

The Government has accepted before the Supreme Court that only 40 per cent of the farmers have benefitted from agricultural schemes. In this regard, what action, if any, has been taken to expedite the coverage of agricultural schemes, especially, the *Pradhan Mantri Fasal Bima Yojana*, where, as the Supreme Court has noted, the coverage is not more than 20 per cent?

**श्री राधा मोहन सिंह:** महोदय, फसल बीमा योजना का जो coverage था, वह 20 प्रतिशत था, लेकिन पिछले वर्ष जो नई योजना शुरू की गई, उसमें वह 30 प्रतिशत पर गया है। पहले गैर-ऋणी किसान बीमा नहीं कराते थे। चूँकि इसमें सुरक्षा और risk coverage बहुत ज्यादा नहीं था, तो जो ऋण लेते थे, बैंक उन्हीं का premium काट लेता था। गैर-ऋणी किसानों का इसमें आकर्षण नहीं था। लेकिन जब नई 'प्रधान मंत्री फसल बीमा योजना' शुरू हुई, तो पिछली खरीफ की फसल में 75 लाख गैर-ऋणी किसानों ने फसल बीमा कराया, जबकि उसके पहले पुरानी योजना में मात्र 15 लाख गैर-ऋणी किसानों ने फसल बीमा कराया था। इस प्रकार इसका coverage 20 से 30 प्रतिशत हुआ है। सभी मुख्यमंत्रियों से मेरी बात हुई है कि इस वर्ष इसको बढ़ाकर 40 प्रतिशत किया जाए।

#### **Appointment of women judicial officers**

\*62. SHRI K. RAHMAN KHAN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that Government has promised to increase reservation for women in the judiciary; and

(b) if so, how far has this promise been accomplished and how many women judicial officers have been appointed in the last three years ending 31st May, 2017 along with the list thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD):

(a) and (b) A Statement is laid on the Table of the House.

#### ***Statement***

(a) and (b) Appointment of Judges of the Supreme Court and High Court is made under Articles 124 and 217 of the Constitution of India respectively. These Articles do not provide for reservation for any caste or class of persons. Therefore, no caste or class wise data of Judges is maintained. The Government has, however, requested the Chief Justices of the High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to other Backward Classes, Scheduled Castes, Scheduled Tribes, Minorities and from amongst women.

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, in consultation with the High Court, frames the Rules and Regulations regarding the issues of appointment, promotion, reservations etc. of judicial officers in the State Judicial Service. Central Government has no role in this regard.

Therefore, Government of India does not maintain statistics relating to appointment of women judicial officers in the States.

SHRI K. RAHMAN KHAN: Sir, the whole world is going towards gender justice, whereas, gender discrimination runs deep in Judiciary. There are not enough women lawyers, Judges, in the courts today. There is one female Judge in Supreme Court out of 31 Judges; two female Chief Justices in the High Courts, and there are only 8.5 per cent women Judges in the High Courts. There are only 12 female senior advocates in the Supreme Court. This issue has been discussed on the floor of this House even earlier. Now, with this reply, the Government says that everything lies with the Supreme Court and the Government has no responsibility in this regard. Even earlier, in the case of appointment of Judges, this Parliament took the initiative to amend the Constitution. I would like to know from the Minister whether the Government would, notwithstanding constitutional provisions, come forward to ensure gender justice, as it had promised in earlier cases.

SHRI RAVI SHANKAR PRASAD: Sir, hon. Rahmanji is a very seasoned and experienced parliamentarian. He must be very much aware that under Articles 213 and 217 of the Constitution, there is no provision for reservation, but the commitment of the Narendra Modi Government towards gender justice is complete and total. Therefore, I would like to gently remind the hon. Member that when this Government came to power, and the Prime Minister was kind enough to give me the Ministry of Law and Justice, way back in July, 2014, I wrote letters to all the Chief Justices. Sir, allow me to read out just one paragraph of that. "The need for giving representation to Scheduled Castes, Scheduled Tribes, OBCs, minorities and women may also be please kept in view while making recommendations for appointment." So, I have been sensitizing the Chief Justices about it.

Sir, he asked about that law. He knows it very well that that law was unanimously passed by both Houses of Parliament and 50 per cent of the State *Vidhan Sabhas*. But the Supreme Court, in its wisdom, chose to set it aside. In spite of our reservations with the reasoning, we had accepted it. But I would like to place this particular data before this House and, through this House to the whole country. The working strength of subordinate judicial officers in the country in the various subordinate judiciaries is 16,443. The total number of women judicial officers is 4,704, out of which 1,473 have been appointed in the last three years of Modi's Government. About the High Courts, his point is well taken. There are 66 women Judges in all the High Courts of the country and only one woman Judge in the Supreme Court.

Therefore, Sir, in my own way, I keep sensitizing people. His point is very well taken. We need to make it more gender representative. But I differ with him on one point, a very good number of women lawyers are there in all the High Courts of India and the Supreme Court but, as you know, there is a collegium system where we have a limited role to play. But, as the Law Minister, I continue to sensitize them about their entire appointment process.

SHRI K. RAHMAN KHAN: Sir, I fully agree with the hon. Minister that the Constitution is very clear, but I would like to put this question to him: Is the Parliament so helpless? Instead of writing letters, could the Government convey the will of the Parliament to the Supreme Court and the Chief Justice of India and impress this matter upon them? We would also like to know why the Supreme Court is against providing gender justice. Do they feel that they would not get the right people by ensuring gender justice?

SHRI RAVI SHANKAR PRASAD: Sir, with due respect to the hon. Member, perhaps it would not be fair to say that the Supreme Court Judges are against gender justice. I wish to inform this hon. House that this is my third term as the Law Minister of India, the first term with Vajpayee's Government and the next with the Modi's Government, and I interact with them. They are quite open to this idea and we continue to impress this idea upon them, but I take Shri Rahman Khan's point very well. He has expressed some concern in this House and I would convey that concern to them. We are not helpless. I wish to make that very clear. As a Member of this House and of the Parliament, I am quite aware of the supremacy and sovereignty of my Parliament. ...*(Interruptions)*... And, whenever the need arises, I convey that in this House and also in the other House

Therefore, I am aware of the might and sovereignty of this House. I am also aware, Sir, that it is only this House that is the forum for ensuring accountability for governance. I know that for sure.

SHRI V. VIJAYASAI REDDY: Sir, to dispose of the pending cases this requires about 70,000 judges. Even the Law Commission has recommended for appointment of 40,000 judges, whereas right now in the country, we have 12,000 judges to dispose of 3 crore cases.

MR. CHAIRMAN: Please focus on the question.

SHRI V. VIJAYASAI REDDY: Yes, Sir. Sir, since 1950 to 2017, there have been 44 Chief Justices in the Supreme Court of India and whereas during the relevant period there have been only six women judges. I would like to know from the hon. Law Minister whether the Government and the Supreme Court of India are taking up any reform so as to improve the women representation in the higher judiciary.

SHRI RAVI SHANKAR PRASAD: Sir, any kind of reservation is not contemplated in the higher judiciary, but the Government and I, on behalf of the Government, as a Law Minister, keep on sensitizing that we must give representation to minorities, to Scheduled Castes, to Scheduled Tribes including women. It should be a common endeavour. Sir, I would like to clarify one thing in this House today. He said, "Seventy thousand judges are needed." With great respect, Sir, the Supreme Court in Imran Khan case itself is re-evaluating that number. That is not right. I would like this House to know that today there are 4,846 vacancies in the Subordinate Judiciary in the country and you all know that in the appointments of Subordinate Judiciary neither the Government of India has to play any role nor has the State Government to play any role. High Courts themselves appoint or on their recommendation the Public Service Commissions appoint. Therefore, it is very important that the judiciary should take up this filling of 4,846 vacancies on a priority basis.

**श्री महेश पोद्दार:** माननीय सभापति जी, मंत्री जी ने सूचना दी है कि judiciary में महिलाओं या अन्य किसी वर्ग को reservation देने में केन्द्र सरकार का कोई रोल नहीं है और इसमें रिजर्वेशन का कोई प्रावधान भी नहीं है। इसलिए इस बारे में कोई आंकड़े भी maintain नहीं किए जाते हैं, लेकिन तथ्य यह है कि देश में जजों की कमी है और यह तथ्य भी सामान्य जानकारी में है कि न्यायपालिका में एससीएसटी, महिलाएं और पिछड़े वर्गों के लोगों का participation बहुत कम है।

महोदय, मंत्री महोदय ने जैसा अभी बताया कि उन्होंने वर्ष 2014 में इस बारे में सभी न्यायाधीशों को लिखा था, तो मैं उनसे पूछना चाहता हूँ कि क्या वे इस बारे में स्मरण पत्र तब तक बराबर देते रहेंगे जब तक कि सरकार satisfy न हो और स्थिति सुधर न जाए?

**श्री रवि शंकर प्रसाद:** माननीय उपसभापति जी, मैं माननीय सदस्य को बहुत विनम्रता से बताना चाहूंगा कि कई राज्यों में महिलाओं का आरक्षण sub-ordinate judiciary में है और भारत के संविधान की धारा 234, 235 और 309 के अन्तर्गत कई राज्यों में हाई अलर्ट के परामर्श से नियम बनाए गए हैं, जिनमें आरक्षण का प्रावधान है। इसलिए मैं बताना चाहता हूँ कि sub-ordinate judiciary में इस बात का प्रावधान है, लेकिन जहां तक हाई कोर्ट और सुप्रीम कोर्ट का सवाल है, जैसा कि मैंने पहले बताया, धारा 213 और 217 के अवलोकन से स्पष्ट होगा कि उसमें आरक्षण की व्यवस्था नहीं की गई है। जहां तक संसद का सवाल है, संसद को पूरा अधिकार है कि वह मुझसे सवाल पूछे, जैसा माननीय रहमान जी ने पूछा और उन्होंने अपनी चिन्ता व्यक्त की। मेरा इस देश के कानून मंत्री के रूप में फर्ज बनता है कि मैं माननीय न्यायाधीशों को बताऊँ कि संसद की यह चिन्ता है। इसके साथ ही नारी समानता का जो हमारा आग्रह रहा है, वह हम करते रहते हैं और आगे भी करते रहेंगे, इतना मैं अवश्य कहना चाहता हूँ।

SHRIMATI VIJILA SATHYANANTH: Respecting our well-learned Law Minister's enlightenment to us that there is no reservation for women in appointment in the judiciary, I would like to bring to his kind notice that when hon. Amma was in office she introduced all-Mahila Courts in Tamil Nadu. In all-Mahila Courts, there are exclusively women lawyers, women public prosecutors ... (Interruptions)...

MR. CHAIRMAN: Put the question, please.

SHRIMATI VIJILA SATHYANANTH: We need only true spirit and true cognizance. When it happens, real concern will be there for the real victims and for those who are really in need. When those who really need justice, look at the judiciary for kind hearted justice, we need women judges there. So, I would like to say to the hon. Minister that we will pronounce, we will all together make a move towards making exclusive women Judges in all - Mahila Courts all over the country.

MR. CHAIRMAN: It is a proposal. The hon. Minister will surely take note of this.

SHRIMATI VIJILA SATHYANANTH: Will it be done? Will our Judiciary move towards making women Judges everywhere in all the District Courts, High Courts and also in the highest Court?

MR. CHAIRMAN: I am sure the hon. Minister will take note of this.

SHRI RAVI SHANKAR PRASAD: Sir, I do take note of her very profound suggestion with one caveat, namely, if there is a demand for a women's issue and we say that we only need women Judges, then the entire judicial system also comes into scrutiny. We are very proud that the Judges of India, whether they are men or women, have given very profound judgments. Non-minority Judges have upheld the rights of minorities. Non-minority Judges have upheld the rights of the Scheduled Castes. Many of the sterling judgments of the Supreme Court on women's rights have been delivered by male Judges. Therefore, we have to take into account the fact that the fairness of the justice system should also remain intact.

**\*63. [The questioner was absent]**

**Approval for the project to increase the speed of trains**

\*63. SHRI SANJAY SETH: Will the Minister of RAILWAYS be pleased to state:

(a) whether NITI Aayog has given its approval for ₹18,000 crore project to increase the speed of trains, if so, the details thereof;

(b) whether the project will cover Delhi-Mumbai and Delhi-Howrah rail corridors, if so, the details thereof;

(c) whether Government has taken any steps to make the trains run at an increased speed of 160 kilometres per hour, if so, the details thereof; and

(d) the time by which these high speed trains will start functioning?

THE MINISTER OF RAILWAYS (SHRI SURESH PRABHU): (a) to (d) A Statement is laid on the Table of the House.

**Statement**

(a) Yes, Sir. NITI Aayog has supported two projects at estimated cost of ₹ 18,163 crore for raising of speed to 160/200 kilometre per hour on existing corridors of Delhi-Mumbai (including Vadodara-Ahmedabad) and Delhi-Howrah (including Kanpur-Lucknow) in June 2017.

(b) Yes, Sir. The projects cover Delhi-Mumbai and Delhi- Howrah routes. The details are as under:

- New Delhi-Mumbai Route (including Vadodara-Ahmedabad), 1483 Route