

Disposal of case in Delhi High Court

2255. SHRI PALVAI GOVARDHAN REDDY: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the Delhi High Court has cleared 94,000 cases in two - years *i.e.* between 2008-2010;

(b) if so, the details thereof;

(c) the method adopted by the Delhi High Court to dispose of such a huge number of cases in just two years;

(d) whether the Ministry would emulate the same method in other High Courts and lower courts; and

(e) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR): (a) to (e) As per information received from High Court of Delhi, total number of 92,833 main cases, and 1,27,453 miscellaneous applications were disposed of in two years period from April 2008 to March, 2010. A number of steps were taken by the High Court of Delhi for quick disposal of cases which *inter-alia* included amendment of rules and streamlining of procedures, grouping of cases involving same or similar question of law, use of video conferencing, electronic communication, computerisation of justice delivery system and encouragement to alternate dispute resolution mechanism.

At the time of pendency reduction drive from 01st July, 2011 to 31st December, 2011, innovative steps taken by some of the High Courts including Delhi High Court for pendency reduction were shared with the High Courts. As per the feedback received from various High Courts, overall pendency in courts was reduced by over 6 lakh cases during July - December 2011. Encouraged by this, similar drive was undertaken between July - December, 2012. Along with taking immediate steps for reducing the pendency, emphasis is also being laid on increasing the number of judges in subordinate judiciary by filling the existing vacancies and for creating additional posts.

Hearing of cases with time limit

2256. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of LAW AND JUSTICE be pleased to state whether Government would seriously consider to complete hearing and judgment of all cases with in a time limit especially cases of

rape, murder, dowry, domestic violence, child abuses and sexual harassment in work places for the early delivery of justice and to control and reduce crime?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR): Disposal of pending cases in courts is within the domain of the Judiciary. However, in order to expedite the trial of criminal cases, in general, and for certain serious offences relating to crime against women, in particular, Section 309 of the Code of Criminal Procedure, 1973, *inter alia*, provides that in every enquiry or trial, proceedings shall be held as expeditiously as possible, and in particular, when examination of witnesses has once begun, the same shall be continued from day-to-day until all the witnesses in attendance have been examined, and unless the court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded. This section also provides that when the inquiry or trial relates to an offence under sections 376 to 376 D of the Indian Penal Code, the inquiry or trial shall, as far as possible, be completed within a period of two (2) months from the date of commencement of the examination of witnesses. Not only that, several legislations enacted for protection of women and children against violence and sexual offences, *inter-alia*, contain provisions for speedy trial of such cases.

In the aftermath of unfortunate incident in Delhi, Government has requested the Chief Justices of all High Courts to constitute Fast Track Courts for speedy trial of pending rape cases in subordinate courts as well as those pending in appeal in High Courts. The Government has also requested the Chief Justices of all the High Courts that the provisions relating to expeditious conclusion of criminal trials under the Code of Criminal Procedure, 1973, be adhered to by the Subordinate Courts.

Along with to these actions, Government has been through the National Mission for Justice Delivery and Legal Reforms, perusing a coordinated approach for phased liquidation of arrears and pendency in the judicial administration. The Mission has devised an integrated strategy which *inter-alia* includes better infrastructure for courts including computerisation, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.