

**GOVERNMENT OF INDIA**  
**MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION**  
**RAJYA SABHA**  
**QUESTION NO 21.12.2009**  
**ANSWERED ON**  
**MPLAD SCHEME .**

3523

Shri Shantaram Naik

Will the Minister of COAL AND STATISTICS AND PROGRAMME IMPLEMENTATION be pleased to state :-

- (a) whether it is a fact that the Members of Parliament Local Area Development Scheme (MPLADS) has been challenged in the Supreme Court;
- (b) if so, when the petition was filed and admitted;
- (c) whether hearings in the case are over and a judgement has been delivered; and
- (d) the stand of the petitioners and Government's stand in the matter?

**ANSWER**

MINISTER OF STATE (INDEPENDENT CHARGE), MINISTRY OF COAL AND STATISTICS & PROGRAMME IMPLEMENTATION

(SHRI SRIPRAKASH JAISWAL)

(a)&(b) Yes, Sir. A Writ Petition dated 4.1.1999 was filed in the Supreme Court and admitted for hearing on 1.6.1999.

(c)The hearings have been completed and the judgement is kept reserved by the Hon'ble Supreme Court.

(d)The Petitioners mainly challenged the constitutional validity of the Scheme on the plea that:

(i) it was violative of Article 14 of the Constitution (Right to Equality) as it gave discretionary power to an MP to use this fund without any proper checks and balances, monitoring and accountability.

(ii) the money is withdrawn from the Consolidated Fund of India for implementation of the MPLAD scheme which is violative of the provisions of constitution;

(iii) expenditure incurred under the scheme is outside the purview of any law established by Parliament; and

(iv) the MPs have unlimited powers for allocating funds which amounts to corrupt practices.

The Government pleaded that neither the scheme is ultra virus of the constitution nor arbitrary, since implementation is done on the basis of a set of guidelines. There is also no conflict of legislative or executive powers and no office of profit is involved, as under the MPLAD Scheme, MPs only recommend the works based on the felt needs of the local community and the execution including expenditure is carried out by the Government machinery.