OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE CUM SPECIAL JUDGE (PC ACT) (CBI) ROUSE AVENUE DISTRICT COURTS, NEW DELHI

CIRCULAR

It has come to the notice of Hon'ble Justice Dr. D. Y. Chandrachud that numbers of cases are showing undated on CIS Server due to which undated data is appearing on National Judicial Data Grid. Further, sometimes holiday date such as Second Saturday and Sunday etc. is updated as next date of hearing in the case. It has also come to the notice that cases, in which Higher Courts have stayed the proceedings, is not being updated accordingly under "Delay Module" available on CIS which is preventing the Hon'ble Supreme Court and Hon'ble High Court to ascertain the causes of delay. Copy of his Lordship's letter, as forwarded, is enclosed herewith as "Annexure A".

Therefore, all the Ld. Judicial Official are requested to direct their concerned staff to firstly left no case undated everyday and secondly direct concerned staff to update **"Delay Module"** in CIS to facilitate the Hon'ble Supreme Court and Hon'ble High Court easy access to ascertain the cause of delay and thirdly, correct the updating of cases listed on holiday, if any and direct the concerned staff to furnish a compliance report in this regard at the earliest.

All Ld. Judicial Officer and other officials are further informed that a circular from the office of District and Session (HQ) has been received stopping use of banned Chinese Application in officials work. Copy of the said Circular is enclosed herewith as "Annexure B" for perusal and necessary action in accordance therewith.

Therefore, all the Ld. Judicial Officer are requested to direct all officials under them and all officials are hereby directed to immediately act as per the direction contained in the Circular thereby immediately stopping use of banned Chinese Application in official work. It is advised to use "Microsoft Office Lens/PDF Scan" in place of Chinese Application "Camscanner" by downloading it from https://apps.apple.com/in/app/microsoft-office-lens-pdf-scan/id975925059 or any other app not banned by Govt. of India.

This circular has been issued with the prior approval of Ld. District & Sessions Judge cum Special Judge (PC Act) (CBI), Rouse Avenue District Court, New Delhi.

This is a computer generated copy and does not require signatures.

Sd/-
(Harish Kumar)
Officer In-charge (Computers)/
Special Judge (PC Act) (CBI),
Rouse Avenue District Courts,
New Delhi

No. E13428-13487/Comp/RADC/ND/2020 Dated: 12.09.2020

Copy forwarded digitally for information and necessary action to:-

1. All the Judicial Officers at Rouse Avenue District Court, New Delhi.
2. The PS to the Ld. Principle District & Sessions Judge cum Spl. Judge (PC ACT) (CBI), New Delhi.
3. Branch Incharge, Computer Branch, RADC for being uploaded on the official website.
4. All Branch Incharges at RADC .

Sd/-
(Harish Kumar)
Officer In-charge (Computers)/
Special Judge (PC Act) (CBI),
Rouse Avenue District Courts,
New Delhi

Annexure-A

DR JUSTICE D Y CHANDRACHUD
Judge, Supreme Court of India

2 September 2020

Dear Chief Justice

The eCommittee of the Supreme Court has with the co-operation of the High Courts facilitated the migration of data on the National Judicial Data Grid. Maintaining the accuracy and authenticity of data is crucial to our mission to promote transparency as a feature of e-governance by the judiciary, based on ICT initiatives.

Certain issues pertaining to the data on the NJDG need to be addressed with a sense of immediacy. I write to you in that connection.

1 **Cases shown to be listed on Sundays**

The NJDG provides data about cases listed every day before courts. The cases listed are available under the caption of 'Alerts' in the Information Management segment of the NJDG. The NJDG data indicates that cases have also been shown to be listed on three consecutive Sundays namely, 30 August 2020, 6 September 2020 and 13 September 2020. This needs immediate attention by the Computer Committees and Central Project Coordinators in coordination with the District Judges.

A statement indicating district wise listing of cases in your state on 30 August 2020, 06 September 2020 and 13 September 2020 is attached as **Annexure -I**.

2 **Undated cases**

The NJDG indicates that 25,11,447 cases are undated as on 31 August 2020. This is a serious shortcoming. No case should be reflected as undated in the system. I request you to take up this issue so that the undated cases are tagged with dates and cease to remain in that category.

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DR JUSTICE D Y CHANDRACHUD
Judge, Supreme Court of India

Attached to this letter as **Annexure –II** are district wise details of the undated cases in your state.

3 **Non-appearance of accused**

The NJDG data indicates that approximately, 46 per cent of criminal cases in the districts and taluka courts are pending due to the non-appearance of the accused. Non-appearance of the accused is a major reason for long delays in trials. Conventional physical registers containing details of accused against whom court warrants, bailable and non-bailable, are issued or who are absconding need to be converted into a digital data base.

Availability of updated data in a digital data base will facilitate

(i) The concerned court in finding out details of the accused and to monitor and effectively secure their presence;

(ii) Other courts to obtain the antecedents of the accused before deciding on bail applications or sentencing;

(iii) The District Judges and the High Courts to supervise, monitor and guide timely actions;

(iv) Station House Officers in charge of police stations to get real time data of such accused within their jurisdiction and to take steps for service of court processes;

(v) Superintendents of Police / Commissioners of Police to get real time data of all the accused with details of process and police stations for better administrative monitoring and to ensure timely compliance;

(vi) Directors General of Police to get an overall status for the entire state according to police stations and districts, for due supervision; and

(vii) Policy makers to obtain comprehensive national real time status of a major cause for delay in criminal trials.

Thus, proper updating of this data is crucial and will pave the way for electronic transmission of the process of court summons, warrants and proclamations from the court to the concerned police authorities.

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DR JUSTICE D Y CHANDRACHUD
Judge, Supreme Court of India

4 **Stayed cases**

A significant number of cases pending in the district judiciary await further directions after proceedings are stayed by higher courts. It has often been observed that despite the dismissal of a case or a stay being vacated by a higher court, proceedings remained stayed in the trial court for want of proper communication. Similarly, a higher court may sometimes not be aware of a stay of proceedings in lower courts. Upon entry of relevant details in the delay module available under the NJDG, a clear picture would emerge about the number of cases which have been held up due to orders of stay passed by the High Court or the Supreme Court. This will facilitate administrative decisions being taken on prioritizing the hearing of such matters or for taking up applications for vacating or modification of stay orders. Other entries in the module will assist the concerned court in efficient docket management and provide comprehensive inputs on delays to understand the bottlenecks in the speedy disposal of cases. Necessary steps should be taken by all the judges in the district judiciary to ensure that the reasons for delay are duly uploaded, as provided in the module. This exercise must be completed at the earliest in the course of the month of September 2020.

The Guardian / Administrative Judges in charge of the districts, CPCs and District Judges should be requested to take coordinated steps to remedy the situation. I am writing this to request your intervention on the above issues so that the position is rectified immediately.

With regards

Yours sincerely

Dhananjaya Chandrachud

Copy to : The Chairperson, Computer Committee of the High Court

Attachment: Annexures I and II.

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Annexure-B

OFFICE OF DISTRICT & SESSIONS JUDGE (HQs) - DELHI

CIRCULAR

No. 16299-440/Misc./Comp./2020 Dated 10 SEP 2020

Sub: Restriction on use of Chinese Application in Delhi District Courts

It has been noticed that some of the officials are forwarding scanned copies of Circulars/Bail Orders/Daily Orders etc. which have been scanned with the help of Chinese Scanning Application like Cam Scanner, which is violation of directions issued by the Govt. of India.

It has been also been noticed that some circulars and orders have already been uploaded on official website apparently scanned with the help of some of the banned Chinese Applications.

Keeping in view the above and to comply with the directions of Govt. of India, all officials of Delhi District Courts are directed to stop use of all banned Chinese Applications in official work immediately. The officials dealing with Website of Delhi District Court (s) are also directed to find out all such uploaded documents apparently provide impression that same are scanned/copied with the help of banned Chinese Applications and either re-upload afresh or in cropped manner.

Needless to say, non compliance of the directions shall be viewed seriously and would invite disciplinary action against the erring official.

This issues with prior approval of learned District & Sessions Judge (HQs).

Manmohan Sharma

(Man Mohan Sharma)
District Judge (Commercial)
Officer In-charge (Computers)
Tis Hazari Courts, Delhi

No. 16299-440/Misc./Comp./2020 Dated 10 SEP 2020

1. Ld. District & Sessions Judge, West, East, North East, Shahdara, New Delhi, South, South East, South West, North West, North and RADC with request to convey the directions amongst all officials posted within the respective district.
2. All Judicial Officers of Central District with request to convey the aforesaid directions to the staff officials within their control for compliance.
3. The Sr. AO (J)/AO (J)/Branch In-charges of all the Branches functioning in Central District with request to convey the aforesaid directions to the staff officials within respective branch for compliance.
4. Dealing Official, Website Committee for compliance as directed and to upload the same on the website.
5. The Branch In-charge, R&I Branch, Central District for uploading on Layers.
6. Reader to the undersigned.

Manmohan Sharma

(Man Mohan Sharma)
District Judge (Commercial)
Officer In-charge (Computers)
Tis Hazari Courts, Delhi