

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?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) to (c). Information is being collected and will be laid on the Table of the House.

श्री मूल चन्द डागा : अध्यक्ष महोदय, उत्तर तो आ गया पूरा का पूरा । ला डिपार्टमेंट के अन्दर यह मालूम नहीं कि कितने कानून आज तक बन चुके हैं और वह आज तक फोर्स में नहीं आए हैं । ला डिपार्टमेंट के पास अगर यही इंडेक्स नहीं है तो बड़ी अच्छी बात है । अब तो मेरे से अच्छा स्पीकर साहब ही इस पर कमेंट कर सकते हैं ।

अध्यक्ष महोदय : आप ही कर दीजिए ।

श्री मूल चन्द डागा : ला मिनिस्टर साहब ने कहा है कि इन्फार्मेशन इज वीइंग कलैक्टड । मैं जानना चाहता हूँ यह स्वेशन ला मिनिस्ट्री में कब पहुंचा और स्वेशन आने के बाद आप ने क्या प्रटेम्प्टस किए, कितनी लिस्ट बना दी, पांच सात के नाम तो बता दीजिए ।

SHRI P. SHIV SHANKAR: I must say that the grievance seems to be a little unwarranted. It is not as though the Law Ministry does not know.

The point is this. It is the administrative Ministries which have to bring into force certain of the enactments. It is not the Law Ministry that brings them into force. I am aware of the fact that quite a large number of the legislations have not been brought into force. I thought that I should ascertain it before I give the information to the House least somebody should take objection and raise a question of privilege. To be very frank, even the legislations from 1947, some of them have not been brought into force. I am aware of the situation.

श्री मूल चन्द डागा : मेरा वह सवाल था कि जब आपके पास मेरा स्वेशन पहुंच गया तो आपने किस किस तारीख को किस किस डिपार्टमेंट और मिनिस्ट्रीज को क्या क्या लिखा ? क्या आपने कोई लेटर उन्हें लिये हैं ।

श्री पी० शिव शंकर : आपका स्वेशन 5-10 दिन पहले आया है, इसका आन्सर इतनी जल्दी कहाँ से मिलेगा ।

श्री मूल चन्द डागा : क्या आपने इसके बारे में कोई लेटर लिखा है या नहीं ।

Have you addressed the letter to different Ministries?

श्री पी० शिव शंकर : मैं समझता हूँ कि मेरे दोस्त को आम खाने से मतलब है, गुठली गिनने से कोई मतलब नहीं है ।

श्री मूल चन्द डागा : आम खाने से भी है और पेड़ गिनने से भी मतलब है ।

श्री पी० शिव शंकर : जहाँ तक मेरा सवाल है, इन्फार्मेशन कलैक्ट करके में टैबल आफ द हाउस पर रख दूंगा ।

SHRI RAM JETHMALANI: The ignorance of the Minister about other laws may be permissible. But at least he knows that a revision petition is pending in the Supreme Court about bringing into effect Section 3 of the 44th Constitutional Amendment. The constitutional amendment is being kept back by the executive. The will of the constituent power has been frustrated by the Government of the day. Will the Hon. Minister tell us whether he has the intention to bring back the provision into force? What are the reasons underlying that revision petition?

SHRI P. SHIV SHANKAR: Hon. Member should not find fault with me for not bringing into force Sub-section (3) of the 44th Amendment of the Constitution. In the previous regime of which was a very important member. May I bring to his notice that Sections 18, 19, 21, 22, 31, 32, 34 and 35 of the Constitution were not brought into force till they were repealed by the 44th Amendment? This is a matter of policy. My friend is very well aware that in COFEPOSA there is a provision which was prevailing before Section 3 of the 44th Amendment. So, these are questions of policy and uniformity of different laws. This is a matter which has to be taken into consideration. These are matters of policy. Supposing tomorrow we decide to repeal Section 3, that is a matter of policy. You cannot find fault with us. You yourself have done like that.

SHRI RAM JETHMALANI: You have done in Advisory Boards and in political cases.

SHRI P. SHIV SHANKAR: A few of Jethmalani, you are arguing it before the Supreme Court. I am very well aware of it. You are arguing this issue with vehemence. Better you argue there. We will see what has to be done.

MR. SPEAKER: Do you think it is a rehearsal?

SHRI P. SHIV SHANKAR: Thank you very much. We are strengthening our arguments here.

DR. VASANT KUMAR PANDIT: The reply is not complete.

MR. SPEAKER: It will be laid on the Table.

DR. VASANT KUMAR PANDIT: How can we put our supplementaries? This question should be answered in detail.

MR. SPEAKER: Please sit down. The nature of the question is such

that he has to deal with so many Departments.

DR. VASANT KUMAR PANDIT: How can we ask supplementaries?

MR. SPEAKER: You can frame another question.

DR. VASANT KUMAR PANDIT: There is no time.

MR. SPEAKER: You can put a new question. I will allow.

DR. SUBRAMANIAM SWAMY: The Minister in his reply has stated that the information is being collected. But, he said that in his personal knowledge there are some Acts which he knows have not come into force from 1947. I would like to know from him, from the personal knowledge available to him, to name which are those Acts? He can give some illustration.

SHRI P. SHIV SHANKAR: A few of them, I can: the Indian Trade Union Amendment Act, 1947, has not been brought into force; the Hire Purchase Act, 1972, has not been brought into force; the Petroleum Amendment Act, 1970, has not been brought into force; the Wakf Act, 1954, has not been brought into force, since some States have objected, and so on and so forth.

श्री हीरा लाल शर्मा परमार : मैं कानून मन्त्री से यह जानना चाहता हूँ कि सदन में मन्त्री की तरफ से सही उत्तर दिलवाने का क्या उपाय है। (अध्वक्षान)

अध्यक्ष महोदय : आप नोट कर लीजिये इनकी बात ।

MR. SPEAKER: Next Question. Mr. M. V. Chandrashekara Murthy. Not here! It has become a chronic problem. If hon. Members do not have the desire to get answers, I do not think that we have the right to spend the public money like that.

AN HON. MEMBER: Proper answers also should come. (Interruptions)

MR. SPEAKER: I made this suggestion last time. If twice a Member is absent, I think, I should not allow him.

(Interruptions)

SHRI BLJU PATNAIK: Similarly, if a Minister does not answer a question twice, he should also be black-listed.

DR. SUBRAMANIAM SWAMY: Those of us who are regular should get the first preference in the balloting.

MR. SPEAKER: Sure.

SHRI SATYASADHAN CHAKRABORTY: We should be rewarded.

MR. SPEAKER: Then it will be nepotism.

Mr. Gamit.

Gas based petroleum and chemical units in Maharashtra and Gujarat

*299. SHRI CHHITTUBHAI GAMIT:

SHRI M. V. CHANDRA-SHEKARA MURTHY:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have now finally agreed to implement the first gas based petroleum and chemical units in Maharashtra;

(b) if so, whether the final decision in regard to setting up of a project in Gujarat has been taken;

(c) if not, what are the main reasons for the same; and

(d) when the work on both the projects is likely to start?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir.

(b) Yes, Sir, a gas based petrochemical project will be set up in Gujarat.

(c) Does not arise.

(d) Details are being worked out. It is anticipated that work on these projects will commence in the financial year 1981-82.

श्री छीतुभाई गमित : अध्यक्ष महोदय, पहले तो मैं मंत्री महोदय को बधाई देना चाहता हूँ कि गुजरात में पेट्रोकेमिकल यूनिट शुरू करने की इजाजत देने का निर्णय किया गया है लेकिन गुजरात सरकार ने पेट्रो केमिकल यूनिट स्टेट सेक्टर में शुरू करने की इजाजत मांगी है तो क्या इस यूनिट को स्टेट सेक्टर में शुरू करने की इजाजत दी जायेगी या भारत सरकार की धीर से इसको शुरू किया जाएगा—इस बात को मैं जानना चाहता हूँ।

श्री प्रकाश चन्द्र सेठी : अध्यक्ष महोदय, गुजरात सरकार से इस सम्बन्ध में बात चिंत हो रही है कि इसको स्टेट सेक्टर में रखा जाए या सेक्टर के साथ ज्वाइंट सेक्टर में रखा जाए।

श्री मोती भाई झार० चौधरी : अध्यक्ष महोदय, गुजरात सरकार ने तो मांग की है कि इसको स्टेट सेक्टर में रखा जाए और उन्होंने खत भी लिखा है फिर और क्या बातचीत करना बाकी रह गया है—यह मैं जानना चाहता हूँ।

श्री प्रकाश चन्द्र सेठी : यह दोनों कॉम्प्लेक्स जो हैं महाराष्ट्र और गुजरात के—महाराष्ट्र का कॉम्प्लेक्स करीब 890 करोड़ का है और इसी तरह से गुजरात का कॉम्प्लेक्स करीब करीब 900 करोड़ का है—इसमें टेक्निकल नो-हाऊ का प्रश्न है और चूँकि केन्द्रीय सरकार के पास