

Sl. No.	High Court	Places where Benches proposed
1.	Allahabad	Location of Bench for Western districts of Uttar Pradesh left to the Central Government.
2.	Gauhati	Imphal, Agartala, Kohima and Shillong.
3.	Karnataka	Hubli-Dharwar
4.	Madhya Pradesh	Raipur and Bhopal
5.	Madras	Madurai

Setting up a Bench of Orissa High Court at Berhampur

*686. SHRI SOMNATH RATH : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether Government are aware of the constant demand from the people of South Orissa for establishment of a Bench of the Orissa High Court at Berhampur, District Ganjam;

(b) whether the establishment of a Bench of Orissa High Court at Berhampur will benefit Ganjam, Phulbani together with Kalahandi and Bolangir districts being contiguous and undeveloped districts of South Orissa and mostly inhabited by backward Scheduled Castes and Scheduled Tribes; and

(c) whether Government propose to establish at Berhampur a Circuit Bench of Orissa High Court in case it was not possible to establish a permanent Bench there ?

THE MINISTER OF LAW AND JUSTICE (SHRI A.K. SEN) : (a) to (c). The Government of Orissa have intimated that they are aware of the demand from the people of South Orissa to establish a Bench of the Orissa High Court at Berhampur and establishment of such a Court will help the people of Ganjam, Phulbani, Kalahandi and Bolangir districts. The State Government have stated that establishment of a permanent Bench at this juncture is not possible because of absence of necessary infrastructure and other facilities and that establishment of Circuit Court at Berhampur also depends on availability of Court office and other facilities.

Action in the matter of establishment of Benches of High Courts is taken by the Government of India only on receipt of proposals from the State Governments. No Proposal in this regard has been received from the Government of Orissa.

SHRI A. CHARLES : Sir, from the answer of the Minister to part (a) of the question, it is seen that Gujarat, Kerala, Madhya Pradesh and Orissa have neither the principal seat of the High Court nor a Bench of the High Court located in their State capitals. In Kerala, lot of difficulties have been experienced by the Government since there is not even a Bench of the High Court in the State Capital. The information required by the High Court on various cases cannot be given at proper time because of the distance. There is lot of administrative inconvenience and all that. May I know from the Minister whether as a matter of policy Government will consider favourably the question of establishing a Bench of the High Court in the State Capitals where there are no Benches, provided the Government concerned assures the necessary facilities for starting the Bench ?

SHRI A.K. SEN : If the proposal comes from the Government of Kerala, the matter will certainly be considered.

SHRI A. CHARLES : Sir, my second supplementary is this : I am afraid that the answer given to my question (b) and (c) is not factually correct. I specifically know that some years back, the Government of Kerala has requested the Centre for providing a Bench of the High Court at Trivandrum. In 1957 in the wake of the great agitation that rocked the State capital, Sri Eswara Iyer was elected to this

August House from Trivandrum constituency defeating the Stalwart Pattom Thanu Pillai on this issue. In Politics, I know, it is not always wise to speak the whole truth. But I am constrained to speak the whole truth here....

MR. SPEAKER : You put the question. I want the question, not the truth.

SHRI A. CHARLES : Sir, From 1957 onwards every member of Parliament who got elected from Trivandrum was subsequently defeated because of this specific issue. So, my main concern is this.

MR. SPEAKER : It is a question of survival !

AN HON. MEMBER : I hope, you do not want him to be defeated !

SHRI A.K. SEN : I share the hon. Member's grief in the defeat of the representatives from Trivandrum. So far as my brief goes, only 8 Governments have made a request for bench in places other than their present sites. They are : Uttar Pradesh, Manipur, Meghalaya, Nagaland, Tripura, Karnataka, Madhya Pradesh, and Tamilnadu. I am not aware of any request having come from others. But I shall certainly make enquiries to find out whether any request has been made.

SHRI SOMNATH RATH : Sir, in the answer given it has been mentioned that the Circuit Court at Berhampur will serve 4 districts but in fact it will serve 5 districts including Koraput out of the 13 districts of Orissa. The Bench at Berhampur will serve 5 districts and at present there is a facility for circuit court in the District Judge's Court, Berhampur, pending permanent circuit court. As such will the Central Government ask the Orissa Government to consider the matter and establish a circuit court at present, pending establishment of permanent Bench at Berhampur ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ) : Sir, after this question was received in the Ministry, we had got in touch with the State Government, they have still maintained that the infrastructure required for the establishment of a Bench at Berhampur is not complete and so they have not recommended.

SHRI SOMNATH RATH : Will it be re-considered ? As I have stated, since all facilities like court room etc. are available in the District Judge Court, Berhampur, will a circuit court be established pending the permanent Bench, as it is the intention of the Government to carry justice to the doors of the common man ?

SHRI A.K. SEN : I humbly advise the hon. Member to persuade the Orissa Government to make the necessary request in the matter including the names of places where a possible location can be found.

SHRI VAKKOM PURUSHOTHAMAN : I also agree with my learned colleague, Mr. Charles, that the information of the Minister is not correct. I would like to know whether the Government is aware of the fact that the Legislative Assembly of Kerala State has passed an unanimous resolution requesting both the Government of India and the State Government to take necessary steps to establish a Bench of the Kerala High Court at Trivandrum. What steps have been taken by the Government of India in that respect ?

SHRI A.K. SEN : Sir, All that my brief tells me is that only in 1971 there was a proposal sent by the Kerala Government for the establishment of a Bench at Trivandrum. That was in September 1971. They were asked in 1973 to complete consultations with the Government. The State Government communicated in June 1978 that the matter was engaging their attention. No communication has been received from them thereafter.

SHRI DINESH GOSWAMI : Sir, the North-Eastern States have Gauhati as the Principal High Court and then there are circuit courts. But has it come to the notice of the Government that the litigants are to incur double expenses because of the circuit courts, because they are also paying to the lawyer at the principal court at the time of filing a petition and then subsequently the cases are transferred and virtually not heard ? Therefore, has the Government made any assessment about the functioning of the circuit courts and in the light of the assessment it made, what is the policy decision that the Government is taking regarding the circuit courts ?

SHRI A.K. SEN : The circuit courts have been functioning very well. There have been no complaints, but the demand for establishment of separate High Courts for the Eastern States has been conceded by the Prime Minister himself and necessary steps have been taken in that direction. Instructions have been given to the State Governments concerned to see that pending the formation of separate courts for each of these States, there may be permanent Benches set up for each of the States.

SHRI MANORANJAN BHAKTA : Mr. Speaker, Sir, there are some islands which are more backward territories and when the Government of India is concerned about the development and providing other facilities to the backward territories, whether the hon. Minister for Justice will consider providing a single member permanent Bench of Calcutta High Court at Port Blair, the capital of Andaman and Nicobar Islands ?

MR. SPEAKER : This does not pertain. This is just out of the way.

Report of Committee to evaluate Self-employment Scheme

*680. **SHRI S.G. GHOLAP :** Will the Minister of INDUSTRY be pleased to state :

(a) whether Government have appointed a Committee to evaluate self-employment scheme of 1983-84;

(b) if so, whether the Committee has submitted its report; and

(c) the conclusions of the Committee ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (c). A statement is given below.

Statement

(a) to (c). Government of India has not appointed a Committee to evaluate the scheme for providing Self-employment to Educated Unemployed Youth relating to the year 1983-84. However, in June, 1985, it was decided to evaluate the scheme

in order to ascertain whether money given under the scheme has actually been utilised by the beneficiaries for the purpose for which the loans were sanctioned to them or not. It was decided that the State Governments should have the responsibility for conducting this evaluation in one selected district of their State. It was also decided that the evaluation team in each State should consist of a representative from the Directorate of Industry, a representative from Small Industries Service Institute, a representative from the Reserve Bank of India and a representative of the lead Bank of the District. The evaluation was to be carried out in the selected district in respect of cent percent cases sanctioned upto 31.3.1984 where disbursement of loan had taken place.

The Districts to be evaluated were selected by the Development Commissioner (Small Scale Industries) and the names of the Districts were conveyed to the State Governments. The reports of the evaluation teams from all the States and UTs were received and were compiled in the Office of the Development Commissioner (Small Scale Industries). The evaluation indicated that the scheme, even in the first year of its operation, has made an impact and the majority of the beneficiaries have utilised the loans for the purposes for which these loans were disbursed.

SHRI S.G. GHOLAP : Sir, I have received a note from the Industry Department in reply to my question, in order to determine whether the benefits of the scheme are accruing to the targeted group and whether the scheme is being implemented according to its objectives. That means, it is not limited to the utilisation of the loan only, but also implementation. So my question is whether the relatively affluent section of the society do not corner the benefits of the scheme.

The Task Force at the DIC level will identify the beneficiaries and the bank will distribute the loans accordingly. Then there will be a District Advisory Committee of M.Ps. and M.L.As. I would like to know whether this scheme is implemented accordingly.

SHRI M. ARUNACHALAM : Sir, as far as the Task Force is concerned, the Task