

File No. N - 17 / 145 / 2019 - NM (Part)
Government of India
Ministry of Law & Justice
(Department of Justice)

Jaisalmer House,
26-Mansingh Road,
New Delhi – 110011
Dated: 11th May, 2020

OFFICE MEMORANDUM

Subject: 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 08.05.2020 – Regarding.

Please find enclosed herewith Action Points of the Meeting held on 08.05.2020 in New Delhi to discuss the progress on the action required to be taken by the concerned Departments for improving India's ranking in World Bank Report on Doing Business for "Enforcing Contracts" indicator for your kind information, record and necessary action.

(C.K. Reejonia)
Director
Tel. No. 011-23072146

Encl: As above

1. The Registrar General, High Court of Delhi, New Delhi.
2. The Registrar General, High Court of Bombay, Mumbai
3. The Registrar General, High Court of Karnataka, Bengaluru
4. The Registrar General, High Court of Calcutta, Kolkata.
5. The Secretary (Law), Government of NCT of Delhi, New Delhi
6. The Prl. Secretary (Law), Government of Maharashtra, Mumbai.
7. The Principal Secretary (Law), Government of Karnataka, Bengaluru.
8. The Secretary (Law), Government of West Bengal, Calcutta.
9. Shri Surinder S. Rathi, Member (Processes), B Block, 8th floor, Additional Building Complex, Supreme Court of India, New Delhi – 110001.
10. Smt. Supriya Devasthali, Director, DPIIT
11. Shri Soumendra Nath Das, Registrar, Commercial Appellate Division, High Court of Calcutta
12. Shri S.B. Singh, DDG, NIC
13. Shri Abhilash Malhotra, Metropolitan Magistrate, Tis Hazari Courts

Copy to:

1. Shri Ravinder, Joint Secretary, DPIIT
2. PPS to Secretary (Justice)

3. PPS to Joint Secretary (National Mission), Department of Justice, Jaisalmer House, New Delhi
4. PPS to Joint Secretary (eCourts), Department of Justice, Jaisalmer House, New Delhi

ACTION POINTS OF THE MEETING HELD ON 08.05.2020 AT 4.30 P.M. IN DEPARTMENT OF JUSTICE TO DISCUSS PROGRESS ON VARIOUS ISSUES RELATING TO “EASE OF DOING BUSINESS” ON PARAMETER OF “ENFORCING CONTRACTS”.

A follow-up meeting was held on 08.05.2020 (Friday) at 4.30 P.M. through video conferencing, to discuss the progress on the reforms to be implemented in respect of “*Enforcing Contracts*” under “*Ease of Doing Business*”. A list of participants is attached as **Annexure**.

The following parameters along with the action points were discussed.

S.No	Parameters	Action Points
1.	<p>Establishment of dedicated Commercial Courts</p> <p>(Reforms of Case-management hearing will be accepted and increase score from 0 to 100 in time taken for trial and judgment)</p>	<p>Delhi: Registrar, Delhi High Court has informed that 21 are already fully functional and making the remaining 22nd commercial court functional will be possible only after the present lock-down is completely lifted.</p> <p>Mumbai: Registrar, Bombay High Court has informed that allocation of a separate building for commercial courts in Mumbai will be possible only after the present lock-down is completely lifted.</p> <p>Bengaluru: Registrar, High Court of Karnataka has informed that the copies correspondence with Government of Karnataka to set up 2 more additional dedicated commercial courts in Bengaluru Rural will be shared with DoJ on the same day.</p> <p>Kolkata:</p> <ul style="list-style-type: none"> • Registrar, High Court of Calcutta to send a copy of orders on the decision of reduction of pecuniary jurisdiction to Rs 3 lakhs for commercial courts in Kolkata by 14 May 2020. • High Court of Calcutta has informed that the establishment of 2 additional dedicated commercial courts in Kolkata city will be possible only after the present lock-down is completely lifted.
2.	<p>Implementation of random and automatic allocation of cases to Judges through Case Information System (CIS) 3.0 software but has to be fully implemented.</p>	<p>eCommittee, SCI & NIC:</p> <ul style="list-style-type: none"> • Member, eCommittee, SCI to share relevant excerpts of eCommittee decision taken on the proposal of DoJ on automatic allocation of cases. DoJ to communicate accordingly to High Courts.

	(To Claim 0.5 Point)	
3.	<p>The system of electronic filing of commercial cases (e-filing) in all commercial courts</p> <p>(To Claim 1 point)</p>	<p>Bengaluru:</p> <ul style="list-style-type: none"> Registrar, High Court of Karnataka has informed that the approval of the draft Practice Guidelines regarding e-filing as submitted to the Rules Committee will be possible only after the present lock-down is completely lifted. <p>Kolkata:</p> <ul style="list-style-type: none"> Registrar, High Court of Calcutta has informed that the approval of the draft Practice Guidelines regarding e-filing as submitted to the Rules Committee will be possible only after the present lock-down is completely lifted. <p>eCommittee, Supreme Court of India/NIC:</p> <ul style="list-style-type: none"> Member, eCommittee, SCI to indicate updated status on proposal of eFiling and the policy on Paperless Commercial Courts working environment by May 14th, 2020. It was agreed that once the above policy is approved by eCommittee, the High Courts of Delhi and Mumbai will nominate three Commercial Court Judges each as Members of Sub-Committee for creation of an executable Blueprint for paperless district commercial courts. Thereafter, the eCommittee and NIC to prepare an Action Plan on steps for e-filing and Paperless Court with roadmap and timelines. <p>DPIIT: An Article on virtual courtrooms by Justice Madan Lokur has been shared. Global Best Practices regarding e-filing remains pending from DPIIT. DPIIT to furnish the same by May 14th, 2020.</p>
4.	<p>Operationalization of electronic service of summons (by email / SMS alert).</p> <p>(To Claim 1 point)</p>	<p>Kolkata:</p> <ul style="list-style-type: none"> Registrar, High Court of Calcutta has informed that the approval of the draft Practice Guidelines regarding e-summons as submitted to the Rules Committee will be possible only after the present lock-down is completely lifted. <p>Bengaluru:</p> <ul style="list-style-type: none"> Registrar, High Court of Karnataka has informed that the approval of the draft Practice Guidelines

		<p>regarding e-summons as submitted to the Rules Committee will be possible only after the present lock-down is completely lifted.</p> <p>NIC:</p> <ul style="list-style-type: none"> Available Templates in CIS for generating SMS and eMail provided. NIC, Pune to indicate timeline by 14th May 2020 about generating templates on eSummons for commercial cases including auto-sending of emails through CIS Software. <p>DPIIT: Global Best Practices regarding e-summons remains pending from DPIIT. DPIIT to furnish the same by May 14th, 2020.</p>
5.	Pre-Institution Mediation and Settlement (PIMS) Cases	<p>High Courts of Delhi and Bombay:</p> <ul style="list-style-type: none"> High Court of Delhi shared a note on PIMS being made more user friendly and reduction / removal of mediation fee. High Court of Bombay to share the same. Thereafter, DoJ may take up this matter with DoLA. Registrar Generals, High Courts of Delhi and Bombay to send Feedback Forms from their respective State Legal Services Authority regarding fee charges for PIMS in commercial courts by 14th May, 2020. <p>Bengaluru & Kolkata:</p> <ul style="list-style-type: none"> Registrar Generals, High Courts of Karnataka & Calcutta to send by 14th May 2020 PIMS data as per 8 standard formats in excel sheet for the month of January to March 2020 including copies of PIMS settlement awards for this period. <p>eCommittee, Supreme Court of India/NIC:</p> <ul style="list-style-type: none"> The Sub-committee of eCommittee on paperless courts to consider reviewing the functioning of PIMS and feasibility introducing online PIMS.
6.	100% implementation of Case Management hearing / pre-trial conference under Order XV-A of the CPC, 1908 for all commercial cases.	<p>Kolkata:</p> <ul style="list-style-type: none"> To share Data as per 8 standard formats with CNR Numbers in excel sheets of cases listed for case management hearing in the months of January to March 2020 by 14th May 2020. <p>Bengaluru:</p> <ul style="list-style-type: none"> Data shared by High Court of Karnataka is

	(To Claim 1 point)	<p>incomplete. Registrar General, High Court of Karnataka to share Data as per 8 standard formats with CNR Numbers in excel sheets of cases listed for case management hearing during February and March 2020 by 14th May 2020.</p> <ul style="list-style-type: none"> Copies of Cause Lists/<i>Roznamas</i> for cases listed for Case Management Hearing to be shared by Kolkata and Bengaluru by 14th May 2020. <p>eCommittee, Supreme Court of India/NIC:</p> <ul style="list-style-type: none"> The Sub-committee of eCommittee on paperless courts to consider to review the functioning of Case Management hearing/pre-trial conference and feasibility of online Case Management hearing/pre-trial conference.
7.	<p>Disposal of cases to be brought within 800 days in Commercial Courts of Delhi, Mumbai, Kolkata and Bengaluru</p> <p>(Increase score from 0 to 100 in time taken for trial and judgment)</p>	<p>Kolkata and Bengaluru:</p> <ul style="list-style-type: none"> Data of contested commercial cases as per 8 standard formats in excel sheet with CNR Numbers /copies of judgments for January to March 2020 to be shared by 14th May 2020. Kolkata and Bengaluru to share the above data on the lines of Mumbai's Data for January to March 2020.
8.	<p>Training of Commercial lawyers/legal firms and judicial officers handling and dealing in the Commercial Courts dealing with commercial cases be prepared for directly communicating with them on the reforms undertaken and for organizing training workshops.</p>	<p>Delhi & Mumbai:</p> <ul style="list-style-type: none"> To share training calendar for judges and lawyers on Electronic Case Management Tools by 14th May 2020. <p>Kolkata and Bengaluru:</p> <ul style="list-style-type: none"> To share List of lawyers practicing in commercial matters before Bengaluru District Courts and Kolkata District Courts (name, emails and mobile numbers) by 14th May 2020. eCommittee, SCI to share updated status of preparation of National Master of practicing Lawyers by 14th May 2020. CII is hosting a webinar to discuss reforms under Enforcing Contracts Indicator in Delhi and Mumbai with lawyers and other stakeholders on 16th May, 2020 at 4:30 pm to 6:00 pm. RGs of Delhi and Mumbai, Member, eCommittee, Shri Abhilash

		Malhotra, Judicial Officer, Delhi and NIC member from Pune to attend the same.
9.	Publicity of reforms introduced in the Commercial Courts of Delhi, Mumbai, Kolkata and Bengaluru	Delhi and Kolkata: <ul style="list-style-type: none"> Registrar Generals, High Courts of Delhi and Calcutta to share action taken on displaying printed material at vantage points in Commercial Court Premises by 14th May 2020.

The Meeting ended with a vote of thanks to the chair.

Annexure

List of participants.

1. Shri G.R. Raghavender, Joint Secretary, Department of Justice.
2. Shri Surinder S. Rathi, Member (Processes), eCommittee, Supreme Court of India
3. Shri S.B.Singh, DDG, NIC
4. Smt. Supriya Devasthali, Director, DPIIT
5. Shri Reetesh Singh, OSD Registrar, High Court of Delhi.
6. Shri Abhilash Malhotra, Metropolitan Magistrate, Tis Hazari Courts
7. Shri D.P.Surana, Registrar (Inspection-I)-cum-nodal authority for Enforcing Contracts, High Court of Bombay, Fort, Mumbai
8. Shri Mahendra Chandwani, Principal Judge, City Civil and Sessions Court
9. Shri Bhushan M Amrute, Court Manager, City Civil and Sessions Court, Mumbai
10. Shri Soumendra Nath Das, Registrar (Commercial Courts Division), High Court of Calcutta
11. Shri T G Shivashankare Gowda, Registrar (Computers), High Court of Karnataka
12. Shri N.G. Dinesh, CPC, High Court of Karnataka
13. Shri Sunil Kumar Sharma, Additional Secretary Law, Justice and Legislative Affairs, GNCT, Delhi
14. Shri M.B. Malhotra, Deputy Secretary, Law, GNCT of Delhi.
15. Shri Arup Basu, JS, Government of West Bengal
16. Shri Amit Gupta, Sr. Legal Consultant, DPIIT
17. Shri Rituj Chopra, Consultant, National Mission for Justice Delivery and Legal Reforms