

16. The Court rate of interest should be raised to 12 per cent per annum on the decretal amount with a discretion to the court to award interest at a lower rate.

17. The Government should appoint special officers to deal with the litigation pending in the High Courts and explore avenues for pre-trial settlement.

18. Section 80 of the Code of Civil Procedure and corresponding provisions in the Municipal and/or Railways Act should be deleted.

19. Ad interim orders for injunction, receivership, etc. should not be issued without proof of service of usual notice of the application on the Advocate General or the Government counsel on behalf of the Government.

20. The number of working days of the High Courts, i.e. 210 days, should not be increased. The daily working hours should also not be increased beyond five hours.

Statement-II

1. In civil cases the Presiding Judge should be given discretion to have an affidavit of witness in place of his examination-in-chief subject to the right of the adversary to cross-examine the witness.

2. A sufficient number of Commissioners duly empowered for recording evidence should be attached to the trial courts (civil) and given the power to entertain and decide objections as to the admissibility of the evidence.

3. In Civil cases, party may not normally be allowed to examine more than two witnesses for proving the same fact.

4. In the event of a civil case being withdrawn or compromised,

(a) a refund of half of the court fees should be granted, if the case

is compromised or withdrawn before the hearing of arguments;

(b) a refund of 3/4th of the court fee should be granted, if the case is compromised or withdrawn before the framing of issues.

5. Once the recording of evidence commences, the case should, far as possible, not be adjourned and must be heard from day to day.

6. There shall be one right of appeal or revision and no more in certain matters. This is subject to the restoration of the power of the High Courts under Article 227 of the Constitution.

7. Section 80 of the Code of Civil Procedure and analogous provisions for notice to Government and public authorities to be deleted for avoiding needless technical defences.

8. The Limitation Act, the Evidence Act and the Procedural Codes be simplified so as to avoid technical arguments relating to non-compliance with their provisions.

9. Retired District Judges should be re-employed as District Judges to clear the arrears in the District Courts subject to the qualification that they shall not be re-employed, after the expiration of a period of three years from the date of their retirement.

Export of non-coking Coal to Japan

3854. SHRI S. M. KRISHNA: Will the Minister of ENERGY be pleased to state:

(a) whether there is any proposal to export non-coking coal to Japan;

(b) if so, from which of the collieries; and

(c) the quantity to be exported and under what terms and conditions?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (c). Government had received proposals from private corporations in Japan for the

development of coal mines in Talcher Coalfields for the exclusive purpose of exporting coal to Japan on a compensation basis. Keeping in view the country's own requirements, the development of a mine exclusively for the purpose of export, at this stage, does not arise.

Nationalisation of Assam Oil Company

3855. SHRI S. M. KRISHNA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the stage at which the nationalisation of Assam Oil Co. Ltd., stands at present;

(b) the assets and liabilities of this Company as on 1-1-1981;

(c) its foreign share-holding and the terms and conditions for its repatriation; and

(d) the quantity of oil and petroleum products annually produced by this Company at present?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Details regarding the compensation payable are being worked out for presentation of Government's case in the negotiations.

(b) The audited Annual Accounts and Balance Sheet of Assam Oil Company as on January 1, 1981 are still to be received. The information is therefore not readily available.

(c) Burmah Oil Company Limited, a registered company in the United Kingdom, hold 0.4 million pound of paid up equity share capital in the subsidiary company, namely Assam Oil Company. The terms and conditions for the repatriation of the foreign shareholding forming part of the negotiations are still being worked out.

(d) A statement is attached.

Statement

Production of Crude oil and Petroleum products in Assam Oil Co. Refinery Digboi during 1978, 1979 and 1980.

(Qty. '000 Tonnes)

	1978	1979	1980*
Crude oil production	55	47	47
Crude throughput	530	504	407
Production of Petroleum products	505	486	384

*Provisional

Modernisation of Process of Coal Mines

3856. SHRI RAMA CHANDRA RATH: Will the Minister of ENERGY be pleased to state:

(a) whether Government have a proposal for the modernisation of the process of coal mines;

(b) if so, whether Government have any proposal to send ordinary miners

and other workmen to foreign countries along with Indian engineers; and

(c) the details in the regard?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Yes, Sir.

(b) and (c). To familiarise with modern process of mining technology, latest equipment, mining engineers,