

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

UNSTARRED QUESTION NO:1791

ANSWERED ON:05.03.2015

DISPOSAL OF COMMERCIAL DISPUTES

Gavit Dr. Heena Vijaykumar;Mahadik Shri Dhananjay Bhimrao;Owaisi Shri Asaduddin;Patil Shri Vijaysinh Mohite;Satav Shri Rajeev Shankarrao;Vichare Shri Rajan Baburao

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

- (a) the steps taken / being taken to ensure expeditious disposal of commercial disputes for creating conducive climate for the success of 'Make in India' campaign and to attract investment particularly foreign investment;
- (b) the number of cases of commercial disputes pending in various courts in the country as on date along with the number of cases disposed of during each of the last three years;
- (c) whether the Government proposes to set up commercial courts across the country and if so, the details thereof along with the locations identified for the purpose; and
- (d) the other steps taken / being taken by the Government for expeditious disposal of such cases for improving the investment climate in the country?

Answer

MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA)

(a) to (d): The Government has accorded high priority for improving the ease of doing business in India to facilitate the Make in India campaign. 'Enforcing contracts' is one of the areas which affects India's ranking on ease of doing business index. The ranking on the 'enforcing contracts' indicator is based on the assessment of the procedures, time and cost involved in resolving a commercial dispute.

The Law Commission of India has recently submitted its Two Hundred and Fifty Third Report titled "Commercial Division and Commercial Appellate Division of High Courts and Commercial Courts Bill, 2015". The Report, inter-alia, defines commercial disputes and recommends the establishment of Commercial Courts and Commercial Division and Commercial Appellate Division in the High Courts in order to ensure speedy disposal of high value commercial suits. At present commercial disputes fall within the broader category of civil cases. No separate data on commercial disputes is maintained centrally.

The Government has adopted a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration by providing support for better court infrastructure including computerisation, encouraging increase in the strength of subordinate judiciary, promoting dispute resolution through alternative mechanisms and initiating policy and legislative measures in the areas prone to excessive litigation.