

#### **Ticketless marriage party**

629. SHRI SANAT KUMAR RAHA : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that a ticketless marriage party travelling from Allahabad to Bareilly by the Allahabad-Saharanpur passenger train was detected on 14-3-76 by a magisterial ticket checking squad of the Northern Railway;

(b) if so, whether this party was led by the Office Superintendent, Government Railway Police, Allahabad; and

(c) if so, what steps have been taken against them ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SARDAR BUTA SINGH): (a) to (c) No. However, a ticketless marriage party was detected travelling from Allahabad to Bareilly on 5-3-1976 (and not on 14-3-76) by 5! Up Sealdah-Jammu Tawi Express (and not by Allahabad-Saharanpur passenger). The marriage party was led by the Office Superintendent, Government Railway Police Allahabad. The railway fare and penalty have been realised from all members of the party. The duty card passes, which had been issued in favour of Superintendent, Government Railway Police, Uttar Pradesh, Public Prosecutor, Government Railway Police, Uttar Pradesh and one Head Constable, Government Railway Police, Uttar Pradesh were found in the possession of the Office Superintendent, Government Railway Police, Allahabad, his associate and a constable of the Government Railway Police, Allahabad. The passes have been confiscated and the matter has been reported to the Chief Secretary, Government of Uttar Pradesh for taking appropriate action against the officials apprehended.

#### **Running time of Mahalaxmi Express**

630. SHRI GULABRAO PATIL : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government propose to increase the speed of Mahalaxmi Express running between Kolhapur and Bombay;

(b) if so, when the proposal is likely to materialise; and

(c) if the answer to part (a) above be in the negative, the reasons therefor ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SARDAR BUTA SINGH): (a) No.

(b) Does not arise.

(c) 303/304 Mahalaxmi Expresses are booked to run at the maximum speed permissible consistent with the conditions of track, traction and load.

#### **Shah Committee Report**

631. SHRI VIREN J. SHAH : Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state :

(a) whether Government's attention has been drawn to the representation made by several members of the Parliament during the last two years to the non-placement of the report of the Shah Committee (to eliminate delays in the disposal of cases in the various courts;

(b) if so, whether any decision has been taken on this report; and

(c) if not, the reasons therefor ?

"THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) Yes, Sir. This was an informal Committee and hence it is not required to be placed before the Parliament.

(b) and (c) The High Court Arrears Committee had made recommendations in three directions :

(i) reducing delays which occur before the proceeding is ready for hearing by the High Court;

(ii) weeding out certain classes of causes which, under the present system, reach the High Court and making them triable by other Courts or Tribunals.

(iii) ensuring that the time taken up in the actual hearing of cases should, while giving parties full opportunity of presenting their respective cases, be effectively reduced.

The recommendations which are purely of administrative nature and do not require amendment to the rules. Statutes or law have been communicated to the State Governments and the High Courts for implementation.

Some of the recommendations of the High Court Arrears Committee had a bearing on the law relating to the Criminal Procedure. A note of such recommendations was taken while enacting a new Code of Criminal Procedure, which was based on the recommendation of the Law Commission. In the revised Cr. P. C. the provision corresponding to section 438 of old Cr. P. C. does not exist, the provision of criminal revision to the High Court against convictions and sentences passed by the Presidency Magistrates stands abolished and Sessions Judges have been empowered to exercise the powers of revision, exercisable by the High Court under section 401 of the Cr. P.C. 1973. Although the Committee recommended deletion of provision regarding right of appeal of a private complainant against an order of acquittal in a case filed on a complaint, the provision has been retained in the new Cr. P.C.

The recommendations made by the High Court Arrears Committee relating to amendments to the Code of Civil Procedure, 1908 were brought to the notice of the Law Commission, based on whose recommendations a Bill for amending the C.P.C. was introduced in the Parliament and is at present before the Joint Select Committee. Many of the major amendments proposed in the C.P.C. are in accordance with the recommendations of the Committee.

Article 133 of the Constitution has already been amended.

The State authorities have been requested to periodically review the state of work in each High Court and recommend re-fixation of Judge strength on the basis of norms recommended by the Committee and to send proposals to fill vacancies in the High Courts in time. The conditions of Service of the Judges have since been improved. It has not been possible to accept the recommendations of the Committee for appointment of *ad hoc* Judges, whenever judges are deputed for nonjudicial work for more than 4 months.

that working days of the High Courts to reduced to 205 in a year and that the recommendation of the Chief Justice of the High Court regarding appointment of a Judge be deemed to have been accepted by the Governor if no objection is raised thereto within a month.

Some recommendations of the Committee related to amendment of the existing State legislation. State Governments have been requested to consider them. The Punjab Government have amended the Punjab Courts Act, 1918 providing for appeals to the District Judges where the value of the original suit in which the decree was made does not exceed Rs. 20,000-They have amended the Provincial Small Cause Courts Act conferring on the District Judge powers of revision of decrees and orders of Courts of Small Causes. The State Government are contemplating setting up of a Service Tribunal and amendment of the Punjab Societies and Zilla Parishads Act and the Punjab Gram Panchayat Act. Tripura Government have raised the appellate pecuniary jurisdiction of District Judge to Rs. 10,000 and District Munsifs pecuniary jurisdiction has been raised to Rs. 5,000.

#### **Option for the posts of Hindi Assistants by Stenographers Grade in**

632. SHRI JAGDISH JOSHI : Will the Minister of RAILWAYS be pleased to state : whether it is a fact that Stenographers Grade III who have been given the option to accept the cadre of stenographer, have applied for the selection to the posts of Hindi Assistants in Board's office'.

whether it is also a fact that Stenographers Grade III were not allowed to apply for selection to the posts of Hindi Assistants held in the year 1973: and

(c) if so, what are the reasons for which these Stenographers have been considered for the selection again ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SARDAR BUTA SINGH) :

(a) Yes.

(b) Although Stenographers Grade III were not eligible for consideration, certain incumbents did apply for selection to the