

[12 July, 2004]

RAJYA SABHA

18. Uttaranchal

Kumaon Engg. College, Dwarhaat

Setting up of high capacity transmitters in U.P.

†219. SHRI ABU ASIM AZMI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the location in various districts of Uttar Pradesh where high capacity transmitters are to be set up;

(b) whether any funds have been allotted by Government for the said work and whether the work has been started;

(c) if so, the details thereof;

(d) whether Government would install a high capacity transmitter in the Azamgarh district; and

(e) if so, by when and if not, the reasons therefor?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI S. JAIPAL REDDY): (a) Prasar Bharati has informed that there is no proposal for setting up of new high power TV transmitters in Uttar Pradesh.

(b) and (c) Do not arise.

(d) Most parts of Azamgarh district receive TV coverage from the high power transmitters at Varanasi, Gorakhpur and Mau. An LPT for relay of News Channel programmes is functioning at Azamgarh. There is no scheme to set up high power transmitters in Azamgarh district.

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(e) TV coverage to uncovered areas of the country is now envisaged to be provided through satellite transmission in Ku-band, which is expected to commence during 2004.

Action against erring Judges

220. PROF. ALKA BALRAM KSHATRIYA:

SHRI AMAR SINGH:

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

(a) whether Government are considering of enacting a law to give

†Original notice of the question was received in Hindi.

powers to the Chief Justice of India to deal with erring Judges and indiscipline in the judiciary;

(b) by when a legislation in this regard is likely to be introduced;

(c) whether the Chief Justice of India has decided to set up a peers' committee of the apex court as well as have his own administrative office to deal with erring judges; and

(d) if so, whether Government have decided that the cases involving the judges would be sent to the Chief Justice who would hold an inquiry through his own channels and decide to take any action against them?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) and (b) The issue of Judicial Accountability was discussed at the Conference of Chief Justices held in 1990 and on the basis of the broad consensus emerging out of the deliberations, the Chief Justice of India summed up the position as follows:

"The Chief Justice of the High Court has the competence to received complaints against the conduct of the Judges of his court and when he receives any he would look into it for finding out if it deserves to be closely looked into. Where he is satisfied that the matter requires to be examined, he shall have facts ascertained in such manner as he considers appropriate keeping the nature of allegations in view and if he is of the opinion that the matter is such that it should be reported to the Chief Justice of India, he shall do so.

The Chief Justice of India shall act in a similar manner in regard to complaints relating to conduct of Judges of the Supreme Court and in regard to conduct of Chief Justices of the High Courts. On the basis of the facts ascertained, the Chief Justice of the High Court or the Supreme Court, as the case may be, shall take such appropriate action as may be considered proper, keeping the interests of the judiciary as the paramount consideration."

The complaints received against the Judges of the Supreme Court and the High Courts are dealt with in the manner indicated above. The Judges Inquiry Act, 1968 specifies the procedure to deal with misconduct/ misdemeanour of Judges of the Supreme Court/High Courts but Government has no Constitutional competence to order enquiry against them.

(c) The Supreme Court of India, on being consulted in the matter, has stated that appropriate action is being taken in accordance with the procedure laid down in the 'In House Procedure', for dealing with the erring Judges.

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(d) Yes, Sir. Cases involving Judges are referred to the Chief Justice of India for such action as he deems fit.

National Judicial Commission

221. SHRI MANOJ BHATTACHARYA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government have any proposal to set up a National Judicial Commission to deal with the problems of the judiciary including their recruitment to higher echelons of the judicial service; and

(b) if so, the details thereof and whether the view point of the Bar Associations, various State Governments and the Chief Justices of High Courts and the Chief Justice to the Supreme Court of India would be elicited with regard to the proposal?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) No, Sir.

(b) Does not arise

Scheme for mentally handicapped

222. SHRI KALRAJ MISHRA: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether there is any scheme to provide pension or other support for the mentally handicapped persons;

(b) if so, the details thereof; and

(c) the steps taken and being taken in this regard to secure a life with human dignity for the mentally handicapped persons?

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MEIRA KUMAR): (a) to (c) The States of Andhra Pradesh, Bihar, Delhi, Gujarat, Chhattisgarh, Jammu and Kashmir, Himachal Pradesh, Kerala, Haryana, Maharashtra, Manipur, Mizoram, Nagaland, Punjab, Orissa, Sikkim, Tamil Nadu, Tripura, West Bengal, Uttar Pradesh, Uttaranchal, Rajasthan and Union Territories of Dadra & Nagar Haveli, Lakshadweep, Daman & Diu and Chandigarh are providing disability pension/maintenance allowance/social security to persons with disability including mental disability.

The Ministry of Social Justice and Empowerment is implementing "Deen Dayal Disabled Rehabilitation Scheme" under which financial