

(c) whether Government have received fresh proposal from some State Governments to set up some such units in those States; and

(d) if so, the steps taken to clear those proposals ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) and (b) To the extent information available (as on 31.12.83) there are 253 units in the organised sector registered with DGTD for the manufacture of drug and pharmaceuticals. State-wise break-up is not available.

(c) and (d). Government had been receiving proposal from the State Corporations for the manufacture of drugs and pharmaceuticals. These proposal are examined on merits as per the provision of Drug Policy, 1978.

#### Splitting up of Fertilizer Corporation of India

1218. SHRI S. M. BHATTAM : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) Whether Government have finalised a proposal for a major restructuring of the fertilizer industry in the public sector;

(b) whether Fertilizer Corporation of India is proposed to be split into two separate companies; and

(c) if so, the details and the purpose thereof ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (c). The proposal regarding restructuring of the fertilizer plants in the public sector has not yet been finalised by the Government.

#### Appellate/Original cases pending in Supreme Courts and High Courts

1219. SHRI S. M. BHATTAM : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) the pendency of the cases (i) on the appellate side and (ii) original side in the various High Courts;

(b) how many of them are pending since more than (i) one year (ii) two years and (iii) three years;

(c) the steps proposed to be taken to reduce pendency; and

(d) the pendency of such cases in the Supreme Court ?

THE MINISTER OF LAW AND JUSTICE (SHRI A. K. SEN) : (a) (b) and (d). Information as furnished by the Registrars of Supreme Court and High Courts is given in Statement No. I below.

(c) Steps taken to reduce pendency in Supreme Courts are given in the Statement No. II below.

#### Statement

##### Appellate/Original cases pending in Supreme Court and High Courts

Name of the Court	Number of Regular hearing and admission matters pending.			Number of Regular hearing matters pending over		
	Original	Appellate	Total	One Yr.	Two Yrs.	Three Yrs.

(As on 1.6.1985)

Supreme Court	26044	53633	79677	31572	24900	18109
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High Courts	Number of cases pending					
	Original Side	Appellate Side	Total	Over One Yr.	Over Two Yrs.	Over Three Yrs.
(As on 31.12.1984)						
1. Allahabad	86116	142536	228952	172859	129826	89282
2. Andhra Pradesh	40246	41010	81256	49101	30726	18115
3. Bombay	62627	40315	102942	72685	53173	38633
4. Delhi	38167	30990	69157	47684	33573	24090
5. Gujarat	15244	21705	36949	25273	17683	12975
6. Himachal Pradesh	2090	6969	9059	6457	5312	3756
7. Jammu & Kashmir	10533	15274	25807	19014	12361	8123
8. Karnataka	72221	24543	96764	73492	53040	26432
9. Kerala	49088	50909	99997	58322	29922	13293
10. Madhya Pradesh	9667	41078	50745	21987	14690	10128
11. Madras	47715	86036	133751	83977	52451	31830
12. Orissa	9203	15011	24214	15374	11094	7579
13. Patna	13985	43064	57048	38223	27691	20484
14. Punjab & Haryana	9927	23781	33708	21313	15846	12043
15. Rajasthan	22961	25170	48131	33059	23829	17692
16. Sikkim	18	18	36	10	5	1
(As on 30.6.1984)						
17. Calcutta	19479	106521	126000	110269	87851	71915
(As on 31.12.1983)						
18. Gauhati	6208	7195	126000	9689	7208	4974

### 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 judgement of Single Judge of the High Court in second appeal (Vide Section 100A).
2. The Code of Criminal Procedure based on the recommendations of Law Commission was enacted in 1973.
3. The 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. The Supreme Court has also taken the following measures :
  - (i) Priority is given to certain matters;

- (ii) Writ Petitions with identical questions are grouped together and batches running from 50 to 100 matters are listed together for hearing;
- (iii) Miscellaneous matters are fixed daily;
- (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 some time 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. A part 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 224-A 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 alongwith 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 as to so secure quick and economical disposal of cases without affecting 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 simplify 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.

#### Acting Chief Justices in High Courts

1220. SHRI S. M. BHATTAM : Will the Minister of LAW AND JUSTICE be pleased to state in how many High Courts Acting Chief Justices are there and since how long they are working as such ?

THE MINISTER OF LAW AND JUSTICE (SHRI A. K. SEN) : As on 25.7.1985, the following 4 High Courts are having acting Chief Justices from the dates indicated against each :

Sl. No.	High Court	Date from which office of Chief Justice is vacant
1.	Andhra Pradesh	5-7-1984
2.	Gauhati	15-11-1984
3.	Punjab & Harayana	29-11-1983
4.	Sikkim	4-1-1985

#### Setting up of Oil Refinery in Orissa

1221. SHRI ANADI CHARAN DAS : Will the Minister of PETROLEUM be pleased to state :

(a) the criteria being followed to identify sites for setting up of Oil Refineries in the country;

(b) in view of encouraging results of drilling operations in and around Orissa, whether Government have any plans to set up an Oil Refinery in Orissa in the near future; and

(c) if so, the details thereof and if not, reasons therefor and whether the State Government has submitted any proposal in this connection ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) to (c). Site for Oil Refineries is selected on various techno-economic considerations based on reports from experts. At present, there is no

plan to set up an oil refinery in Orissa. No proposal of the Orissa State Government has been received in this Ministry.

#### Compensation to Bhopal Gas Victims

1222. SHRI BALASAHEB VIKHE PATIL : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state the progress made to have compensation paid by the Union Carbide Company at Bhopal to the gas victims ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : A civil complaint claiming compensatory damages, punitive damages, the costs etc. was filed on 8th April, 1985 in the United States Federal District Court, Southern District, New York against the United Carbide Corporation. The second pretrial conference is scheduled to be held on 7th August, 1985. Some negotiations with the United Carbide Corporation have also been held. It is not possible to indicate the progress and the details at this stage as these are being held under the umbrella and directions of the court which are to be respected.

#### Investment in Industries in West Bengal

1223. SHRI BALASAHEB VIKHE PATIL : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state why fresh investments are not being made in the sphere of industry in West Bengal and the causes thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : Judging from trends in letters of intent and industrial licences issued for location of industries in West Bengal and financial assistance sanctioned and disbursed by financial institutions, the investment climate in West Bengal seems to be encouraging. The number of licences issued for location of industries in West Bengal increased from 23 in 1980 to 93 in 1984. The share of West Bengal in total licences issued also increased from 4.8 per cent in 1980 to 10.3 per cent in 1984. Similarly, the financial assistance disbursed by financial institutions