

the judicial service of a State and holding any post inferior to the post of District Judge shall be vested in the High Court,..."

So, the appointment right from the District Level to the Magistrate level is monitored by the High Courts and the State Governments. We have absolutely no interference. I do not think that the High Courts will allow political interference in appointment of judges because the High Courts do appoint judges in lower courts. If there are particular instances, I request the hon. Member to give me those places and I would draw the attention of the High Courts. But we have no jurisdiction to interfere. That is why, I said earlier that we always favour for the creation of an All India Judicial Service in consultation with the Chief Justice and the Chief Minister of the State concerned.

#### **Clearance of Projects in Krishna Basin**

\*127. SHRI VEERENDRA PATIL : Will the Minister of WATER RESOURCES be pleased to state:

(a) the agency to enforce the terms and conditions of Bachawat Award on the concerned States;

(b) whether Government of India are obliged to consider proposals received from concerned State Governments for clearing projects within the frame-work of the Bachawat Award or can go beyond the Award limits; and

(c) if Government of India can go beyond the Award limits in regard to giving clearance to State Government projects, what is the legal effect of such clearance by Union Government on the rights of the States concerned?

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF WATER RESOURCES (SHRI B. SHANKARANAND) :  
(a) The decision of the Tribunal is final and binding on the parties to the dispute and

should be given effect to by them.

(b) The aspect of water availability in any proposed project is examined within the framework of the award of the tribunal.

(c) Does not arise.

SHRI VEERENDRA PATIL : Before I would put the supplementary, I seek your protection.

SHRI E. AYYAPU REDDY : We also seek your protection.

MR. SPEAKER: I think, the law should protect all.

SHRI VEERENDRA PATIL : Two months ago I had sought from the Irrigation Minister certain information but unfortunately, I could not get a reply of that so far. So I was forced to put this question for seeking this information. This is very unfortunate. I have put the question and sought a specific information, but the Minister's reply is altogether different. It is nothing to do with the question that I asked. Parliament is the only forum where we can elicit information. When we write to the Minister, he does not reply. When we send the question and fortunately it becomes a starred one and even within this one hour if the information is not forthcoming, I do not know what is the remedy left for the hon. Member. The first question that I asked is: What is the agency to enforce the terms and conditions of Bachawat Award? I have asked about the agency. And the reply is that the decision of the Tribunal is final. I never asked whether the decision of the Tribunal is final or not and it is binding on the parties to the dispute and should be given effect to by them. I know all that. What I wanted to know is what is the agency. I must tell the hon. Minister that according to section 6(a) of Inter State Water Deputes Act, after the Tribunal gives the award, the Central Government has to establish an Authority to implement the decision of the Tribunal. I know that. But the Minister is not prepared to say that. Another question I have put is whether the Government of India is in a

position to clear in the project outside the award; if such a clearance is given, what is the legal effect of that? the reply is that the aspect of water availability in any proposed project is examined within the framework of the award. I never asked whether he is going to examine or not. But what I wanted to know is, what is the legal effect of that is. I want you to give your ruling and guide me how I should put the supplementary when the answer itself is not proper.

SHRI DINESH GOSWAMI : Next time let Mr. Shankaranand ask the question from Mr. Veerendra Patil and he should reply.

SHRI B. SHANKARANAND : Regarding the first part of the hon. Member's supplementary —of course, it has nothing to do with the main question...

SHRI VEERENDRA PATIL: I have not put any supplementary. I have yet to put the supplementary.

SHRI B. SHANKARANAND: May I say for the benefit of the House that when an hon. Member writes to me to seek information individually for himself and at the same time, he puts a question, I thought perhaps, it is better to explain to the House rather than to the Member. What is wrong in it?

PROF. N.G. RANGA : Why should the Minister take two months to reply?

SHRI VEERENDRA PATIL : I asked this information about two months back and the question I have sent to Parliament only about a week back.

SHRI B. SHANKARANAND: You cannot put a question within a week. Perhaps the hon. Member claims to know everything about it and still he has put the question. What is the purpose?

MR. SPEAKER: He needs authentication from you whether what he knows is right or wrong.

SHRI VEERENDRA PATIL : I have

quoted the section.

SHRI B. SHANKARANAND: For the benefit of the Hon. Member I will quote the section also.

PROF. N.G. RANGA : The Administration has misled you. For two months you have not replied.

SHRI B. SHANKARANAND : I have very high regard for the very senior Member of Parliament. But I refute the charge that the administration has misled me. (*Interruptions*)

Don't go to this conclusion without understanding the question and the answer. Don't do that.

PROF. N.G. RANGA : I have understood the question. There is two months' delay.

MR. SPEAKER: Let us come to the question.

SHRI B. SHANKARANAND: The hon. Member referred to Sections 6 and 6(a) of the Inter-State Water Disputes Act. First, let me read Section 6. This is a very substantive section. I hope the hon. Member knows this also. I quote:

"6. The Central Government shall publish the decision of the Tribunal in the Official Gazette and the decision shall be final and binding on the parties to the dispute..." Further is important: "and shall be given effect to by them."

I hope the hon. Member understands the meaning of these words.

SHRI VEERENDRA PATIL: Sir, there are only four minutes left for the Question Hour to be over. I have not put the supplementary. Only four minutes are left... (*Interruptions*)

SHRI B. SHANKARANAND: I hope he understands the meaning of these words

*(Interruptions)*

SHRI VEERENDRA PATIL : Sir, let me put the supplementary. I do not want any explanation at all, I want to put the supplementary. I do not want any clarification.

SHRI B. SHANKARANAND: Let me reply to your question.

SHRI VEERENDRA PATIL: I have not asked the supplementary...*(Interruptions)*

SHRI B. SHANKARANAND : You have made certain allegations..*(Interruptions)*

SHRI VEERENDRA PATIL : No, I have not put the supplementary. There is no question of your replying ...*(Interruptions)*

SHRI B. SHANKARANAND: Sir, the hon. member claims to know everything about this but still he has put the question. Perhaps he wants to know whether I know the subject...*(Interruptions)*

SHRI VEERENDRA PATIL: This is very bad, Sir. I want to put the supplementary. Only three minutes are left. I want to put the supplementary. You please allow me to put the supplementary, Sir.

MR. SPEAKER: Let him put the supplementary.

SHRI B. SHANKARANAND : Let me quote section 6(a) , Sir, ...*(Interruptions)*

MR. SPEAKER : Let him put the supplementary now.

SHRI B. SHANKARANAND: No, Sir, he has referred to certain sections. He has referred to section 6(a) ...*(Interruptions)*

SHRI VEERENDRA PATIL: Sir, I want to put the supplementary now...*(Interruptions)*

SHRI B. SHANKARANAND: Section 6(a) says—this section shall come into operation when the State finds it difficult to

implement the decision; in case of difficulty, section 6(a) will come into operation; Sir, perhaps the hon. Member has not .... *(Interruptions)*

SHRI VEERENDRA PATIL : Sir, I am satisfied with his explanation. Let him not explain. Let me put the first supplementary.

MR. SPEAKER : Now, let him put the supplementary.

SHRI VEERENDRA PATIL: Sir, my first supplementary is...*(Interruptions)*

MR. SPEAKER : Let me handle it. Why are you interrupting?

*(Interruptions)*

MR. SPEAKER : Please let me handle it now. Please sit down. Let him put the supplementary.

SHRI VEERENDRA PATIL : Sir, My first supplementary is whether the Government of India has examined the Telugu-Ganga project which has been submitted by the Andhra Pradesh Government in the light of the Award. If so, whether the Government has come to the conclusion that the Project is not conceived within the framework of the Bachawat Award?

SHRI B. SHANKARANAND: Sir, the hon. Member has put a question about a particular project that whether the project Telugu-Ganga is conceived within the framework of Bachawat Award or not. Now, three States are concerned with this ... *(Interruptions)*

AN HON. MEMBER: What is your stand?

SHRI B. SHANKARANAND : Just listen. The Karnataka Government and the Maharashtra Government say: No, it is not within the Award. So, a dispute has arisen. When we will find that the project is available within the framework of the Bachawat Award, the project will be cleared.

**SHRI VEERENDRA PATIL:** Sir, it is unfortunate that the project was submitted about four-five years back and till this day, they are simply examining it. They have not come to any conclusion whether it is within the Award or outside the Award. He is not in a position to say that. My second supplementary is whether the allocation of water under the Bachawat Award is permanent or it is an unutilised allocation of water to a particular State up to 2000 A.D. Will it remain permanent or it will go to the surplus?

**SHRI B. SHANKARANAND :** Now, this a question for which the entire award will be reviewed. The decision of the Award will be reviewed by the year 2000 A.D. The hon. Member wants to say that the surplus water is not available to the people of that area. I do not think I will be able to say anything about that.

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## WRITTEN ANSWERS TO QUESTIONS

[English]

### Amendments in FERA

\*128. **SHRI H.N.NANJE GOWDA :** Will the Minister of FINANCE be pleased to state:

(a) whether Government propose to tighten the Foreign Exchange Regulation Act (FERA);

(b) if so, the details thereof; and

(c) to what extent the FERA violators will get suitable reward or punishment?

THE MINISTER OF STATE IN THE DEPARTMENT OF ECONOMIC AFFAIRS IN THE MINISTRY OF FINANCE (SHRI EDUARDO FALEIRO) : (a) to (c). Government of India have received suggestions for amending the Foreign Exchange Regulation Act, 1973 and these are being examined.

### Voting Age

\*129. **SHRI SHANTARAM NAIK:**  
**SHRIMATI JAYANTI PAT-**  
**NAIK:**

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

(a) whether Government are considering actively to reduce the voting age from 21 to 18;

(b) if so, when the law would be amended to give effect to it; and

(c) the number of additional voters on account of this reduction in voting age?

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF WATER RESOURCES: (SHRI B.SHANKARANAND) : (a) and (b). The proposal to reduce the voting age is now being debated extensively. Government have taken note of this; but no decision has been taken so far.

(c) The number of additional voters as a result of the reduction in voting age has been estimated by the Election Commission to be about 47 million.

### Corporate Plan

\*130. **PROF. NARAIN CHAND PAR-**  
**ASHAR :** Will the Minister of RAILWAYS be pleased to state:

(a) whether any corporate/comprehensive plan for the construction of new railway lines/conversion from narrow gauge/metre gauge to broad gauge upto the year 2000 A.D has been finalised by Government keeping in view the urgency to complete the ongoing projects, in each zone;

(b) if so, a brief outline of the corporate plan and its break-up for Eighth and Ninth