

बिहार विधान सभा वादवृत्त

शुक्रवार, तिथि १४ अप्रिल, १९५०

विषय सूची

पृष्ठ

तारांकित प्रश्नोत्तर	... १-६८
सभी की बैठकों से अनुपस्थित रहने के लिये श्री मुनीन्द्रनाथ मुखर्जी का आवेदन	... ६६
विधान-कार्य : गैरसरकारी विधेयक:	... ६६
बिहार टेनेन्सी (अमेन्डमेन्ट) बिल, १९५०	
[१९५० का वि० सं० १८]—(पुरःस्थापित हुआ)	... ६६
बिहार गोशाला बिल, १९४७	
[विधान परिषद द्वारा यथास्वीकृत]—(स्थगित हुआ)	... १००-१०५
बिहार डावरी रेसट्रेंट बिल, १९४८	
[१९४८ का वि० सं० १२] (स्वीकृत)	... १०६-१४०
गैर सरकारी संकल्प:	... १४०
गंडक योजना (क्रमशः)	... १४०-१४१

(ग) क्या यह बात सही है कि जेल सुधार समिति के सदस्यों ने भी बिहार में शीघ्र ही एक महिला जेल की स्थापना की सिफारिश की है;

(घ) यदि खंड (क), (ख) और (ग) के उत्तर स्वीकारात्मक ही तो क्या सरकार शीघ्र ही एक महिला जेल सम्भवतः मुजफ्फरपुर के प्रास्ताविक चैट्टल जेल बाली इमारात में खोलने के लिये आवश्यक कार्रवाई करेगी?

The Hon'ble Dr. SHRI KRISHNA SINHA : (a) The reply is in the affirmative.

(b) No, it is not a fact. The Female Jail has not been abolished but it has been shifted from Motihari and split up for the time being in three different sections which have been located in the Central Jails at Bhagalpur and Hazaribagh and the District Jail at Muzaffarpur respectively. It will be reopened at Patna as soon as necessary additions and alterations are completed in a portion of the Patna Camp Jail.

(c) Yes.

As a separate Female Jail was already in existence before the Jail Reforms Committee was constituted, the question of creating a separate Female Jail on the Jail Reforms Committee's recommendation does not arise. The Committee, however, recommended that the Female Jail should be centrally situated at Patna.

(d) In view of the replies given above the question of locating the Female Jail within the proposed Central Jail at Muzaffarpur does not arise.

POSTS OF ASSISTANT PUBLIC PROSECUTORS.

***420. Shri BURHANUDDIN KHAN :** Will the Hon'ble the Chief Minister be pleased to state—

(a) whether the posts of A. P. Ps. appointed for Lower Courts on temporary basis are proposed to be made permanent or whether they are proposed to be abolished;

(b) if Government have not yet finally decided this matter, will the Hon'ble the Chief Minister be pleased to give an approximate idea of the time Government will take for deciding this matter finally;

(c) whether Government have realised the difficulties of young and promising lawyer now working as A. P. Ps. throughout the State of Bihar on a fixed small salary without knowing their future prospect;

(d) if the answer to (c) be in the affirmative whether Government propose to take steps to remove the suspense;

The Hon'ble Dr. SHRI KRISHNA SINHA :

(a) (b), (c) and (d) In 1944 seventeen whole time lawyer Assistant Public Prosecutors were appointed to replace one Court Sub-Inspector at each of the district headquarters at Jamshedpur on a salary of Rs. 125 per month. The *experiment* was undertaken with a view to action better results in the prosecution of Government cases in the magisterial courts and to relieve Police Officers for general duties. After having tried the Scheme for 2 years, Government called for the opinion of all District Officers, all Commissioners and the Inspector-General of Police about the success of the Scheme. The consensus of opinion was that from the point of view of efficiency of prosecutions, lawyers were preferable to Prosecuting Inspectors and Court Sub-Inspectors. Government ultimately decided to continue that arrangement of having one A. P. P. at the seventeen headquarters including Jamshedpur and to develop the Scheme further in the few districts of Patna, Gaya, Shahabad, Saran and Monghyr by replacing all P. Is. and C. S. Is. in these districts (including subdivisions) by senior and Junior (whole time) lawyer A. P. Ps. The pay of the senior A. P. Ps. at district headquarters and subdivisional headquarters was fixed at Rs. 250 and Rs. 215 per month respectively while the pay of all the Junior A. P. Ps. was fixed at Rs. 200 a month. The pay of the A. P. Ps. in other 12 districts was also raised to Rs. 200 a month. The C. L. A. at the rates admissible to other Government servants on the same pay was also allowed to the A. P. Ps. The District Officers were to report after a year on the result of the experiment. Reports from local officers have since been received and a searching review of the working of the present system of prosecution of cases by lawyer A. P. Ps. is being made by Government. The U. P. Police Re-organisation Committee, 1947, had recommended that prosecution of Government cases should be entrusted to a separate Prosecution Branch consisting of Police Officers specially appointed and trained for that kind of work. An enquiry as to whether the recommendation referred to above has been accepted and given effect to was made from the Government of U. P. Their reply has just been received and is being examined by Government. Meanwhile Government have decided to extend the terms of the existing posts of A. P. Ps. by another six months by which time it might be possible for Government to come to a final decision.

PAYMENT OF FEES TO PUBLIC PROSECUTORS AND GOVERNMENT PLEADERS.

***421. Shri BURHANUDDIN KHAN :** Will the Hon'ble the Chief Minister be pleased to state—

(a) if it is a fact that P. P. and Government pleaders are paid daily working fees at the pre-war rates ;

(b) if not, what is the present rate and what was the pre war rate ;

(c) if the answer to clause (a) be in the affirmative, whether the salary of all Government servants of almost all the departments has been increased by grant of D. A. allowances and otherwise due to the abnormal increase in the cost of living ;