

Smarak Nidhi? In what way do Government propose to co-operate with it in the eradication of this scourge?

Dr. Ambedkar: Government is bound to co-operate in all possible ways it can.

Shri Sivan Pillay: May I know whether there are no leprosy clinics at all, and if so which is that unfortunate State?

Dr. Ambedkar: I can believe that there may be many States where there are no such clinics.

(60)

*LADY HARDINGE MEDICAL COLLEGE

1084. Shri Alexander: Will the Minister of Health be pleased to state?

(a) the financial aid given to the Lady Hardinge Medical College by the Government of India;

(b) whether the Government of India are represented on its governing body and if so, by how many members;

(b) whether this institution is intended to serve the whole of India;

(d) whether any principle is observed in the matter of allocation of seats to the various States; and

(e) the number of students admitted this year State-wise?

The Minister of Law (Dr. Ambedkar): (a) The grants paid to the Lady Hardinge Medical College vary from year to year. The grants paid during the last three years are as follows:

1948-49	...	Rs. 5,23,100
1949-50	...	Rs. 10,80,576
1950-51	...	Rs. 9,44,000

(b) The Government of India as such are not represented on the Governing Body. Seven officials are, however, members of that Body.

(c) Yes.

(d) While every effort is made by the College authorities to admit students from as many States as possible provided the applicants are otherwise suitable, preference is given to the Centrally Administered Areas and those States where facilities for Medical education are limited. The question of the adequacy of the rules of admission to the College from the point of view of the maintenance of the All India character of the Institution is, however, engaging the attention of Government.

(e) A statement containing the required information is laid on the Table of the House. (See Appendix VII, Annexure No. 12).

Shri Alexander: With reference to answer to part (a) may I know whether the Government have received any complaints against the administration of the College and if so, whether the Government propose to take over the administration of the College ?

Dr. Ambedkar: I have no information.

Shri Kamath: Do not those seven officials mentioned by the Minister, represented the Government which has nominated them in the Committee ?

Dr. Ambedkar: I must have notice of the question.

Shri Kamath: Has the Hon. Minister all the names of the officials, their designations or their ranks ?

Dr. Ambedkar: I must also have notice for this question.

Shri Brajeshwar Prasad: May I know whether the Secretary of the Finance Ministry is a Member of this Committee in an individual capacity or in his official capacity ?

Dr. Ambedkar : I would like my hon. colleague to answer that question.

The Minister of Finance (Shri C. D. Deshmukh): In his official capacity.

Shri Kamath: Is it a fact that at no point of administration or the Committee's work the Minister of Health comes into contact with this institution ?

Dr. Ambedkar: She must be, I am sure.

Shri Kamath: Government is not represented at all. He does not know.

Dr. Ambedkar: I cannot say what is the original constitution of this body.

Mr. Deputy Speaker: Next question, Mr. Guha.

(61)

***TRAINING OF MIDWIVES AND NURSES**

1081. Dr. M. V. Gangadhara Siva: (a) Will the Minister of Health be pleased to state the names of the institutions in Delhi maintained by Government and those which receive Government grant for training midwives, nurses and health visitors in Delhi ?

(b) What is the number of students of each of these categories fixed for admission to these institutions ?

(c) Is it a fact that more students than can be admitted in these institutions apply every year for admission ?

(d) If so, how many approximately are refused admission ?

The Minister of Law (Dr. Ambedkar): (a) and (b) A statement containing the required information is laid on the Table of the House (See Appendix VII, Annexure No. 13.)

(c) Yes.

(d) The information is being collected and will be laid on the Table of the House in due course.

(62)

****EMETINE**

1093. Shri Kamath: Will the Minister of Health be pleased to state :

(a) what steps have been taken in the past and are being taken at present to cultivate in India Ipecacuanha plants, the roots of which yield Emetine, a specific for amoebic dysentery;

*P. D., Vol. 9, Part I, 17th September 1951, p. 1403.

***Ibid.*, p. 1405.

(b) the incidence of amoebic dysentery in India;

(c) the quantity and value of Emetine and Ipecac root imported annually into India and from which countries;

(d) whether it is a fact that some work has been done in the direction of Ipecac cultivation in West Bengal by the Cinchona Directorate, if so, with what result; and

(e) whether it is proposed to extend the existing West Bengal Ipecac plantations, and if so, what steps are contemplated?

The Minister of Law (Dr. Ambedkar): (a) It is understood that difficulties attending its cultivation in India have so far deterred its being taken up on a commercial scale. The Indian Council of Agricultural Research is carrying on experimental cultivation of ipecacuanha and has included it in the co-ordinated scheme formulated by the Council for the cultivation of medicinal plants in Coimbatore, Panchagani and Darjeeling;

(b) The incidence of amoebic dysentery is considered to be high particularly in the Eastern and Southern parts of India, namely, Madras and West Bengal. As the disease is not notifiable, no statistics are however maintained;

(c) Statistics regarding the imports of Emetine Hydrochloride and Ipecac root are not available;

(d) and (e). The information has been called for from the Government of West Bengal and will be laid on the Table of the House in due course;

(63)

***AYURVEDIC RESEARCH INSTITUTE**

1094. Dr. V. Subramaniam : (a) Will the Minister of Health be pleased to state whether the scheme for the establishment of an Ayurvedic Research Institute as per the recommendations of the Committee on indigenous systems of medicine (Pandit Committee) has been placed before the Standing Committee of Parliament for the Ministry of Health and the Standing Finance Committee?

(b) If so, what are their recommendations and has the scheme since been sanctioned?

The Minister of Law (Dr. Ambedkar): (a) and (b)
The scheme is under active consideration. It will be shortly placed for approval before the Standing Committee of Parliament for the Ministry of Health and the Standing Finance Committee.

(64)

***DIRECTORATE OP HOUSING**

259. Shri Kamath : Will the Minister of Health be pleased to state:

(a) the date on which the Directorate of Housing was set up ;

(b) the date on which it came to an end;

(c) the nature and volume of work accomplished by the Directorate during this period; and

(d) what were the qualifications of the Director of Housing ?

The Minister of Law (Dr. Ambedkar): (a) and (b)
No separate Directorate of Housing as such was set up. A Directorate of Housing with a skeleton personal staff was appointed with effect from the 4th October, 1948. The Director of Housing relinquished charge of his office on the 1st July 1951.

(c) The Director of Housing gave advice to the various Ministers of the Government of India, the State Governments and Local Bodies on questions relating to housing. Most of his time was however taken up with the construction and management of the Government Housing Factory.

(d) The attention of the hon. Members is invited to the reply given to part (c) of his Starred Question No. 390 on the 7th December, 1949.

(65)

***LEPERS**

1176. Dr. Deshmukh: (a) Will the Minister of health be pleased to refer to the answer given to starred question No. 1326 asked on the 8th April 1948, regarding lepers and leper-asylums in India and state whether Dr. Dharmendra who was deputed to U.S.A., U.K., South America and the Philippines has since returned ;

(b) If so, what is the result of his tour;

(c) What work is he doing at present;

(d) Has the treatment of the lepers undergone any radical change since his return and if so, in what way;

(e) What steps have been taken for the establishment of a Central Teaching and Research Institute for Leprosy;

(f) Has a permanent cure as well as an effective preventive against leprosy now been discovered;

(g) If so, to what extent are the people of India benefiting from this?

The Minister of Law(Dr. Ambedkar): (a) Yes, on the 12th November, 1948.

(b) During his tour he studied anti-leprosy work carried on in the various countries he visited.

(c) He is at present the Head of the Leprosy Research Department at the Calcutta School of Tropical Medicine. His activities include research, teaching and clinical work. He is also the Editor of the Journal "Leprosy in India" published by the Hind Kusht Nivaran Sangh.

(d) With the introduction of sulphone treatment for leprosy the duration of treatment has been shortened.

(e) The Central Leprosy Institute Committee recommended the location of the institute in Madras State, by taking over and expanding the Lady Willingdon Leprosy Sanatorium at Tirumani, and the silver Jubilee Children's Clinic, Saidapet, both in Chingleput District, Madras State, on certain financial conditions being satisfied by the Government of Madras. The

Madras Government did not, however, agree to the conditions. The question of locating the institute in Orissa is now under consideration.

(f) No. It is too early to assess the value of sub phone treatment.

(g) Does not arise.

Dr. Deshmukh: May I know what are the reasons why Orissa is being chosen and why Madhya Pradesh has not been chosen? Is it not a fact, Sir, that the largest number of leprosy homes are situated in Madhya Pradesh?

Dr. Ambedkar: I do not suppose that the Madhya Pradesh Government ever expressed any desire to the Central Government that that State might also be considered for the purpose of the location of the Institute.

Dr. Deshmukh: Is there any proposal before the Central Government to give any financial assistance to the asylumes for lepers?

Dr. Ambedkar: I suppose wherever possible they would give assistance.

Mr. Deputy Speaker: I can say generally when one Hon. Minister answers for another Minister, with respect to supplementary questions that the hon. Member has to ask, he need not go far out of the exact question. He might try to limit and reserve these questions. I do not mean to say that they are irrelevant; they do arise but the Hon. Minister cannot be expected to answer them.

Dr. Deshmukh: When another Minister answering questions for some one else happens to be a habitual affair, what are we to do, Sir?

Mr. Deputy Speaker: Next Question.

Shri Jangde : One question, Sir. With the Hon. Minister kindly state what expenditure was incurred on the tour of Dr. Dharmendra who was deputed to U.S.A., U.K., South America and Philippines to study the work being carried on there in connection with leprosy?

Dr. Ambedkar: From the information that is at my disposal here, I find that to meet the cost of the attendance of

Dr. Dharmendra at the International Leprosy Conference in Cuba and his study tour abroad, the Government of India sanctioned a sum of Rs. 17,350 to the British Empire Leprosy Relief Association. Dr. Dharmendra's pay for the period of his deputation was however met by the Indian Council of Medical Research.

Dr. Deshmukh : Has the cost of the treatment of a patient been calculated so far as this new treatment is concerned ? Is it very costly ?

Dr. Ambedkar: I am unable to answer this question now. I should like to have notice.

(66)

*HARTAL OF REFUGEE STALL HOLDERS

1185. Shri Jnani Ram : Will the Minister of Health be pleased to state :

(a) whether the refugee stall holders of Irwin Road and Panchkuina Road, New Delhi are observing hartal since the 27th August, 1951;

(b) if so the reasons for the same; and

(c) whether any enquiry has been ordered in the matter ?

The Minister of Law (Dr. Ambedkar): (a) The stallholders observed hartal for 3 days from the 27th to 29th August, 1951.

(b) Although there had been disputes between the New Delhi Municipal Committee and the stallholders for some time, it is understood that the immediate cause of the hartal was the launching of prosecutions by the Committee against a number of stallholders for contravening municipal byelaws.

(c) The question of an enquiry does not arise.

Shri Jnani Ram: May I know whether the grievances of the stallholders have now been removed ?

Dr. Ambedkar: There are hardly any greivances. From the papers that were handed over to me, it seems to me that the dispute is purely of a legal character. The municipality holds that they are licencees while the stallholders claim that they are lessees. The municipality says that since they are licencees, the municipality is entitled to remove them without any notice, while the stall-holders say that they are lessees and they must be governed by the terms of their leases. It is purely a legal dispute which can only be adjudicated by some court or judicial authority.

Shri Sidhva: Do these stall-holders pay rent under certain agreements to the effect that they will be known as licencees ?

Dr. Ambedkar: So far as I could understand and I speak subject to correction—they have been allowed to just sit and squat and do their business for the time being. But they say that they have been squatting so long that their licences have now matured into leases.

Several Hon. Members: No, they are not squatters.

Mr. Deputy Speaker : Hon. Members cannot be educated in law. They probably want to know the difference between a licence and a lease.

Shri Sidhva: My question was whether they pay rents ?

Mr. Deputy Speaker: I am not going to allow opinions on legal questions.

Shri Sarangdhar Das: Besides the legal aspect of this matter, have there been any complaints about the non-availability of water and lack of sanitary arrangements in the places where the stalls have been built ?

Mr. Deputy speaker: It does not arise out of this question. Was *it* for want of these amenities that the strike was started ?

Shri Sarangdhar Das: This was also a part of their grievances.

Dr. Ambedkar: So far as I know only because of the prosecutions launched by the Municipal Committee did the strike take place.

(67)

***PETITION OF MAHILA SAMITI, JAIPUR,
REGARDING WOMEN VOTERS OF RAJASTHAN**

1266. Shrimati Durgabai (on behalf of Shrimati Renuka Ray): (a) Will the Minister of Law be pleased to refer to the answers given to supplementary questions raised on Starred Question No. 534 asked on the 27th August, 1951 and state whether the omission of the names of women voters was due to the fact that their proper names were not initially put down by the officials who prepared the lists ;

(b) Is it a fact that these officials did not get instructions to take proper names of the women concerned which resulted in the omission of their names from the electoral rolls ?

The Minister of Law (Dr. Ambedkar): (a) No, Sir. The officials who prepared the lists initially were unable to get the real names of women voters in some States. I understand that this was due to the disinclination of the women, as well as their relatives, to disclose their names.

(b) The Election Commission had issued specific instructions to State Governments that women voters must be registered by their proper names and not as “wife of” or “daughter of” and so. The State Governments were also instructed to make every effort through governmental agencies to ascertain the real names of women voters who were not registered on the rolls by their actual names. The public were so invited to assist in this task. It was not due to lack of proper instructions that the names could not be entered in the rolls in the prescribed manner.

Shrimati Durgabai: Sir, will you be so good as to allow one or two supplementary questions ?

Mr. Deputy Speaker: No, this is not the Question-hour.

Shri Sondhi: And the hon. Member knows the rules herself.

(68)

***HINDU DIVORCE**

1412. Shrimati Jayashri: Will the Minister of Law be pleased to state :

(a) the names of States where legislation permitting Divorce of Hindu marriages is in force;

(b) the number of applications for Divorce received by courts in these States during the year 1950;

(c) the number of applicants granted divorce in 1950;

(d) the number of applications rejected during the year 1950 ; and

(e) the total number of male and female applicants during the year 1950 ?

The Minister of Law (Dr. Ambedkar): (a) As far as I am aware, legislation permitting divorce among Hindus is in force in Bombay and Madras only.

(b) to (e) The exact figures for the year 1950 are not available. I understand from Bombay that the figures in regard to that State for the period from 12th May, 1947, when the Act came into force to the end of June, 1950 are as follows :

Total number of applications	...	5,356
Number of male applicants	...	2,452
Number of Female applicants	...	2,904
Number of applicants granted divorce	...	2,756
Number of applications rejected	...	1,164

I have not received any information from Madras so far.

(69)

***PREVENTION OF HINDU BIGAMOUS
MARRIAGES ACT**

1413. Shrimati Jayashri : Will the Minister of Law be pleased to state:

(a) the names of the States where legislation for the Prevention of Hindu Bigamous Marriages is in force;

(b) the number of cases of marriages performed in contravention of provisions of the Act, in the year 1950 ; and

(c) the cases which ended in conviction, during the year 1950?

The Minister of Law (Dr. Ambedkar): (a) As far as I am aware, legislation for the prevention of bigamous marriages among Hindus is in force in Bombay and Madras only.

(b) and (c). The exact figures for the year 1950 are not available. I understand, however, from Bombay, that the number of marriages performed in contravention of the Bombay Act between 6th November, 1946, when it came into force, and 31st August, 1950, is 1,934, and the number of cases which ended in conviction during the same period in that State is 756. I have not received any information from Madras so far.

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ANNEXURE

(A)

*LEGAL PRACTITIONERS AND BAR COUNCILS (AMENDMENT) BILL

The Honourable Dr. B. R. Ambedkar (Minister for Law): Sir, I move :

“That the Bill further to amend the Legal Practitioners Act, 1879, and the Indian Bar Councils Act, 1926, be continued.”

Shri Biswanath Das : (Orissa : General): May I know the stage at which this Bill stands ?

The Honourable Dr. B. R. Ambedkar: It was merely introduced.

Mr. Speaker: The question is :

“That the Bill further to amend the Legal Practitioners Act, 1879, and the Indian Bar Councils Act, 1926, be continued.”

The motion was adopted.

(B)

**PRESS (SPECIAL POWERS) BILL

The Honourable Sardar Vallabhbhai Patel: Sir, I move:

That for clause 17 of the Bill, the following clause be substituted, namely:

“Repeal of Ordinance X of 1947

‘17. The Press (Special Powers) (No. 2) Ordinance, 1947, is hereby repealed’.”

Mr. Speaker: The words on the left side appear to be a marginal note.

The Honourable Dr. B. R. Ambedkar (Minister for Law): Those words need not be put.

* C. A. (Leg.). D., Vol. 1, Part II, 17th November 1947, p. 40.

***Ibid.*, 20th November 1947, p. 353.

***Mr. Speaker:** I shall take up this amendment after the Honourable Minister has moved that the Bill as amended be passed.

The Honourable Dr. B. R. Ambedkar: Sir, may I with your permission go back to clause 2 and move that for the word “something” in the clause the word “anything” be substituted. That is the more appropriate word that should have been used. There was an amendment but unfortunately my honourable Friend did not move it.

Mr. Naziruddin Ahmad: I was too late and that was the reason.

(C)

****DISPLACED PERSONS
(LEGAL PROCEEDINGS) BILL**

The Honourable Dr. B. R. Ambedkar (Minister of Law): Sir, I beg to move for leave to introduce a Bill to make special provision for the relief of displaced persons in respect of certain legal proceedings.

Mr. Speaker: The question is:

“That leave be granted to introduce a Bill to make special provision for the relief of displaced persons in respect of certain legal proceedings.”

The motion was adopted.

The Honourable Dr. B. R. Ambedkar: Sir, I introduce the Bill.

*C. A. (Leg). D., Vol. 1, Part II, 20th November 1947, p. 355.

***Ibid.*, Vol. 3, Part II, 31st March 1949, p. 2141.

(D)

***DEMAND FOR SUPPLEMENTARY GRANTS FOR
1948-49 (ADMINISTRATION OF JUSTICE)**

Mr. Speaker: I think then, I should first call upon the Honourable Law Minister to reply to Demand No. 34. I have to put it to vote. I thought the honourable Member wanted to speak on that.

Shri R. K. Sidhva: No, Sir.

The Honourable Dr. B. R. Ambedkar (Minister of Law): Sir, this item 'Administration of Justice' really belongs to the Home Ministry, because they are in charge of the subject, but I am sure, we must today at least spare the Sardar of the trouble that would be involved in replying to this debate. I am, therefore, taking the responsibility on my shoulders. I must also say that I have had no previous consultation with him and so, I do not know, whether I would be exactly representing the views of the Home Ministry on the subject that I am speaking.

Sir, this question of the law's delay is a long cry that we have been hearing in this country and the Government of India, if I remember correctly, at one time appointed a Committee the Civil Justice Committee—and some of the recommendations made by that Committee were incorporated both in the Civil Procedure Code as well as in the Criminal Procedure Code with the object of avoiding delay in the matter of coming to conclusions so far as litigation was concerned. At the same time that unfortunately has not in any way softened the complaint which we are now hearing about the law's delay. In my judgment and I think both my honourable friends, Dr. P. S. Deshmukh and Shrimati Durgabai, who have had considerable experience of practice in the Courts will agree that much of the delay that takes place in litigation is really due to the clients themselves. So far as my experience goes, in law courts every client on an appointed day instead of coming prepared either with the witnesses or with the

*C. A. (Leg). D., Vol. 3, Part II, 31st March 1949, pp. 2151-53.

documents or some other *subpoena* that has been issued by the court, comes with nothing except a petition asking for a postponement. If the postponement is not granted, he either abandons his pleader thinking that he has no influence with the judge, because he has not been able to get the adjournment or postponement or he becomes thoroughly dissatisfied and the court has to consider whether in the interests of avoiding delay his application should be rejected. It may be that in view of the ignorance of our general mass of population they cannot be expected to be prepared with everything at the appointed time, and if they are not given time, even though their cause may be very just, it may be lost.

Secondly, so far as the procedural law is concerned, there is all the method and all the rules necessary for avoiding delay. If our people who want to litigate about matters of dispute were more expeditious, more efficient and more alert in collecting their evidence, they themselves would avoid a great deal of delay that takes place in the matter of litigation.

Dr. P. S. Deshmukh : What about the delays in the High Courts ?

The Honourable Dr. B. R. Ambedkar: Well, the delays in the High Courts also to a large extent are due to this fact. My honourable friend probably does not know, as I happen to know, that many of our people believe in astrology. When they are told that their case is fixed on a particular date, they first go to the astrologer to find out whether that is an auspicious day, and if they find that it is not an auspicious day, they run up to Bombay and get in touch with the office of the Registrar of the High Court, sometimes bribe the clerks heavily in order to take the case of the board on that particular day. I know many such cases. Therefore, we have done so far as procedural law is concerned to avoid delay.

Shrimati G. Durgabai: Is not delay due to the printing of the records which takes a very long time ?

The Honourable Dr. B. R. Ambedkar: Well, I suppose, in view of the fact that the Privy Council has laid down that

all cases which come to them must have the records printed, the High Court has to follow that rule. Probably the Supreme Court hereafter may follow a different rule, we cannot say.

With regard to the lower judiciary, there is certainly much room for improvement. I quite agree that our judicial stations so to say, the towns where the Sub-Judges sit are sometimes very far away from the villages, and the villagers have to incur large expenses for travelling from their villages to the places where they are situated. I have sometimes thought whether it would not be desirable for our Sub-Judges or some others subordinate to the Sub-Judges to go on what we may call circuit. You can have a circuit of six or seven in the villages which this man can visit from week to week, and hear the cases right in the villages. That, I think, is a feasible thing. I must say that that is a matter which is entirely within the power of the Provincial Governments. It is they who can reorganise the judiciary in terms of my suggestion if they think that that is a suggestion worth accepting.

With regard to the question of court fees, that again is a matter which is entirely within the purview of the Provincial Governments. If the Provincial Governments think that court fees are so fixed that they are beyond the capacity of the litigants, it is for them to lower the court fees and give relief to the litigant public in that manner. With regard to the question of legal aid, there is *no* doubt that there is a necessity for doing something in that behalf. As every one knows, the British Parliament has recently passed an Act making it a national responsibility to provide aid to a litigant who is unable to find money for his litigation. However valuable that step might be it seems to me that having regard to the economic capacity of the people of our country, it would be perhaps impossible to place such a burden upon the national revenues of the country. There is no doubt that some other method might, be found whereby some amount of partial relief may be given to people who are indigenous and who. have important questions of law to be settled.

Something was said with regard to the Law Revision committee. It seems to me that there is a certain amount of

misunderstanding about that matter. There is no doubt in England there is a Statute Law Revision Committee ; but its function is a very limited one. I have with me the Statute Law Revision Committee Act passed in 1927. It is an act which, is passed from time to time by the Parliament. The object of the Statute Law Revision Act is to delete from the Statute book of laws which have become spent, whose purposes have been served and which are not in force, and things of that sort. It is only to clear the dead wood, so to say, from the Statute book of laws which have become unnecessary. Here, I find that the Statute Law Revision Committee was appointed in 1921. Although the intention of the Government of India when they appointed that Committee was very much the same as embodied in the British Statute, it somehow took upon itself quite a different species of work namely to suggest to the Government certain laws which they themselves drafted. I do not know whether that sort of a thing is necessary. Because, the drafting of laws is entirely a matter for the Government and the drafting is entirely left to the draftsmen who are engaged in the Law Department. From that point of view, therefore, the Law Revision Committee does not appear to me very necessary unless it is found that the Law Department, by reason of the shortness of its personnel is not able to depute somebody whose duty would be to see what laws have been spent, what are unnecessary and what have gone out of force. However, I shall keep the suggestion in my mind when the Government has the time to deal with this question.

With regard to the Federal Court, the question has been raised that the number of Judges is small for the work that is now pending before the court. The question was also raised that the Federal Court is not equipped with a library such as a Federal Court should have. I have not the least doubt in my mind that the Government of India will never be callous to the requirements of the Federal Court and of its library equipment. I have no doubt that this matter will be discussed when the Federal Court will be converted into the Supreme Court. There is not a very long time between the transference of the Federal Court into the Supreme Court. Consequently, these reforms which have been suggested with regard to the

personnel of the Federal Court and its library equipment can well be delayed until the formation of the Supreme Court. I have no doubt about it that the Government of India will bear in mind the requirements of the library, as well as the number of judges that may be necessary to dispose of this work.

Mr. Speaker: I am putting the demands to the House.

The question is :

“That a supplementary sum not exceeding Rs. 2,46,000 be granted to the Governor General to defray the charge which will come in course of payment during the year ending the 31st day of March 1949, in respect of administration of justice.”

The motion was adopted.
