

agreement can be reached consistent with our interests, we shall be able to reach that agreement and then proceed.

*128. [The questioner (Shri Yella Reddy) was absent. For answer, vide col. 731. *infra*.]

CONSTITUTION OF CENTRAL HIGH COURT

*8. { SHRI P. K. KUMARAN :
SHRI A. D. MANI† :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether there is any proposal under Government's consideration to constitute a Central High Court to eliminate law's delays and arrears in courts;

(b) if so, what are the main features thereof; and

(c) when the proposal is expected to be finalised ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JAISUKHLAL HATHI) : (a) to (c). There is no such proposal yet before the Government. The Law Minister is however exploring the methods by which the High Courts may be relieved of the arrears and the case, can be decided expeditiously.

SHRI A. D. MANI : The Law Minister made a public statement about this matter recently, and that is why this question has been asked. Has the Supreme Court's opinion been elicited on the question of the formation of a Central High Court ?

SHRI JAISUKHLAL HATHI : Not yet. As I said, the proposal is not even before the Government. The Law Minister of course, as I said, has had discussions with some members of the Bar, the Bench and men from the public, and the idea seems to be, I am just saying what his idea is, that today the taxation law is a complicated law. There are the Appellate Tribunals and to-

day they are the final courts so far as the question of facts is concerned. Appeal on questions of law goes to the High Court. Now different High Courts gave different decisions on matters of taxation law. The Law Minister's idea seems to be that if there is a Central High Court for taxation, then all appeals in the matters of taxation can go to that High Court or a Bench of that High Court and thereby the other High Courts, which have also to deal with all the other civil appeals, criminal appeals and taxation things, may be relieved of that work. Moreover, the Judges would become specialists and the Bar also would become specialists in that line. This seems to be the broad idea.

SHRI A. D. MANI : Does it not mean that that solution would be duplicating the Supreme Court machinery ? The Supreme Court is the final authority in respect of civil and criminal matters. By setting up a Central High Court is it proposed that the Supreme Court's jurisdiction in such matters should be barred ?

SHRI JAISUKHLAL HATHI : No, no, Supreme Court is Supreme Court. This will be a High Court and the jurisdiction of the Supreme Court will not be barred. There will be appeal from this to the Supreme Court. So it is not that at all.

SHRI M. N. KAUL : Has the question been examined from the constitutional point of view before meeting this proposal whether it is possible under the Constitution to create courts intermediate between the High Court and the Supreme Court because, so far as I am aware, there is no such provision in the Constitution. How is it possible then to create new courts ?

SHRI JAISUKHLAL HATHI : This matter also is under the consideration of the Law Minister and, if necessary, the Constitution may have to be amended also.

SHRI ARJUN ARORA : May I know, Sir, if the Government has taken the factor of the costs involved, particularly for the litigants, in setting up a Central High Court at Delhi ? It will mean that people from Dibrugarh and Coimbatore will all have to come to Delhi, and the practice at this High Court will also be confined to the Bar

†Transferred from the 25th July, 1966.

‡The question was actually asked on the floor of the House by Shri A. D. Mani.

at Delhi. Members of the Bar in the rest of the country will be denied the opportunity of getting their practice in income-tax law here.

SHRI JAISUKHLAL HATHI : In the first instance, as I said, the proposal is not yet before the Government, but at the same time, if at all this proposal is placed before the Government and the Government considers it, then it will not be only this that the High Court will be at Delhi. There will be Benches also of this High Court at other places where there are the Appellate Tribunals, that is, at different places. There will be Benches in different regions also. Therefore the litigants will not have to come to Delhi.

SHRI AKBAR ALI KHAN : In view of the constitutional importance and in view of the expenditure involved, may I request through you, Sir, that before the matter takes any serious situation, I mean its reaching the final stage, they would consult all the High Courts and all the Bar Associations ? That is very necessary.

SHRI JAISUKHLAL HATHI : In fact, as I said, the Law Minister is having discussions with the members of the various Bar Associations, also the Judges, also the people who will naturally be interested in this, and this is yet only an idea, and because he has made a speech somewhere, this question has appeared, and I thought I should make the position appear as it does today. There is no proposal yet. It is only in an exploratory stage.

*129. [The questioners (Sarvshri M. M. Dharia and Mahammed Haneef) were absent. For answer vide col. 731 infra.]

COMMEMORATIVE AND PHILATELIC STAMPS

*130. **SHRI BIREN ROY :** Will the Minister of COMMUNICATIONS be pleased to state

(a) the procedure followed for the issue of Commemorative or other Philatelic Stamps;

(b) the total cost and sale proceeds of such stamps issued during the financial year 1965-66; and

(c) the foreign exchange earnings from the sale of these stamps through Philatelic Bureaux and the various stamp dealers in India and abroad, during the same year and how do these compare with the earnings in the previous two financial years ?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (SHRI SATYA NARAYAN SINHA) : (a) to (c). A statement is laid on the Table of the Rajya Sabha.

STATEMENT

(a) The proposals for the issue of commemorative and other special postage stamps are examined by the Philatelic Advisory Committee. On their recommendations, the Minister for Parliamentary Affairs & Communications takes a decision regarding the issue of specific stamps in any particular year.

(b) 13 commemorative/special postage stamps were issued during the financial year 1965-66. The total manufacturing cost of which comes to Rs. 146,170.13. The total sale proceeds of these stamps are not readily available. These are being collected and will be placed on the table of the Sabha later.

(c) The foreign earnings from the sale of these stamps through the Philatelic Bureaux, Bombay and the authorised Agent in USA during the year 1965-66 and in the previous two financial years are as below :—

	Through authorised Agent in USA	Through Philatelic bureau, Bombay	Total
	2	3	4
	Rs.	Rs.	Rs.
1963-64	19,547.00	19,913.09	39,460.09
1964-65	22,366.00	6,262.61	28,628.61
1965-66	30,818.00	4,467.64	35,285.64