

in this regard. So far as the question of excise duty is concerned, normally, no excise duty is leviable on hand-made paper, but if the provisions of the excise duty are having any impact on hand-made paper, I shall certainly discuss it with the hon. Minister of Finance.

[English]

**SHRI CHANDRA PRATAP NARAIN SINGH :** Mr. Speaker, Sir, I would like to ask the Industry Minister whether it is a fact that there was a licence pending for the manufacture of paper in Uttar Pradesh in my district when the Minister was the Industry Minister here, for making paper from bagasse. Later on, the hon. Minister had shifted to U.P. as the Chief Minister and he has helped a lot in the industrialisation of U.P. Why is there this neglect of making paper from bagasse ?

I have part (b) of my question also. There were directions from the late Prime Minister's office that hand-made paper should be used in offices. Is that direction still being enforced or not ?

**SHRI NARAYAN DATT TIWARI :** As far as this proposal of establishing bagasse paper plant in the eastern districts of UP including Deoria is concerned the feasibility report for Eastern UP and North Bihar was prepared by the Hindustan Paper Corporation but because of resource constraint these proposals cannot be taken up in the public sector in the 7th Plan. Now we have delicensed the production of paper based on bagasse. Everybody is free to set up paper plants based on bagasse. We have given incentive on that and it will be our endeavour to see that bagasse is utilised wherever it is produced whether in Maharashtra or in Andhra or in Eastern UP. We are liberal about it so that it can be used. The problem is, because of short supply of coal, sugar mills want to use bagasse for their own boilers. The main difficulty is this. Therefore bagasse is not available for being manufactured as paper. The Srivastava Committee which has been already set up will certainly look into this matter also.

**SHRI C.P.N. SINGH :** What about the second part of my question ?

**SHRI NARAYAN DATT TIWARI :** That question refers to supply of stationary. The hon. Member will agree that this is not of direct relevance to my department.

**SHRI SURESH KURUP :** There is already a very serious move by the Government of Kerala to sell the raw material earmarked to Hindustan Newsprint Ltd. in Kerala to the Birla owned Gwalior Rayon and to run Hindustan Newsprint Ltd. on imported pulp. That news has appeared in local press. As far as my understanding goes, some Memorandum has been submitted to the hon. Minister by some of the unions there. I want to know what is the reaction of the Government regarding this and what action Government propose to take in this matter ?

**SHRI NARAYAN DATT TIWARI :** I want a specific notice in this regard. This is a separate question.

#### Judicial Reforms

\*436. **SHRI C. MADHAV REDDI :** Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether in the matter of judicial reforms, besides the study entrusted to the Law Commission, Government also propose to involve public spirited bodies and Bar Councils etc., to help in their respective fields of legislation; and

(b) if so, the details thereof ?

**THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ) :**

(a) and (b) The Law Commission has been entrusted with the work of studying and reporting on Judicial Reforms on the following terms :—

(i) The need for review and decentralisation of the system of administration of Justice by suitably modifying the infrastructure e.g. by introducing Nyaya

Panchayats, introducing a system of participatory justice and establishment of other tiers/systems within the judicial hierarchy with a view to reducing volume of work in High Courts and Supreme Court.

- (ii) Simplification of procedural laws to eliminate delays and unnecessary litigation;
- (iii) To reduce the cost of litigation; and
- (iv) Other matters such as, the need for setting up of various Tribunals (excluding Service Tribunals), methods of appointments in Subordinate Judiciary, training of judicial officers, role of legal profession, Government litigation and formation of All India Judicial Service.

The Commission will no doubt examine and ascertain the views of representative bodies of the public like Bar Councils, Bar Associations, leading members of the Bar and the public as also the courts and the persons engaged in the academic pursuits of law.

**SHRI C. MADHAV REDDI:** Sir, the problem of judicial reforms was engaging the attention of the Government for quite some time & there was a proposal to have a separate Commission, a Judicial Reforms Commission, to go into this question. But now this has been entrusted to the existing Law Commission which is already burdened with other work for which it has been created. I would like to know, in view of the fact that there is a lot of burden on the courts and there is great need for judicial reforms without any further delay, what steps are being taken by the Government to see that this Commission which is over-burdened with the other work completes the study and submit the Report to the Government and what steps are being taken to see that this Commission is given additional staff because the existing staff is not enough to cope with the additional work, and whether any action has been already taken by the Commission to invite

comments and suggestions from the public already.

**SHRI H. R. BHARDWAJ :** Sir, the Law Commission has been entrusted with the work of judicial reforms. There should not be any impression that the work of judicial reforms has been shelved. We have given priority to judicial reforms and we have requested Justice D. A. Desai who happens to be the Chairman of the Law Commission to also undertake the judicial reforms study. The Law Commission has already started working on the judicial reforms work, and it is not correct that the Law Commission is over-burdened with some work. It is always specific issues that are referred to the Law Commission and in priority of those issues, we have given priority to the judicial reforms and I am giving the information, if I am correct that the judicial reforms work has already been started, they have made, ind-peth study on a working paper and I think Justice D. A. Desai has already held four or five workshops in various universities, I know at least of Rajasthan University and BHU and another university where I was myself present in those workshops, and I think he has made a good headway so far as the grassroot work is concerned.

So far as the other aspect of it is concerned, he has asked for certain more staff, we are giving that staff immediately to him and we will cooperate with him in the formulation of judicial reforms immediately in the country because we have emphasised the need for judicial reforms in the Presidential Address.

**SHRI C. MADHAV REDDI :** Sir, do the terms of reference of this Commission also include the ever increasing so-called judgement laws of public interest litigation ?

**SHRI H. R. BHARDWAJ :** Sir, the comprehensive terms, I have read out. There are various aspects. Decentralisation of the judicial system itself is a very vast subject. The question is how much we can permit at this stage, because the vast problem is with regard to the grass-root litigation. You go to the trial courts, they are crowded. So, we want to see how the crowd is to be eliminated and if the arrears

in the lower courts go down, naturally the appeals and other things will be looked after. So, this aspect is being looked after as an urgent measure.

**SHRI SHANTARAM NAIK :** Sir, I would like to know whether it is true that the Mathew Commission has recommended the constitution of a separate Constitution Bench of the Supreme Court and if so, whether this recommendation has been rejected by the Government of India.

**SHRI H. R. BHARDWAJ :** The Mathew Commission did make a suggestion like that and I have already stated on various occasions that this matter was referred to the Chief Justice of India and the Chief Justice of India in the initial stage was hesitant. Now, we have again requested him to look into it.

**Dr. V. VENKATESH :** Sir, the hon. Minister has been telling from time to time that the courts' functions will be improved very much effectively and all that. But I want to know one thing from the hon. Minister, Actually the problem is that the courts are overcrowded and it takes a number of years just to complete the cases and all that. In view of this I want to know from the Government whether they are going to set up any family courts in future in order to dispose of the family problems as well as some of the problems of Scheduled Castes and Scheduled Tribes in respect of whom there is inhuman treatment by the other sections of the society. Therefore, I would like to know whether you are going to have any special courts in order to deal particularly with family problems as well as the problems of Scheduled Castes and Scheduled Tribes people in this country.

**SHRI H. R. BHARDWAJ :** The hon. Member must know that in 1984 itself the Family Courts Act was passed. Now we have requested all the State Governments to set up family courts. You know, setting up of family courts is not within my province. If it is within my province, I will do it immediately. But we are getting poor response from all the States. We are emphasising it time and again. I have written letters myself. All States including your State have not come up. Only the

State of Rajasthan has set up family courts.

**DR. V. VENKATESH :** Karnataka has already declared that they are going to set up family court.

**SHRI H. R. BHARDWAJ :** Regarding Scheduled Castes, I may tell the hon. Member that there are some States where the atrocities on the Scheduled Castes are being perpetrated. But you know, the question is, if there is atrocity on Harijans, if the local Government takes cognizance of those matters, these atrocities can be stopped. Special court is no answer for this.

#### **Import of Rayon Grade Wood Pulp**

\*437. **SHRI S.G. GHOLAP :** Will the Minister of INDUSTRY be pleased to state :

(a) whether the import of rayon grade wood pulp has been restricted upto 33 per cent of the total requirement ;

(b) if so, the reasons therefor ;

(c) whether the availability of rayon grade wood pulp is only 40 per cent locally ;

(d) if so, whether Government propose to review the matter and allow import of 60 per cent instead of 33 per cent; and

(e) if so, when ?

**THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNA. CHALAM) :** (a) Rayon grade wood pulp, which was in the list of items allowed for import under Open General Licence according to the current Import & Export Policy has been transferred to the list of Limited Permissible Items from 10.9.85. Grant of licences for import of rayon grade wood pulp is accordingly being regulated as follows —

(i) The full requirement of rayon tyre cord industry and High Wet