

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO. 32
ANSWERED ON MONDAY, THE 18TH NOVEMBER, 2019
[KARTIKA 27, 1941 (SAKA)]**

CASE PENDING IN NCLTs

QUESTION

32. SHRI UTTAM KUMAR REDDY NALAMADA:

Will the Minister of CORPORATE AFFAIRS

कारपोरेट कार्यमंत्री

be pleased to state:

- (a) whether the Government is aware of the problem of pendency in National Company Law Tribunals (NCLTs) caused by the high number of cases being filed by homebuyers against builders for even small defaults;
- (b) if so, the details thereof including the number of cases, since June 2018, in NCLTs against builders for defaults of less than a month;
- (c) whether the Government plans to review the status of homebuyers as financial creditors or modify the definition of default in these cases in order to reduce the number of insolvency cases filed against builders in the NCLTs for small defaults, if so, the details thereof and if not, the reasons therefor; and
- (d) whether the Ministry has any other plans to ease the burden of NCLTs in order to streamline their functioning and if so, the details thereof?

ANSWER

**MINISTER OF STATE FOR FINANCE AND (SHRI ANURAG SINGH THAKUR)
CORPORATE AFFAIRS**

वित्त एवं कारपोरेट कार्यमंत्रालयमें राज्य मंत्री

(श्री अनुराग सिंह ठाकुर)

(a) and (b): As per the information received from National Company Law Tribunal (NCLT), total 1821 cases filed by homebuyers against builders since June, 2018, under the Insolvency and Bankruptcy Code (IBC), 2016, were pending in NCLT on 30.09.2019. Data regarding cases filed against builders for defaults of less than a month is not available with NCLT.

(c): Yes, Sir. The matter is under consideration of this Ministry.

(d): Government is taking all steps to strengthen the NCLT in terms of number of benches, number of courts and number of members, to reduce the burden of the NCLT. Five new benches have been announced during 2018-2019 at Jaipur, Cuttack, Kochi, Indore and Amaravati. Government has also appointed 28 more members in NCLT recently and vacant posts of members in NCLT are being filled up regularly. For capacity building of members, regular colloquiums are being held. e-Court project is also being implemented by NIC for all the benches of NCLT.