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Media Release

Justice Delayed is Justice Denied **MP Writes to PM to Ensure Speedy Disposal**

April 05, 2010: Delay in deciding court cases defeat the very purpose of going to the court and delay in rendering justice is equated with the denial of justice. Rajya Sabha MP Mr. Parimal Nathwani has expressed concern about functioning of our judiciary in these words in an elaborate letter written to the Prime Minister Dr. Manmohan Singh recently.

Mr. Nathwani, who is also a member of the Parliamentary Committee on Personnel, Public Grievances, Law and Justice, has brought out scintillating facts about our judiciary in his letter to the highest authority in the country. He writes that as many as 55,791 cases were pending before the Supreme Court of India as on 31st December 2009 and those pending civil and criminal cases before 21 high courts were numbered 41,42, 023. The civil and criminal cases pending with subordinate courts were 2,72,00,000 (two crores and seventy two lakhs).

About alarming state of paucity of judges, Mr. Nathwani wrote that there were only 13,946 judges in the subordinate courts against sanctioned strength of 16,746 leaving about 2800 vacancies. He also brought to the fore the load of judges in Indian courts and informed that on an average a judge in India was loaded with 1950.38 cases as against an ideal average number of about 200 to 500 cases maximum in all fairness and propriety. He wrote to the Prime Minister to ensure filling up the vacancies and increasing sanctioned strength in order to bring down the load to ideal level.

Mr. Nathwani advocated transferring more and more cases to fast-track courts keeping in view the encouraging results of these specialized courts and said more of such courts needed to be established. He also called upon the Prime Minister that vacancies in these courts also be filled up fast.

He also referred the Gram Nyayalaya Act 2008 and shown dismay as only 95 Gram Nyayalayas were established against the target of 5067. He expressed the need to persuade the States to achieve targets, particularly when the same being a Central Financial Assistance Scheme.

In order to reduce the burden of criminal courts, Mr. Nathwani called for decriminalization of certain petty offences and taking them out of jurisdiction of criminal courts. He vouched for assigning such cases to authorities which instituted them.

Mr. Nathwani talked of tardy and sluggish process of appointment of judges in the high courts and transfers of judges under influence of allegations and litigations of extra constitutional agencies.

While requesting the Prime Minister to utilize his good offices to look into the issues of judiciary, Mr. Nathwani wrote that a detailed communication dealing the issues threadbare was separately forwarded to the Minister of Law and Justice.

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