

adopting different criteria for the award of scholarships to the students;

(b) if so, what are the criteria adopted by various State Governments for the award of scholarships in these schools; and

(e) if so, whether Government propose to have uniform criteria for the award of scholarships in Sainik Schools for the students?

THE MINISTER OF DEFENCE (SHRI K. C. PANT): (a) to (c). The Sainik Schools do not have any scheme of their own for the grant of scholarships to their students. However, the Ministry of Defence grants scholarships to the children of defence personnel and the ex-servicemen. The State Governments and Union Territory Administrations have their own schemes for the grant of scholarships to the children domiciled in the respective States/Union Territories. Though the criteria for the grant of scholarships adopted by the Ministry of Defence and the Ministry of Human Resource Development, in respect of children of the Union Territories, are different, these are uniformly applicable in all Sainik Schools. However, the criteria adopted by various State Governments under their own schemes, differ from State to State. Each State has adopted its own set of criteria of income of parents/ guardians for the grant of scholarships. As per available information, the income criteria adopted by various State Governments are as in the appendix. (*See Appendix cxlvi, Annexure No. 3*). The State Government have instituted their own schemes as per their local conditions and needs. There is no proposal to have uniform criteria in this regard.

*265. [Transferred to the 11th May, 1988].

Law Commission

*266. SHRI A. G. KULKARNI: SHRI T. R. BALU:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the year when Government had appointed the present Law Commission and what were its terms of reference, and the names of its members;

(b) whether any report has so far been submitted by the Commission;

(c) if so, the details thereof;

(d) whether any work regarding judicial reforms had been undertaken by the Commission, if so, the details thereof; and

(e) by when its term is expected to come to an end?

THE MINISTER OF LAW AND JUSTICE (SHRI BINDESHWARI DUBEY):

(a) to (e), The present Law Commission was constituted for a period of three years with effect from 1st September, 1985. The Commission's terms of reference are set out in the enclosed statement-I. (*See below*). The names of its Members are set out in the enclosed statement-II (*See below*).

The present Law Commission has so far submitted eleven Reports to the Government. The details of the Reports submitted are given in the enclosed statement-III (*See below*).

The Commission has undertaken work relating to judicial reforms. The details of the Reports submitted by the present Law Commission are given in Annexure-III. Report numbers 114, 115, 116, 117, 118, 119, 120 and 121 have already been laid on the Table of the House.

. The terms of the present Law Commission is upto 31st August, 1988.

Statement-I

A. The Original term³ of reference to the present law Commission are as follows;

1." To keep under review the system of judicial administration to ensure that it is responsive to the reasonable demands of the times and in particular to secure—

(a) elimination of delays,- speedy clearance of arrears and reduction in costs so as to secure quick and economical disposal of cases without affecting the cardinal principle that decisions should be just and fair.

(b) simplification of procedure to reduce and eliminate technicalities and devices for delay so that it operates not as an end in itself but as a means of achieving justice.

(c) Improvement of standards of all concerned with the administration of justice.

2. To examine the existing laws in the light of Directive Principles of State Policy and to suggest ways of improvement and reform and also to suggest such legislation as might be necessary to implement the Directive Principles and to attain the objectives "set out in the Preamble to the Constitution.

3. To revise the Central Acts of general importance so as to simplify them and to remove anomalies, ambiguities and inequities.

4. To recommend to the Government measures for bringing the statute book up-to-date by repealing obsolete laws and enactments or parts thereof which have outlived their utility.

5. To consider and to convey to the Government its views on any other subject relating to law and judicial administration that may be referred to it.

B. IN THE CONTEXT OF STUDYING JUDICIAL REFORMS, THE PRESENT LAW COMMISSION HAS ALSO BEEN ENTRUSTED WITH THE FOLLOWING TERMS OF REFERENCE:

1. The need for decentralisation of the system of administration of justice by—

(i) establishing, extending and strengthening in rural areas the institution of Nyaya Panchayats or other mechanisms for resolving disputes;

(ii) setting up of a system of participatory justice with defined jurisdiction and powers in suitable areas and centres;

(iii) establishing other tiers or systems within the judicial hierarchy to reduce the volume of work in the Supreme Court and the High Courts.

2. The matters for which Tribunals (excluding services Tribunals) as envisaged in Part XIV-A of the Constitution need to be established expeditiously and various aspects related to their establishment and working.

3. The procedural laws with a view generally to disposing of cases expeditiously, eliminating unnecessary litigation and delays in hearing of cases and reform in procedures and procedural laws and particularly to devising procedures appropriate to the terms envisaged in items (i) and (ii).

4. The method of appointments to subordinate courts subordinate judiciary.

5. The training of judicial officers.

6. The role of the legal profession in strengthening the system of administration of Justice.

7. The desirability of formulation of the norms which the Government and the public sector undertakings should follow in the settlement of disputes including a review of the present system for conduct of litigation on behalf of the Government and such undertakings.

8. The cost of litigation with a view to lessening the burden on the litigents.

9. Formation of an All India Judicial Service; and

10. Such other matters as the Commission considers proper or necessary for the purposes aforesaid or as may be

referred to it from time to time by the Government.

Statement-II

Members of the present Law Commission from 1-9-1985 to 31-8-1988

Sl. No.	Name	Designation	Period served
1	Justice Shri D. A. Desai	Chairman	1-9-85 to-date
2	Justice Shri K. N. Goyal	Member	1-9-85 to 20-2-86
	Justice Shri K. N. Goyal	Part-time Member	21-2-86 to 18-12-86
3	Justice Shri S. C. Ghose	Member	1-9-86 to 19-10-87
4	Justice Mrs. Jyotirmoyee Nag	Part-time Member/Consultant	1-8-87 to 31-1-88
5	Prof. H. C. Dholakia	Do	1-9-87 to 29-2-88
6	Prof. J. S. Gandhi	Do.	1-9-87 to 29-2-88
7	Mrs. Dr. V. Dhagamwar	Do.	1-12-87 to 31-5-88
8	Dr. N. R. Madhava Menon	Do.	1-1-88 to 30-6-88
9	Shri S. Ramaiah	Member-Secretary	(12-2-85)/1-9-85 to 6-11-85
10	Smt. V. S. Rama Devi	Do.	7-11-85 to-date

Statement-III

Sl. No.	Report No.	Subject	Date of submission of report
1	2	3	4
1	114 (Hundred & Fourteenth Report)	Gram Nyayalaya* Alternative Forum for Resolution of Disputes at Grass Root Level.	12-8-86
2	115 (Hundred & Fifteenth Report)	Tax Courts.	28-8-86
3	116 (Hundred & Sixteenth Report)	Formation of an All India Judicial Service	27-11-86
4	117 (Hundred & Seventeenth Report)	Training of Judicial Officers.	28-11-86
5	118 (Hundred & Eighteenth Report)	Method of Appointment to Subordinate Courts/Subordinate Judiciary'.	26-12-86

1	2	3	4 "
6 119	(Hundred & Nineteenth Report)	Access to Exclusive Forum for victims of Motor Accidents under Motor Vehicles Act, 1939.	19-2-81
7 120	(Hundred Twentieth Report)	Manpower planning in Judiciary : A Blue print.	31-7-87
8 121	(Hundred twenty-first Report)	A new Forum for Judicial Appointments.	31-7-87/
9 122	(One Hundred and Twenty Second Report)	Forum for National Uniformity in Labour Adjudication.	9-12-87/8
10 123	(One Hundred and Twenty Third Report)	Decentralisation of Administration of Justice : Disputes involving centres of Higher Education.	15-1-88
.18 124	(One Hundred and Twenty Fourth Report)	The High Court Arrears—A Fresh Look.	29-2-8
<p>*267. [Transferred to the 10th May, 1988].</p> <p>*268. [Transferred to the 11th May, 1988].</p> <p>Setting up of family courts</p> <p>*269. SHRI HARVENDRA SINGH HANSPAL-. Will the Minister of LAW AND JUSTICE be pleased to state:</p> <p>(a) whether a law was passed during 1984 to set up family courts in the States and Union Territories;</p> <p>(b) if so, the reasons for not setting up these court so far; and</p> <p>(c) what further steps Government propose to take in this regard?</p> <p>THE MINISTER OF LAW AND JUSTICE (SHRI BINDESWARI DUBEY) :</p> <p>(a) Yes, Sir.</p> <p>(b) and (c) It is. for the State Governments/Union Territory Administrations to set up these courts and the State Governments have been reminded from time to time emphasising the need to set up family courts expeditiously.</p>			
<p>Lok Adalats conducted in Andhra Pradesh</p> <p>*270. PROF. C. LAKSHMANNA: Will the Minister of LAW AND JUSTICE be pleased to state:</p> <p>(a) What was the number of Lok Adalats which have been conducted in Andhra Pradesh so far; and</p> <p>(b) what is the number of cases taken up at these Lok Adalat meetings and finally settled?</p> <p>THE MINISTER OF LAW AND JUSTICE (SHRI BINDESHWARI DUBEY): ('a) According to information available with the Committee for Implementing Legal Aid Schemes, 64 Lok AdalaU have been conducted in Andhra Pradesh so far where 67,339 cases were settled.</p> <p>(b) Information in regard to the number of cases taken up at the Lok Adalats is being collected.</p> <p>Manufacture of low-priced computers</p> <p>*271. SHRI RAJNI RANJAN SAHU Will the PRIME MINISTER be pleased to state:</p> <p>(a) whether Government have formulated a scheme to manufacture low-priced computers; add</p>			