

Separation of judiciary from executive in public services

2090. SHRI PRAVEEN RASHTRAPAL: Will the Minister of LAW and JUSTICE be pleased to state:

- (a) the details of action taken by the Ministry to separate the judiciary from the executive in the public services as required under Article 50 of the Constitution;
- (b) if not, the reasons therefor; and
- (c) the status in the matter of Indian Judicial Services Commission?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) and (b) The higher judiciary is separate from the executive in the public services and therefore, there is no action on the part of Ministry of Law & Justice. The appointment and control of subordinate judiciary are the concern of the State Government and the respective High Court. Judiciary is separated from the executive in all States except in Karbi-Anglong and Dima Hasao districts of Assam, Nagaland, Meghalaya and Arunachal Pradesh. The Hon'ble Supreme Court of India is monitoring separation of judiciary in the North Eastern States in Civil Appeal No.4101/2002 (State of Meghalaya and ors. vs. Subhashish Chakraborty & ors.).

- (c) Presently, there is no proposal in respect of Indian Judicial Services Commission.

Permission for prosecution of members of ITAT

2091. SHRI RAM KRIPAL YADAV: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether it is a fact that recently Central Bureau of Investigation (CBI) has asked permission for prosecution of members of the Income Tax Appellate Tribunal (ITAT);
- (b) if so, how many members are listed in CBI report in this case; and
- (c) the details of status of granting the permission for their prosecution through CBI?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) and (b) The Central Bureau of Investigation has sought permission for prosecution of one Member of the Income Tax Appellate Tribunal.

(c) The matter is under examination in consultation with the Central Vigilance Commission.

Reservation in promotion

2092. SHRI AMBETH RAJAN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether reservation in promotion is strictly followed and implemented in the Ministry as per the provisions made in the Constitution through the 77th Amendment;

(b) if so, the details of the promotions made during the last five years in all the categories;

(c) if not, the reasons therefor; and

(d) by when the same would be completed?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) Yes, Sir.

(b) The promotions to Central Service i.e. Central Secretariat Service (CSS) / Central Secretariat Stenographers Service (CSSS) / Central Secretariat Clerical Service (CSCS) are being made as per the orders of Department of Personnel & Training (Central Service Division). Details of promotions made in cadres being controlled by this Department i.e. Indian Legal Service (ILS)/General Central Service (GCS) during last five years are as under:

Group	General	SC	ST	OBC	Total
Group 'A'	19	13	04	06	42
Group 'B'	07	01	-	02	10
Group 'C'	47	08	01	01	57
Group 'D'	15	12	06	-	33

(c) and (d) Does not arise in view of answer to (a) above.

Funds for security around court premises

2093. SHRI RAJ KUMAR DHOOT: Will the Minister of LAW AND JUSTICE be pleased to state: