

tration against the sums withheld as penalty and the award was given in their favour. No provision for bonus existed in these contracts. However, due to critical stock position, bonus was allowed to ensure speedier movement of coal as per following details for a period of one month only when the stock position of coal had come down to a critical level:

S. No.	Name of the Transporters	Amount of bonus paid
1.	M/s. S. N. Transport, Dhanbad . . . . .	96,985.00
2.	M/s. Kanodia Enterprises, Deoria . . . . .	57,240.00
3.	M/s. Jiwan Das, Gorakhpur	39,040.00

### Statement

*Coal consumption for the last three years*

Month	Year 1979-80	Year 1980-81	Year 1981-82
April . . . . .	5918	6705	10392
May . . . . .	9285	4945	7577
June . . . . .	8130	4497	7746
July . . . . .	10765	4745	9163
August . . . . .	9384	8267	9838
September . . . . .	6046	8523	9372
October . . . . .	8427	9435	7658
November . . . . .	6930	9500	6682
December . . . . .	4418	6200	7898
January . . . . .	5292	8520	8324
February . . . . .	4908	7343	8275
March . . . . .	6226	8730	11336
			(Approx. expected consumption)
Total Consumption . . . . .	85729	87410	104261

### Telephone Arrears

5851. SHRI K. RAMAMURTHY: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the total amount of arrears as on 28th February, 1982 due from the

existing telephone subscribers in Delhi Telephone District, area-wise; and

(b) number of persons in North and South Delhi areas against whom the total arrears does exceed Rs. ten thousand

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI YOGENDRA MAKWANA): (a) and (b). The information is being collected and will be laid on the table of the House.

**Adverse remarks by Session Court against special metropolitan magistrates on Traffic Duty**

5852. SHRI D. M. PUTTE GOWDA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Sessions Court has adversely commented on the Special Metropolitan Magistrates in Delhi appointed for checking traffic violations;

(b) if so, details of violations committed by such Magistrates having come to the notice of the judiciary; and

(c) action contemplated by Government with a view to streamline the matter?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI A. A. RAHIM): (a) and (b). According to the information received from the Registry of Delhi High Court, while accepting three appeals arising out of orders passed by two Special Metropolitan Magistrates convicting and imposing fines for violation of the provisions of the Motor Vehicles Act, an Additional District and Sessions Judge noted the following infirmities in the procedure followed by them in the trial of the accused:

(1) The procedure provided by Section 252 of the Code of Criminal Procedure which requires the Magistrate to record the plea of the accused as nearly as possible in the words used by the accused before convicting him was not followed.

(2) The accused were tried without affording hearing or an opportunity to engage a counsel;

(3) Police authorities were permitted to wrongfully detain persons without authority of law.

(4) Vehicles were impounded and maximum possible fine was imposed against the authority of law by a pre-prepared rubber stamp judgment employing telegraphic language.

However, the High Court on its own motion under Section 397 of the Code of Criminal Procedure has issued notice in the matter to the appellants and respondents and also to the Standing Counsel for Delhi Administration.

(c) No action is at this stage required by Government.

**Promotion of Junior Engineers in P and T**

5853. SHRI BHOGENDR A JHA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether instances of performance, qualities and potential are required to be noted in the Memorandum of services on the basis of which C.R. is written by the reporting officer and countersigned by the superior and scrutinised by the reviewing authority before deciding upon promotion of any Junior Engineer in the P&T services to Assistant Engineers as per requirements of the Rules; and

(b) whether such M.Os. as the basis of C.Rs. have been maintained, countersigned and reviewed before deciding upon promotion during the last three years, particularly in Bihar during the last three years, if not, whether all C.Rs., are to be cancelled and reviewed, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI YOGENDRA MAKWANA): (a) The C. Rs. of the Government servants written by their immediate superiors on the basis of their assessment of their work and conduct. These reports are 'Reviewed' by the immediate superior of the reporting