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Rs 20,000 cr to be spent on fast-tracking courts: Moily

Vinit Koneru | New Delhi

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A day after the [Union Cabinet](#) sanctioned central expenditure of Rs 5,510 crore for legal reforms and reduction of case pendency from an average of 15 years to three years, Law Minister [Veerappa Moily](#) told Business Standard further funds were expected to come in this direction soon. A total of around Rs 20,000 crore, a part of which will be funded by the states, would be used in fast-tracking of courts and speedy disposal of cases over a period of time, Moily said.

Currently, India has a pendency of 29.1 million — 47,000 in the Supreme Court, 3.7 million in high courts and 25.4 million in lower courts, according to government estimates.

The government action plan includes creating an All India Judicial Service, amendments to the [Negotiable Instruments Act](#) of 1881 and the Arbitration & Conciliation Act of 1996, as well as judicial impact assessment and legal education reforms. It also seeks to re-engineer the

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fast-tracking procedures, strategise alternative dispute resolution mechanism, introduce statutory changes to reduce and disincentivise delays.

Ravinder Nath, an expert in corporate law, said, "Quick and efficient justice will boost foreign investors' confidence in the country and that will bring in more investments."

According to Nath, appointing paralegal/research associates to assist the judges, revision of the civil and criminal procedure codes and the laws of evidence to meet the requirements of modern judicial administration, can considerably bring down the pendency within a period of five years. "At the same time, judiciary should ensure that unnecessary litigation is not filed and the processes of

the law are not misused," he added.

But Garima Prashad, a counsel for the Union of India in the Supreme Court, objected to the concept of mediation. "The way the government is resorting to mediation is weakening the system of true justice. The judiciary, by encouraging people for settlement, is not looking into 'due process of law' and 'procedure established by law' and shedding its responsibility of delivering justice," she said. Instead, she said money should be used for computerising the court procedures, better utilisation of lawyers and judges and by not finding loopholes in settled matters.

Prathiba Singh, a leading IPR litigation counsel, said, "The money allotted should be more than enough if better utilised in building more conference rooms in courts, computerising the process of filing complaints, etc." According to Singh, mediation is the best way. "Ultimately, a litigant wants resolution of his dispute, which is the basis of justice."

Pavan Duggal, a cyber law expert, said, "Technological upgrade is the key to realise this mission and may take four to five years." When asked about how pendency of cases impacts the economy of the country, Duggal said it was difficult and in some cases could not be quantified in money terms. "But it certainly can run into billions of dollars as far as the country's economy is concerned," he added.

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