

**SPEECH OF HON'BLE MINISTER OF LAW AND JUSTICE
ON THE OCCASION OF CLOSING CEREMONY OF THE
CENTENARY CELEBRATIONS OF PATNA HIGH COURT
ON 12TH MARCH, 2016 AT PATNA.**

Hon'ble Prime Minister of India, His Excellency the Governor of Bihar, Hon'ble Chief Justice of India, Hon'ble Chief Minister of Bihar, Hon'ble Chief Justice and Judges of Patna High Court, other dignitaries, distinguished Members of the Bar, ladies and gentlemen.

I am delighted to be present here on the auspicious occasion of the closing ceremony of the Centenary Celebrations of Patna High Court.

Patna High Court has a long and glorious tradition of rendering service to the country. It is a matter of great honour that the first President of India Dr. Rajendra Prasad and Dr. Sachinananand Sinha were distinguished members of the Bar of Patna High Court. Another member of the Bar, Sir Ali Imam was the Indian representative at the first meeting of the League of Nations held at Geneva, in November 1920. This august High Court can boast of many other renowned legal luminaries such as Maulana Mazharul Haque, Sir Mohammad Fakhruddin, Shri Yunus, Dr. Dwarka Nath Mitter, Shri P.R. Das, Pandit Lakshmi Kanta Jha who had practiced in this High Court.

This High Court has made immense contribution in providing highly competent judges to the apex court. I have been informed that 23 Hon'ble Judges of Patna High Court have been elevated to Supreme Court. It is a matter of great satisfaction that 3 of the

learned Judges, namely, Justice M.P. Sinha, Justice Lalit Mohan Sharma and Justice R.M. Lodha have adorned the office of Chief Justice of India.

Judges are not simply members of legal profession but play vital role in dispensation of justice. They are the upholder of rights of common man and are instrumental in upholding the Rule of Law which is a cornerstone of democratic polity and way of life. I am sure the Hon'ble Judges are conscious of their exalted role in society in safeguarding human and other fundamental rights and the part they play in the development of the country.

Hon'ble Prime Minister has laid down the vision of "Minimum Government and Maximum Governance", The Ministry of Law and Justice is striving to attain the above objectives. In my Ministry, a time bound action plan has been put into place through which 1053 Laws have been identified as obsolete and taken to the Parliament for repeal. Swachh Bharat is also a flagship programme of this Government. While High Court buildings are generally very clean and bright, the same may not be so true for the District and Subordinate Courts in our country. Can we take pledge today to extend our efforts for Swachh Bharat right down the smallest court in the State and make the courts places of beauty, enlightenment and justice and not crowded, dirty places to be afraid of.

The pendency of cases in various courts is a cause of concern for judges, judicial officers, litigants and all others involved in judicial administration. Delay in disposal of judicial matters adversely affects the faith of common people in the law and has serious repercussions on the vibrant functioning of democracy. I

understand that due to concerted efforts made by the Hon'ble Judges of this Court the overall pendency of cases in the High Court has declined during the last calendar year. I would expect a similar decline in pendency in the Subordinate Courts once the Arrear Committee prepares and executes its action plan to liquidate the pending cases pending for more than five years.

Information Technology holds the key to many problems faced by us in our day to day functioning. The eCourts Phase-II project has been taken up for implementation by all States as a Central sector scheme on Mission Mode basis with a total cost of Rs. 1670 crores over a period of four years. Out of 1461 Courts in Bihar, I understand that under the eCourt Mission mode project, site preparation has been completed in 1060 locations and software application has been made operational in 796 court sites. I am sure, the work shall gather pace in rest of the courts very soon.

Despite the primary responsibility of the States to develop infrastructure for the judiciary, Central Government has been partnering with the States for extending assistance under the Centrally Sponsored Scheme (CSS) for development of infrastructure facilities for District & Subordinate judiciary. Government of India has released an amount of Rs. 49 crore to the Government of Bihar during 2014-2015. Further financial assistance shall be available to the State on utilisation of this amount along with the provisions for State share. Proper monitoring of development of infrastructural facilities for Subordinate Judiciary by the State Government and the High Court shall ensure that adequate facilities are available to the

judicial officers/judges for discharging their onerous responsibilities.

The fourteenth Finance Commission has endorsed the proposals of the Department of Justice involving expenditure of Rs.9775 crores over five years to strengthen the Judicial Sector in the State and encouraged State Governments to use additional fiscal space provided by the Commission. An amount of Rs.662.06 crores is to be invested in justice sector by State of Bihar over a period of next five years on activities including additional courts, fast track courts, family courts, redesigning of existing courts providing for technical manpower, scanning and digitization and activities related to access to justice etc. The High Court has already prepared a plan which the State Government has sent to Department of Justice. Since, the devolution of funds is taking place without any interference of Central Government, the State Government may suitably allocate funds to meet the plan prepared by the High Court.

As you are aware, Government of India gives a Grant-in-Aid to the National Legal Service Authority to fulfil the objectives enshrined in Legal Services Authorities Act. The National Legal Service Authority in turn disburses grant-in-aid to all State Legal Services Authorities. In the year 2015, Bihar State Legal Service Authority conducted a study in 58 prisons of the State. Some of the measures which are required to improve access of under trials to legal aid could well be funded from this money. It would be unfortunate if the available funds are not put to use for the desired purpose in this regard. In 2015-16, the Bihar State Legal Service

Authority could get a grant of Rs. 50 lakhs only, because an amount of Rs. 8.79 cr was lying unutilised with them as on 31.03.2015.

Without taking much of your time, I extend my sincere and warm wishes to everybody in the Patna High Court on its Centenary Celebrations and hope that it continues to act as a beacon of Justice and excels in its work in the years to come. I am grateful to all of you for inviting me to this programme and providing me opportunity to share my thoughts with all of you.

Jai Hind.
