

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

RAJYA SABHA

UNSTARRED QUESTION NO. 2185
TO BE ANSWERED ON THURSDAY, THE 4TH AUGUST, 2022

Settling of cases through Lok Adalat and Arbitration

2185. SHRI VAIKO:

Will the Minister of **LAW AND JUSTICE** be pleased to state :

- (a) whether Government has held recently all India conference on Mediation and Information Technology and discussed the issues of the concept of Alternative dispute resolution (ADR), through Lok Adalats, Gram Nyayalayas, Mediation and Arbitration centres, etc.;
- (b) if so, the details/outcome thereof;
- (c) whether Government has laid stress on the need to bring justice to millions of people and settling grievances without protracted legal proceedings; and
- (d) if so, the details thereof?

ANSWER

**MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)**

(a) & (b): No Sir.

(c) & (d): It is the endeavour of the Government that judiciary and legislature work together for making reforms in the judicial system to reduce burden of cases and deliver speedy justice. The Government is promoting ADR mechanisms including arbitration and mediation as these mechanisms are less adversarial and are capable of providing a better substitute to the conventional

methods of resolving disputes. The use of ADR mechanisms is also expected to reduce the burden on the judiciary and thereby enable timely justice dispensation to citizens of the country.

To ensure resolution of commercial disputes expeditiously and at a reasonable cost to litigants, the Government has enacted the Commercial Courts Act, 2015 thereby enabling establishment of commercial courts. The Commercial Courts Act, 2015 was amended in the year 2018 to provide for Pre-Institution Mediation and Settlement (PIMS) mechanism. Under this mechanism, where a commercial dispute of specified value does not contemplate any urgent interim relief, the parties have to first exhaust the mandatory remedy of PIMS before approaching the Court. This is aimed at providing an opportunity to the parties to resolve the commercial disputes through mediation.

The Government has amended the Arbitration and Conciliation Act, 1996 in the years 2015, 2019 and 2021, to signal a paradigm shift towards ensuring timely conclusion of arbitration proceedings, minimizing judicial intervention in the arbitral process, enforcement of arbitral awards and strengthening of institutional arbitration in the country.

The Government has also introduced the Mediation Bill, 2021, in the Rajya Sabha on 20.12.2021 to enact a standalone law on Mediation. The Bill aims to *inter-alia* promote, encourage and facilitate mediation for resolution of disputes, commercial or otherwise, enforce mediation settlement agreements and to establish the Mediation Council of India.
