



**BASELINE REPORT
ON
NATIONAL
FRAMEWORK FOR
COURT
EXCELLENCE**

2024

REPORT OF THE SUB-COMMITTEE OF THE NCMS

NCMS BASELINE REPORT
on
NATIONAL FRAMEWORK OF COURT EXCELLENCE
(NFCE)

REPORT OF THE SUB-COMMITTEE
HEADED BY HON'BLE MR. JUSTICE JOYMALYA BAGCHI

Each Hon'ble High Court determines and applies standards for Court Management for itself and the Courts under its jurisdiction as it may consider appropriate. This Report sets out suggestions gathered from various High Courts across the country, as well as suggestions from concerned subject matter experts and comparable global experience, on what may be considered minimum national common standards on Court Management Systems. The Report is purely advisory in nature and may be considered by the respective State Court Management Systems Committees of High Courts if they deem appropriate in accordance with the circumstances and needs of each State. It is a dynamic working document and will be revised and updated from time to time as needed based on feedback received from State Court Management Systems Committees of High Courts and NCMS experience and guidance. It is intended to facilitate a dialogue amongst National and State Court Management Systems Committees on minimum national common standards for Court Management Systems at a policy level. Suggestions from judges and subject matter experts are therefore welcome through the respective State Court Management Systems Committees. The contents of this report do not necessarily reflect the views of the Supreme Court of India, members of the NCMS Advisory Committee or members of the NCMS Committee in their individual capacity.

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Executive Summary

To combat growing concerns regarding docket explosion and inadequate judicial infrastructure, the National Court Management System (NCMS) was established in 2012 to improve quality, responsiveness and timeliness in the Indian judiciary.

A Sub-Committee on National Framework for Court Excellence (NFCE) was constituted to identify measurable performance standards and a system for monitoring and reviewing such standards to achieve court excellence. In 2013, the Sub-Committee submitted its 1st Baseline Report.

Since then, a decade has passed. It has ushered in significant changes in the justice delivery system through the widespread use of ICT technology adopted and familiarised to meet the challenges during the Covid-19 pandemic and after that, the institutionalisation of alternative dispute redressal mechanisms and a need to set up user friendly court infrastructure with emphasis on vulnerability and inclusivity. The updated report seeks to formulate a methodology to measure court excellence in the light of these changes through the prism of the constitutional ethos of quality, affordable and timely justice to all.

The updated report addresses the following issues:-

(i) **Identifying Performance Measures and their evaluation vis-à-vis High Courts and District Courts:-**

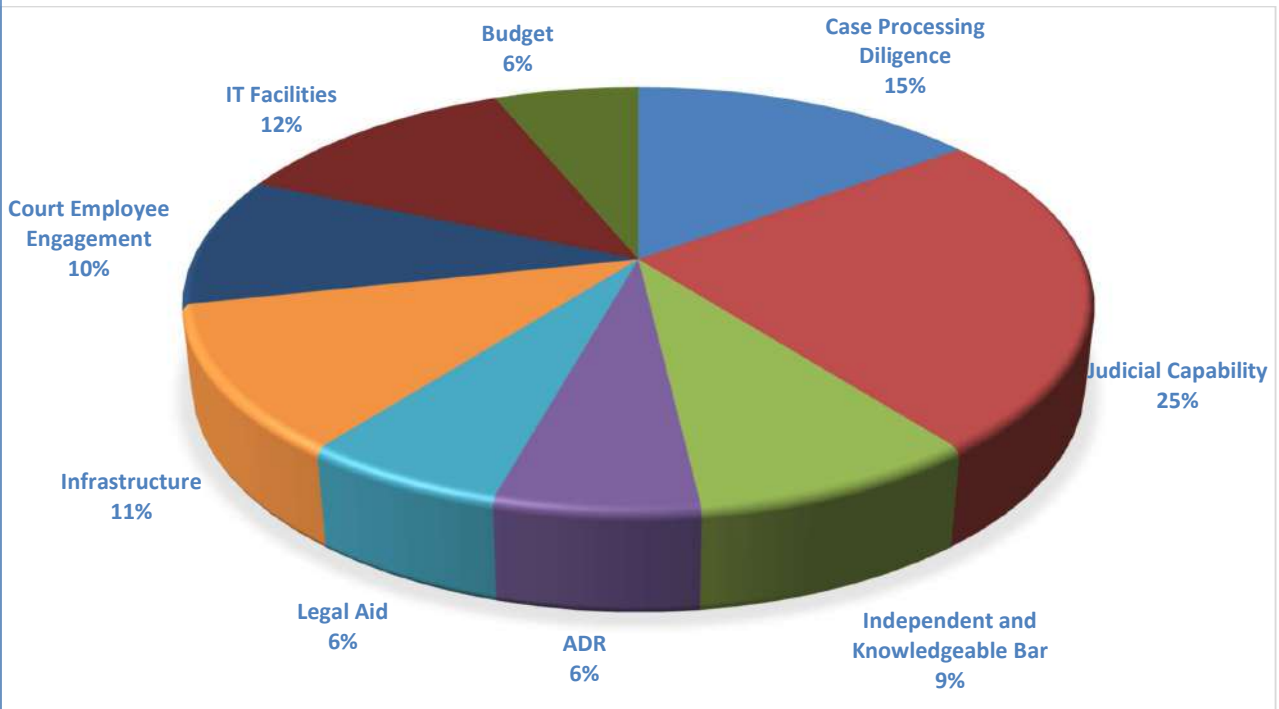
Performance measures have been identified to measure court excellence keeping in mind their quantifiable character, reliability and objective correlation to core values in the judicial system. These measures have been further fine-tuned with reference to their position and role in the judicial hierarchy for the High Courts and District Courts respectively. An initial report proposing various performance measures and ratings was circulated amongst all the High Courts. After considering all their responses and recommendations made by other Sub- committees including the arrear Sub-committee, the performance measures and their ratings have been reviewed and reformulated.

A graphical representation of the identified performance measures and their respective weightage/scores vis-à-vis High Court and District

Court are set out hereinbelow:-

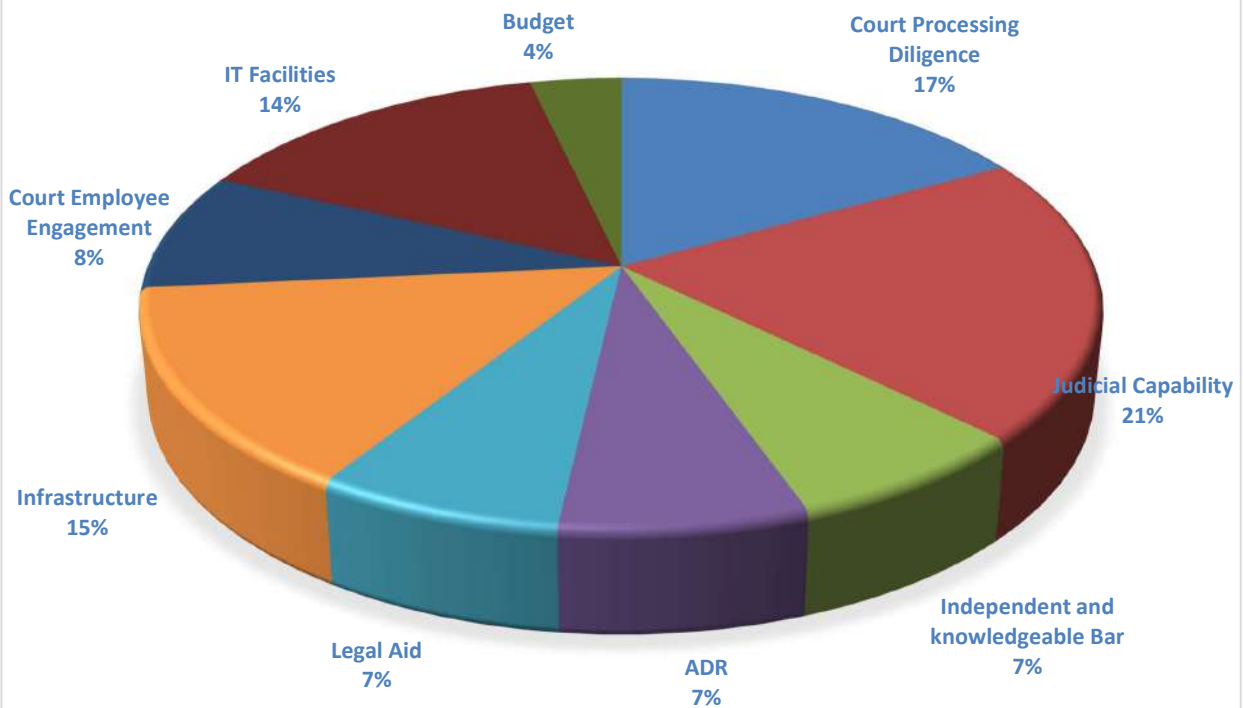
High Court

| | |
|-----------------------------------|------------|
| Case Processing Diligence | 60 |
| Judicial Capability | 100 |
| Independent and Knowledgeable Bar | 35 |
| ADR | 25 |
| Legal Aid | 25 |
| Infrastructure | 45 |
| Court Employee Engagement | 40 |
| IT Facilities | 50 |
| Budget | 25 |
| Grand total | 405 |



District Court

| | |
|-----------------------------------|------------|
| Court Processing Diligence | 70 |
| Judicial Capability | 85 |
| Independent and knowledgeable Bar | 30 |
| ADR | 30 |
| Legal Aid | 30 |
| Infrastructure | 60 |
| Court Employee Engagement | 35 |
| IT Facilities | 60 |
| Budget | 15 |
| Grand total | 415 |



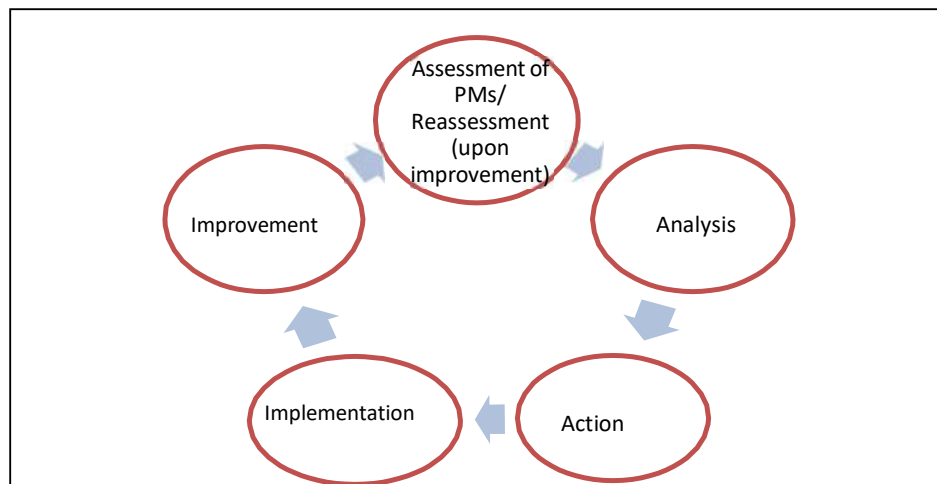
(ii) **Performance Measure Management and Ranking:-**

Each High Court shall undertake an evaluation of performance measures for itself as well as the District Courts via self-assessment mode. State Court Management Committees (SCMC) of the High Court concerned shall evaluate the performance of the District Courts and the High Court itself as per the rating system proposed in the report. It shall identify the strengths and the weaknesses of the court establishments and formulate an action plan to address them. An Annual Report shall be published by every High Court which shall include the action plan proposed for the High Courts as well as District Courts. Ranking of the District Courts as per their performance may also be done and included in the report.

Annual Reports of all the High Courts shall be analysed by NCMS to identify pan-India issues affecting court excellence. Action plan to enhance court excellence shall be formulated and placed in the Chief Justices' conference for adoption and implementation. In terms of their sanctioned strength, NCMS may also rank the High Courts based on their performance in their respective categories, that is, large, medium and small High Courts.

(iii) **Implementation and improvement:-**

Action plans/initiatives adopted at the High Court and/or NCMS level shall be implemented. Its impact on the performance measures and overall court excellence shall be assessed and measured through self-assessment in the following year. The exercise shall be carried on cyclically as follows :-



Way forward:-

A pilot study of the proposal may be undertaken with the assistance of a specialised agency like Indian Statistical Institute, Kolkata in two large and two medium sized High Courts. Each High Court shall select two large and two medium District Courts within their jurisdiction to implement the pilotstudy at the district level. The proposal may be reviewed on the outcomes of the pilot study. Thereafter, the reviewed proposal may be implemented on a full scale on a turn key basis.



INTRODUCTION

From the first decade of this century, the United Nations has paved the way for judiciaries worldwide to innovate and implement self-regulatory mechanisms to enhance accountability while maintaining their independence.

The most crucial document in this regard is the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders of 2000¹ where for the first-time judges were invited to put their own house in order; to develop a concept of judicial accountability that would complement the principle of judicial independence, thereby raising the level of public confidence in the Rule of Law.²

In 2001, the Judicial Integrity Group³ formed by the United Nations spearheaded codification of the Bangalore Principles on Judicial Ethics and Conduct⁴ acknowledging an urgent need for a universally acceptable statement of self-regulated judicial standards and ethics without the intervention of the executive or legislative branches of government.

Similarly, the world judiciaries came together in 2007 to form the International Consortium for Court Excellence that laid down the 2008 IFCE. This endeavour was supplemented by the Global Measures of Court

¹ UNODC, 'Report of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders' (26 January 2000) A/RES/54/125

² UNODC 'The Bangalore Principles of Judicial Conduct 2002' (November 2002)

<https://www.unodc.org/pdf/crime/corruption/judicial_group/Bangalore_principles.pdf> accessed 28 September 2023

³ Judicial Integrity Group 'The Measures for the Effective Implementation of the Bangalore Principles of Judicial Conduct' (January 2010)

<https://www.unodc.org/res/ji/import/international_standards/measures_implementation/measures_implementation.pdf> accessed 28 September 2023

⁴ ECOSOC 'The Bangalore Principles of Judicial Conduct' Res 2006/23 (July 2006)

<<https://www.unodc.org/documents/ji/training/bangaloreprinciples.pdf>> accessed 28 September 2023; See also Judicial Integrity Group 'The Measures for the Effective Implementation of the Bangalore Principles of Judicial Conduct' (January 2010)

<https://www.unodc.org/res/ji/import/international_standards/measures_implementation/measures_implementation.pdf> accessed 28 September 2023

Excellence (2008) that expanded the discipline of Performance Measures Management as a process to achieve court excellence.

The United Nations Office on Drugs and Crime (UNODC) in consultation with the Judicial Integrity Group and other international and regional judicial fora formulated a Guide for Strengthening Judicial Integrity and Capacity.

The NCMS was introduced in India in 2012 by the then Hon'ble Chief Justice of India, in consultation with the then Hon'ble Minister of Law and Justice, Government of India to enhance timely justice along the lines of the 2008 IFCE. This International Framework was propounded by the International Consortium of Court Excellence, which highlighted the seven areas of excellence with universal core values of equality, fairness, competence, etc.

Part A of the report gives a thumbnail sketch of the international documents formulating a framework for court excellence evolved through dialogue between world judiciaries and under the aegis of the United Nations.

Part B traces the setting up of NCMS in India and the constitution of NFCE as a Sub-Committee to measure performance and assess court excellence. This part also touches on the salient features of the 1st Baseline Report submitted by the Sub-Committee in 2013.

Part C deals with the updation of the 1st Baseline Report. It focuses on identifying performance measures and their evaluation to assess court excellence at the high court and district court levels. It also addresses effective management of these measures to improve court performance. Finally, the Part lays down a vision statement for launching a National Framework for Court Excellence project on a pan-India level.

Part A

INTERNATIONAL FRAMEWORK

A. International Framework For Court Excellence (“IFCE”)

Formulated in 2008, the IFCE is a quality management system designed to help Courts improve their performance. It represents an all-encompassing approach to achieving overall court excellence, rather than limiting its focus to particular aspects of court governance, management or operations. The Consortium was established in 2007 by the Australasian Institute of Judicial Administration, the Federal Judicial Center, the National Center for State Courts and the State Courts of Singapore.

This framework was updated in 2013. In 2015, the Consortium developed the International Framework for Judicial Support Excellence – a tool to support and collaborate with experts to improve performance measurement.

In recognition of new developments in the legal landscape, such as the increasing use of technology and the growing popularity of alternative dispute resolution, the Framework was finally updated in 2020 with emphasis on judicial ethics, risk management, court workforce, alternative dispute resolution including therapeutic or problem-solving approaches, use of technology to deliver better court services, data integrity and security in court systems.

Upon gathering experiences from varied jurisdictions and seeking inspiration from the Bangalore Principles on Judicial and Ethical Conduct of Judges which sets out six core values, namely, independence, impartiality, integrity, propriety, equality & competence and diligence, the Consortium recognised the following core values as the bedrock of every judicial system:-

- a) Equality
- b) Fairness
- c) Impartiality
- d) Independence of decision- making
- e) Competence

- f) Integrity
- g) Transparency
- h) Accessibility
- i) Timeliness and
- j) Certainty

The values of ‘fairness’ and ‘impartiality’ set the standards by which Courts conduct themselves; ‘independence’ and ‘competence’ relate to the ability of the judge to understand the facts thoroughly. ‘Integrity’ and ‘transparency’ ensure the propriety of the judicial process so that justice is not only done but seems to be done. ‘Timeliness’ reflects judicial efficiency while ‘certainty’ ensures continuity and consistency based on established rules, principles and precedents. A fundamental link exists between the core values and the court’s performance. The Framework provides a method for Courts to assess and measure their performance with reference to the core values and their application to every area of a court’s activity. To simplify the process of assessment of performance and to identify areas of improvement, the Framework divides the court activities into seven areas of court excellence which are as follows:

| Seven areas of Court Excellence ⁵ | |
|--|--|
| Driver | Court leadership |
| Systems and enablers | Strategic Court management Court workforce Court infrastructure, proceedings and processes |
| Results | Court user engagement Affordable and accessible court services Public trust and confidence |

⁵ International Framework For Court Excellence’ (May, 2020)
<https://www.courtexcellence.com/_data/assets/pdf_file/0015/53124/The-International-Framework-3E-2020-V2.pdf> accessed 28 September, 2023.

By assessing the areas of court excellence, the court's performance in promoting and adhering to its core values in its practices and processes may be measured. The Framework formulates a continuous improvement methodology for reviewing and improving court performance. It proposes four steps in the continuous improvement cycle which may be repeated as the Court undertakes a self-assessment mode to determine its progress. The four steps are as follows:-

- a) Assess;
- b) Analyse;
- c) Implement, and
- d) Evaluate.

Step 1: Assess – First, the Court undertakes self-assessment using checklists to see how the court has performed;

Step 2: Analyse – Second, an in-depth analysis of the self-assessment data is undertaken to identify areas of improvement;

Step 3: Implement – Third, an improvement plan is prepared and implemented;

Step 4: Evaluate – Fourth, through a process of review and refinement, the impact of implementing an improvement plan on court excellence is measured.

This four-step process will be undertaken in a cyclically, preferably once in 2 years. Periodic self-assessment allows a Court to:

- Identify the areas in which the court needs to make further improvements;
- Determine the areas the court will focus its immediate and long-term efforts; and
- Assess the progress the court has made towards the areas that need improvements.

B. Global Measures of Court Performance

Global Measures of Court Performance supplements the IFCE and expands the discipline of performance measurement and management, and its underlying values, principles and concepts. It identifies actionable and S.M.A.R.T. (Specific, Measurable, Attainable, Relevant and Time-bound) performance measures aligned with ten core values and seven areas of court excellence noted in the IFCE. The eleven performance measures are as follows:-

1. Access fee
2. Case clearance rate
3. On time case processing
4. Duration of pre-trial custody
5. Court file integrity
6. Case backlog
7. Trial date certainty
8. Court employee engagement
9. Compliance with court orders
10. Cost per case

The document encourages judiciaries as legitimate authorities to take ownership and self-assessment of these measures. It defines performance measure management as a process of monitoring, analysing and using real time performance data as a continuous basis for improvement in efficiency, effectiveness, transparency, accountability, and increase in public trust and confidence in the Courts. It distinguishes the performance measures that have outcome orientation from operational input measures such as number of judges/staff and output measures as number of cases decided and attaches critical importance to alignment of performance measures with the core value system, strategic goal and mission in society.

C. UNODC: Resource Guide Strengthening Judicial Integrity & Capacity

UNODC developed the Guide under the aegis of ECOSOC which endorsed the Bangalore Principles on Judicial Conduct and was aimed at strengthening judicial integrity and capacity. The Guide draws inspiration from ideas, recommendations and strategies developed by contemporary experts on judicial and legal reforms. It references successful measures taken in different countries to address challenges in strengthening the judicial system. One of the areas addressed is the assessment and evaluation of court performance.

The Guide emphasises on the importance of evaluating the judicial system in response to challenges to modern judiciaries like budget constraints, competition for resources with other public bodies, international pressure and even erosion of legitimacy in society. This has prompted judiciaries to adopt and implement policies to evaluate court performance from a managerial perspective in contradistinction to the traditional practice of evaluation from a legal perspective i.e., through appeals to superior courts, judicial precedents and supervision through inspection etc.

The Guide identifies performance as the gap between a goal or a standard and the actual result reached by a stakeholder i.e., judge, court official or the organisation. It defines evaluation as techniques, methods and indicators for measuring various goals. At the outset, the evaluation process must fix well defined goals. Thereafter, a list of performance indicators is to be identified. Following this, data has to be collected and analysed to match the actual result against the prescribed goals. Finally, the evaluation outcome is to be used to formulate and implement action plans to achieve the visionary goals of the judiciary. A Flow Chart enclosing the key steps and issues involved in performance evaluation is reproduced below: -



The guideline is further enriched through experiences in research projects undertaken in various judiciaries. It also enumerates regional and customised approaches to judicial evaluation like the Vera Institute Report on global guide to decide performance indicators across the judicial sector, the World Bank report on “diagnosing judicial performance” and the “Rule of Law Index” developed by World Justice Project. These international initiatives in evaluating judicial performance through management techniques constitute the inspirational bedrock on which the first NCMS report in India was formulated.

The next section of the report delves into the National Framework for Court Management through managerial techniques proposed by the NCMS in India.



Part B

NATIONAL FRAMEWORK

A. National Court Management System

In the 21st century, the docket explosion and inadequate judicial infrastructure in India rendered the cherished constitutional goals of quality and timely justice to all illusory. A modern and well-equipped judiciary empowered with an evolved system of judicial statistics and an effective management information system was the crying need of the hour. Against this backdrop, to enhance timely justice, the then Chief Justice of India, Justice S.H. Kapadia, in consultation with the then Minister of Law and Justice in the Government of India in 2012 established the NCMS to deal with the policy issues and address the following six main elements: -

1. A *National Framework of Court Excellence* (NFCE) that will set measurable performance standards for Indian courts, addressing the 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.
4. A *National System of Judicial Statistics* (*hereinafter*, “NSJS”) to provide a common national platform for recording and maintaining judicial statistics from across the country. NSJS should provide real time statistics on cases and courts which will enable systematic analysis of critical factors such as quality, timeliness and efficiency of the judicial system across courts, districts/states, types of cases, stages of cases, costs of adjudication, timelines of cases, productivity and efficiency of courts, use of budgets and financial resources. It would play a pivotal role in enhancing transparency and accountability.
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 the selection and training of judges of subordinate courts.

A Sub-Committee headed by Justice G. Rohini was constituted to submit a report on NFCE and formulate a system for monitoring and enhancing performance standards on quality, responsiveness and timeliness. The Sub-Committee submitted the NCMS 1st Baseline Report on NFCE.

B. NCMS 1st BASELINE REPORT ON NFCE: A SUMMARY

The 1st Baseline Report focused on Elements 1 and 2 as aforesaid. It highlights the following: -

- i) **Core values**- The report identified core values which the judiciary must possess to achieve excellence, namely,

- a) Timeliness;
- b) Quality; and
- c) Responsiveness.

- ii) **Objective of NFCE**- The measurement system for performance standards established in NFCE is not for evaluating the performance of individual judges. Still, it focuses on the performance of the Court as a whole. Therefore, it is a collective evaluation of all the stakeholders of the judicial system, like judges, advocates, supporting staff, litigants etc.

NFCE provides a model that evaluates courts' performance continuously focusing on its quality, responsiveness and timeliness. NFCE aims to identify the areas of performance of the Courts which need attention for achieving excellence and recommend prospective measures which can be adopted by Courts to improve the area(s) in which they lack and to improve their performance and increase accountability.

- iii) **Methodology**- The preparation of NFCE requires empirical study of the functioning of Courts in all States of the country by conducting

thorough, systematic research and data collection about the number of cases pending, rate of filing of cases, nature of cases, availability of Judges, supporting staff, infrastructure and the rate of disposal. A tentative version of performance standards shall be prepared and the same shall be put to field testing by adopting them in selected Courts for demonstration.

Performance Standards

The performance standards prescribed in the 1st Baseline Report to achieve Court Excellence were as follows: -

1. Expeditious Justice- This can be tested by examining the time taken for numbering and placing a case before the Court, number of staff in the filing section, service of summons, number of adjournments given etc.;
2. Quality Justice- Periodic review of quality of judgments, maintaining an error index etc.;
3. Availability of Human and Material Resources- Availability of adequate court rooms, infrastructure, appropriate budget, E-library, Information Technology etc.;
4. Adherence to Core Values.

The ten core values which the Judges should follow are:-

- i. Independence;
- ii. Fairness;
- iii. Impartiality;
- iv. Certainty;
- v. Equality;

The core values from (vi-x) below need not be followed only by judges but also by other stakeholders in the justice delivery system.

- vi. Competence;
 - vii. Integrity;
-

- viii. Propriety;
- ix. Faith in and allegiance to the Constitution; and
- x. Transparency and Accountability.

5. Public Trust and Confidence- This can be evaluated by providing a system for reviewing the performance of judges and other stakeholders, feedback forms from court users, a survey of public trust and confidence, and an effective mechanism to receive and process complaints from litigants against judges, advocates or other stakeholders

System for Monitoring and Enhancing Performance Standards-

It is desirable to have a separate monitoring system for each state. A Court Management Systems Committee should be established for each state to regulate performance standards. A final NFCE can only be adopted after receiving suggestions for improvement from all the states. It is necessary to design feedback on the courts' performance and maintain periodical statistical data to evaluate the implementation of performance standards.

C. DRAFT UPDATED REPORT AND RESPONSES

In 2023 a draft of the updated report on the National Framework for Court Excellence was submitted to the NCMS committee. The report was circulated amongst various High Courts for their input. Responses were received from different High Courts which are summarised in the Appendix attached to the report. After considering those responses and recommendations of other Sub-committees the baseline report has been upgraded.

Updated Report was discussed threadbare and suggestions from the Members of the Sub-Committees were incorporated.



PART C

UPGRADING THE REPORT

This part discusses the upgradation of the previous BASELINE report by taking into account contemporaneous issues, international dynamics and guidelines regarding the performance measures for Court excellence, as elaborated in Part A. Following the chronology in the previous report, this part dwells upon and updates the following issues:

- A. Identifying Performance Measures;
- B. Evaluation Methodology;
- C. Ranking of Courts;
- D. Performance Measures Management;
- E. Implementation and Improvement; and
- F. Way Forward.

A. Identifying Performance Measures:-

Identification of correct performance measures is most essential to assess Court excellence vis-à-vis its core values. While identifying these measures, one must bear in mind that the measures must be-

- i. Quantifiable;
- ii. Reliable; and
- iii. Must objectively relate to the core values.

Measures should not only relate to inputs i.e. number of judges, judicial hours, infrastructure, Court employee engagement and outputs i.e. quality and number of judgments delivered, time to deliver judgments, but also to outcomes i.e. public trust and confidence in the institution itself. With this perspective in mind, the performance measures have been reviewed and may be enumerated as follows:-

- 1. Case Processing Diligence;*
- 2. Judicial Capability;*
- 3. Independent and Knowledgeable Bar;*
- 4. ADR*
- 5. Legal Aid;*

6. *Infrastructure;*
7. *Court Employee Engagement;*
8. *IT Facilities; and*
9. *Budget.*

Each of the eight performance measures has been divided into sub-parameters to assess the performance of each Court establishment at a granular level. It may be relevant to emphasise that the measures are not designed to evaluate the performance of individual judges but the Court establishment as a whole. Ordinarily the performance measures are standard for all Courts, except for some measures and/or sub-measures that may be specific to certain court categories and not others. For example, some of the measures apply to the High Courts only while others may be relevant to measure the performance of the District Courts. These variations in the performance measures have been factored in and the methodology to identify them has been elaborated in the discussion below.

1. Case Processing Diligence

Timely disposal of cases is one of the most critical measures of court-excellence. Delay in adjudication renders issues stale, burdens the litigation process and ultimately affects public faith and confidence. Prompt processing of litigation may be measured under the following sub-heads:-

- i) **Case clearance rate:** - The parameter measures the number of cases disposed of within the prescribed period as a percentage of the total number of cases instituted during the said period.

The calculation formula:

A = cases disposed of within the prescribed time frame;

B = cases instituted within the time frame

For High Court

Score on Case Clearance rate (on a scale of 12) = $A/B \times 12$

For District Court

Score on Case Clearance rate (on a scale of 15) = $A/B \times 15$

ii) Arrear Case Load:- The parameter measures the proportion of disposable cases during the prescribed period against the total volume of pending cases. All pending cases cannot be treated as ready for hearing i.e. disposable cases. Only cases where parties have been served, pleadings and other formalities are complete may be treated as ready for hearing i.e. disposable cases.

In civil cases, a case may be considered ready for hearing i.e. disposable case after issues are framed and in criminal cases charges are framed. In other proceedings, a case may fall into the disposable category where pleadings are completed. Even in civil and criminal cases, a case would fall into disposable category if they are disposed of on a preliminary issue, for example, if a civil suit is dismissed under Order VII Rule 11 of the Code of Civil Procedure or where the accused is discharged in a criminal case shall also fall in the disposable category.

Similarly, all disposal cases are not arrears. When a case is not disposed of within a reasonable time, it has to be counted as arrears.

As per the report of the Arrear sub-committee, reasonable time for disposal of a case depends on various factors peculiar to the Court establishment and the case type. To calculate the reasonable time for disposal of a particular case type, Arrear sub-Committee has identified the following 20 case types for the High Courts: -

- a) Arbitration
- b) Civil Revision
- c) Civil Second Appeal
- d) Criminal Appeals decided by Division Benches
- e) Criminal Appeals decided by Single Benches
- f) Criminal Revisions
- g) Criminal Writ Petitions
- h) Land Acquisition Matters
- i) Matrimonial Cases
- j) Bail Matters
- k) Matters relating to the Motor Accidents Claims Tribunal
- l) Petitions under s. 482 CrPC and Article 226/227
- m) Regular First Appeals
- n) Writ Appeals Relating to Labour Matters
- o) Writ Appeals Relating to Land Matters
- p) Writ Appeals Relating to Service Matters
- q) Writ Petitions Relating to Labour Matters
- r) Writ Petitions Relating to Land Matters
- s) Writ Petitions Relating to Service Matters
- t) Writ Petitions Relating to Tax

Similarly, case types may be identified for the District Courts in the following categories of 25 case types: -

Civil Matters

- a) Civil Suit;
- b) Commercial Suit;
- c) Mat Suit;
- d) Arbitration cases;
- e) Civil Appeals;
- f) Misc. Civil Appeals;
- g) Civil Revisions;
- h) Land Reference cases;
- i) Motor Accident Claims cases;

- j) Labour and Industrial Court cases;
- k) Cooperative Court cases;
- l) Execution Petitions.

Criminal Matters

- a) Bail Applications (including Anticipatory Bail Applications)
- b) Sessions cases;
- c) Cases tried under National Investigation Agency Act;
- d) Electricity cases;
- e) Prevention of Corruption Act cases;
- f) POCSO cases;
- g) Cases under SC/ST Act;
- h) PMLA cases;
- i) Cases triable by Magistrate (Other than Negotiable Instruments Act cases);
- j) Negotiable Instruments Act Cases;
- k) Criminal Appeals;
- l) Criminal Revisions;
- m) Misc. Criminal Applications.

As per the Arrear sub-Committee Report reasonable time taken to dispose of a particular case type or sub-type in a Court establishment i.e. a High Court or a District Court (as the case may be) shall be the average of the median time taken for disposal of the case type in the said Court establishment in the preceding 12 years (except 2020). Any case pending for more than the average median disposal time shall be treated as arrears.

Arrear case load means the percentage of arrear cases against total pendency of cases at the commencement of the prescribed period. The higher the percentage, the more the arrear case load on the Court, which would require the Court to address the arrears and dispose them as quickly as possible. On the other hand, a low percentage in arrear case load could indicate an efficient Court system where arrears have not considerably accumulated.

The lower the case load, the better the performance of the court. Therefore, arrear case load is calculated in the following manner:-

X = Arrears i.e. number of cases pending more than the average median disposal time in a particular case category on the first day of the prescribed period and

Y = the total number of cases pending on the first day of the prescribed period.

Arrear case load = $1 - X/Y$.

For High Court:-

The aggregate arrear case load score will be as follows (on a scale of 12): $12 \times (\text{Sum of Arrear Case Load scores in each category})/20$

For District Court:-

The aggregate arrear case-load score will be as follows (on a scale of 15): $15 \times (\text{Sum of Arrear Case Loads in each category})/25$

iii) Rate of Arrear Disposal: - This parameter measures the percentage of arrear cases disposed of against the total number of cases disposed during the prescribed time frame. When the arrear case load is high, the parameter shall measure the court system's efficiency to reduce the arrear case load.

The rate of arrear disposal may be calculated as follows: -

X = Total number of arrear cases disposed of during a prescribed period,

Y = Total number of arrear cases pending at the commencement of the said period.

For High Court:-

The score for the Rate of arrear disposal (on a scale of 12) = $X/Y \times 12$ when arrear cases are pending.

Score allotted will be 12 if no arrear cases are pending

For District Court:-

The score for the Rate of arrear disposal (on a scale of 14) = $X/Y \times 14$ Score allotted will be 14 if no arrear cases are pending

iv) The proportion of arrear disposal vis-à-vis their vintage:- Arrear Cases are calculated with reference to the average median disposal time per case type or sub-type. However, arrear cases do not form a homogenous group. While some of the arrear cases may be pending only for a couple of months more than the average median disposal time, others may be pending for much longer i.e. 10 years more than the average median disposal time. These legacy cases require immediate attention. The efficiency of the Court establishment would depend on forming an effective strategy to dispose of the oldest cases first in the arrears category. APAaR (Action Plans for Arrears Reduction) has been formulated by the Indian judiciary to ensure quick disposal of legacy cases.

The arrears may be sub-divided as per their age of pendency in the six vintage categories:

- a) Arrear cases pending for one year more than the average median disposal time;
- b) Arrear Cases pending for three years more than the average median disposal time.
- c) Arrear Cases pending for five years more than the average median disposal time.
- d) Arrear Cases pending for ten years more than the average median disposal time.

e) Arrear Cases pending for twenty years more than the average median disposal time.

f) Arrear Cases pending for thirty years more than the average median disposal time.

The rate of disposal of the arrear cases are sub-divided based on their age against the total number of arrear cases disposed of would show the efficiency of the court establishment in resolving the oldest cases first. The rate of arrear disposal as per the age may be calculated as follows:-

X = Total number of arrear cases of a particular vintage i.e. pending one year more than the average median disposal time in a case category during the prescribed period

Y = Total number of arrear cases disposed of during the prescribed period in the said case category.

Rate of arrear disposal vis-à-vis their vintage = X/Y .

For High Court:-

Score for Rate of arrear disposal (on a scale of 12)

= $12 \times (\text{Sum of rate for each vintage})/120$

Where 120 is the result obtained by multiplying 20 X 6, 20 being the case types and 6 being the vintage categories.

Rate = 1 if no arrear cases are pending in the said case type and vintage

For District Court:-

Score for Rate of arrear disposal (on a scale of 13)

= $13 \times (\text{Sum of rate for each vintage})/150$

Where 150 is the result obtained by multiplying 25 x 6, 25 being the case types and 6 being the vintage categories.

Rate = 1 if no arrear cases are pending in the said case type and vintage

v) Non-disposable case conversion rate: - Total number of pending cases at the commencement of the prescribed period comprises of cases which are ready for hearing, that is disposable cases and cases which are not ready for hearing due to non-compliance of preliminary steps/formalities that is, service of notice, pleadings, submission/supply of documents, non-execution of warrants, etc. These cases may be categorised as non-disposable cases. Though they constitute a part of the total case load their progression depends on other stakeholders, that is, litigants, police, etc. Role of the judiciary in converting these cases to disposable ones though not primary is that of a facilitator. The parameter measures the facilitatory role of the judiciary in converting non- disposable cases into disposable ones and/or dismissing them for non- compliance with formalities.

Non-disposable conversion rate may be calculated in the following manner:-

X = Number of non-disposable cases at the commencement of the prescribed period;

Y = Number of non-disposable cases converted to disposable cases during the prescribed period;

Z = Number of non-disposable cases dismissed for non-compliance of formalities during the prescribed period;

For High Court:-

Non-disposable conversion rate (on a scale of 12) = [sum of (Y+Z)/X of all 20 case types] x 12/20

For District Court:-

Non-disposable conversion rate (on a scale of 13) = [sum of (Y+Z)/X of all 25 case types] x 13/25

2. Judicial Capability

Quality of justice depends on the number of judges, their independence, integrity, impartiality and competence. It is the most crucial measure that ought to have the maximum weightage on the overall scores of the Courts. These are however, subjective parameters. Quantification of judicial capacity is a challenging area. It requires both objective and subjective assessment of judicial performance.

In this exercise, the performance standard of each court establishment may be assessed using the following quantitative parameters. The parameters are as follows: -

(i) Working strength vis-à-vis sanctioned strength of judges

This is an important criterion that identifies whether the Courts are functioning at their full strength or not. This is expected to directly affect the first performance measure i.e. case processing diligence. This parameter may be computed as follows: -

$W/S \times 100$

W = Sum of all Judges on the Bench for the entire period and judges on the Bench for a portion of the year, calculated on pro-rata basis for 365 days;

S = Sanctioned strength; (as at the beginning of the year)

(ii) Prompt filling up of judicial vacancy

This parameter may be used to assess the performance of high courts in filling vacancies in the district Courts in a timely manner. In filling up vacancies at the District Judge level, the timeline prescribed in

*Malik Mazhar Sultan (3) vs. UPSC*⁶ shall be used as a benchmark. The performance of high courts may also be assessed by holding regular and timely examinations on a yearly basis for filling up vacancies at the Magistrate/Civil Judge (Junior Division) level.

Regarding High Court vacancies, the performance of the High Court may be adjudged based on prompt recommendations made to fill up such vacancies.

(iii) Number of judicial hours utilised

This sub-measure is indispensable to assess the performance of the Court establishment. A tallying of the judicial hours utilised against the number of cases disposed of and ensuring minimum time for disposal without affecting quality through proper case management techniques would ensure effective and efficient functioning of the Court system. The assessment shall be against a scale of 222⁷ working days annually for the High Courts and 233 days annually for the District Courts with an average working time of 5 hours per day which amounts to 1110 hours and 1165 hours respectively.

(iv) Average number of judgments delivered/Average units accrued from delivery of judgments

This parameter defines the average number of judgments delivered in a year by the Court establishment. This performance may be calculated as follows:-

Number of Judgments delivered in a year/Working Strength of the Court establishment

Rating of District Courts may be based on the average number of judgments delivered in different case categories against units awarded for disposal of such case categories in the ACR norm approved by the

⁶ (2008) 17 SCC 703

⁷ Ministry of Law and Justice Recommendation, Press Information Bureau, Dated 11th March, 2011

High Court concerned. This process may be followed till a uniform rating is prescribed and adopted across all High Courts.

In respect of High Courts their performance may be assessed in three groups as per their sanctioned strength, i.e. large HC (>50), medium (>20) and small (<20). The scale against which the High Courts are proposed to be assessed is fixed on an analysis of the NJDG data vis-a-vis each category.

(v) Percentage of judgments delivered in 30 days

A Court ought to deliver judgments within 30 days of reserving the judgment and not later than 2 months⁸. Timely delivery of judgments is a fundamental essence of fair procedure. Average time taken to deliver judgments should be computed as the total number of days calculated from the date reserving the verdict and delivery against the number of judgments delivered:-

$$X/Y \times 100$$

X= Number of judgments delivered within 30 days

Y= Total number of judgments delivered.

(vi) Percentage of judges who attended refresher courses as participants/resource persons

In-service judicial training is a must for capacity building and judicial empowerment to deal with diverse and emerging areas of adjudication and judicial administration. This parameter may be quantitatively assessed through the percentage of judges in the Court establishment who attended various refresher courses during the year, either as participants or resource persons.

$$X/Y \times 100$$

⁸ Anil Rai vs. State of Bihar, (2001) 7 SCC 318

X = Number of judges who attended one or more refresher courses as participants/resource persons

Y = Sum of all Judges on the Bench for the entire period and judges on the Bench for a portion of the year, calculated on a pro-rata basis for 365 days

(vii) Number of judicial conferences held

The head of the court must convene judicial conferences regularly. These conferences provide an interactive platform where performance of stakeholders in the judicial establishment can be reviewed, ideas exchanged and initiatives for better administration of justice can be formulated.

At the District Court level, the conferences are convened by the District Judge and at the High Court level by the Chief Justice. Adequate number of conferences improves judicial fraternisation, which in turn helps in the aggregation of judicial initiatives.

(viii) Inspection

Regular inspections of each of the districts are to be undertaken by the High Court as per extant rules. The High Court frames these rules and must provide for regular inspections within a specified timeframe. During inspection judicial work, and various aspects of judicial administration like maintenance of registers, inspection of record rooms, police malkhana etc. are to be undertaken. District Judges and other judges of the district judiciary are also required to undertake similar inspections of their Courts and offices and submit reports to the High Court. They are further expected to visit jails/correctional homes and juvenile homes within their jurisdiction for supervision. Frequency and regularity of inspection is valuable yardstick to maintain proper standard and quality in judicial administration

3. Independent and Knowledgeable Bar

The role of an independent and knowledgeable Bar in the dispensation of justice is vital. The efficiency of the Bar determines the quality of assistance to judges. Accordingly, quantification of the qualitative role of the Bar is proposed as follows:-

(i) Number of legal education programmes undertaken by the Bar

Ongoing legal education for members of the Bar is essential to upgrade the skills of its members and acquaint them with the emerging areas of law. This objective may be achieved in the event the Bar organises regular legal education programmes for its members. The Number of legal education programmes undertaken by the Bar may be a quantifiable measure to adjudge its ability and expertise.

(ii) Initiatives by Grievance Redressal Cell to improve Bar-Bench synergy

The High Court and each District Court establishment should have a Grievance Redressal Cell headed by the Chief Justice in the case of the High Court and the District Judge for the District Court⁹. Regular meetings and deliberations to resolve Bar-Bench issues would increase efficiency and avoid tensions/strikes resulting in loss of judicial hours. The constitution of the Grievance Redressal Cell and its timely intervention through regular meetings would improve Bar-Bench synergy and therefore is an essential parameter to measure the efficiency of the Judicial setup.

(iii) Initiatives taken to recognise legal talent

Initiatives taken by the Court to recognise the invaluable contribution of the members of the Bar in the administration of justice foster mutual respect and encouragement amongst the two wheels of justice, i.e. the

⁹ District Bar Association Dehradun vs. Ishwar Shandilya and Ors., 2023 SCC OnLine SC 457

Bench and the Bar. The number of initiatives undertaken, e.g. awards given on Law Day to prominent members of the Bar and/or promising junior lawyers, etc. are relevant yardsticks to acknowledge the role of an independent and competent Bar in the justice delivery system.

(iv) *Regularity in designating senior advocates by the High Court.*

Designation of senior advocates is a vital duty entrusted upon the High Courts. It must be undertaken regularly to create an efficient and robust community of senior advocates who shall lead the Bar to excellence.

4. ADR

Lok Adalats and Mediation are effective alternate dispute resolution mechanisms for speedy disposal of cases. Judges and other stakeholders need to be made aware of the efficacy of alternate dispute resolution methods to ensure expeditious disposal of cases. Courts are required to wisely identify and refer matters for alternative dispute resolution which would reduce the case load on the traditional adversarial system. As a result, it becomes imperative to evaluate the performance of the Courts in this arena with regard to the following parameters :-

- a) Frequency of Lok Adalats/Mediation training programmes held;
- b) The success rate of matters referred to Lok Adalat/Mediation and
- c) Establishment of permanent Lok Adalats under the Legal Services Authorities Act, 1987.

Efficiency of ADR initiatives may be measured in the following manner: -

(i) *Frequency of Lok Adalat and its success rate*

The number of Lok Adalats held during the prescribed period and other success rate of referred matters will be analysed under this parameter. To assess the Courts' performance with regard to frequency, number of Lok Adalats prescribed by NALSA shall act as a

baseline to identify how well the Court has performed and be rated accordingly.

The success rate shall be determined as a percentage of the number of cases settled against the total number of cases referred during the prescribed period. This shall be computed as follows:-

$$X/Y \times 100$$

X - Number of cases settled

Y - Total number of cases referred

(ii) Mediation

a) Number of mediation training programmes

Training lawyers in mediation techniques is a *sine qua non* for adopting mediation as a viable alternative for dispute resolution. To make mediation a success, the High Courts must undertake regular mediation training programmes for training and certifying qualified mediators. Number of programmes undertaken by the Court establishment is a quantifiable tool to assess this performance measure.

b) The success rate in mediation

The success rate shall be determined as a percentage of the cases settled against the total number of cases referred for mediation. It may be calculated as follows: -

$$X/Y \times 100$$

X- Number of cases settled

Y- Total number of cases referred

(iii) Establishment of Permanent Lok Adalats under the Legal Services Authorities Act, 1987

Establishment of Permanent Lok Adalats is important for prompt and effective resolution of disputes involving public utility services. Its establishment may be considered as a yardstick of an efficient alternate dispute redressal system.

5. Legal Aid

Legal aid under The Legal Services Authorities Act, 1987 and other allied laws is not restricted merely to providing legal assistance to the poor and vulnerable sections of society. It envisages building a holistic environment enabling vulnerable sections of society to access justice. It may include Witness Protection Schemes, child friendly courts, prompt release of interim/ final compensation to victims, provisions for psychological counselling and medical aid to victims. Efficiency of the Court Establishment in free and quality Legal Aid may be assessed under the following heads :-

(i) Number and variety of legal aid lawyers

The number of lawyers in the legal aid panel with senior designation or more than 20 years of experience requires to be quantified and scored accordingly. This shall be equally applicable to the High Courts and District Courts. Data will have to be collected from the SLSA and DLSA concerned.

(ii) Assessment of performance of legal aid lawyers

As aptly stated, legal aid to the poor must not be poor legal aid. It is imperative to determine the quality of services rendered to the litigants by legal aid lawyers including public defenders. Their performance may be rated by the Court concerned before whom the litigation is pending at the High Court and District level.

(iii) Access to justice for vulnerable and marginalised sections

The performance of the court establishment, mainly the Legal Services Committees may be assessed regarding the following parameters.

Access to justice for the **district courts** may be assessed through the following sub-parameters :-

- a. Proportion of victims granted interim compensation in POCSO cases/ sexual offences under IPC/ BNS

| | |
|---------------|------------|
| 90% & above | Full marks |
| 70% & above | Half marks |
| Less than 70% | No marks |

- b. Proportion of victims granted compensation at the end of trial under POCSO Act when accused is convicted or in case of acquittal/ abscondence, Court is of opinion victim suffered injury due to commission of crime

| | |
|---------------|------------|
| 90% & above | Full marks |
| 70% & above | Half marks |
| Less than 70% | No marks |

- c. Proportion of victims who are granted compensation in other offences under Victim Compensation Scheme under section 357A CrPC/ 396 BNSS when accused is convicted and in case of acquittal/ abscondence, Court is of opinion victim suffered injury due to commission of crime

| | |
|---------------|------------|
| 70% & above | Full marks |
| 50% & above | Half marks |
| Less than 50% | No marks |

- d. Proportion of cases where Special Court issued direction for payment of monetary relief by District Magistrate under Rule 12(4) of The SC and the ST (Prevention of Atrocities) Rules, 1995 where monetary relief was not released in time or was inadequate

| | |
|---------------|------------|
| 90% & above | Full marks |
| 70% & above | Half marks |
| Less than 70% | No marks |

- e. Non- disclosure of identity of victims in POCSO/ sexual violence cases in judgments delivered during the prescribed period.

| | |
|--|------------|
| None of the judgments delivered during the prescribed period disclose identity | Full marks |
| One or more judgments delivered during the prescribed period disclose identity | No marks |

- f. Whether Vulnerable Witness Deposition Centre has been set up in the Court establishment?

| | |
|-----|------------|
| Yes | Full marks |
| No | No marks |

For **High Courts** the performance measures may be assessed through the following parameters:-

- a. Whether High Court has taken initiative to monitor timely release of adequate compensation as per directions of the trial Court?

[Steps may be either in the judicial side or administrative side]

| | |
|-----|------------|
| Yes | Full marks |
|-----|------------|

| | |
|----|----------|
| No | No marks |
|----|----------|

- b. Whether Rules have been made with regard to non-disclosure of identity of victims in POCSO/ sexual violence cases in judicial proceedings?

| | |
|-----|------------|
| Yes | Full marks |
| No | No marks |

- c. Whether State Witness Protection Fund has been set up and if not, initiatives to set up the fund have been taken in judicial/ administrative side?

| | |
|---|------------|
| Witness Protection Fund has been set up | Full marks |
| Initiative has been taken by High Court but Witness Protection Fund has not been set up | Half marks |
| None of the above | No marks |

6. *Infrastructure*

Judicial Infrastructure is the edifice on which a robust justice delivery system rests. State of the art Court buildings with adequate number of well-equipped Court halls to accommodate sanctioned strength of judges, with requisite facilities to cater to all sections of society including vulnerable and specially-abled litigants is an essential component of Court excellence. Assessment of this important parameter is crucial because the performance of the Courts heavily depends on it. Infrastructural assessment of District and High Courts is required to be made on slightly different parameters on account of their respective roles in the judicial hierarchy. The parameters for assessment of High Court and District Court infrastructure are set out herein below: -

District Courts

- i. Availability of wholly owned Court buildings, having

adequate number of Court halls, Bar room, vulnerable/child witness rooms, child-friendly Court etc.;

- ii. Wholly owned residential accommodation for judges and Court staff;
- iii. Status of centrally sponsored infrastructural projects;
- iv. Availability of safe drinking water facilities, washrooms, etc.;
- v. Existence of good canteen, ATM, bank facilities, vehicle parking zone;
- vi. Availability of medical facilities;
- vii. Court Security;
- viii. Facilities like barrier free lifts, ramps/guiding rails, specially designed washrooms for specially-abled persons etc.;
- ix. Functioning electronic case display board showing Court Rooms Numbers., on-going case details etc.;
- x. Maintenance of record rooms;
- xi. Availability of complaint box/suggestion box;
- xii. Availability of Generators;
- xiii. Crèche for children.

High Courts

- i. Adequate number of Court halls/chambers vis-a-vis working strength/sanctioned strength
- ii. Adequate gender-specific washrooms;
- iii. Existence of good canteen, ATM, bank facilities, vehicle parking zone;
- iv. Availability of medical facilities;
- v. Court Security and Disaster Management Plan [DMP];

- vi. Provision for barrier free lifts, ramps/guiding rails, specially designed washrooms for specially-abled persons etc.;
- vii. Maintenance of record rooms;
- viii. Availability of complaint box/suggestion box;
- ix. Crèche for children;

7. Court Employee Engagement

The Court's availability of well trained and committed employees is crucial in discharging judicial duty and impacts the performance of the Courts. This can be assessed by measuring the following:-

(i) Identification of adequate staff strength

Surveys should be undertaken by the High Courts at regular intervals to optimise the human resource utilisation in the Court establishment. On the strength of such surveys policies may be formulated regarding staff pattern, cadre strength and allocation of duties. These policies need to be implemented by all Court establishments for efficient functioning. Performance of the Court in this arena is most essential to measure scientific utilisation of human resources.

(ii) Regular Attendance

Regular attendance of employees is not only a measure of discipline but indicates maximum utilisation of human resources. This parameter is fashioned to quantify the average rate of attendance in the Court establishment and not the rate of attendance of each employee. To calculate the same, firstly, the percentage of attendance of each employee is to be calculated in the following manner: -

$$X/Y \times 100$$

X- Number of days attended

Y- Total number of working days

Thereafter, the sum of the percentage of attendance of all the employees is to be divided by the working strength, i.e. W/Z

W-Sum of the percentage of attendance of all employees

Z- Sum of all employees in the Court establishment for the entire period and employees in the Court establishment for a portion of the year, calculated on pro-rata basis for 365 days

(iii) *Timely recruitment, promotion and prompt disposal of disciplinary proceeding*

Timely recruitment is imperative to ensure full strength of staff in the Court establishment. Employee satisfaction is best achieved through prompt promotion and speedy conclusion of disciplinary proceedings. These are vital parameters to assess staff satisfaction in an establishment. The High Court is required to frame rules prescribing time schedules for yearly recruitment and fair and transparent promotion policies. Rules should also provide for time bound completion of disciplinary proceedings.

(iv) *In-Service Training*

Regular in-service training of employees enhances their efficiency and utility. Court establishments are evolving with time and new processes for justice delivery require re-skilling of employees. This parameter measures the responsiveness of the Court management to re-skill its staff and adapt the available human resources to the evolving demands of the system.

8. *IT Facilities*

A sound IT system is necessary for robust working of Courts, especially with the magnitude of caseload and an urgent need for timely disposal.

With the onset of the internet revolution and catalytic forces like the COVID-19 lockdown, IT facilities have become quintessentially indispensable for timely dispensation of justice, access to Courts and storage of judicial data. Performance of High and District Courts in engaging IT tools and IT enabled services to render justice may be measured under the four broad categories:

- a) Hardware, Software and Networking;
- b) Digitisation;
- c) Online access and citizen centric measures and
- d) Futuristic Courts.

Evaluation of the Courts may be made under the aforesaid heads and their performance rated on a cumulative basis.

(i) Hardware, Software & Networking

| HIGH COURT | DISTRICT COURT |
|-------------------|--|
| Not Applicable | 1. To what extent are the Physical LAN and WAN connectivity available in all the Court complexes? |
| Not Applicable | 2. To what extent are the hardware viz. computers/laptops, servers, UPS, scanners, printers, etc. installed and functional, as per recommendations of the Hon'ble e-Committee in all the Courts and/or Court complexes? |
| Not Applicable | 3. What is the present state of the official website created for the District Court? (Fully functional website menus must contain Link for Supreme Court and High Court, Link for India Code and e-SCR, Case Status, Order & Judgment, Cause List, List of Judges, Latest Notices for Tenders and Recruitment, List of Judges on Leave, Justice Clock) |
| Not Applicable | 4. To what extent is the ICJS implemented in the district enabling sharing of data between Courts, police stations, jails, hospitals, forensic laboratories? The connectivity through video conferencing linkage between the Court complex and the jails should also be considered here. |
| Not Applicable | 5. To what extent the Solar energy for power backup is available in the Court complex? |

(ii) Digitisation

| HIGH COURT | DISTRICT COURT |
|--|---|
| 1. To what extent has the Court initiated Digitisation of legacy and/or current records and uploads of the digitized file in Document Management Software (DMS)? | 1. To what extent has the Court initiated Digitisation of legacy and/or current records and uploads of digitized file in Document Management Software DMS |
| 2. What is the present status of any system or software for online tracking of files? (Y/N) | 2. Not applicable |
| 3. How far is the Court Management System through Paperless Court functional in the Courts? | 3. How far is the Court Management System through Paperless Court functional in the Courts? |
| 4. What is the present status of the e-Library (viz. repository of case law etc.)? | 4. What is the present status of the e-Library (viz. repository of case law etc.)? |

(iii) Citizen Centric Measures

| | |
|--|---|
| 1. To what extent is e-filing of cases implemented in High Court? | 1. To what extent is the Case Information System software implemented and the services through the software are available to the litigant and lawyers? |
| 2. Whether the Rules for e-filing of cases have been framed? | 2. To what extent is the Centralized Filing Counter functioning and what is the status of e-filing and e-payment facilities in those places? |
| 3. Whether Rules have been framed to permit communication of orders/notices through SMS/email at the High Court level? | 3. To what extent is mobile based service delivery including service of processes implemented? (This includes information relating to case filing, case proceeding, disposal of cases etc. available to the litigants and advocates through SMS service.) |

| | |
|---|---|
| 4. Whether Rules have been framed for Video Conferencing at the High Court and District Courts? | 4. To what extent are the uploading of orders and Judgments undertaken regularly by all the Courts? Is there any backlog and whether the Courts are uploading those legacy judgments/final orders? |
| 5. Whether Rules for Live Streaming of Court Proceeding have been framed? | 5. To what extent are the touch screen-based kiosks installed and actually functioning in the Court complex? |
| 6. Whether Rules for preservation and retrieval of electronic evidence is framed at the High Court level? | 6. To what extent are the e-Sewa Kendras and help desks are available to assist litigants? |
| 7. Whether Rules for electronic service of processes have been framed by the High Court? | 7. To what extent is the facility of hearing cases through video conferencing available in each Court? (To consider how well have the live streaming of Court proceedings commenced) |
| 8. To what extent is the translation of orders/judgments in vernacular undertaken? | 8. To what extent are the display boards are installed and functioning outside all the Courtrooms in the Court complex? |
| 9. Whether centralized UPS system for power backup available in the High Court? | 9. To what extent are the Composite Digital Display Boards, showing status of ongoing cases in different Courts installed in the Court Complex near/inside Bar room or at the entrance to the Complex |

(iv) Futuristic Courts

| HIGH COURT | DISTRICT COURT |
|--|--|
| 1. To what extent are sophisticated software (such as software using AI/ML, Data Science etc.) exploited in Court proceedings? | 1. To what extent are sophisticated software (such as software using AI/ML, Data Science etc.) exploited in Court proceedings? |

| | |
|---|---|
| 2. To what extent are the cloud storage and network computing in use for the computer system? | 2. To what extent the cloud storage and network computing are in use for the computer system? |
| 3. To what extent are the steps taken for data privacy and security? | 3. Not Applicable |
| 4. To what extent is digital signature and/or any other method used to ensure authentication and security of a document including the order/Judgment? | 4. To what extent is digital signature and/or any other method used to ensure authentication and security of the document including the order/Judgment? |

9. Budget

Optimum budgetary allocation in the justice delivery system by the Central and State government is of vital importance to ensure effective and timely delivery of justice. However, the Judiciary does not have a say in the executive's discretion regarding the quantum of budgetary allocation in the justice delivery system. Its role is ancillary and restricted to making timely requisitions to the executive for adequate budgetary allocation. The other area where the judiciary plays a prominent role is to supervise the utilisation of the budgetary allocation.

While the High Courts are involved in making requisitions for appropriate budgetary allocation, supervision of the allocated budget is done both at the High Court and District Court levels. Performance of the High Court under this parameter may be assessed on both scores, i.e., timely requisition and utilisation, while the district judiciary may be valued on utilisation alone.

B. Evaluation Methodology

Each of the identified performance measures requires to be quantified against a rating system. Some measures, like case clearance rate, on-time case processing, pendency and backlog, etc. would easily yield quantified results. In contrast, others like judicial capability, infrastructure, Court employee engagement etc. would produce a more nuanced subjective

response. A rating system should be prescribed by analysing the data available in NJDG or other sources concerning the performance measure. After that, the performance of each Court establishment is to be measured against the rating system so prepared and they may be ranked accordingly. Evaluation of the performance measures in each Court establishment is proposed to be undertaken every year.

Evaluation methodology and the rating system of each performance measure vis a vis High Court and District Court are set out in a tabular form and annexed to the report as Annexures A and B respectively.

C. Ranking of Courts

The judicial structure in India is divided into three broad hierarchies: -

- a. Supreme Court;
- b. High Court;
- c. District Court

Roles of the High Courts and District Courts in the judicial setup are not the same. District Courts constitute the first line of interface between the judiciary and the litigant. Judicial proceedings are mostly initiated at the district forum while the jurisdiction of the High Courts is primarily appellate. High Courts are also entrusted with supervisory jurisdiction in judicial and administrative matters of the District Courts. Rulemaking in judicial administration is exclusively vested in the High Court.

Differential nature and role of the District Courts and the High Court in administration of justice may in some instances require fine tuning of sub parameters in some of the performance measures. This would make the performance measures more responsive to test the excellence of each Court establishment in its unique domain. Even in their respective domains the performance level of the Courts shall vary depending on their size i.e., sanctioned strength. For example, the average number of judgments delivered in a year by a High Court comprising 50 or more judges cannot be compared with that of a High Court comprising less than ten judges. Thus,

a fair ranking system requires categorisation of the High Courts and District Courts as per their sanctioned strength into large, medium and small. High Courts having a sanctioned strength of 50 and more judges may be ranked as large, those having less than 50 but more than 20 judges may be ranked as medium and those with less than 20 judges may be ranked as small. Similarly, High Courts may rank the districts in their jurisdiction as large, medium and small depending on their sanctioned strength. Inter-se ranking of the High Courts and District Courts as per their performance level in the rating system may be made under the aforesaid three categories mentioned above.

D. Performance Measure Management

Awarding of quantified scores to performance measures is not an end in itself. Assessing the performance of a judicial establishment is a means to formulate action plans to address challenges and improve performance.

An effective scheme for assessment and analysis of performance measures, preparation and implementation of action plan at all levels of the judiciary for meeting challenges and improving performance is the core objective of Court excellence. This may be achieved in the following manner:

a) Role of District Court:

A Committee comprising the District Judge, Court Manager and Registrar shall collate data with regard to the identified performance measures via self-assessment mode and submit it to the High Court for assessment and analysis.

b) Role of High Court:

The State Court Management Systems Committee (SCMS Committee) shall assess the data in respect of performance measures of each District against prescribed rating system and assign scores. On the basis of assigned scores, performance of the District Courts shall be ranked *inter se* in their respective categories, i.e., *large*, *medium* and *small* as per their sanctioned strength.

The SCMS Committee will analyse the performance level of the District Courts and identify emerging challenges. They will then formulate action plans/initiatives to address those challenges at the district level.

SCMS Committee shall also collate data pertaining to performance measures of the High Court through self-assessment and evaluate them against prescribed rating chart. SCMS Committee on analysis of these performance measures of the High Court shall identify the challenges at the High Court level and recommend initiatives to the Chief Justice to meet the challenges.

An annual report of performance measures of the districts as well as the High Court shall be published by the High Court on a yearly basis. Report shall include action plan and the initiatives proposed both at the District and High Court level.

c) *Role of NCMS Committee:*

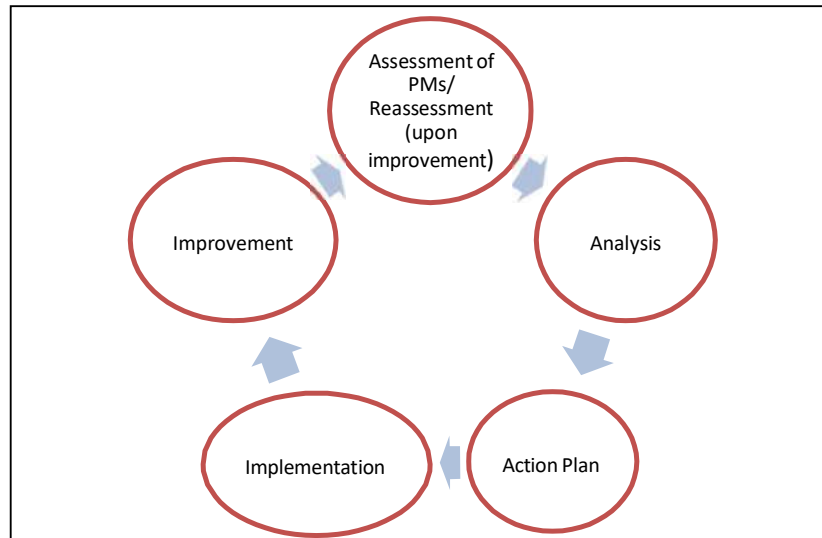
The Committee shall analyse the annual reports of the High Courts and may recommend action plans for implementation on a pan India level. It shall grade *inter se* performance of the High Courts and rank them in their respective categories, namely *large, medium* and *small* as per sanctioned strength.

Recommendations of the NCMS Committee may be placed for deliberation at the Chief Justice's conference and if adopted, may be implemented.

E. Implementation and Improvement:-

Recommendations/Initiatives or the action plans proposed and adopted by the High Courts in their respective jurisdictions or at the Chief Justice's conference on a pan India level shall be implemented. Impact of the initiatives so implemented on the performance level of the High Courts and District Courts shall be assessed in the course of evaluation in the following year and reflected in the following annual report.

A graphical representation of the cyclical process is reproduced hereinbelow:-



F. Way Forward:-

The proposals contained in the report may be implemented in the following manner:-

- a) A pilot project may be launched in selected Courts to measure Court excellence in the manner prescribed in the report. Two large High Courts and two medium High Courts, i.e., four in all may be selected for the project. Similarly, four Districts in each of these High Courts, two large and two medium may be selected for implementation. During the pilot project, attention needs to be given to develop the following issues:-

1. Questionnaire design
2. Development of methodology for quantitative analysis and instruments (IP)
3. Training for data collectors / collators
4. Developing measurement scales for factors
5. Checking consistency / reliability
6. Study of associations and principal components
7. Identification of scopes for improvement
8. Feedback and refinement of instruments

9. Scalability analysis
10. Real time deployment plan
11. Design of relevant database and software
12. Development of dashboard

This may require a consolidated 12 months study.

- b) A specialised agency like Indian Statistical Institute, Kolkata, maybe identified to assist the judiciary in implementing the pilot project and analysing its data;
- c) The judiciary in consultation with the specialized agency shall analyse archived data for better rationalisation, calibration and fine tuning of the performance measures;
- d) NCMS shall identify “Out of control” and “in control causes” through discussion with stakeholders and provide margins to achieve a more responsive and fair rating system;
- e) Plans for anonymisation and data security shall also be formulated in consultation with the E-Committee;
- f) Finally, upon deliberation of the results of the pilot project and approval of the methodology with modifications, if any, the National Framework for Court Excellence project shall be deployed on a full scale as a turn-key project.



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ANNEXURE A
EVALUATION OF PERFORMANCE MEASURES OF
HIGH COURTS

1. Case Processing Diligence [60]

The following parameters were proposed to assess case processing diligence:

- i) Case clearance rate. (12)
- ii) Arrear case load. (12)
- iii) Rate of arrear disposal (12)
- iv) Proportion of arrear disposal vis-à-vis their vintage. (12)
- v) Non-disposable case conversion rate (12)

- i) Case clearance rate:** - The parameter measures the number of cases disposed of within the prescribed period as a percentage of the total number of cases instituted during said period.

Formula for calculation:

a = cases disposed of within the prescribed time frame;

b = cases instituted within the time frame

Score on Case Clearance rate (on a scale of 12) = $a/b \times 12$

| Performance | Rating | Score |
|--------------------------------|-------------------|--------------|
| 90 and above | Excellent | 12 |
| 75 and above but less than 100 | Good | 7 |
| 50 and above but less than 75 | Satisfactory | 5 |
| Less than 50 | Needs improvement | 2 |

ii) Arrear Case Load:

Arrear sub-Committee has identified the following 20 case types for the High Courts:-

- a) Arbitration
- b) Civil Revision
- c) Civil Second Appeal
- d) Criminal Appeals decided by Division Benches
- e) Criminal Appeals decided by Single Benches
- f) Criminal Revisions
- g) Criminal Writ Petitions
- h) Land Acquisition Matters
- i) Matrimonial Cases
- j) Bail Matters
- k) Matters relating to the Motor Accidents Claims Tribunal
- l) Petitions under s. 482 CrPC and Article 226/227
- m) Regular First Appeals
- n) Writ Appeals Relating to Labour Matters
- o) Writ Appeals Relating to Land Matters
- p) Writ Appeals Relating to Service Matters
- q) Writ Petitions Relating to Labour Matters
- r) Writ Petitions Relating to Land Matters
- s) Writ Petitions Relating to Service Matters
- t) Writ Petitions Relating to Tax

Reasonable time taken to dispose shall be the average of the **median time taken for disposal** of the case type **in the preceding 12 years (except 2020)**. Any case pending for more than the average median disposal time shall be treated as arrears.

The lower the case load, the better the performance of the court. Therefore, arrear case load is calculated in the following manner:-

X = Arrears i.e. number of cases pending more than the average median disposal time in a particular case category on the first day of the prescribed period and

Y = the total number of cases pending on the first day of the prescribed period.

$$\text{Arrear case load score} = 1 - X/Y$$

The aggregate **arrear case load score** will be as follows (**on a scale of 12**): **12 X (Sum of Arrear Case Load scores in each category)/20**

| Performance | Rating | Score |
|-------------------------------|-------------------|-------|
| 90 and above | Excellent | 12 |
| 75 and above but less than 90 | Good | 7 |
| 60 and above but less than 75 | Satisfactory | 5 |
| Less than 60 | Needs improvement | 2 |

iii) Rate of Arrear Disposal:- This parameter measures the percentage of arrear cases disposed of against the total number of cases disposed of during the prescribed time frame. When the arrear case load is high, the parameter shall measure the efficiency of the Court system to reduce the arrear case load.

Rate of arrear disposal may be calculated as follows: -

X = Total number of arrear cases disposed of during a prescribed period,

Y = Total number of arrear cases pending at the commencement of the said period.

Score for Rate of arrear disposal (on a scale of 12) = X/Y x 12 when arrear cases are pending

| Performance | Rating | Score |
|-------------------------------|-------------------|-------|
| 90 and above | Excellent | 12 |
| 75 and above but less than 90 | Good | 7 |
| 60 and above but less than 75 | Satisfactory | 5 |
| Less than 60 | Needs improvement | 2 |

Score = 12 if no arrear cases are pending

iv) **Proportion of arrear disposal vis-à-vis their vintage:** The arrears may be sub-divided as per their age of pendency in the six vintage categories:

- a) Arrear cases pending for one year more than the average median disposal time;
- b) Arrear Cases pending for three years more than the average median disposal time.
- c) Arrear Cases pending for five years more than the average median disposal time.
- d) Arrear Cases pending for ten years more than the average median disposal time.
- e) Arrear Cases pending for twenty years more than the average median disposal time.
- f) Arrear Cases pending for thirty years more than the average median disposal time.

The rate of arrear disposal as per the age may be calculated as follows:-

X = Total number of arrear cases of a particular vintage i.e. pending one year more than the average median disposal time in a case category disposed during the prescribed period

Y = Total number of arrear cases disposed of during the prescribed period in the said case category.

Rate of arrear disposal vis-à-vis their vintage = X/Y.

Rate = 1 if no arrear cases are pending in the said case type and vintage

Score for Rate of arrear disposal (on a scale of 12)

= 12 X (Sum of rate for each vintage)/120

| Performance | Rating | Score |
|-------------------------------|-------------------|-------|
| 90 and above | Excellent | 12 |
| 75 and above but less than 90 | Good | 7 |
| 60 and above but less than 75 | Satisfactory | 5 |
| Less than 60 | Needs improvement | 2 |

v) **Non-disposable case conversion rate** may be calculated in the following manner:-

X = Number of non-disposable cases at the commencement of the prescribed period;

Y = Number of non-disposable cases converted to disposable cases during the prescribed period;

Z = Number of non-disposable cases dismissed for non-compliance of formalities during the prescribed period;

Non-disposable conversion rate (on a scale of 12) = [sum of (Y+Z)/X of all 20 case types] x 12/20

| Performance | Rating | Score |
|-------------------------------|-------------------|-------|
| 90 and above | Excellent | 12 |
| 75 and above but less than 90 | Good | 7 |
| 60 and above but less than 75 | Satisfactory | 5 |
| Less than 60 | Needs improvement | 2 |

2. **Judicial capability:-** **[100]**

(i) Working strength vis-a-vis Sanctioned strength; **(10)**

W = Sum of all Judges on the Bench for the entire period and judges on the Bench for a portion of the year, calculated on pro-rata basis for 365 days;

S = Sanctioned strength

$$W/S \times 100$$

| Performance | Rating | Score |
|-------------------------------|-------------------|-------|
| 90 and above | Excellent | 10 |
| 75 and above but less than 90 | Good | 6 |
| 60 and above but less than 75 | Satisfactory | 4 |
| Less than 60 | Needs improvement | 1 |

(ii) Average time span to fill vacancies:-

a) Filling up of vacancy in District Judiciary- as per *Malik Mazhar Sultan (3) vs. UPSC (2008) 17 SCC 703* **(10)**

| Performance | Rating | Score |
|------------------------|-------------------|-------|
| On time | Excellent | 10 |
| <6 months delay | Good | 6 |
| 6 months -1 year delay | Satisfactory | 4 |
| >1 year delay | Needs improvement | 1 |

b) Filling up of vacancies at Magistrate/Civil Judge (Junior Division) on yearly basis – **(10)**

| Performance | Rating | Score |
|------------------------|-------------------|-------|
| On time | Excellent | 10 |
| <6 months delay | Good | 6 |
| 6 months -1 year delay | Satisfactory | 4 |
| >1 year delay | Needs improvement | 1 |

c) Recommendation to fill up vacancies– **(10)**

| Performance | Rating | Score |
|---|-------------------|-------|
| No vacancies/ Recommendations have been made against more than 90% of vacancies | Excellent | 10 |
| 75% - 90 % | Good | 6 |
| 50% - 75% | Satisfactory | 4 |
| Less than 50% | Needs improvement | 1 |

(iii) Number of judicial hours utilized:- **(10)**

| Performance | Rating | Score |
|----------------------|-------------------|-------|
| 1110 hours or more | Excellent | 10 |
| 1085 to 1109 hours | Good | 6 |
| 1060 to 1084 hours | Satisfactory | 4 |
| Less than 1060 hours | Needs improvement | 1 |

(iv) Average number of judgments delivered:- (10)

Total number of judgments
Working strength

Large and medium

| Performance | Rating | Score |
|----------------|-------------------|-------|
| More than 1000 | Excellent | 10 |
| 750 - 1000 | Good | 6 |
| 500-750 | Satisfactory | 4 |
| Less than 500 | Needs improvement | 1 |

Small

| Performance | Rating | Score |
|---------------|-------------------|-------|
| More than 500 | Excellent | 10 |
| 300-500 | Good | 6 |
| 100-300 | Satisfactory | 4 |
| Below 100 | Needs improvement | 1 |

(v) Percentage of judgments delivered in 30 days:- (10)

| Performance | Rating | Score |
|---------------------------------|-------------------|-------|
| 90% and above | Excellent | 10 |
| 75% and above but less than 90% | Good | 6 |
| 60% and above but less than 75% | Satisfactory | 4 |
| Less than 60% | Needs improvement | 1 |

(vi) Percentage of Judges who attended refresher courses as participant/resource person:- (10)

| Percentage of refresher courses attended | Rating | Score |
|--|-------------------|-------|
| 90 and above | Excellent | 10 |
| 75-90 | Good | 6 |
| 50 -75 | Satisfactory | 4 |
| Below 50 | Needs improvement | 1 |

(vii) Number of judicial conferences held:- (10)

| Number of judicial conferences held | Rating | Score |
|-------------------------------------|-------------------|-------|
| More than 4 | Excellent | 10 |
| 3-4 | Good | 6 |
| 2 | Satisfactory | 4 |
| Below 2 | Needs improvement | 1 |

(viii) Inspection

a) Whether rules have been framed specifying regular inspections within prescribed timeframe (5)

| Performance | Score |
|-------------|-------|
| Yes | 5 |
| No | 0 |

b) Are the inspections undertaken as per the prescribed timeframe - (5)

| Performance | Score |
|-------------|-------|
| Yes | 5 |
| No | 0 |

3. **Independent and Knowledgeable Bar** [35]

(i) Number of legal education programmes undertaken by the Bar:- (10)

| Performance | Rating | Score |
|-------------|-------------------|-------|
| 7 and above | Excellent | 10 |
| 5 to 6 | Good | 6 |
| 3 to 4 | Satisfactory | 4 |
| 2 or less | Needs improvement | 1 |

(ii) Grievance Redressal Cell:- (10)

| Performance (No. of meetings held ¹⁰) | Rating | Score |
|---|-------------------|-------|
| 13 and above | Excellent | 10 |
| 10 to 12 | Good | 6 |
| 7 to 9 | Satisfactory | 4 |
| 6 or less | Needs improvement | 1 |
| Not constituted | | 0 |

(iii) Recognizing Legal talent:- (10)

| Performance (No. of initiatives) | Rating | Score |
|----------------------------------|-------------------|-------|
| 7 and above | Excellent | 10 |
| 5 to 6 | Good | 6 |
| 3 to 4 | Satisfactory | 4 |
| 2 or less | Needs improvement | 1 |

(iv) Designation of Senior Advocates:- (5)

| Performance | Rating | Score |
|--------------------|--------------|-------|
| Once in a year | Excellent | 5 |
| Once in two year | Good | 4 |
| Once in three year | Satisfactory | 2 |

¹⁰ Regularity of meetings may be incorporated at a later stage.

4. ADR**[25]****(i) Lok Adalat****a) Number of Lok Adalats:-****(5)**

| Performance | Rating | Score |
|---------------------------|-------------------|-------|
| More than NALSA directive | Excellent | 5 |
| As per NALSA directive | Good | 3 |
| None of the above | Needs improvement | 1 |

b)**Success rate:-****(5)**

| Performance | Rating | Score |
|---------------------------------|-------------------|-------|
| 75% and above | Excellent | 5 |
| 50% and above but less than 75% | Satisfactory | 3 |
| None of the above | Needs improvement | 1 |

(ii) Mediation**a) Mediation training programmes undertaken:-****(5)**

| Performance (mediation training programmes undertaken) | Rating | Score |
|--|-------------------|-------|
| 4 or more | Excellent | 5 |
| 3 | Good | 3 |
| 2 | Satisfactory | 2 |
| 1 | Needs improvement | 1 |

b) Success rate of referred matters:-**(5)**

| Performance | Rating | Score |
|-------------------------------|-------------------|-------|
| 75 and above | Excellent | 5 |
| 65 and above but less than 75 | Good | 3 |
| 50 and above but less than 65 | Satisfactory | 2 |
| Less than 50 | Needs improvement | 1 |

- (iii) Establishment of Permanent Lok Adalats under the Legal Services Authorities Act, 1987 **(5)**

| | |
|-----|---|
| Yes | 5 |
| No | 0 |

5. Legal Aid [25]

- (i) Number and variety of legal aid lawyers (with experience):- **(5)**

| Performance | Rating | Score |
|---|-------------------|-------|
| L.A.D.C.S. + at least 25% of legal aid lawyers have more than 20 years' experience | Excellent | 5 |
| L.A.D.C.S. + at least 10%, but less than 25%, legal aid lawyers have more than 20 years' experience | Good | 3 |
| L.A.D.C.S. in place and less than 10% of legal aid lawyers have more than 20 years' experience | Satisfactory | 2 |
| None of the above | Needs improvement | 1 |

- (ii) Assessment of performance of legal aid lawyers:- **(5)**

| Performance (percentage of lawyers rated good by Court ¹¹) | Rating | Score |
|--|-------------------|-------|
| 75 and above | Excellent | 5 |
| 60 and above but less than 75 | Good | 3 |
| 51 and above but less than 60 | Satisfactory | 2 |
| None of the above | Needs improvement | 1 |

- (iii) Access to justice for vulnerable and marginalised sections **(6)**

- a)** Whether High Court has taken initiative to monitor timely release of adequate compensation as per directions of the trial Court? [Steps may be either in the judicial side or administrative side] **(2)**

¹¹ This rating exercise is to be defined in consultation with domain experts.

| | |
|-----|---|
| Yes | 2 |
| No | 0 |

b) Whether Rules have been made with regard to non-disclosure of identity of victims in POCSO/ sexual violence cases in judicial proceedings? (2)

| | |
|-----|---|
| Yes | 2 |
| No | 0 |

c) Whether State Witness Protection Fund has been set up and if not, initiatives to set up the fund have been taken in judicial/ administrative side? (2)

| | |
|---|---|
| Witness Protection Fund has been set up | 2 |
| Initiative has been taken by High Court but Witness Protection Fund has not been set up | 1 |
| None of the above | 0 |

(iv) Whether differently abled lawyers empaneled? (4)

| | |
|-----|---|
| Yes | 4 |
| No | 0 |

(v) Whether survivors are engaged as Para-Legal Volunteers ('PLV' for short)? (5)

| | |
|------------------------------------|---|
| If 25% of PLV constitute survivors | 5 |
| If 10% of PLV constitute survivors | 3 |
| None of the above | 0 |

6. Infrastructure**[45]****(i) Adequate court halls/chambers.****(8)**

| Performance | Score |
|--|-------|
| Adequate for sanctioned strength | 8 |
| Inadequate for sanctioned strength but Adequate for working strength | 5 |
| Inadequate for both | 2 |

(ii) Availability of gender specific washrooms**(4)**

| Facility | Score |
|---------------|-------|
| Available | 4 |
| Not available | 0 |

(iii) Canteen facilities, (ATM + Bank), vehicle parking facility.**(4)**

| Performance | Rating | Score |
|-------------|-------------------|-------|
| All three | Excellent | 4 |
| Any two | Satisfactory | 2 |
| Any one | Needs improvement | 1 |

(iv) Medical facilities**(4)**

| Facility | Rating | Score |
|--|---------------------------|-------|
| Emergency medical rooms with qualified doctors available | Excellent | 4 |
| Emergency medical rooms available without qualified doctor | Satisfactory | 2 |
| None of the above | Needs immediate attention | 0 |

- (v) a) Court security- CCTV with central room, screening and frisking facilities, pass for entry, law enforcement surveillance. **(5)**

| Performance | Rating | Score |
|----------------|---------------------------|-------|
| All facilities | Excellent | 5 |
| Any three | Good | 3 |
| Any two | Satisfactory | 1 |
| Less than two | Needs immediate attention | 0 |

- b) Disaster Management Plan **(5)**

| Performance | Rating | Score |
|---|---------------------------|-------|
| As per National Disaster Management Authority (for short 'NDMA') Guidelines | Excellent | 5 |
| Not as per NDMA Guidelines | Needs immediate attention | 0 |

- (vi) Facilities for specially abled person like barrier free lifts, ramps, guiding rails and specially abled washrooms **(5)**

| Facilities | Rating | Score |
|---------------------|---------------------------|-------|
| All four available | Excellent | 5 |
| Any three available | Good | 4 |
| Any two available | Satisfactory | 2 |
| Any one available | Needs improvement | 1 |
| None available | Needs immediate attention | 0 |

- (vii) Adequate record room. **(4)**

| Performance | Score |
|-------------|-------|
| Yes | 4 |
| No | 0 |

(viii) Availability of complaint box. (3)

| Performance | Score |
|-------------|-------|
| Yes | 3 |
| No | 0 |

(ix) Crèche for children. (3)

| Performance | Score |
|-------------|-------|
| Yes | 3 |
| No | 0 |

6. Court Employee Engagement [40]

(i) a) Whether survey has been undertaken and policies formulated to optimize human resource in the last five years? (5)

| Performance | Score |
|-------------|-------|
| Yes | 5 |
| No | 0 |

b) If so, how far implemented? (5)

| Performance | Rating | Score |
|---------------------------------|-------------------|-------|
| Fully | Excellent | 5 |
| 80% and more but not fully | Good | 4 |
| 75% and above but less than 80% | Satisfactory | 3 |
| Less than 75% | Needs improvement | 1 |

(ii) Regular attendance (Average Percent attendance of all employees):- (5)

| Performance | Rating | Score |
|---------------------------------|-------------------|-------|
| above 80% | Excellent | 5 |
| 60% and more but less than 80% | Good | 4 |
| 50% and above but less than 60% | Satisfactory | 3 |
| Less than 50% | Needs improvement | 1 |

(iii) Disciplinary proceeding (10)

a) Do rules provide for time bound completion of disciplinary proceeding?

(5)

| Performance | Score |
|-------------|-------|
| Yes | 5 |
| No | 0 |

b) Proportion of proceedings concluded within stipulated timeframe:-

(5)

| Performance | Rating | Score |
|---------------------------------|-------------------|-------|
| More than 75% | Excellent | 5 |
| 60% and more but less than 75% | Good | 4 |
| 50% and above but less than 60% | Satisfactory | 3 |
| None of the above | Needs improvement | 1 |

(iv) Timely recruitment + promotion

(10)

a) Do rules provide for a time schedule for yearly recruitment/ promotion policy?

(5)

| Performance | Score |
|-------------|-------|
| Yes | 5 |
| No | 0 |

(5)

| Performance | Rating | Score |
|-----------------------------------|-------------------|-------|
| On time | Excellent | 5 |
| Late but delay less than 6 months | Good | 4 |
| 6 months - 1 year delay | Satisfactory | 2 |
| More than 1 year delay | Needs improvement | 0 |

(v) Number of training programme undertaken

(5)

| Performance | Rating | Score |
|-------------|-------------------|-------|
| 7 and above | Excellent | 5 |
| 5, 6 | Very Good | 4 |
| 2 to 4 | Good | 2 |
| 1 | Needs improvement | 1 |
| 0 | Below expectation | 0 |

7. IT Facilities

[50]

(i) Digitisation

- a) To what extent the Court initiated Digitisation of legacy and current records and uploads the digitized file in Document Management Software (DMS)?

(3)

| Status | Score |
|--|-------|
| Started Digitization of both legacy and current records and uploads digitized records in DMS | 3 |
| Started digitizing legacy and current records but not uploaded in DMS | 2 |
| Started digitizing legacy/current records but not uploaded in DMS | 1 |
| Digitization has not been started | 0 |

- b) What is the present status of any system or software for online tracking of files?

(3)

| Status | Performance | Score |
|--|-------------|-------|
| System/Software for online tracking of files is functional | Yes | 3 |
| System/Software for online tracking of files is not functional | No | 0 |

c) How far the Court Management System through Paperless Court is functional in the courts? **(3)**

| Status | . | Score |
|--|-----|-------|
| System of Paperless courts has started functioning | Yes | 3 |
| System of Paperless Court has not started as yet | No | 0 |

d) What is the present status of the E-Library (viz. repository of case law etc.)? **(3)**

| Status | Score |
|---|-------|
| E-Library is perfectly working as an online system, availability of softcopies of relevant material satisfactory | 3 |
| E-Library implementation complete, availability of softcopies of relevant material is 60% satisfactory | 2 |
| E-Library implementation complete, availability of softcopies of relevant material covers at least 30% of the requirement | 1 |
| No implementation yet | 0 |

(ii) Citizen Centric Measures

a) To what extent e-filing of cases is implemented in High Court?

(3)

| Status | Score |
|--|-------|
| E-filing is the sole mode of filing in all categories of cases and for all litigants | 3 |
| E-filing is the sole mode of filing in all categories of cases for a class of litigants | 2 |
| E-filing is one of the modes of filing in all categories of cases for all litigants | 1 |
| E-filing is one of the modes of filing in all categories of cases for class of litigants | 0 |

b) Whether the Rule for e-filing of cases has been framed? (3)

| Performance | Score |
|-------------|-------|
| Yes | 3 |
| No | 0 |

c) Whether Rules have been framed to permit communication of orders/notices through SMS/email at the High Court level? (3)

| Performance | Score |
|-------------|-------|
| Yes | 3 |
| No | 0 |

d) Whether Rules have been framed for Video Conferencing at the High Court and District Courts? (3)

| Performance | Score |
|-------------|-------|
| Yes | 3 |
| No | 0 |

e) Whether Rules for Live Streaming of Court Proceeding has been framed? (3)

| Performance | Score |
|-------------|-------|
| Yes | 3 |
| No | 0 |

f) Whether Rules for preservation and retrieval of electronic evidence is framed at the High Court level? (3)

| Performance | Score |
|-------------|-------|
| Yes | 3 |
| No | 0 |

g) Whether Rules for electronic service of processes has been framed by the High Court? (3)

| Performance | Score |
|-------------|-------|
| Yes | 3 |
| No | 0 |

h) To what extent the translation of orders/judgments in vernacular is undertaken?

(3)

| Status | Score |
|--|-------|
| Translation of orders/judgments in vernacular has undertaken and 70% of Judgments translated | 3 |
| Translation of orders/judgments in vernacular has undertaken and 50% of Judgments translated | 2 |
| Translation of orders/judgments in vernacular has undertaken and 25% of Judgments translated | 1 |
| Translation of orders/judgments in vernacular has undertaken and less than 25% of Judgments translated | 0 |

i) Whether Centralised UPS system for power backup available in Court Complex?

(2)

| Performance | Score |
|-------------|-------|
| Yes | 2 |
| No | 0 |

(iii) Futuristic Courts

a) To what extent sophisticated software (such as software using AI/ML, Data Science etc.) are exploited in court proceedings? **(3)**

| Status | Score |
|---|-------|
| Software implemented and running | 3 |
| Software decided and implementation to be completed in three months | 2 |
| Software decided and implementations to be completed in a year | 1 |
| Nothing planned yet | 0 |

b) To what extent the cloud storage and network computing are in use for the computer system? (3)

| Status | Score |
|---|-------|
| Software/Hardware/Networking implemented and running | 3 |
| Software/Hardware/Networking planned and implementation to be completed within six months | 2 |
| Evaluation of Software/Hardware/Networking in progress but decision pending | 1 |
| Nothing planned yet | 0 |

c) To what extent the steps are taken for data privacy and security? (3)

| Status | Score |
|---|-------|
| Security & Privacy measures implemented and running | 3 |
| Security & Privacy measures formalized and implementation to be completed in three months | 2 |
| Security & Privacy measures formalized and implementations to be completed in a year | 1 |
| Nothing planned yet | 0 |

d) To what extent digital signature and/or any other method is used to ensure authentication and security of the document including the order/Judgment? (3)

e)

| Status | Score |
|---|-------|
| PKI (Public Key Infrastructure) implemented and running | 3 |
| PKI formalized and implementation to be completed in six months | 2 |
| Evaluation of PKI in progress, but decision pending | 1 |
| Nothing planned yet | 0 |

8. Budget**[25]**

(i) Requisition sent on time?

(10)

| Performance | Score |
|-------------|-------|
| Yes | 10 |
| No | 0 |

(ii) Proportion of Budget utilised

(15)

| Performance | Rating | Score |
|---------------------------------|-------------------|-------|
| 80% and above | Excellent | 15 |
| 75% and more but less than 80% | Good | 9 |
| 50% and above but less than 75% | Satisfactory | 6 |
| Less than 50% | Needs improvement | 2 |

The total scorecard has the following subtotals:-

| | |
|-----------------------------------|------------|
| Case Processing Diligence | 60 |
| Judicial Capability | 100 |
| Independent and Knowledgeable Bar | 35 |
| ADR | 25 |
| Legal Aid | 25 |
| Infrastructure | 45 |
| Court Employee Engagement | 40 |
| IT Facilities | 50 |
| Budget | 25 |
| Grand total | 405 |

Group specific and overall rating shall be made in the following manner:-

| Performance | Rating |
|---------------------------------|-------------------|
| 90% and above | Excellent |
| 75% and above but less than 90% | Good |
| 60% and above but less than 75% | Satisfactory |
| Less than 60% | Needs improvement |

ANNEXURE B
EVALUATION OF PERFORMANCE MEASURES OF
DISTRICT COURTS

1. Case Processing Diligence [70]

The following parameters were proposed to assess case processing diligence:

- i) Case clearance rate. (15)
- ii) Arrear case load. (15)
- iii) Rate of arrear disposal (14)
- iv) Proportion of arrear disposal vis-à-vis their vintage. (13)
- v) Non-disposable case conversion rate (13)

- i) Case clearance rate:** - The parameter measures the number of cases disposed of within the prescribed period as a percentage of the total number of cases instituted during said period.

Formula for calculation:

A = cases disposed of within the prescribed time frame;

B = cases instituted within the time frame

Score on Case Clearance rate (on a scale of 15) = $A/B \times 15$

| Performance | Rating | Score |
|--------------------------------|-------------------|--------------|
| 90 and above | Excellent | 15 |
| 75 and above but less than 100 | Good | 9 |
| 50 and above but less than 75 | Satisfactory | 6 |
| Less than 50 | Needs improvement | 2 |

ii) Arrear Case Load:

Cases before the District Courts may be categorised in the following 25 types: -

Civil Matters

- a) Civil Suit;
- b) Commercial Suit;
- c) Mat Suit;
- d) Arbitration cases;
- e) Civil Appeals;
- f) Misc. Civil Appeals;
- g) Civil Revisions;
- h) Land Reference cases;
- i) Motor Accident Claims cases;
- j) Labour and Industrial Court cases;
- k) Cooperative Court cases;
- l) Execution Petitions.

Criminal Matters

- a) Bail Applications (including Anticipatory Bail Applications)
- b) Sessions cases;
- c) Cases tried under National Investigation Agency Act;
- d) Electricity cases;
- e) Prevention of Corruption Act cases;
- f) POCSO cases;
- g) Cases under SC/ST Act;
- h) PMLA cases;
- i) Cases triable by Magistrate (Other than Negotiable Instruments Act cases);
- j) Negotiable Instruments Act Cases;
- k) Criminal Appeals;
- l) Criminal Revisions;
- m) Misc. Criminal Applications.

Reasonable time taken to dispose shall be the average of the **median time taken for disposal** of the case type **in the preceding 12 years (except 2020)**. Any case pending for more than the average median disposal time shall be treated as arrears.

The lower the case load, the better the performance of the court. Therefore, arrear case load is calculated in the following manner:-

X = Arrears i.e. number of cases pending more than the average median disposal time in a particular case category on the first day of the prescribed period and

Y = the total number of cases pending on the first day of the prescribed period.

Arrear case load score = $1 - X/Y$

The aggregate **arrear case-load score** will be as follows (**on a scale of 15**): **$15 X$ (Sum of Arrear Case Loads in each category)/25**

| Performance | Rating | Score |
|-------------------------------|-------------------|-------|
| 90 and above | Excellent | 15 |
| 75 and above but less than 90 | Good | 9 |
| 60 and above but less than 75 | Satisfactory | 6 |
| Less than 60 | Needs improvement | 2 |

iii) **Rate of Arrear Disposal**:- This parameter measures the percentage of arrear cases disposed of against the total number of cases disposed during the prescribed time frame. When the arrear case load is high, the parameter shall measure the efficiency of the Court system to reduce the arrear case load.

Rate of arrear disposal may be calculated as follows: -

X = Total number of arrear cases disposed of during a prescribed period, **Y**
= Total number of arrear cases pending at the commencement of the said
period.

Score for Rate of arrear disposal (on a scale of 14) = X/Y x 14

| Performance | Rating | Score |
|-------------------------------|-------------------|-------|
| 90 and above | Excellent | 14 |
| 75 and above but less than 90 | Good | 9 |
| 60 and above but less than 75 | Satisfactory | 7 |
| Less than 60 | Needs improvement | 3 |

Score = 14 if no arrear cases are pending

- iv) **Proportion of arrear disposal vis-à-vis their vintage:** The arrears may be sub- divided as per their age of pendency in the six vintage categories:
- Arrear cases pending for one year more than the average median disposal time;
 - Arrear Cases pending for three years more than the average median disposal time.
 - Arrear Cases pending for five years more than the average median disposal time.
 - Arrear Cases pending for ten years more than the average median disposal time.
 - Arrear Cases pending for twenty years more than the average median disposal time.
 - Arrear Cases pending for thirty years more than the average median disposal time.

The rate of arrear disposal as per the age may be calculated as follows:-

X = Total number of arrear cases of a particular vintage i.e. pending one year more than the average median disposal time in a case category disposed during the prescribed period

Y = Total number of arrear cases disposed of during the prescribed period in the said case category.

Rate of arrear disposal *vis-à-vis* their vintage = X/Y.

Rate = 1 if no arrear cases are pending in the said case type and vintage

Score for Rate of arrear disposal (on a scale of 13)

= 13 x (Sum of rate for each vintage)/150

| Performance | Rating | Score |
|-------------------------------|-------------------|-------|
| 90 and above | Excellent | 13 |
| 75 and above but less than 90 | Good | 9 |
| 60 and above but less than 75 | Satisfactory | 7 |
| Less than 60 | Needs improvement | 3 |

v) **Non-disposable case conversion rate** may be calculated in the following manner:-

X = Number of non-disposable cases at the commencement of the prescribed period;

Y = Number of non-disposable cases converted to disposable cases during the prescribed period;

Z = Number of non-disposable cases dismissed for non-compliance of formalities during the prescribed period;

Non-disposable conversion rate (on a scale of 13) = [sum of(Y+Z)/X of all 25 case types] x 13/25

| Performance | Rating | Score |
|-------------------------------|-------------------|-------|
| 90 and above | Excellent | 13 |
| 75 and above but less than 90 | Good | 9 |
| 60 and above but less than 75 | Satisfactory | 7 |
| Less than 60 | Needs improvement | 3 |

2. Judicial capability:-**[85]**

- (i) Working strength vis-a-vis Sanctioned strength; (10)**

W = Sum of all Judges on the Bench for the entire period and judges on the Bench for a portion of the year, calculated on pro-rata basis for 365 days; S = Sanctioned strength;

$$W/S \times 100$$

| Performance | Rating | Score |
|-------------------------------|-------------------|-------|
| 90 and above | Excellent | 10 |
| 75 and above but less than 90 | Good | 6 |
| 60 and above but less than 75 | Satisfactory | 4 |
| Less than 60 | Needs improvement | 1 |

- (ii) Number of judicial hours utilized:- (10)**

| Performance | Rating | Score |
|----------------------|-------------------|-------|
| 1165 hours or more | Excellent | 10 |
| 1135 to 1164 hours | Good | 6 |
| 1100 to 1134 hours | Satisfactory | 4 |
| Less than 1100 hours | Needs improvement | 1 |

- (iii) Average units accrued from delivery of judgments:- (10)**

$$\frac{\text{Total units calculated as per ACR norms for delivery of judgments by district Judgeship}}{\text{Working strength of judges}}$$

May be assessed as per ACR norms¹² -

| Rating | Score |
|-------------------|-------|
| Excellent | 10 |
| Good | 6 |
| Satisfactory | 4 |
| Needs improvement | 1 |

Rating of performance of the district judgeship shall be equivalent to rating fixed as per ACR norms for an individual judge.

¹² This is not uniform across High Courts. So either a uniform code needs to be constituted in future for each High Court to

(iv) Percentage of judgments delivered in 30 days:- **(10)**

| Performance | Rating | Score |
|---------------------------------|-------------------|-------|
| 90% and above | Excellent | 10 |
| 75% and above but less than 90% | Good | 6 |
| 60% and above but less than 75% | Satisfactory | 4 |
| Less than 60% | Needs improvement | 1 |

(v) Percentage of Judges who attended refresher courses as participant/resource person:- **(10)**

| Percentage of refresher courses attended | Rating | Score |
|--|-------------------|-------|
| 90 and above | Excellent | 10 |
| 75-90 | Good | 6 |
| 50-75 | Satisfactory | 4 |
| Below 50 | Needs improvement | 1 |

(vi) Number of judicial conferences held:- **(10)**

| Number of judicial conferences held | Rating | Score |
|-------------------------------------|-------------------|-------|
| More than 4 | Excellent | 10 |
| 3-4 | Good | 6 |
| 2 | Satisfactory | 4 |
| Below 2 | Needs improvement | 1 |

(vii) Inspection

a) Are the inspections undertaken as per the prescribed timeframe¹³ (5)

| Performance | Score |
|-------------|-------|
| Yes | 5 |
| No | 0 |

b) Frequency of jail visits by District Judges:- (10)

| Performance | Rating | Score |
|------------------------------------|-------------------|-------|
| 6 or more annually | Excellent | 10 |
| Less than 6 but 4 or more annually | Good | 6 |
| Less than 4 but 2 or more annually | Satisfactory | 4 |
| Less than 2 | Needs improvement | 1 |

c) Frequency of juvenile home visits by District Judges:- (10)

| Performance | Rating | Score |
|---------------------|-------------------|-------|
| 12 or more annually | Excellent | 10 |
| 8 or more annually | Good | 6 |
| 6 or more annually | Satisfactory | 4 |
| Less than 6 | Needs improvement | 1 |

3. Independent and Knowledgeable Bar [30]

(i) Number of legal education programmes undertaken by the Bar:-

(10)

| Performance | Rating | Score |
|-------------|-------------------|-------|
| 7 and above | Excellent | 10 |
| 5 to 6 | Good | 6 |
| 3 to 4 | Satisfactory | 4 |
| 2 or less | Needs improvement | 1 |

¹³ Prescribed under the relevant rules framed by the High Court

(ii) Grievance Redressal Cell:-

(10)

| Performance (No. of meetings held ¹⁴) | Rating | Score |
|---|--------------------------|-------|
| 13 and above | Excellent | 10 |
| 10 to 12 | Good | 6 |
| 7 to 9 | Satisfactory | 4 |
| 6 or less | Needs improvement | 1 |
| Not constituted | Need immediate attention | 0 |

(iii) Recognizing Legal talent:-

(10)

| Performance (No. of initiatives) | Rating | Score |
|----------------------------------|-------------------|-------|
| 7 and above | Excellent | 10 |
| 5 to 6 | Good | 6 |
| 3 to 4 | Satisfactory | 4 |
| 2 or less | Needs improvement | 1 |

4. ADR

[30]

i) Lok Adalat

a) Number of Lok Adalats :-

(5)

| Performance | Rating | Score |
|---------------------------|-------------------|-------|
| More than NALSA directive | Excellent | 5 |
| As per NALSA directive | Good | 3 |
| None of the above | Needs improvement | 1 |

b) Success rate :-

(5)

| Performance | Rating | Score |
|---------------------------------|-------------------|-------|
| 75% and above | Excellent | 5 |
| 50% and above but less than 75% | Satisfactory | 3 |
| None of the above | Needs improvement | 1 |

¹⁴ Regularity of meetings may be incorporated at a later stage.

ii) Mediation

a) Success rate of referred matters :- (5)

| Performance | Rating | Score |
|-------------------------------|-------------------|-------|
| 75 and above | Excellent | 5 |
| 65 and above but less than 75 | Good | 3 |
| 50 and above but less than 65 | Satisfactory | 1 |
| Less than 50 | Needs Improvement | 1 |

iii) Access to justice for vulnerable and marginalized sections:- (10)

The sub parameter may be rated in the following manner:-

a) Proportion of victims granted interim compensation in POCSO cases/ sexual offences under IPS/ BNS (2)

| | |
|-------------------------|---|
| 90% and above | 2 |
| Above 70% but below 90% | 1 |
| Less than 70% | 0 |

b) Proportion of victims granted compensation at the end of trail under POCSO Act when accused is convicted or in case acquittal/ abscondence court is of opinion victum suffered injury due to commission of crime (2)

| | |
|-------------------------|---|
| 90% and above | 2 |
| Above 70% but below 90% | 1 |
| Less than 70% | 0 |

c) Proportion of victims who are granted compensation in other offences under the victim compensation Scheme under Section 357A CrPC/ 396 BNSS when accused is convicted and in case of acquittal/ abscondence court is of the opinion victim suffered injury due commission of crime (2)

| | |
|-------------------------|---|
| 70% and above | 2 |
| Above 50% but below 70% | 1 |

| | |
|---------------|---|
| Less than 50% | 0 |
|---------------|---|

d) Proportion of cases where Special Court issued direction for payment of monetary relief by District Magistrate under rule 12(4) of the SC and ST (Prevention of Atrocities) Rules, 1995 where monetary relief was not released in time or was inadequate (2)

| | |
|-------------------------|---|
| 90% and above | 2 |
| Above 70% but below 90% | 1 |
| Less than 70% | 0 |

e) Non-disclosure of identity of victims in POCSO/ sexual violence cases in judgments delivered during prescribed period (1)

| | |
|--|---|
| No judgment discloses identity | 1 |
| One or more judgments discloses identity | 0 |

f) Whether Vulnerable Witness Deposition Centre has been setup in the Court establishment? (1)

| | |
|-----|---|
| Yes | 1 |
| No | 0 |

(iii) Establishment of Permanent Lok Adalats under the Legal Services Authorities Act, 1987 (5)

| | |
|-----|---|
| Yes | 5 |
| No | 0 |

5. Legal Aid

[30]

(i) Number of legal aid lawyers (with experience) :- (6)

| Performance | Rating | Score |
|--|--------------|-------|
| L.A.D.C.S. + at least 25% of legal aid lawyers have more than 20 years' experience | Excellent | 6 |
| L.A.D.C.S. + at least 10% but less than 25%, legal aid lawyers have more than 20 years' experience | Good | 4 |
| L.A.D.C.S. in place and less than 10% of legal aid lawyers have more than 20 years' | Satisfactory | 2 |

| | | |
|-------------------|-------------------|---|
| experience | | |
| None of the above | Needs Improvement | 1 |

(ii) Assessment of performance of legal aid lawyers:- (6)

| Performance (percentage of lawyers rated good by Court ¹⁵) | Rating | Score |
|--|-------------------|-------|
| 75 and above | Excellent | 6 |
| 60 and above but less than 75 | Good | 4 |
| 51 and above but less than 60 | Satisfactory | 2 |
| None of the above | Needs Improvement | 1 |

(iii) Access to justice for vulnerable and marginalized sections (6)

a) Whether High Courts have taken initiative to monitor timely release of adequate compensation as per directions of the Trial Court? [Steps may be either on the judicial side or administrative side] (2)

| | |
|-----|---|
| Yes | 2 |
| No | 0 |

b) Whether Rules have been made with regard to non-disclosure of identity of victims in POCSO/ sexual violence cases in judicial proceedings? (2)

| | |
|-----|---|
| Yes | 2 |
| No | 0 |

c) Whether State Witness Protection Fund has been set up and if not, initiatives to set up the fund has been taken in judicial / administrative side? (2)

| | |
|---|---|
| Witness Protection Fund has been set up | 2 |
| Initiative has been taken by High Court but witness protection Fund has not been set up | 1 |
| None of the above | 0 |

(iv) Whether differently abled lawyers empaneled? (6)

| | |
|-----|---|
| Yes | 6 |
|-----|---|

¹⁵ This rating exercise is to be defined in consultation with domain experts

| | |
|----|---|
| No | 0 |
|----|---|

(v) Whether survivors are engaged as Para-Legal Volunteers ('PLV' for short)? (6)

| | |
|------------------------------------|---|
| If 25% of PLV constitute survivors | 6 |
| If 10% of PLV constitute survivors | 3 |
| None of the above | 0 |

5. Infrastructure [60]

(i) a) Availability of wholly owned court buildings. (7)

| Court halls, bar rooms | Adequate | Inadequate |
|------------------------|----------|------------|
| Wholly owned | 7 | 1 |
| Not wholly owned | 3 | 0 |

b) Residential quarters for judges/staff. (7)

| Residential quarters | Adequate | Inadequate |
|----------------------|----------|------------|
| Wholly owned | 7 | 1 |
| Not wholly owned | 3 | 0 |

(ii) Availability of vulnerable witness rooms + child friendly courts (7)

| Facility | Rating | Score |
|---|---------------------------|-------|
| Child friendly courts available | Excellent | 7 |
| Vulnerable witness rooms are available but no child friendly court is available | Satisfactory | 3 |
| None of the above | Needs immediate attention | 0 |

(iii) Status of centrally sponsored scheme. (7)

| Performance | Rating | Score |
|-----------------|-----------|-------|
| As per schedule | Excellent | 7 |

| | | |
|-------------------------------|-------------------|---|
| At most 25% behind schedule | Good | 3 |
| More than 25% behind schedule | Needs improvement | 1 |

(iv) Availability of water purifier and gender specific washrooms (3)

| Facility | Rating | Score |
|-------------------|---------------------------|-------|
| Both available | Excellent | 3 |
| Any one available | Satisfactory | 2 |
| None available | Needs immediate attention | 0 |

(v) Canteen facilities, (ATM + Bank), vehicle parking facility. (3)

| Performance | Rating | Score |
|---------------------|-------------------|-------|
| All three available | Excellent | 3 |
| Any two available | Satisfactory | 2 |
| Any one available | Needs improvement | 1 |

(vi) Medical facilities (3)

| Facility | Rating | Score |
|--|---------------------------|-------|
| Emergency medical rooms with qualified doctors available | Excellent | 3 |
| Emergency medical rooms available without qualified doctor | Satisfactory | 1 |
| None of the above | Needs immediate attention | 0 |

(vii) Court security – CCTV with central room, screening and frisking facilities, pass for entry, law enforcement surveillance. (7)

| Performance | Rating | Score |
|----------------|-----------|-------|
| All facilities | Excellent | 7 |

| | | |
|-----------|-------------------|---|
| Any three | Satisfactory | 4 |
| Any two | Needs improvement | 2 |

(viii) Facilities for specially abled person like ramps, guiding rails and specially able washrooms. **(3)**

| Facility | Rating | Score |
|---------------------|---------------------------|-------|
| All three available | Excellent | 3 |
| Any two available | Satisfactory | 2 |
| Any one available | Needs improvement | 1 |
| None available | Needs immediate attention | 0 |

(ix) Functioning electronic case display board showing courtrooms, ongoing case matter. **(2)**

| Performance | Score |
|-------------|-------|
| Yes | 2 |
| No | 0 |

(x) Maintenance of record room. **(3)**

| Performance | Score |
|-------------|-------|
| Yes | 3 |
| No | 0 |

(xi) Availability of complaint box. **(2)**

| Performance | Score |
|-------------|-------|
| Yes | 2 |
| No | 0 |

(xii) Availability of generators. **(3)**

| Performance | Score |
|-------------|-------|
|-------------|-------|

| | |
|-----|---|
| Yes | 3 |
| No | 0 |

(xiii) Crèche for children. (3)

| Performance | Score |
|-------------|-------|
| Yes | 3 |
| No | 0 |

6. Court Employee Engagement [35]

(i) How far policy to optimize human resource has been implemented?

(5)

| Performance | Rating | Score |
|---------------------------------|---------------------------|-------|
| Fully | Excellent | 5 |
| 80% and more but not fully | Good | 4 |
| 75% and above but less than 80% | Satisfactory | 3 |
| Less than 75% | Needs improvement | 1 |
| No policy implemented | Needs immediate attention | 0 |

(ii) Regular attendance (Average Percent attendance of all employees):- (5)

| Performance | Rating | Score |
|---------------------------------|-------------------|-------|
| above 80% | Excellent | 5 |
| 60% and more but less than 80% | Good | 4 |
| 50% and above but less than 60% | Satisfactory | 3 |
| Less than 50% | Needs improvement | 1 |

(iii) Disciplinary proceeding:- (10)

Proportion of proceedings concluded within stipulated timeframe¹⁶:-

| Performance | Rating | Score |
|---------------|-----------|-------|
| More than 75% | Excellent | 5 |

¹⁶ Time stipulated under the service rules

| | | |
|---------------------------------|-------------------|---|
| 60% and more but less than 75% | Good | 4 |
| 50% and above but less than 60% | Satisfactory | 3 |
| None of the above | Needs improvement | 1 |

(iv) Timely recruitment + promotion:- (10)

| Performance | Rating | Score |
|-----------------------------------|---------------------------|-------|
| On-time | Excellent | 10 |
| Late but delay less than 6 months | Satisfactory | 8 |
| 6 months to 1year delay | Needs improvement | 4 |
| More than 1 year delay | Needs immediate attention | 0 |

(v) Number of training programme undertaken (5)

| Performance | Rating | Score |
|-------------|-------------------|-------|
| 7 and above | Excellent | 5 |
| 5, 6 | Very Good | 4 |
| 2 to 4 | Good | 2 |
| 1 | Needs Improvement | 1 |
| 0 | Below Expectation | 0 |

7. IT Facilities [60]

(i) Hardware, Software & Networking

- a) To what extent the Physical LAN and WAN connectivity are available in all the court complexes?

| Status | Score |
|---|-------|
| If all the courtrooms and offices are connected | 3 |
| If 60% of the courtrooms are connected | 2 |
| If at least 30% of the courtrooms are connected | 1 |
| No LAN/WAN available | 0 |

- b) To what extent the hardware viz. computers/laptops, servers, UPS,

scanners, printers installed and functional as per recommendations of the Hon'ble e-Committee in all the courts and/or court complexes?

| Status | Score |
|--|-------|
| If all the courtrooms and offices are equipped with all hardware including UPS | 3 |
| If 60% of the courtrooms and offices are equipped | 2 |
| If at least 30% of the courtrooms and offices are equipped | 1 |
| Less than above three | 0 |

- c) What is the present state of the official website created for the court? (Fully functional website menus must contain Link for Supreme Court and High Court, Link for India Code and e-SCR, Case Status, Order & Judgment, Cause List, List of Judges, Latest Notices for Tenders and Recruitment, List of Judges on Leave, Justice Clock)

| Status | Score |
|---|-------|
| Complete and running official website available | 3 |
| At least 60% of the pages are ready and running | 2 |
| At least 30% of the pages are ready and running | 1 |
| No website | 0 |

- d) To what extent is the ICJS implemented in the district enabling sharing of data between courts, police stations, jails, hospitals, forensic laboratories? The connectivity through video conferencing linkage between the court complex and the jails should also be considered here.

| Status | Score |
|--------|-------|
|--------|-------|

| | |
|---|---|
| ICJS has been fully implemented in the district enabling sharing of data between courts, police stations, jails, hospitals, forensic laboratories and video conferencing facility between the court complex and the jails is available. | 3 |
| ICJS has partly been implemented in the district enabling sharing of data between courts and police stations only and video conferencing facility between the court complex and the jails is available. | 2 |
| ICJS implemented in the district enabling sharing of data between courts and police stations but video conferencing facility between the court complex and the jails is not available. | 1 |
| Both are not available | 0 |

e) To what extent the Solar energy for power backup is available in the court complex?

| Status | Score |
|---|-------|
| Installation complete as planned, and perfectly functioning | 3 |
| Installation complete as planned and at least 60% functioning | 2 |
| Installation complete and at least 30% functioning | 1 |
| Installation not started yet | 0 |

(ii) Digitisation

a) To what extent the Court initiated Digitisation of legacy and current records and uploads the digitized file in Document Management Software (DMS)?

| Status | Score |
|--|-------|
| Started Digitization of both legacy and current records and uploads digitized records in DMS | 3 |
| Started digitizing legacy and current records but not uploaded in DMS | 2 |
| Started digitizing legacy or current records but not uploaded in DMS | 1 |

| | |
|-----------------------------------|---|
| Digitization has not been started | 0 |
|-----------------------------------|---|

b) How far the Court Management System through Paperless Court is functional in the courts?

| Status | Score |
|--|-------|
| System of Paperless courts has started functioning | 3 |
| System of Paperless Court has not started as yet | 0 |

c) What is the present status of the E-Library (viz. repository of case law etc.)?

| Status | Score |
|---|-------|
| E-Library is perfectly working as an online system, availability of softcopies of relevant material satisfactory | 3 |
| E-Library implementation complete, availability of softcopies of relevant material is 60% satisfactory | 2 |
| E-Library implementation complete, availability of softcopies of relevant material covers at least 30% of the requirement | 1 |
| No implementation yet | 0 |

(iii) Citizen Centric Measures

a) To what extent the Case Information System (CIS) software is implemented and the services through the software are available to the litigant and lawyers?

| Status | Score |
|---|-------|
| Case Information System software is fully implemented and all the services through the software are available to the litigant and lawyers | 3 |
| Case Information System software is implemented but some of the services through the software are available to the litigant and lawyers 60% | 2 |

| | |
|---|---|
| Case Information System software is implemented but the services through the software are not available to the litigant and lawyers 30% | 1 |
| Case Information System software is not implemented | 0 |

b) To what extent the Centralized Filing Counter is functioning and what is the status of e-filing and e-payment facilities in those places?

| Status | Score |
|--|-------|
| Centralized filing counter is functioning with e-Filing and e-Payment facilities | 3 |
| Centralized filing counter is functioning with e-Filing facilities but not with e-Payment facilities | 2 |
| Centralized filing counter is functioning with e-Payment facilities but not with e-Filing facilities | 1 |
| Centralized filing counter is functioning without e-Filing and e-Payment facilities | 0 |

c) To what extent is mobile based service delivery including service of processes implemented? (This includes information relating to case filing, case proceeding, disposal of cases etc. available to the litigants and advocates through SMS service.)

| Status | Score |
|--|-------|
| Mobile based service delivery and service of processes are implemented | 3 |
| Mobile based service delivery is implemented but not the service of processes | 2 |
| Mobile based service delivery is not implemented but service of processes is implemented | 1 |

| | |
|--------------------------|---|
| Both are not implemented | 0 |
|--------------------------|---|

- d) To what extent the uploading of orders and Judgments are undertaken regularly by all the courts? (Is there any backlog and whether the courts are uploading those legacy judgments/final orders?)

| Status | Score |
|--|-------|
| Judgment and Orders are regularly uploaded and there is no backlog | 3 |
| Judgment and Orders are regularly uploaded but there is backlog to the extent of 20% | 2 |
| Judgment and Orders are regularly uploaded but there is backlog of 50% | 1 |
| Backlog is more than 50% | 0 |

- e) To what extent the touch screen based kiosks are installed and actually functioning in the court complex?

| Status | Score |
|--|-------|
| 100% of the identified locations are covered | 3 |
| At least 80% of the identified locations are covered | 2 |
| At least 50% of the identified locations are covered | 1 |
| Less than 50% of the locations are covered | 0 |

- f) To what extent the e-Sewa Kendras and help desks are available to assist litigants?

| Status | Score |
|--------------------------------------|-------|
| 100% of the desks are manned | 3 |
| At least 80% of the desks are manned | 2 |
| At least 50% of the desks are manned | 1 |

| | |
|------------------------------------|---|
| The initiative has not started yet | 0 |
|------------------------------------|---|

- g) To what extent is the facility of hearing cases through video conferencing available in each court? (This should also consider how well the live streaming of court proceedings has commenced.)

| Status | Score |
|---|-------|
| All the Courts are equipped with hardware and connectivity for video-conferencing and live streaming | 3 |
| 80% of the Courts are equipped with hardware and connectivity for video-conferencing and live streaming | 2 |
| 50% of the Courts are equipped with hardware and connectivity for video-conferencing and live streaming | 1 |
| Less than 50% of the Courts are equipped with hardware and connectivity for video-conferencing and live streaming | 0 |

- h) To what extent the display boards are installed and functioning outside all the Courtrooms in the court complex?

| Status | Score |
|--|-------|
| 100% of the courts are covered | 3 |
| at least 60% of the courts are covered | 2 |
| at least 30% of the courts are covered | 1 |
| Not installed at all | 0 |

- i) To what extent the Digital display boards, which show status of different ongoing cases in various courts, are installed in the Court complex on a single large size display screen near/inside bar room and/or at the court complex entrance?

| Status | Score |
|--|-------|
| Composite Digital Display Board is available | 3 |
| Composite Digital Display Board is not available | 0 |

(iv) Futuristic Courts

- a) To what extent sophisticated software (such as software using AI/ML, Data Science etc.) are exploited in court proceedings?

| Status | Score |
|---|-------|
| Software implemented and running | 3 |
| Software decided and implementation to be completed in a year | 2 |
| Evaluation of software in progress, but decision pending | 1 |
| Nothing planned yet | 0 |

b) To what extent the cloud storage and network computing are in use for the computer system?

| Status | Score |
|---|-------|
| Software/Hardware/Networking implemented and running | 3 |
| Software/Hardware/Networking planned and implementation to be completed in a year | 2 |
| Evaluation of Software/Hardware/Networking in progress but decision pending | 1 |
| Nothing planned yet | 0 |

c) To what extent digital signature and/or any other method is used to ensure authentication and security of the document including the order/Judgment?

| Status | Score |
|---|-------|
| PKI (Public Key Infrastructure) implemented and running | 3 |
| PKI formalized and implementation to be completed in a year | 2 |
| Evaluation of PKI in progress, but decision pending | 1 |
| Nothing planned yet | 0 |

8. Budget (15)

Proportion of Budget utilized

| Performance | Rating | Score |
|---------------------------------|-------------------|-------|
| 80% and above | Excellent | 15 |
| 75% and more but less than 80% | Good | 9 |
| 50% and above but less than 75% | Satisfactory | 6 |
| Less than 50% | Needs Improvement | 2 |

The total scorecard has the following subtotals:-

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| Court Processing Diligence | 70 |
| Judicial Capability | 85 |
| Independent and knowledgeable Bar | 30 |
| ADR | 30 |
| Legal Aid | 30 |
| Infrastructure | 60 |
| Court Employee Engagement | 35 |
| IT Facilities | 60 |
| Budget | 15 |
| Grand total | 415 |

Group specific and overall rating shall be made in the following manner :-

| Performance | Rating |
|---------------|-------------------|
| 90% and above | Excellent |
| 75%-90% | Good |
| 60%-75% | Satisfactory |
| Less than 60% | Needs improvement |

APPENDIX

The recommendations of the High Courts are set out in a tabular manner vis-à-vis each performance measure proposed in the Baseline Report. However, some High Courts are completely in agreement with the Baseline Report, and some High Courts have not commented on some performance measures.

| CASE PROCESSING DILIGENCE | |
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| Allahabad High Court | <ul style="list-style-type: none"> • Cases in the argument stage and evidence should be heard preferably by the same Presiding officer. • Cases at the stage of final hearing should be prioritized and disposed of expeditiously. • Matters like the non-appearance of the accused and witnesses should be taken up on a priority basis in the monthly meeting of the 'District Monitoring Cell'. |
| Calcutta High Court | <ul style="list-style-type: none"> • For Case clearance rate, on-time case processing, backlog, and pendency, discounting factors such as delay attributable to the prosecution need to be considered to get a realistic view. • With regard to 5-year-plus cases, additional modalities need to be introduced so that 5-year-old cases get preference over other cases and may be taken at the beginning of the day's work as priority. Members of the Bar should be sensitized for quick disposal of 5-year-plus cases. • Additional performance parameters pertaining to the Court's performance in keeping the CIS updated may be included. • Appropriate measurement parameters of performance may be formulated with respect to updated cases, delay reasons entered/not entered, etc. • There should be a portal for the service of summons upon official witnesses like doctors, I.O., and others. • Setting up of adequate number of FSL, CFSL, and Genome decode centers for speedy disposal of cases is needed. • A mechanism may be devised to get feedback from the litigants. The data collected should be used for survey work to suggest means of improvement. |
| Delhi High Court | <p>Case Clearance Rate</p> <ul style="list-style-type: none"> • The devised formula for Case Clearance Rate in the district needs to factor in the actual pendency as well as the nature of jurisdiction and the kind of cases pending with the Court under the said jurisdiction. The stage of such a case also needs to be accounted for before giving any rating to the Court with respect to the figures arrived at as per the given formula. <p>Backlog and Pendency</p> <ul style="list-style-type: none"> • 'Ready for hearing' under this category has to have a flexible meaning assigned as per the nature of the case, number of parties/accused, etc. |

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| Jharkhand High Court | <p>Rate of disposal of 5 years plus cases</p> <ul style="list-style-type: none"> The Rating and Score for "5+-year-old cases are above 15% of total pendency but >50% of total disposal" is "Excellent" and "10". It is suggested that the same may be changed to "very good" and "8". |
| Kerala High Court | <p>Case Clearance Rate</p> <ul style="list-style-type: none"> Uniform parameters of case types should be fixed and included in CCR to exclude cases of interim nature and disposals other than on merits. <p>On-time Case Processing</p> <ul style="list-style-type: none"> Case Flow Management to be formulated for every case type. <p>Backlog and Pendency</p> <ul style="list-style-type: none"> National norms should be fixed for stages of case proceedings to bring uniformity. (Criminal Trial- Sessions/ Warrant/ Summons/ Summary, Civil- Original Suit/ Original Petition, etc., Appeals, Revisions). Based on the pendency in each stage, localized short-term plans should be formulated to mitigate the problems. <p>Rate of Disposal of 5 Years Plus Cases</p> <ul style="list-style-type: none"> When focusing on 5-year-plus pending cases, there shall be a clear cut and well defined strategy for dealing with other cases as well. Otherwise, every other case pending would be added to this category every year. |
| Madras High Court | <p>Backlog and pendency</p> <ul style="list-style-type: none"> A separate data is to be maintained in respect of number of cases pending at the service stage. With the introduction of N-Steps, the same has to be integrated and well implemented to guarantee an average notice serving time of three or four working days, and a war room kind of centre can be set up in respect of each state whereby service of summons and notices should be monitored on a real-time basis, and the centres have to be equipped with technical personnel to trace out persons with the help of their mobile numbers if permissible. |
| Orissa High Court | <p>On-Time Case Processing</p> <ul style="list-style-type: none"> A realistic timeframe for each case has to be calculated, and the pendency of cases beyond the control of the Court may be excluded. <p>Backlog and Pendency</p> <ul style="list-style-type: none"> Arrear/backlog has to be defined by taking into account the nature of the case. The estimated timeframe for disposal needs to start when the cases are ready for hearing in all respects. <p>Rate of Disposal of 5 years plus Cases</p> <ul style="list-style-type: none"> Instead of earmarking 5-year-old cases, 10-year-old cases may be considered for performance measure. |
| Punjab & Haryana High Court | <p>Backlog and Pendency</p> <ul style="list-style-type: none"> The disposal rate of the number of undertrial cases is to be considered while evaluating performance measures in district courts. |

JUDICIAL CAPABILITY

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| Allahabad High Court | <ul style="list-style-type: none"> • Continuous Judicial education and in- service training for judicial officers are important. • Regular inspection of each district to be undertaken within a specified time frame. • Quarterly, six-monthly, and annual inspections of their courts are to be conducted by district judges and all other judicial officers. • Regular visits to jail/correctional homes and juvenile homes within the respective jurisdiction are a must to maintain the proper standard and quality of such institutions. |
| Calcutta High Court | <ul style="list-style-type: none"> • The strength of Court and staff should be increased at every level to meet out the appropriate ratio of Judges and pendency of cases. • Modalities and methods of recruiting Public prosecutors should be reviewed to make them more accountable as stakeholders in the adjudicatory process. |
| Bombay High Court | <p>Inspection</p> <ul style="list-style-type: none"> • International Framework for Court Excellence formulates a four-step process for continuous improvement, which includes 'Assess', 'Analyse', 'Implement', and 'Evaluate'. The choice of the word "Inspection" from management's perspective gives a negative impression of the process of assessment. Word Inspection unknowingly indicates an "exercise of power or Authority to assess performance" to otherwise consultative, reformative, and positive process improvement by "Self-Assessment" following the four-step method of Assess, Analyse, Implement, and Evaluate. In the place of Inspection Department, the term may be divided into two separate sections viz. "Policy, Planning and Infrastructure" and "Assessment, Statistics and Analysis". |
| Delhi High Court | <p>Working strength vis-à-vis sanction strength of judges</p> <ul style="list-style-type: none"> • On the point of computing of judge strength, it is submitted that the NCMS Committee's Final report on computing required Judge Strength of the District Judiciary has been filed and is pending consideration before the Hon'ble Supreme Court in <i>Imtiyaz Ahmed v. State Of U.P &Ors; CrI. (A) No's. 254- 262/ 2012</i>. <p>Prompt filing up of judicial vacancy</p> <ul style="list-style-type: none"> • In recruiting new judicial officers, major roles should be played by judges or judicial officers (sitting or retired) as they are well aware of the issues that need to be addressed and are best suited to train new entrants. He should be adequately trained to face all challenges that may occur during the Court's functioning. • Vacant posts of judicial officers and staff should be filled at the earliest along with their timely postings and promotions. • Adequate backup of staff should be available. Proper distribution amongst officers for effective assessment. • Training programme must be organized from time to time so that the officers remain updated with latest technology and legal developments. |

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| | <p>Number of judicial hours utilized</p> <ul style="list-style-type: none"> • NCMS Committee's final report uses the weighted – case load method but suggests a complex methodology based on conversion of pendency first into units and then into judicial hours and in case the pendency in terms of judicial hours (after all applicable adjustments) exceeds double the available judicial hours with a judicial officer is the trigger for the creation of an additional court. <p>Average number of judgments delivered/Average units accrued from delivery of judgments</p> <ul style="list-style-type: none"> • It is suggested in the report that till the time a uniform rating system is prescribed and adopted across all High Courts, the existing ACR norms approved by the High Court concerned may be followed. In this regard, the Chief Justices Conference, 2022 was held, where a committee of Chief Justices was constituted to look into the feasibility of introducing uniformity in the ACR format for district judiciary and to make recommendations. • Accordingly, a report has been submitted to the Hon'ble Supreme Court, and the contents of the said report may also be considered so that there is no inconsistency between the two reports. |
| Gauhati High Court | <p>Average number of judgments delivered/Average units accrued from delivery of judgments</p> <ul style="list-style-type: none"> • For purpose of detailed evaluation of ACR, 5 judgments should be assessed, out of which 2 judgments should be selected at random by the reporting authority. |
| Kerala High Court | <p>Average number of judgments delivered/Average units accrued from delivery of judgments</p> <ul style="list-style-type: none"> • The number of judgments delivered alone shall not be the consideration. The complexity of the case dealt with by the Court, the number of loyal witnesses examined, and its length, etc., should be considered. The task- based assessment would be more ideal than just a number of judgments. <p>Percentage of judgments delivered in 30 days</p> <ul style="list-style-type: none"> • In Kerala, lesser time is given for the pronouncement of judgments/ orders through Circulars issued by the High Court, and it is monitored as well. So, fixing this as a parameter may not be scientific. <p>Percentage of judges who attended refresher courses as participants/resource persons</p> <ul style="list-style-type: none"> • This may not be fixed as a criterion for evaluation. However, a national minimum may be set based on inputs from the State Judicial Academies. <p>Number of judicial conferences held</p> <ul style="list-style-type: none"> • This also may not be fixed as a criterion. A national minimum may be set. |
| Madras High Court | <p>Prompt filling up of judicial vacancies</p> <ul style="list-style-type: none"> • A fixed annual calendar should be adopted, and every year, a notification should be issued, and the respective process should be undertaken on that date. |

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| | <p>Percentage of Judgment delivered in 30 days</p> <ul style="list-style-type: none"> While uploading orders of courts, the date of reserving orders, date of pronouncing, date of uploading, etc., including all the parameters, which would be mentioned in the copy application certificates, should be uploaded as metadata with downloadable PDF format along with orders and judgments which will help in reducing the burden of issuing certified copies of the orders. |
| Punjab & Haryana High Court | <ul style="list-style-type: none"> Periodic Refresher Courses must be conducted for all the judicial officers, technical staff, employees in the High Court, and Ministerial Staff on the various aspects/programs of ICT and E- committee. A welcome step has been taken by the E-committee, Supreme Court of India, in formulating a Pan- India syllabus, and as many as 23 programs should be made a regular feature in the Academic Calendar of the State Judicial Academy. |
| INDEPENDENT AND KNOWLEDGEABLE BAR | |
| Allahabad High Court | <ul style="list-style-type: none"> Regular induction and in-service training for public prosecutors and district government counsels working on civil, criminal, and revenue matters should be conducted. Online training programmes should be organised for Advocates/ Advocate clerks at the district level. Initiatives for training advocates by the Judicial Training and Research Institute, UP, may be adopted by the BCI at the national level and the District Bar Association at the district level so that the training of advocates becomes a reality. Initiatives by Grievance Redressal Cell to improve Bar- Bench synergy: A permanent Grievance Redressal Cell should be constituted in each district court, and regular meetings should be scheduled to improve Bar- Bench synergy from time to time. Steps should be taken to recognise legal talent as it would motivate the members of the Bar, especially young ones, which will bring qualitative improvements to the judicial system. |
| ADR AND LEGAL AID | |
| Allahabad High Court | <ul style="list-style-type: none"> The legal Aid Defence Counsel system can be introduced for civil, matrimonial, and revenue matters in a manner similar to criminal matters. <p>Experienced advocates to be inducted into the panel of advocates.</p> <ul style="list-style-type: none"> Requests may be made to different bar associations to amend their rules relating to compulsory legal aid contribution subjected to limitations decided by the respective High Court. A proforma-based mandatory feedback mechanism may be devised to rate the performance of the legal aid lawyers. <p>Frequency of Lok Adalat and its Success Rate</p> <ul style="list-style-type: none"> Feedback may be regarded as an important criterion for assessing the performance of the advocates on the basis of which incentives might be given to boost their performance. Special Lok Adalat for civil and execution cases and electricity cases may also be organised. |

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| | <ul style="list-style-type: none"> Periodical Special Lok Adalat may also be organised for a variety of cases in the intervening period of 2 national Lok Adalats. <p>Mediation</p> <ul style="list-style-type: none"> More judicial officers are to be trained as judge mediators. Judicial officers to be sensitized and motivated for maximum referral of suitable cases to mediation process. The mediation timeline is to be strictly followed by the mediators. |
| Madras High Court | <p>Frequency of Lok Adalat and its success rate</p> <ul style="list-style-type: none"> With regard to the number of cases referred, differentiation must be made between non-starters and the matters in which parties appear and an attempt is made. Secondly, the type of cases settled, including petty cases in criminal matters, have to be segregated, which would help in giving accurate data on the success of ADR. |
| INFRASTRUCTURE | |
| Allahabad High Court | <ul style="list-style-type: none"> Adequate number of chambers for Advocates should be made available in the High Courts, and waiting halls for litigants should be made available in the High Court. |
| Bombay High Court | <ul style="list-style-type: none"> Use of Alternative green energy and consequential structural enablement of old court buildings and judicial quarters are suggested. Use of electric vehicles and replacement of fossil fuel based fuels with green fuels are suggested. Establishment of courts/link courts in:- <ul style="list-style-type: none"> (a) remote areas and (b) tribal /hilly areas is required. |
| Gauhati High Court | <ul style="list-style-type: none"> The report suggests a uniform model design/plan for all court buildings. It may not be feasible or suitable because North Eastern states have land constraints because of their unique topography. |
| Orissa High Court | <ul style="list-style-type: none"> The conferences at District level can only be possible when proper infrastructure facilities are available for participants, resource persons, and guests. |
| Patna High Court | <ul style="list-style-type: none"> The issue of security of the Judicial Officers at the trial court and of court premises needs to be reviewed on a regular basis, and necessary arrangements in the form of a dedicated police unit, frisking machines, metal detectors, and CCTV Cameras should be installed at appropriate places in sufficient numbers and kept operational at all times to come. |
| COURT EMPLOYEE ENGAGEMENT | |
| Allahabad High Court | <ul style="list-style-type: none"> Requirement of staff should be identified on the following factors: <ol style="list-style-type: none"> Nature of work requirement (Based on skill set requirement) Quantitative work- Number of files Qualitative work- Data/ Information to be provided within a stipulated time Attendance register should be checked by respective section heads on a daily or weekly basis. An induction training programme for newly recruited |

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| | officers/officials of high courts and district courts should be introduced. |
| Bombay High Court | <p>Regular attendance</p> <ul style="list-style-type: none"> Regular Attendance is calculated based on the calculation of average. Sometimes, the average value may be misleading from a statistical perspective. <p>Other Suggestions</p> <ul style="list-style-type: none"> Judicial Officers- <ul style="list-style-type: none"> a. contribution by Judicial Officers as resource persons to State Judicial Academy / National Judicial Academy b. publication of research papers/studies/articles concerning legal topics by Judicial Officers c. acquiring higher/ further educational qualifications by Judicial Officers Welfare measures- <ul style="list-style-type: none"> 1. Defined Transfer Policy 2. Accident Insurance Policy / Medical Aid etc. Staff- <ul style="list-style-type: none"> a. Acquiring higher / further educational qualifications by Judicial Officers b. Welfare measures- <ul style="list-style-type: none"> 1. Defined Transfer Policy, 2. Accident Insurance Policy / Medical Aid, etc. |
| Delhi High Court | <p>Timely recruitment, promotion, and prompt disposal of disciplinary proceedings</p> <ul style="list-style-type: none"> Uniform contemporary designations/ nomenclature of posts/cadres may be specified to be followed across all High Courts(as has been done for judicial officers). All relevant data and details in this regard may be incorporated into the baseline report. Suggestions may be given with respect to the nomenclature of all posts of such cadres, qualifications/experience of appointment, pay/pay level, method of recruitment and promotion, detailed functions, roles and responsibilities at all levels, etc. |
| Gauhati High Court | <p>Identification of adequate staff strength</p> <ul style="list-style-type: none"> A pool of law clerks may be created in every district and be placed at the disposal of the concerned district judge to expedite the disposal of cases. Fresh law graduates/ law students may be engaged as law clerks on a stipendiary basis. |
| IT FACILITIES | |
| Allahabad High Court | <ul style="list-style-type: none"> SD-WAN technology should be recommended. This technology will optimize traffic over various available connections, such as Multi-Protocol Label Switching (MPLS), secondary bandwidth, LTE, and Internet Leased Line. <p>Futuristic Courts</p> <ul style="list-style-type: none"> Use of Blockchain technology for securing data and proof keeping, streamlining data sharing, and ensuring data integrity. |

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| | <ul style="list-style-type: none"> Data analytics can be used to identify trends, predict case outcomes, and improve resource allocation within the judicial system. |
| Calcutta High Court | <ul style="list-style-type: none"> For District Courts, an additional parameter may be suggested by the Committee, namely the status of E- waste disposal in the district courts, and a corresponding performance parameter may be framed in this regard. AMC of all hardware, including printers should be maintained properly. System officers should be given training at intervals, which will enable them to face new problems. PC along with printers should be provided for both Bench clerk 1 and 2 for smooth functioning of the court. IT-trained staff members may be increased in the District Judiciary. Registers maintained in different courts in the district judiciary may be digitised. For paperless courts, files in digitized form are to be managed through proper document management software, and adequate repositories for keeping digitized files are to be provided according to the number of courts in a complex. A uniform scheme shall be implemented in this regard. |
| Bombay High Court | <p><i>Citizen Centric Measures</i></p> <ul style="list-style-type: none"> The Case Information System (CIS) consists of huge data fields and elements; however, all fields are not necessarily required for generation of statistics. Therefore, it is possible to create three sets of lists of important data fields in the Case Information System (CIS). List A would be primary and mandatory fields, List B would be essential and important fields, and List C would be fields to generate advanced analytics and performance assessment with precision. Once data fields to be examined for the purpose of accuracy out of the three lists are earmarked, it might be possible to generate "Data Health" of the CIS maintained by the Officer and Staff of that Court. Accurate data and statistics can be generated in this manner. Date of registration of case should not be changed upon transfer of case to a different court; otherwise, the CIS might be adversely impacted. 25 questions have been provided for assessing IT enablement Index. If each question is given one point automatically after answering all 25 questions, we may have an index count of the Court or Judge. Each question needs to be supported with examples of cases or logs or similar verifiable material from CIS or like apps provided under E-Courts Project. <p><i>Futuristic Courts</i></p> <ul style="list-style-type: none"> Use of IT in day-to-day administration is required to the extent of process re- engineering. |
| Delhi High Court | <ul style="list-style-type: none"> A separate cadre for technology and data analysis must be |

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| | acknowledged. |
| Gauhati High Court | <ul style="list-style-type: none"> Augmented use of software-driven template orders may be resorted to for effective use of judicial time. |
| Kerala High Court | <p>Digitization</p> <ul style="list-style-type: none"> What is the present status of any system or software for online tracking of files? (Y/N), this may be made applicable to District Judiciary as well. |
| Orissa High Court | <p>Hardware, Software & Networking</p> <ul style="list-style-type: none"> ICUS is an ongoing project and is presently on Pilot basis. A clear-cut plan with timelines may be circulated to Nodal Officers in each department for better implementation. <p>Digitization</p> <ul style="list-style-type: none"> An exclusive software may be developed at the pan-India level. |
| Patna High Court | <p>Digitization</p> <ul style="list-style-type: none"> The increasing reliance on digitized data requires development of mechanism to ensure that unscrupulous elements do not get access to these data. |
| Punjab & Haryana High Court | <ul style="list-style-type: none"> Social media should be aptly and judicially utilised to impart various training programs concerning e- committees and ICT to stakeholders. Software and AI Policy must be people- centric, transparent, secure, and easy to use. |
| BUDGET | |
| Gauhati High Court | <ul style="list-style-type: none"> Limited budget is allocated for the judiciary in respect of North Eastern states. Funds allocated for the infrastructure projects may be made available from non-lapsable CSS funds. |

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| ADDITIONAL RECOMMENDATIONS | |
| Bombay High Court | <ul style="list-style-type: none"> Access to Courts and their services should be ensured for differently-abled persons. For assessing the performance of a District, a Taluka should be the unit, while for a High Court, it should be a District. There is a possibility that certain high-performing districts/talukas on certain parameters may offset the shortfall on other vital parameters of other talukas/districts, and the result could be skewed. To avoid that, there has to be a negative marking from the overall marking tally for underperforming Talukas / Districts so that they do not continue to be shadowed under the performing Talukas / Districts and continue to remain under-developed as per the norms. The purpose is not mere statistics collection but ensuring actual effective change at the grassroots level, and in that process, |

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| | statistics should be a means of assessment, not an end in itself. |
| Delhi High Court | <p>Role of district court in performance measure management</p> <ul style="list-style-type: none"> The committee may include the Chief Metropolitan Magistrate/ Chief Judicial Magistrate and Civil Judge for collation of data with regard to identified performance measures via self- assessment mode and its submission to High Court for assessment and analysis and working in tandem with the SCMS Committee of High Court to formulate action plan. |
| Gauhati High Court | <p>Centralized documents management</p> <ul style="list-style-type: none"> The court manager/system officer of the Court may be appointed as nodal officer of the document management centre. |
| Kerala High court | <ul style="list-style-type: none"> No mechanism is suggested for ascertaining the Judge requirement to enhance the population: case: Judge ratio. Population alone may not be considered when arriving at the judge ratio, but the case filing ratio is also to be considered. In a rights-conscious society, the population-judge ratio may not work well. |
| Madhya Pradesh High Court | <p>Before implementation, the following issues need to be addressed:-</p> <ol style="list-style-type: none"> Shortage of staff, Enhancing the efficiency of available staff by regular training, Request for frequent adjournments from the parties/advocates, Non-service of processes on the parties, Absence of witnesses, delay in getting Forensic Science Laboratory Reports, time-consuming investigations, delay in filing charge sheets and cross FIRs (First Information Report), etc. |
| Madras High Court | <ul style="list-style-type: none"> While considering the capacity building among the Presiding Officers of District Courts, the number of Presiding Officers compulsorily retired from service and against whom punishments are imposed should also be considered. While efforts should be made to weed out the non-productive ones and the ones indulging in corrupt practices, etc., simultaneously, specific study can be undertaken to list out the major and prominent reasons for those officers becoming demotivated or wavering from the path and such preventive measures should be undertaken to keep them steadfast in the noble goals of rendering justice. The mentoring type of system can be introduced, and an empathetic follow-up of the well-being and focus of the officers can be considered for implementation. Specific programmes and efforts can be made with reference to specific reasons which are identified for the demoralisation of officers and try to alleviate those reasons. |
| Patna High Court | <ul style="list-style-type: none"> The recommendation of the Sub- Committee needs to be implemented in a phased and systematic manner by taking into consideration the concerns of all the stakeholders. |
| Rajasthan High Court | <ul style="list-style-type: none"> General suggestions have been provided regarding awareness, capacity building, using ICT, and creating a stress-free environment in court. |

Tripura High Court

- The High Court of Tripura is in agreement with all the parameters fixed for assessment of District Courts and High Court. However, it is asserted that while making the assessment, the unique situation of any District Court or High Court on any of the parameters must be factored in and given due weightage.