

**GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE**

**LOK SABHA**

**UNSTARRED QUESTION NO. 5353**

**TO BE ANSWERED ON WEDNESDAY, THE 28<sup>TH</sup> MARCH, 2018.**

**Reforms in Civil Justice System**

**5353. SHRI B.N. CHANDRAPPA**

**Will the Minister of LAW AND JUSTICE be pleased to state:**

- (a) whether the Government is aware that there is an urgent need to bring about reforms in the civil justice system of the country;**
- (b) if so, the details thereof and the steps taken in this regard so far;**
- (c) whether the Government has taken note of the fact that people in the country are very much disappointed due to inordinate delay in disposal of cases in all the courts of the country; and**
- (d) if so, the response of the Government thereto?**

**ANSWER**

**MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS  
(SHRI P. P. CHAUDHARY)**

(a) and (b): A series of measures have been taken to enable the expeditious disposal of civil cases. These include relevant amendments to the Civil Procedure Code to impose limit on the number of adjournments that may be granted to each party to three times and imposition of costs for adjournments; allowing service of summons using email, fax, speed post, courier services or directly through the plaintiff; providing for dismissal of suit where summons are not served in consequence of plaintiff's failure to pay costs; and limiting the time limit for filing of written statement by the defendant.

Necessary amendments have also been made to Arbitration and Conciliation Act, 1996 to make the award within 12 months, to resolve the dispute through fast track procedure, to ensure neutrality of arbitrators, and to restrict usage/ interpretation of the term 'Public Policy of India' as a ground for challenging the award. Further, in March, 2018, the Government has decided to introduce the Arbitration and Conciliation (Amendment) Bill, 2018 in the Parliament, which seeks to facilitate speedy appointment of arbitrators through designated arbitral institutions by the Supreme Court or High Courts.

With a view to address the issue of faster resolution of matters relating to commercial disputes, the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 was enacted and commercial courts were

established at District Levels in all jurisdictions, except in the territories over which the High Courts have original ordinary civil jurisdiction i.e. the High Courts of Bombay, Delhi, Calcutta, Madras and of Himachal Pradesh. The specified value of such commercial disputes to be adjudicated by the Commercial Courts or the Commercial Division of High Court, as the case may be, is presently Rs.1 crore.

Further, in March, 2018, the Government has decided to introduce the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill, 2018 in the Parliament, which seeks to reduce the specified value of a commercial dispute to Rs.3 lakh from the present Rs.1 crore, and provide for establishment of Commercial Courts at district Judge level for the territories over which respective High Courts have ordinary original civil jurisdiction i.e. in the cities of Chennai, Delhi, Kolkata, Mumbai and State of Himachal Pradesh.

(c) and (d): Disposal of cases, including civil cases, pending in various courts of the country, is within the domain of the judiciary. The Central Government is fully committed to assisting the judiciary to enable speedy disposal of cases. It has undertaken many steps towards achieving this objective.

One important step is, strengthening of judicial infrastructure in districts through the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary wherein a total of Rs. 6,100 crore has been released since 1993-94, out of which Rs. 2,655 crore (43.52%) has been released since April, 2014. 17,986 Court Halls and 14,986 Residential Accommodations have been made available for Judicial Officers of District and Subordinate Courts as on date. In addition, 3,151 Court Halls and 1,785 Residential Accommodations are under construction. The Central Government has approved continuation of the Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary beyond the 12<sup>th</sup> Five Year Plan period i.e. from 01.04.2017 to 31.03.2020 with an estimated outlay of Rs.3,320 crore.

Under the Phase-I (2010-15) of the eCourts Mission Mode Project undertaken by the Central Government, against a total target of computerisation of 14,249 courts, the computerisation of 13,672 district and subordinate courts has been achieved. This includes the installation of hardware, the LAN and software. This has enabled the courts to upload the case status and orders online. Status of cases and copies of judgments have also been made available on the websites of the respective District and Subordinate Court Complexes which have been computerised. Rs. 935.00 crore were allocated for Phase – I out of which Rs. 639.41 crore were utilized.

A budget outlay of Rs.1670 crores was approved for the Phase II of the eCourts Mission Mode Project (from July, 2015 upto 31 March 2019). The facilities of e-services such as cause lists, case status, daily orders, judgments etc. are being provided under the supervision of e-Committee of the Supreme Court and Computer Committees of respective High Courts. A total of 16,089 district and subordinate courts have been computerised under the eCourts Project till date. Video Conferencing facility has also been operationalised between 488 court complexes and 342 corresponding prisons during the period 2015-17. The National Judicial Data Grid (NJDG) developed under this project provides updated information on civil and criminal cases, including pending cases, for the computerised district / subordinate courts in the country.

Another initiative with a focus to improve access to justice is the Tele Law Scheme launched on 20<sup>th</sup> April, 2017, which is an effort to provide legal advice pro-actively to the marginalised sections of society through Common Service Centres (CSCs). This initiative facilitates delivery of legal advice through an expert panel of lawyers stationed at the State Legal Service Authorities (SLSA). Under this Scheme, Para Legal Volunteers (PLVs) connect potential litigants with lawyers through video conferencing facilities at CSCs which are, operated by Village Level Entrepreneurs. The Scheme has been launched in 1800 Gram Panchayats in 11 States (U.P., Bihar, J&K, Assam, Arunachal Pradesh, Meghalaya, Mizoram, Manipur, Tripura, Nagaland, Sikkim). A total of 12,218 cases have been registered by PLVs under the scheme and legal advice has been provided in 9,094 cases.

The Government has also launched a scheme for Pro Bono Legal Services in April, 2017 in which interested lawyers and litigants can register on the website ([www.doj.gov.in](http://www.doj.gov.in)) to provide and avail pro-bono legal services as may be required. So far, 224 lawyers have registered on the portal and more than 298 cases have been assigned for pro bono assistance.

In order to reduce cases pending in courts for over 10 years, the Government has recently introduced Nyaya Mitra Scheme covering 227 selected districts of 16 States. Under the Scheme, retired judicial officers are engaged and designated as 'Nyaya Mitra' to facilitate expeditious disposal of the cases pending over 10 years. In the first Phase, 15 Nyaya Mitras have been engaged.

In pursuance of a resolution passed in the Chief Justices' Conference held in April, 2015, 24 High Courts have set up Arrears Committees to clear the backlog of cases pending for more than five years. The Supreme Court has also constituted an Arrears Committee consisting of two Hon'ble Judges to formulate steps to reduce pendency of cases in High Courts and District Courts. At district level, the District Judge holds monthly meeting of all judicial officers to monitor progress made in reduction of long pending cases.

\*\*\*\*\*

