

और देश को एकाकार करने की दृष्टि से ज्यादा महत्वपूर्ण है। इस बारे में सरकार को व्यावसायिक दृष्टिकोण से सोच विचार नहीं करना चाहिये बल्कि यह सोचना चाहिये कि इसमें ज्यादा खर्चा होगा और लाभ कम होगा। देश की सुरक्षा और देश को एकाकार करने की दृष्टि से ज्यादा खर्च करना ही पड़ता है और हमें करना भी चाहिये। यदि आपको इसमें घाटा होता है तो जनरल रेवेन्यू से लेकर इसको पूरा कीजिये। आप संकीर्ण दायरे में रहकर यह कार्य नहीं कर सकते हैं। तो मैं आप से यह जानना चाहता हूँ कि देश की सुरक्षा और देश की एकता की दृष्टि को सामने रखकर इस क्षेत्र में रेलवे सुविधा सुगम करने पर क्या सरकार विचार करेगी ?

شری محمد شفیع قریشی - یہی تو بات ہم کہہ رہے ہیں اور اسی کے لئے ہم روپیہ مانگ رہے ہیں - اس کام میں اگر پارلیمنٹ کے ممبروں کا سپیروگ رہے گا تو ہمیں کامیابی ملے گی -

*[श्री मुहम्मद शफी कुरेशी : यही तो बात हम कह रहे हैं और इसके लिये हम रुपया मांग रहे हैं। इस काम में अगर पार्लियामेंट के मम्बरों का सहयोग रहेगा तो हमें कामयाबी मिलेगी।]

*279. [The questioner (Shri Banarsi Das) was absent. For answer vide Col. 38 infra].

Reforms in the Judicial system

*280. SHRI BIR CHANDRA DEB BURMAN:†

SHRI LAKSHMANA MAHA-BURMAN:‡

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

(a) whether Government are aware that there is a constant demand for

appointment of an expert committee to suggest reforms in the judicial system; and

(b) if so, what is Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): (a) Government is aware of the fact that there is a general demand for reform in judicial administration. The Law Commission has already submitted a report relating to Reform of Judicial Administration. The Law Commission's Report is under examination.

(b) Does not arise.

SHRI BIR CHANDRA DEB BURMAN: In view of the fact that our present judicial system is too technical, may I know whether the Minister does not think it necessary to revitalise the panchayat system which was prevalent in our country before and make it up to date?

DR. V. A. SEYID MUHAMMAD: That is one of the considerations which are before the Government but no final decision has been taken upon that.

SHRI BIR CHANDRA DEB BURMAN: We find that magistrates and munsiffs are recruited and immediately after that, they are given judicial duties to perform. So, is the hon. Minister thinking of giving the judicial magistrates and the munsiffs complete training before they are entrusted with judicial functions?

DR. V. A. SEYID MUHAMMAD: Sir, the munsiffs are selected mainly from the bar after a prescribed period of practice is over. Certainly trainings are given to the magistrates. They may not be in the same way as the hon. Member wants, but trainings are given.

SHRI NABIN CHANDRA BURGOHAIN: Sir, for reforms in the judicial system, all help is given to the Government from all quarters, including the lawyers, the litigant public and

† [] Hindi transliteration.

‡The question was actually asked on the floor of the House by Shri Bir Chandra Deb Burman.

other sources. So, may I ask the hon. Minister whether the Law Ministry will think it proper to evolve a national plan to make all the required reforms so that our justice is very cheap and easily available to the poor litigant public and it is befitting a socialist society?

DR. V. A. SEYID MUHAMMAD: Sir, these matters are under consideration of the Government. The Law Commission has made certain recommendations regarding the reduction of costs and free legal aid, and various other schemes are being considered.

श्री प्रकाशवीर शास्त्री: क्या सरकार को ऐसी भी सूचना मिली है कि जिन हाई कोर्टों के ऐडवोकेट्स उन्हीं हाई कोर्टों में न्यायाधीश हो जाते हैं उनके व्यवहार के सम्बन्ध में उन हाई कोर्टों में तरह की चर्चाएँ प्रारम्भ हो जाती हैं। और भी इसी प्रकार की प्रवृत्ति प्रारम्भ हो रही है तो क्या सरकार के विचाराधीन ऐसा भी कोई प्रस्ताव है कि हाई कोर्टों के जजों का एक प्रान्त से दूसरे प्रान्तों में स्थानान्तरण किया जा सके ताकि इस प्रवृत्ति को रोका जा सके? यदि है, तो कब तक उस पर निर्णय किया जा सकेगा?

DR. V. A. SEYID MUHAMMAD: Actually various recommendations and resolutions have been received by the Government regarding the fixation of a certain percentage. Some have suggested that one-third of the total number should always be from outside the district. So, all these matters are being considered along with the general question of judicial reform.

श्री प्रकाश वीर शास्त्री मैंने अगस्टमेंट के बारे में नहीं कहा, मैंने ट्रांसफर के बारे में पूछा।

DR. V. A. SEYID MUHAMMAD: I was telling about the transfer.

SHRI R. NARASIMHA REDDY: Sir, it is said that justice delayed is justice denied. In our country justice is always delayed and so justice is denied. In this connection, may I know from

the hon. Minister whether representations have been sent by lawyers and lawyers' associations in this regard? That is number one. Secondly, lawyers have sent another representation, particularly regarding the necessity of not having judges of that particular State in that State. This representation also has been sent by advocates of a particular High Court. I would like to know what the reaction of the hon. Minister is to these representations.

DR. V. A. SEYID MUHAMMAD: Regarding the question of reducing delays, some steps have already been taken. The Civil Procedure Code amendment looks after it to some extent. Regarding the other aspects also, the Government is thinking seriously. I think the second question regarding transfer of judges has been answered.

SHRI S. W. DHABE: May I know from the hon. Minister whether, in view of the 20-point programme and the number of cases pending in High Courts, the Government will take steps to fill the vacancies in the posts of High Court Judges which are about a hundred now, to speed up disposal of cases?

DR. V. A. SEYID MUHAMMAD: I did not actually follow the question.

MR. CHAIRMAN: Next question.

*281. [The questioner (Shri Dwijendralal Sen Gupta) was absent. For answer vide Col. 39 infra]

Savings in foreign exchange by oil production

*282. SHRI HARSH DEO MALAVIYA:

SHRI SARDAR AMJAD ALI:
SHRIMATI LEELA DAMO-
DARA MENON:
DR. V. B. SINGH:

Will the Minister of PETROLEUM be pleased to state:

(a) what is the likely saving in foreign exchange by the end of 1980

†The question was actually asked on the floor of the House by Shri Harsh Deo Malaviya.