

SHRI MOHD. SHAFI QURESHI: I admit there were certain cases of high charges being taken by the taxi-wallas. But stern action has been taken against them. It may inform the hon. member.

MR. SPEAKER: Do not announce. You can do it.

SHRI MOHD. SHAFI QURESHI: I have visited the station at least 5 times.

पटना में एडवोकेट सम्मेलन

*551. श्री रामावतार शास्त्री क्या विधि न्याय और कम्पनी कार्य मंत्री यह बताते की क्या करेंगे कि :

(क) क्या उन्होंने पटना में 7 तथा 8 फरवरी, 1976 को विधि महायता बतन्तता, लोकतन्त्र तथा समाजवाद विषयों पर हुए एडवोकेट सम्मेलन का उद्घाटन किया था ;

(ख) यदि हां, तो उक्त सम्मेलन में क्या मुख्य निर्णय किए गए है ; और

(ग) उन पर सरकार की क्या प्रतिक्रिया है ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SYID MUHAMMAD): (a) No, Sir.

(b) A copy of the Resolution passed in the Advocates Conference is being laid on the Table of the House; and

(c) Government is already seized of the problem of rendering legal aid to the economically under-privileged persons.

COPY OF THE RESOLUTION

This convention of Lawyers of Bihar records its deep sense of appreciation of the programme of legal aid to the weaker sections of our society with a

view to carrying justice to the down-trodden million of this country which has been hitherto denied to them as a result of their financial disability. It is heartening to note that the Union Government under the dynamic leadership of the Prime Minister, Smt. Indira Gandhi has with alacrity accepted the major burden of the implementation of this programme and the Bihar Government, like some other State Governments has followed in a vigorous way. The convention further thinks it necessary to appeal to young lawyers on whose shoulders rests the dignity and future destiny of this noble profession, to implement the programme of legal aid not in a mercenary spirits but in the spirit of crusaders. It also appeals to the public to make handsome contributions to make this programme a success.

Secondly the convention requests the Union Government, members of judiciary, lawyers and social scientists to jointly sponsor a high-powered committee for suggesting as early as possible, comprehensive constitutional and judicial reforms. It feels that it is particularly necessary to emphasise that the right to property appearing in part III of the Constitution be deleted and the right to work as a fundamental right be added to ensure rapid, social and economic transformation and to move speedily towards secular socialist democracy.

Lastly, the convention notes with satisfaction the spirit of new awakening and ferment in the legal community and courts of the country. The legal brotherhood is now keen to dedicate itself to the great tasks of national well-being of the hungry millions. It is high time for the lawyers to be stir themselves and take in right earnest to the task of making India strong and ushering in a new socio-economic order based on justice and equality for all, which alone will take our country from poverty to plenty, from a life of denial to one of satisfaction and fulfilment and enable us to be rid of our weakness— as to face ever new challenges. This

vision of our country's great glory based on justice shall be inspiration of lawyers on our journey to our goal.

श्री रामावतार शास्त्री : अध्यक्ष जी, सबसे पहले तो मैं आपसे अनुरोध करूँगा कि आप हम लोगों के अधिकारों की रक्षा कीजिए। इन्होंने बिल्कुल झूठ जवाब दिया है।

श्री शंकर दयाल सिंह : हम यह नहीं सुन सकते कि यह कहें कि मंत्री जी ने झूठ कहा है।

श्री रामावतार शास्त्री : यह अखबार से साबित हो जाता है, इसीलिए मैंने कहा है।

श्री शंकर दयाल सिंह : कई बार तो ये अखबार को भी झूठा कह देते हैं ?

श्री रामावतार शास्त्री : अध्यक्ष जी देखिए क्वेश्चन क्या है —

“(a) whether he had inaugurated the Advocates' Conference on Legal Assistance, Freedom, Democracy and Socialism held in Patna on 7th and 8th February 1976.”

इसका जवाब इन्होंने दिया है —

“No, Sir.”

गोखले साहब की अखबार में तस्वीर छपी हुई है। (इंटरप्राइस) शंकरदयाल सिंह जी आप भी कोई सवाल नहीं पूछ सकेंगे। मैंने आपसे सवाल नहीं पूछा है, मैंने मंत्री जी से पूछा है। ‘इंडियन नेशन’ में यह छपा है कि

“Mr. Gokhale rules out change in form of Government.”

इससे यह झूठ साबित हो जाता है।

अध्यक्ष महोदय : इसमें क्या लिखा है कि उन्होंने इनीग्रेशन किया था ?

श्री रामावतार शास्त्री : इसमें लिखा है, मैं यह कर सुना देता हूँ।

“Mr. H. R. Gokhale, Union Minister for Law and Justice said here today that any amendment to the Constitution shall not be aimed at distorting the parliamentary system in the country.”

अध्यक्ष महोदय : इसमें इनीग्रेशन के बारे में क्या है ?

श्री रामावतार शास्त्री : इन्होंने सही कहा है —

“The Union Minister, who was inaugurating the convention of lawyers for legal aid, democracy, freedom and socialism said that some mischievous and vested elements were trying to create a scare in the minds of the people....”

MR. SPEAKER. I also attended this conference. I knew that the Law Minister was also there. But the question is whether he inaugurated the conference. The press report is there it is for the minister to confirm it.

DR V A. SEYID MUHAMMAD: The question was whether the Law Minister inaugurated it. The answer is, he did not inaugurate it, but he attended it.

MR SPEAKER: When the Minister says it, it has to be accepted.

DR. RANEN SEN. Inaugural address means he inaugurates it. What is the difference?

DR. V. A. SEYID MUHAMMAD: It was the Chief Minister of Bihar who inaugurated it. Mr. Gokhale only attended it.

MR. SPEAKER: So, obviously that report is wrong.

श्री रामावतार शास्त्री : उन्होंने यहां बतव्य दिया है, उसमें मुख्य रूप से तीन बातों की चर्चा है—सौलिक अधिकारों

में परिवर्तन किया जाय, इसमें राइट टू वर्क, काम करन के अधिकार को जोड़ा जाय। दूसरी बात उन्होंने कही कि संविधान में संशोधन करने के लिए एक हाई पावर कमेटी बनायी जाय। तीसरी कानूनी सहायता की बात कही। इन्होंने कानूनी सहायता का तो जबाब दिया लेकिन मैं यह जानना चाहता हूँ कि मौलिक अधिकारों में परिवर्तन खास तौर से काम करने के अधिकार को उसमें जोड़ने की जो बात है, संविधान में परिवर्तन करने के लिए एक हाई पावर कमेटी गठित करने की जो बात कही गयी है और उसका जवाब आपने नहीं दिया है, उसके बारे में सरकार का क्या रुख और नीति है और वह कहां खड़ी है ?

DR. V. A. SEYID MUHAMMAD: Along with the question of amendment of the Constitution, various other suggestions have been put forward not only here but in other places also. All those suggestions are being considered. A final decision has not been taken.

श्री रामचतार शास्त्री : पूरे भारत में संविधान में संशोधन करने की मांग बहुत औरों से उठ रहा है। मैं जानना चाहता हूँ कि इस संदर्भ में संविधान में संशोधन करने का कोई विधेयक आप इस सत्र में या अगले में या उससे अगले में यानी 1976 में किसी भी सत्र में लाने का विचार रखते हैं और अगर नहीं तो क्यों नहीं ?

DR. V. A. SEYID MUHAMMAD: The matter is being considered and no specific date can be given at this stage.

SHRI B. V. NAIK: The very first sentence of the Lawyers' Convention reads like this: "This Convention of lawyers of Bihar records its deep sense

of appreciation of the programme of legal aid to the weaker sections of society, etc. etc." May I know whether there is a programme meaning that there is a financial commitment in regard to the programme of legal aid? If so, how much of money has been provided in the current year's budget or at the time when this Conference was held? And if no money has been provided for this, whether this resolution itself is again a jkhut?

DR. V. A. SEYID MUHAMMAD: We have not adopted any programme. Basing on the report of Justice Krishna Aiyer, we are examining the whole thing and if found necessary, a bill will be introduced.

श्री विभूति बिश्व : जब हम फ्रीडम की लड़ाई लड़ रहे थे तो सब डिविजनल कोर्ट में 'डिस्ट्रिक्ट कोर्ट में' हाई कोर्ट में उस जमाने में स्वतः कुछ वकील लोग गरीब लोगों की मदद करते थे। मैं मंत्री महोदय से जानना चाहता हूँ कि स्वाधीनता के बाद इस मदद का आपके कामजों में क्या स्वरूप है ? डिस्ट्रिक्ट कोर्ट, सब डिविजनल कोर्ट, हाई कोर्ट, सुप्रीम कोर्ट, आदि में जो वीकर मैक्शन के लोग हैं, जो गरीब हैं उनकी मदद के लिए आपने कौन सा कायदा बनाया है, क्या उसका स्वरूप है, किस तरह से गरीबों की सुनवाई की व्यवस्था आप कर रहे हैं।

DR. V. A. SEYID MUHAMMAD: The question under consideration is not only in regard to a particular court but in regard to Munsif's Court, District Court, High Court and Supreme Court. The entire thing is being considered and if necessary, action will be taken at the appropriate time.

SHRI PRIYA RANJAN DAS MUNSI: whether the concept of legal aid has been formed; if so, what action has been taken in this regard in various States? Whether the conferences held in various States have been

financed partly by the Central Government and partly by the State Government? If so, who is going to be held responsible for keeping the accounts?

DR. V. A. SEYID MUHAMMAD: Various States have promulgated their own schemes. If the hon. Member wants all the details, I can lay them on the Table. Now the question is, to what extent the State Governments should help and to what extent the Central Government should help. Roughly Rs. 70 crores will be involved in this. So, these matters are being considered now.

SHRI PRIYA RANJAN DAS MUNSI: He did not reply to my specific question.

MR. SPEAKER: He says that he will lay the Statement on the Table.

Question Nos. 553 and 563 can be clubbed together.

Revision of Drug Prices by Drug Manufacturers

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*553. **SHRI SHIV KUMAR SHASTRI:**

SHRI C. JANARDHANAN:

Will the Minister of **CHEMICALS AND FERTILIZERS** be pleased to state:

(a) whether Government has allowed the pharmaceutical units to revise the drug prices upwards; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI C. P. MAJHI): (a) and (b). A statement is laid on the Table of the House.

Statement

(a) and (b). There is a comprehensive Drug (Prices Control) Order, 1970 which provides for a mechanism

for revision in price consequent to escalation in material cost and other factors. The Government have allowed price increases to the drug units in accordance with the provision of the said order, after necessary scrutiny/examination by the BICP.

Excise duties on patent or proprietary medicines and medicinal preparations containing alcohol, narcotic drugs and narcotics have been increased by the Central Government with effect from the 16th day of March, 1976. The retail prices approved under DPCO *inter-alia* include the element of excise duty and as the processing of applications for price revision was likely to take some time, Government has allowed the manufacturers to revise the retail prices of medicines and medicinal preparations to the extent of element of excise duty levied from said date as determined by the concerned Excise Authorities. The new price will be applicable on batches cleared through the Excise Authorities from the 16th of March, 1976. The manufacturers are required to furnish revised price lists incorporating the relevant batch numbers to which the revised price is applicable.

Permission to increase Retail Prices of Medicines

*563 **SHRI N K SANGHI:** Will the Minister of **CHEMICALS AND FERTILIZERS** be pleased to state:

(a) whether Government have permitted the pharmaceutical companies to increase the retail price of medicines to the extent of additional excise duty levied;

(b) if so, whether adequate precaution has been taken by Government to ensure that this direction of Government is not misused for batches of medicines which were produced during 1975-76; and

(c) if so, the precautionary measures taken and what would be the