

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

**LOK SABHA**

**UNSTARRED QUESTION NO. 2388**

**TO BE ANSWERED ON WEDNESDAY, THE 01<sup>st</sup> AUGUST, 2018.**

**Time bound Hearing of Cases**

**2388. DR. UDIT RAJ:**

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

- (a) whether the Government has received any proposal for time bound hearings into various criminal and civil matters at the Session Court and District Court level; and**
- (b) if so, the status of implementation of such proposals?**

**ANSWER**

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

(a) & (b): A number of expert committees including Law Commission of India have gone into reasons for delayed disposal of cases. Based on the recommendations made, a series of provisions have been introduced in procedural laws, namely, Criminal Procedure Code (Cr.P.C.) and Code of Civil Procedure (C.P.C.), to enable time bound hearing and expeditious disposal of criminal and civil cases. These include, inter alia, amendments to discourage unnecessary adjournments; amendments to allow use of audio / video technology in criminal cases; amendments to impose limit on the number of adjournments that may be granted; imposition of costs for adjournments; allowing service of summons using email, fax, speed post, courier services; and, limiting the time limit for filing of written statement.

In addition, specific laws also provide indicative timelines for completion of trial in cases governed under those laws. For example, the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 provides that the Court shall ensure that the arguments are closed not later than six months from the date of the first Case Management Hearing and that the Court shall, as far as possible, ensure that the recording of evidence shall be carried on, on a day-to-day basis until the cross-examination of all the witnesses is complete. Similarly, the Protection of Children from Sexual Offences Act, 2012 provides that the evidence of a child has to be recorded by the Special Court within a period of thirty days and the trial itself should be completed, as far as possible, within a period of one year from the date of taking cognizance of the offence. Another example is that of the Information Technology Act, 2000 which provides that an appeal before the Cyber Appellate Tribunal shall be dealt with as expeditiously as possible and endeavor shall be made to dispose of the appeal within six months.

Hearing and disposal of cases pending in various courts in fixed time frames is within the domain of judiciary. Timely disposal of cases (civil and criminal) in courts depends on several factors which, *inter-alia*, include availability of adequate number of judges, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures.

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