

PROF. MADHU DANDAVATE : What is this ? Are they bonded labourers ?
(*Interruptions*)

MR. SPEAKER : Let him reply. He will put the matter straight.

SHRI H.R. BHARDWAJ : The Judges and all individuals in the country have the freedom of speech. Within the usual restraint, we are all supposed to express our thoughts sparingly. We do not propose to say anything to any Judge regarding the speeches made outside because they make speeches and we also do make speeches.

SHRI K. RAMACHANDRA REDDY : Sir, previously it was decided that one-third of the Judges must be outsiders who do not belong to that State. Has this decision been implemented; if so, in how many courts one-third of the Judges are outsiders and, if not, why this decision has not been implemented ?

SHRI H.R. BHARDWAJ : Sir, I have pointed out that there are only three Chief Justices—Delhi, Gauhati and Jammu & Kashmir.

AN HON. MEMBER : He is asking about one-third policy.

SHRI H.R. BHARDWAJ : About the one-third policy, it was discussed with Chief Justice Bhagwati and the present Chief Justice, and they were of the view that the transfer should be at the initial stage of appointment, because if you appoint a Judge you would gradually start appointing Judges from one court to another and that would be better rather than wholesale disturbing one third of the Judges from one court to another.

This transfer is gradually going on.

[*Translation*]

SHRI RAMSWAROOP RAM : Mr. Speaker, Sir, the policy of the Government is that a Chief Justice of a High Court is liable to be transferred from one State to another. Are other judges of High Courts are also transferred from one State to another ?

SHRI H.R. BHARDWAJ : Sir, I want to make it clear that Judges and Chief Justices of High Courts are transferred in consultation with the Chief Justice of India in the interest of judicial independence. In the S.P. Gupta case in 1980-81, some guidelines were laid down in this regard according to which transfers are being made now. I have just informed the hon. Members about the 1/3 policy. But I want to make it clear that no transfer can be effected without consulting the Chief Justice.

[*English*]

Scheduled Tribes status to Ladakhis

481. **SHRI P. NAMGYAL :** Will the Minister WELFARE be pleased to refer to the reply given to Unstarred Question No. 539 on 29 July, 1987 regarding Scheduled Tribes status to Ladakhis and state :

(a) whether the report from the Registrar General of India has since been received by Government regarding giving of Scheduled Tribe status to Ladakhis;

(b) if so, the salient features of the report; and

(c) if not, when the report is expected to be submitted and the reasons for delay ?

THE DEPUTY MINISTER IN THE MINISTRY OF WELFARE (SHRI GIRIDHAR GOMANGO) : (a) No, Sir.

(b) Does not arise.

(c) The work of Census and Survey operations in Jammu and Kashmir in this regard has been undertaken by the Registrar General of India. As per the tentative programme intimated by the Registrar General of India, the report is expected to be completed by the end of year 1988. However, no confirmed date can be assigned due to administrative reasons.

SHRI P. NAMGYAL : It is unfortunate that the Government is going on extending the deadline for the submission of the Report of the Registrar General of

India. It was assured by the government earlier that the Report of the Registrar General of India will be made available by the end of 1987. Now the Minister says that it will be made available by the end of 1988. In 1985, when the hon. Prime Minister visited Ladakh, he assured in a public meeting to the public of Ladakh that the decision in respect of granting ST status to the Ladakhis will be taken by the end of 1987. Now the year 1987 is about to end. Will the government assure this House that the Registrar General of India will be asked to submit its Report immediately i.e. before the next Budget Session that is in February-March, 1988 and the decision will be taken by that time ?

SHRI GIRIDHAR GOMANGO : The information furnished by the RGI is that they are working according to schedule. This question should have been addressed to the Ministry of Home Affairs because it comes under them. Unless relevant information is received by my Ministry, it will be difficult for me to answer it.

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH) : The suggestion made by the hon. member, Shri Namgyal, is well taken and we will see that it is brought before the Budget Session.

DR. V. VENKATESH : Even in our country there are so many communities today which have not seen the light of the day. In Karnataka one particular community by name Valmiki was recommended by the State Government to be included in the list of ST. This had been done long back. So far the Government has not taken any decision. I want a categorical answer from the Government whether they are going to consider this...
(*Interruptions*)

MR. SPEAKER : This question relates to Ladakhi.

DR. V. VENKATESH : To include this community in the list of ST, the Government of Karnataka had recommended to the Government of India. But, so far no decision has been taken.

MR. SPEAKER : At this stage, I cannot go beyond the scope of the question.

DR. V. VENKATESH : This is a tribal community.

MR. SPEAKER : I am not contesting that point. I am telling you that this question relates to Ladakh. Had you given a notice for that, I would have got it answered.

DR. V. VENKATESH : It is connected with that.

MR. SPEAKER : Not allowed.

(*Interruptions*)

SHRI UTTAM RATHOD : Only the other day the hon. Minister of State had made a statement in the Rajya Sabha that a comprehensive Bill is to be brought forward; a comprehensive list of tribes is to be brought out. Will these communities be included in that ?

THE MINISTER OF STATE OF THE MINISTRY OF WELFARE (DR. RAJENDRA KUMARI BAJPAI) : At this stage, it is not possible to say anything.

Rural Courts

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*483. **SHRI U. H. PATEL :**

SHRIMATI PATEL RAMA-BEN RAMJIBHAI MAVANI :

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

(a) whether Government have decided to establish rural courts;

(b) if so, the details thereof stating the norms and criteria for establishing these courts;

(c) when these courts are likely to be established; and

(d) how many such courts are proposed to be established in Gujarat ?