

**SHRI C. M. STEPHEN :** Sir, we are not only converting these two, but we are also thinking of bringing in a containerised electronic exchange in the area at the earliest.

**SHRI M. M. LAWRENCE :** Sir, Idukki constituency in Kerala is very backward. In view of that will the Minister concerned make efforts to change the manual exchange in Idukki headquarters to an automatic exchange ?

**SHRI VIJAY N. PATIL :** In Kerala, the automation is 91% and this district will also be covered.

**SHRI M. M. LAWRENCE :** Sir, Idukki is a backward district and I would like the Minister to reply.

**SHRI C.M. STEPHEN :** Although my friend has stepped into my shoe as far as that constituency is concerned, I am still keeping my interest there. In Idukki, there are altogether 34 exchanges, of which 80% are automatised already.

#### Shortage of Trained Legislative Draftsmen

\*26. **SHRI BAPUSAHEB PARULEKAR :** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state :

(a) whether there is an acute shortage of trained legislative draftsmen in India;

(b) whether any steps have been taken in this connection and if so, the details; and

(c) if not, what steps Government propose to take ?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI JAGAN NATH KAUSHAL)** (a) Yes, Sir.

(b) and (c). On the average 3 to 5 officers from the States are given training (2 or 3 in English and 1 or 2 in Hindi) in legislative drafting in the Legislative Department every year. Officers from the Centre and the States are also being deputed for training courses abroad. On the average about 2 officers are deputed every year. A proposal for establishing an Institute for training in legislative drafting is under consideration in consultation with the State Governments.

**SHRI BAPUSAHEB PARULEKAR :** His question arises because of the observations made by the Judges of the High Courts and Supreme Court about bad and clumsy drafting in the Bills and Acts. It is because of such drafting—not of private Bills, of course I agree—that we get inconsistent judgements; and the Government feels that Judges are not following the line or policy of the Government.

The answer mentions that we are training only three officers in the entire country in a year, in this particular line. I would, therefore, like to ask the Hon. Minister in part (a) of my question: whether it is not a fact that the number of senior and experienced draftsmen who can give training to a beginner or junior is fast dwindling and the few senior draftsmen who are available are so much swamped with regular work that they are unable to spare sufficient time for training the juniors or Attaches, as a result of which the drafting had been considerably affected.

Part (b) of my question is : whether any proposal has been made by the Government of Gujarat in July 1981 in this connection, requesting the Government of India to start a programme or school in connection with this legal drafting.

**SHRI JAGAN NATH KAUSHAL :** My Hon. friend has said that because of sometimes bad drafting, the Judges

feel difficulty. My own experience is that it is but very rarely that such occasions arise. Otherwise, all care is taken to draft the Bills in a proper manner; but the reasons for shortage are very many; and the shortage of good draftsmen is not felt only in this country. It is felt in other countries also. (*Interruptions*)

May I bring to the notice of the House that in the United Kingdom, a committee was appointed, and that that committee made the following observations? These are very instructive. The committee observed.

“The shortage of draftsmen is one of the main obstacles to the improvement of the form and clarity of legislation and we recommend that all available methods should be used to recruit and train more draftsmen as a matter of high priority.”

And the reasons which they gave are very interesting. They are :

- “(1) Real expertise in legislative drafting can be acquired only by working on the job for several years.
- (2) Legislative drafting is an exacting vocation and it demands a high degree of intellectual ability, sound knowledge of the law, ability to write good English or, as the case may be, good Hindi and an unlimited capacity for sustained hard work. Persons who possess these qualities do not find it attractive to choose legislative drafting as a vocation as they have much better opportunities in other spheres. Persons who do not possess these qualities in some measure can never become good draftsmen.”

And that is why now steps are being taken. As brought to the notice of the House by the Hon. Member, the Government of Gujarat did make a proposal. That proposal was discussed in the Consultative Committee also; and we had accepted in principle to establish this Institute; and we do hope that by this Institute, we will be able to have better draftsmen.

SHRI BAPUSAHEB PARULEKAR: I would like to know from the Hon. Minister when this Institute is likely to be established; and whether it is a fact that a note on legislative programme has been prepared by an officer of the Legislative Department on the lines of the Canberra Institute; and whether Government has given any thought to it; if so, what action Government propose to take on the note prepared by this legislative officer;

SHRI JAGAN NATH KAUSHAL: I have already stated that now we are at it.

SHRI BAPUSAHEB PARULEKAR: A report prepared by the Legislative officer on the lines of the Canberra Institute is submitted to the Law Ministry. What action Government has taken on it, if not, what action you propose to take on it?

SHRI JAGAN NATH KAUSHAL: I have already stated that all these things have been taken into consideration and we will try to establish an institute.

SHRI BAPUSAHEB PARULEKAR: When?

SHRI JAGAN NATH KAUSHAL: As soon as we can. We will not give an assurance on that matter. As I say, this matter has to be gone into by different States and we will try to set up a proper

institute. A lot of preliminary work has to be done.

**SHRIN.K. SHEJWALKAR :** I am glad that the Hon. Minister is now in charge of the Department of Law. Earlier, he was a member of the Consultative Committee attached to the Department of Law. At that time, a proposal for having this institute for training of the legislative draftsmen was under consideration. There was a recommendation on behalf of the Committee. Now the Hon. Minister may tell us at what stage that recommendation is regarding that Committee. Further he, has also disclosed before the House that he takes it as a technical matter. For this vocation, people will not try to come because of the remuneration probably. Why should not the Government treat this thing as a technical training and provide for such people, because there is a great dearth of trained draftsmen, as you say, here and in the international places also? Why do you not give them proper emoluments so that it attracts trained people and the difficulty may also be solved? What is your reaction to that?

**SHRI JAGAN NATH KAUSHAL :** My reaction is that all steps are being taken and will continue to be taken so that we can attract proper people for this very skilful and difficult work.

**SHRI BHERAVADAN K. GADHAVI :** We are already faced with the dearth of scientists and technologists. It is surprising that now we are also faced with the dearth of trained legislative draftsmen. But in this regard, as it has been said, that government is the least which governs the least. If we have got dearth of trained legislative draftsmen, whether the Government thinks in terms of minimising the legislation so that whatever personnel we have got we can have good enactments and Bills.

**SHRI JAGAN NATH KAUSHAL :** I think surely the member is not suggesting that the legislation which is necessary to be brought forward should not be brought forward only for this reason that we do not have enough draftsmen.

**श्री राम बिलास पासवान :** कांस्टीट्यूशन के मुताबिक हिन्दी इस देश की आफिशियल लैंगुएज है और अंग्रेजी एसोशियेट लैंगुएज है। ऐसी परिस्थिति में आपने ड्राफ्ट्समैन के लिए 2 या 3 अंग्रेजी के लिए रखे हैं और एक या दो हिन्दी के लिए रखे हैं। जब अभी से ही पूरे ड्राफ्ट्समैन हिन्दी के नहीं लिए जायेंगे, यही कारण है कि हिन्दी में सावधान नहीं निकल सका है, तो क्या यह हिन्दी के प्रति उपेक्षा नहीं है? इस उपेक्षा को दूर करने के लिए न्याय विभाग में हिन्दी को समान स्टेटस मिले, इसके लिए आप क्या कर रहे हैं?

**श्री जगन्नाथ कौशल :** आनरेबल मेम्बर ने मेरा जवाब गौर से नहीं पढ़ा। जो हमारा लैजिस्लेटिव डिपार्टमेंट सेंटर में है, यहां पर हम उनको ट्रेनिंग देते हैं जिनको स्टेट्स यहां भेजती हैं, वरना स्टेट्स का अपना लैजिस्लेटिव डिपार्टमेंट है, उनके अपने ड्राफ्ट्समैन हैं। लेकिन उनको इम्प्रूव करने के लिए ट्रेनिंग दी जाती है। मैं दोबारा पढ़कर सुनाता हूँ कि

“On the average 3 to 5 officers from the States are given training (two or three in English and 1 or 2 in Hindi) in the Legislative Department every year.”

Legislative Department means the Department functioning at the Centre.

**श्री राम बिलास पासवान :** क्या यह डिसक्रिमिनेशन नहीं है?

श्री जगन्नाथ कौशल : यह डिसक्रिमिनेशन नहीं है ।

श्री राम बिलास पासवान : अंग्रेजी के लिए दो या तीन और हिन्दी के लिए एक या दो, क्या यह डिसक्रिमिनेशन नहीं है ?

श्री जगन्नाथ कौशल : कोई फिक्स्ड फार्मूला नहीं है ।

### WRITTEN ANSWERS TO QUESTIONS

#### Malpractices by Cooking Gas Distributors

\*27. SHRI K. T. KOSALRAM : Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether the Distributors of Cooking gas are compelling customers to buy the costliest burners each one is marketing, failing which the gas connection is delayed in ordinarily ;

(b) whether the Distributors are also indulging in artificial scarcity of gas cylinders, which they give for a heavy margin to hoteliers ;

(c) whether the Distributors are also indulging in supplying half-filled gas cylinders to the customers after tampering with the seal ; and

(d) if so, the action proposed to be taken against them with a view to eliminating these malpractices ?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. SHIV SHANKAR) (a) and (b). No such instances have been reported by the Oil Companies so far.

(c) Occasional complaints are received in the Ministry and by the Oil Companies regarding the receipt of under-weight cooking gas (LPG) cylinders by the consumers. These are promptly looked into by the Oil Companies.

(d) The oil companies have issued strict instructions to their distributors not to coerce the prospective customers to buy LPG stoves only from their stocks and that the customers are free to buy them from either the open market or from the dealer of their choice. The Oil Companies have been advised to give wide publicity in this regard. To ensure quality and safety to the customers release of LPG connections are, however, made only to those customers who have hot plates which bear the ISI (Indian Standards Institution) mark. Periodic inspections are carried out of the distributors premises/godowns by the oil companies to prevent any malpractice. Apart from this, all complaints received from the public against the LPG distributors are duly investigated by the Oil companies through their customer service cells and prompt remedial action is taken.

#### Telephone Connections in Delhi

\*28. SHRI H.K.L. BHAGAT : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the present position of telephone connections in Delhi ;

(b) proposal for extension and its time schedule ; and

(c) present position and future prospects in trans-Yamuna area ?

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN) : (a) 1,98,342 working telephone lines as on 1-2-82.