

- (ii) The Delimitation Commission, in terms of the Constitutional provisions, can base its work, only on the published census figures. The 2001 census figures were published as late as on 31st December, 2003
- (iii) Thereafter in March, 2004 the Lok Sabha was dissolved. Fresh elections were held and the Fourteenth Lok Sabha was constituted. The Associate Members of the Delimitation Commission were nominated by the Lok Sabha Speaker in July, 2004.
- (iv) The Gauhati High Court stayed the delimitation exercise in respect of the State of Arunachal Pradesh, Assam, Nagaland and Manipur on the grounds of disputed census figures.

(b) and (c) The Delimitation Commission was constituted under section 3 of the Delimitation Act, 2002 *vide* Government of India Gazette Notification dated 12th July, 2002. Initially, the Delimitation Commission was given a term of two years from the date of publication of Notification dated the 12th July, 2002. Subsequently, its term was extended on year to year basis *vide* the Government of India Notification number S.O. 1064 (E), dated the 2nd July, 2007 its present term has been extended up to the 31st July, 2008.

(d) So far the Delimitation Commission has completed its exercise in respect of 25 States. The Delimitation exercise with respect to the remaining States and Union territories is yet to be completed. The new delimitation will take effect from the date to be specified by the President of India under the second proviso to article 82 and second proviso clause (3) of article 170 of the Constitution.

### **Free legal services**

2827. SHRI RAJKUMAR DHOOT:  
SHRI JAI PARKASH AGGARWAL:

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

(a) whether it is a fact that the National Legal Service Authority has been providing free legal services to eligible persons;

(b) the criteria fixed by the Central Government and the Legal Assistance Fund Authority to provide free legal assistance to the people;

(c) the details of the financial assistance provided by the Central Government under Section 12 of the Legal Service Authorities Act, 1987 during the last three years, till date, year-wise and State-wise; and

(d) the number of persons who were provided free legal services and the amount spent by NLSA thereon during that period State-wise and UT-wise?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K.VENKATAPATHY): (a) Yes, Sir.

(b) As per Section 12 of the Legal Services Authorities Act, 1987, every person who has to file or defend a case shall be entitled to legal services if that person is—

- (i) a member of Scheduled Caste or Scheduled Tribe,
- (ii) a victim of trafficking in human beings or begar as referred to in Article 23 of the Constitution,
- (iii) a women or a child,
- (iv) a mentally ill or otherwise disabled person,
- (v) a victim of mass disaster, violence, flood, drought, earthquake, industrial disaster,
- (vi) an industrial workman,
- (vii) a person in custody, including custody in a protective home; or in a juvenile home; or in a psychiatric hospital or psychiatric nursing home.
- (viii) a person whose annual income is less than the amount as prescribed by State Government, if the case is before a court other than the Supreme Court and as prescribed by Central Government, if the case is before the Supreme Court. In cases before the Supreme Court, the limit was originally fixed at Rs. 12,000/- and now the income ceiling has been raised by the Central Government to Rs. 50,000/-. In regard to cases before the High Courts and Courts subordinate thereto, the income limit was originally Rs. 9,000/- which was resolved to be raised to Rs. 50,000/- in the fourth annual meet of State Legal Services Authorities held on 29.02.2004 and 01.03.2004 at Kolkata. In pursuance to this 19 States and 3 Union Territories have raised the income limit to Rs. 50000/- and the remaining States/UTs have also been requested to increase the income limit to Rs. 50000/-.

(c) and (d) As per Section 14 of the Legal Services Authorities Act, 1987, the Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the Central Authority, by way of grants, such sums of money as the Central Government may think fit for being utilized for the purposed of this Act. The Central Government has provided grant-in-aid to the Central Authority (*i.e.*, National Legal Services Authority) amounting to Rs.5 crores, Rs.10 crores, during the financial years 2004-05, 2005-06 and 2006-07 respectively. There is a provision of Rs.17.5 crores as grant-in-aid to National Legal Services Authority (NALSA) during the current financial year, *i.e.*, 2007-08. The NALSA utilizes the grant-in-aid provided by the Central Government and the grants and other amounts received from other sources for meeting the cost of legal services provided under the said Act, including grants-in-aid to the State Authorities, the cost of legal services provided by Supreme Court Legal Services Committee and any other expenses which are required to be met by NALSA as per Section 15 (2) of the said Act. The details of the financial assistance provided by NALSA during the financial years 2004-05, 2005-06, 2006-07 and 2007-08 (upto August, 2007) are given State/U.Ts-wise, in the Statement-I (*See below*). The number of persons who were provided free legal services during the calendar years 2004, 2005 and 2006 is given, State/U.Ts-wise, in Statement-II.

**Statement-I**

*Details of the financial assistance provided by the NALSA during the financial year 2004-05, 2005-06, 2006-07 and 2007-08*

					(in Rupees)
Sl. No.	Name of the State	2004-05	2005-06	2006-07	2007-08 (upto August, 2007)
1	2	3	4	5	6
1	Andhra Pradesh	2500000	2500000	500000	—
2	Arunachal Pradesh	747244	400000	300000	—
3	Assam	1000000	1500000	2450000	—
4	Bihar	—	—	500000	—
5	Chhattisgarh	50000	1515000	3808000	51000
6	Goa	655000	—	—	—
7	Gujarat	1500000	3000000	2000000	—
8	Haryana	533000	1750000	2500000	4382000
9	Himachal Pradesh	1216199	1000000	1450000	—
10	Jammu and Kashmir	—	600000	600000	—
11	Jharkhand	—	1500000	3398000	—
12	Karnataka	1285361	1500000	2138600	—
13	Kerala	5584000	6500000	3700000	500000
14	Madhya Pradesh	499900	800000	500000	—
15	Maharashtra	140000	3585400	1791000	610000
16	Manipur	150000	300000	300000	—
17	Meghalaya	237522	—	—	—
18	Mizoram	350000	562000	500000	—
19	Nagaland	200000	665000	300000	—
20	Orissa	700000	1500000	2200000	—
21	Punjab	1500000	1300000	1500000	1000000
22	Rajasthan	2000000	1500000	1200000	2000000
23	Sikkim	—	246215	—	—
24	Tamil Nadu	1000000	2000000	2500000	—
25	Tripura	1215000	2200000	800000	—
26	Uttar Pradesh	1577000	4155000	4071000	40000

1	2	3	4	5	6
27	Uttarakhand	—	6554490	2768000	—
28	West Bengal	2920000	4424000	5069000	—
29	Dadra and Nagar Haveli	—	200000	—	—
30	U.T. Chandigarh	500000	—	100000	200000
31	Delhi	18200000	20132710	22000000	—
32	U.T. Puducherry	500000	500000	700000	700000
33	Supreme Court Legal Services Committee	3500000	5000000	5000000	5000000

**Statement-II**

*Details of number of persons provided Free Legal Services during the calendar year 2004, 2005 and 2006, State-wise, UT-wise*

Sl. No	Name of the State	2004	2005	2006
1	2	3	4	5
1	Andhra Pradesh	1558	2567	3007
2	Arunachal Pradesh	142	414	1121
3	Assam	26381	21410	27773
4	Bihar	583	7023	8753
5	Chhattisgarh	4562	4272	4248
6	Goa	439	382	402
7	Gujarat	7389	4999	8060
8	Haryana	2016	2219	3494
9	Himachal Pradesh	239	280	268
10	Jammu and Kashmir	986	942	974
11	Jharkhand	294	1898	340
12	Karnataka	2040	1618	1636
13	Kerala	1199	1601	3880
14	Madhya Pradesh	19372	28314	61332
15	Maharashtra	5197	77170	105808
16	Meghalaya	39	21	80
17	Mizoram	3689	3962	4188
18	Nagaland	354	330	—
19	Orissa	1461	2807	2656

1	2	3	4	5
20	Punjab	4028	4161	4240
21	Rajasthan	8206	6732	7123
22	Sikkim	208	402	386
23	Tamil Nadu	132861	177766	120885
24	Tripura	406	703	831
25	Uttar Pradesh	966142	477893	4610
26	Uttarakhand	1474	11934	136
27	West Bengal	1691	3532	6389
28	And. and Nico. Islands	6	97	22
29	U.T. Chandigarh	694	576	401
30	Delhi	13028	14391	11768
31	U.T. Puducherry	1433	1433	543

### **Shortage of rooms in indore bench of Madhya Pradesh High Court**

†2828. SHRIMATI MAYA SINGH: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that sufficient rooms are not there in Indore bench of Madhya Pradesh High Court, to hear the cases by the hon'ble judges;

(b) if so, by when the rooms would be made available;

(c) whether there is any shortage of rooms for the Judges in other High Courts of the country; and

(d) if so, the details thereof, State-wise?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (d) Providing basic infrastructure for functioning of High Courts including rooms for hearing of cases is primarily the responsibility of the respective State Governments. Information on shortage of rooms for judges is not maintained centrally. However, Central Government is implementing a scheme under which financial assistance is provided to the States for construction of court buildings and the States are required to provide matching share.

### **Appointment of High Court Judges**

†2829. SHRI PYARELAL KHANDELWAL: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the procedure followed for appointment of Judges of High Courts;

(b) whether it is a fact that nepotism has increased in such appointments for want of transparency; and

†Original notice of the question was received in Hindi.