

MR. SPEAKER : This reply in a law tone has not made any impact. You should have spoken loudly.

[English]

SHRI M. RAGHUMA REDDY : I would like to know whether the Centre is going to have a uniform policy in power rate throughout India.

SHRI VASANT SATHE : We cannot have a uniform policy in the case of power rates because distribution of power is a State subject. The State Electricity Boards decide the rates according to the cost of production of their power. I think I have already stated that they are running into loss.

SHRI M. RAGHUMA REDDY : I want to know whether they will have a uniform power rate policy while Central quota is supplied to the States.

SHRI VASANT SATHE : That will depend upon the cost.

[Translation]

Action taken on the recommendations of Chief Justices Conference held in February, 1985

*694. **SHRI C. JANGA REDDY† :**
SHRI K. KUNJAMBU :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) the recommendations made at the Chief Justices Conference held in New Delhi in February, 1985;

(b) the recommendations on which action has been taken during the last one year; and

(c) the recommendations which have not been accepted and the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ) : (a) The Registry of the Supreme Court had forwarded to the Government the minutes of the Chief Justice' Conference held in New Delhi

in February, 1985 which cover the following subjects :

- (i) Constitution of All India Judicial Service.
- (ii) Setting up of vigilance cells under the exclusive control and supervision of the Chief Justices of the respective High Courts.
- (iii) Experience in regard to the appointment of Chief Justices.
- (iv) High Court Benches.
- (v) Conditions of Service of High Court Judges which include :
 1. Official status and position of Judges.
 2. Financial powers of Chief Justices.
 3. Pension and Family Pension.
 4. Conveyance Allowance, Sumptuary Allowance, Daily Allowance, Electricity Allowance and Transfer Allowance.
 5. Medical Re-imbursement of Medical fees and expenses of private doctors.
 6. Travelling facility.
 7. Hospitality.
 8. Security.
 9. Flying the Flag—on their cars.
 10. Carry forward of leave.

(b) and (c). The policy of having Chief Justices from outside was formulated in consultation with the Chief Justice of India and is being implemented in a phased manner. The views expressed at the Chief Justices conference regarding setting up of benches of High Courts have been noted by the Government. The question of constitution of All India Judicial Services has been referred to the Law Commission for detailed

study and to make recommendations. Setting up of Vigilance Cells is the concern of High Courts and they have been requested to take appropriate action. The Government have since formulated their decisions for making improvements in the service conditions of Judges of High Courts and Supreme Court. Necessary Bill for giving effect to these decisions is being introduced in the House.

[English]

MR. SPEAKER : You should have placed it on the Table of the House.

[Translation]

SHRI C. JANGA REDDY : Mr. Speaker, Sir, the hon. Minister has stated that recommendation regarding the setting up of benches of High Courts has been noted by the Government. I want to know the names of the States and the High Courts whose Governments Judges have taken up this issue with the Centre in writing and whether the Government of Andhra Pradesh has submitted a proposal for setting up of High Court benches in Guntur and Kurnool ?

SHRI H.R. BHARDWAJ : Sir, it has already been stated in reply to the main question that we have not received any such request from Andhra Pradesh for consideration. As regards the other High Courts, the reply has already been given.

SHRI C. JANGA REDDY : Mr. Speaker, Sir, the Chief Justices have made recommendation for setting up vigilance cells; this recommendation has not been noted. I want to know what suggestions has the hon. Minister made to the State Governments or the High Courts in connection with setting up of vigilance cells and which of the High Courts have so far set up vigilance cells in response to the suggestion and how many cases have so far been scrutinized by the vigilance cells ?

SHRI H.R. BHARDWAJ : Sir, as I told earlier, the vigilance cells could be set up in the High Courts only because the administration of judiciary was under the High Courts. The names of the High Courts where vigilance cells have been set up are : Karnataka, Kerala, Madhya

Pradesh, Rajasthan, Calcutta, Allahabad, Orissa, Delhi and Himachal Pradesh. In Punjab and Haryana, a District Judge has been nominated who will look after the vigilance work. In Andhra Pradesh, a Committee on Judiciary named Disciplinary Committee has been set up which is looking after this work. In Jammu and Kashmir, a post of vigilance commissioner has been created which looks into the complaints of corruption that are received against the subordinate judiciary. In other States, it is still to be done. But one thing should be made clear here that neither the Central Government nor the State Governments can set up vigilance cells. Under the Constitution, judicial administration and supervision of subordinate courts is the responsibility of the High Courts. The High Courts are very active in this matter and a number of steps have already been taken in this regard.

[English]

PROF. N. G. RANGA : May I know whether the Government are aware of the long standing demand for another Bench of the High Court in Andhra from the advocates as well as from the High Court ?

SHRI H. R. BHARDWAJ : Officially, there is no proposal pending, but I know because I have been touring all round the country that there is a demand from every State. However, the House must know that the approach in regard to this is divided. There is a division of opinion from region to region. In case of UP, the Western UP wants a Bench somewhere in the western districts of UP, but if you go to the Allahabad side, the bar there is on strike; they do not want a Bench there. In Andhra also, there is the same approach. If the Bench and the Bar decide the things with unanimity, then it becomes easier. If the Hyderabad Court will be shifted somewhere, you will have to take into confidence lawyers practising in the High Court. Because of the difference of opinion among the judges, because of the difference of opinion in the Bar, among the politicians and MPs of that region, they do not like the court to be shifted. The beneficiaries are on the other side. They want the circuit courts to travel. This is a complicated question. The report of the

Jaswant Singh Commission has been received. We are discussing with various bar associations and bodies. This cannot be decided in a hurry and a comprehensive view for the whole of the country will have to be taken in consultation with all the concerned people.

[Translation]

SHRI SHYAM LAL YADAV : When it comes to the question of setting up a bench in Uttar Pradesh, the lawyers and the public of Western Uttar Pradesh want the bench to be set up in that region whereas the lawyers and public of Allahabad want the bench to be set up at Allahabad. A massive public movement is going on in Uttar Pradesh on this issue, as a result of which the High Court is closed for the last few weeks and consequently a great harm is being done to the people of the entire State. There has been strike in the District Courts for weeks together. Justice Jaswant Singh Commission's Report is with the Government for more than a year now and Shri Rajesh Pilot, a Union Minister had come out with a statement in the newspapers that the Government had decided to set up a bench of High Court in Western Uttar Pradesh. Therefore, I would like to know from the hon. Minister what criteria have been adopted for the setting up of benches of High Courts in different parts of the country and whether in view of the public opinion, opinion of the lawyers and in view of the mass movement, any decision with regard to Uttar Pradesh has been taken or not? The Ministers in the Government are creating confusion and instigating the public to take to the path of agitation by issuing misleading statements outside the House.

SHRI H.R. BHARDWAJ : There is no scope for any confusion and agitation on this matter. I want to ask the lawyers of Allahabad High Court, who are going on strike, as to what is the issue on which they are resorting to strike. The Government of Uttar Pradesh has submitted a suggestion to us that a bench of the High Court is to be set up in Western Uttar Pradesh and that a suitable location for that is to be identified. This agitation has stated on the question of location. Thus they have themselves created hindrance in the accomplishment of their own work. The lawyers of Western U.P. are sitting on

dharna in front of my hours. *Dharnas* create unnecessary hindrance. If the people of U.P., the politicians and M.Ps. of that State are divided, it would lead to further complications. The lawyers of Allahabad High Court are on strike. The lawyers should also realise the inconvenience being caused to the public due to their strike. After all, what for the lawyers are? They are supposed to render service to the people and they have gone on strike unnecessarily. Therefore, noble persons like you should approach them and convince them that this should be stopped forthwith.

[English]

Pollution by Power Units in Delhi

*696. SHRI MANIK REDDY : Will the Minister of ENERGY be pleased to state :

(a) whether large sums were spent recently to eliminate serious pollution created by the Units of the Delhi Electric Supply Undertaking and Badarpur Thermal Power Station in the Capital and if so, the improvement achieved so far and whether this is considered satisfactory; and

(b) whether maximum pollution levels have been fixed for all ongoing units and units under installation and how these standards compare with the USA?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) and (b). A statement is given below.

Statement

(a) A new Electrostatic Precipitator is being installed at Rajghat Thermal station at a cost of Rs. 1.26 crores. Capacities of Electrostatic Precipitators of Units II, III and IV at Indraprastha station, and of units I, II and III at Badarpur station, are being augmented at costs of Rs. 9 crores and Rs. 12.75 crores respectively under the Renovation and Modernisation scheme for thermal stations. With the installation of these equipments, the pollution from the above units would be substantially reduced as the Precipitators are designed to work at an efficiency level of over 99.5%.