

(d) whether the Special Secretary and the Joint Secretary/Legal Adviser have received letters from MPs during the last three years and if so, the details thereof; and

(e) whether the requisite information has been furnished to the MPs and if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) to (e) The information is being collected and will be laid on the Table of the House.

Shortcomings in judicial system

†2702. SHRI RAM JETHMALANI:

SHRI RAVI SHANKAR PRASAD:

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

(a) whether it is a fact that there is a delay in disposal of cases by courts due to the prevalent shortcomings in judicial system of the country;

(b) if so, Government's reaction thereto;

(c) whether Government has identified those shortcomings which cause delay in delivering justice; and

(d) if so, what are the shortcomings of judicial system and the proposal under consideration to remove them?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) to (d) The Government has been constantly endeavouring and working towards improvement in judicial system in the country jointly with the judiciary. The Government has been undertaking computerization of courts since 2007 and has been investing on improving infrastructure in the judiciary since 1993-94. Of late, National Court Management System has been conceived by the Hon'ble Chief Justice of India for establishment. This would be addressing issues of case management, court management, setting standards for measuring performance of the courts and a National System of Judicial Statistics in the country. Prior to that, the Government has in June 2011 set up a National Mission for Justice Delivery and Legal Reforms. The objective of the Mission is to look at the requirement for policy changes, re-engineering of court procedures, propose/undertake measures for human resource development and leverage information and communication technology for better justice delivery.

The delivery of justice in country is constrained by the fact that there is a huge backlog of cases. Of the 3 crore cases pending, 74 % of them are less than five years old. The Hon'bte Chief Justice of India has expressed the need of making the

†Original notice of the question was received in Hindi.

judicial system 5+ free by addressing 26 % of the old cases which are of more than 5 years vintage. In order to free the criminal justice system of clogging, which is taking place on account of cases under the Negotiable Instruments Act, 1881 and the Motor Vehicle Act, 1988 serious efforts are being made to dispose them of on priority through special courts, Lok Adalats, Alternate Dispute Resolution (ADR) mechanisms. Instructions have also been given the States to utilize funds under the Thirteenth Finance Commission for setting up special courts and morning / evening courts to dispose of such cases.

Mercy killing

†2703. SHRI BHARATSINH PRABHATSINH PARMAR:

SHRI PARSHOTTAM KHODABHAI RUPALA:

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

(a) the action, the Ministry has taken to lay down provisions on mercy killing petitions in the Supreme Court, because in many cases the life of the person beseeching mercy killing becomes hell due to many reasons;

(b) whether the Ministry has held any consultations with the Ministry of Health and Family Welfare in this regard; and

(c) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED):

(a) to (c) The information is being collected and will be laid on the Table of the House.

Increase in retirement age of judges

2704. DR. E.M. SUDARSANA NATCHIAPPAN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the constitutional amendment enabling the superannuation of High Court judges at par with Supreme Court judges would be passed in this Budget Session; and

(b) whether National uniformity in the age of superannuation in subordinate judiciary would be achieved by increasing the age to 60 or 62 by consensus of the States, High Courts and Supreme Court?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED):

(a) The Constitution (One Hundred and Fourteenth Amendment) Bill, 2010 was taken up for discussion in the Lok Sabha on 28.12.2011. However, the discussion remained inconclusive due to adjournment of the Winter Session, Request for listing it for discussion in the Budget Session has been made by the Government.

†Original notice of the question was received in Hindi.