

**TALKING POINTS FOR HON'BLE MINISTER OF
LAW AND JUSTICE FOR THE CONFERENCE
OF LEGAL FRATERNITY ORGANISED BY THE
CENTRE FOR LEGISLATIVE STUDIES, CHANDIGARH
ON 27TH MARCH, 2015.**

It is my privilege to join you today at the Conference of Legal Fraternity organized by the Centre for Legislative Studies.

The new Government which has come with huge mandate from the public is committed to fulfill the promises made to people.

We are committed to good governance which is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that the voices of the most vulnerable in society are heard in decision-making. It is also responsible to the present and future needs of the society. The legal fraternity which includes lawyers and Judges have a very prominent role to play in the 'Good Governance'. Lawyers are the most awakened section of the society. They provide leadership to society.

The Preamble to the Constitution identifies securing social, economic and political justice for all citizens as one of its key objectives. It is the responsibility of all organs of the State to ensure that the administration of justice is made easily accessible and affordable for the common man. Yet we find that courts in the country are burdened on account of the large number of cases that are pending before them, often leading to delays in the delivery of justice. The socially and economically weaker sections of society are the ones who suffer the most on this account.

The National Legal Services Authority and State and District Legal Services Authorities have been established for this purpose under the Legal Services Authorities Act, 1987 to provide free Legal Services to the weaker sections of the society. They are also responsible for organizing Lok Adalats for the amicable settlement of disputes in a timely and cost effective manner.

The Government is strongly committed to the cause of improving the investment climate in the country, which is the key to overall growth and development of the economy. This is in addition to the proposals that are being pursued for the adoption of information technology solutions and court and case management systems for handling such cases.

Commercial and non-commercial cases alike are affected by the issue of overall delays and pendency of cases in courts. We are therefore working towards examining the real reasons for delays in courts, identifying the appropriate solutions and taking all necessary steps to implement those solutions.

There is a shortage of judges and judicial officers which needs to be addressed through continuous increases in the sanctioned strength of judges and at the same time by the filling the existing vacancies in the posts of judges and judicial officers. Despite the gradual increase in the sanctioned strength of judicial officers, there still remain a large number of vacancies in subordinate courts. We are have been coordinating with State Governments and High Courts to address this issue.

The indiscriminate use of writ jurisdiction and multiple levels of appeals also leads to delays in the final disposal of cases.

Our litigation system is largely advocate driven rather than being driven by the courts. While on the one hand this needs to be

addressed through proper training and sensitization of judges, on the other, there is also a need to bring about appropriate reforms in the Bar.

The Government is also taking effective measures to reduce government litigation and to make the Government an efficient and responsible litigant. Towards this end, all States have already framed their litigation policies. The Law Commission has proposed certain amendments to the Arbitration & Conciliation Act 1996 aimed at ensuring that the arbitration process is conducted expeditiously and effectively.

Many laws that have been outdated and are no longer relevant continue to remain in the statute book. We are working actively towards the identification and repeal of such laws.

The adoption of information and communication technology (ICT) in the administration of justice is another important area. All of this is sought to be achieved through the eCourts Mission Mode Project that is being implemented by the Department of Justice.

Positive steps in this direction have been initiated through the launch of the e-Courts portal, which showcases the National Judicial Data Grid, providing citizens with online information about case filings, case status and electronic copies of orders and judgments from courts that have already been computerized. Ensuring the availability of such real-time judicial statistics at the earliest possible will go a long way in enhancing transparency and accountability in our legal system. It will also encourage more insightful research and studies on various issues relating to judicial administration.

I call upon all of you to come forward and take steps to make the justice delivery system accessible to the common man. I would like to end by thanking the organizers for inviting me to this event.

Initiatives such as these will go a long way in furthering research and understanding on issues relating to the administration of justice in India. I wish you all the very best for the success of this project.