

pointed a 3-man committee under the Additional secretary who has held three meetings with the gacsd doctors. I also had an opportunity to discuss some matters with them. I think twice or thrice I met them. I could not go into the details today and yesterday. But tomorrow or day after tomorrow or Monday or during the next week I will be issuing some orders and so far as other things are concerned I will have to get it examined by the Finance and Personnel Departments because such matters are not easily decided or in haste then, I will seek the permission of the hon. prime Minister and the Cabinet. At that time I will be able to say fully what has been done. But so far as I am concerned and the Government is concerned, we have an open mind on the issue and we will try to look into their grievances sympathetically. That is what I wanted to say.

SHRI RAM KAPSE (Thane): Is there any time-bound programme ?

SHRI M.L.FOTEDAR: There is no time-bound programme.

22.32. hrs.

DELHI HIGH COURT (AMENDMENT)
BILL

As passed by Rajya Sabha

THE MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS
AND MINISTER OF STATE IN THE MINIS-
TERY OF LAW JUSTICE AND COMPANY
AFFAIRS (SHRI RANGARAJAN
KUMARAMANGALAM): Sir, I beg to move:

"That the Bill further to amend the Delhi High Court Act, 1966, as passed by the Rajya Sabha, be taken into consideration".

The Bill seeks to increase the original pecuniary jurisdiction of the District Court in the Union Territory of Delhi from the existing limit of Rs. 1lakh to Rs. 5 lakhs so that

original suit of a value of more than Rs. 5 lakhs only would need to go to the Delhi High Court. This increase in the limit of pecuniary jurisdiction is necessary because of the decline in the value of rupee over the years and for reducing the pressure on the Delhi High Court. The proposed amendment will speed up disposal of cases around. The existing original suits involving a value less than Rs. 5 lakhs will be transferred to the District Court excluding those cases where hearing has already commenced. The Bill will also provide for appeal to the District judge against decree or order made by a Subordinate Court after the commencement of the proposed amendment where the value of the original suit in respect of which the decree or order has been made does not exceed Rs. 1lakh. Thus the Bill which aims at granting more powers to the District Courts will benefit around the litigant public in the Union Territory of Delhi.

The Government is separately pursuing a proposal to decentralise the District Court in the Union Territory of Delhi for the convenience of the litigant public so that they need not travel long distances. The modalities of decentralisation are being discussed with the Delhi Administration and Delhi High court. The matter is in advanced stage. It is the intention that the increase in the pecuniary jurisdiction of the District Court and its decentralisation should be carried out simultaneously.

I hope the Bill will receive the full support from all Members of the House.

19.31. hrs.

[MR. SPEAKER *in the Chair*]

MR. SPEAKER : The Question is:

"That the Bill further to amend the Delhi High Court Act 1966, as passed by the Rajya Sabha, be taken into consideration".

The motion was adopted.

MR. SPEAKER : The House will now take up Clause-by- Clause consideration of the Bill.

Clause -2 Amendmet of Section 5

There are amendments to Clause 2— given by Shri Girdhari Lai Bhargave and prof. Rasa Sing Rawat.

[*Translation*]

SHRI GIRDHARI LAL BHARGAVA
(Jaipur): Mr. Speaker, Sir, I beg to move:
Page 1, line 8 —

for "rupees five lakhs" substitute
"rupees fifty lakhs"!(1)

Page 1, line 11,—

for "rupees five lakhs" substitute
"rupees fifty lakhs".(2)

[*English*]

PROF. RASA SINGH RAWAT (Ajmer):
Mr. Speaker Sir, I beg to move:

Page 1, line 8, -

for "rupees five lakhs" substitute
"rupees seven lakhs"(3)

Page 1, line 13,-

for "rupees five lakhs" substitute
"rupees seven lakhs" (4)

Page 2, line 6-

for "rupees one lakh" substitute
"rupees two lakhs"(5)

[*Translation*]

SHRI GIRDHARI LAL BHARGAVA
(Jaipur): Mr. Speaker, Sir, in response to what the hon. Minister has submitted just now, I would like to submit that this Bill has been introduced to increase the limit of pecu-

niary jurisdiction from rupees one lakh to rupees five lakh of Delhi High Court. The lawyers of tis Hazari Court have gone on strike in protest agaist it. The argument given by hon. Minister for increasing the limit is that the value of rupee has declined. Therefore, I have moved mendment to increase the limit from rupees 5 lakhs to fifty lakhs. Be sides, my submission is that the Government proposes to set up five more courts at various places in Delhi. But has the Government taken the lawyers into confidence and has it also taken an assurance from them to the effect that they would not launch any agitation after this is passed. The Government must seek their opinion in this regard because this is not in practice anywhere else. I am also of the view that creation of five judicial districts would create a difficulty. My submission is that such limit is not there in Rajasthan, Haryana etc. But here in Delhi two types of demands have been made . The Government at the same time had promised to constitute a coimmittee to solve the matters in regard to the division of civil court. But the committee has not been formed so far and I am confident that the concerned Ministers in the previous Government took no initiative in this respect. Therefore, I would suggest to increase the limit from rupees five lakhs to rupees fifty lakhs. The decentralisation proposed by the Government would result in agitation. The Government must take the lawyers into confidence otherwise the agitation being launched by the lawyers of Tis Hazari Court will continue for many more days. Therefore, I think no one has paid attention to it. A Committee should be constituted, which should decide in this regard and if this amendment is brought according to that decision, then only speedy and inexpensive justice could be provided to the people of Delhi. Otherwise an agitation will be launched by the lawyers and it will create lot of problems. If courts are closed and the lawyers do not work, the cases which have been pending even for the last 15 year will take still more time.

Therefore, I would request the hon.

Minister to constitute a Committee and bring this Bill after giving due consideration to it and making necessary amendments.

PROF. RASA SINGH RAWAT (Ajmer): Mr. Speaker, Sir, through you, I like to submit that the Delhi High Court (Amendment) Bill, 1991 has been brought in a haste and as my hon. friend just now said that it would have been better, if the amendent Bill would have been brought after constituting a Commtee and discussing it with the judiciary.

There is a saying that "justice delayed is justice denied". It means if there is delay in dispensing justice, justics is actually denied and this is actually happening to day. Thousands and lakhs of cases are pending in the courts of Delhij to day -- whether these are district courts, lower courts or High court.

Therefore, I would like to submit that the limit of cases exceding value of Rs.1 lakh, which has been raised to Rs. five lakhs should be raised to Rs. 10-15 lakhs. It should be done at one time, otherwise, it will have to be raised again and again. The limit of lower courts should also be raised so that there should not be much workload on the High courts and all the vacant posts should be filled immediately.

Another point, which I would like to submit is that in all the Hindi-speaking States of North-India i.e. in Rajasthan, Uttar Pradesh and Madhya Pradesh, use of the regional language i.e. Hindi has been started in all the lower courts. Some of the hon. Judges had even started giving judgements in Hindi, but in Delhi, English is used in all the courts, even though this is a Hindi-speaking area and 80 percent of population speaks Hindi. Delhi is a Union Territory and when the Legislative Assembly will be forme this proposal will certainly be brought there, but till then, Hindi should be used in the Delhi High Court.

Mr. Speaker, Sir, attention should be paid towards the delay and the heavy expenditure in cases in the courts. Lok-Adalats

were set up to provide inexpensive justice to the people and to provide lawyers and free legal aid to those, who do not have anyone to fight their case. So long as a particular senior justice was there in the Supreme Court, this facility was provided, but now the poor are not getting any legal aid. I would like to know from the Government why the lawyers working in Delhi courts and in Tis Hazari Court repeatedly go on strike and give *Dhama* at the Boat-Club. Recently, some lawyers were debarred to attend courts due to some reasons. There were some more cases in which a dispute cropped up between the judges and the lawyers. Our Law Minister should make efforts, to maintain amity between the judges and the lawyers so that the people can get speedy and inexpensive justice. The vacant posts of judges should be immediately filled up and in view of 85 lakh population of the capital, the posts of judges should be increased.

With these words, I conclude.

[English]

SHRI RANGARAJAN KUMARAMAN-GALAM: Mr. Speaker, Sir, The first point, which I think is important for all of us to realise, is that the present district courts in Delhi, even as it is by raising the pecuniary jurisdiction to 5 lakhs, the number of cases that will be transferring from the High Court to the district courts itself is quite large. I do appreciate the sentiments that have been raised by the hon. Member that it should be at a much higher level and ultimately all original suits should really start from at least district court level, in fact to start-if possible-at the lower court, the court of the magistrates. But now the situation is simply that the infrastructural situation is not such where we can really transfer the total litigation.

We have taken this, as a first step, with the intention of decentralising the amount of litigation that is there in Delhi and if possible to ensure that for the litigant to have as little inconvenience as possible and that justice is available as closely as possible. We have

[Sh. Rangarajan Kumaramangalam]

people travelling quite a number of kilometres from the extreme corners of Delhi to Tis Hazari where the courts are situated. I would like to make one thing clear here. We are not going ahead with the decentralisation at the speed where it becomes impossible to implement it. We would see that it is done in a manner where infrastructure is provided; sufficient facilities are provided to all concerned. I am sure all concerned would appreciate that this is necessary in the interests of the litigant public.

But I wish to make it clear that for our Government the primary motive and the primary interest of the Delhi public and our citizens is most important. Large sections of people, who may have certain or may not have certain vested interests in the matter. We would definitely meet every body concerned, talk to all concerned and we would keep in mind the views of the Delhi Administration and the Delhi High Court definitely and will take suitable action.

In these circumstances, as a first step, I think, we have come forward and I will request the support of the entire House in passing the Bill. I request the Members to withdraw the amendments and support the Bill.

SHRI ANANTHA VENKATA REDDY (Anantapur): The raising of pecuniary jurisdiction from Rs. 1 lakh to Rs. 5 lakhs is not much of help to the litigant public and the advocates. So, unlimited pecuniary jurisdiction must be given to the District Courts. (Interruptions)

MR. SPEAKER: This is a different thing please take your seat.

(Interruptions)

MR. SPEAKER: Girdhari Lal Bhargava, are you withdrawing your amendments?

SHRI GIRDHARI LAL BHARGAVA: Sir,

I seek leave of the House to withdraw my amendments.

MR. SPEAKER: Is it the pleasure of the House that the amendments moved by Shri Girdhari Lal Bhargava be withdrawn?

SEVERAL HON. MEMBERS: Yes.

Amendment Nos. 1 and 2 were, by leave, withdrawn.

PROF. RASA SINGH RAWAT: Sir, I seek leave of the House to withdraw my amendment.

MR. SPEAKER: Is it the pleasure of the House that the amendment moved by Prof. Rasa Singh Rawat be withdrawn?

SEVERAL HON. MEMBERS: Yes.

Amendment Nos. 3, 4 and 5 were, by leave, withdrawn.

MR. SPEAKER: I shall now put clause 2 to the vote of the House.

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

clause 3

MR. SPEAKER: Mr. Girdhari Lal Bhargava, are you moving your amendment?

SHRI GIRDHARI LAL BHARGAVA: No.

MR. SPEAKER: Prof. Rasa Singh Rawat, are you moving your amendment?

PROF. RASA SINGH RAWAT: No.

MR. SPEAKER: I shall now put clause 3 to the vote of the House.

The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

MR. SPEAKER: These are no amendments to clause 4.

The question is:

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

MR. SPEAKER: I shall now put Clause 1, the Enacting Formula and the long Title to the vote of the House.

The question is:

"That clause 1, the Enacting Formula and the long Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the long Title were added to the Bill.

SHRI RANGARAJAN KUMARAMAN-
SALAM: Sir, I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

12.49 hrs.

VALEDICTORY REFERENCES

Translation]

SHRI LAL K. ADVANI (Gandhi Nagar):

Mr. Speaker, Sir, the winter session of this House is coming to an end and after some time all of us will leave this place. After a few days this year will also come to an end and it will be an important event for us. The event is that the term of the present Secretary General, Shri Kailash Chandra Rastogi who has been discharging his duties very efficiently since last one year, will expire this year.

Shri Rastogi has been able to maintain very cordial relation with all the hon. Members because of his scholastic dispositions. All of us have a respect for him. It is high time that we express our good wishes and gratitude to him for the service he rendered to this House and the institution. I wish him good health and all success in life. I would like to express my satisfaction over some developments that took place during this session. The Government taking the sentiments of the Parliament into account got the Bill relating to the grant of statehood to Delhi passed. It also tried to make a positive approach in regard to Doctor's strike at the behest of the parliament. It would have been better had the hon. Minister of Health made a full announcement in this regard. The day before yesterday the hon. Minister of Parliamentary Affairs told me that the Cabinet had already taken a decision in this regard. I took it granted because I consider the Cabinet to be at the highest level and more powerful than the Prime Minister. Had the decision of the Cabinet been announced here, it would have been far more satisfactory than the proceedings of the House.

Thirdly, the Government gave some assurances in regard to Meghalaya. These assurance have come in conformity with the sentiments of the House. I think they have taken some step to fulfil these assurances. Had the hon. Minister of Home Affairs announced in detail the measures being taken in this regard, it would have been much more satisfactory. I am happy that we have conducted the business of the House in consonance with the well established Parliamentary procedure and made efforts to fulfil