**OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE**
**SHAHDARA DISTRICT, KARKARDOOMA COURTS, DELHI**

**ORDER**

In compliance to the directions contained vide letter no. 7968/ CFM/DHC/2024 dated 15.04.2024 of Hon'ble High Court of Delhi (copy of letter is annexed herewith), New Delhi, the following Committee of Shahdara District, Karkardooma Courts, Delhi is hereby constituted with immediate effect :-

| Sl. No. | Name of the Committee | Name of the Judicial Officer(s) | Designation |
|---|---|---|---|
| 1 | **District Case Management Committee of Shahdara District, KKD Courts, Delhi** | **1. The Principal District & Sessions Judge, Shahdara District** | **Chairperson** |
| | | **2.** Sh. Surinder S. Rathi, District Judge, Commercial Court - 03 | Member |
| | | **3.** Sh. Devender Kumar, Judge Family Court- 01 | Member |
| | | **4.** Sh. Nipun Awasthi, ASJ-06, POCSO | Member |
| | | **5.** The Chief Metropolitan Magistrate, Shahdara District | Member |
| | | **6.** The Senior Civil Judge, Shahdara District | Member |
| | | **7.** The Secretary of District Legal Services Authority, Shahdara District | Member |

However, the correspondence with the Hon'ble High Court of Delhi, New Delhi and the Ld. Principal District & Sessions Judge (HQs) Delhi will be done only through the undersigned.

**(RENU BHATNAGAR)**
Principal District & Sessions Judge
Shahdara District, Karkardooma, Delhi.

No. 3270-3279 Judl/Shd./KKD/Delhi/2024 Dated: 19.04.2024

**Copy forwarded for information and necessary action to:-**

1. The Registrar General, Hon'ble High Court of Delhi, New Delhi.
2. The Principal District & Sessions Judge (HQs), Tis Hazari Courts, Delhi.
3. The Principal District & Sessions Judge East and North District, Karkardooma Courts, Delhi.
4. All the Judicial Officers of Shahdara District, Karkardooma Courts, Delhi.
5. The Concerned Judicial Officers of Shahdara District to comply with the directions contained in the above mentioned letter of Hon'ble High Court of Delhi.
6. The A.O. (Judl)/Branch Incharges all the Branches of Shahdara District Karkardooma Courts, Delhi.
7. The Branch Incharge, Judicial Branch, Karkardooma Courts, Delhi is directed to place the matter with the Committee.
8. The R&I Branch, Shahdara for uploading on Layers.
9. The Website Committee, Tis Hazari Courts, Karkardooma Courts, Delhi.
10. PS/Reader to the undersigned.

Principal District & Sessions Judge
Shahdara District,Karkardooma, Delhi

592 Dated 16/04/2024. Scroll 447 18/4/2024

# HIGH COURT OF DELHI : NEW DELHI

No. 7968 /CFM/DHC/2024 Date: 15.04.2024

From:

The Registrar General,
High Court of Delhi,
New Delhi-110003.

To

1. The Principal District & Sessions Judge (HQs), Tis Hazari Courts, Delhi.
2. The Principal District & Sessions Judge, New Delhi, Patiala House Courts, New Delhi.
3. The Principal District & Sessions Judge, South-West, Dwarka Courts Complex, New Delhi.
4. The Principal District & Sessions Judge, West, Tis Hazari Courts Complex, Delhi.
5. The Principal District & Sessions Judge, East, Karkardooma Courts Complex, Delhi.
6. The Principal District & Sessions Judge, South, Saket Courts Complex, New Delhi.
7. The Principal District & Sessions Judge, Shahdara, Karkardooma Courts Complex, Delhi.
8. The Principal District & Sessions Judge, North-West, Rohini Courts Complex, New Delhi.
9. The Principal District & Sessions Judge, North, Rohini Courts Complex, New Delhi.
10. The Principal District & Sessions Judge cum Special Judge (PC Act) (CBI), Rouse Avenue Courts Complex, Delhi.
11. The Principal District & Sessions Judge, South-East, Saket Courts Complex, New Delhi.

12. The Principal District & Sessions Judge, North-East, Karkardooma Courts Complex, Delhi.
13. Officiating Chairperson/Director (Academics), Delhi Judicial Academy.
14. Divisional Commissioner, Revenue Department, Govt. Of NCT of Delhi.
15. Commissioner of Police, New Delhi.
16. Registrar (Judicial), SCMSC, Delhi High Court.
17. Registrar [M&C Cell (DC BMCs)]-I.
18. Registrar [M&C Cell (DC BMCs)]-II.

**SUB: Action Plan for Arrears Reduction in District Judiciary.**

Sir/Madam,

I am directed to forward herewith the ***Action Plan for Arrears Reduction in District Judiciary*** (ANNEXURE-'A') devised by "Hon'ble Committee for Model Case Flow Management Rules for Trial Courts, District Appellate Courts, High Courts and to suggest a plan for reduction of arrears in the High Courts and District Courts" constituted by Hon'ble The Chief Justice of India for information and further necessary action at your end.

Also, find attached the duly approved Roles and Responsibilities of different Departments (ANNEXURE-'B') for successful implementation of the Action Plan for Arrears Reduction in District Judiciary for compliance within first phase (April-June 2024).

(Namita Aggarwal)
OSD/Registrar(CFM)
For Registrar General

O.I.C. Judl. Branch

PS to SJ (Shd)
18/6/2024

# Action Plan for Arrears Reduction in District Judiciary (APAaR-DJ)

## 1. INTRODUCTION

The persistent issue of arrears in the judiciary has consistently garnered significant attention. Numerous steps have been taken in an endeavour to address and manage these arrears effectively. The challenge of backlog is not only a matter of administrative concern but also a critical aspect affecting the delivery of justice. This situation necessitates a proactive and continuous effort from the judiciary to find innovative and practical solutions.

Upon examination of the data pertaining to the district judiciary, the Committee[1] has observed a deeply concerning trend: a considerable number of cases have been pending for long periods, some for over two and even three decades. This situation calls for an effective approach to address the issue of delays. It also noticed that a substantial number of cases are currently in 'unready' state for various procedural reasons, thereby delaying their resolution. Additionally, the prevalence of cases that are stayed by higher courts adds another layer of complexity to the challenge of reducing pendency.

This prolonged accumulation of cases not only strains the judicial system but also has profound implications for the timely delivery of justice. The Committee recognizes the gravity of this situation and the potential erosion of public confidence in the judiciary that can arise from such delays.

The Committee is conscious of the diverse and complex nature of challenges faced by district judiciary across different states. The diversity extends to the nature and volume of cases, and the variations in human resources and infrastructure facilities.

Recognizing that several High Courts have their case management rules and that guidelines/action plans are periodically issued to meet changing needs, this Action Plan is designed to complement, not override, those measures. The

[1] Committee for "Model Case Flow Management Rules for Trial Courts, District Appellate Courts, High Courts and to suggest a Plan for Reduction of Arrears in the High Courts and District Courts" constituted in the Supreme Court of India.

Committee understands that one size does not fit all in the realm of judicial administration.

With this understanding, the Committee has endeavoured to create a framework that may serve as a guiding beacon. **This Action Plan lays out fundamental principles and a flexible action plan. It is intended to be adaptable, allowing High Courts and district judiciary to tailor the guidelines to their specific circumstances. The scheme should not be construed as interference with the day- to- day functioning of the Trial and District Courts.**

## 2. PRINCIPLES ADOPTED IN THE ACTION PLAN

The Action Plan for managing and reducing case arrears in district judiciary incorporates the following principles:

a) **Prioritization of Long-Standing Cases**: Special emphasis on identifying and resolving cases that have been pending for excessively long periods, such as over 10, 20 or 30 years.

b) **Accelerating the Progression of Cases to Finalization**: This principle emphasizes the urgency of moving cases towards a timely conclusion. It involves not only prioritizing the resolution of long-standing cases, particularly those over 10, 20 or 30 years old, but also ensuring that newer cases do not age into these categories.

c) **Equitable Case Distribution**: Ensure a balanced distribution of cases among judges, taking into consideration the complexity and nature of cases, to prevent overburdening and promote efficient resolution.

d) **Effective Handling of Unready & Stayed Cases**: Implement strategies for expediating and managing cases that are unready or are stayed by Higher Courts.

e) **Effective Utilization of Alternative Dispute Resolution**: Encourage the use of mediation and Lok Adalat to resolve disputes with more effective pre-lok Adalat sittings in old cases.

f) **Use of Technology**: Leverage NJDG and related tools for better case management, including case tracking systems, to enhance efficiency.

g) **Managing Undated Cases**: Address the issue of 'undated' cases. Implement measures to ensure that cases do not remain without a scheduled date, facilitating their timely progression and resolution.

h) **Adequate Human Resources Support to Judicial Officers**: Strengthen the district judiciary by providing sufficient ministerial staff support to judicial officers. This includes ensuring that courts have stenographers, and

other essential staff who can assist in case management and other administrative duties.

i) **Regular Monitoring and Review**: Implement a system for the continuous monitoring of case progress and regular review meetings to assess the effectiveness of action plan.

j) **Stakeholder Engagement**: Involve bar association and agencies to address procedural delays.

k) **Responsive Adaptation**: Tailor strategies to meet the specific circumstances of each district, allowing for flexibility and adaptation of the action plan to local scenarios.

## 3. ACTION PLAN FOR REDUCING ARREARS:

### 3.1 Formation of District Case Management Committee

The Case Management Committees, dedicated to implementing the following action plan, shall be established at the district level by the Hon'ble Chief Justice of the High Court. The Committees for all the district Courts shall be constituted by 30th April 2024. The committee's structure and functions are outlined as follows:

**(a) Structure of the District Case Management Committee:**

i. **Chairperson**: The Committee will be chaired by the Principal District Judge/Principal City Civil & Sessions Judge/ District Judge, as the case may be, whose role will be crucial in setting the direction and strategy for case management in the district.

ii. **Members**: The Committee will include (i) a Senior Additional District Judge in the district, (ii) a Judge of the Family Court (iii) a Senior most Civil Judge(Sr Division)/CJM/CMM, as the case may be.

iii. **Additional Member**: The Secretary of the District Legal Services Authority may also be a part of the Committee, aiding in the facilitation of Alternative Dispute Resolution (ADR) for appropriate cases covered by the action plan.

**Note**: In the district where the Small Causes Court unit is operational, the Chief Judge will serve as the Chairperson, and the

two most senior judges will act as Members of the Case Management Committee for the Small Causes Court.

**(b) Functions of the District Case Management Committee :** The functions of this Committee shall include the following:

i. **Preparatory Stage Tasks**: The Committee, during its preparatory stage, shall complete all necessary tasks for the effective implementation of the action plan. This includes the identification of action plan cases, considering the pendency as of 31st December 2023, as well as cases that will reach an age of over 30 years by January 1, 2025, ensuring that essential steps are in place for successful implementation.

ii. **Preparation of Targeted Case Lists**: The Committee will be responsible for creating comprehensive lists of targeted cases as outlined in the action plan. These lists may categorize cases based on various criteria such as age, type (civil, criminal, LAC, MACT, POCSO, family disputes) etc. The categorization process will also involve identifying cases having interim applications pending for over three months, unready matters, and undated matters.

iii. **Regular Review and Updating**: The progress of the cases covered under action plan shall be regularly reviewed, and lists be updated regularly to reflect the status and progress of each case.

iv. **Coordination with Judicial Officers**: The Committee will coordinate with judicial officers of respective courts to ensure that the lists are utilized effectively for case management and that the prioritized cases are given the necessary attention.

v. **Engage with duty holders**: The Committee shall formulate a plan to engage regularly with the bar association, and related stakeholders. This engagement is essential for understanding broader challenges in case management and for soliciting collaborative support.

vi. **Feedback and Adjustments**: The Committee will also seek feedback on the effectiveness of the lists and other steps in managing the caseload and will make adjustments as necessary based on this feedback and regular evaluations.

**3.2 Operational Framework** The operational framework is structured into three distinct phases:

**3.2.1 Phase-I (Preparatory) (April- June 2024):** During this phase focus shall be on the strategic planning and organization required for successful implementation of the subsequent phases. It will involve establishing committees and crafting an action plan tailored to local conditions. The main activities may include compiling lists of cases for the action plan, completing essential steps like services, and evenly distributing cases among judicial officers. These measures are vital for the smooth and effective execution of the action plan, which is aimed at efficiently reducing the backlog of cases. The measures which are expected to be taken during the preparatory phase are:

a) **Formation of Committee:** The District Case Management Committee shall be formed as mentioned in paragraph 3.1.

b) **Preparation of Lists of targeted cases and other preparatory steps**: The District Case Management Committee shall undertake the task of preparing a list of targeted cases for each court. This comprehensive list shall include cases prioritized for expedited resolution, such as the other long-standing matters and oldest execution petitions etc. Upon completion, these lists shall be submitted to the Registrar (Judicial) of the High Court. The details of these targeted cases shall be displayed on the notice boards in the respective courts. This step is crucial for maintaining transparency and keeping all stakeholders, including litigants and lawyers, informed. Furthermore, meetings shall be organized at the district level with members of the bar for ensuring that the legal community is fully engaged in and supportive of the efforts to reduce arrears. Timelines and other necessary steps shall be discussed and framed in consultation with the judicial officers at the district level by case management committee. This collaborative approach will help to tailor the action plan to the specific needs and challenges of each district, thereby enhancing the effectiveness of the initiative.

c) **Physical verification of cases:** A comprehensive physical verification of case files be carried out. This process is critical not only for ensuring the accuracy of data but also for correctly identifying the old cases, which will be the primary focus during the subsequent two phases of targeted case management. After the physical verification of case files,

reconcile the findings with the data shown on the National Judicial Data Grid/CIS. The necessary corrections would ensure that the data on the National Judicial Data Grid/CIS accurately reflects the actual number of cases. This process must be completed in this phase preferably before the end of the Summer Vacations in 2024 and can effectively be carried out during the summer vacation period. This step would ensure that the data on the National Judicial Data Grid & CIS accurately reflects the actual number of cases.

d) **Undated cases:** Identify undated cases and make concerted efforts to assign hearing dates to each case. Once identified, appropriate dates should be assigned as promptly as possible.

e) **Reconstruction of record of lost files**: In the event that the record of an old or targeted case included in the action plan is lost, efforts be made to reconstruct the record as early as possible. It may involve soliciting copies from the parties, retrieving relevant court orders etc. The District Case Management Committee shall ensure that such case files are reconstructed at the earliest after following proper procedure.

f) **Equitable distribution of oldest/targeted cases:** This should be carefully managed by the Principal District Judge (PDJ)/ Principal City Civil & Sessions Judge/District Judge, as the case may be, and deliberated upon in the District Case Management Committee meetings. It may involve a comprehensive assessment of the current caseload, taking into account the complexity and nature of each case. While doing so expertise, experience, and existing workload may be considered. The development of a clear set of criteria for case distribution is crucial, ensuring that cases are allocated in a manner that balances the workload across judges and prevents any one judge from being excessively burdened.

g) **Meetings with Senior police officers/Public prosecutors**: For old/ targeted criminal cases where trials have been delayed due to challenges in serving witness summons or securing the accused's presence, the case management Committee shall compile a list of these cases. The Principal District Judges/ Principal City Civil & Sessions Judge/District Judge shall then convene meetings with the District Superintendent of Police/ the Commissioner of Police, and/or Public Prosecutors, as applicable. In this meeting, they shall inform the police officers about

the specifics of these cases, including details like the Police Station and Crime Number, and request the District Superintendent of Police and/or Commissioner of Police to assign a senior police officer as a Nodal Officer to oversee the timely service of summons and warrants in these criminal cases.

h) **Appointment of Senior Nodal Officer from Revenue Department for Expedited Final Decree Proceedings:** To address delays in the preparation of final decrees, often due to the lack of cooperation from revenue department, the appointment of a senior Nodal Officer from the revenue department may be requested. This officer should ensure that matters requiring steps like surveys and other related procedures are prioritized and completed efficiently. This strategy may facilitate a more rapid preparation of final decrees.

### 3.2.2 Phase-II (July to December 2024)

**(a) More than 30 and 20-30 years and 10-20 years old cases:**

In the states of Uttar Pradesh, Bihar, West Bengal, Maharashtra, and Odisha, the focus shall be on resolving cases that are over 30 years old by the end of December 2024.

In certain districts of these States, where the number of cases older than 30 years is less than 150, the goal should be to conclude all such cases, as well as those in the 20–30 year range, by the end of December 2024.

In districts where there are more than 150 but less than 300 cases that are over 30 years old, the objective, apart from clearing all cases older than 30 years, should be to resolve a substantial portion (target may be set at 80%) of cases that fall in the 20–30 year range during this phase. In districts with 300 to 500 cases over 30 years old, the target may be set to dispose of at least 50% of the cases in the 20–30 year range, in addition to all cases older than 30 years, by the end of December 2024.

For districts where the number of 30 year-old cases exceeds 500 but is less than or are 700, the aim should be to resolve all such cases by the end of December 2024. If the number of cases exceeds 700, then the

remaining cases, i.e., those beyond the first 700, shall be addressed in the third phase.

In States other than above, resolve all cases older than 20 years by the end of December 2024.

**(b) Identification and Disposal of 50 Oldest Cases in Courts:** In courts with fewer than 50 cases over 20 years old, or with no such cases, the Case Management Committee will focus on the 50 oldest pending cases (25 civil (other than execution) and 25 criminal cases). These cases should be identified within a period of one month from receiving the guidelines. The identification shall be notified on the court notice boards and to the Bar Association. The aim shall be to resolve these oldest cases by the end of December 2024, provided they are not under any stay by higher courts. This approach is expected to ensure that even in courts with a lower volume of extremely old cases, the oldest cases still receive priority and efforts for timely resolution.

**(c) Disposal in Exclusive Family Courts etc.:** A separate targeted initiative for exclusive Courts, specifically Family Courts, Commercial Courts, and Juvenile Justice Boards to diligently work towards the resolution of their 100 oldest cases by December 2024 may be included in the action plan.

**(d) Disposal in Special Exclusive POCSO Courts etc:** In courts designated for POCSO (Protection of Children from Sexual Offences) and those exclusively handling crimes against women, the 50 oldest cases should be identified and aimed to be resolved by the end of December 2024. Similarly, in courts dedicated to handling cases under the Prevention of Corruption Act, the 25 oldest cases should be identified for resolution by the end of December 2024.

**(e) Negotiable Instruments Act Matters:** In courts dedicated to Negotiable Instruments Act matters, the 300 oldest cases shall be identified for resolution during this phase. A significant barrier to the advancement of these cases is the frequent failure to serve notices to the accused. Therefore, the District Case Management Committee should develop and implement strategies to effectively address this issue, thereby facilitating smoother case progression.

**(f) LAC Matters:** A significant number of Land Acquisition Cases (LAC) and associated Execution Cases have been pending in the Trial Courts across the States for an extended period. It has also been observed that in many Execution Cases resulting from Land Acquisition Cases resolved in Lok Adalats, the required amounts have not been deposited. These cases require swift handling. Consequently, there shall be a focused initiative to expedite the resolution of the oldest 100 LAC in this phase of this special drive. If special courts are established exclusively for Land Acquisition Cases, then these courts should identify and expediate resolution of the oldest 200 Land Acquisition Cases (considering one batch as one case) cases in this phase. In executions related to LAC cases, Legal Services Authorities may be actively and appropriately involved.

**(g) MACT matters:** There is also a notable accumulation of pending Motor Accident Claims Tribunal (MACT) matters, which have remained unresolved for a considerable length of time. Recognizing the urgency and importance of these cases, a dedicated drive shall be initiated focusing on the disposal of the 100 oldest MACT cases in this phase. If tribunals are established exclusively for Motor Accident Cases, then these courts should identify and expediate resolution of the oldest 200 such cases in this phase.

**(h) Execution petitions:** There is a substantial pendency of Execution Petitions in the Trial Courts for a prolonged period. Recognizing the critical need to address these Execution Petitions, which are essential for enforcing court judgments, a specific initiative shall be implemented in this phase. This initiative shall focus on the resolution of the five-year old Execution Petitions during this phase. In courts where there are no execution petitions pending for five years or more, the focus shall shift to addressing the oldest 20 execution petitions. This targeted approach is to ensure that even in courts with a relatively lesser backlog, the oldest and potentially most delayed execution petitions are prioritized, facilitating timely enforcement of judgments and effective administration of justice.

### 3.2.3 Phase- III (January to June 2025)

(a) **More than 30, 20-30 and 10-years old cases:**

**In districts of Uttar Pradesh, Bihar, West Bengal, Maharashtra, Odisha with more than 700 cases that are over 30 years old (continued from the preceding phase):**

Dispose of the remaining cases that are over 30 years old, which are beyond the 700 cases.
Dispose of the cases which are more than 20 -30 years old in such districts.

**In districts where the targets for cases which are 20-30 years oldest for the second phase (such as 80% or 50% disposal rates) were set:**

Continue efforts to dispose of all the remaining cases that are 20-30 years old.
Set additional targets, as per the pendency and local circumstances, for disposal of 10 years old cases.

**In states other than above states, resolve cases older than 10 years by the end of June 2025.**

(b) **Identification and Disposal of 50 Oldest Cases in Courts**

In courts with fewer than 50 cases over 10 years old, or with no such cases, the Case Management Committee will focus on the 50 oldest pending cases (25 in civil (other than execution) and 25 criminal categories). The identification shall be notified on the court notice boards and to the Bar Association. The aim shall be to resolve these oldest cases by the end of June 2025, provided they are not under any stay by higher courts. This approach is expected to ensure that even in courts with a lower volume of extremely old cases, the oldest cases still receive priority and efforts for timely resolution.

(c) **Reiteration of Phase-II Targets in Exclusive Courts for the Second Phase**

In the third phase of action plan, High Court may set the targets that were established in phase-II for various exclusive court categories. This approach includes upholding the priorities set for Family Courts, Commercial Courts, Juvenile Justice Boards, POCSO Courts, courts exclusively handling offenses against women, and courts dedicated to the Prevention of Corruption Act cases and Negotiable Instruments Act cases. Additionally, the targets set for Land Acquisition Cases (LAC) and Motor Accident Claims Tribunal (MACT) matters, as set in the second phase, may be repeated in the third phase.

(d) **Execution petitions:** Focus on the resolution of the three-year oldest Execution Petitions during this phase. In courts where there are no execution petitions pending for three- years or more, the focus shall shift to addressing the oldest 20 execution petitions. This targeted approach is to ensure that even in courts with a relatively lesser backlog, the oldest and potentially most delayed execution petitions are prioritized, facilitating timely enforcement of judgments and effective administration of justice.

(e) **Framing of issues:** In civil cases where the framing of issues has been pending for over one month even after completion of pleadings, action shall be taken to ensure that these issues are promptly framed. This step is crucial for advancing these cases towards resolution. The delay in framing issues can lead to prolonged proceedings, and addressing this effectively will aid in streamlining the process.

(f) **Framing of charges:** Similarly, in criminal cases where the charges are required to be framed as per law but has been delayed for more than one-month, immediate steps will be taken to address this issue in the third phase. The framing of charges is a critical step in the criminal justice process, setting the stage for the trial by clearly outlining the accusations against the defendant. Prioritizing the framing of charges in cases where this has been delayed is essential to prevent undue prolongation of the legal proceedings. This action will ensure that these criminal cases progress to the trial stage in a timely manner, thereby contributing to the efficiency and effectiveness of the criminal justice system.

(g) **Disposal of interim applications**: In civil suits, any interim applications that have been pending for more than three months shall be given priority for disposal. The resolution of these interim applications are often crucial for the progression of the case. Addressing them promptly is essential for avoiding unnecessary delays.

## 4. OTHER STEPS TO BE TAKEN IN PHASES I, II & III

a) **Redistribution of Cases Due to non-availability of Judicial Officer:** A special provision may be included in the action plan to address the situation where a judicial officer is on long leave due to reasons such as medical issues. In such scenario, cases classified as critical arrears or the 50 oldest cases from the affected court, should be redistributed among other courts. This redistribution should be conducted with careful consideration of the specific nature and complexities of each case to ensure appropriate and efficient handling. This proactive measure may help at preventing delays in the processing of these targeted cases.

b) **Lok Adalat and Mediation**: The effective use of Lok Adalat and Mediation may help in addressing the pendency of old cases. The introduction of special pre-Lok Adalat sittings for identified old cases can significantly enhance the resolution process. These pre-Lok Adalat sessions provide an opportunity for the parties involved to discuss their issues before formally presenting them at the Lok Adalat, fostering a more conducive environment for amicable settlements. In these pre-Lok Adalat sittings, the involvement of trained mediators may be considered.

c) **Unready cases**: As part of an action plan to address unready cases, initiate a thorough review of all unready cases to identify specific reasons for their unprepared status. Judicial intervention may be required to resolve procedural issues that are causing delays. Provide training and capacity building for judicial officers and court staff to enhance their efficiency in managing and processing cases. The endeavour should be made to systematically reduce the number of unready cases. During the action plan, the percentage of unready cases be reduced significantly.

d) **Record with the Appellate/Revisional Courts:** If the Case Management Committee finds that oldest/targeted cases, cannot be heard, because the record of the cases is with the High Court, though no stay is granted, a list of such matters shall be compiled by the Committee of each district and forwarded to Registrar (Judicial) of High Court. On receipt of such list, the Registrar (Judicial) shall ascertain whether the matters are pending in High Court or not. If the matters are disposed of and the records are not dispatched, the Registrar (Judicial) shall ensure that the records of such cases lying in the High Court are immediately forwarded to the concerned Courts. The Appellate/Revisional Courts shall only call for the digital record of such cases so that further proceedings in the trial courts are not hampered.

e) **Stayed cases**: Old/targeted cases that are part of the action plan but have been stayed by the High Court or the Supreme Court, the District Case Management Committee shall prepare and regularly update a comprehensive list of such cases. It is crucial that this list is consistently monitored and updated to reflect any changes, such as the lifting of stays or issuance of new stay orders. The updated list should then be regularly submitted to the Registrar (Judicial), ideally on a monthly basis, to ensure the information remains current and actionable. Upon receipt of this list, the Registrar (Judicial) shall seek appropriate directions from the Chief Justice to facilitate the progression of these cases. Data base of the stayed cases be prepared. This approach is essential for ensuring that stayed cases within the action plan are not overlooked and continue to receive the necessary attention for their eventual resolution, aligning with the goals of reducing case arrears.

f) **Merit-Based Resolution of Oldest/targeted Cases:** An endeavour shall be made to dispose of the oldest cases on merits and easy recourse to dismissal of the matters for non-prosecution or deciding the cases ex-parte shall not be taken, unless it is absolutely warranted by the facts of the case.

g) **Expedited Handling of appeal/revision in targeted Cases in Higher Courts**: Upon the filing of an appeal or revision in targeted cases, a mechanism be put in place to assign a unique identifier to these cases at the time of filing. The identifiers would serve the purpose of alerting court staff and judges that the case requires expedited processing. To ensure effectiveness, this approach necessitates training for court

personnel and the establishment of clear operational guidelines. Though demanding in terms of implementation, such a system could significantly enhance the efficiency and timeliness of proceedings in targeted cases.

h) **Use of Justis Mobile App/NJDG:** The Justis mobile app is specifically designed to empower judicial officers with advanced tools for effective court management, thereby facilitating the speedy administration of justice at the district level. The Justis app offers comprehensive and detailed data insights for a particular court, including case type, year-wise, and stage-wise details of disposals and pending cases, all from the judicial officer's perspective. This granular insight into court data enables judicial officers to make more informed decisions and manage their workload more effectively. To ensure the successful implementation of action plan, it is imperative that Principal District Judges/ Principal City Civil & Sessions Judge/ District Judge and other judges utilize the Justis app and National Judicial Data Grid(NJDG). Additionally, organizing necessary training sessions for judges will be crucial in maximizing the app's use and NJDG.

i) **Use of Virtual Court Hearings in Targeted Cases:** Consider and facilitate virtual court hearings for the targeted cases. This initiative may minimize unnecessary adjournments. Recognizing that many states have established rules for recording evidence through virtual platforms, it is suggested to leverage these technologies to conduct proceedings virtually where feasible. This approach not only enhances efficiency but also aligns with modern practices, ensuring a more accessible and expedient resolution of cases.

j) **Addressing the Shortage of Public Prosecutors in Courts**

During the action plan, it is essential to address the pressing concern of public prosecutor shortages in numerous courts. Often, a single prosecutor is tasked with managing criminal matters in multiple courts, resulting in delays. This scarcity hampers the progression of criminal cases towards their conclusion and presents challenges such as recording dispositions of all witnesses present.

To tackle this, it is imperative that the Principal District Judge/ Principal City Civil & Sessions Judge/ District Judge, in jurisdictions

experiencing a dearth of public prosecutors, proactively report this situation to the High Court. The High Court, upon being notified, should then take appropriate measures to address this issue. This may involve taking up the matter with relevant State department or the Director of Prosecution to ensure an adequate deployment of public prosecutors.

k) **Utilization of 'Urgent Case' Feature in CIS for Action Plan Cases**: The feature in the Case Information System (CIS) that allows for marking cases as 'urgent' could be effectively used for cases encompassed by the action plan. This would enable such cases to be highlighted at the top of the cause list, ensuring they are given priority attention. Utilizing this functionality can be instrumental in efficiently managing and expediting the resolution of cases within the scope of the action plan.

l) **Priority for Cases involving individuals with Terminal Illness or Senior Citizens**: During the implementation of the action plan, priority should be given to cases involving individuals with terminal illnesses or senior citizens. This approach may ensure that they receive timely justice and consideration in light of their unique circumstances.

m) **Minimizing Adjournments and Shorter Dates in Targeted Cases**: In the cases targeted by the action plan, it is important to avoid granting unnecessary adjournments. Instead, shorter dates should be set for hearings to ensure a more efficient and expedited resolution of these cases.

n) **Tailored Case Resolution Targets for Diverse Districts**: Different districts could have varying levels of case backlogs, and the caseload per judge might also differ. The primary goal should be to resolve all cases that are over 30 years old by June 2025 in the states of Uttar Pradesh, Bihar, West Bengal, Maharashtra, Odisha, as well as the number of cases that are in the range of 20-30 years old by the end of the same period. In other States, the primary goal is to dispose of all 30 years old cases as well as all 20 years old cases by June 2025, as well as significantly reduce the number of cases that are 10 years old by the end of the same period. In states where there are fewer 20 years old cases to dispose of all 10 years old cases. Additionally, the plan aims to expedite the progression of cases towards their conclusion. Therefore, tailored targets might be set for various districts within the state,

keeping in view the specific categories of cases and other relevant aspects.

## 5. ROLE OF THE HIGH COURT

a) **Development of Action Plan by State Court Management System Committee:** State Court Management System Committee (SCMS) shall formulate a detailed action plan that aligns with the principles and framework elaborated in this document and also keeping in view the local scenarios prevalent in their States. This plan should focus on the efficient disposal of old cases, incorporating strategies such as prioritizing long-pending cases, streamlining case management processes, and ensuring equitable distribution of cases among judges. The action plan so prepared by SCMS shall be submitted to the Hon'ble Chief Justice of the High Court for approval.

b) **Adequate Human Resources Support to Judicial Officers**: High Courts may ensure that the district judiciary has adequate ministerial staff support to judicial officers. In this regard, the availability of stenographers and other necessary staff who are instrumental in case management and administrative functions may be ensured. A well-resourced district judiciary is fundamental for effectively managing caseloads and timely dispute resolution.

c) **Meetings by Hon'ble Chairperson, State Court Management System Committee**: The Hon'ble Chairperson of the SCMS Committee shall take monthly meetings with the District Case Management Committee. These meeting are crucial for reviewing the progress of the action plan and ensuring that the strategies are being effectively implemented at the district level.

d) **Personal monitoring by the Hon'ble Administrative Judge/Portfolio Judge**: The Hon'ble Administrative Judge/Portfolio Judge is requested to take an active role in the case management process. This may involve presiding over the meetings of the District Case Management Committee at least once every two months. The presence and guidance of the Hon'ble Administrative Judge in these meetings are crucial for reviewing the progress of the action plan, addressing challenges, and ensuring that the strategies are being effectively implemented at the district level.

e) **Overall Monitoring by the Hon'ble Chief Justice**: The overall monitoring by the Hon'ble Chief Justice may play a pivotal role in the successful implementation of the action plan. Regular reviews and interventions by the Hon'ble Chief Justice can significantly contribute to the progress and effectiveness of the action plan, ensuring that the objectives of reducing case backlogs and expediting the disposal of old cases are met.

f) **Incentive**: The High Court, on its administrative side, may consider offering incentives for the resolution of cases under the action plan. This could include allocating additional units or similar rewards for their successful disposal.

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ANNEXURE - B

## ROLE OF DISTRICT COURTS

1. A 'District Case Management Committee', dedicated to implementing the above mentioned Action Plan be constituted in each district by **30.04.2024** comprising of the following :

| | | |
|---|---|---|
| 1. | Chairman | Principal District & Sessions Judge |
| 2. | Members | (i)Senior Additional District Judge of the district<br>(ii) a Judge of the Family Court<br>(iii) Chief Metropolitan Magistrate / Chief Judicial Magistrate.<br>(iv) Senior Civil Judge. |
| 3. | Additional Member | The Secretary of District Legal Services Authority |

2. The Committee shall perform the following functions during the **FIRST PHASE (April – June 2024)** of the implementation of the Action Plan :
   a) Ascertain pendency of each court in the district as on 31.12.2023.
   b) Identification of cases which will be more than 30 years old and 20 years old by 01.01.2025.
   c) Prepare a comprehensive list of the targeted cases as per the Action Plan in the format provided in '**Annexure B**'. These lists shall be submitted to the **Registrar (Judicial / CFM)** of the High Court and also displayed on the notice board in the respective courts.
   d) Identifying and preparing a comprehensive list of cases having interim applications pending for over three months, unready matters and undated matters.

e) A physical verification of the targeted cases be carried out for ensuring accuracy of data as well as to identify the reasons for delay.

f) Crafting an Effective Action Plan in consultation with the Judicial Officers of respective courts for successful implementation of the Action Plan and disposal of the targeted cases within the time frame laid down in the Action Plan.

g) Meeting shall be organized at District Level with the Members of the Bar for ensuring their support in the effort to reduce arrears.

h) Accurate reconciliation of the data after physical verification with the data on the National Judicial Data Grid / CIS : **to be completed before the end of summer vacations in 2024.**

i) Identify undated cases and make concerted efforts to assign hearing dates to each case.

j) If the record of an old / targeted case included in the Action Plan is lost, efforts be made to reconstruct the record before the end of Phase-I.

k) The **Chairperson of the Committee** shall conduct equitable distribution of the oldest / targeted cases amongst the Judicial Officers of the District after assessing the current workload as well as the complexity and nature of each case.

l) Convene regular meetings with the DCP / Commissioner of Police and Public Prosecutors to ensure timely service of summons and warrants in the targeted cases. A complete list of such cases including details like police station & case number be provided to them.

m) Conduct regular meetings with the Nodal Officer from the Revenue Department to ensure preparation of final decrees and execution of the decrees efficiently.

n) Special Pre-Lok Adalat sittings be conducted by involving trained mediators for identified old cases / targeted cases for fostering a more conducive environment for amicable settlement of disputes during the Lok Adalat.

o) Effective use of Lok Adalat and Mediation to dispose of the targeted cases.

p) Provide training and capacity building for court staff to enhance their efficiency in managing and processing cases.

q) A list of targeted cases where the case record is with the High Court, though no stay has been granted, be prepared and forwarded to **Registrar (Judicial / CFM)** of the High Court who shall then ascertain whether such matters are pending in the High Court or not and shall also ensure quick transmission of those records to the concerned courts in case such records are lying in the High Court.

r) A separate list of targeted cases that have been stayed by the High Court or the Supreme Court be prepared. Such list be consistently monitored and updated to reflect any changes such as lifting of stays or issuance of new stay orders. The updated list be submitted to **Registrar (Judicial / CFM)** on a monthly basis and a data based of these cases be prepared.

s) Upon filing of appeal and revision in targeted cases, a mechanism be put in place to assign a unique identifier to these cases at the time of filing in order to alert the court staff and Judges that the case requires expedited processing.

t) Effective utilization of the Justis App and National Judicial Data Grid (NJDG) to ensure successful implementation of the Action Plan. Adequate training be provided to Judges to maximize the use of this App and NJDG.

u) To minimize unnecessary adjournments, use of Virtual Court hearings and recording evidence through virtual platforms (as per VC rules of Delhi High Court.

v) Marking cases as 'urgent' in the CIS for the targeted cases.

## ROLE OF HIGH COURT

1. State Court Management System Committee (SCMS) shall formulate a detailed frame work for effective implementation of the 'Action Plan for Arrears Reduction in District Judiciary', focusing on efficient disposal of old cases,

streamlining Case Management Processes etc. The said frame work / Action Plan be submitted to the Hon'ble Chief Justice for approval.

2. Ensure availability of adequate ministerial staff support to the Judicial Officers who are instrumental in case management.
3. The High Court on being notified about the dearth of Public Prosecutors in the District Courts, shall take up the matter with relevant State Department or the Director of Prosecution to address the said issue for adequate deployment of Public Prosecutor at District Courts.
4. The Hon'ble Chairperson of SCMS Committee shall hold monthly meetings with the District Case Management Committee for reviewing the progress of the Action Plan and ensuring that the strategies are being effectively implemented at the District level.
5. The Hon'ble Administrative Judge / Portfolio Judge (Hon'ble Chairperson BMC of the concerned District) for all matters except those for which special committees have been constituted and Hon'ble Chairperson of the Specialized Committees (in case of matters relating to Family Courts, Commercial Courts, Juvenile Justice Boards, POCSO Courts, MACT Courts) shall take an active role in the Case Management Process and preside over the meetings of District Case Management Committee atleast once in two months for reviewing the progress of the Action Plan, addressing challenges and ensuring that strategies are being effectively implemented at the District level.
6. Hon'ble Chief Justice shall over all monitor the successful implementation of the Action Plan by taking regular reviews in order to ensure that the objective of reducing case back log and expediting the disposal of old cases is duly met.
7. Registrar (Judicial / CFM) shall ensure timely dispatch of the records of the targeted cases from the High Court to the District Courts.
8. The Appellate / Revisional Courts shall only call for the digital record of such cases so that proceedings before the Trial Court are not hampered.

9. Hon'ble Chief Justice shall give appropriate directions to the Registrar (Judicial / CFM) to facilitate progression of the cases in the targeted cases list which have been stayed by the High Court or the Supreme Court on monthly basis.
10. Upon filing of appeal and revision in targeted cases, a mechanism be put in place to assign a unique identifier to these cases at the time of filing in order to alert the court staff and Judges that the case requires expedited processing.
11. The High Court may consider offering incentives like allocating additional units to the Judicial Officers for resolution of cases under the Action Plan.

**ROLE OF DELHI JUDICIAL ACADEMY**

Delhi Judicial Academy shall provide regular training and hold Capacity Building Programmes for Judicial Officers to enhance their efficiency in managing and processing cases.

**ROLE OF POLICE DEPARTMENT**

The Commissioner of Police shall assign a Senior Police Officer as a Nodal Officer to oversee timely service of summons and warrants in the targeted criminal cases and to hold regular meetings with the District Case Management Committee in this regard.

**ROLE OF REVENUE DEPARTMENT**

The Revenue Department shall appoint a Senior Nodal Officer to ensure that the matters requiring steps like surveys and other related procedures are prioritized and completed efficiently for rapid preparation of final decrees.