-paras (1) and (2) of para 6 relating to allocation of time to resolutions be omitted."

[English]

MR. DEPUTY-SPEAKER: The question is:

"That this House do agree with the Sixty-Seventh Report of Committee on Private Members' Bills and Resolutions presented to the House on the 26th

July, 1989 subject to the modification that—

(i) para 3 and part (i) of para 7 relating to examination of Constitution (Amendment) Bill; and

(ii) sub-paras (1) and (2) of para 6 relating to allocation of time to resolutions; be omitted."

The motion was adopted.

15.32 hrs.

RESOLUTION RE: MEASURES TO
CONTROL POPULATION EXPLOSION—
CONTD

[English]

MR. DEPUTY-SPEAKER: The House shall now take up further discussion on the resolution moved by Dr. Krupasindhu Bhoi on the 31st March, 1989.

Shri Shantaram Naik.

SHRI SHANTARAM NAIK (Panaji): Mr. Deputy-Speaker, Sir, I stand here to support the Resolution moved by my friend and colleague Dr. Krupasindhu Bhoi on the 31st March, 1989. In fact, I would like to congratulate Dr. Bhoi for the exhaustive Resolution covering the various aspects of family welfare programmes and other allied matters. The stress that he has laid down in the resolution can be noted from the six salient features viz. (i) to recognise the family welfare programme as a national imperative; (ii) evolve a national consensus for acceptance of one child per couple norm by the people; (iii) raise the level of education of women; (iv) provide adequate health care to women and children; (v) lay down a uniform civil code for all citizens especially with regard to marriage and family welfare; and (vi) set up a National Population Commission to suggest measures to achieve the target of zero per cent population growth rate by the turn of the