

**Issues pending with the Law Commission**

746. SHRI SANJAY RAUT: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether many reports and crucial issues are pending with the Law Commission of India to recommend changes in various current laws, if so, the details thereof; and

(b) the number of reports submitted by the Law Commission during the last five years and Government's response thereto?

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

(a) The Law Commission of India has informed that the following five projects are under examination of the 21st Law Commission of India:-

1. Law on Adverse Possession.
2. Identification of obsolete Laws.
3. A. Need for a Law to Safeguard Victims of Manmade Disaster and Proposal to (i) consolidate/codify law relating to Torts (ii) Legal provision for civil liability and insurance in the case of manmade disasters; class-action suits.  
B. The Fatal Accidents Act, 1855.  
C. Amendment to Motor Vehicle Act, 1988.
4. Comprehensive Review of Criminal Justice System.
5. Need for Bail Act in India.

(b) Since April, 2012, Twenty Three (23) Reports have been submitted by the Law Commission of India. As per the Government of India (Allocation of Business) Rules, 1961, all these 23 reports have been forwarded to the concerned Ministries/ Departments for examination/implementation of the recommendations made therein.

**Speeding up of delivery of justice**

747. DR. PRABHAKAR KORE: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether average pendency of a case in a High Court in the country is more than three and a half years due to slow pace of justice delivery;

(b) if so, the number of cases pending before High Courts in the country, State-wise; and

(c) the steps taken by Government to improve the justice delivery system in the country, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA):  
(a) to (c) As per information made available by the High Courts, details of age-wise pendency of cases in various High Courts as on 31.12.2015 are given in the Statement (*See below*).

Disposal of pending cases in courts is within the domain of judiciary. The Government has adopted a co-ordinated approach to assist judiciary for phased liquidation of arrears and pendency in judicial systems, which, *interalia*, involves better infrastructure for courts including computerisation, increase in strength of judicial officers/judges, policy and legislative measures in the areas prone to excessive litigation and emphasis on human resource development.

The Central Government has provided financial assistance to the tune of ₹ 3,694 crores to State Governments and Union Territories for upgradation/construction of court complexes and residential units for judicial officers in the last five years. Under the eCourts Project, about ninety five per cent courts have been provided with computer hardware and software. This would enable the courts to exercise greater control over management of cases in the docket. It will also provide designated services to the litigants and the lawyers. In order to reduce government litigation in courts, States have been encouraged to notify their litigation policies which contain provisions for weeding out infructuous cases and promote dispute resolution through alternative mechanisms.

The legislative initiatives taken by the Government in the recent past include amendments to the Negotiable Instruments Act, 1881 to clarify the jurisdictional issues and provide for centralisation of cases against the same drawer. Amendments to Arbitration and Conciliation Act, 1996 have been made for time bound conclusion of arbitration proceedings. Commercial Courts, Commercial Division and Commercial Appellate Division of High Court Act, 2015 provides for speedy disposal of high value commercial disputes. Further, Judicial reforms is a continuous process.

*Statement*

*Age-wise break-up of pending cases in High Courts as on 31.12.2015*

Sl. No.	High Court	0 to 2 years old	2 to 5 years old	5 to 10 years old	More than 10 years old	Total
1.	Allahabad	163852	188122	255660	311195	918829
2.	Andhra Pradesh	87543	84913	72316	25500	270272
3.	Bombay	80536	54185	61318	50402	246441
4.	Calcutta	48856	41228	64330	66868	221282
5.	Delhi	38773	13653	11854	4504	68784
6.	Gujarat	31129	21277	21322	13344	87072
7.	Gauhati	14359	7537	3765	287	25948
8.	Himachal Pradesh	10863	10705	4022	943	26533
9.	Jammu and Kashmir	22916	15975	14462	3100	56453
10.	Karnataka	131812	79659	24776	1207	237454
11.	Kerala	58801	45119	41818	11631	157369
12.	Madras	103248	89563	60219	31398	284428
13.	Madhya Pradesh	93639	74283	68795	37110	273827
14.	Orissa	46242	41749	38739	42723	169453
15.	Patna	57201	34194	20379	16964	128738

16.	Punjab and Haryana	113585	62389	52333	60044	288351
17.	Rajasthan	73443	59190	65440	46793	244866
18.	Sikkim	110	3	1	0	114
19.	Uttarakhand	13205	8395	4394	686	26680
20.	Chhattisgarh	18771	12529	10912	7899	50111
21.	Jharkhand	25101	21719	22065	11534	80419
22.	Tripura	2340	619	77	1	3037
23.	Manipur	1714	1435	160	6	3315
24.	Meghalaya	552	27	18	0	597
TOTAL		1238591	968468	919175	744139	3870373

*Written Answers to*

[29 April, 2016]

*Unstarred Questions*

279