

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

UNSTARRED QUESTION NO:3939
ANSWERED ON:22.08.2003
MALIMATH COMMITTEE
SUNIL KHAN

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

- (a) whether Justice Malimath Committee (Arrears Committee) submitted its recommendations to the Government;
- (b) if so, the details of the recommendations;
- (c) whether the Government have taken steps for implementing the recommendations;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?

Answer

MINISTER OF STATE FOR LAW AND JUSTICE (SHRI P.C. THOMAS)

(a) & (b) A Committee known as Malimath Committee (Arrears Committee) had submitted its Report during 1989-90 on various aspects relating to the pendency of cases in the Judiciary. However, sometimes back a Committee was set up by the Government under the chairmanship of Dr. Justice V.S. Malimath to consider and recommend measures to revamp the Criminal Justice System of the country. The Committee has submitted its Report on 21st April, 2003. The Committee has made several recommendations for amendment to various provisions of the Code of Criminal procedure, 1973, the Indian Penal Code, 1860, and the Indian Evidence Act, 1872.

The Committee has suggested, inter-alia, reduction of vacations of the Supreme Court and High Courts, change in trial procedure with a view to providing speedy and effective trial of cases; provisions for right of a victim to participate in cases involving serious crimes and to adequate compensation; protection to witnesses, arrears eradication scheme, measures to check offences against women, enactment of central legislation to deal with crimes of inter-state and international ramifications, establishment of federal courts for trial of underworld criminals, making more offences compoundable, and abolishing the difference between cognizable and non-cognizable offences.

(c) to (e) Implementation of the recommendations made by the Committee would require consultation with State Governments as the Criminal Law and Criminal Procedure are on the Concurrent List of the Seventh Schedule to the Constitution of India. No time frame can be fixed for implementation of the recommendations.