

Shri T. T. Krishnamachari: This is an individual expression of opinion which the hon. Member seeks to make on the floor of the House, where he is privileged to express any opinion he likes.

Shri Sadhan Gupta: May I know by what time the proposed amendment will be brought before this House?

Shri T. T. Krishnamachari: I am unable to give an approximate time-schedule.

Shri H. N. Mukerjee: In view of the Tatas and Indian Iron having been the substantial beneficiaries of Government action, will Government see to it that whatever contributions they might have made or might not have made to political parties are intimated to the House and to the Election Commission, so that the country might know whether there is a *quid pro quo* arrangement?

Shri T. T. Krishnamachari: The trouble about the question of the hon. Member is that it is hedged by so many hypotheses. But, the point that he mentioned—he mentioned it once before—is that these companies are beneficiaries so far as governmental action was concerned. I would like to say once again that any benefits that these two companies have obtained from Government cannot be related to any subscriptions that they have given to any political party in which certain Members of Government are interested. Therefore, I do not think that this question warrants an answer. *(Interruption)*

Shri V. P. Nayar: Are there different political parties to which the Members of Government belong? I thought they all belong to one party.

Benches of High Courts

*343. **Shri Easwara Iyer:** Will the Minister of Home Affairs be pleased to state:

(a) the States in the Union where Benches of the High Courts are now functioning subsequent to the reorganisation of the States, under section 51 (3) of the States Reorganisation Act;

(b) whether the Benches so established have jurisdiction and powers to receive appeals, original petitions and other papers at the place where they are functioning;

(c) whether in any State a Bench so established under section 51 (3) of the said Act is now functioning without such jurisdiction to receive papers as aforesaid, and

(d) if so, reasons for the same?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Rajasthan, Madhya Pradesh, Bombay and Kerala.

(b) to (d) Such papers are being received by the Benches situated in Rajasthan, Madhya Pradesh and Bombay. These matters are being determined by the High Courts concerned. The Trivandrum Bench is not receiving such papers in accordance with the decisions of the Kerala High Court.

Shri Easwara Iyer: In view of the fact that the Chief Justice of Kerala High Court has put a non-judicial interpretation of section 51 (3) of the States Reorganisation Act, will the Government consider the desirability of obtaining an authoritative judicial pronouncement on this point by the Supreme Court under article 143 of the Constitution?

The Minister of Home Affairs (Pandit G. B. Pant): If anybody is interested in obtaining a decision against the orders of the High Court, the Government certainly would not like to take such action itself. It is open to those who are aggrieved or dissatisfied to take such action in respect of this order of the High Court as they may deem proper or appropriate.

Shri Easwara Iyer: That is not my question. The decision is a non-judicial interpretation purely on the administrative side by the Chief Justice of Kerala. It is not open to any party to take it up in appeal to the Supreme Court otherwise. It is only a matter for the President to

refer the decision under article 143. Therefore, I humbly ask whether the Government will consider the desirability of getting an authoritative pronouncement on that matter by the Supreme Court. That is what I want.

Pandit G. B. Pant: It is a matter of opinion whether it is an administrative or judicial matter. But, I think it cannot be denied that it comes within the jurisdiction of the High Court. We do not want to interfere with the jurisdiction of the High Court or with its discretion if it be a discretionary power vested in the High Court.

Shri Easwara Iyer: May I ask one more question?

Mr. Speaker: He is going into arguments.

Shri Easwara Iyer: It is a question; not an argument. May I know whether any representation has been received from the State of Kerala?

Pandit G. B. Pant: I do not know what is exactly meant by State of Kerala.

Shri Easwara Iyer: State Government.

Pandit G. B. Pant: I do not exactly remember if any official representation has been made or received from the Government of Kerala.

Supply of Coal to Bhadravati Works

*344. **Shri Shankaraiya:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that the Bhadravati Iron and Steel Works have been asking for a long time for the supply of coal by all rail route from Calcutta area instead of through shipping and rail;

(b) if so, the action taken; and

(c) the estimated difference in cost to the works by the present system of supply?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Yes.

(b) The request could not be acceded to on account of lack of adequate rail transport facilities.

(c) It is estimated that incidence of cost of fuel could be reduced by the Steel Works by about Rs. 45/- per ton if the total requirements could be moved by the all rail route, but in effect it is physically impossible to move all the coal requirements by the all rail route.

Shri Shankaraiya: May I know whether it has come to the notice of the Government that much of the pilferage is passed on as wastage and more loss is due to pilferage also? What is the percentage of pilferage?

Sardar Swaran Singh: I am afraid I could not say what is pilferage and what is the percentage of loss on account of pilferage. If my hon. friend who comes from that area, presumably, knows something, I would be happy to become wiser on that score.

Shri Shankaraiya: In view of the improvement in the situation of wagons after the construction of wagons, will the Railway authorities make available an adequate number of wagons?

Sardar Swaran Singh: This point about the non-availability of wagons for movement of coal or for the matter of that, other goods to the south is well known to the House. It has been discussed here from time to time. I only want to add that this is the case not only with the Bhadravati Steel works, but affects the Railways themselves as also some of the other industries. They are moving a considerable part of their requirements of coal by sea.

Shri Dasappa: May I know whether the absence of railway communication between the nearest port and Bhadravati is accounting for a large part of this high price of coal?

Sardar Swaran Singh: Obviously, if there is inadequate rail capacity for movement whether from the port or by the direct all rail route, that would have an effect upon the supply position and supply and prices are linked.

Shri Dasappa: The question is not one of want of rail communication