

of Declaration of Exemption No. 6/21/62-(iv)-F.1, dated the 7th August, 1963, under the proviso to section 6 of the Registration of Foreigners Act, 1939. [Placed in Library. See No. LT-1636/63].

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWENTY-FIFTH REPORT

Shri Krishnamoorthy Rao (Shimoga): Sir, I beg to present the Twenty-fifth Report of the Committee on Private Members' Bills and Resolutions.

STATEMENT RE. ABOLITION OF POLL TAX IN MINICOY ISLAND

The Minister of Home Affairs (Shri Nanda): On 1st May, 1963, in reply to part (d) of the Starred Question No. 1115 tabled by Sarvashri A. V. Raghavan and Pottekkat, regarding Poll Tax in Minicoy Island, the Minister in the Ministry of Home Affairs had stated that this tax will be abolished after modern land revenue system is introduced in the island.

The matter has been given further consideration and it is now being proposed to abolish it as soon as possible. Government intend to ascertain the steps necessary for its abolition and will take them without delay.

12.15 hrs.

STATEMENT BY MEMBER

Dr. Saradish Roy (Katwa): Sir, on 17th April, 1963 while replying to Starred Question No. 907, the hon. Minister of State in the Ministry of Home Affairs stated in the House that judiciary has completely been separated from the executive in West Bengal along with other States.

The actual fact is that the process was initiated a few years back in West Bengal but subsequently it is not completed but in almost all districts again one and the same officer is vested with both the judicial and executive duties, and the administrative control over these officers still continue to be exercised by the District Magistrates and not by the District Judges of the High Court. So, the statement of the hon. Minister is not in conformity with the facts, so far as West Bengal is concerned. I, therefore, request the hon. Minister to make a statement.

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): Sir, I regret to say that there was a mistake in the reply which I gave to Starred Question No. 907 on the 17th April, 1963 in so far as the separation of the judiciary from the executive in West Bengal is concerned. On checking up the facts once again, it has been found that the separation of the judiciary from the executive has not yet been completed in that State. I express my gratitude to the hon. Member who drew my attention, and the attention of the House, to the inaccuracy in my statement, which I now hasten to correct.

Dr. Saradish Roy: When is it expected that the judiciary will be separated from the executive in West Bengal and the judicial officers will be administered by the district judge or the High Court?

Shri Hajarnavis: As a matter of fact, this is a subject which is entirely and exclusively within the purview of the State Government. We have been informed by the State Government of West Bengal that they have formulated a comprehensive scheme of having a separate cadre of judicial officers, having their own rules of recruitment etc. and they hope to implement it.

Shri Dinen Bhattacharya (Serampore): Is it not a fact that there is a constitutional obligation on the part

[Shri Dinen Bhattacharya]

of the Government to see that the judiciary is separated from the executive?

Mr. Speaker: What does he want to know from the hon. Minister? Of course, the constitutional provision is there.

Shri Dinen Bhattacharya: When there is a specific constitutional provision, why is there so much delay in the separation of judiciary from the executive in this State alone especially when it has been implemented in other States?

Mr. Speaker: That question should be addressed to the State Government.

Shri Dinen Bhattacharya: It is the duty and responsibility of the Central Government to see that constitutional obligations are properly discharged by the State Governments.

Mr. Speaker: The Central Government can see whether they can do anything in the matter.

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12.17 hrs.

CHRISTIAN MARRIAGE AND MATRIMONIAL CAUSES BILL

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF JOINT COMMITTEE

Shrimati Renu Chakravartty (Barackpore): I beg to move:

"That the time appointed for the presentation of the Report of the Joint Committee on the Bill to amend and codify the law relating to marriage and matrimonial causes among Christians be further extended upto the last day of the next session."

Mr. Speaker: Motion moved:

"That the time appointed for the presentation of the Report of the Joint Committee on the Bill to amend and codify the law

relating to marriage and matrimonial causes among Christians be further extended upto the last day of the next session."

Shri S. M. Banerjee: Sir, I have to make a submission in this respect. The extension of time requested for is not only up to the first day of the next session but up to the last day of the next session. Now, this extension has been going on for one year. I would like to know from the Chairman of the Committee as to what is happening in the Joint Committee, whether the Committee is serious about this business, what are the difficulties encountered by it and whether all the Christian organisations have given evidence before it.

Shri Kapur Singh (Ludhiana): May I enquire whether any specific inconvenience is caused to the hon. Member because of the delay in the passage of this Bill?

Dr. L. M. Singhvi (Jodhpur): Mr. Speaker, I also want to express my concern regarding the request for extension of time.

Mr. Speaker: I do realise that there has been extraordinary delay in this matter; nobody doubts it. The mover of this motion is also quite aware of it. At the same time, she has also conveyed to me the difficulties experienced by the Committee in the consideration of this question. It is a delicate matter because a section of our community is involved. Now, it seems, a certain section of the community has objected to certain provisions in the Bill. That has to be considered. I hope the house would accommodate them. Though there has been long delay, then too, the Committee, I am assured, has been doing its best to expedite matters. There is delay because there were certain difficulties which could not be surmounted. Therefore, a request is being made for further extension of time.

Shri Tyagi (Dehra Dun): For thousands of years, the community has