

SUPREME COURT OF INDIA



NATIONAL COURT MANAGEMENT SYSTEMS **POLICY AND ACTION PLAN** **2024**

Released by

Hon'ble Chief Justice of India
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Prepared by

NCMS Committee

in consultation with

the Advisory Committee of the NCMS Committee



NATIONAL COURT MANAGEMENT SYSTEMS POLICY AND ACTION PLAN (2024)

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I. INTRODUCTION

1. The National Court Management Systems (NCMS) was established on 02.05.2012, pursuant to the directions of the then Hon'ble Chief Justice of India, to address the needs of enhancing the quality, timeliness and efficiency of court systems across the country.
2. Over the decades since the promulgation of India's Constitution, the Law Commission of India has presented various reports concerning judicial reforms. Substantive as well as procedural aspects of the law have been dealt with, and detailed recommendations have been made on aspects such as court management, case load management, enhancing administrative efficiency in the judiciary, judicial independence, infrastructural constraints, and vacancies across courts. It was noted that several important recommendations made by the Law Commissions have not been properly discussed or implemented. In this context, the implementation of judicial reforms and ongoing monitoring of judicial efficiency was seen to be crucial.
3. In *Malik Mazhar Sultan v. U.P. Public Service Commission and Ors.*,¹ the Hon'ble Supreme Court of India considered the issue of timely determination of vacancies and appointments to the judiciary. The Court emphasized the need to evolve a mechanism to speedily determine and fill vacancies of Judges at all levels. Timely steps were required to be taken for determination of vacancies, issue of advertisement, conducting examinations, interviews, declaration of the final results and issuing of orders of appointments. The Court noted that adherence to a strict schedule can ensure timely filling of vacancies. All State Governments, Union Territories and/or High Courts were directed to provide a time schedule for the aforesaid purposes so that vacancies are timely filled.
4. In the context of the need for a streamlined policy and strategy for judicial administration and management, filling of vacancies, and addressing the

¹ [2006] 3 SCR 689.

issue of case pendency, the NCMS was instituted by an office order dated 02.05.2012 of the Office of the Secretary General, Supreme Court of India.

5. The 2012 NCMS Policy and Action Plan noted that over a span of three decades, the judicial system is set to expand by leaps and bounds, and that over 15 crore cases were estimated to be instituted, requiring over 75,000 judges.² In this context, the mandate of the NCMS was to deal primarily with policy issues concerning the timely administration of justice.
6. It was found that there was little scientific data available to analyse the functioning of the judicial system. Data was gathered manually without any uniform metrics. Case and court information, particularly in district courts, was maintained in 50-60 registers/manuals. District courts spent considerable time collating information for submission to higher courts, and there were inconsistencies across states, making data analysis more challenging. A *national* picture of case load and strategies for case management, therefore, were hard to arrive at. Further, the data available was not linked to performance standards. A progressive picture of improvements, areas for improvement, and problem areas, therefore, could not be clearly identified.

Elements of the NCMS

7. Subsequent to the institution of the NCMS, several measures were undertaken for streamlining data collection, management and analysis. Six elements of court management were brought under the aegis of the NCMS:
 - (i) A *National Framework of Court Excellence (NFCE)* that will set measurable performance standards for Indian courts, addressing issues of quality, responsiveness and timeliness.
 - (ii) A system for *monitoring and enhancing the performance parameters* established in the NFCE on quality, responsiveness and timeliness.

² NCMS Policy and Action Plan, 2012, available at <https://main.sci.gov.in/pdf/NCMSP/ncmspap.pdf>.

- (iii) A system of *case management* to enhance user friendliness of the Judicial System.
- (iv) A *National System of Judicial Statistics (NSJS)* to provide a common national platform for recording and maintaining judicial statistics from across the country. NSJS was tasked with collecting real time statistics on cases and courts that will enable systematic analysis of key factors such as quality, timeliness and efficiency of the judicial system across courts, districts/states, types of cases, stages of cases, costs of adjudication, use of budgets, etc.
- (v) A *Court Development Planning System* that will provide a framework for systematic five-year plans for the future development of the Indian judiciary.
- (vi) A *Human Resource Development Strategy* for setting standards on selection and training of judges of district courts.

Institutionalization of NCMS

8. Additionally, for institutionalizing the NCMS, an Office for Recommending Policy, Strategy and Planning was established under the Secretary General, Supreme Court of India, which has been working on the following measures:
 - (i) National Judicial System performance standards (qualitative and quantitative);
 - (ii) A system of Court Statistics (CS) for monitoring the achievement of the standards including coordination of data from related agencies such as police and jails;
 - (iii) An Informatics System for digitizing and streamlining all documents and data across the country in a phased manner in accordance with local exigencies;
 - (iv) A National Framework of Court Management and Case Management for achieving those standards;
 - (v) A Court User Interface to enhance user friendliness including a Grievance Redressal System;

- (vi) A Budget and Planning System to identify the financial and other resources needed for the development of the judiciary;
 - (vii) A Human Resource Development System for systematic planning of the development and training of human resources of the bench and bar (including prosecutors) and court staff, as well as development of related capabilities such as investigation and staff required for functioning of courts such as Protection Officers, Counsellors, etc.;
 - (viii) Planning for the development of ADR;
 - (ix) Planning for the development of access to justice and legal aid under guidance of NALSA; and
 - (x) Setting up of a communication system for effective communication to public and media about judicial decisions.
9. Over the decade since the institution of the NCMS, several reports have been produced from time to time by Sub-Committees set up to examine various issues, and the collection and management of judicial data has been progressing with increasing granularity. However, several issues remain to be addressed. This policy and action plan rounds up the work done since 2012 and lays out the path forward in terms of judicial administration and case load management over the coming years.

II. STATISTICS

10. Since the institution of the NCMS in 2012, data-gathering and analysis has been more streamlined. Information is collected and maintained in respect of sanctioned and working strength of judges, and year-wise institution and disposal of cases. The data is now collected and maintained at all levels, for the District Courts, High Courts and Supreme Court.
11. The e-Courts Project was conceptualized on the basis of the “National Policy and Action Plan for Implementation of Information and Communication Technology (ICT) in the Indian Judiciary – 2005” submitted by the e-Committee, Supreme Court of India with a vision to transform the Indian Judiciary by ICT (Information and Communications Technologies) enablement of Courts. The National Judicial Data Grid (NJDG) was set up on 19.09.2015 as part of the e-Courts project.³
12. The NJDG is a national repository of orders, judgements and case details of 18,735 District Courts,⁴ the High Courts⁵ and the Supreme Court.⁶ Statistics are updated on a real time basis, and categorized by case type, age, stage of litigation, and total numbers of institutions and disposals. While the availability and tracking of judicial data with some granularity has been made possible now with the NJDG, several challenges persist with data analysis in a manner so as to inform policy making on judicial case load management. There are vast differences in case categorization, nomenclature, and methodology in each State/ High Court, and there is presently no uniformity on these aspects, to enable meaningful data analysis at a national level.

³<https://cdnbbsr.s3waas.gov.in/s388ef51f0bf911e452e8dbb1d807a81ab/uploads/2018/07/2022120782.pdf>.

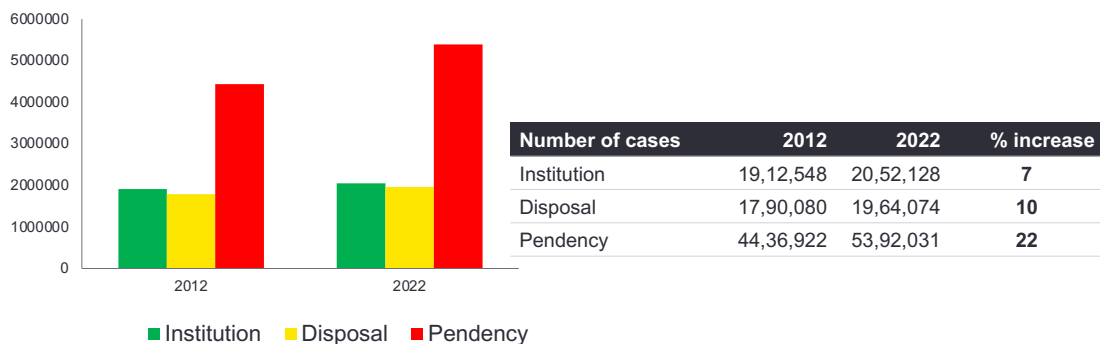
⁴ https://njdg.ecourts.gov.in/njdg_v3/.

⁵ https://njdg.ecourts.gov.in/hcnjdg_v2/.

⁶ <https://njdg.ecourts.gov.in/scnjdg/>.

13. In *Imtiyaz Ahmad v. State of UP & Ors.*,⁷ the Hon'ble Supreme Court of India took note of the statistics as to case pendency as of 2015, and the recommendations of various Law Commissions on judicial strength, vacancies, judicial infrastructure, arrears management, and other aspects of judicial administration. A report was submitted, observing that in the long term, judge strength in the district judiciary will have to be assessed by a scientific method to determine the total number of judicial hours required for disposing of the case load of each court. The Court also noted the need for real time data on the pendency of various categories of cases.
14. The decadal data (2012-2022) in respect of institution and disposal of cases at the High Courts shows an overall increase of 22% in terms of pendency. In 2012, around 19,12,548 cases had been instituted. The number rose to around 20,52,128 in 2022, indicating a 7% rise in institution of cases. The number of disposed cases in 2012 was around 17,90,080, which rose to around 19,64,074 cases in 2022, indicating a 10% increase in disposals. As of 2012, around 44,36,922 cases were pending. This rose by 22% in 2022, with around 53,92,031 cases pending at the High Courts.

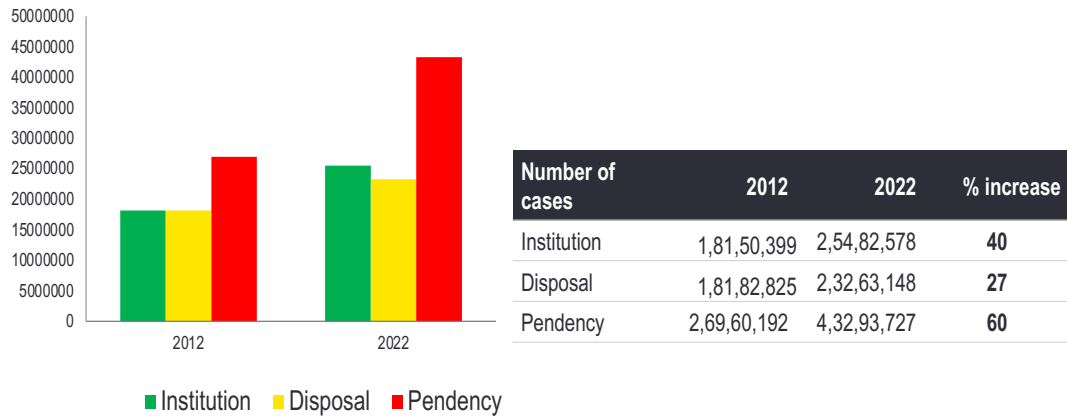
Comparison of High Court data between 2012-2022



⁷ [2017] 1 SCR 305.

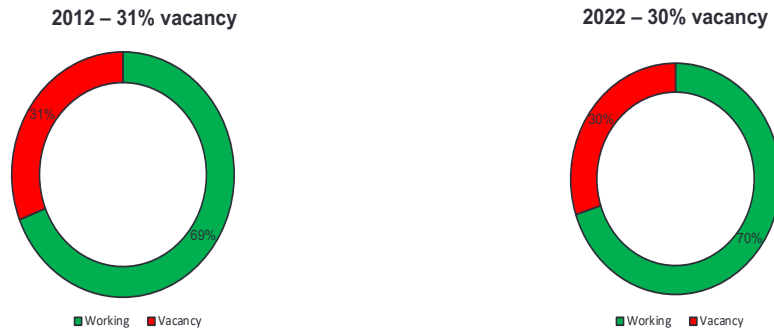
15. Similarly for District Courts, there was a 40% increase in institution of cases between 2012 and 2022. The increase in disposal of cases was 27%. Pendency rose by 60%, between 2012 and 2022.

Comparison of District Court data between 2012-2022



16. The status of vacancies between 2012 and 2022 have remained nearly constant, with a vacancy of 31% at the High Courts as of 2012, and 30%, as of 2022.

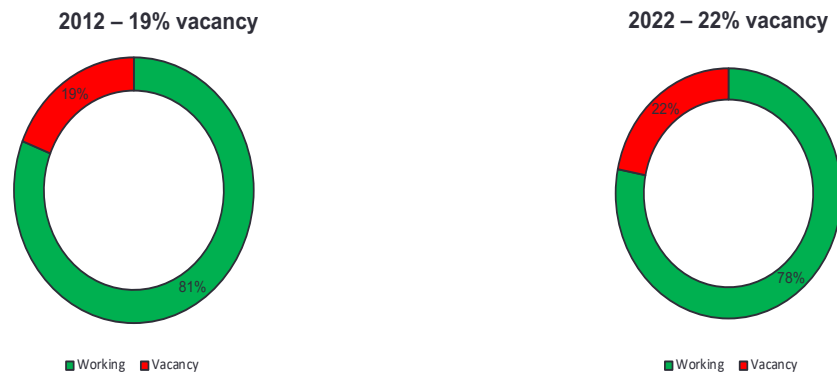
Judge Strength in High Courts 2012-2022



Judges	2012	2022	% increase
Sanctioned	895	1108	23
Working	614	772	25
Vacant	281	336	19

17. In the District Courts, vacancies were cumulatively 19% in 2012, which rose to 22% in 2022.

Judge Strength in District Courts 2012-2022



Judges	2012	2022	% increase
Sanctioned	17715	25114	42
Working	14353	19615	36
Vacant	3362	5499	63

18. A decadal comparison of working strength at the District Courts is depicted below:

Decadal Comparison on Working Strength in District Courts

Year	Sanctioned	Working	Vacancy	% vacancy
2012	17,715	14,353	3,362	19%
2013	19,526	15,128	4,398	23%
2014	20,174	15,585	4,589	23%
2015	20,558	16,176	4,382	21%
2016	21,573	16,681	4,917	23%
2017	22,704	17,028	5,676	25%
2018	22,999	17,954	5,045	22%
2019	24,049	19,075	4,974	21%
2020	24,280	19,441	4,839	20%
2021	24,509	19,607	4,902	20%
2022	25,114	19,615	5,499	22%

19. A decadal comparison of overall institutions, disposals, and pendency is depicted below:

Decadal Comparison of Institution, Disposal, Pendency

Year	Institution	% change in institution	Disposal	% change in disposal	Disposal as a % of institution	Pendency	% change in pendency
2012	1,81,50,399		1,81,82,825.00			26960192	
2013	1,86,70,907	2.87%	1,87,37,745.00	3%	100%	26838861	0%
2014	1,92,81,971	3.27%	1,93,28,283.00	3%	100%	26498408	-1%
2015	1,90,44,877	-1.23%	1,83,78,266.00	-5%	96%	27176029	3%
2016	2,02,67,276	6.42%	1,91,17,126.00	4%	94%	28288600	4%
2017	2,02,84,869	0.09%	1,98,61,459.00	4%	98%	28696040	1%
2018	2,02,89,613	0.02%	1,91,57,818.00	-4%	94%	30074590	5%
2019	2,03,53,808	0.32%	1,83,71,574.00	-4%	90%	32296224	7%
2020	1,41,96,060	-30.25%	92,04,884.00	-50%	65%	37285742	15%
2021	2,08,03,379	46.54%	1,70,28,604.00	85%	82%	41053598	10%
2022	2,54,82,578	22.49%	2,32,63,148.00	37%	91%	43293727	5%

20. In *Imtiyaz Ahmad* (supra), the Hon'ble Supreme Court noted that in several states, the available infrastructure is inadequate and insufficient to meet even the existing judge strength. Directions were issued to state governments to cooperate with the High Courts in terms of disbursement of funds to state judiciaries, and work towards development of infrastructure for meeting the existing sanctioned strength and enhanced strength, as recommended by the NCMS Committee.

III. Reports of NCMS Sub-Committees

21. Pursuant to the measures for institutionalization of the NCMS detailed in the 2012 NCMS Policy and Action Plan, five sub-committees were constituted under the NCMS Committee, on the issues of (i) Case Management; (ii) National Framework for Court Excellence (NFCE); (iii) Human Resource Development Strategy in the District Judiciary (HRDS-DJ); (iv) Defining Arrears; and (v) Court Development Planning. The updated reports form part of the NCMS Policy and Action Plan, 2024 and are annexed herewith. The reports submitted by each of these sub-committees, updated from time to time are detailed below.

(i) NCMS Baseline Report on Court Development Planning System (Infrastructure and Budgeting)

22. The Sub-Committee's Baseline Report on 'Court Development Planning System' of 2013 (chaired by Hon'ble Justice Badar Durrez Ahmed) dealt with a development plan with reference to the physical and digital infrastructure in the district courts.
23. The Report was updated in 2024 by a Sub-Committee under the chairmanship of Hon'ble Justice Arun Bhansali, with Hon'ble Justice Manoj Kumar Gupta (who subsequently chaired the Sub-Committee), Hon'ble Justice Atul Sreedharan, and Shri Hemant Singh, District and Sessions Judge, in the light of changes in infrastructural requirements over the past decade, particularly in the field of information technology. The report has been accepted by the NCMS.
24. The Sub-Committee collected information from the High Courts about their model plans, status of court buildings and residences of judicial officers. On this basis, the fundamental guiding factors for designing a court complex were identified. Model plans were proposed on this basis, with provision for various necessary facilities to address present and future needs.
25. The Sub-Committee has further recommended three steps for the courts to be digitized – (1) existing records would have to be digitized and archived; (2) pending and new cases would have to be digitized; (3) e-filing must be made mandatory.
26. In respect of utilization of funds for the Judiciary under the State Budget for the financial year 2023-24, it was found that in most States, the allocation of funds for the judiciary is less than 1% of the total budget. The report also highlights issues in the implementation of the Centrally Sponsored Scheme (CSS) as the Department of Justice, Government of India claims that funds allocated are under-utilized, whereas the States and High Courts claim that the scheme is not being properly implemented. It was highlighted that there is urgent need of deliberations on the implementation of CSS amongst various stakeholders.

(ii) ***Report of the Sub-Committee on Human Resource Development Strategy (HRDS) in the District Judiciary***

27. An NCMS Baseline Report on Human Resource Development Strategy was submitted in 2013, by the Sub-Committee headed by Hon'ble Mr. Justice Dipankar Datta (then Judge, Calcutta High Court, who was then a Member of the NCMS Committee). The report focused on issues of selection of judges, training of judicial officer/ staff, transfers, postings and ACRs, investigations and enquiries, training for public prosecutors/ government pleaders, and manpower requirement in subordinate courts, amongst others.⁸
28. The Report on Human Resource Development Strategy has been further updated in 2024 by the Sub-Committee chaired by Hon'ble Justice Rajiv Shakdher, later chaired by Hon'ble Justice Sanjeev Sachdeva and having Hon'ble Justice N.J. Jamadar and Shri Vishal Gogne, Additional Sessions Judge as members, and accepted by the NCMS. This report comprehensively covers the areas of judge strength, recruitment, training, performance evaluation, transfer and technology at the level of the district judiciary. The report suggests comprehensive reforms, *inter alia* with respect to the following:
 - **Recruitment of judicial officers and ministerial staff across cadres** – It was recommended that two years of relevant experience should be mandated for the post of Civil Judge (Junior Division) with additional safeguards like reservation for female candidates and promoting judicial officers to the cadre of District Judge in 10 years with minimum 2 years as Civil Judge (Senior Division). The report also suggests testing for psychometric attributes along with legal skills.
 - **Calculation of the judge strength required in the district judiciary** – It was recommended that in the near and medium term, the judge-

⁸ NCMS Baseline Report on Human Resource Development Strategy, available at <https://main.sci.gov.in/pdf/NCMS/Human%20Resource%20Development%20Strategy.pdf>.

population ratio should be used to determine judge strength. Time and motion studies also need to be carried out in to understand how much judicial time is needed to adjudicate different case types, to formulate a more scientific method of arriving at judge strength.

- **Training of judicial officers and ministerial staff** – Here, it was noted that a comprehensive approach towards training on social contexts across various jurisdictions was needed. There is a necessity for permanent faculty in judicial academies and specialized training for officers before transfers to new jurisdictions and assignments to special courts.
- **Performance evaluation of judicial officers and ministerial staff** – A need for uniformity in ACR proforma across High Courts was observed. The Sub-Committee recommended *inter alia*, an online platform for filling of ACRs; inclusion of an interview process; continuous assessment by evaluating judgements of the judicial officer; bi-annual, timely completion of ACRs; consideration of administrative work done by judicial officers and assignment of weightage for the same; providing the complete copy of the ACR to the judicial officer; and need for a handbook on how ACRs should be written.
- **Transfer policies for judicial officers and ministerial staff** – The Sub-Committee recommended that all High Courts must formulate written transfer policies to ensure objectivity and transparency in the transfer process. Institutional-level requirements like caseload, vacancies etc., and individual-level requirements like exposure to work and existence of adverse circumstances while framing and implementing transfer policies should be considered.
- **Cadre for Technology and Data Analysis** - With the increasing reliance on technology and data analysis in court management, the demand for personnel proficient in handling court technology and data was seen to be on the rise. This demand was expected to grow even further with the implementation of new digital infrastructure and capabilities in Phase III of the e-Courts project. However, the existing workforce is insufficient to meet the demands of this ambitious project. To address these challenges,

it was recommended that a permanent IT and Data Cadre be established in all High Courts.

(iii) Case Management Systems

29. An NCMS Baseline Report in this regard was prepared by Hon'ble Justice A.M. Khanwilkar⁹ and adopted in 2015. The report focused on achieving minimal common national standards, reiterated the need for clear segregation of cases into 'tracks' and emphasized the need to create a case management information system.
30. The NCMS Sub-Committee on Case Management, in its updated baseline report, identified the following ideals to be achieved through case management - fair access to justice, transparency and efficiency, cost effectiveness, and enhancement of public trust in the judiciary. The report noted that different approaches would be required for case management at the High Courts and at the district judiciary respectively.
31. The report recommends that all non-productive judicial work can be assigned to the Manager (Case Administration) in the High Court, who shall be a district judge. The Manager (Case Administration) shall have a semi-judicial role, and shall take care of service defects, including any hearing and decision making that may be required with respect to such defects, dispose of interim applications etc., so that judicial productivity is optimized.
32. In addition, the report recommends that an IT driven case management system in the High Courts shall be put in place, which involves (a) automated channeling of cases into different tracks, (b) automated impact-based acceleration and deceleration of cases, (c) automated adjournment request system with a defined adjournment policy, (d) enabling summoning of

⁹ NCMS Baseline Report on Case Management System, available at <https://main.sci.gov.in/pdf/NCMS/Case%20Management%20System.pdf>.

electronic records through e-summons, and (e) dashboard enabled communication of processes.

33. In respect of the district judiciary, recognition of the judiciary as a service and evolving service standards to ensure accessibility, equity, timeliness, and professionalism in the output of judicial system were seen as necessary. The report recommends the institution of a distinct cadre of Managers (Case Administration), who would be responsible for case management.
 34. The report was further revised in 2024 by the committee headed by Hon'ble Justice A. Muhamed Mustaque, with Hon'ble Justice C.M. Joshi and Shri Gopakumar G., District and Sessions Judge, as members. The 2024 Report, which was accepted by the NCMS,¹⁰ outlines policies, methodologies, and technologies to enhance judicial efficiency and transparency. It integrates international best practices to develop an ecosystem approach that leverages artificial intelligence (AI) for improved data management and automation. It also discusses the need for a comprehensive artificial intelligence policy framework for the judiciary, which focuses on a human first approach.
 35. In terms of use of technology, systemic corrections include the constitution of a traffic regulatory body, tools for calculating compensation under the Motor Vehicles Act, and pre-litigation mediation. Technological restructuring focuses on optimizing bandwidth, establishing digital courts, and automating judicial work to the extent feasible.
- (iv) Updated Baseline Report on National Framework for Court Excellence (NFCE)**
36. 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

¹⁰ NCMS Baseline Revision Report on Case Management in the High Court and the District Judiciary: An Information and Communications Technology Driven Strategy (2024).

2013, the Sub-Committee submitted its 1st Baseline Report, under the chairmanship of Hon'ble Justice G. Rohini.¹¹

37. The report identifies performance measures namely, Case Processing Diligence, Judicial Capability, Independent and Knowledgeable Bar, ADR, Legal Aid, Court Employee Engagement, Infrastructure, IT Facilities and Budget. Scores are attached to each metric, underscoring its relative importance in the justice delivery system. Attention is also directed towards social responsiveness of the court establishment to weak, marginal or differently abled sections of society.
38. The report recommends that the High Courts and district courts shall undertake self-assessment of these performance measures. State Court Management Committees (SCMC) of the High Court concerned shall evaluate the performance of the District Courts and the High Court as per the rating system proposed and formulate an action plan. An Annual Report shall be published by every High Court in this regard. Annual Reports of all the High Courts would then be analysed by the NCMS to identify pan-India issues affecting court excellence.
39. The NFCE Report was further updated in 2024¹² by the Sub-Committee headed by Hon'ble Justice Joymalya Bagchi and having Hon'ble Justice M. S. Sonak and Shri Avani Pal Singh, District and Sessions Judge, and accepted by the NCMS. It was recommended that 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. Similarly, four Districts in each of these High Courts, two large and two medium may be selected for implementation. Finally, upon deliberation of the results of the pilot project

¹¹ NCMS Baseline Report on National Framework for Court Excellence (NFCE), available at <https://main.sci.gov.in/pdf/NCMS/National%20Framework%20of%20Court%20Excellence.pdf>.

¹² Updated Baseline Report on National Framework for Court Excellence, 2024.

and approval of the methodology with modifications, if any, the National Framework for Court Excellence project can be deployed on a full scale as a turn-key project.

(v) *Report of the Sub-Committee on Defining Arrears*

40. Several efforts have been made over the years to determine appropriate, ideal timelines for the disposal of pending cases. Often, the approach has been to impose a prescribed time limit in an *ad hoc* manner.¹³ The NCMS Policy and Action Plan of 2012 observed that at the time, about 74% of the cases in Indian courts were less than five years old, of which some 40% were less than 1 year old. A need was seen to make the judicial system ‘five plus free’ (i.e., free of cases more than five years old).¹⁴ No scientific analysis was employed in determining this period of 5 years to be the appropriate standard for arrears reduction.
41. Now, with the collection of more granular data in respect of institution, disposal and pendency of cases, it is seen that this approach fails to take into account the varied considerations that determine the actual time taken to dispose of a case.
42. A Sub-Committee tasked with defining arrears was constituted under the NCMS Committee. The Sub-Committee was headed by Hon’ble Justice Sheel Nagu, with Hon’ble Justice Ashutosh Kumar, Hon’ble Justice Rongon Mukhopadhyay, and Hon’ble Justice Anita Sumanth as Members. Shri K. Parameshwar, Sr. Advocate and Shri Rohit Bhardwaj, DDG Statistics, GoI were co-opted as members of the Sub-Committee. The Sub-Committee, having collated and analyzed the data on case pendency at each High Court, found that factors such as the nature of the case, the number of parties and

¹³ See for example, The Law Commission of India, 77th Report on Delay and Arrears in Trial Courts (November, 1978), available at https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022_080573-1.pdf.

¹⁴ See NCMS Policy and Action Plan, 2012, available at <https://main.sci.gov.in/pdf/NCMSP/ncmspap.pdf>, at p. 5

witnesses, the complexity of the fact situation, the stage of hearing the case is at, etc. should be taken into account in the determination of arrears.

43. Owing to the sheer volume, diversity and complexity of district courts' data on case disposal and pendency, it was decided by the Sub-Committee to focus on data from High Courts as a starting point for determining the appropriate methodology and form of empirical analysis to be employed. Case data for the years from 2009-2022 was collated (excluding 2020 and 2021, owing to the Covid-19 pandemic) for all High Courts. Twenty case types were identified, and the data for each High Court, in respect of each case type was categorized year-wise. Appropriate numerical methodologies were employed to determine average time taken, for a given case type, on a realistic basis.
44. The report notes that there cannot be a uniform definition for 'arrears' that applies throughout the nation. The definition must be specific to case type, and for each case type, case complexity and peculiar circumstances and considerations must be accounted for. The report proposes the following definitions:
 - (a) **Gross Case Load:** The total number of cases instituted of a particular case type in a particular High Court, but not disposed of, regardless of when the case was instituted.
 - (b) **Disposable Case Load:** The total number of cases that are ready to be heard, having overcome procedural incompleteness (such as incomplete pleadings, records not being traceable, death of parties etc.), and not being stayed by the Supreme Court or in an intracourt appeal, or other reasons why the case may not yet be ready to be heard and disposed of.
 - (c) **Arrears:** The number of cases out of the Disposable Case Load, that have been pending for a time period longer than the time limit determined to be reasonable, based on the methodology set out in this report, for a given case type, in a given High Court, after the date on which the case became ready for disposal.
45. It is recommended that on this basis, each High Court must have a personalized, reasonable time limitation within which cases of a certain type

must be disposed of. The empirical exercise carried out in this report for High Court data, was presented as a template for the methodology for court management committees in each State to carry out the exercise on a dynamic, ongoing basis, at the levels of the district judiciary and courts as well.

IV. Way Forward

46. Since the institution of the NCMS in 2012, several inroads have been made to streamline collection and analysis of judicial data across each level, and frame policies and strategies for management of case pendency, vacancies, human resource management, introduction of information technology tools, and development of court infrastructure. The National Judicial Data Grid is an important step that enables much more work to be done, as more granular data is collected and maintained from the Taluk level, up to the Supreme Court.
47. In order to effectively utilize this data and employ sophisticated and scientific methodologies that can help frame policies in the right direction, several creases need to be ironed out. A significant challenge lies in the diversity of nomenclatures used across different states, and in different High Courts. The numbering and categorization of cases vary widely across states, making it more difficult to compare and collate data at a national level. Data sets lacking uniform metrics cannot be effectively analysed to identify trends and problems areas to be addressed. There is an urgent need, therefore, to devise uniform nomenclatures and categorization methods across states.
48. Given the federal set-up under the Constitution of India, it would be inapposite to take a top-down approach towards judicial administration and case load management policies and strategies. A bottom-up approach needs to be adopted, through scientific methods that offer personalized solutions for the unique circumstances, abilities and constraints that different courts are faced with.
49. It is recommended to the High Courts that for the year 2025:
 - i. Judges who are domain experts may be assigned matters over which they have expertise.
 - ii. One Saturday of every month may be assigned for hearing of cases more than 5 years old. If any High Court remains closed on all Saturdays of the month but the pendency is huge, the calendar for

2025 ought to be so settled to factor in at least 12 working Saturdays in a year.

- iii. Initiatives already taken for bunching of matters which could be disposed of by a common order, be actively pursued.
 - iv. On a war-footing, let every matter pending for over 25 years be set down for hearing and disposal forthwith. If the case is not ready, it must be made ready without wasting any further time.
50. It would be desirable if orders on bail/anticipatory petitions, passed by the Judicial Officers and Hon'ble Judges of the High Courts, are crafted in such manner so as to limit it to the bare minimum required for the next superior court to scrutinize whether there has been judicious application of mind.

It would also be desirable if, to the extent possible, long quotations from precedents are avoided unless some special emphasis is to be laid on any particular passage.

51. Although the NCMS Committee has been producing detailed research and recommendations on the basis of data obtained from various stakeholders, some issues remain insufficiently addressed:
- One of the elements of the NCMS at the time of its institution was the *National System of Judicial Statistics (NSJS)*. Apart from the actual mechanism of collection and maintenance of data through the National Judicial Data Grid, more work is required on statistical analysis and collection of data with greater granularity. A dedicated cadre of statisticians to work on case load, pendency, factors impacting disposal of cases, reasons why some cases may be incomplete and not ready for disposal yet, as well as determination of required judicial strength, all require statistical analysis, so as to be scientifically grounded. This analysis will in turn enable the framing of policies that realistically achieve the goals of efficient judicial administration and meaningful access to justice.
 - It was noted that in some of the States, a substantial number of public prosecutors are appointed on contractual/retainer basis. It has also come

to the forefront that in some States, there is altogether no sanctioned strength of public prosecutors, as they are appointed on contractual basis and with the change in the State Government, the tenure of such contractual appointees comes to an end, creating a gap in the strength of prosecuting officers in district judiciary. Contractual appointments of public prosecutors may address the challenge of shortage of public prosecutors in the district judiciary at a given point, but it will not resolve the issue in the long run. Appointment of prosecutors for a limited tenure, conditional upon the State Government will hamper the progression of criminal cases and increase the backlog of cases, thereby, denying the right to speedy trial to the litigants. To tackle this, it is imperative that there is a regular cadre of public prosecutors. This is an area that will require significant work in the coming years.

- As on 30 June 2024, there was a vacancy of around 8,267 judicial officers at the district judiciary. Decadal judicial data shows that although there has been an increase in the sanctioned strength of judges, the effect of the same on management of pendency has been offset by persistent, high vacancy levels across various levels of the judiciary. There is an immediate need to address the issue of vacancies both at the District Courts as well as High Courts. It is imperative that the time schedule stipulated in *Malik Mazhar Sultan* case is adhered to by all the States and the High Courts.
- There is also a need to continue to increase judge strength at the level of the district judiciary. This increase must be empirically informed, and carried out in a calibrated manner, with a corresponding increase in government spending on the judiciary.
- Alongside the timely filling of vacancies, increase in judge strength, and corresponding increase in budgeting for the judiciary, there is also a need for effective human resource management for support staff. Support staff must be recruited in a timely manner, with their numbers being assessed correspondingly with judge strength, and suited to the needs of the case management strategies adopted, going forward.

- There is a need to have a requirement of at least 2 years' experience at the Bar for candidates to be eligible for the Civil Judge (Junior Division) examination. The judgment of the High Court of Madhya Pradesh in *Devansh Kaushik v. State of Madhya Pradesh & Anr.*, Writ Petition No. 15150 of 2023 dated 01.04.2024 and order of the Supreme Court of India in *Garima Khare v. High Court of Madhya Pradesh & Anr.*, SLA(C) No.(s) 9570/2024 dated 26.04.2024 may be taken into consideration by the States to amend their recruitment rules in this regard.
- Similarly, court infrastructure must also be augmented and improved to meet the needs of litigants, lawyers, judges, and court staff.
- Annexure 1 delineates that out of the total State Budgets for the FY 2023-24, except for the State of Uttar Pradesh (1.14%), the budgetary allocation to judiciary has been less than 1% in all the States. It is time that the States show their collective commitment towards the cause of justice delivery by enhancing the budgetary share to judiciary.
- Besides discharging judicial functions, judicial officers also serve in various administrative capacities on deputation like in the High Court Registry, State Judicial Academy, various departments of the government, tribunals, Human Rights Commissions, etc. The HRDS Reports have rightly noted that the assignment of non-judicial or administrative work to judicial officers should be taken into consideration in performance assessment. Concerted efforts should also be made to devise ways through which judicial officers are more efficiently utilized for judicial work, and the incidence of administrative work assignments are limited.
- The Action Plan to Reduce Arrears for District Judiciary prepared by the Arrears Committee, Supreme Court of India in consultation with the Arrears Committee of the High Courts, which has generated significant results across the country, may be diligently pursued. Formulation of a similar action plan for High Courts is underway.

- There is a need for a comprehensive data management and artificial intelligence policy framework for the judiciary, which focuses on data integrity and a human first approach.
- Judicial hours are precious; hence, judges should make concerted efforts to utilize their judicial time and maximize time efficiency. By discharging the essential service of dispensing justice, judges justify the confidence and trust that people repose in the judicial system. Unless there is proactive and collaborative effort, reducing the arrears would continue to remain an elusive goal.
- The recommendations of the NCMS Sub-Committees' reports should be implemented in a progressive, incremental manner, to the extent feasible. Some reports, such as those pertaining to NFCE and arrears provide models for ongoing implementation at a larger scale, with greater granularity. Such templates and methodologies should be implemented incrementally at all levels of the judiciary. Progress in this regard should be monitored on an ongoing basis, and policies must be revised in accordance with changing socio-economic needs, realities, and exigencies.

ANNEXURE-I

S. No.	Name of State	Percentage of State Budget Allocated to the Judiciary
1.	Andhra Pradesh	0.38%
2.	Arunachal Pradesh	0.32%
3.	Assam	0.63%
4.	Bihar	0.59%
5.	Chhattisgarh	0.63%.
6.	Gujarat	0.67%
7.	Haryana	0.84%
8.	Himachal Pradesh	0.61%
9.	Jharkhand	0.81%
10.	Kerala	0.73%
11.	Madhya Pradesh	0.97%.
12.	Maharashtra	0.75%
13.	Manipur	0.56%
14.	Odisha	0.83%
15.	Punjab	0.71%
16.	Rajasthan	0.66%
17.	Sikkim	0.7%
18.	Tamil Nadu	0.6%
19.	Telangana	0.57%
20.	Tripura	0.84%
21.	Uttar Pradesh	1.14%
22.	Uttarakhand	0.93%
23.	West Bengal	0.36%

V. ACKNOWLEDGEMENTS

The NCMS Committee would like to express its deepest gratitude to Hon'ble the Chief Justice of India for entrusting us with the responsibility of preparing the Baseline Reports of National Court Management Systems. The Reports are a testament to His Lordship's leadership, vision, and commitment towards cause of justice delivery. The Committee wishes to acknowledge His Lordship's unwavering support and encouragement throughout the endeavour.

The NCMS Committee expresses its deepest gratitude to Hon'ble Justice Abhay S. Oka, the Chairman of the Advisory Committee for His Lordship's constant guidance and for providing valuable insights and direction.

The NCMS Committee acknowledges and commends the invaluable contributions, expertise, and time devoted by each one of the members of the NCMS Committee to our shared goals. Their collective efforts have significantly enhanced the efficiency and effectiveness of our judicial system. Special acknowledgement is due to Mr. K. Parameshwar, Senior Advocate, Supreme Court of India who made commendable contributions in the preparation of the updated reports and the Policy and Action Plan of NCMS, 2024.

Further, the NCMS Committee recognizes the outstanding work of our Sub-Committees, whose specialized knowledge and collaborative spirit have enabled us to have a multi-dimensional perspective to identify and address the complex challenges in the legal system and bring it into a systematic document and ensuring seamless execution of our recommendations.

Lastly, the selfless dedication, professionalism, and commitment to excellence shown by the NCMS Secretariat demands special mention and appreciation.

Composition of the National Court Management Systems

Under overall control of Hon'ble the Chief Justice of India, the National Court Management Systems (NCMS) for enhancing timely justice has been established as per the Schemes of the NCMS vide orders dated 02.05.2012.

The NCMS consists of an Advisory Committee and the NCMS Committee.

Composition of present Advisory Committee of NCMS:

1. HMJ Abhay S. Oka, Chairperson, Advisory Committee of NCMS
2. HMJ Dipankar Datta, Chairperson, NCMS Committee as ex-officio Member of the Advisory Committee
3. HMJ Devendra Kumar Upadhyaya, Chief Justice, Bombay High Court – Member
4. Shri Raj Kumar Goyal, Secretary, Department of Justice, Govt. of India and ex-Officio Member
5. Shri Atul M. Kurhekar, Secretary General, Supreme Court of India – Convenor

Composition of present NCMS Committee:

- | | |
|---|--------------------|
| 1. HMJ Dipankar Datta, Judge, Supreme Court of India | – Chairman |
| 2. HMJ Joymalya Bagchi, Judge, Calcutta High Court | – Member |
| 3. HMJ Manoj Kumar Gupta, Judge, Allahabad High Court | – Member |
| 4. HMJ Sanjeev Sachdeva, Judge, Madhya Pradesh High Court | – Member |
| 5. HMJ A. Muhamed Mustaque, Judge, High Court of Kerala | – Member |
| 6. Director, National Judicial Academy, Bhopal | – Member |
| 7. Shri Atul M. Kurhekar, Secretary General, Supreme Court of India | – Member |
| 8. Mr. Gaurav Masaldan, Joint Secretary, Dept. of Justice, Govt. of India | – Member |
| 9. Shri Moolchand Tyagi, Registrar General, Gujarat High Court. | – Member |
| 10. Shri K. S. Bharath Kumar, Registrar General, Karnataka High Court | – Member |
| 11. Shri Asanta Kumar Das, Registrar General, Orissa High Court. | – Member |
| 12. Shri K Parameshwar, Sr. Advocate, Supreme Court of India | – Member |
| 13. Shri Uday Salunkhe, Director, Welingkar Institute of Management | – Member |
| 14. Shri Rohit Bhardwaj, Expert Statistician, DDG, MosPI, Govt. of India | – Member |
| 15. Shri R. S. Mani, DDG, National Informatics Centre | – Member |
| 16. Shri H. Shashidhara Shetty, Registrar, Supreme Court of India | – Member Secretary |

**Composition of Sub-Committee updating
Baseline Report on “Court Development Planning System”**

1. HMJ Arun Bhansali, Chief Justice, Allahabad High Court - Former Chairman
2. HMJ Manoj Kumar Gupta, Judge, Allahabad High Court - Chairman
3. HMJ Atul Sreedharan, Judge, High Court of Jammu & Kashmir and Ladakh - Member
4. Hemant Singh, District & Sessions Judge, Alwar, Rajasthan - Member

**Composition of Sub-Committee updating
Baseline Report on “Human Resource Development System”**

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4. Shri Vishal Gogne, District Judge and Additional Sessions Judge, Delhi - Member

**Composition of Sub-Committee updating
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3. Shri Gopakumar G., District Judge, Kollam, Kerala - Member

**Composition of Sub-Committee updating
Baseline Report on “National Framework for Court Excellence”**

1. HMJ Joymalya Bagchi, Judge, Calcutta High Court - Chairman
2. HMJ M.S. Sonak, Judge, Bombay High Court at Goa - Member
3. Shri Avani Pal Singh, Director, West Bengal Judicial Academy - Member

**Composition of Sub-Committee for submitting report on
“What would constitute arrears in the judicial system at the level of the High Courts and the District/Trial courts”**

1. HMJ Sheel Nagu, Chief Justice, High Court of Punjab & Haryana - Former Chairman
2. HMJ Ashutosh Kumar, Judge, Patna High Court - Chairman
3. HMJ Rongon Mukhopadhyay, Judge, High Court of Jharkhand - Member
4. HMJ Meenakshi Madan Rai, Judge, High Court of Sikkim - Member
5. HMJ Anita Sumanth, Judge, Madras High Court - Member
6. Shri K. Parameshwar, Senior Advocate, Supreme Court - Member
7. Shri Rohit Bhardwaj, DDG (Statistics), MoSPI, Govt. of India - Member

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2. Shri Sunil Chauhan, the then Addl. Registrar and Member Secretary, NCMSC
3. Shri Vivek Saxena, the then Registrar and Member Secretary, NCMSC
4. Shri Ravi Shanti Bhushan, Assistant Registrar, NCMSC, Supreme Court
5. Ms. Priya Baranwal, Assistant Registrar, Centre for Research and Planning, SCI
6. Shri Subhash Chawla, AR-cum-PS to HMJ Abhay S. Oka, Judge, Supreme Court of India
7. Shri Sanjay Kumar, AR-cum-PS to HMJ Dipankar Datta, Judge, Supreme Court of India
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