

LOK SABHA

Friday, 19th September, 1958.

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Legal Aid to the Poor

*1896. { Shri Shree Narayan Das:
Shri Damani:

Will the Minister of Law be pleased to state:

(a) whether any State Governments have sent their schemes for legal aid to the poor;

(b) whether a copy of such schemes will be laid on the Table;

(c) whether it is a fact that the Central Government is considering the question of giving legal aid to the poor; and

(d) if so, the result thereof?

The Minister of Law (Shri A. K. Sen): (a) and (b). The Government of Kerala have sent last year the rules made by them in this behalf, known as the Kerala Legal Aid (to the Scheduled Castes and Scheduled Tribes and to the Poor) Rules, 1957. The Government of Bombay have informed early this year that they are already administering some schemes in respect of legal aid and that they propose to introduce further schemes this year.

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Copies of the Kerala rules and the Bombay schemes mentioned above will be laid on the Table of the House.

(c) and (d). The grant of legal aid to the poor is primarily the responsibility of the State Governments. The Central Government is, however, taking interest in the subject with a view to assisting the State Governments in the formulation of the Schemes for the States.

Shri Shree Narayan Das: May I know whether the Central Government propose to give any contribution to the funds created by the various States in this respect?

Shri A. K. Sen: It will depend upon what schemes are framed by the States and what schemes are ultimately agreed upon. Hon. Members will remember that in the last Conference of Law Ministers, this subject was broached and the State Governments agreed to formulate their own schemes. Until now, excepting from two Governments, we have received no schemes from the State Governments. We expect that in the next Law Ministers' Conference this subject will again be discussed. Therefore, until schemes have been formulated and finalised there is no question of the Central Government undertaking any particular financial responsibility.

Shri Palaniandy: May I know whether the Government will issue instructions to the State Governments at least to help the poor Scheduled Castes and Scheduled Tribes people in relation to untouchability?

Shri A. K. Sen: The Central Government has no authority to issue instructions; it can only advise.

Shri Goray: Has the Central Government any scheme of their own which can serve as a blueprint to the State Governments?

Shri A. K. Sen: It has been found more desirable to formulate schemes in consultation with and on the initiation of the State Governments rather than the Central Government imposing schemes on the State Governments.

Shri M. R. Krishna: May I know whether the State Governments are not enthusiastic about giving this free legal assistance to the Scheduled Castes and Scheduled Tribes and, if so, whether the Central Government will include this in their Centrally-sponsored schemes?

Shri A. K. Sen: I do not see any reason which has prompted the hon. Member to conclude that the State Governments are not energetic.

Shri N. R. Munisamy: May I know the nature of the scheme thought of by the Central Government—whether it includes civil as well as criminal cases?

Shri A. K. Sen: Legal aid includes legal aid for both civil and criminal cases unless there is a specific restriction.

Shri Liladhar Kotoki: May I know in what direction the Central Government are contemplating to co-ordinate the activities of the State Governments in this regard?

Shri A. K. Sen: May I ask for the question to be repeated, Sir?

Mr. Speaker: He wants to know whether any steps are being taken by the Central Government.

Shri Liladhar Kotoki: What do they propose to do in this matter?

Shri A. K. Sen: Everything that is possible is being done.

Shri Narayanankutty Memon: May I know whether in pursuance of the

Rules forwarded by the Kerala Government, the Central Government has sanctioned any aid for implementing the scheme?

Shri A. K. Sen: I do not think the Kerala Government has yet approached the Central Government for any aid.

Shri Shree Narayan Das: May I know whether the Law Commission have been asked to consider this question and evolve a suitable scheme, so that the various States may follow up the scheme?

Shri A. K. Sen: I am not quite sure if this point was specifically referred to them, but it is my impression that it is within the competence of the Law Commission to report upon it.

Shri Achar: May I know whether there is any scheme for the Centrally Administered Areas for giving legal aid to the poor?

Mr. Speaker: For the Union Territories.

The Minister of Home Affairs (Pandit G. B. Pant): Well, there is some scheme, but the benefit of it goes to the members of the Scheduled Castes and Scheduled Tribes.

Aircrash at Safdarjung Airport

*1398. { **Shri Ram Krishan:**
Shri Supakar:
Sardar Iqbal Singh:

Will the Minister of Defence be pleased to state:

(a) the total loss suffered as a result of the air crash of Vampire jet fighter at Safdarjung Airport on the 8th May, 1958;

(b) whether the Court of Inquiry ordered to investigate the cause of the accident has submitted its report;

(c) if so, the details thereof;

(d) the action taken thereon; and