

eight Report of the Estimates Committee (Sixth Lok Sabha) on the Ministry of Finance (Department of Revenue)—Central Excise.

COMMITTEE ON PUBLIC UNDERTAKINGS

Seventeenth Report and Minutes

SHRI BANSI LAL (Bhiwani): I beg to present the Seventeenth Report (Hindi and English versions) of the Committee on Public Undertakings on Coal India Ltd. and Minutes of the sittings of the Committee relating thereto.

12.12 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Circular letter to Chief Ministers of States about consent from additional judges for transfer to other High Courts

SHRI RASHEED MASOOD (Saharanpur): Sir, I call the attention of the Minister of Law, Justice and Company Affairs to the following matter of urgent Public importance and I request that he may make a statement thereon:

"The reported protest by the Chief Justice of India against a circular letter addressed by the Minister of Law, Justice and Company Affairs to the Chief Ministers of the States requesting them to obtain from all the additional judges working in the High Courts of their States, their consent to be appointed as permanent judges in any other High Court in the country."

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): Mr. Speaker, Sir, Suggestions have reportedly been made to the Government of India by several bodies and

forums including the States Reorganisation Commission, the Law Commission and various Bar Associations that to further national integration, combat parochial trends and improving the functioning of the High Courts, one-third of the Judges of a High Court should as far as possible be from outside the State in which that High Court is situated thereby securing on the Bench of that High Court the presence of a number of judges who would not be swayed by local considerations. Complaints have also been received about prejudiced attitudes bred by kinship, and other local links and affiliations etc. Political links have also been mentioned in certain cases and various State authorities have expressed their reservations about the continuance of some additional judges. It was felt that in some cases of this kind if the additional Judges could be made permanent in other High Courts, there could be no valid objections to such appointments as their service would then be outside the local setting in which they had the roots. In this background.

PROF. MADHU DANDAVATE (Rajapur): Very crudely.

SHRI P. SHIV SHANKAR: Professor Saheb, you are an elderly person and it is better that you should give me a patient hearing on an issue like this.

SHRI SATISH AGARWAL (Jaipur): You can say that he is an old person because Mrs. Pramila Dandavate is not here.

SHRI P. SHIV SHANKAR: I have after due consideration addressed a circular letter on 18th March, 1981 to the Chief Ministers of States and where necessary Governors requesting that they may obtain from the additional Judges working in their High Courts, their consent to be appointed as permanent Judges in any other High Court in the country with an indication of three High Courts in order of preference. They have also