

1	2	3	4
Lakshadweep	0.00		0.00
Pondicherry	1250.00		1250.00
TOTAL	5000.00	2000.00	7000.00
GRAND TOTAL	59574.00	27039.36	86613.36

(*)—Upto 31.8.2012

Representation of Scheduled Castes in judiciary

†2398. DR. BHUSHAN LAL JANGDE: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the number of district judges belonging to Scheduled Caste category;
- (b) whether it is a fact that judges belonging to SC category are retired before being elevated to the post of district judge;
- (c) whether the number of judges belonging to SC category is almost negligible in High Courts and Supreme Court and if so, the details thereof; and
- (d) whether it is also a fact that the fate of judges belonging to SC category always hangs in balance and even if any mistake is committed by them inadvertently, they are either dismissed or retired?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) to (d) Under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vests with the concerned High Court. Further, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Government frames the Rules and Regulations in consultation with the High Court and the members of the State Judicial Service are all governed by them. The issues of appointment, promotion, reservations etc. of judicial officers in the district/subordinate courts are decided by the respective State Government under the Rules and Regulations. The Central Government has no role and, hence, no data is maintained in this regard.

At the High Court and Supreme Court level, appointments of the Judges are made under Articles 124 and 217 of the Constitution of India respectively, which do

†Original notice of the question was received in Hindi.

not provide for reservation for any caste or class of persons. As such, no data is maintained on the number of SC Judges in the Supreme Court and High Courts.

Illegal mining

2399. SHRI N. BALAGANGA: Will the Minister of MINES be pleased to state:

- (a) whether the Central Empowered Committee on illegal mining has recently recommended any penalty for illegal mining activities;
- (b) whether it is a fact that the same Committee had earlier recommended very stringent penalty for the same offence;
- (c) if so, the details of both the recommendations;
- (d) whether Government has noticed that the latest recommendations would encourage illegal mining in the country;
- (e) if so, the details thereof and Government's reaction thereto; and
- (f) the steps taken by Government to curb illegal mining activities in the country?

THE MINISTER OF STATE OF THE MINISTRY OF MINES (SHRI DINSHA J. PATEL): (a) to (c) The Central Empowered Committee (CEC) which has been set-up by the Hon'ble Supreme Court of India, in its Report on mining in Karnataka has given the recommendation that persons found to be involved in illegal mining are bound to pay exemplary compensations/penalty depending upon on the illegalities found which includes a compensation/penalty of Rs. Five crore per hectare for area under illegal mining and Rs. One crore per hectare for area under illegal over burden dump. The basis for finalization of CEC's recommendation is not maintained in the Ministry of Mines.

- (d) No, Sir.
- (e) Does not arise in view of (d) above.
- (f) The Central Government has taken the following steps to curb and check illegal mining in the country:
 - (i) State Governments were asked to frame rules to control illegal mining as per Section 23 C of MMDR Act (so far 18 States have framed Rules).