

File No. N-9/19/2021-NM (6564)
Government of India
Ministry of Law & Justice
Department of Justice

Jaisalmer House, 26-Mansingh Road,
New Delhi – 110011
Dated 24th November, 2021

OFFICE MEMORANDUM

Subject: Minutes of Sixteenth Meeting of Project Sanctioning Committee (PSC) to consider Research/Project Proposals under the “Scheme for Action Research and Studies on Judicial Reforms”– Regarding.

The undersigned is directed to forward herewith the minutes of Sixteenth meeting of Project Sanctioning Committee (PSC) chaired by Secretary, Department of Justice on 22nd November 2021 for kind information and record.


(Narayan Prasad)

Deputy Secretary to Government of India
Tel./Fax no. 011- 23072146
E-mail: n.prasad68@gov.in

Encl: As above

Members of Project Sanctioning Committee:

1. Joint Secretary & Financial Advisor (Law and Justice), Ministry of Law and Justice, Shastri Bhawan, New Delhi.
2. Secretary General, Supreme Court of India, New Delhi.
3. Joint Secretary and Mission Director, Department of Justice, Jaisalmer House, 26-Man Singh Road, New Delhi.
4. Joint Secretary, Law Commission of India, 2nd Floor, B-Wing, Lok Nayak Bhawan, Khan Market, New Delhi – 110003 (Kind Attention: Shri Rajiv Mani, Joint Secretary, Department of Legal Affairs, Shastri Bhawan, New Delhi)
5. Smt. Varsha Chandra, Additional Law Officer, Law Commission of India, 2nd Floor, B-Wing, Lok Nayak Bhawan, Khan Market, New Delhi – 110003.
6. Director, Indian Law Institute, Opposite Supreme Court of India, Bhagwan Das Road, New Delhi.
7. Director, National Judicial Academy, Bhadbhadha Road, Suraj Nagar, P.O. Bhopal, Madhya Pradesh.

Copy to:

1. PPS to Secretary (Justice), Department of Justice
2. PPS to Joint Secretary (National Mission), Department of Justice

Minutes of Sixteenth Meeting of Project Sanctioning Committee (PSC) of the “Scheme for Action Research and Studies on Judicial Reforms” held on 22nd November 2021 in Department of Justice, Jaisalmer House, New Delhi via video conferencing

1. The 16th meeting of Project Sanctioning Committee (PSC) of the “Scheme for Action Research and Studies on Judicial Reforms” to consider fresh Research/Project Proposals held on 22nd November 2021 in Department of Justice, Jaisalmer House, New Delhi under the chairmanship of Secretary (Justice). The list of members and participants who attended the meeting is at **Annexure**.

2. The following actionable points emerged in the meeting:
 - All project proposals sanctioned under the *Scheme for Action Research and Studies on Judicial Reforms* must strictly adhere to the stipulated timelines. A new penalty clause has been included in all Action Research agreement(s) between the Agency and Department of Justice which would impose penalty in case of late submission.

 - All Implementing Agency and proposals selected under the *Scheme for Action Research and Studies on Judicial Reforms* are required to furnish regular /monthly interim progress reports which shall be examined and monitored by members of the PSC. During such progress presentations to be held quarterly every year, officers/subject experts from other Divisions may also be invited to solicit their inputs on the progress of the research activities. On the basis of the interim reports/ presentations, course additional suggestions may be made by the committee to make the study more effective.

 - Action Research studies that recommend legislative changes or modifications in the current framework in their respective final report would be expected to further handhold /extend their cooperation to, the concerned authority and Department of Justice for the implementation modalities of the suggested policy/legal amendments.

 - The following new proposals were presented before the PSC by the respective agencies, comments of PSC regarding the same are recorded as follows:

#	Agency	Proposal	Decision of 16 th PSC
1	University School of Law and Legal Studies, Guru Gobind Singh Indraprastha University, New Delhi	Access to Justice through Plea Bargaining as an alternative model to traditional Criminal Trial in India: A case study of select Indian States	The Committee after deliberations approved the proposal in-principle, subject to condition(s), as follows:

			<p>i. Budget amount shall be revised to not exceed more than Rs. 17 lakhs.</p> <p>The Committee observed that the proposed Agency also cover States with high number of plea bargaining cases, depict the data in such a manner so as to clearly identify various provisions of Indian Penal Code in which plea bargaining is being sought/used. South Asian countries may also be covered in the comparative study of common law countries to examine how plea bargaining is working in such jurisdictions.</p>
2	Himachal Pradesh National Law University, Shimla	Role of Pro-bono Lawyering in Ensuring Access to Justice: A Study with Special Reference to State of Himachal Pradesh, Haryana, Punjab, Union Territory of Chandigarh and Union Territory of Jammu and Kashmir	<p>The Committee after deliberations approved the proposal in-principle, subject to condition(s), as follows:</p> <p>i. Budget amount shall be revised to not exceed more than Rs.14 lakhs.</p> <p>ii. The sample size of the empirical study must be large enough to arrive at conclusions and include representation from all stakeholders.</p> <p>iii. Identify the ways to rope in good lawyers and improve quality of the pro bono services provided.</p> <p>iv. Inclusion of law school students as respondents in the field study to identify issues and methods through which pro bono lawyering may be encouraged at the ground level and/or introduce relevant changes at the curriculum level in law schools.</p> <p>v. The Agency may engage with law firms and lawyers known for pro bono work to suggest ways for providing quality legal advice for the needy.</p>

		vi. Concrete suggestions and a structure be suggested, which may act as a catalyst in improving Pro Bono lawyering.
3	Damodaram Sanjivayya National Law University, Visakhapatnam, Andhra Pradesh	<p>A Study on Functioning of Commercial Courts in the Southern Region of India for Improving Ease of Doing Business</p> <p>The Committee after deliberations approved the proposal in-principle, subject to condition(s), as follows:</p> <ol style="list-style-type: none"> i. Budget amount shall be revised to not exceed more than Rs. 16lakhs. ii. Corporate bodies/ associations active in South India such as FICCI, ASSOCHAM , PHDCC /other bodies be consulted to ascertain the problem faced and suggestions for improvement in the system . iii. Companies may also be included in the scope of study to determine their point of view regarding resolution of commercial disputes in commercial courts. <p>The Committee also observed that the proposed Agency may specifically examine and suggest ways for reduction of time taken for enforcement of judgements in the context of commercial cases; distinctly depict the number of cases in commercial courts in South India referred and disposed using PIMS mechanism in and <i>lastly</i> study the Dedicated Commercial Courts in Delhi as model commercial court to incorporate relevant best practices while also identifying best practices from the commercial courts in South India that are performing well. The study may identify gaps and suggest remedial actions, including replication of best practices</p>

ANNEXURE

List of Participants

S. No.	Name & Designation	Ministry/Department
1.	Shri Barun Mitra, Secretary (Chairman, PSC)	Department of Justice
2.	Shri G.R. Raghavender, Joint Secretary & Mission Director (Member, PSC)	Department of Justice
3.	Prof. Manoj Kumar Sinha, Director, (Member, PSC)	Indian Law Institute, New Delhi
4.	Ms. Varsha Chandra, Additional Law Officer	Law Commission of India
5.	Shri Narayan Prasad, Deputy Secretary	Department of Justice
6.	Shri Sumit Bhattacharya, Research Fellow (nominated as representative by Director, National Judicial Academy)	National Judicial Academy, Bhopal
7.	Shri R.C. Ahuja, Under Secretary	Department of Justice
8.	Dr. Anandita Yadav, Consultant Department of Justice	
	<u>Representatives from the Institutions</u>	
1	Prof. (Dr.) A.P. Singh, Dean	University School of Law & Legal Studies, Guru Gobind Singh Indraprastha University, Dwarka, Delhi
2.	Prof.(Dr.) Kanwal DP Singh, Principal investigator	
3.	Dr. Upma Gautam, Co-Investigator	
4.	Prof.(Dr.) Nishtha Jaswal, Vice Chancellor	Himachal Pradesh National Law University, Shimla
5.	Prof.(Dr.) Ajay Ranga, Principal investigator	
6.	Prof.(Dr.) P. Sree Sudha, Principal investigator	Damodaram Sanjivayya National Law University, Visakhapatnam, Andhra Pradesh