

(Supreme Court Of India)

State of U.P. & Others

v.

Jeet S. Bisht & Another

Interlocutory Application No. 8, 11, 15, 1999 | 27-09-2005

1. Mr. M.N. Krishnamani, the learned Senior Counsel appearing for the NCDRC Bar Association confines his submissions today only to two grievances on which we have heard him and Mr. N.N. Goswami, learned Senior Counsel for the Union of India.

2. It is pointed out that vide statement annexed with the additional affidavit of Shri S.K. Sharma, President of the NCDRC Bar Association filed on 1.8.2005 (page 538 of the paper book) that there are vacancies in the State Commission and District Forums in different States which have not been filled up for a long time. From a perusal of the information contained in the above referred statement, we find that in particular there are good number of vacancies in the States of Assam, Bihar, Haryana, Jharkhand, Madhya Pradesh and Orissa. Issue notice to these States through their respective standing Counsel to ascertain the facts and to furnish information as to why the vacancies have not been filled up and how much time will it take to fill up the vacancies.

3. Mr. M.N. Krishnamani, learned Senior Counsel further invites attention to the Court to the statement contained in para 13 of the affidavit filed by Shri N.S. Pangtey, Deputy Director, Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Union of India (page 156 of Vol. II in I.A. Nos. 7-8/2003). It is submitted that the proposal for enhancement of the honorarium and other perks of the Members of the National Commission has been awaiting consideration and decision of the Government of India for a long time. Prima facie, we are of the opinion that so far as the Members who have earlier held office as a Judge or under the Government are concerned, the formula for payment of honorarium calculated on the basis of last pay drawn minus pension as very reasonable and commonly accepted formula and there should not be any difficulty in accepting the same for fixing the honorarium of

such Members. For such Members as belong to the category other than the one mentioned above, a reasonable amount of honorarium and perks may be fixed.

4. Let a considered decision be taken in that regard at the earliest and brought to the notice of the Court. On a prayer made by Mr. N.N. Goswami, learned Senior Counsel appearing for the Union of India, six weeks' time is allowed for the purpose. We hope and expect that there will be no delay in taking the decision.

5. List after six weeks.

6. All the pending I.As. shall be taken up for consideration on the next date.