

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

UNSTARRED QUESTION NO:3494

ANSWERED ON:04.08.2014

COMMISSION FOR FIXING DURATION FOR SETTLEMENT OF CIVIL CRIMINAL CASES

Chandumajra Shri Prem Singh;Dubey Shri Nishikant ;Nete Shri Ashok Mahadeorao

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

- (a) whether the Government proposes to set up any Special Commission or Committee for speedy disposal of criminal as well as civil cases and reforms in judicial process;
- (b) if so, the details thereof and if not, the reasons therefor;
- (c) whether the Government proposes to fix duration for settlement of criminal and civil cases in the High Court and various other courts in the country; and
- (d) if so, the details thereof?

Answer

MINISTER OF LAW & JUSTICE AND COMMUNICATIONS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a)to(d): Disposal of Criminal and Civil cases in Courts is within the domain of the judiciary. With a view to undertake a comprehensive review of the Criminal Justice System of the country, the Law Commission of India has been requested to give a comprehensive report covering all aspects of criminal law so that necessary amendments could be undertaken in Indian Penal Code, Code of Criminal Procedure, Evidence Act etc. The Law Commission has also undertaken review of Arbitration and Conciliation Act, 1996 for making suitable recommendations in this regard.

The existing procedural laws generally do not have mandatory time limit for completion of court proceedings. The actual time taken for disposal of a case depends on several factors such as category of the case (civil or criminal), complexity of the facts involved, nature of evidence, co-operation of stake-holders viz. bar, investigation agencies, witnesses and litigants besides the availability of physical infrastructure, supporting court staff and applicable rules and procedures. Supreme Court in a recent judgement has, inter-alia, observed that at the time of filing of the plaint, the trial court should prepare complete schedule and fix dates for all the stages of the suit, right from filing of the written statement till pronouncements of judgment and the courts should strictly adhere to the said dates and the said time table as far as possible.