

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

RAJYA SABHA

UNSTARRED QUESTION NO. 1076

ANSWERED ON 13/02/2025

National Litigation Policy and reforms in the Code of Civil Procedure 1908

1076 Shri Sanjay Kumar Jha:

Will the Minister of **Law and Justice** be pleased to state:

- (a) whether Government proposes to formulate a National Litigation Policy as high volume of litigation is becoming a serious problem in the country;
- (b) if so, the details and the framework of the proposed policy;
- (c) whether Government has taken any steps to reduce the number of litigations during the last three years;
- (d) if so, the outcome of the said steps;
- (e) whether Government is bringing reforms in the Code of Civil Procedure 1908; and
- (f) if so, the details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENT AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) and (b) The National Litigation Policy has not been finalised.

(c) and (d): In order to reduce number of litigations, Government of India has taken various initiatives to promote Alternative Dispute Resolution (ADR) mechanisms. The major initiatives taken by the Government in last three years are as follows:

- i. The Arbitration and Conciliation Act, 1996 has been progressively amended in the years 2015, 2019 and 2020 to make the arbitration process cost and time effective and minimise the court intervention.
- ii. The Commercial Courts Act, 2015 was amended in the year 2018, to provide *inter-alia* for Pre-Institution Mediation and Settlement (PIMS) mechanism. This is aimed at providing an opportunity to the parties to resolve the commercial disputes through mediation.
- iii. The India International Arbitration Centre Act, 2019, was enacted to provide for the establishment of the India International Arbitration Centre (Centre) for the purpose of creating an independent, autonomous and world class body for facilitating institutional arbitration and to declare the Centre to be an institution of national importance.
- iv. The Mediation Act, 2023, lays down the statutory framework for mediation to be adopted by parties to a dispute, especially institutional mediation, wherein various stakeholders have also been identified to establish a robust and efficacious mediation ecosystem in the country.

The legislative reforms with respect to the ADR mechanism have facilitated the timely and efficacious settlement of commercial disputes thereby enabling ease of doing business. The Mediation Act, 2023 is a pivotal legislative intervention towards providing standalone law on mediation and enabling the growth of a culture of amicable settlement of disputes out of court and the outcome being party driven.

(e) & (f) No legislative proposal for reforms in the Code of Civil Procedure 1908 is presently pending with the Government.
