

enquired about something that is in our country which can be made use of. What specific steps have you taken in this matter? What has been done about it so far? This I want to know specifically.

Secondly, for your information, one-third of the total area of Kerala can be best utilised for tapioca cultivation. Will you take up with the Agriculture Ministry and declare a better price for tapioca growers so that more tapioca will be produced and the whole of tapioca can be used for alcohol?

**SHRI P. C. SETHI:** Sir, actually the Central Tuber Crops Research Institute which is known as CTCRI, at Trivandrum has published a number of articles and has carried on this experiment that alcohol can be produced from tapioca and it is estimated that from 8 lakh tonnes of tapioca, one lakh tonnes of alcohol can be produced. The cost of conversion is in the vicinity of Rs. 3.50 per litre.

As far as the tapioca production is concerned, there is much shortfall in terms of the consumption and the requirement. If this Institute carries out this experiment to double the production of tapioca from the existing fields, it is hoped that in the next two or three years they might be able to do it.

#### Rates of fees in High Courts

\*296. **SHRI XAVIER ARAKAL:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it has come to the notice of Government that there are different rates of High Court fees in different States;

(b) if so, whether Government intend to have a uniform court fee in the country;

(c) whether Government have consulted States' Governments to reduce the court fees in the matter of dispensing justice; and

(d) if so, how many States have expressed willingness?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR):** (a) Yes, Sir.

(b) Under the Constitution, Court fee occurs at item 3 of State List in the Seventh Schedule.

(c) The suggestion of the Law Commission that court fees may be abolished or reduced was taken up with the State Governments in 1975.

(d) None of the States was agreeable to reduce the court fees.

**SHRI XAVIER ARAKAL:** Sir, I am sure this House is shocked to hear about the attitude of the State Governments in relation to the court fee. You may refer to the Court Fee Act of 1870 which is still in our Statute book, and rightly in 1975 the Law Commission had said that the court fee should be abolished. Recently a Committee of hon. Members of Parliament also recommended it. What I would like to know from the hon. Minister is this: What are the specific and concrete steps which the Central Government is taking towards this end?

**SHRI P. SHIV SHANKAR:** So far as the sub-Committee of the Consultative Committee attached to the Ministry of Law is concerned the terms of reference that were given to this Committee were as to the items on which the court fee should be reduced, as to the items on which it should be totally abolished, and so on. The matters were gone into and the sub-Committee has submitted its Report only on 3rd March. It is under process. Afterwards, I assure the House that I will take it up with the States in terms of the recommendations that

have already been effected by the Sub-Committee.

**SHRI XAVIER ARAKAL:** I am happy to hear that steps are being taken by the Government in this regard. It is rightly said that justice is bought in India rather than administered in India—In the Union List, Entry 96 says:

“Fees in respect of any of the matters in this List, but not including fees taken in any court”

Then, there is State List, Entry 3 and Entry 66 and so also Concurrent List, Entry 47. What I am suggesting is, if this is the power given to the Central Government, why is it that in union territories the court fees are very high? Secondly, as regards the court fees in union territories, before taking into consideration the recommendations of the Sub-Committee, can't the Central Government take the initiative to have uniform rates in the union territories at least?

**SHRI P. SHIV SHANKAR:** As regards the policy of court fees in union territories is concerned, it is guided by the court fees structure in the neighbouring States. This has been the guideline on the basis of which the court fee was levied in the union territories. We have taken it up with some of the union territories. I may bring to the notice of the hon. House that in regard to Delhi itself the Delhi Administration was dead against the abolition of the court fee. This is the state of affairs. When it is comprehensively considered and the entire report is processed, I assure the House that this will also be taken.

**SHRI M. RAM GOPAL REDDY:** The Minister has stated that some States have taken objection to the uniform rate of court fees. I want to know which are the States that have taken objection to this. Most of the States are ruled by Congress (I). I want to know whether the Minister

is going to advise them to fall in line with other States.

**SHRI P. SHIV SHANKAR:** It is not a question of the States being governed by Congress (I) or otherwise. The question is the attitude of the States *vis-a-vis* their own revenues. That is the most important aspect. They consider it from their own angle. As I said, so far as the Sub-Committee's report is concerned, that has been submitted only on 3rd March, 1981 and it is under process. After all, it is hardly a week back that the report has been submitted. I will go into it and I will certainly take steps to advise the concerned State Governments, be they Congress (I) Governments or otherwise.

**SHRI SATYASADHAN CHAKRABORTY:** At the present stage, the States have limited sources of revenue. It is all right to say that court fees should be abolished. But the question is, whether the Central Government is going to compensate all the States, be they Congress (I) or non-Congress (I) Governments, for the loss of revenue. That should also be one of the conditions.

**SHRI P. SHIV SHANKAR:** This is a hypothetical question as I said, the matter is still under process. I am not an astrologer to foresee the things.

#### Statutes not Enforced

\*298. **SHRI MOOL CHAND DAGA:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to lay a statement showing:

(a) the statutes which have been passed by the Parliament but have not been brought into force so far;

(b) the reasons thereof; and

(c) whether Government propose to repeal them or to bring them into force?