

12.18 hrs.

**APPROPRIATION (NO. 4)\* BILL**

**The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi):** I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1958-59.

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1958-59."

*The motion was adopted.*

**Dr. B. Gopala Reddi:** I introduce\*\* the Bill.

Sir, I beg to move \* \* :

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1958-59, be taken into consideration."

**Mr. Speaker:** The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1958-59, be taken into consideration."

*The motion was adopted.*

**Mr. Speaker:** The question is:

"That Clauses 1, 2 and 3 and the Schedule and the Enacting For-

mula and the Long Title stand part of the Bill."

*The motion was adopted.*

*Clauses 1, 2 and 3 and the Schedule and the Enacting Formula and the Title were added to the Bill.*

**Dr. B. Gopala Reddi:** I beg to move:

"That the Bill be passed."

**Mr. Speaker:** The question is:

"That the Bill be passed."

*The motion was adopted.*

12.19 hrs.

**BUSINESS OF THE HOUSE**

**Mr. Speaker:** The House will now resume further discussion . . .

**Shri Mohammed Imam (Chital-drug):** I seek some clarification from you regarding the special motions we have tabled so far. The original Order Paper included discussion on a Motion tabled by Shri Feroze Gandhi who is unfortunately ill and so it cannot be taken up today. We all submitted that another motion should be taken up today between 3 P.M. and 5 P.M. No other motion has been substituted for the motion that was included. In this connection I seek some clarification from you as to the procedure to be adopted . . . .

**Mr. Speaker:** Is there no motion today relating to the Public Service Commission?

**Shri Braj Singh (Ferozabad):** That has to be there.

**Mr. Speaker:** Let me hear him.

\*Published in the Gazette of India Extraordinary Part II—Section 2, dated 25-9-54.

\*\*Introduced and moved with the recommendation of the President.

**Shri Mohammed Imam:** . . . adopted for including in the Agenda motion, which were tabled under Rules 184 and 183 which have been admitted by you. We take great pains to table these motions in order to bring to the notice of the Government some urgent problems. It is our experience that most of these motions are not taken up or lapse presumably because the Government is not prepared to meet them. I may quote one instance. I tabled one motion . . .

**Mr. Speaker:** We are going into a general matter. All that I can say is, so far as these No-day-yet-named motions are concerned, we agreed in the Business Advisory Committee that one such motion will be taken up every week. It was suggested that instead of on Wednesday, it may be taken up on a Thursday. The other day, in the Business Advisory Committee it was decided that two motions alone could be taken up in this session before the session concludes. Priority was given to the motion in the name of Shri Feroze Gandhi relating to the late running of trains. The other one was about safety in trains. So far as the motion relating to the report of the Textile Enquiry Committee is concerned, it was not found feasible. Suddenly Shri Feroze Gandhi fell ill. In deference to his wishes, we have put off his motion. Therefore, it cannot be said that there is absolutely no method. Every week we have a no-day-yet-named motion on a Thursday. That is the arrangement. Suddenly they have not been able to switch over.

**Shri Braj Raj Singh:** Seeing the agenda which is meant for today, we may not be able to do any motion this week, not even on Saturday, because the statutory motion under article 320(5) of the Constitution has got to be passed before the close of the session—the motion on UPSC Consultation Regulations. Today the Supreme Court Judges (Conditions of Service)

Bill is going on, and after that the High Court Judges (Conditions of Service) Amendment Bill will come up. We may not be able to pass these two Bills today, and then on Saturday only 2½ hours will be at our disposal. So, we may not be able to do any motion this week.

**Mr. Speaker:** Very well. If it is so, it is so.

**Shri V. P. Nayar (Quilon):** I want a clarification from you about another matter.

Last session you were pleased to allow a half-hour discussion in my name in the matter of the Indian Institute of Medical Sciences, but because we had no time during the last session to have the discussion, you very kindly ordered this would be taken up in this session. As soon as I came to Delhi for the session, I gave notice . . .

**Mr. Speaker:** What shall I do now?

**Shri V. P. Nayar:** Can we have it tomorrow?

**Mr. Speaker:** Day after tomorrow?

**Shri V. P. Nayar:** May I submit that the hon. Minister of Health with whom I had a discussion this morning very kindly agreed to have the discussion day after tomorrow provided you consider it.

**Shrimati H. Palchoudhuri (Nabadwip):** May I ask for a clarification?

**Mr. Speaker:** The House will not sit beyond day after tomorrow.

**Shri Nath Pal (Rajapur):** The Business Advisory Committee had given 2½ hours for the consideration of the Supreme Court Judges (Conditions of Service) Bill, and yesterday the hon. Minister consumed 48 minutes, a big slice of it. I am afraid many hon.

Members want to speak on this very important Bill. Will you, therefore, kindly extend the time by an hour at least?

**Mr. Speaker:** Let us see. Hon. Members in the beginning of the day are very anxious that we should dispose of business and sit longer hours, but as the day advances, all hon. Members, one after the other, leave their place.

12.23 hrs.

**SUPREME COURT JUDGES (CONDITIONS OF SERVICE) BILL—Contd.**

**Mr. Speaker:** The House will now resume further discussion of the following motion moved by Shri Datar on the 24th September, 1958, namely:

"That the Bill to regulate certain conditions of service of the judges of the Supreme Court, be taken into consideration."

and also the motion for reference to Select Committee moved by Shri Frank Anthony.

Out of the 2½ hours allotted to this Bill, one hour and 42 minutes now remain. Shri Anthony may kindly continue his speech.

**Shri Frank Anthony** (Nominated—Anglo-Indians): I am glad that the hon. Home Minister is in the House. Yesterday in the very few minutes during which I spoke in support of my motion for reference to Select Committee, I had emphasized the fact that this is a very vital Bill which deals with the conditions of service of the Supreme Court Judges; and the Supreme Court is something in respect of which we must address ourselves carefully; that the conditions of service will depend on whether the Supreme Court functions as we want it to function in the vitally pivotal position.

I was at the point where I mentioned that although Government may take the position that the salaries that have been set out in the Constitution to be paid to the Supreme Court Judges are sufficient in the context of the resources of the country, I could not accept this position. I pointed out that the Federal Court had much less work, had much narrower jurisdiction, and yet the Chief Justice of the Federal Court used to get a salary of Rs. 7,000 whereas we have fixed a salary to our Chief Justice of Rs. 5,000. A Judge of the Federal Court used to get Rs. 5,500 whereas we have fixed the salary of a Supreme Court Judge at Rs. 4,000. I know that the plea will be taken that this thing has been fixed in the Constitution, but I feel that this is a matter . . .

**The Minister of Home Affairs** (Pandit G. B. Pant): Just a word of apology. I have to attend a meeting. Shri Anthony was good enough to refer to me. I shall certainly study all that he has said or will be saying, but he will excuse me if I go out now.

**Mr. Speaker:** Shri Datar will be here.

**Pandit G. B. Pant:** Yes. I may be coming back.

**Shri Frank Anthony:** I feel that in this very vital matter of the conditions of service for our Supreme Court Judges, to try and strike a comparison even with the salaries of Ministers is quite wrong. Any economy here is not only mis-conceived economy; to my mind it is false; worse than that, it is dangerous economy.

So far as the pension scales are concerned, I feel strongly, as I mentioned yesterday, that they are not only inadequate, they are grossly inadequate. I think they are grossly niggardly. So far as the Chief Justice is concerned, the maximum limit of pension for him is Rs. 26,000 per