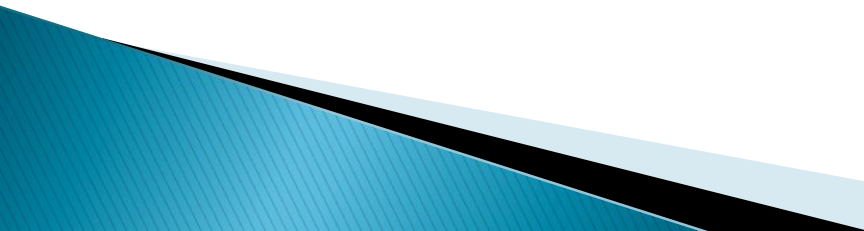


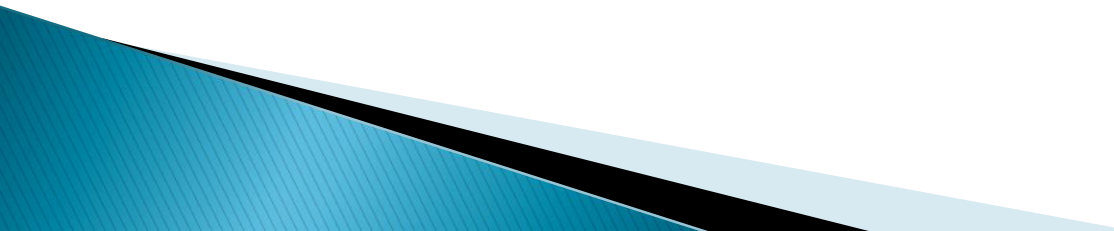
ENHANCE QUALITY, RESPONSIVENESS AND TIMELINESS OF COURTS

- ▶ “National Court Management Systems” for the country that will enhance the quality, responsiveness and timeliness of Court.
- ▶ 02.05.2012, Secretary General, Supreme Court of India, which, inter alia, states that:
 - ▶ – “Under overall control of Hon’ble the Chief Justice of India, National Court Management Systems (NCMS) for enhancing timely justice is established as per Scheme annexed.

SIX MAIN ELEMENTS:

- ▶ (1) A National Framework of Court Excellence (NFCE) that will set measurable performance standards for Indian courts, addressing issues of quality, responsiveness and timeliness.
 - ▶ (2) A system for monitoring and enhancing the performance parameters established in the NFCE on quality, responsiveness and timeliness.
 - ▶ (3) A system of Case Management to enhance user friendliness of the Judicial System.
- 

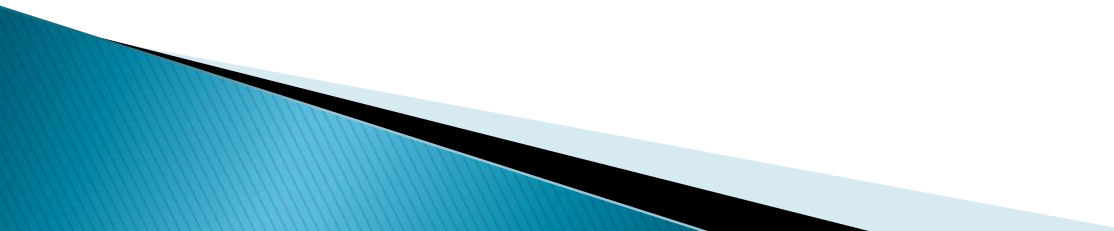
Cont- elements

- ▶ (4) A **National System of Judicial Statistics** (NSJS) to provide a common national platform for recording and maintaining judicial statistics from across the country
 - ▶ (5) A **Court Development Planning System** that will provide a framework for systematic five year plans for the future development of the Indian judiciary. The planning system will include individual court development plans for all the courts.
 - ▶ (6) A **Human Resource Development Strategy** setting standards on selection and training of judges of subordinate courts
- 

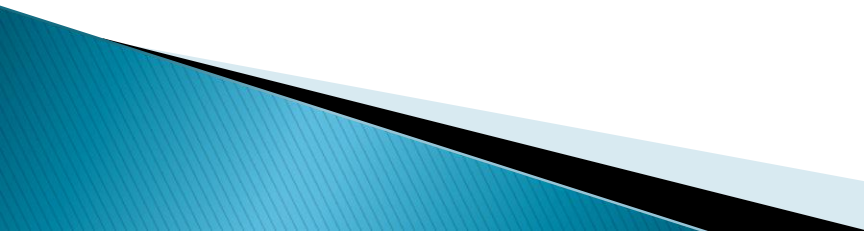
State court management system

- ▶ First National Meeting of court Management Systems Committees (NCMS & SCMS COMMITTEES) held on 27th & 28th March 2015
- ▶ Orissa – as on 31–12–2013
- ▶ the status of FIVE PLUS ZERO is 41.80 % (more than 5 years old in comparison to the total pendency
- ▶ BUT as on 31–12–2014 the status is 38% (4,10,441 as against total pendency 10,70,377)

MANAGEMENT

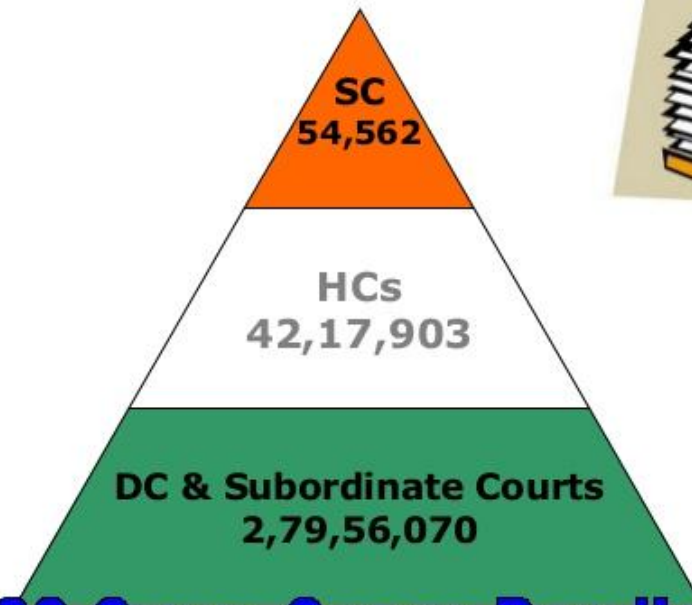
- ▶ The term “**management**” means–
 - ▶ judicious deployment of resources including human resources for optimum output.
 - ▶ For achieving maximum output in minimum available time and with minimum resources at command, we need to have a motivated, disciplined and dedicated **team**.
 - ▶ The **team should share** the collective objective of the judicial system i.e smooth discharge of the business of the court and prompt disposal of cases, within the available infrastructure and limited resources.
- 

COURT MANAGEMENT

- ▶ “Court management” is **inclusive** of entire set of actions that a court takes to monitor and control the progress of cases, **from initiation of a case to trial.**
 - ▶ It is the tool to pursue the institutional mission of resolving disputes with due process and in due time.
- 

- 1. Policies & Standards**
- 2. Planning**
- 3. Information & Statistics**
- 4. Court Management**
- 5. Case Management**
- 6. Responsiveness Management**
- 7. Quality Management**
- 8. Human Resource Management**
- 9. Core System of Management**
- 10. IT System Management**

Court based management >>



3.22 Crore Cases Pending....

(C) K L GUPTA

Source :- www.supremecourtofindia.nic.in



PENDENCY AND PROGRESSION INDIA

- ▶ with over 3 crores of cases and sanctioned strength of some 18,000* Judges
- ▶ The judicial system is set to continue to expand significantly over the next **three decades**, rising, by the most conservative estimate, to at least about 15 crores of cases requiring at least some 75,000 Courts/Judges.

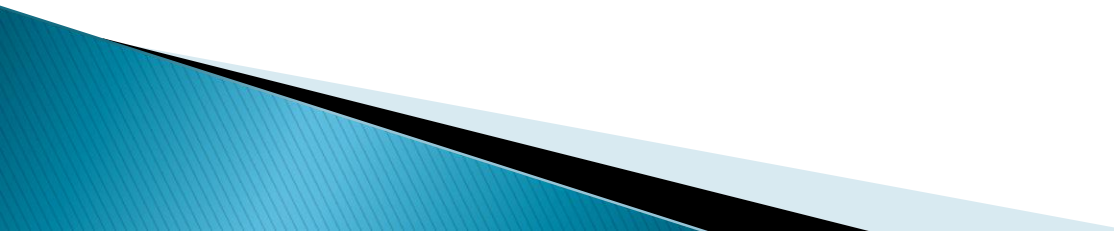
Orissa Vision document –2015

- ▶ Total Pendency of Cases – 10,70,377
- ▶ 5+ years cases 4,10,441 (38%)
- ▶ Existing Strength in 3 Cadres, in 2014 i.e, Dist. Judge, Sr. Civil Judge & Civil Judge ---672
- ▶ Working strength in 3 Cadres as in the year 2014 – 569
- ▶ To clear up 5+ years cases in three years, 199 additional courts are required.
- ▶ To clear up balance 6,59,936 arrear cases in five years, 192 additional courts are required.
- ▶ The rising trend of Disposal of cases, from, from the year 2011 to 2014 is 41%.
- ▶ The average rise in Institution is 15%.
- ▶ The requirement of Addl. Courts to meet such rising trend is 19%.

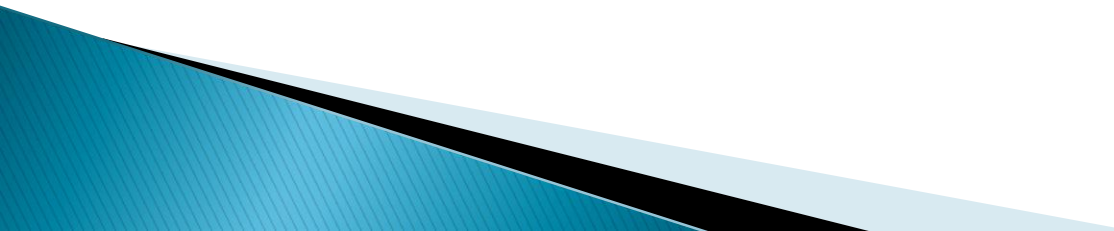
OBJECT_FIVE PLUS FREE

- ▶ 74% of the cases in Indian courts are less than five years old,
- ▶ of which some *40% are less than 1 year old.
- ▶ There is an urgent need to make the Judicial System '**five plus free**' (i.e., free of cases more than five years old) by addressing the *26% of cases that are older than five years.
- ▶ There is an equally urgent need to shorten the average life cycle of all cases – not only time spent within each court, but also total time in the judicial system as a whole, to bring the average to no more than **about one year in each court.**


ISSUES- subordinate courts

- ▶ Data and statistics
 - ▶ Timely Transmission of information
 - ▶ Budget
 - ▶ Project and planning
 - ▶ Annual confidential reports
 - ▶ Vigilance and supervision –transparency
 - ▶ Case management
 - ▶ integration of computers
 - ▶ Poor R.T.I response
- 

INITIATIVES REQUIRES RELIABLE DATA AND STATISTICS ABOUT THE JUDICIAL SYSTEM.

- ▶ Very little data is available in real time
 - ▶ Data is manual, sometimes inconsistent, splintered and not available .
 - ▶ Data appear to be mutually incompatible.
 - ▶ In the absence data systems that will track individual cases against established time standards, there is in fact no scientific data on delays in courts today.
- 

STATISTICS

- ▶ To address issues relating to and affecting Administration of Justice
 - ▶ some of the following key elements whereof correct and complete statistics are always required.
 - ▶ number of pending cases,
 - ▶ number of Judicial Officers,
 - ▶ number of Staff Members,
 - ▶ number of Court Halls and availability of infrastructure
- 

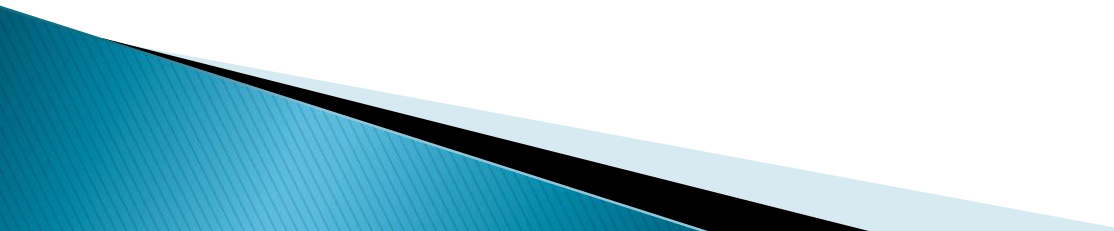
BUDGET

- ▶ District Courts experience shows that the **clerical staff** picks up demands as were made in the earlier years for funds and grants and the same is forwarded to the Government by taking signature of the Judges in the Districts.
- ▶ Most of the Judicial Officers are not proficient in the art of planning and preparation of Budgets so that the Budget meets the requirements for the next year and is neither excessive nor short.
- ▶ **Suggestion**– Before submission of budget proposal ,expenditure plan be kept on record to avoid last moment expenditure only on reminder.
- ▶ surrender of surplus .allotment be made at the earliest

Annual Confidential Reports

- ▶ Principles required to be adopted for effective Court Management and Case Management need to be identified.
- ▶ In the interest of Judiciary, Annual Confidential Reports of Members of Subordinate Judiciary be maintained properly and on regular basis. Hon'ble the Supreme Court of India, in the matter of Registrar General, Patna High Court v. Pandey Gajendra Prasad and Others (Civil Appeal No. 4553 of 2012) [J.T. 2012 (5) SC 457],

supervision

- ▶ Special confidential inquiry for Judicial Officers
 - ▶ and Vigilance Cells for Staff Members
 - ▶ Quick R.T.I response
- 

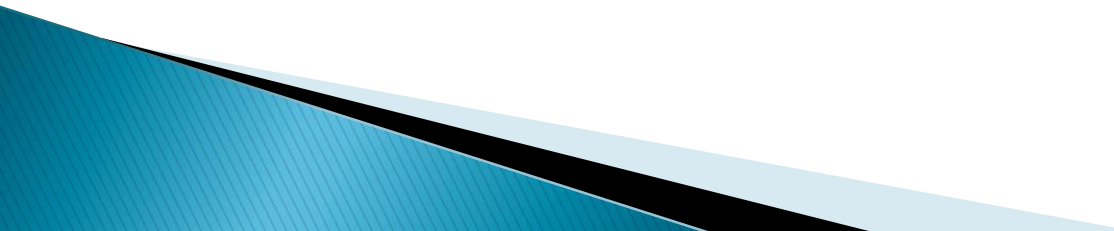
Case management

- ▶ For Case Management, various aspects may require to be looked into, such as:-
- ▶ COMPUTERIZATION IS THE RIPOSTE.
- ▶ a. Settling issues,
- ▶ b. Encouraging parties to resort to ADR,
- ▶ c. Extensive use of Order X of Code of Civil Procedure,
- ▶ d. Fixing time schedules for specific steps.
- ▶ e. Procedure for assigning cases to specialized Courts

Survey for Case Types

- ▶ some cases can be identified as complex cases. Some simple cases, where law point involves, may require more time than the expected time. Experience is that, it cannot be expected that, the case filed before the judge/presiding officer; will be decided by the same one

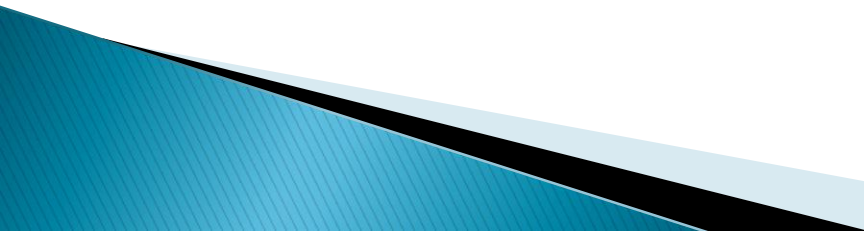
INTEGRATION OF COMPUTERS

- ▶ Computers can also help in reshaping the administration of the courts. With the integration of computers and database software, case information can be recorded and retrieved electronically which would serve as a boon to the system. The use of new technology would improve the efficiency of court administration.
- 

Duty of court manager

- ▶ **planning -- infrastructure**
- ▶ The Bombay High Court has given duties and responsibility for planning -- that
- ▶ (1) In consultation with the stakeholders of a court (including the Bar, ministerial staff, Executive Agencies supporting judicial functions such as prosecutors/police/process serving agencies and court users), prepare court wise Court Development Plan (CDP);
- ▶ In regular course of for the development of court working. For building plan, it is necessary to decide, what to do, How to do and When to do the plan

Court manager----- non-judicial functions of the court

- ▶ The District Court manager has also administrative responsibility for the non-judicial functions of the court. These functions provide direct support to the judges and the court room process and administrative sections.
 - ▶ The non-judicial function includes supervision on staff, training to staff, court record management and maintenance. He has to support the judges in implementing court policies, procedures and methods
- 

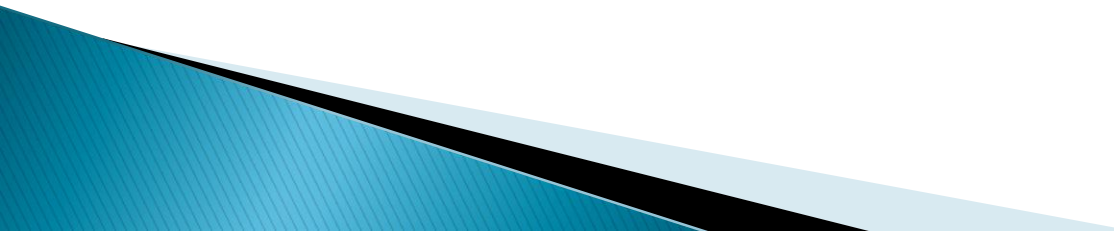
Court managers necessary for professional working of Registries.

- ▶ Recruitment Policy,
- ▶ Standard Staffing Patterns
- ▶ and Training Policies for Staff

Assess the work load—for distribution

- ▶ **Work load Survey** is useful for assessment of the required time to manage the court working
- ▶ it becomes necessary to study the work load of that court. So also the Manager has to find out the time required to monitor the execution of plan by the judge.
- ▶ It is necessary to carry out survey for entire courts within the district. Pending/ filing and disposal ratio of each court has to be considered.

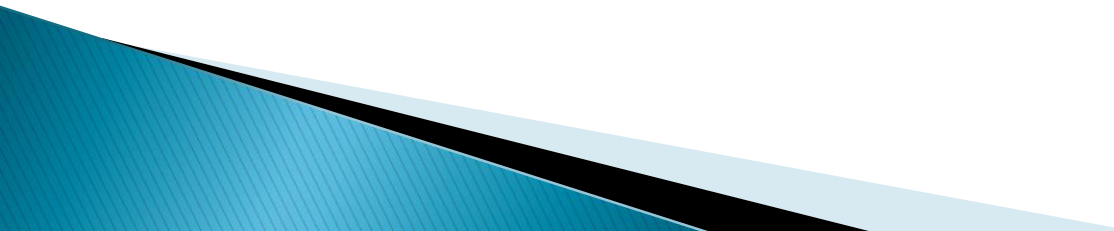
Assist district judge

- ▶ Non-case-related task means attending meetings, jail visit, mental hospital visit, lunch time/break, to attend judicial conference, seminars, training, vacation and leave taken by the officers
 - ▶ Define tasks and set a time-table to the team. For such work the court manager to prepare detailed plan after collecting data from the computers for each court
- 

COURT MANAGER TO PLAN OUT U.T.P CASES

- ▶ : Information for Criminal cases:
 - ▶ ▪ Listing old criminal cases and type of cases.
 - ▶ ▪ Listing the name of advocates representing for the accused in the criminal cases.
 - ▶ ▪ Listing the cases where accused is in need of legal aid.
 - ▶ ▪ Listing the place of jail where under-trial accused is sent.
- ▶ Make plan for effective procedure for speedy trial for under-trial accused.
- ▶ To identify the courts and its Pendency of under trial cases, ▪
- ▶ Make a Plan for the responsibility to Magistrate and Court Staff for administrative work.
- ▶ To arrange plan for plea bargaining, plead guilty, pending bail applications for bailable offense and non-bailable offenses (are not serious).
- ▶ ▪ To find out accused that is in jail in a crime where charge sheet is not filed within prescribed period.
- ▶ The court manager to prepare statistical report of accused who are in different jails relating to the cases pending in the court .To monitor the status of such case.

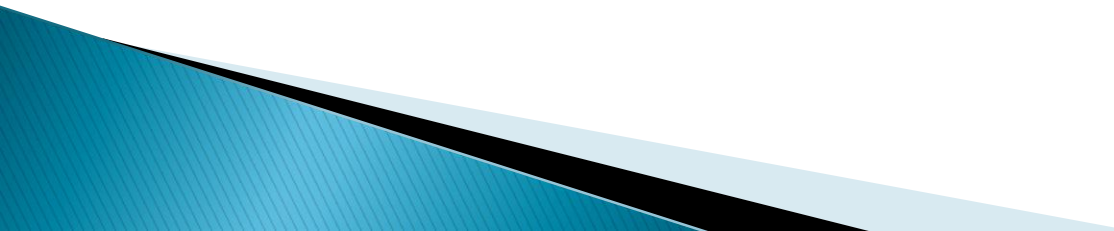
Court manager to monitor process serving

- ▶ To study the extent of the problem that exists in scheduling activities for issuing witness summons and wastage of witness time.
 - ▶ .Study the summons issuing and service of summons on the witness. Study to convey the witness summons through electronic media and by modern methods.
- 

LEADERSHIP

- ▶ **AS A DISTRICT JUDGE YOU ARE UNIQUELY SITUATED TO LEAD THE COURT IN DETERMINING THE ADMINISTRATIVE POLICIES FOR BETTER WORKING OF THE COURTS.**

ROAD MAP AHEAD

- ▶ Prepare vision document for own judgeship and submit by **31-07-2015**
 - ▶ To give effect
 - ▶ 1- **FIVE PLUS ZERO**
 - ▶ 2- **INFRASTRUCTURE** project and steps taken.
 - ▶ 3- **BUDGET** with expenditure plan.
 - ▶ 4- **ARREAR** case disposal planning
 - ▶ 5- **FEEDBACK** for High court vision document
- 

Prioritization of old cases

- ▶ • Prioritization of old cases: “**Five plus Zero**” initiative must be adopted to ensure that cases pending for more than 5 years are taken up on priority basis and such cases are brought to zero.
- ▶ **Allocation of work load of cases—equi -- distribution**

IDENTIFICATION OF AREAS FOR DISTRICT VISION DOCUMENT

- ▶ **Self assessment---**
- ▶ The courts can identify on their own the areas where they are lagging behind and try to improve their functioning by adopting the performance standard.
- ▶ 1–Number of cases pending
- ▶ 2–Rate of filing of cases
- ▶ 3–Rate of disposal
- ▶ 4–Availability of judicial officers
- ▶ 5–Supporting staff
- ▶ 6–Infrastructure

FIVE PLUS ZERO

NOT EXHAUSTIVE

Thank u

» Prepared seeking feedback
for Orissa High court VISION
DOCUMENT--2015