ने बहुत से आंकड़े दिये हैं। वे आंकड़ें सही है, लेकिन इस बात का ध्यान रखना चाहिये कि जिस काम के लिये रुपया दिया जाय वह स्थायी स्वरूप का काम हो, बरसात में वह न जाय और वह काम इस प्रकार का हो जिससे उत्पादन में वृद्धि होती हो ।

अगर उत्पादन में वृद्धि नहीं होती तब भी उस धन का दुरुपयोग हो जाता है, उसका सदुपयोग नहीं होता इसलिये अगर सब्स्टीट्यूट इम्प्लायमेंट की व्यवस्था व्यापक पैमाने पर बराबर की जाय, जो धन सरकार बजट में उपलब्ध कर रही है उसके द्वारा स्थानीय निकाय हैं, जिला परिषद् हैं और राज्य सरकारें हैं, उनके माध्यम से कुछ न कुछ काम लोगों को मिल सकता है ।

एक चीज और महत्वपूर्ण है जिसकी तरफ डा० कुरियन ने ध्यान दिलाया, मैं भी ध्यान दिलाना चाहता हूं, कि मशीनीकरण को अभी हमें अधिक प्रोत्साहन नहीं देना चाहिये कम्प्यूटराइजेशन नहीं करना चाहिये क्योंकि हमारे देश में आदमी ज्यादा सस्ता है, मशीनें बहुत महंगी हैं, बाहर से मंगाने पर और भी महंगी पड़ती है । तो जिन उद्योगों में हाथ से काम हो सकता है, आदमी के जरिये काम हो सकता है, सरकार को ऐसे उद्योग में किसी भी सूरत में मशीन नहीं लगानी चाहिये, जैसे कि मैं दो उदाहरण देना चाहता हूं कि दिल्ली में मकान बनाने के लिये ईंटों का जो निर्माण होता था, जिसमें छोटे छोटे मजदूर और कारीगर काम करते हैं, उसके लिये मशीन बैठा दी गई । क्या जरूरत थी मकान बनाने में जहां लाखों लोग मकान बनाने के काम में लग सकते हैं, उसके लिये प्री-फैबरिकेटेड हाउसेज शुरू कर दिये हैं । उसकी क्या आवश्यकता है । मुगलसराय में रेलवे में जो मार्शलिंग हुआ करती थी वहां पर मशीन लगा दी गई, जहां 50 आदमी काम करते थे वहां एक आदमी काम करने लगा । तो इन चीजों को बन्द करना चाहिये और कम्प्यूटराइजेशन नहीं होना चाहिये । दफ्तरों में, एल० आई० सी० और दूसरे दफ्तरों में तमाम मशीनें लगा दी गई, लोग बेकार हो गये, उस काम को बन्द किया जा सके तो जो धन उपलब्ध है उसी में ये सारे काम हो सकते हैं ।

अन्त में मान्यवर, मैं पुनः सदन का बहुत आभारी हूं और मंत्री जी को और खासतौर से रघुनाथ रेड्डी जी को धन्यवाद देता हूं, उनके जैसे विचारवान और समझदार व्यक्ति ने इस बात का आश्वासन दिया कि वह दिन आयेगा जब यह सदन इस तरह के प्रस्ताव को स्वीकार करेगा । मैं उनका बहुत आभारी हूं । इन्हीं शब्दों के साथ, और मंत्री जी ने जो भावनायें प्रगट कीं और आश्वास न दिया उसको ध्यान में रखते हुये अपने प्रस्ताव को वापस करता हूं ।

The Bill was, by leave, withdrawn.

THE CONSTITUTION (AMENDMENT) BILL, 1971 (TO AMEND ARTICLES 124 AND 217)

SHRI BHUPESH GUPTA (West Bengal): Sir, I beg to move:

> "That the Bill further to amend the Constitution of India, be taken into consideration."

Sir, this Bill provides for the appointment of the judges of the Supreme Cour not by the President on the advice of the Government but on the basis of advice of a panel approved by Parliament, and in the case of High Court judges the panel should be approved by the Legislative Assembly of the State concerned. This is the first part of the Bill.

The second part of the Bill provides that in the case of a judge of the Supreme Court, it will be open to the

[Shri Bhupesh Gupta]

House of the People to remove him by a majority of the total membership of the House, and the President will have to act on that advice. Today there is no provision for removal of a Supreme Court judge even when Parliament thinks that such a judge is misfit in view of his performance and having regard to the requirements of a changing society. Similarly, in the case of a judge of the High Court, the Legislative Assembly concerned should have the power to remove him in the same way as the House of the People. I am not taking the power for the Rajya Sabha. In the case of Supreme Court judges, the Lok Sabha should have that power of removal by a majority vote. In the case of High Court judges, that power should be with the State Assembly concerned.

Now, Sir, one minute more. All that I would like to say is I will develop this subject later when this comes up. In fact, I gave notice of this Bill in 1971 when a very bitter controversy was raging about the role of the Supreme Court, the manner of appointment of the judges, the seniority on appointment, and all the rest of it. Now after 5 years it has come for discussion and I am very glad that you have allowed two minutes to me to move it so that in the next Session we can take it up. This is a very serious matter. Sir, in a democratic set-up today, in the changing situation, it is the Parliament in the case of Supreme Court—the House of the People—and in the case of High Court judges it is the State Legislature which should come into the picture and it should not be left to the Governor or to the President to decide this matter. They will implement the selection made after deliberations by Parliament is the same of Supreme Court and by the Legislative Assembly concerned in the case of High Court, as I said. Now this will give opportunity to the members and the country, to discuss the merits and demerits of the probable recommendations in this connection and at the same time the question could be discussed from the larger angle of national and social interests. That is why, I have made this suggestion. I know that the heat and the dust of the controversy has settled down; people are not now worried about this thing; even those who were shouting against what was being done 4 years ago, do not speak much on the subject. But the issue remains. In our democratic set-up we must come to grips with the problems of the appointments of the personnel of the highest judiciary in the land. That is why I have made the suggestion. I do not want to take much of your time now because other things have to be taken up. Next Session we shall take up this subject-matter. This should be thoroughly considered by the country and the Parliament, in particular, specially the members who look for and want to bring about a change. The Supreme Court and the High Courts must not be a drag on progress and should in their own way and in their own sphere function as an instrument of social advancement and change. This is all that I say now and I will continue next time.

5 P.M.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): Are you going to continue next time?

SHRI BHUPESH GUPTA: I will continue; I have not finished.

THE VICE-CHAIRMAN: The debate will continue on the next non-official day for the Bill.

Now the Deputy Minister for Finance

THE BUDGET (PONDICHERRY), 1975-76

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): Sir, with your permission I lay on the Table a statement (in English and Hindi) of the estimated receipts and expenditure of the Union Territory of Pondicherry for the year 1975-76.
