

ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ, ಸಂಶೋಧನಾ ಹಾಗೂ ಉಲ್ಲೇಖನಾ ಶಾಖೆ
KARNATAKA LEGISLATIVE ASSEMBLY, RESEARCH AND REFERENCE BRANCH

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ಇಲಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT: parliament

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: Deccan Herald ದಿನಾಂಕ : DATE 29-10-20

'New Parl building proposal needs high level of judicial review'

NEW DELHI, DHNS: The Supreme Court was on Wednesday told that the Central Vista project, mooted to construct new Parliament building, should be subjected to a higher degree of judicial review as it is a symbol of Indian democracy.

Senior advocate Shyam Divan, appearing for the petitioner, submitted before a bench presided over by Justice A M Khanwilkar that governments will come and go. However,

conformity with democratic norms was needed, especially if it was related to parliamentary heritage work. Heightened judicial scrutiny is called for in this case, he submitted.

"A case of this type demands a higher level of judicial scrutiny. Rights and privileges of the general public are at stake," he said, adding no empirical study has been undertaken to justify the huge cost that was being incurred to the exchequer.

The authorities have acted arbitrarily and thus constitutional checks and balances will have to be used here, he said.

Divan also pointed out no expert study has been conducted to show the present Parliament building was no longer usable.

"A hands-off approach by the court is not permissible in this case. Centuries of history cannot be undone at the will of the government. The authorities have to show that decision

is based upon relevant consideration and documents," he said.

"When you deal with Parliament, there needs to be checks and balances. How can it be left to CPWS?" Divan asked.

He said if the government wanted to supplant the parliamentary building, it required a statute. Parliament needs to be involved in this. There needs to be the highest degree of transparency in this process.

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