

(a) whether Government are considering total review of the Constitution which is reportedly outdated to deal with the merging complex political scenario and containing challenges posed;

(b) if so, the details of the initiatives taken in this regard;

(c) the details of the timebound action plan conceived/proposed by Government for the purpose; and

(d) whether Government are considering to set up a National Commission for review of the Constitution and suggest appropriate changes, if so, the details of the moves proposed in this regard?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) to (d) Government has not taken any decision in the matter so far.

Appointment of more Women Judges

1029. SHRI BRAHMAKUMAR BHATT: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number of judges in various High Courts in the country, State-wise;

(b) out of them how many are women judges in each High Court;

(c) whether Government propose to appoint more women judges;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) and (b) A Statment is laid on the Table of the House. (See below).

(c) to (e) Appointment of Judges of High Courts are made in terms of Article 217 of the Constitution which does not provide for reservation for any caste or class of persons. The Government have, however, addressed letters to the Chief

Ministers of the States and the Chief Justices of the High Courts from time to time requesting them to locate persons from the Bar belonging to Scheduled Castes, Scheduled Tribes, other Backward Classes, Minorities and Women who are suitable for appointment as High Court Judges.

Statement

(As on 1.12.1998)

S. No.	Name of High Court	No of Judges	No of women Judges
1.	Allahabad	44	—
2.	Andhra Pradesh	25	1
3.	Bombay	47	3
4.	Calcutta	31	1
5.	Delhi	25	1
6.	Gauhati	15	1
7.	Gujarat	30	1
8.	Himachal Pradesh	5	1
9.	Jammu & Kashmir	11	—
10.	Karnataka	33	—
11.	Kerala	22	2
12.	Madhya Pradesh	26	1
13.	Madras	33	2
14.	Orissa	12	—
15.	Patna	29	1
16.	Punjab & Haryana	22	—
17.	Rajasthan	22	1
18.	Sikkim	1	—
		433	16

Barring of Criminals from Contesting Elections

1030. SHRI P. PRABHAKAR REDDY: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that a proposal for barring the criminals from contesting in Parliamentary and Assembly elections is under the consideration of Government;

(b) if so, the details thereof and by when the proposal is likely to be finalised and implemented; and

(c) whether the proposed measure is likely to include the undertrials and those persons released on bail but not actually

convicted on the date of filing the nominations?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) to (c) Certain proposals for strengthening Section 8 of the Representation of the People Act, 1951, including a proposal for disqualifying a person from the date the competent court frames charges against him in certain offences, would be discussed with political parties and Government would consider giving effect to such proposals on which consensus emerges amongst political parties.

Frequent Shifting of the Department of Company Affairs

1031. SHRI S. PETER ALPHONSE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Department of Company Affairs/Company Law Board recently attached to Law Ministry is functioning efficiently;

(b) how many times these Departments were shifted and attached to different main Ministries; and

(c) whether Administrative Reforms Commission has thought of this matter at any stage and steps taken to stop this type of shifting the Departments at regular intervals?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) Yes, Sir.

(b) Department of Company Affairs/Company Law Board functioned under different main Ministries since 1955. These changes occurred ten times.

(c) In 1968, Administrative Reforms Commission recommended that the Company Law Administration should be placed back in the Ministry of Finance. This recommendation of Administrative Reforms Commission was not accepted

by the Government on the ground that no hard and fast rule could be laid down in this regard.

The rules for allocation of business of the Government are made by the President in terms of the powers conferred by clause 3 of the Article 17 of the Constitution of India for proper transaction of the business of the Government. The business of the Government is transacted in various Ministries and Departments as per the allocation of the business specified in the Government of India (Allocation of Business) Rules, 1961. The decision if the Department should be independent or attached to Ministry is based on administrative convenience at a given point of time. This is a continuous exercise and the structure of Ministries/Departments of the Government of India is in constant flux and evolving.

Electoral Reforms proposed by Law Commission

1032. SHRI KRISHNA KUMAR BIRLA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Law Commission has proposed far reaching electoral reforms and recommended to put a ban on splits and mergers of political parties during the term of Lok Sabha or Legislative Assembly;

(b) if so, whether Government propose to bring any further changes in the electoral reforms; and

(c) if so, the details thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) to (c) The Law Commission has not yet made any recommendation on electoral reforms to the Government. The Commission, however, has circulated a working paper