

serious matter. The State Governments should have a monitoring system where any project, either small or big, should not be delayed because of time overrun. And because of this there will be cost overrun. As we have got the monitoring system here, the State Governments should do the same thing.

[Translation]

SHRIMATI BHAVNA CHIKHLIA: Mr. Speaker, Sir, Sheela ji rightly said that the foundation stone of the project has been laid twice, even then construction work has not been started. Decision has been taken to start several projects. I would like to know from the hon. Minister whether the Government will formulate any concrete Programme to start all those projects?

SHRI GIRIDHAR GOMANGO: about the projects of Aligarh..(Interruptions)

MR.SPEAKER: She wants to know about the projects throughout the country and not only about the projects of Aligarh.

SHRI GIRDHAR GOMANGO: I have said that the problems about the implementation of projects are received from the concerned Ministries and departments and is accordingly monitored. It is also monitored in the P.M.O. and we monitor the projects accordingly.

Free Legal Aid Scheme

*124. PROF. PREM DHUMAL: Will the Minister of PRIME MINISTER be pleased to state:

(a) whether model scheme formulated by the Committee for Implementing Legal Aid Schemes (CILAS) has been adopted by all State Governments on uniform basis;

(b) if so, the details thereof;

(c) the steps taken to create awareness among the poor people to avail themselves of free legal assistance under the aforesaid scheme; and

(d) the achievement made by the Government in this regard so far?

[English]

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ): (a) and (b). Yes, Sir. The model scheme formulated by the Committee for Implementing Legal Aid Schemes (CILAS) has been adopted with suitable changes by most of the States. But some States like Arunachal Pradesh, Jammu & Kashmir, Karnataka and West Bengal, etc. have their own schemes different from the model scheme prepared by CILAS although their activities are monitored to the extent possible by the CILAS.

(c) The Legal Aid & Advice Boards set up the States and Union Territories are implementing various strategic legal aid programmes adopted by CILAS, such as, Training of Para-Legals; setting up of Legal Aid Clinics in Universities and Law Colleges; organisation of Legal Aid Camps disseminating information regarding Social Legislation under the Legal Literacy Programme so as to make the people aware of their rights and responsibilities and settlement of disputes through the Lok Adalats.

(d) Numerous Legal Aid Camps, Para-Legal Courses, Legal Literacy Camps and Lok Adalates have been organised in different parts of the country. As on 10.2.1993 6878 Lok Adalates have been organised where 35, 44 753 cases have been settled. Compensation amounting to Rs. 375. 36 crores approximately has been awarded in about 1. 74 Lakh MACT cases.

[Translation]

PROF. PREM DHUMAL: Mr. Speaker, Sir, the hon. Minister has stated that for States have evolved their own Free Legal Aid System. I would like to know from the hon. Minister whether there is any similarity in the systems adopted by those four States. The scheme formulated by the Central Government has not been adopted by those four States though the same has been

adopted by other States. What is the difference between the two schemes and which one is better between the two. Does the Central Government propose to take measures so that their respective States. If he schemes evolved by those four States are better, does the Government propose to make suitable amendments in its own scheme accordingly?

SHRI H.R. BHARDWAJ: Sir, so far as their legal aid and advisory boards are concerned their programmes are quite similar to those of the CILAS scheme. The only difference lies in their organisational set up. The C.I. L.A.S. Committee constituted by the center envisages higher judicial involvement and the State Law Ministers act as the Chairman of the Committee. Some structural changes are there. The programme and income limit is also slightly different. We are making all out efforts to see that uniform legal and advisory boards are set up all over the country. As the august House is aware we have already brought forward the National legal Aid Services Bill in the Parliament. As soon as it is passed there will be uniform pattern of legal Aid and Advisory Boards throughout the country. Difference, if any, could also be started out with the help of it.

PROF. PREM DHUMAL: Mr. Speaker, Sir, in reply to a question on 12th December 1983 the then Minister of Law had said that the income limit had been fixed at Rs. 6000/- However no such limit was fixed in respect of income of women and children. Does the Government propose to increase this income limit so as to provide free legal aid to people having an income upto Rs. 6000/-. Secondly, in many cases women and children have been provided this facility? In reply to my question the hon. Minister stated that an amount of Rs. 375. 16 crore has been given in award. But, the people complain that the amount is no doubt given in award but not paid by the Lok Adalats. Please state the number of cases in which the amount was given in award but not paid? Besides, how much money did the Central Government spent on it?

SHRI H.R. BHARDWAJ: Sir, the compensation so far given was in respect of cases of motor accident claim tribunal. The Special feature of the decisions taken in Lok Adalat is that as soon as the award is given, the amount is paid immediately through cheque by summoning banks or the insurance company. There is no scope of any complaint in it. Immediately after the decision of the Lok Adalat, cheque is given to the concerned party..(Interruptions)

SHRI ANNA JOSHI: But it is not given.

SHRI H.R. BHARDWAJ: If you listen to me, you will understand it. If any body has any complaint, the legal aid body is there to remove it.

[English]

99.9 per cent cheques are delivered on the spot.

PROF. PREM DHUMAL: How much have you spent on the scheme?

SHRI H.R. BHARDWAJ: Every year we have a budget of about Rs. 40 lakh which we distribute to the various legal aid boards throughout the country.

[Translation]

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, in my view the most important question providing legal aid the poor, but the objectives of the Government are not at all fulfilled. There are two reasons for it- first, that the procedure is very lengthy and there is no committees are district or tehsil levels. Whatever the committees are there, these are at the Central or State levels. Mr. Speaker, Sir, you can well understand the situation of the poor people of rural areas who find it difficult to take the matter at State level if something untoward takes place in a police station or in the district. The committee which has been formed is a state level committee and not a committee of the district level or lower levels. Secondly, there is also the problem of lawyers appearing on behalf of the plaintiff and the defendant.

Suppose one engages a lawyer of Palkhwal's repute and the other side engages a less competent lawyer, that is just as a help to the poor and that too very late. By this, the purpose of legal aid is defeated. Through you, I would like to know whether the Government proposes to issue instructions with regard to setting up of free legal aid committee at district and tehsi levels? Secondly, does the Government propose to authorise the poor people to select competent lawyers of their choice and bear their expenses so that procedural delay is not caused and the purpose of the scheme is not killed.

SHRI H.R. BHARDWAJ: Mr. Speaker, Sir, so far as legal aid boards are concerned, those have been constituted at High Court and district levels almost in all the States. As the hon. Member has rightly said, the poor people who actually need legal aid are not getting it in the real sense. It is a system in which the poor people have to experience lots of difficulties to protect their rights. The Government has launched a nationwide movement under which the poor people, Harijans, people belonging to Scheduled Castes and Scheduled Tribes, women and children would be exempted from income ceiling. Thus they would be entitled to legal aid. So far as the quality of advocates is concerned, already there is provision to pay them fees. The work of providing competent advocates in the Supreme Court and High Courts is monitored. We have a good budget for legal aid in the Supreme Court. They have formed panels to look into the difficulties which ever arise, and I keep on monitoring to ensure that they get competent advocates and the objectives of legal aid are fulfilled. There is enough scope in it. If the hon. Members and the State Governments extend their cooperation a lot can be done for Harijans, Advises, women and children who are the oppressed lot I would also like to seek the cooperation of the hon. Member in this regard. This is my feeling, I also appreciate the feeling of the hon. Members.

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, why do not you give freedom to engage advocates? The Government

should give freedom to engage advocates. A poor man should have the option to engage the best advocate and the Government should pay the advocate's fees. What is difficulty in it?

SHRI H.R. BHARDWAJ: Sir, the State Governments do not have much funds. There are two things in it. The advocates should be good and he should be motivated to work with less fees. There are advocates who are willing to render their services at cheaper rates.

SHRI ANADI CHARAN DAS: Mr. Speaker, Sir, so far as the legal aid is concerned, the problem in our tribal areas is that matters related to forest are often treated as criminal cases. Actually they have to cover a distance 60-70 miles on foot. Through I want that Lok Adalats or the Legal Magistrates should travel the distance of 60—70 miles and try the cases in that remote corner and then see what provisions could be made in that regard. Does the Government have any such proposal under its consideration?

[English]

MR. SPEAKER: This is a very good question. I think the Minister is going to accept his suggestion.

SHRI H.R. BHARDWAJ: I have accepted it not today, but long before.

MR. SPEAKER: Very good.

[Translation]

SHRI H.R. BHARDWAJ: As the hon. Member said, I would like to submit that if we study legal aid movement we have to think of para legal aid and legal aid clinic camp also. It means that.....

MR. SPEAKER: It is about extending this facility in tribal areas.

SHRI H.R. BHARDWAJ: I can furnish full figures in respect of tribal areas, the number of camps organised and the trebles

motivated for the purpose About 1,62,398 tribal have availed the benefit Legal aid is meant for tribals and people belonging to Scheduled Castes and none else

SHRI ANNA JOSHI In part (c) of the question it has been asked

[English]

"The steps taken to create awareness among the poor people to avail themselves of free legal assistance under the aforesaid scheme"

[Translation]

The reply given to it is that seminars are held in Universities and law colleges to disseminate information in this regard I think at the time of 42nd Amendment I had made a demand for "Courts at your door steps" Some other hon Member has also desired to know whether the services of Gram Panchayats and electronic media would be utilised for disseminating information Or is there any need to chalk out some other programme for the purpose? If so, how will it be done?

[English]

SHRI H R BHARDWAJ I have mentioned that the judges not only of the District Courts, but also the judges of the High Courts and the Supreme Court have visited the remotest tribal areas in Madhya Pradesh, Uttar Pradesh, Bihar, etc and held camps We have done so much work in tribal areas for the benefit of the people

SHRI SOBHANADREESWARA RAO VADDE Sir, whatever be the intention of the Government and the efforts made by the Government, it is a fact that primarily because of the inadequacy of funds and secondly because of the ignorance of the people especially the poor people regarding the legal aid scheme, they are not able to utilise the benefits of the scheme I would like to know from the hon Minister as to whether the Ministry of laws has taken into consideration the fact that the legal procedure code

which was evolved very long time back has become more time consuming and very expensive, due to which justice is denied - justice delayed is justice denied - in respect of the poor people; and that is why, the naxalites are getting sympathy in certain areas

Will the Government come forward with suitable amendments in the Civil Procedure Code so that justice is rendered to the needy people at the earliest possible time?

SHRI H R BHARDWAJ: I quite see the point of the hon Member, that illiteracy in the country does not permit a lot of people to know their rights But, as I submitted earlier, the legal literacy programme is meant to educate them So far as the paucity of funds is concerned, there is paucity of funds; I would request the Central Government and the State Governments to give maximum funds for these programmes; we are doing that campaign.

So far as amendment to various laws are concerned, we must drastically amend these laws so that simple procedures come. For that, we have already circulated the Law Commission's Report on *Gram Nyayalayas* to see that poorer people get justice at their doorsteps The State Governments have given their views I must tell the hon. member that without the consultation of the State Governments, administration of justice cannot be dealt with by us because it is a State Subject, but some of the State Governments have come forward and said, "Yes, we must drastically amend the laws relating to the rural litigation" These are very complicated questions and our total attention is on this side, we must see that the poorer people are defended as best as possible.

Electronic Hardwork Technology Parks

*125 SHRI PRITHVIRAJ D. CHAVAN: Will the PRIME MINISTER be please to state

(a) whether the scheme for establishing Electronic Hardware Technology Parks