

know why this stepmotherly treatment has been shown to the South. Moreover the location and climate are congenial to have both the units at Ooty. Why do you want to take away the Cine Photo Film Project to U.P.

SHRI NARAYAN DATT TIWARI : I may assure the hon. Member or hon. Leader perhaps.

(Interruptions)

SHRI P. KOLANDAIVELU : I am an ordinary Member.

SHRI NARAYAN DATT TIWARI : In national perspective, I consider Ooty as much as I consider my own constituency because we think that all constituencies require development and I think the interests of the hon. Member of that particular area are safe to long as this national perspective is reflected in this House. There was a time when Shankaracharya came from the South, and established four *dhamas* North, West, East & South. I also think that if something is done in remote hills of any part of India, the spirit of Shankaracharya will prevail with the hon. Member. *(Interruptions)* The two projects are already in U.P. *(Interruptions)*

MR. SPEAKER : That is spiritual industry.

PROF. MADHU DANAVATE : The Minister of Industry is a potential Shankaracharya.

SHRI BHATTAM SRIRAMA MURTY : He is industrializing Shankaracharya.

MR. SPEAKER : Now next question, No. 430- Mr. Bairwa (ends).

[Translation]

Setting up of Lok Adalats

*430. **SHRI BANWARI LAL BAIRWA :** Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether it is a fact that the workload in regard to cases involving minor

disputes has been reduced in courts as a result of the setting up of Lok Adalats;

(b) if so, the steps being taken by the Union Government to ensure that these Lok Adalats are set up in every State/Union Territory expeditiously; and

(c) the arrangement made by Government to familiarise the common man with the importance of Lok Adalats ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHR H. R. BHARDWAJ) : (a) Yes, Sir. It is true that a large number of minor disputes are being disposed of before Lok Adalats. It is expected that this will substantially reduce the work-load of the courts in the future if their work gets accelerated.

(b) The Union Government is encouraging and helping the setting up of Lok Adalats in the States/Union Territories through Legal Aid and Advice Boards. It intends to take more extensive steps in this behalf.

(c) The State Legal Aid and Advice Boards have taken up the programme of familiarising the common man with the work and importance of Lok Adalats. The Government is considering taking more effective steps in this direction.

SHRI BANWARI LAL BAIRWA : Hon. Speaker, Sir, I would like to know from the hon. Minister the nature of cases being disposed of through the Lok Adalats, the names of the organisations which provide free legal aid and advice and the name of the agency that presents the cases before the Lok Adalats?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ) : Sir, Article 39 (A) of the Constitution provides for the Legal Aid. Under this provision, the Central Legal Advisory Board, which had Justice P.N. Bhagwati as its Chairman previously and is now headed by Justice Ranganath Mishra, has set up Legal Advisory Boards in all the States and it is these Boards which hold these Lok Adalats.

Most of the cases brought before these Lok Adalats are such where both the parties intend to reach a compromise and want to settle their cases through mutual consent. The compensation and relief due to the parties is paid on the spot. A large number of cases involving motor accidents in which somebody was injured and the case was pending for a long time have been settled through these Lok Adalats. Cases involving payment of compensation of about Rs. 2 crores in Bombay, about Rs. 1.5 crores in Rajasthan and about Rs. 60 to 70 lakhs in Delhi have been settled through this process which were otherwise pending for a long time. The other category of cases in these Lok Adalats are matrimonial cases involving disputes between husband and wife. A number of disputes involving cases of mutation and division of property relating to farmers are also disposed of. Compromises in all such cases are reached and all this is done through the judiciary in which judges of Supreme Court, High Courts, District Courts and collectors participate. These cases are settled through conciliatory process.

SHRI BANWARI LAL BAIRWA : Mr. Speaker, Sir, the hon. Minister has just now told about the process of Lok Adalats in detail. Sir, our present legal system is very expensive and time-consuming. It causes a lot of difficulties to a poor man. Since the Lok Adalats have provided us a lot of relief, another thing that I want to know from the hon. Minister is whether he proposes to extend the jurisdiction of these Adalats? Another positive aspect of these Lok Adalats is that there is no favouritism in the decisions and the settlements reached through compromises do not create any bitterness; no party should win or lose. I would also like to know whether Government propose to settle thousands of cases of land disputes involving Harijans and Adivasis through the Lok Adalats as these cases are pending before the courts for years?

SHRI H.R. BHARDWAJ : The importance of Lok Adalats lies in the fact that the judges go to the poor Harijans, Adivasis and the people belonging to the backward classes, who are otherwise denied their rights, to give them encouragement as

also to settle their cases. It does not involve any expenditure.

(English)

MR. SPEAKER : You have already said it in so many words; you have explained it.

SHRI HAROOBHAI MEHTA : The concept of Lok Adalats has been quite popular in Gujarat, based on the Gandhian principle of neither a victor nor a vanquished on any body's part.

We have had one hundred Lok Adalats, we have completed a century on the 1st of March when the 101st Lok Adalat was started. I think about 15,000 cases have been disposed of by settlement in the Lok Adalats. Now, I want to know one thing because there are some defects. For example, when the Government departments or public sector units are concerned, when they appear as parties in Lok Adalats, the cases cannot be settled some times on account of want of delegation of powers to settle, to the officer assisting the departments before the Lok Adalats.

Secondly there must be some more incentive also as for example, full remission of court fees in cases of disputes which are settled by the Lok Adalats at any stage whatsoever, irrespective of whether they are settled after framing of issues, or even after taking of evidence, and our Gujarat Government has also innovated.

(Interruption)

MR. SPEAKER : You put a question. You are just getting into something. We are getting into the habit where we just lengthen the question. This is not the way to put a supplementary.

SHRI HAROOBHAI MEHTA : In Gujarat a permanent conciliation machinery has been set up.

MR. SPEAKER : You have still not come to your question.

SHRI HAROOBHAI MEHTA : I want to know whether the Government will provide some measures to ensure that, for example, the departments will have proper

delegation of powers so that insurance cases, cases concerning the electricity Board, etc., can be settled in the Lok Adalats without any delay and whether full remission of court fees can be considered.

MR. SPEAKER : And further whether ?

SHRI H.R. BHARDWAJ : I am glad that Mr. Mehta has mentioned, that the lead was taken by Gujarat and since it is the land of Mahatma Gandhi the lead was initially taken by Gujarat, but, other parts of the country are not lagging behind. For example, Rajasthan has taken the lead now in Lok Adalats, having decided more than 40,000 cases, and other areas in the country like Maharashtra are equally going ahead. Even Delhi and the other places are going ahead. But what is important is the change in the attitude of the judiciary in the country, that has made it possible for the Lok Adalats to function properly.

So far as the Government are concerned, I am grateful to my colleagues in the Ministry; they have rendered all cooperation. For example, the Finance Minister instructed the insurance companies and now I am very happy to announce that in every Lok Adalat cheques are given to the aggrieved party. This is a change of attitude, and with our efforts and I hope with the cooperation of all concerned this process of conciliation etc., is being taken care of. I would very soon come here with some figures showing reduction in the arrears.

SHRI G.M. BANATWALLA : The question is about reduction in the workload in courts because of Lok Adalats. Now, with your permission, I want to take the question a little in the reverse gear, and I want to ask, whether it is a fact that the workload on these Lok Adalats is far heavy and they are not in a position to cope up with that particular workload. If that is a fact, what steps have been taken in order to further strengthen these Lok Adalats and especially to see that their functioning is streamlined by having some guidelines? Some Lok Adalats take up cases when the parties are not present and the others insist on the parties being present. Some guidelines should be given.

AN HON. MEMBER : This is too long.

SHRI H.R. BHARDWAJ : I will give the answer. It is not a question of burden on the Lok Adalats, the Lok Adalats are trying to unburden the courts from their heavy arrears. 40,000 cases have been solved through the process of Lok Adalats. Naturally, that very burden has been reduced on the regular courts. They are working on Saturdays and Sundays. Because there was a complaint against the judiciary that they are more accustomed to holidays, they have sacrificed their holidays—two days in a week. How much it comes to? Again it is the initiative of the judiciary. We are only lending them cooperation. It is the Chief Justices and judges of the High Courts and the Supreme Court who go to the masses and sort out their cases. So far as the guidelines are concerned, we never decide cases through Lok Adalats unless both the parties are agreeable to it. That would be forcing a decision on the parties. You take any case. If one party is not present, then we get the case adjourned and fix another date when the other party will be motivated to come. If they do not come, then they try their cases in the regular courts.

[Translation]

SHRI G. BHOOPATHY : Mr. Speaker, Sir, today, lakhs of cases involving killings of Harijans in the country and their land disputes are pending. I want to know whether Government propose to set up special courts to dispose of those cases?

MR. SPEAKER : You leave aside the Special Courts. The entire issue has already been covered.

[English]

Viability of Paper Industry

*432. SHRI K. RAMACHANDRA REDDY :

SHRI YASHWANTRAO GADAKH PATIL :

Will the Minister of INDUSTRY be pleased state :