

ISSUES BEFORE THE HON. SUPREME COURT:

The Hon. Supreme Court said that certain preliminary issues that may need to be deliberated upon and decided in the present set of petitions are as follows. Our views are given in brief (➡).

(a) SCOPE OF JUDICIAL INTERVENTION : What is the scope of judicial intervention with respect to the reliefs sought in the present batch of petitions?

- ➡ Most part has been elaborately defended by appellant lawyers and the Hon. Supreme Court itself.
- 1) Firstly, political parties cannot say 'who is the Supreme Court' when freebies they offer may disturb the fiscal discipline of the country, The Court cannot be a mute spectator.
 - 2) The Supreme Court can make/help in "advance" preparation for parliament, because WE THE PEOPLE OF INDIA are the ultimate **MASTERS**, who want to put forth some aspirations on such an important issue, the people's **SERVANTS** at law making wing cannot object it in anyway. It is surprising that most of those who are jumping into protest, are not actually MPs but are dreaming of becoming MPs. The Court's move to form Commission is some sort of innovative '**Summary of Referendum**' instead of expensive full Referendum.

(b) COMMISSION : Whether the appointment of a Commission/Expert Body by the Court would serve any purpose in this matter? Additionally, what should be the scope, composition and powers of the said Commission/Expert Body?

- ➡ The commission will serve the purpose. It will be 'manageable exercise' with application of strict criteria to all opinions received by the committee.

(c) ENFORCEABILITY : Whether any enforceable order can be passed by this Court in these petitions?

- ➡ It is futile to request parliament to make law (even if present central government condemned freebies practice, situations may change), it will be useless to give binding instructions, it would be wrong to repeatedly use 'contempt of court' procedure for the purpose. The enforceability will be possible only if the Court connects the 'Fundamental Right' with its order. The rest of the presentation deal this matter in details.