

Secondly, I would also like to know whether the hon. Minister has a mind to keep the laws which are not repealed in abeyance so that this Government at least does not commit a sin of implementing those wrong, bad and unjust Acts which the previous Government got through the subservient Parliament by having a large number of Opposition leaders in jail and keeping other Opposition Members silent and even not allowing the voices of the people speaking here to go to the masses and the voters of this vast country.

SHRI SHANTI BHUSHAN: I appreciate the sentiments expressed by the hon. Member. The need of the speed in the matter and the speed in the review cannot be over-emphasized by the Government. It would engage itself in this task with the utmost expedition.

So far as the other point raised by the hon. Member is concerned in regard to laws described as of a non-controversial nature, the present Government also will be in agreement with the provisions contained in those Acts even though a wrong procedure or a hurried procedure, etc. might have been applied by the previous Government. I would like to submit to the hon. Member that if a right thing has been done and if the entire country, the present Government as well as the present Opposition are in agreement with the laws which have been enacted, then so far as the aspect of hurry is concerned, that may not be regarded as very important now.

श्री उग्रसेन : मंत्री महोदय ने कहा है कि संविधान के 42वें संशोधन को समाप्त करने के लिये वह एक संशोधक विधेयक लायेंगे । मैं यह जानना चाहता हूँ कि क्या वह इस विधेयक को अगले बजट सत्र में लायेंगे ।

SHRI SHANTI BHUSHAN: I would not be in a position to give a cate-

gorical assurance. But it would be an attempt of this Government to bring forward a comprehensive Constitution Amendment Bill in the very next session of this House.

Judicial Reforms

*5. SHRI C. K. CHANDRAPPAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have already taken steps to implement various proposals of Judicial Reforms which were implied in the 42nd Amendment of the Constitution enacted by the Fifth Lok Sabha;

(b) if so, the salient features thereof; and

(c) the main features of the proposals under consideration of Government for full and speedy implementation?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) to (c). It has been stated in the President's Address that during the course of the 'year' comprehensive measure will be brought before Parliament to amend the Constitution. The 42nd Amendment of the Constitution will be taken into account when working out the proposed measure. In the meantime no steps have been taken to implement the provisions relating to creation of All India Judicial Service and treating Administration of Justice as a concurrent list subject.

SHRI C. K. CHANDRAPPAN: In the 42nd Constitution Amendment Act, there are provisions for setting up of the tribunals for the expeditious disposal of the cases relating to land reforms and wages of agricultural workers and others. I would like to know the attitude of the present Government in this regard as to whether the delay in bringing forward a comprehensive measure will

not affect the interests of these classes of people.

SHRI SHANTI BHUSHAN: So far as the provisions of the 42nd Constitution Amendment Act relating to the setting up of the tribunals are concerned and the corresponding exclusion of the jurisdiction of the High Courts is concerned, that will also be a matter which will need examination when the policy of the Government in regard to the comprehensive Constitution Amendment is finalized.

SHRI C. K. CHANDRAPPAN: Now, since these are important matters and a large number of cases relating to land reforms are pending in courts, I would like to know from the Hon'ble Minister whether he can indicate when they can come forward, approximately, with the Amendment—may be in the next session. Can he give an assurance that he will be coming forward with such an amendment?

I would also like to know what will be their attitude, when they come forward with the Amendment, in regard to the Ninth Schedule in the Constitution—whether the Ninth Schedule in the Constitution will be abandoned as was proclaimed by the present Prime Minister.

SHRI SHANTI BHUSHAN: As I said earlier, while it would be Government's intention and effort to bring that comprehensive Constitutional Amendment measure as early as possible, perhaps in the very next Session of the House, I am not in a position today to give a categorical assurance.

So far as the Ninth Schedule of the Constitution is concerned, that also raises important matters for consideration and so long as the Government's policy has not been formulated I would not be in a position to say anything about it.

SHRI SOUGATA ROY: The Congress Government was of the opinion that 'justice delayed is justice denied' and because so many cases relating to land reforms for the benefit of the poor landless labourers and farmers were] pending in the High Court, they took up the idea of forming Tribunals for Land Reforms, for procurement matters and for Labour matters under the 42nd Amendment Bill. What is the attitude of the present Ministry in regard to the speedy disposal of these cases and towards the principle that justice delayed is justice denied? The Minister may please make his attitude clear.

SHRI SHANTI BHUSHAN: Government is fully conscious and believes that justice delayed is justice denied and, therefore, a procedure has to be there by which there is quick administration of justice and whereby disputes are settled as quickly as possible. At the same time, whether there can be an early disposal of disputes only by Tribunals and not in any other court which is an independent court, needs examination. Therefore, the Government will examine 11 aspects of the matter before formulating its policy.

WRITTEN ANSWERS TO QUESTIONS

Fertilizer Plant at Paradip

*6. **SHRI PRADYUMNA BAL:** Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the proposed Fertiliser Plant Project at Paradip, Orissa, the foundation of which was laid by the then Prime Minister in 1974, is going to be worked out; and

(b) if so, the progress made in the direction of execution of the Project?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):