

of all High Courts, have been requested to take necessary action for appointment of sufficient number of Counsellors, specially women and NGOs to assist the Family Courts in discharging their duties. Though section 13 prohibits a party to a suit or proceeding in a Family Court from claiming, as of right, to be represented by a legal practitioner, that does not preclude the Family Courts from granting permission in the exercise of its discretion to a party to be represented by a legal practitioner depending upon circumstances. The Supreme Court has held that it is for the Family Court to decide whether it should permit such representation.

(e) There is no such proposal at present.

Personal law reforms

2809. SHRI KALRAJ MISHRA :

DR. AKHILESH DAS :

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

(a) whether as expressed by him, Government recognize the need for accelerating personal law reforms as a means for empowering women, while inaugurating a seminar on the 'Women Property Rights, a Gender Perspective';

(b) if so, the steps, if any, which have been and are being taken in this direction; and

(c) the plan of action, if any, drawn out for the purpose?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P.C. THOMAS): (a) to (c) Yes, Sir. The Government recognises the need for accelerating personal law reforms as a means of empowering women. The National Policy for Empowerment of Women, 2001, *inter alia*, has following notable features in this regard;

- (i) At the initiative of and with the full participation of all stakeholders including community and religious leaders, the Policy would aim at encouraging change in personal laws such as those related to marriage, divorce, maintenance and guardianship so as to eliminate discrimination against women.
- (ii) The evolution of property rights in a patriarchal system has contributed to the subordinate status of women. The policy would aim at encouraging changes in laws relating to ownership of property and inheritance by evolving consensus in order to make them gender just.

In recent years, the Indian Divorce (Amendment) Act, 2001 (51 of 2001), the Marriage Laws (Amendment) Act, 2001 (49 of 2001), the Indian Succession (Amendment) Act, 2002 (26 of 2002) and the Indian Evidence (Amendment) Act, 2002 (4 of 2003) have been enacted, and the Marriage Laws (Amendment) Bill, 2003 which has been passed by the Rajya Sabha and is pending for consideration and passing in the Lok Sabha, are some of the major steps taken by the Government to remove gender discrimination and empowering the women. Furthermore, the Department of Women and Child Development is presently engaged in the preparation of an action plan for implementation of the Policy in consultation with the concerned Ministries/Departments.

Achievement and deficiencies of FTC

2810. SHRI MANOJ BHATTACHARYA :

SHRI P. PRABHAKAR REDDY :

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

(a) the year in which the scheme of Fast Track Courts was introduced together with the details of its aims and objectives;

(b) the extent to which the scheme has proved successful in achieving its objectives over the years; and

(c) the deficiencies, if any, observed in the scheme and the corrective steps to be taken to meet the same?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P.C. THOMAS): (a) The scheme of Fast Track Courts (FTC) was introduced in the year 2001 on the recommendation of the Eleventh Finance Commission. Its main aim and objective is to dispose of long pending Sessions cases (pending for two or more years) and cases of under-trial prisoners who are languishing in jail for years. The Eleventh Finance Commission fixed a target of 1734 Fast Track Courts to be set up over a period of five years (from the year 2001-2005).

(b) Since its inception the scheme has been found to be effective in quick disposal of cases. As on 31st July, 2003, 1,74,715 cases have been disposed of by Fast Track Courts out of 3,26,059 cases which were transferred to such FTCs. Out of the target of 1734 FTCs, 1356 have been notified and 1074 are functional as on 31st July, 2003.

(c) Some of the State Governments have reported that they could not set up all the FTCs in their State due to non-availability of suitable