

Samant is behind the loss of Rs. 40 crores. He may therefore, be requested. (*Interruptions*)

[English]

Pending Cases In Lower Courts in Delhi

*437. DR. CHANDRA SHEKHAR TRIPATHI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of divorce cases, the cases of grant of maintenance allowance to the spouse and to children in divorce cases pending in Delhi lower courts to date;

(b) year-wise break up of such cases in the year 1987 and 1988;

(c) the reasons therefor;

(d) the steps Government propose to take to have these pending cases cleared; and

(e) the oldest cases relates to which year?

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF WATER RESOURCES (SHRI B. SHANKARANAND): (a) to (e). A statement is given below.

STATEMENT

(a) and (b). As 1-3-1989, 2596 divorce cases were pending; of which 494 and 1269 related to the years 1987 and 1988, respectively.

The information relating to the number of cases of grant of maintenance allowance to the spouse and to children in divorce cases pending in lower courts in Delhi is being collected and will be laid on the Table of the House.

(c) The pendency is due to several complex factors like increase in the number of cases instituted from year to year.

(d) Besides increasing the strength of Judicial Officers, recommendations passed by the Conference of Chief Justices, Chief Ministers and Law Ministers of States held in 1985 and the recommendations of 77th Report of the Law Commission in this regard have been sent to Delhi High Court and Delhi Administration for implementation. Ten family courts have also been sanctioned for the Union Territory of Delhi under the Family Courts Act, 1984.

(e) 1980.

DR. CHANDRA SHEKHAR TRIPATHI: The answer to the basic aspect of the question has not been found in the statement made by the hon. Minister. The reason is best known to him. He has stated that the information is being collected and it would be laid on the Table of the House. The purpose of putting the question is, therefore, defeated. Nevertheless, I would like to know one thing from the hon. Minister. While replying to the question regarding the number of divorce cases, he has stated that all the cases are increasing enormously in our country. But that is not supposed to be a healthy sign to our custom, culture, conventions and all that. I would like to know whether the Government has conducted any survey to find out the chief factors and basic causes which are responsible for the increase in the number of divorce cases in our country and if so the details thereof.

SHRI B. SHANKARANAND: We have not done any survey for the increase in the number of divorce cases and the maintenance cases pending in a court of law. But the fact is that with the advent of the Western onslaught of consumerism on the Indian culture, the very Life-style is changing with the developmental activities both in respect of education and urbanisation. These are the factors which have changed the very life-style of the people and mode of living and the attitude to life.

DR. CHANDRA SHEKHAR TRIPATHI: The number of cases in which maintenance has not been granted or rather inordinate

delay is taking place, that aspect has not been covered. Nevertheless, in the second part, the the hon. Minister has stated that certain recommendations which were made in 1985 in consultation with Chief Minister, Chief Justices, Law Ministers and also the recommendations of the Law Commission have been sent to Delhi High Court and Delhi Administration for its quick implementation so that number of divorce cases particularly with regard to the maintenance could be disposed of quickly. May I know what were those recommendations and whether they are being implemented actually or not? What has been the effect of those recommendations and after implementation of those recommendations whether the number of cases have gone down actually or not.

SHRI B. SHANKARANAND: The recommendations for reduction of cases are on account of various factors. It depends upon the nature of cases, the party, the clients, the counsel and their way of approaching courts for getting justice, etc. Various suggestions have been made for reduction of the cases. We have written to all the High Courts to follow these and implement the recommendations. Till then, there has not been any considerable reduction in the cases.

SHRI BHADRESWAR TANTI: The Minister has agreed that the foreign culture has influenced our country by which the divorce cases have increased in the country and courts have become pregnant with a bundle of cases and disposal is almost nil. The Government has been assuring, time and again, inside the House and outside the House, that matter would be looked into. Laws have also been changed very frequently. But the implementation is nil. May I know from the hon. Minister, since he has been also influenced by the foreign culture so far as consumption and all these things are concerned, what steps is he going to take in the matter to reduce the cases in the courts of law?

SHRI B. SHANKARANAND: Sir, as far as the main question is concerned, this is with regard to the maintenance and not with

regard to all the cases that are pending in the courts. For that, I should say, for the maintenance cases, laws have been amended so that cases are heard from day-to-day basis and there are not many more adjournments sought to the disadvantage of the clients. For that purpose, the Special Marriage Act, 1954 has been amended and the Hindu Marriage Act has also been amended and it has been suggested that the cases may be heard and decided within six months and appeals thereon, if any, may be decided in three months.

SHRI E. AYYAPU REDDY: In regard to divorce cases, the jurisdiction to decide a divorce case is with the subordinate courts and the district courts. The district munsifs do not have the jurisdiction to entertain divorce cases. That is one of the reasons why the divorce cases have been pending for a long time. There was a proposal by the Government of Andhra Pradesh to amend the Act so that district munsifs get the jurisdiction to decide even the divorce cases, as most of these villagers who seek divorce are in the lower rung and they can easily approach the munsif courts. That suggestion was made by the Government of Andhra Pradesh long ago. Will the Government think of amending the Act so that the jurisdiction is conferred on the munsif magistrates to decide divorce cases?

SHRI B. SHANKARANAND: No doubt, this is a suggestion for action. But, at the same time, I wish to inform the House that the question mainly pertains to Delhi Courts.

May I inform the House that the Family Courts Act has been enacted only to settle disputes concerning family affairs in a conciliatory manner and it is binding on the States that they should establish family courts where there is a population of ten million. I can only suggest that the Andhra Pradesh Government can make use of the Family Courts Act and try to help the people who are litigating in the courts.

RAO BIRENDRA SINGH: In Delhi the original jurisdiction for divorce cases is with

the High Court itself.

SHRI B. SHANKARANAND: In Delhi there have been ten family courts sanctioned and the Delhi Administration is working on it.

Visit of UK Delegation

*441. **SHRI SHANTILAL PATEL†:**
SHRI S.B. SIDNAL:

Will the Minister of COMMERCE be pleased to state:

(a) whether British Secretary of State visited India during February, 1989;

(b) whether a British business delegation also visited India to explore the possibilities of joint collaboration;

(c) if so, the details and outcome thereof;

(d) the details of the agreement; if any, reached between the two countries; and

(e) the time by which it would be implemented?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI P.R. DAS MUNSI): (a) to (e). A statement is given below.

STATEMENT

A delegation from UK led by their Secretary of State for Trade and Industry, which included representatives of some of their business organisations, visited India in February, 1989 to attend a meeting of the Indo-British Economic Committee. Agreed Minutes were signed at the conclusion of the meeting which, inter alia, covered cooperation in the area of trade and trade promotion, multilateral issues and industrial cooperation. Discussions in the Joint Committee were essentially in the nature of consultation between the two Governments and there is no time frame for implementation on these

discussions.

[Translation]

SHRI SHANTI LAL PATEL: Mr. Speaker, Sir, through you, I would like to know from the hon. Minister the points which were discussed with the visiting delegations of Britain and what was our point of discussion. I would also like to know whether any agreement was reached on the points discussed or whether any action is proposed to be taken?

[English]

SHRI P.R. DAS MUNSI: We have already stated in our statement that a delegation from UK led by their Secretary of State for Trade and Industry including the representatives of some of their business organisations visited India in February 1989 to attend a regular meeting which we hold periodically of Indo-British Economic committee. In that meeting we discuss always the basic things concerning the trade, as to how we can overcome the trade deficit, which are the new areas we can enter into the market apart from the quota items, to persuade them so that they can plead our case to increase our quota in the EEC countries, to review the joint collaboration performance and to discuss the trade promotion programmes which have been started between India and UK right from 1983. The first TPP was over between 1983-86 and the second TPP has been recently started. We discuss these things between ourselves. In general we discuss all the areas covering the trade between India and UK.

MR. SPEAKER: Question 442. Shri George Joseph Mundackal is absent.

PROF. P.J. KURIEN: Sir, I have a submission. Question 442 is very important because it concerns lakhs of farmers. So will you please direct the Minister to answer this question? It is very very important and you are also interested in this Sir,

SHRI SURESH KURUP: There is a