

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:766

ANSWERED ON:21.02.2003

ERRANT JUDGES

ADHIR RANJAN CHOWDHURY;BHASKAR RAO PATIL;CHARAN DAS MAHANT;NARESH KUMAR PUGLIA;SHYAMA SINGH

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

- (a) whether the Attorney General of India has emphasised the need to set up a body to check errant judges in the country;
- (b) if so, the details in this regard;
- (c) whether the judges in the country are deliberately delaying justice for the years;
- (d) if so, the facts thereof; and
- (e) the steps taken by the Government to tone up the judiciary so that the cases are resolved within the stipulated time?

Answer

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF COMMERCE AND INDUSTRY (SHRI ARUN JAITLEY) :

(a) and (b) Yes Sir. The Attorney General for India referred to Paragraph 7.3.8 of the Report of the National Commission to Review the Working of the Constitution which deals with the Removal of Judges and remedies for deviant behaviour.

(c) and (d) No. Sir. The pendency of cases in Courts could be ascribed to various factors which, inter-alia, include vacancies of judges, new legislation, substantial increase in fresh institution of cases, rise in population, heightened awareness of rights on the part of the citizens, granting of adjournments, industrial development in the country, increase in trade and commerce and socio-economic matters, legislative and administrative aspects touching on the lives of citizens, lawyers' strike etc.

(e) Various steps have been taken by the Government for the speedy disposal of cases. These include Fast Track Courts, amendment to the Civil Procedure Code, Permanent Adalats for disputes relating to public utilities, increase in the number of posts of Judges/Judicial officers, establishment of Special Courts/tribunals, improvement in the standards of Legal education, appointment of Special Judicial/ Metropolitan Magistrates and adoption of alternative modes of dispute resolution, such as, arbitration and conciliation. Lok Adalats have been given a statutory base as supplementary forum for resolution of disputes. Government has been periodically reminding the Chief Justices of High Courts, the Chief Justice of India and the Chief Ministers of States to initiate proposals for filling up vacant posts of judges in High Courts. They have been reminded last on October 28, 2002.