

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS**

LOK SABHA

UNSTARRED QUESTION NO. 5006

TO BE ANSWERED ON FRIDAY, THE 31ST MARCH, 2023

INTERNATIONAL ARBITRATION CENTRE

5006. SHRI KURUVA GORANTLA MADHAV:

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

- (a) whether any treaty has been signed regarding establishment of an International Mediation/Arbitration Centre in India, if so, the details thereof;
- (b) whether the Government has any plans for the development of infrastructure facilities for the Judiciary throughout the country; and
- (c) if so, the details thereof and if not, the reasons thereof?

**ANSWER
MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)**

(a) : Yes, a Host Country Agreement (HCA) was signed on 19.09.2008 between the Government of the Republic of India and the Permanent Court of Arbitration (PCA) for establishment of a Regional Facility of PCA in India. As per the article 1 of the HCA, the Republic of India shall be a host country for the PCA in the peaceful resolution of international disputes through arbitration, mediation, conciliation and fact-finding commissions of inquiry and in providing other appropriate assistance to government, inter- governmental organisations and other entities. Article 1 of the HCA also defines PCA Proceedings to mean any dispute resolution proceedings administered by or under the auspices of the PCA, whether or not pursuant to the 1899 Convention, the 1907 Convention, or any of the PCA's optional rules of procedure, to the extent that any hearing, meeting or other activity related thereto takes place within the territory of the host country and PCA Adjudicator to mean any arbitrator, mediator, conciliator or member of a commission of inquiry taking part in a hearing, meeting or other activity in relation to PCA proceedings. Further, as per article 4 of the HCA,

Ministry of External Affairs (MEA) has to coordinate on behalf of the Government all issues arising with respect to implementation of the agreement. Also article 6 of the HCA states that the PCA including any space provided and used pursuant to article 3 shall enjoy mutatis mutandis, the same privileges and immunities as those accorded to the United Nations in the Republic of India pursuant to Art. II of the UN convention (Convention on the Privileges and Immunities of the United Nations 1946).

(b) & (c): The primary responsibility of the development of infrastructure facilities for the judiciary rests with the State Governments. The Union Government has been implementing a Centrally Sponsored Scheme for the development of infrastructure facilities for the Judiciary by providing financial assistance to State Governments/UTs in the prescribed fund-sharing pattern between the Centre and States. The scheme is being implemented since 1993-94. It covers the construction of court buildings and residential accommodations for judicial officers of the district and subordinate judiciary. The scheme does not cover High Courts. A sum of Rs. 9815 crores has been released under the Scheme so far since its inception, out of which Rs.6370.78 crores (64.91%) has been released since 2014-15. The scheme has been extended from 2021-22 to 2025-26 with a budgetary outlay of Rs. 9000 crores including a central share of Rs. 5307.00 crores. Besides the construction of court halls and residential quarters, the scheme now also covers the construction of lawyers' halls, digital computer rooms, and toilet complexes in the district and subordinate Courts. As on date, 21,297 Court Halls and 18,752 residential accommodations have been made available for judicial officers of the District and Subordinate judiciary in the country. In addition, 2,806 court halls and 1,654 residential units are under construction in various States.