

THE LEGISLATIVE COUNCIL OF THE GOVERNOR

OF

BIHAR AND ORISSA.

Saturday, the 17th February, 1934.

The Council met in the Council Chamber at Patna at 11 A.M., the Hon'ble the President in the Chair.

QUESTIONS AND ANSWERS.

SEPARATE HIGH COURT FOR THE PROPOSED PROVINCE OF ORISSA.

25. (a) Babu GODAVARIS MISRA : Will Government be pleased to state—

(i) the contribution of the Orissa Division to the Patna High Court ;

(ii) the basis on which this contribution is calculated ;

(iii) the number of judges at present at the Patna High Court ;

(iv) the number of judges to be reduced upon the separation of Orissa as a province from Bihar and Chota Nagpur ;

(v) the estimated expense on the High Court after the separation of Orissa ;

(vi) whether the Orissa Administrative Committee consulted the local Government and the Patna High Court as to their willingness to have the proposed province of Orissa included within the jurisdiction of the Patna High Court and to have the present circuit system continued, and as to the contribution to be levied on the said proposed province on this account ;

[B. Godavaris Misra]

(vii) the basis on which such contribution was calculated;

(viii) the opinion of the Government and of the Patna High Court, received by the Orissa Administrative Committee, as a result of their having consulted them, as referred to in clause (vi) above?

(b) Will Government be pleased to lay on the table the whole correspondence between the Orissa Administrative Committee on the one hand and the Government and the Patna High Court on the other, relating to this question?

Mr. P. C. TALLENTS: (a) (i) and (ii) The Orissa Division makes no specific contribution to the Patna High Court.

(iii) Nine permanent judges, including the Chief Justice, and one temporary additional judge.

(iv) and (v) The answers to these questions depend on whether Orissa remains affiliated to this province in the matter of a High Court.

(vi) to (viii) The Orissa Administration Committee did not consult the local Government in these matters. As to their correspondence with the Patna High Court, the attention of the hon'ble member is invited to paragraph 45 of the Administration Committee's report.

(b) There was no correspondence between Government and the Committee regarding the High Court; Government cannot lay on the table the correspondence between the Patna High Court and the Committee.

Babu GODAVARIS MISRA: Do Government mean to say that no part of the expenditure of the High Court is attributable to the share of the revenues from the Orissa Division?

Mr. P. C. TALLENTS: In the form in which this question was put it was not susceptible of any answer than that stated here. No doubt it may be said that part of the revenues that come from Orissa is spent towards the cost of the High Court, Orissa makes no specific contribution for that purpose.

Babu GODAVARIS MISRA: Have Government made any calculation as to the part of the revenues from Orissa which is spent on the High Court?

Mr. P. C. TALLENTS: It would not be possible to make such a calculation.

[17th February 1934]

Babu GODAVARIS MISRA: Have Government arrived at any decision as to whether they will have the new province of Orissa affiliated to the Patna High Court?

The Hon'ble the PRESIDENT: Will the hon'ble member explain his question.

Babu GODAVARIS MISRA: Sir, the answer is: it depends on whether Orissa remains affiliated to this province in the matter of a High Court. I want to know whether Government have arrived at any decision whether or not the new province of Orissa will be affiliated to the Patna High Court.

Mr. P. C. TALLENTS: No decision has been arrived at.

Mr. SACHCHIDANANDA SINHA: Do not Government keep an account of the income from court-fees, stamps and other such things contributed by the people of the Orissa Division in the matter of litigation in the High Court?

Mr. P. C. TALLENTS: That figure could I think be extracted, but no separate account is kept as far as I know.

Mr. NANDA KUMAR GHOSH: Is it a fact that there is at present a Registrar of the Circuit Court at Cuttack and he is supposed to keep an account of the income from Orissa Division so far as the High Court is concerned there?

Mr. P. C. TALLENTS: I assume that the Registrar of the Circuit Court at Cuttack does keep an account of the stamp revenue accruing there—I mean at Cuttack, but that would not cover the cost of the High Court.

APPOINTMENT OF THE ENGINEER OF THE JHARIA WATER BOARD.

26. Babu MANINDRA NATH MUKHARJI: Will Government be pleased to state—

(a) the name, nationality, native country or province, academic qualifications and nature and period of practical experience of the present incumbent to the post of Engineer to the Jharia Water Board;

(b) the terms and conditions in respect of pay, allowance and period of appointment of the said Engineer;

(c) the total number of applications received in response to the advertisement calling for applications for the post of Engineer to Jharia Water Board in 1933;