

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

UNSTARRED QUESTION NO:3603

ANSWERED ON:15.12.2011

NEGOTIABLE INSTRUMENT ACT

Bhoi Shri Sanjay;Gaikwad Shri Eknath Mahadeo;Paranjpe Shri Anand Prakash;Thamaraiselvan Shri R.

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

- (a) whether the Chief Justice of India has expressed that the judiciary will identify and expedite disposal of cases which are pending for more than five years;
- (b) if so, the details in this regard;
- (c) whether Chief Justice of India has also suggested to the Government to provide a police station with each court dealing with Negotiable Instrument Act cases;
- (d) if so, the details thereof;
- (e) the reaction of the Union Government thereon; and
- (f) the steps taken/being taken by the Government in this regard?

Answer

MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHID)

(a) to (d): In his Law Day speech on 26th November, 2011, Hon'ble the Chief Justice of India inter-alia mentioned that 74% of the cases are less than five years old. The focus should then be the expeditious disposal of 26% of cases which are more than five years old. Nearly 37,95,000 cases are pending in the Subordinate Courts only under one Section, namely, Section 138. This is mainly due to problems in effecting service of summons. In this context, the Chief Justice of India observed in his address that one of the solutions to this problem can be the attachment of police stations to the courts handling such cases. The court duty constables could be deployed not only for security reasons but could also be used to collect warrants from courts to be handed over to the concerned police stations through which warrants could be served.

(e) & (f): Government has requested all the High Courts to launch a pendency reduction drive in Mission mode from 01.07.2011 to 31.12.2011. The High Courts have also been requested to give priority to disposal of long pending cases pertaining to senior citizens, minors, disabled and other marginalized groups. Further, provision for a grant of Rs.2500 crore has been made on the recommendation of the 13th Finance Commission for increasing the working hours of the courts by holding morning/ evening / shift / special magistrates' courts with a view to expediting disposal of petty cases including the cases under Negotiable Instruments Act.