

**GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:897
ANSWERED ON:22.11.2001
JUDICIAL REFORMS
MANSINH PATEL

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

(a) whether there is an urgent need for judicial reforms in the country particularly because of huge pending cases, prolonged trials, frequent adjournments, absence of prosecution and defence counsels at hearings, defective recording of evidence, indifferent role of prosecution layers, low convictions, less working days in courts, delayed delivery of judgements, absence and non-implementation of code of conduct for lawyers vis-a-vis litigants and inaction of BCA etc;

(b) whether Government have any proposal to amend the various sections of Code of Criminal Procedure; and

(c) if so, the details and by when thereof?

Answer

MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY)

(a) Judicial reform is an ongoing and continuous process. Judicial Reforms include fixing of time limits, restriction on adjournments, prompt delivery of judgments and active role of lawyers in judicial process, etc. The Code of Civil Procedure (Amendment) Act, 1999 and the Code of Civil Procedure (Amendment) Bill, 2000 introduced in Parliament in December, 2000 inter-alia contain provisions regarding fixing of time limits at various stages of a suit, granting of not more than three adjournments to a party to a suit, recording of evidence by the Commissioner, delivery of judgement within 60 days after hearing of the case. As regards less working days in courts, the matter has been taken up with High Courts. Various other measures have been taken by the Government for the speedy disposal of cases viz. filling up of vacancies of judges, increase in the number of posts of Judges/ Judicial Officers, establishment of Special Courts/Tribunals, appointment of Special Judicial/Metropolitan Magistrates, etc.

(b)&(c) The Code of Criminal Procedure (Amendment) Bill 11, 1994 containing 49 clauses proposing to amend various sections of the Code of Criminal Procedure, 1973 has been introduced in the Rajya Sabha in 1994. The Government has also set up a Committee on Criminal Justice Reforms to suggest measures to revamp the system. The Committee is yet to submit its report.