

which is still awaited. Preliminary litigation Report thereon will be finalised by DG(I&R) as soon as the required information is received from the company.

Local aid scheme in Gujarat

1442. SHRI RAJUBHAI A. P. MAR. MAR: Will the PRIME MINISTER be pleased to state:

- (a) the number of persons benefited from the Legal Aid Scheme in Gujarat during the years 1993-94 and 1994-95;
- (b) whether the funds provided to the State under the Scheme during the year 1993-94 have fully been utilised; if not
- (c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE, AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) On the basis of the information provided by the State Legal Aid & Advice Board, 56,456 persons during 1993-94 and 13,392 persons in 1994 (till the end of October 1994), have benefited in the State of Gujarat.

- (b) and (c) A total grant-in-aid of 1.25 lakhs was released to the State of Gujarat during 1993-94 out of which accounts for utilisation of 1.10 lakh have been rendered so far.

Amendment in Anti-Defection Law

1443. SHRI VIRENDRA KATARIA: Will the PRIME MINISTER be pleased to state:

- (a) whether it is a fact that Supreme Court had taken a decision on the 12th November, 1991 to the effect that the decision of the Presiding Officer under the Anti-Defection Law could not be subjected to judicial review and would be final;
- (b) whether Government have since examined the decision with a view to bring forward amendment to the Anti-Defection Law and if so, the details thereof and if not, what are

the specific reasons for not completing the examination; and

- (c) by when an amendment is proposed to be moved in the Parliament?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) Yes Sir.

- (b) Government have examined the judgement of the Supreme Court but it has not yet decided on the formulation of the appellate authority that may hear appeals against the decision of the Presiding Officers under the Anti-defection law.

(c) It is not possible to indicate the by which an amendment would be moved in the Parliament.

निवृत्त न्यायाधीशों/स्वैच्छिक संगठनों से सहयोग के संबंध में नीति

1444. श्री नागमणि: क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार का ध्यान दिनांक 1 नवंबर, 1994 के "जनसत्ता" में "लोकहित की आज अधिक आवश्यकता है" शीर्षक के अंतर्गत प्रकाशित समाचार की ओर दिलाया गया है;

(ख) क्या सरकार द्वारा निर्धन और ग्राम लोगों द्वारा लोकहित याचिका के उद्देश्य के लिए लिखे गए पत्रों और रिपोर्टों पर त्वरित कार्यवाही को सुनिश्चित करने और लोकहित वाद को अधिक प्रभावों बनाने के लिए कोई नीति बनाई जा रही है

(ग) क्या न्यायपालिका के अतिरिक्त सेवा-निवृत्त न्यायाधीशों और स्वैच्छिक संगठनों से सहयोग प्राप्त करने के लिए कोई नीति बनाई गई है ताकि लोकहित वाद प्रभावी बन सकें;

(घ) यदि हां, तो तत्संबंधी ब्यौरा क्या है; और

(ङ) यदि नहीं, तो इसके क्या कारण हैं?

विधि, न्याय और कंपनी कार्य मंत्रालय में राज्य मंत्री (श्री हंसराज भारद्वाज) : (क) से (ङ) लोक हित में मुकदमा लड़ना विधिक सहायता स्कीम कार्यान्वित करने वाली समिति के विधिक सहायता क्रियाकलापों में से एक है। उच्चतम न्यायालय की रजिस्ट्री में एक पृथक लोकहित मुकदमा प्रकोष्ठ भी कार्य कर रहा है। लोकहित मुकदमों न्यायालयों द्वारा किसी पक्षकार द्वारा आवेदन किए जाने पर या कुल मिलाकर जनसाधारण के लिए उसके महत्व पर निर्भर करते हुए स्वप्रेरणा से ग्रहण किए जाते हैं। यद्यपि ऐसी कोई परिनिश्चित नीति नहीं है, फिर भी, जब भी आवश्यक होता है, स्वैच्छिक संगठनों और सेवानिवृत्त न्यायिक कामियों, आदि की सहायता ली जाती है।

Backing of litigations In Courts

1445. SHRI S. S. AHLUWALIA:
Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that backlog of litigations in the Supreme Court of India, High Courts as well as in the District Courts have been swelling constantly wherein disposal of cases have been perennial much less than the registration of new cases;

(b) whether it is a fact that such state of affair has been attributable *inter alia* to inordinate delays in appointment of Judges to fill up the vacancies in the Courts;

(c) the details of vacancies of Judges in the Apex Court and in the High Courts as on 31st October, 1994;

(d) the steps contemplated by Government to timely fill up vacancies and any other measures that would result in speedier disposal of justice;

(e) whether any study has been conducted to analyse and ascertain as to how much average time was taken for disposal of a civil suit in the High Courts and in the Supreme Court in the recent years and how much time it used to take during Sixties: and

(f) if so, when such study was conducted lajit and the findings thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE; AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) and (b) Some of the factors which contribute to accumulation of arrears of cases in the courts, identified by the Malimath Committee, are population explosion, litigation explosion, inadequacy of judge strength, delays in filling up vacancies, lack of infrastructural facilities, long arguments and prolix judgments, lawyers strike and indiscriminate resort to Write jurisdiction etc.

(c) As on 1.11.1994, there were 90 vacancies of permanent/Additional Judges in High Courts against the sanctioned strength of 525 Judges. In Supreme Court there were 4 vacancies of Judges against the sanctioned strength of 26 Judges.

(d) The Government is making all possible efforts to ensure that vacancies of Judges in the Supreme Court and the High Courts are filled in as expeditiously as possible. In order to consider the problem of arrears of cases in Courts and find out ways and means to deal with it as expeditiously as possible, a meeting of the Chief Ministers and Chief Justices was held on 4th December 1993 under the Chairmanship of the Prime Minister. The Prime Minister Conference recommended several steps in a resolution it adopted for speedy disposal of cases in Courts/Tribunals, which have been accentuated by the Government and commended to all the State Governments/ UT Administrations and High Courts/Tribunals for necessary action. Three Working Groups of Law Ministers, thereafter, met to consider the recommendations contained in the above Resolution with regard to rural litigation, arrears of cases in administrative tribunals; and alternative dispute resolution. The 19th December 1994 resolution and recommendations made by the Working Groups were reviewed by the