

(c) and (d). The price of salt was raised to ensure the working of the salt sources on commercial lines and also to rationalise the price of salt having regard to the quality and supply and demand position. The slight increase effected in the wholesale price of salt had hardly any effect on retail prices or on the industry.

Shri Harish Chandra Mathur: May I know the cost structure of the Sambhar and the Saurashtra salt, and whether this increase in the rates will not make any imbalance between the two?

Shri Manubhai Shah: No, this was done precisely to remove the imbalance to some extent. The Sambhar salt has a different type of market, and the Kharagoda salt is more of marine salt. Therefore, there is no imbalance likely to take place, and the revision was called for in order to make each project almost paying for itself.

Shri Harish Chandra Mathur: I had asked about the cost structure.

Shri Manubhai Shah: That was what I was saying. The cost structures are not comparable. If my hon. friend wants details for the Kharagoda salt, the price was 67 nP., and for the standard salt in Didwana, it was 50 nP. and for Sambhar 62 nP.

Shri Harish Chandra Mathur: May I know whether Government propose to hand over certain salt works to the Rajasthan Government, particularly, Pachbadra and Didwana, and if so, the reasons therefor? Is it that these salt works are unremunerative?

Shri Manubhai Shah: That was not precisely the reason. But when we tried to form a company for all the Government salt works, we had long negotiations with the Rajasthan Government, and as this was an enterprise which the State sector could also take up, we decided to hand over Didwana and Pachbadra to the Rajasthan Government.

Mr. Speaker: Next question.

396 (A) L.S.—2.

Shri Harish Chandra Mathur: Is it not a fact that the Pachbadra salt...

Mr. Speaker: Order, order. I have gone to the next question. I am not going to allow the hon. Member to ask any further supplementary question now.

Shri Harish Chandra Mathur: I have asked only two supplementary questions.

Mr. Speaker: No, he has asked about four questions.

Shri Harish Chandra Mathur: No.

Mr. Speaker: I have allowed a sufficient number of questions. That is what is passing in my mind.

Judiciary in Pondicherry

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*629. { **Shri Tangamani:**
Shri Tridib Kumar
Chaudhuri:
Shri H. N. Mukerjee:
Shri Prabhat Kar:

Will the **Prime Minister** be pleased to state:

(a) whether Government propose to bring the Judiciary in Pondicherry in line with the Judiciary in the Indian Union;

(b) whether representations were received in this regard;

(c) which is the ultimate Court of Appeal for Pondicherry; and

(d) what steps Government propose to take to grant powers to High Courts in neighbouring States and to the Supreme Court in such matters?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). Government have received representations from Leaders of different political parties in Pondicherry that steps should be taken to amend the judicial procedures that now prevail in that territory in order to ensure that the final Court of Appeal for all cases is a Court in the Indian Union. The system of Judicial Administration in the territory continues to be that as established by

the French Government. The representations received by Government deal more with the question of the final Court of Appeal rather than the question of introducing radical changes in the judicial system as such.

(c) There are three kinds of courts, in the territory, viz., judicial courts, an Administrative Court and a Labour Court. Appeals from the judicial courts lie to the *Cour de Cassation* in Paris. Appeals from the Administrative Court and Labour Court lie to the *Conseil d'Etat* and to the *Court Supérieure d'Arbitrage* in Paris respectively.

(d) The matter has to be very carefully examined in relation to the rights acquired by us under the terms of the Agreement with the Government of France on *de facto* transfer of French establishments in India, dated the 21st October, 1954, as also the Constitutional position obtaining in regard to the retention of the French judicial system in Pondicherry and the Constitutional position of the Supreme Court and other High Courts in India. A beginning, however, has been made in the study of this problem.

Shri Tangamani: May I know whether it is a fact that the Public Prosecutor in Pondicherry has got the same status as that of a district judge, so that any reference to his own personality, which may be of a criminal nature, is now looked upon as contempt of court?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I am not absolutely positive about it, but, broadly, I think under the French law, that is the rule.

Shri Tangamani: May I know whether it is a fact that the final court of appeal being in Paris, Government have preferred certain appeals on the question of customs, to the Supreme Court in Paris?

Shri Jawaharlal Nehru: I am not aware of it.

Shri H. N. Mukerjee: In view of the possibility that the *de facto* Administration might, in the case of appeals, have to appear before French courts, may I know if Government have considered that aspect of the matter which impinges on our sovereignty?

Shri Jawaharlal Nehru: Did the hon. Member say '*de facto* Administrator'?

Mr. Speaker: He means *de facto* Administration, which is vested in us. In cases of conflict, have this Government to go and appear before the Supreme Court in Paris, and does it impinge upon our sovereignty?

Shri Jawaharlal Nehru: I do not think there is any question of impinging on our sovereignty. These are interim difficulties that we have to face. The question has not arisen, but it is undoubtedly a somewhat unsatisfactory state of affairs. And we are examining how far, even apart from the question of *de jure* transfer, this question of appeals etc. can be dealt with otherwise.

Shri Amjad Ali: From the reply to parts (c) and (d) of the question, we understand that the set-up of the judiciary there is according to the French system, and that the French laws are in vogue there. How long will it take to switch over to Indian laws in Pondicherry?

Shri Jawaharlal Nehru: I have just said that first of all, no other change has been effected, since the *de jure* transfer has not taken place, though the *de facto* transfer has taken place. But I do not say that some steps in regard to the legal system cannot be taken even without the *de jure* transfer. That is what we are examining now. But at the same time, there are certain assurances we have given—not precisely about the legal system but, nevertheless, connected with it—that we will not change them rapidly, because they are used to certain methods, customs etc.—just as some people object to the presence of others there who object to any change. So we have to proceed cautiously.

Shri H. N. Mukerjee: In view of the categorical opinion of the Pondicherry State Assembly regarding the complete change over in the *de jure* sense also, may I know why Government considers that there are certain representative elements in Pondicherry who would object to the kind of change envisaged?

Shri Jawaharlal Nehru: Because they have told us so.

WRITTEN ANSWERS TO QUESTIONS

Indo-Pakistan Boundary Agreements

*609. **Shri Vajpayee:** Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1034 on the 18th December, 1959 and state:

(a) whether enquiries have been made to ascertain the exact number of Muslims residing in the five villages of Patherkandi Thana which are proposed to be transferred to Pakistan;

(b) if so, the result thereof; and

(c) whether Government's attention has been drawn to a resolution passed by the Karimgunj District Congress Committee that these five villages have come to India as a result of Radcliffe Award?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). Twenty-four Muslim families reside in the villages of Dumabarai, Latitilla, Karkhana, Putnigaon, Borputnigaon and Putnigaon. It is not possible to say whether any of these five villages, either wholly or in part will be affected by the demarcation of the Indo-Pakistan boundary in this area in accordance with the Radcliffe Award. The question of determining the exact alignment of the Indo-Pakistan boundary in this area is under the consideration of Directors of Land Records and Surveys of Assam and East Pakistan.

(c) Yes, Sir.

Deferred Payments Scheme

*615. **Shri Abdul Salam:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the deferred payments scheme is not being worked now; and

(b) if so, what are the reasons for keeping it in abeyance?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The repayment liability on foreign loans in the next five to six years is a heavy one, and Government are anxious not to add to it. Therefore, only such cases of import of plant and machinery are being approved on deferred payment terms as are likely to result in a quick saving or earning of foreign exchange to enable payments for the machinery to be met out of such savings or earnings.

Tibetans in Darjeeling

*621. **Shri C. K. Bhattacharya:** Will the Prime Minister be pleased to state:

(a) whether there has been an influx of a large number of Tibetans in different disguises in various parts of Darjeeling;

(b) whether some Tibetans have purchased houses at Darjeeling; and

(c) whether any steps have been taken to find out about the identity of these Tibetans?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) No case of Tibetans arriving in disguise in the Darjeeling District has come to the notice of the Government;

(b) No, Sir, not in Darjeeling but 19 have bought houses in Kalimpong.

(c) All Tibetans are closely interrogated on their arrival in the district and thereafter registered with the local authorities.