

[Hafiz Mohammed Ibrahim]

outflow was not, however, sufficient on account of the high level of the water in Hooghly itself.

On the afternoon of the 5th August, 1959, a group of about 125 local villagers assembled at the head regulator at Bagdanga, overawed the gate Khalasi and forcibly opened the remaining gates as a result of which the volume of water that had been held back on the upstream side of the regulator rushed down the Cut and breached the embankments on both the sides. On the Southern side of the Cut, there is the Dankuni drainage basin which had already received its share of the heavy rainfall and being a depression, could not drain out quickly in the weather conditions then prevailing.

Attempts to close the breach were made immediately and the local people gave whole-hearted cooperation in this task. Closure was effected on the 9th August.

According to the estimate of the West Bengal Government, the maximum extent of flooding was 12 sq. miles which came down to 6 sq. miles on the 10th August. The final residual damage is estimated to be about 3 sq. miles including areas in the nearby Dankuni drainage basin which drains independently into the Hooghly. No loss of life or houses has been reported.

Shri Muhammed Elias (Howrah): The residents of the area who have lost their paddy fields have made representations for help and loans. May I know whether Government is giving any help and loans for re-cultivation of their paddy?

The Deputy Minister of Irrigation and Power (Shri Hathi): It is for the West Bengal Government to look into that.

Shri Muhammed Elias: They have also sent it to the D.V.C.

Shri Hathi: But that should be considered by the West Bengal Government.

Shri Prabhat Kar (Hooghly): Even now, as late as today, after one month, the water is still on the field, and up till now no steps have been taken. May I know whether any efforts have been made by the D.V.C. to clear the fields of the water, because even after one month, in hundreds and thousands of acres the water is still in the fields?

Hafiz Mohammad Ibrahim: As far as the information received by us is concerned, there is no such mention anywhere that still water is collected in any area which was flooded as mentioned in the statement.

Mr. Speaker: Very well. If that is so, steps will be taken either by the D.V.C. or by the local Government.

12.45 hrs.

KERALA APPROPRIATION BILL

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): Sir, on behalf of Shri Morarji Desai I beg to move:*

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year 1959-60 be taken into consideration."

Mr. Speaker: The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year 1959-60 be taken into consideration."

The motion was adopted.

Mr. Speaker: The question is.

"That clauses, 1, 2, 3, the Schedule, the Enacting Formula and the Long Title stand part of the Bill".

The motion was adopted.

Clauses 1, 2, 3, the Schedule, the Enacting Formula and the Long Title were added to the Bill

Shrimati Tarkeshwari Sinha: Sir, I beg to move:

"That the Bill be passed"

Mr. Speaker: The question is

"That the Bill be passed"

The motion was adopted.

12.47 hrs.

MOTION RE FOURTEENTH REPORT OF THE LAW COMMISSION— contd.

Mr. Speaker: The House will now proceed with the further consideration of the following motion moved by Shri Ram Krishan Gupta on the 27th August, 1959, namely—

"That this House takes note of the Fourteenth Report of the Law Commission on the Reform of Judicial Administration. (Volumes I & II) laid on the Table of the House on the 29th February, 1959."

Shri B. N. Datar may continue his speech

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, I had been replying yesterday to some of the points made by the hon. Members in regard to this Law Commission's Report on the administration of justice in India

Now, the last point that I had then been dealing with was an important question in which considerable interest is taken by hon. Members, namely, the separation of the judiciary from the executive. I was pointing out that in free States, and by now in one more State, there has been complete separation of the judiciary from the executive. In respect of the other States I shall briefly point out what the position is.

So far as the State of Bihar is concerned, in twelve out of seventeen districts, the separation has been already in force. And so far as the remaining five districts are concerned, the State Government are now considering as to when the separation should be further introduced.

In Madhya Pradesh, may I point out that there is complete separation of the judiciary from the executive in the whole of the State except the Mahakoshal region. The State Government have decided to effect such separation in the Mahakoshal region also, and the question of implementing this decision is engaging their attention.

In Mysore, separation of the judiciary from the executive has since been effected in the whole of the State except Coorg. To complete their scheme the Government are considering the question of posting a Judicial Magistrate in Coorg.

In the State of Punjab, there is de facto separation of the judiciary from the executive in the area of the erstwhile PEPSU and also in some districts of the erstwhile Punjab States. And that was done by means of executive orders. The question of introducing complete separation throughout the present State of Punjab and also undertaking legislation is engaging the attention of the State Government.

In U.P. the scheme for the separation of the judiciary from the executive is in operation in twenty out of