

**Speech of Hon'ble Minister of Law & Justice
at the Concluding Ceremony of the
Sesquicentennial celebrations of
"Advocates' Association of Western India (AAWI)
on 14th February, 2015 at Mumbai**

It's my great pleasure to be here on the Concluding Ceremony of the Sesquicentennial celebrations of the Advocates' Association of Western India. The AAWI being one of the oldest Bar has produced many freedom fighters and a large number of Judges.

In a democratic polity, the role of legal profession has always been very vital. It is the watchdog of democracy and ever vigilant in the matters concerning rule of law as enshrined and guaranteed by the Constitution.

As we all know, there are three stakeholders in the administration of justice – Judiciary, Bar and the Government. Government can only provide infrastructure facilities, establish more number of courts and create more posts of judges. It is the judiciary which should prioritise and dispose of cases as early as possible. However, the efforts of Government and the judiciary will not bear fruit unless the lawyers work in tandem. It is more in the hands of lawyers to speed up disposal by avoiding adjournments and cooperate with the Judges to complete the trial quickly. As it is the collective responsibility of all the three stakeholders, it is high time that all the three come together to address the issue of speedy disposal and reduction in pendency.

We may also have to think of some process reforms like examination-in-chief through sworn in statements or affidavits so that the time taken to complete the trial can be cut short considerably. Government is actively considering the system of pre-trial conference to be made mandatory so that the trial stage can go on as per

schedule which can bring down the time taken for disposal of cases. My request to all of you is to join hands with this thought of the Government so that we can help our judiciary in disposal of cases and to reduce the pendency.

Making it easy to do business in India is another important programme of the Government which is possible only if we streamline the dispute settlement processes and the judicial system so that we create an enabling environment for the business to thrive in our system. Quick disposal and reduction in pendency can go long in helping our citizens as well as creating an enabling environment for doing business in India. Ease of doing business largely depends on the speed at which we adjudicate the commercial disputes and commercial cases. Our Government under the leadership of Modi ji has planned various steps for this purpose, like setting up of Commercial Courts, promoting alternate dispute resolution mechanisms by bringing in suitable amendments to the Arbitration Act and other relevant rules.

One of the main objectives of our Government is to make India the International Hub of Arbitration. It can happen only when certain basic systems are put in place, like reducing the time taken for deciding a dispute, certain modifications in the process adopted and the finality of those awards and the legal sanctity attached to the legal process. If all these are properly put in place, India can certainly dream of becoming an international hub for arbitration. It will not only lift the image of India in the international arena but will also provide so much employment and generate income for the lawyer community.

A proposal to amend the Negotiable Instruments Act to introduce measures to resolve cases arising under Section 138 through ADR mechanisms is also currently under consideration. Similarly the draft

Road Transport and Safety Bill, 2014 prepared by the Ministry of Road Transport will introduce provisions for reduction in traffic *challan* cases and resolution of traffic cases without resorting to litigation as well as expeditious disposal of motor accident cases. These steps will reduce the pendency of cases choking up our judicial system and enable them to serve the citizens better.

Many laws have become outdated and are no longer relevant to continue to remain in the statute book. The Government has started the process of repeal of 36 original Acts, 750 Amending Acts and about 900 Appropriation Bills to clean up the statute book.

The adoption of information and communication technology (ICT) in the administration of justice is another important area. This will not only digitalize the judicial system but also will help in paving the way for revamping different court processes, adopting case management systems and to bring in overall process re-engineering of the judicial system.

I am confident that the Advocates' Association of Western India, on this solemn occasion, would rededicate itself to ensure that legal profession becomes a beacon light of our society and polity, and provides a helping hand to the poor and needy. I thank the organizers for inviting me to this function. I wish that the Institution reaches a milestone where it needs to pause, look behind, assess its contribution and look well beyond the near future to keep itself in sync with the fast changing world around it.
