

set up Special Cells, for the prompt and effective enforcement of the provisions of the Act. The Government of India have introduced a Centrally Sponsored Scheme for strengthening the machinery for the enforcement of the Act, under which assistance is provided to the State Governments. The more effective implementation of the Act is being vigorously pursued by the Government of India with the State Governments.

(c) The Governments of Gujarat, Karanataka and Kerala have identified certain areas in these States, where disabilities arising out of untouchability are relatively acute, for concentrated attention. On the advise of the Government of India to State Governments, with sizable population of Scheduled Castes, to set up Special Courts for the expeditious disposal of cases under the Protection of Civil Rights Act, the Andhra Pradesh Government have sanctioned the establishment of Special Mobile Courts, to begin with in 5 districts. The matter is being vigorously pursued with other State Governments.

#### **Proposal to Expedite criminal cases**

\*219-A. SHRI N. E. HORO: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether there is any plan to take steps immediately to expedite the procedure involved in all criminal cases in courts both at the investigation and trial stages; and

(b) if so, details thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. VENKATASUBBAIAH):**

(a) & (b): A comprehensive revision of criminal procedure was undertaken as a result of the recommendations made in the 41st report of the Law Commission. The old Code of Criminal Procedure was revised and a new Code—Code of Criminal Procedure 1973—was enacted. This Code was

further amended by the Code of Criminal Procedure (Amendment) Act 1978. The new Code has made several procedural changes with a view to expediting the investigation and trial of cases. Some of the noteworthy changes in the regard are:—

(i) An upper limit of 90 days in respect of offences punishable with death, imprisonment for life and imprisonment for not less than 10 years, and sixty days in respect of other offences has been prescribed for detention of persons in custody during investigation. (The purpose of this is not only to reduce the number of undertrial prisoners, but also to instil a sense of urgency in the minds of investigating officers);

(ii) where an offence is punishable with imprisonment for not less than two years, the investigation can be stopped, if it is not completed within six months.

(iii) Offences punishable with imprisonment upto two years will be tried as summons cases, with a simplified procedure (as against one year under the old Code).

(iv) Summons to witnesses can be served by post.

(v) In petty cases, the accused can plead guilty by post by sending the amount of fine specified in the summons to the Court.

(vi) The procedure in summary trials has been simplified further.

(vii) Committal proceedings in Sessions cases have been abolished.

(viii) The need for oral examination of formal witnesses has been dispensed with.

(ix) Trial can be held in the absence of the accused if he persistently disturbs the proceedings.

(x) The powers of revision against interlocutory orders have been taken away.

(xi) The provision for compulsory stoppage of proceedings on the intimation of transfer petition has been deleted.

(xii) the scope for the summary trial of cases has been enlarged considerably.

(xiii) The Courts of Sessions have also been empowered to continue the hearing of the case from the stage of evidence reached by his predecessor. Under the old Code the provision was applicable to the Courts of Magistrates only.

2. Many complex factors have brought about the present situation in which a large number of cases is pending in the criminal courts. In the circumstances reform in Judicial Administration has to be a continuous process. Notwithstanding the observation of the Law Commission in its 77th Report that the legal and judicial system in the country is basically sound and by and large suitable, remedial action will be taken whenever any shortcomings in procedure are discovered.

3. One reason for the accumulation of arrears of criminal cases in the courts has been the inadequate number of criminal courts. The Seventh Fin-

ance Commission has recommended grant-in-aid by the Central Government under Art. 275 of the Constitution for the establishment of 402 criminal courts in 15 States. Administrative approval is being given to the States that have come up with proposals in accordance with the recommendations of the Finance Commission.

**Amount earmarked for development of Coir Board**

\*220. SHRI SOMNATH CHATTERJEE:

SHRIMATI SUSHEELA GOPALAN:

Will the Minister of INDUSTRY be pleased to lay a statement showing:

(a) what is the amount set apart for development of Coir industry to be utilised by Coir Board during 1978-79 and 1979-80;

(b) how much of it has been utilised and how much lapsed; and

(c) what are the reasons for non-utilisation of funds allocated to an ailing industry?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI CHARANJIT CHANANA):

(a) to (c):

(Rs. in lakhs)

| Year    | Budget Estimates | Amount Sanctioned | Savings | Reasons or Savings   |
|---------|------------------|-------------------|---------|--|
| 1978-79 | 102.06           | 57.80             | 44.26   | Research and Development Scheme  |
| 1979-80 | 120.75           | 58.90             | 61.85   | could not be put through as the Buildings had not been completed. The Research and Development equipment and Machinery could not be imported and installed. Non-Plan savings has been due to economy measures enforced by Government of India. |

**Applications for production of Rubber Contraceptives by Maharashtra Industrial and Investment Corporation**

\*221. SHRI R. K. MHALGI: Will the Minister of INDUSTRY be pleased to state:

(a) whether the State Industrial and Investment Corporation of Maha-

rashtra has submitted an application for producing rubber contraceptives in the joint sector in view of the projected shortfall in their availability as compared to the demand;

(b) the date when the State Corporation's proposal was received;