

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF FINANCIAL SERVICES
LOK SABHA

UNSTARRED QUESTION NO. 440

TO BE ANSWERED ON Monday, February 05, 2024/Magha 16, 1945 (Saka)

Cases Pending with Debt Recovery Tribunals

440. SHRI P.V. MIDHUN REDDY

QUESTION

Will the Minister of FINANCE be pleased to state:

- (a) the number of cases pending before the Debt Recovery Tribunals (DRTs);
- (b) whether it is true that the law mandates that an application before the tribunal is to be dealt with as expeditiously as possible and disposed off within 180 days from the date of receipt of application and if so, the details thereof;
- (c) the number of cases which are pending for more than 180 days;
- (d) whether the Government has made any efforts to analyse the reasons behind such pendency of cases; and
- (e) if so, the details thereof and if not, the reasons therefor?

ANSWER

The Minister of State in the Ministry of Finance

(Dr. Bhagwat Karad)

- a) As on 24.01.2024, the total number of cases pending before Debts Recovery Tribunals (DRTs) is 2,15,431 out of which the Original Applications (OAs) filed under Section 19 of the Recovery of Debts and Bankruptcy Act (RDB Act), 1993 is 1,62,317 and Securitization Applications (SAs) filed under Section 17 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002 is 53,114.

(b) As per Section 19 (24) of the Recovery of Debts and Bankruptcy (RDB) Act, 1993, the application made to the Tribunal under sub-section (1) or sub-section (2) of Section 19 of the said Act shall be dealt with by it as expeditiously as possible and every effort shall be made by it to complete the proceedings in two hearings and to dispose of the application finally within one hundred and eighty days from the date of receipt of the application.

(c) As on 24.01.2024, the total number of cases which are pending for more than 180 days before the DRTs is 1,85,076. Out of these pending cases 1,42,187 are OAs and 42,889 are SAs.

(d) and (e) Pendency of cases are analysed from time to time. Pendency of cases has been mainly on account of strategy of litigants in the form of non compliance with the summons issued by the DRTs, seeking intervention of the High Courts in DRT proceedings, choosing not to appear before the Tribunal and then challenging the ex-parte orders passed against them etc. Pendency is also caused sometimes by absence of lawyers either of one side or both sides or requesting adjournments.

A number of steps have been taken to reduce pendency. All vacancies of Presiding Officers (POs) except one are filled up and steps are underway to fill the said vacancy and other anticipated vacancies occurring up to 30.09.2024. All possible steps for facilitating easy access to DRTs for litigants and advocates are also being taken such as providing Video Conferencing facilities for case hearings.