

tion to give effect to the said judgment ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ) : (a) Recently (12.3.1985), the Supreme Court held in *Prathiba Rani vs. Suraj Kumar and another* that presents, articles or other property given to a bride at or about the time of the marriage belong to her absolutely where (as in the instant case) she is a Hindu and would be her 'stri dhan', and that in regard to the stridhan property of a married woman, even if it is placed in the custody of her husband or in-laws, they would be deemed to be trustees and bound to return the same if and when demanded by her. The court also held that where the husband or any relation of his misappropriates such property or refuses to hand it over to her and converts it to his own use, a complaint for an offence under section 405/406, India Penal Code (Criminal breach of trust) would lie.

(b) The aforesaid judgment of the Supreme Court is by way of interpretation of existing law. Under article 141 of the Constitution, the law laid down by the Supreme Court is binding on all courts within the territory of India. Therefore, no legislation is necessary for giving effect to the said judgment.

Functioning of Bhagalpur Telephone Exchange

*566. DR. G. S. RAJHANS : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government have received complaints regarding malfunctioning of Bhagalpur Telephone Exchange in Bihar ;

(b) if so, the steps taken in this regard ;

(c) the number of operators working in the Exchange and since when ;

(d) whether there is any monitoring system for checking the working of the Exchange from time to time ?

(e) if so, the details thereof ; and

(f) if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir. Only complaints about rude behaviour of telephone operators are occasionally received.

(b) Action is taken against erring officials.

(c) 70 Telephone Operators are working—10 from 1971, 25 from 1975 and 35 from 1978.

(d) Yes, Sir.

(e) The functioning of telephone system is being monitored from time to time by the officers at local and Circle levels.

Circle is monitoring trunk services daily and functioning of local telephone system monthly through Management Information System (MIS) indicators. Telephone system is also inspected periodically by different level officers.

(f) Question does not arise in view of reply at (c) and (d) above.

Misuse of Telephones

3996. DR. G. VIJAYA RAMA RAO : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether it is a fact that many officers and staff of the Department are having more than one telephone both at home and offices ;

(b) if so, the number of such staff in the country and the total annual expenditure incurred thereon ;

(c) whether it is also a fact that despite this, majority of the staff listed in the Directory, do not respond to the telephone calls from subscribers and if so, corrective steps proposed in this regard ; and

(d) whether Government propose to impose cumulative fines on the staff for misuse of telephones of subscribers through diversion of phone calls deliberately ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir. The telephone connections are sanctioned for staff of the Department of Telecommunications, who deal largely with telephone based services for carrying out their duties. These are sanctioned on the basis of requirements of work.

(b) It would be quite difficulty to collect the information from all over the country of the number of such staff and the annual expenditure within a reasonable time.

(c) No, Sir. It is not correct to say that the staff do not respond to telephone calls from subscribers.

(d) Provision of disciplinary action against a defaulting official already exists under the Central Civil Services (Classification, Control and Appeal) Rules

Compensation to Telephone Subscribers

3997. SHRI M. RAGHUMA
REDDY :
SHRI SRIHARI RAO :

Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether government had given an assurance during the Seventh Lok Sabha concerning the proposal to compensate telephone subscribers whose telephones remain dead ;

(b) if so, the present position of the above proposal ;

(c) whether government are aware that invariably supervisory staff in special services are missing from their seats and on ringing them, after failing to get response from 198/199 etc., it is found that the same person attends to supervisors calls ;

(d) whether it is a fact that the senior staff listed are invariably absent ; and

(e) whether Government propose to re-organise the entire system to make it really affective ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir.

(b) No compensation is afforded for telephones remaining out of order. This is due to the fact that the exchange indoor equipment and the outdoor plant remains reserved for the same telephone and the maintenance staff attends to and repairs the fault as early as possible. If a telephone is disconnected on administrative considerations, no rental is charged. For telephones, which are closed for shifting to a different locality and cannot be shifted due to the inability of the Department (e.g., for want of cable pair or capacity in the exchange etc.), rebate in rental is granted if the telephone is not shifted within 15 days.

(c) No, Sir. However, sometimes when adequate number of supervisory staff are not available due to absence or shortages, their telephone calls are answered by other staff present in the exchange.

(d) and (e) : The senior staff listed are usually available on their number. They might not be available sometimes if they are busy attending to other work, meetings or on inspection duties.