

[14 March, 2000]

RAJYA SABHA

constitution and a permanent and continuous Lok Adalat for the Ministries/ Departments of the Government of India located in Delhi for the purpose of resolution of a disputes between the Government of India and its employees and private persons.

(c) and (d) The Delhi High Court vide its order dated January 15, 1999 read with its subsequent order dated May 14, 1999 had emphasised the necessity for setting up permanent and continuous Lok Adalats to reduce the pendency in courts. According to the High Court, Since a Lok Adalat is presided over by a sitting or retired judge or judicial officer, it evokes instant acceptability and creditability.

Reservation to SC / ST in Supreme Court

2088. SHRI SUKHDEV SINGH LIBRA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to take necessary steps to incorporate in the Constitution a clause for providing reservation of SC / ST judges in the Supreme Court;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): (a) to (c) Appointment of Judges of the Supreme Court of India is made under article 124 of the Constitution of India which does not provide for reservation for any caste or class of persons. There is no proposal at present for incorporating in the Constitution of India a clause providing for reservation of SCs / STs in the matter of appointment of Judges of the Supreme Court of India. But almost every communication to the Chief Justices of High Courts emphasises this aspect.

Plea Bargaining System for speedy disposal of cases

†2089. SHRI SWARAJ KAUSHAL: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether with a view to expedite the disposal of crores of cases which are under the consideration of lower Courts Government propose to start the "Plea Bargaining System";

†Original notice of the question was received in Hindi.

(b) if so, the details thereof; and

(c) by when the said system is proposed to be introduced?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): (a) to (c) The Law Commission in its 154th Report has made recommendations pertaining to plea bargaining in the context of huge backlog of criminal cases pending in lower courts. The recommendations made by the Law Commission are under examination.

Constitution Review Committee

†2090. SHRI JANESHWAR MISRA:

SHRI C.M. IBRAHIM:

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

(a) whether the Government have set up a Committee to review the constitution of India; if so, the composition and precise terms of reference of the Committee, indicating the political, social, legal and economic representation in the Constitution of the Committee;

(b) by when it is expected to submit its report and recommendations; and

(c) what will the *modus operandi* of this Committee?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): (a) The Government have set up a "National Commission to Review the Working of the Constitution" consisting of a Chairperson and 10 Members. The Commission shall examine, in the light of the experience of the past 50 years, as to how best the Constitution can respond to the changing needs of efficient, smooth and effective system of governance and socio-economic development of modern India within the framework of parliamentary democracy and to recommended changes, if any, that are required in the provision of the Constitution without interfering with its basic structure or features. Chairperson of the Commission was selected on the basis of his expertise on constitutional issues and the working of the democratic institutions of the nation. Members of the Commission were selected on the basis of their proven expertise and knowledge in the field of constitutional law, economics, politics, law, sociology, political science and other relevant subjects.

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