

of cases and whether the hon. Minister has any proposal to expedite the disposal of cases?

**SHRI GOVIND BALLABH PANT:** Our socialism is democratic and every individual retains his freedom in the selection of his own vocation.

**MR. CHAIRMAN:** He also wants to know what steps are being taken to expedite the disposal of cases?

**SHRI GOVIND BALLABH PANT:** I think the Supreme Court is making an effort in this direction. A large number of cases are ready for hearing, and I hope the Supreme Court will try to dispose of them as speedily as it can.

**PANDIT S. S. N. TANKHA:** It is true that it is not possible to place any restrictions on the private practice of the Attorney General, but, may I know, Sir, if the Government will consider it feasible or proper to appoint a lawyer to conduct the cases on behalf of the employees?

**SHRI GOVIND BALLABH PANT:** Whenever any request is made to the proper authorities,—the Labour Minister either of the State concerned or here at the Centre—it will be for him to decide the matter.

**SHRI BHUPESH GUPTA:** Here is another good lawyer, the Law Minister. How can he find lawyers?

**MR. CHAIRMAN:** Order, order.

**SHRI BHUPESH GUPTA:** May I know, Sir, whether the hon. Minister is aware that it has been one of the methods and techniques of the employer to prolong the cases to have the cases dragged on in courts in order to harass the workers and the employees?

**SHRI GOVIND BALLABH PANT:** I think the conduct of cases in courts is controlled and regulated by the courts.

INAUGURATION OF THE INCORPORATED LAW SOCIETY OF CALCUTTA HIGH COURT

**\*230. SHRI BHUPESH GUPTA:** Will the Minister of Law be pleased to state:

(a) whether he inaugurated the Golden Jubilee celebrations of the Incorporated Law Society of the Calcutta High Court recently;

(b) if so, whether he spoke there in defence of the dual-system that obtains in that High Court; and

(c) whether he noted what the Chief Justice of the Calcutta High Court, speaking on the same occasion, said about the language in which the laws of the country are enacted?

**THE MINISTER OF LAW (SHRI A. K. SEN):** (a) Yes, Sir;

(b) The Law Minister said that the Attorneys in Bombay and Calcutta had by and large served the litigants and the courts well. I think the Chief Justice said the same thing about the Attorneys in Calcutta.

(c) Yes, Sir.

**SHRI BHUPESH GUPTA:** May I know, Sir, what is the reason why the hon. Law Minister made this particular point about the dual system when nowhere in the country except Calcutta and Bombay this so-called dual system exists? What is it that makes him take this fancy for this dual system?

**SHRI A. K. SEN:** I do not think the system as such was in issue. The question was about the Attorneys serving the courts and the litigants well or not, and I am entitled, I suppose,—and the hon. Member will not grouch giving me that freedom—to entertain and form my own opinion about the Attorneys.

**SHRI BHUPESH GUPTA:** I am prepared to give him every freedom.

The trouble is that he is the Law Minister of the country. May I know, Sir, whether it is the settled policy of the Government that

- (a) the Law Minister can have such freedom;
- (b) that the dual system should be retained in places like Calcutta and Bombay?

SHRI A. K. SEN: I do not think, Sir, I said anything about the retention. It was the occasion of the celebration of the Golden Jubilee of the Incorporated Law Society of Calcutta, and I suppose it was certainly open to me to pay a compliment to the Attorneys as such. About their continuance, it is a different matter. The Government of India had appointed two Committees—the All India Bar Committee and the Law Commission—both of whom have dealt with this question.

SHRI BHUPESH GUPTA: Sir, I have nothing against the Attorneys. I am giving my compliments to them. But all that I want to find out from the hon. Minister is whether he has considered any proposal that the Attorneys should be allowed also to act as Advocates, and have an integrated legal profession instead of maintaining this bifurcated system?

SHRI A. K. SEN: Well, Sir, there have been two committees, and also there have been many questions answered on that topic.

SHRI SANTOSH KUMAR BASU: Is it not a fact, Sir, that the Supreme Court Advocates are doing the work of Attorneys in the original side of the Calcutta High Court under a decision of the Supreme Court, and if so, why should not the same privilege be accorded to the Advocates of the Calcutta High Court?

SHRI A. K. SEN: Up till now, Sir, the Calcutta High Court Advocates have been governed by the rules framed by the Calcutta High Court. It is not proper for us to dictate such things to the Calcutta High Court.

SHRI SANTOSH KUMAR BASU: Sir, is it not a fact that a Bill regarding the dual system was prepared during the tenure of office of Shri C. C. Biswas and Shri Pataskar and about which Shri C. C. Biswas held certain discussions with the members of the Calcutta High Court Bar Association? If so, what has happened to that Bill? Has it been dropped or has it been put in cold storage?

SHRI A. K. SEN: Sir, there was no Bill concerning the dual system. There was a Bill which was considered at the time of my predecessors, called the All-India Bar Councils Bill or something of that sort. I do not exactly remember the name of that Bill. But if the drafting of that Bill is asked about, its drafting was really started in right earnest during my time, and I think, Sir, that it is nearing completion. Well, the hon. Member certainly does not want me to give an idea of the Bill before it has been placed before the Cabinet.

SHRI BHUPESH GUPTA: Sir, I now refer to part (c) of my question. May I know, Sir, if the Chief Justice of the Calcutta High Court had made any proposal or made any suggestion for simplifying the language of our legislation, and may I also know whether this matter had been brought before the Legislative Department of the Law Ministry from where we get the Anglo-Saxon style of writing in the matter of Bills and so on?

SHRI A. K. SEN: Sir, there are so many questions rolled up in this apparently one question. Still I am prepared to answer them.

MR. CHAIRMAN: He probably wants to know the language in which the laws of our country are enacted.

SHRI A. K. SEN: Sir, the language is English up till now. Of course, they are translated into Hindi occasionally. And so far as the Chief Justice's remarks are concerned, he rather alluded to the language. He quoted a poem from Tagore. He said

that the language of the law makes it baffling even to courts. But that is a complaint not only made by the Chief Justice of the Calcutta High Court, but also by the House of Lords in England on many occasions. So, that does not mean that the Legislative Department in England suffers from any . . .

MR. CHAIRMAN: Next question.

#### INDIA'S STERLING BALANCES

\*231. SHRIMATI SAVITRY DEVI NIGAM: Will the Minister of FINANCE be pleased to state whether it is a fact that the position of India's sterling balances has improved recently?

THE DEPUTY MINISTER OF FINANCE (SHRI B. R. BHAGAT): The sterling balances of the Reserve Bank of India, as the result of some recent improvement, stood at Rs. 206 crores on 13th February 1959, which is once again approximately the level at which they stood in July 1958. In the intervening period they had gone down to Rs. 178 crores on the 31st October, 1958. The drain on our reserves has thus been arrested for the time being but this result is attributable to the fact that we have been drawing on the additional aid negotiated in the second half of 1958 and the reason that exports are seasonally better between October and March. In particular a sum of £10 million was received from the U.K. Government last week as an advance repayment of sums due to India under the Pension settlement.

SHRIMATI SAVITRY DEVI NIGAM: May I know, Sir, if it is a fact that the concession given in respect of the goods to be exported has improved the position of our sterling balances to a very great extent?

SHRI B. R. BHAGAT: No, Sir, I won't subscribe to that view.

SHRIMATI SAVITRY DEVI NIGAM: May I know, Sir, if it is a fact that the recent ban on imports of those goods which are produced in our

country has also helped the sterling balance position?

SHRI B. R. BHAGAT: It is true, Sir, that as a result of certain measures taken by the Finance Ministry in co-operation with certain other Ministries these imports have been cut down to the barest minimum.

SHRIMATI SAVITRY DEVI NIGAM: Well, Sir, keeping in view the good results brought about by certain changes in the export-import policy, may I know, Sir, whether the Government has any intention to take some more steps in order to tighten up our imports further? If the answer be in the affirmative, what are those steps?

SHRI B. R. BHAGAT: Sir, all the steps that are considered to be necessary to tighten up imports and to step up exports are being taken and will continue to be taken.

DR. H. N. KUNZRU: To what extent, Sir, have our sterling balances improved, leaving out of account the loans that we have received?

SHRI B. R. BHAGAT: Sir, actually speaking, not the loans received, but the loans utilised are more relevant here. And during this period, Sir, our sterling balances have gone up by Rs. 27.7 crores, and the utilisation of fresh assistance is roughly to the extent of Rs. 22.23 crores. And that is a very rough figure, Sir.

DR. H. N. KUNZRU: It means that the net improvement in our sterling balances is to the extent of about Rs. 4½ crores.

SHRI B. R. BHAGAT: Very roughly.

SHRI BHUPESH GUPTA: Since it has now been revealed after this question that there has been some stagnation in that position, may I know, Sir, whether the Government has any proposal as to the utilisation of the remaining sterling balance—giving priority to industrialisation of the country and thus regulating imports as against our sterling balances?