

banks where margin money is being given. Does the Minister fully know this fact with regard to it? Has any step been taken in this regard?

SHRI JANARDHANA POOJARY: So far as opening of the branches in the rural areas is concerned, till 31st December, 1986 we have opened 29,766 branches out of 53,397 branches; it is more than 50 per cent. It is not true to say that we are not paying any attention to the rural area. So far as deposit mobilisation is concerned, wherever such malpractices are brought to our notice, immediate action is being taken. But I refute the charge that they are asking for one per cent. If at all that one per cent is to be paid, by whom it has to be paid?

SHRI P. KOLANDAIVELU: So many cases have been reported.

SHRI JANARDHANA POOJARY: By whom it has to be paid?

SHRI P. KOLANDAIVELU: Through the bank.

SHRI JANARDHANA POOJARY: No; it cannot be because there is no such procedure. If instances are brought to our notice and if *prima facie* evidence is there, definitely we will take action against such people.

Pending Petitions before Central Administrative Tribunal

*230. **SHRI A. CHARLES:**
SHRI KAMLA PRASAD SINGH:

Will the PRIME MINISTER be pleased to state:

(a) the number of petitions filed by Central Government employees before the Administrative Tribunal pending as on June 30, 1987;

(b) the reasons for the delay in the disposal of the above petitions; and

(c) the reasons for the delay in setting up the Kerala Bench of the Administrative Tribunal?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): (a) and (b). A total number of 23,540 original applications had been filed in the Benches of the Central Administrative Tribunal in addition to 13,351 cases which have been transferred from the High Courts and other Courts till 30.6.1987, out of which 16,772 cases have been disposed of and 20,119 cases are pending. The rate of disposal is considered satisfactory.

(c) The setting up of the Ernakulam Bench of the Central Administrative Tribunal is held up as the procedure for appointment of Vice-Chairman and Members is to be revised in view of a recent Judgment of the Supreme Court dated 9.12.86/5.5.87.

SHRI A. CHARLES: From the answer given by the hon. Minister it is seen that out of 36,891 applications including 13,351 transferred from the High Courts and other Courts, only 16,772 cases have been disposed of and 20,119 cases are pending and that the rate of disposal is considered satisfactory. Looking at the statistics, it can be argued that disposal is considered satisfactory. But the fact remains that still 20,119 applications are pending which includes the long pending—13,351 cases which have been transferred from the High Courts and other Courts—I plead that this may not be looked at from the statistical point of view. 20,119 workers mean 20,119 families are involved. If my information is correct, the Supreme Court has given a directive to the Central Government to introduce an appropriate legislation for the setting up of the administrative tribunals only till 31st July, 1987 is allowed. Now that time is over, and I would like to know what action has been taken for setting up the tribunals and clearing the delay for appointment of the Vice-Chairman? At what stage it stands now?

SHRI P. CHIDAMBARAM: Five Benches were set up on the 1st of November 1985; three more Benches were set up on the 3rd of March 1986 and 6 Benches were set up on the 30th June 1986. We would have set up more Benches but for the fact of the Supreme Court judgment, which I had referred to in my answer dated 9.12.1986 inter-dicted us. We filed a review petition and the review petition was disposed of on the 5th of May 1987. Now that judgment requires us to follow a particular procedure. There is considerable difficulty in following the procedure unless suitable enabling legislation is passed by Parliament. We are drafting legislation. As soon as that legislation is passed by Parliament, other Benches will be set up. In fact, we were ready and willing to set up Benches; but for this Supreme Court judgment we would have set up all the Benches. Ernakulam Bench is one of them. I share the anxiety of the hon. Member that 20,119 cases are pending. But if he knows about our experience in the courts, he will find that in the courts, writ petitions were pending for over 9 years, and in some courts even for 12 years. I say the rate of disposal is satisfactory based upon my experience of the disposal in the High Courts and the disposal of the CAT. It will become much quicker if we are able to set up more Benches and if we are able to make more appointments for the existing Benches. But that has been held up for five months because of the Supreme Court judgment. We will come forward before Parliament with a suitable legislation.

SHRI A. CHARLES: I would like to know whether 31st July has been a dead line.

SHRI P. CHIDAMBARAM: Thirty-first July was indeed the dead line but the legislation could not be brought up before 31st July; we have already moved the Supreme Court for an extension of three months.

SHRI A. CHARLES: From the reply to parts (b) and (c) of my question, it is seen that a Bench of the Central Administrative Tribunal will be set up at Ernakulam. As

you know, Trivandrum is the capital of Kerala and it is only out of historical reasons at the time of the States Reorganization the High Court had to be located at Cochin, far away from the capital and considerable administrative difficulty is being experienced. In 1971 the State Legislature had unanimously passed a resolution that a Bench of the High Court be set up at Trivandrum, the capital itself. So, my request is, at least when you consider setting up of the Benches of the Administrative Tribunal — I will be happy if a Bench is located at Ernakulam because from the administration point of view there will be lot of inconvenience if one Bench is not located in the capital, the hon. Minister may consider this favourably. I request a positive answer. A Bench may please be set up at Trivandrum.

SHRI P. CHIDAMBARAM: I will be only too happy to set up a Bench at Trivandrum. But the Supreme Court judgment binds my hands. We are required to set up the Bench of the Tribunal at the seat of the High Court. If you succeed in your efforts in getting a Bench of the High Court set up at Trivandrum, then I can also set up a Bench of the Tribunal at Trivandrum.

[*Translation*]

SHRI KAMLA PRASAD SINGH: Mr. Speaker, Sir, the hon. Minister has, in his reply, stated that out of 35 thousand cases 16,772 have been disposed of. This comes to only 40 per cent. Will the hon. Minister tell how much time has been taken in disposing of these 16,772 cases?

[*English*]

SHRI P. CHIDAMBARAM: As I said, five Benches are functioning for twenty months, three Benches are functioning for sixteen months and six Benches for twelve months, which works out an average of 16 months for each bench. In a period of 16 months, 14 Benches have disposed of 16,772 cases which by any standard or by any measure is a satisfactory rate of disposal.

SHRI SOMNATH CHATTERJEE: This question is very important. For revenue matters, the State Legislatures can pass legislation for setting up tribunals, but not administrative tribunals under 323A. May I know how many States have made a request to the Centre to pass suitable legislation for setting up of administrative tribunals in their States and what steps the Government are going to take in the matter of selecting the members of the tribunals in consultation with the State Governments.

SHRI P. CHIDAMBARAM: The hon. Member apparently has not recently read the Administrative Tribunals Act; legislation already exists.

SHRI SOMNATH CHATTERJEE: You have to issue notifications.

SHRI P. CHIDAMBARAM: We have. We have already written to the State Governments to let us know whether they are willing to set up administrative tribunals in the States. Some States have agreed and in those States we have set up the Tribunal. For example in Himachal Pradesh the Tribunal has been set up, in Karnataka the Tribunal has been set up, and if I recall right, in Orissa the Tribunal has been set up. There is no State which has asked for a Tribunal and we have not set up a Tribunal. I have written to the Chief Ministers to ask for Tribunals and we have set up the Tribunals.

Freight Equalisation Policy

*231. SHRI BAJU BAN RIYAN:
SHRI BASUDEB ACHARIA:

Will the Minister of PLANNING be pleased to state:

(a) whether the decision to phase out freight equalisation in iron and steel has since been changed;

(b) whether the Eastern States which are adversely affected by the system were con-

sulted before taking the decision, if so, when; and

(c) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING AND MINISTER OF STATE IN THE MINISTRY OF PROGRAMME IMPLEMENTATION (SHRI SUKH RAM): (a) to (c). In the light of the representations received from various State Governments, the Government have reviewed the earlier decision to phase out freight equalisation in respect of iron and steel and have decided to refer the matter to the National Development Council.

MR. SPEAKER: Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

[Translation]

Free Insurance Scheme for Agricultural Labourers

*227. SHRI VILAS MUTTEMWAR:
SHRI SARFARAZ AHMAD:

Will the Minister of FINANCE be pleased to state:

(a) whether Government propose to introduce free insurance scheme for agricultural labourers, if so, when;

(b) the outlines of the scheme;

(c) by whom the premium is proposed to be paid;

(d) the name of States where the scheme is proposed to be introduced during the current year and the number of agricultural labourers who are likely to be benefited by it; and

(e) whether Government also propose to introduce such scheme for other labourers?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHANA POOJARY): (a) to (e). Following