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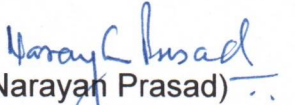
Government of India
Ministry of Law & Justice
Department of Justice

Jaisalmer House, 26 Mansingh Road,
New Delhi – 11, Dated: 09.02.2021

Office Memorandum

Sub: Action Points of the Review Meeting held for improving India's ranking in World Bank Report on Doing Business for parameter of "Enforcing Contracts" on 05.02.2021 at 4:30 P.M. – Regarding

Please find enclosed herewith Action Points of the Review Meeting held on 05.02.2021 at 4:30 P.M. in New Delhi to discuss the progress on the action required to be taken by the concerned authorities for improving India's ranking in World Bank Report on Doing Business for "Enforcing Contracts" indicator for your kind information, record and necessary action.


(Narayan Prasad)

Deputy Secretary to the Government of India
Tele No. 011-23072146
Email:- n.prasad68@gov.in

Encl: As above

To:

1. The Registrar General/Representative, High Court of Delhi, New Delhi.
2. The Registrar General/Representative, High Court of Bombay, Mumbai.
3. The Registrar General/Representative, High Court of Karnataka, Bengaluru.
4. The Registrar General/Representative, High Court of Calcutta, Kolkata.
5. Shri Atul M. Kurhekar, Member(Process), e-Committee of Supreme Court of India.
6. Shri P. P. Pandey, Joint Secretary, e-Courts, Department of Justice.
7. Shri S. B. Singh, DDG, NIC
8. Shri Ravi Shankar Jha, Invest India

Copy to:

1. PPS to Secretary, Department of Justice.
2. PPS to Joint Secretary (National Mission), Department of Justice.
3. PPS to Joint Secretary (e-Courts), Department of Justice.

Action Points of the Review Meeting held on 05.02.2021 at 4:30 P.M. in New Delhi to discuss the progress on the actions required to be taken by the concerned authorities for improving India's ranking in World Bank Report on Doing Business for "Enforcing Contracts" indicator.

A follow-up meeting was held on **05.02.2021 (Friday) at 4.30 P.M.** through video conferencing, to discuss the progress on the reforms to be implemented in respect of "*Enforcing Contracts*" indicator under "*Ease of Doing Business*".

1. The meeting was presided by Shri G.R. Raghavender, Joint Secretary, Department of Justice.
2. At the outset Shri G.R. Raghavender welcomed the participants. The list of participants is attached as **Annexure**. The actionable items were then discussed and following decisions were taken:

Action Points- All four High Courts

- i. To take active steps like holding meetings with members from the Bar and Bench and training them to improve the overall functioning of the Commercial Courts.
- ii. Karnataka and Delhi to share the monthly statistical data of Dedicated Commercial Courts for the month of January, 2021 alongwith data on implementation of the maximum three adjournment rule.
- iii. Calcutta and Bombay to develop dedicated website interface for Commercial Courts as done by Delhi and Karnataka.
- iv. Calcutta and Karnataka may implement the service of e-Summons expeditiously.

Action Points- e-Committee/NIC

- i. To expedite the launch of digital/paperless courts on pilot basis in Bombay, Delhi, Karnataka and Madhya Pradesh High Courts, which is under approval of the e-Committee. The e-Committee has already formed a sub-committee which is in the process of formulating the SOP regarding the same and after approval it will be rolled out soon. Kolkata may also be made part of the digital/paperless court pilot project.
- ii. To develop an integrated dedicated website for all the Commercial Courts in the country.
- iii. NIC to help Calcutta and Bombay High Court in developing dedicated interface for Commercial Courts.
- iv. NIC to allow downloading of the JustIS app for JOs using iOS once UDID is shared by the CPC of the concerned High Court.
- v. NIC to expeditiously develop JustIS app for iOS.
- vi. NIC to finalise the technical documentation and fetching of data as per the API shared by Ministry of Corporate Affairs for facilitating electronic delivery of processes and e-Summons. The same may be finalized by 15th February 2021.

Action Points- Delhi High Court

- i. To review the reason behind less number of Case Management Hearings (pre-trial conferences) taking place in commercial cases.
- ii. Delhi HC has formed a sub-committee for reduction of time taken between trial and judgment in commercial cases. The committee has identified 18 parameters and will soon update about the developments.
- iii. To share the statistical data for the month of January, 2021 along with the data on implementation of the maximum three adjournment rule.
- iv. To upload the monthly statistical data on the website by the 5th of every month.
- v. To send details to NIC for creating a checkbox system in CIS 3.2 software regarding compliance of maximum three adjournment rule in atleast 50% of cases.

Action Points- Bombay High Court

- i. To reassess the reason(s) behind the handling of only two types of commercial cases (vis-à-vis 22 types) by Dedicated Commercial Courts of Mumbai.
- ii. To review the need for more Dedicated Commercial Courts by June 2021. Thereafter, the High Court will assess the need for construction of a new building for Dedicated Commercial Courts depending upon the requirements.
- iii. To take active steps like holding meetings with the Bar Council members, City Civil Judge Commercial Court, etc., to motivate the lawyers and party in person to opt for e-filing.
- iv. To review the reason behind less number of Case Management Hearing (pre-trial conferences) taking place in commercial cases.
- v. CPC Bombay HC to take necessary steps and develop dedicated interface for Commercial Courts at the earliest.
- vi. To share statistical data on e-Payment of court fee and e-Summons served for the month of December 2020-January 2021.

Action Points- Calcutta High Court

- i. To expedite the construction of the Commercial court building at 6 Church Lane, Kolkata.
- ii. To reduce the specified value of 2 operational Dedicated Commercial Courts in Kolkata (Alipore and Rajarhat) from Rs. 30 lakhs to Rs. 3 lakhs.
- iii. To share, with DoJ, the communication regarding implementation of CIS Purpose Master for Case Management Hearing/PIMS as is being done in other High Courts.
- iv. To set up e-Seva Kendra in Commercial Court complex and share the details of the same if already been established.
- v. To share the data on number of JOs using the JustIS app.
- vi. To send a reminder mail to e-Committee, Supreme Court for fixing technical issues faced by JOs using the JustIS app. The mail should also be forwarded to DoJ for information and necessary action, if any.

- vii. CPC Calcutta HC has finalized the rules for e-filing and e-summons and it is pending for the approval of the concerned Committee.
- viii. CPC Calcutta HC to have a meeting with NIC regarding developing dedicated interface for Commercial Courts at the earliest.
- ix. To take active steps like holding meetings with members from the Bar and training them to improve the overall functioning of the Commercial Courts.
- x. To review the reason behind less commercial cases going through PIMS mechanism during the month of December 2020 and January 2021.
- xi. To implement the system of e-payment of Court fees expeditiously.

Action Points- Karnataka High Court

- i. To share the schedule for training of Judicial Officers and Lawyers expeditiously.
- ii. To share with DoJ, the best practices with respect to the Case Management Hearings (pre-trial conference) so that the same can be replicated in Delhi, Mumbai and Kolkata.
- iii. To share the monthly statistical data of Dedicated Commercial Courts for the month of January, 2021.
- iv. To share the information on honorarium paid to the mediators engaged in PIMS mechanism.
- v. To take active steps like holding meetings with members from the Bar and training them to improve the overall functioning of the Commercial Courts.

Action Points- Invest India

- i. To prepare an Executive Summary of suggestions received from the Sub-Committees on Time Standards and Delays, Pre Institution Mediation and Settlement and eCourt Services so that the same can be taken up for discussion with the members of the EoDB fortnightly review meeting for further action.
- ii. To organize a meeting between DoJ and the members of the Sub-Committee on Pre Institution Mediation and Settlement and eCourt Services.

Action Points- DoJ

- i. To write to Shri Manoj Pandey, Joint Secretary, Ministry of Corporate Affairs for expeditiously resolving the technical issues, if any, regarding facilitating electronic delivery of processes and e-Summons.
- ii. To hold a meeting with Shri Gaurav Gupta, NIC regarding the creation of website for publicizing the work done on EoDB reforms especially on Enforcing Contracts parameter. The representatives from the High Courts may also be made part of the meeting.
- iii. To hold a meeting with members of the Sub-Committees on Pre-Institution Mediation and Settlement and eCourt Services.

3. Shri Surinder S Rathi, OSD cum Registrar to Chief Justice, Delhi High Court apprised the participants that Delhi Government has cleared the proposal for appointment of 42 Judicial Officers for establishment of more Dedicated Commercial Courts in Delhi. He further stated that the draft Commercial Court Rules being prepared by the Committee on Simplification of Rules and Forms relating to Pre-Institution Mediation and Settlement will be finalized by 20th February 2021.
4. The meeting concluded with vote of thanks by Shri G.R. Raghavender, Joint Secretary, Department of Justice.

Annexure

1. Shri G.R. Raghavender, Joint Secretary, National Mission, Department of Justice.
2. Shri Pravash Prashun Pandey, Joint Secretary, eCourts, Department of Justice.
3. Shri Surinder S Rathi, OSD cum Registrar to Chief Justice, Delhi High Court.
4. Shri T G Shivashankare Gowda, Registrar (Computers), High Court of Karnataka
5. Shri D P Surana, Registrar (Inspection), High Court of Bombay.
6. Shri Soumendra Nath Das, Registrar, Commercial Appellate Division, High Court of Calcutta.
7. Shri Atul Kurhekar, Member- Processes, e-Committee, Supreme Court of India.
8. Shri Ashish Shirdhankar, Senior Technical Director (Scientist 'F') and HOD eCourts, NIC.
9. Shri Narayan Prasad, Deputy Secretary, Department of Justice.
10. Shri Ravi Shankar Jha, Senior Investment Specialist, Invest India.