

Performance Guarantees for Thal-Vaishet Plant by Danish firm, Haldor Topse

100. SHRI BASUDEB ACHARIA :
Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether Haldor Topse, a Danish multinational fertilizer consultancy firm, refused to give performance guarantees for Thal-Vaishet Plant in case the public sector organisation-(PDIL's (Projects and Development India Limited) catalysts were used in the plant;

(b) whether it is also a fact that the PDIL as an independent competitor in the field of catalysts has captured the Indian market; and

(c) whether the refusal of Haldor Tops indicates any particular motive of the multinational company ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL): (a) and (c). In terms of the agreement between M/s Rashtriya Chemicals and Fertilizers (RCF) and M/s Haldor Topsoe for consultancy and related services for the Ammonia Plant of the Thal-Vaishet Fertilizer Project, the performance guarantees are subject to the Ammonia Plant being loaded with the catalysts of consultants' make or those approved by the consultants. M/s Haldor Topsoe did not approve use of the catalysts manufactured by M/s PDIL. However, after negotiations, Haldor Topsoe agreed to give Performance guarantees to the second stream of ammonia plant in which most of the catalyst were from PDIL subject to satisfactory performance of the PDIL catalyst.

(b) The market share of PDIL's catalysts has increased over the years.

Vacancies of Judges and disposal of pending cases in High Courts and Supreme Court

101. SHRI V. SOBHANADREESWARA RAO :

SHRI B. V. DESAI :

SHRI M. RAGHUMA REDDY :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) the steps being taken to fill up the vacant posts of Judges in Supreme Court and several High Courts to help disposal of pending cases as early as possible;

(b) how many posts of Judges are lying vacant for over a year, Statewise and the steps proposed to fill them;

(c) the other steps proposed for speedy disposal of large number of long pending cases before Supreme Court and High Courts; and

(d) whether the strength of High Court Judges has also been raised ?

THE MINISTER OF LAW AND JUSTICE (SHRI A. K. SEN) : (a) and (b). The matter regarding filling up the vacancies of Judges in the Supreme Court and the High Courts is engaging the attention of the Government in consultation with the constitutional authorities concerned.

A statement I showing the number of posts of Judges of High Courts lying vacant for over a year is enclosed.

(c) Steps taken to reduce pendency are given in the attached statement-II. The Government continues to address itself to the problem of pendency.

(d) The Judge strength of High Courts has been raised from time to time. Further increase is also engaging the attention of the Government.

STATEMENT

Sr. No.	High Court.	No. of posts of Judges vacant for over a year.
1.	Andhra Pradesh	5
2.	Bombay	5
3.	Gujarat	2
4.	Kerala	2
5.	Madhya Pradesh	1
6.	Madras	6
7.	Punjab & Haryana	5

STATEMENT II

Steps taken from time to time to reduce Pendency

The following steps have been taken in recent years to reduce pendency in Supreme Court and High Courts:

1. The Code of Civil Procedure was amended in 1976 to abolish Letters Patent Appeals from judgment of Single Judge of the High Court in second appeal (Vide Section 100A).
2. The Code of Criminal Procedure based on the recommendations of the Law Commission was enacted in 1973.
3. Judge strength of the Supreme Court has been raised from 13 to 17 excluding the Chief Justice with effect from 31-12-77 by amending the Supreme Court (Number of Judges) Act, 1956.
4. The sanctioned strength of the High Court Judges has been increased from 351 in March, 1977 to 424 on 1st July, 1985.
5. The Supreme Court rules have been amended to vest more powers in the Registrars and Judges in Chambers so that the time of the court is not wasted in petty miscellaneous matters.
6. Supreme Court has also taken the following measures :
 - i) Priority is given to certain matters;
 - ii) Miscellaneous matters are fixed daily;
 - iii) Writ Petitions with identical quotations are grouped together and batches running from 50 to 100 matters are listed together for hearing;
 - iv) Other matters involving identical questions are also identified from time to time and put together and efforts are made to see that such groups are disposed of early;
- v) The Supreme Court Rules were revised in 1966 providing for printing of records under its own supervision. As that was also taking quite sometime the court of late has started wherever possible dispensing with the preparation of records and hearing the appeals on special leave paper-book itself after the parties have filed their counter-affidavits and affidavits in reply.
7. Apart from the above certain High Courts are taking the following steps for ensuring better disposal of cases ;
 - (a) Cases involving common questions are being grouped by several High Courts.
 - (b) Matters fixed for hearing by giving short returnable dates.
 - (c) Dispensing with printing of records.
 - (d) Expediting and giving priority to matters under certain Acts.
8. The Government have also addressed the Chief Ministers of States and Chief Justices of High Courts in which there is a heavy pendency of civil cases over 5 years old to consider appointment of retired judges under Article 224A of the Constitution.
9. The recommendations contained in the 79th report of the Law Commission have been examined. As action on majority of the recommendations is to be taken by the State Governments and High Courts, these have been sent to them along with the views of the Union Government and they have been requested to take necessary action.
10. The Government have also appointed Law Commission (10th Law Commission) to keep under review the system of judicial administration in the country. Among the terms of reference of the Law Commission are :
 - (a) To keep under review the system of judicial administration to ensure

that it is responsive to the reasonable demands of the time and in particular to secure :

- i) elimination of delays, speedy clearance of arrears and reduction of costs so as to secure quick and economical disposal of case the cardinal principle that decisions should be just and fair;
 - ii) simplification of procedure to reduce and eliminate technicalities and devices for delay so that it operates not as an end in itself but as a means of achieving justice; and
 - iii) improvement of standards of all concerned with the administration of justice.
- (b) To revise the Central Acts of general importance so as to simply them and to remove anomalies, ambiguities and inequities.
- (c) To recommend to the Government measures for bringing the statute book up-to-date by repealing obsolete laws and enactments or parts thereof which have outlived their utility.

11. The Government have constituted an informal Committee of 3 Chief Justices to examine the problem of arrears in High Courts and suggest remedial measures.

Shortage of Diesel in Nagpur, Maharashtra

102. SHRI BANWARI LAL PUROHIT: Will the Minister of PETROLEUM be pleased to state :

(a) whether Government are aware that there is shortage of diesel in District Nagpur, Maharashtra and the consumers are facing much inconvenience in getting diesel;

(b) whether Government have taken up the matter with the oil companies;

(c) if so, the reasons for this short supply; and

(d) the steps Government have taken/proposed to take to meet the shortage of diesel in Nagpur Maharashtra ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM: (SHRI NAWAL KISHORE SHARMA) (a) Some sporadic shortage of diesel in Nagpur District of Maharashtra had been reported during June, 1985.

(b) Yes, Sir.

(c) The shortage occurred because of delay in replenishment of stocks in depots as a result of disruptions in rail movements ex-Bombay due to heavy rains and derailment.

(d) Oil companies were advised to meet the requirements by moving product to the extent possible by road from Bombay and Koyali. As a result of this measure as also of improvement in rail loadings, the position has improved. The Oil Companies are drawing up plans to top-up the depots at Nagpur and other up-country locations during the lean period.

Raising capacity of Cement plants under C.C.I.

103. SHRI BANWARI LAL PUROHIT: Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether there is any proposal under the consideration of the Cement Corporation of India to raise the capacity of its existing plants in the country;

(b) if so, the details thereof; and

(c) to what extent the cement requirement in the country will be met ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Yes, Sir.

(b) Details of the existing plants of Cement Corporation of India Ltd. with existing installed capacity, increase approved by introduction of pre-calculator, expansion applied for and the present position of the expansion proposals are given below :