

MR. SPEAKER: Anyway, this is not a matter to be debated now. Mr. Bosu, this is not your question. But I have heard you also.

(Interruptions)

SHRI SHYAMNANDAN MISHRA: I am on a point of clarification. When a dispute arises as to whether a question belongs to one Ministry or the other, which is the authority which will decide?

MR. SPEAKER: The Speaker.

SHRI SHYAMNANDAN MISHRA: If the Speaker had decided that the question would be addressed to a particular Ministry, then why the responsibility is being shoved to another shoulder?

MR. SPEAKER: No, no. It is not being shoved.

(Interruptions)

MR. SPEAKER: The Speaker decides only when a controversy arises.

(Interruptions)

MR. SPEAKER: Now these questions are examined only if the objections come from the respective Ministries. I go into the matter. In the ordinary course, according to the rules, we address a question to a particular Ministry. If the question is admissible, we do not go into details.

SHRI JYOTIRMOY BOSU: I want an assurance that when this question is going to be replied the Minister should remain present, because we do not want the Finance Minister to get away by saying that this is a matter which falls within the category of law.

MR. SPEAKER: That is a reasonable request.

Shifting the Supreme Court to a Central Place

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*312, SHRI C. N. VISVANATHAN:

SHRI R. MOHANARANGAM:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are seized of the strong opinion in the South for shifting of the Supreme Court to a more Central place so that the poor people from the South need not have to travel thousands of miles to get justice; and

(b) if so, the steps proposed to meet the legitimate difficulties of the people from the South in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI S. D. PATIL): (a) Government have seen newspaper reports to the effect that the Chief Minister, Tamil Nadu while speaking at the Golden Jubilee celebrations of the Bar Council of Tamil Nadu pleaded for locating the seat of the Supreme Court in a central place in the country. No formal proposal has been received from the Chief Minister, Tamil Nadu in this regard.

(b) The Government do not have any specific proposal under their consideration at present.

SHRI C. N. VIVANATHAN: The hon. Minister has quoted the Chief Minister of Tamil Nadu's statement regarding the Golden Jubilee celebrations. The Minister may consider one of the requests or one of the suggestions made by them. What steps are taken after the Chief Minister of Tamil Nadu has stated that the Supreme Court may be located in the centre of India? I would like to know whether the Minister has taken any step regarding the proposal or what kind of proposals he expects from the Chief Minister of Tamil Nadu.

SHRI S. D. PATIL: The information which has been received from the Tamil Nadu Government is that the actual volume of work that these 4 States supply may not be sufficient for maintaining a bench in that area. Now the Chief Minister of Tamil Nadu has not supplied the information required for justification of the Supreme Court bench there.

SHRI C. N. VISVANATHAN: What kind of proposals he has received from the Tamil Nadu Government?

MR. SPEAKER: It is for the Tamil Nadu Chief Minister to decide.

SHRI C. N. VISVANATHAN: The Minister has stated that he wants proposals from the Chief Minister of Tamil Nadu. What kind of proposals he needs from the Chief Minister of Tamil Nadu. He has not replied to that?

SHRI S. D. PATIL: There is no specific proposal.

SHRI C. N. VISVANATHAN: Whether the hon. Minister will consider Supreme Court, Hyderabad as the more central place or Madras which is one of the oldest High Courts in South India or in Bangalore. One of the three places may be considered as one of the Central places. Some of the benches may be transferred to these places.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): It will not be practicable to shift the Supreme Court from Delhi.

SHRI A. BALA PAJANOR: From the answer given by the Home Minister and now supplemented by the Law Minister, I understand that there is a lot of contradiction, because when the Home Minister answered that he had seen only newspaper reports...

MR. SPEAKER: Now he is the Law Minister. He is holding the portfolio of the Law Minister.

SHRI A. BALA PAJANOR: I thought I can go by person. The Law Minister while answering stated that there is no proposal for shifting the Supreme Court. I think, if the Law Minister goes into the past record of the last Parliament, Fifth Lok Sabha, he will find that an assurance had been given in this House that they were considering to locate a bench of the Supreme Court in various other places. In that case, I would like to know whether he will reconsider the position and the idea that has been mooted out.

MR. SPEAKER: Two ideas are mixed up. One is about the shifting of the Supreme Court. The second one is about the bench.

SHRI A. BALA PAJANOR: I am not for shifting. That is the reason why I am not going into the question of shifting because I have no personal consideration for that. The bench of the Supreme Court can be located in three places. Whether he will consider to locate one bench at Bombay, Madras and Calcutta so that it can meet out the proposition that has been suggested by the hon. Chief Minister of Tamil Nadu not only on the question of economic difficulty for the poor people but also for the better decentralisation of power in the Supreme Court so that people can get justice in a proper way instead of having

centralised everything in Delhi, that is, circumventing to so many matters.

SHRI SHANTI BHUSHAN: I have already said that so far as the shifting of the Supreme Court from Delhi to any other place is concerned, the proposal is not feasible. It is not practicable.

So far as other aspect is concerned, viz., whether some cases should be heard by some bench of the Supreme Court in places other than Delhi, that is a matter which requires very close consideration.

SHRI A. SUNNA SAHIB: May I know from the hon. Minister whether he has received any representation from Kerala about shifting of the Supreme Court to Bangalore, Madras or Calcutta or setting up a bench of the Supreme Court at Bangalore?

SHRI SHANTI BHUSHAN: So far as Kerala is concerned no proposal has so far been received.

SHRI K. OBUL REDDY: May I know from the hon. Minister, if at all a decision is taken to shift the Supreme Court to South India or constituting a Bench in South India, central place like Hyderabad or Bangalore will be considered. Whether an assurance to this effect will be given?

MR. SPEAKER: He has answered that question. He has said that it requires very close consideration.

SHRI K. OBUL REDDY: If at all it is going to be shifted to South India I would like to have an assurance.

MR. SPEAKER: Will you give an assurance?

SHRI SHANTI BHUSHAN: It is not possible to give an assurance because the matter requires very close consideration.

AN HON. MEMBER: If the Supreme Court is to be shifted or a bench is to

be constituted, geographical location will have to be considered. That central place would be Aurangabad, Nagpur or Maharashtra.

MR. SPEAKER: All places will be considered.

SHRI NANASAHIB BONDE: So far as the central position is concerned, Nagpur is the best location. Why does the hon. Minister not give an assurance to us, if the idea is to shift the Bench where is the hesitation to give that assurance at least before the matter comes to a final decision?

SHRI R. K. MHALGI: I want to know from the hon. Minister of Law what factors will be taken into consideration for shifting the Supreme Court or constituting a Bench thereof?

SHRI SHANTI BHUSHAN: So far no bench of the Supreme Court has been established anywhere else.

SHRI R. K. MHALGI: If you think that a bench of the Supreme Court is to be set up, what factors will be taken into consideration?

SHRI SHANTI BHUSHAN: What I said was, where a case of any kind to be heard at a place other than Delhi by a bench of the Supreme Court can be considered; obviously the matters which will have to be taken into consideration would be the convenience of the litigants and the better dispensation of justice.

सोडा ऐश का उत्पादन

*320. श्री राम दास सिंह : क्या पेट्रोलियम तथा रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बिहार राज्य औद्योगिक विभाग ने निगम को वर्ष 1974 में लिखे एक पत्र में सोडा ऐश का उत्पादन करने की इच्छा व्यक्त की थी;

(ख) क्या यह भी सच है कि भारतीय उर्वरक निगम, जिसकी दो यूनिट सिन्दरी और बरौनी में चल रही हैं, राज्य निगम की सोडा ऐश की प्रति दिन 70