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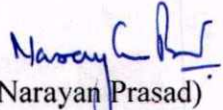
Government of India
Ministry of Law & Justice
Department of Justice

Jaisalmer House, 26 Mansingh Road,
New Delhi – 110011
Dated: 16.06.2021

Office Memorandum

Sub: Minutes of the Review Meeting held to monitor the reforms under taken for improving India's ranking in World Bank Report on Doing Business for parameter of "Enforcing Contracts" on 11.06.2021 at 4:30 P.M. – Regarding

Please find enclosed herewith Minutes of the Review Meeting held on 11.06.2021 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. It is requested that the action taken report on all the issues pertaining to you may be submitted to the under signed before the next meeting.


(Narayan Prasad)

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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 M. K. Mishra, 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.

Minutes of the Review Meeting held on 11.06.2021 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 **11.06.2021 (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 the Secretary, Department of Justice. The list of participants is attached as **Annexure**.
2. At the outset Joint Secretary (National Mission), Department of Justice, welcomed the participants. The actionable items were then discussed and following decisions were taken:

Action Points- All four High Courts

- i. To share monthly data (as prescribed in the Commercial Courts Act, 2015) in respect of Commercial Courts in Excel format in a timely manner.
- ii. 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.
- iii. To share regular monthly data on implementation of the maximum three adjournment rule and number of days between the final hearing and judgement in recommended excel sheet format.
- iv. To regularly upload details on the "Arbitration and Mediation Centres annexed with Commercial Courts" online portal on the DoJ website
- v. To share a status note regarding the process of digitization of case records/ case documents of Dedicated Commercial Courts and prioritize the Dedicated Commercial Courts in this process of digitization to set up paperless courts. E-Committee has already taken up formulation of Digitisation SOP.

Action Points- e-Committee/NIC

- i. To coordinate with HCs of Delhi, Bombay, Karnataka and Calcutta to confirm the proper working of integration of CIS Purpose Master for Case Management Hearing/PIMS for national database.
- ii. On the launch of digital/paperless courts on pilot basis in Bombay, Delhi, Karnataka and Madhya Pradesh High Courts, 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.

- iii. To expeditiously enable access to iOS version of JustIS App for Judicial Officers on the website after requisite audit clearances and confirm that the iOS version has become operational.
- iv. To develop an integrated dedicated website for all the Commercial Courts in the country.
- v. NIC to help Bombay High Court in developing dedicated interface for Commercial Courts. Karnataka, Calcutta and Delhi High Courts have completed this task.
- vi. To train one technical person from DoJ to capture data of Commercial Cases of the four High Courts by using open API. To confirm whether training has been successfully imparted.
- vii. To work out broad contours of an alternate to creating a checkbox system in CIS 3.2 software so that compliance of maximum three adjournment rule in at least 50% cases can be captured. Details to be shared by JS(GRR) with NIC and a meeting held within 10 days to finalise.
- viii. To share the Digital Preservation Standard Operating Procedure (SOP) version 1.0 with eCourts (DoJ) as finalized in the scheduled e-Committee meeting.
- ix. To examine the suggestion by Bombay HC for creating dropbox for the 22 types/categories of commercial cases with one blank box for cases falling under more than one categories for easy identification of cases.
- x. To share a note on NJDG feature of "Time to Disposition" in case of Commercial Courts so that the same may be forwarded by DoJ to DPIIT.

Action Points- Delhi High Court

- i. 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, which is under consideration of the HC. Delhi HC will soon update about the developments.
- ii. The blueprint and developments as shared by Delhi HC related to the digital paperless courts under Negotiable Instruments Act in Delhi to be shared with e-Committee (in coordination with e-Courts, DoJ) for launch of digital/paperless courts on pilot basis in Bombay, Delhi, Karnataka, Madhya Pradesh High Courts and Kolkata. ECourts Division, DoJ to share the data as given by Delhi regarding the cases filed, check bounce complaints e-filed as well as cases that have reached the stage of evidence with committee.
- iii. To operationalize the 42 new Commercial Courts with 42 additional Judicial Officers posts and support staff. Delhi HC may kindly provide update as and when recruitment process is taken up.
- iv. Registrar & OSD, Delhi High Court to confirm the schedule for presentation on the draft Commercial Court Rules, 2021 to Secretary, DoJ and Secretary, DoLA.

Action Points- Bombay High Court

- i. To take active steps like holding meetings with the Bar Council members, City Civil Judge Commercial Court, etc., particularly to motivate the lawyers and party in person to opt for e-filing. Bombay High Court to share the web link of the training sessions conducted in Maharashtra for further dissemination amongst other lawyers.
- ii. To take necessary steps to develop dedicated interface for Commercial Courts after the revamping of Bombay HC's website is completed. It was indicated that this task will be completed within June 2021.
- iii. On numerical adequacy of Dedicated Commercial Courts in Mumbai in light of increased pendency of commercial cases, it was indicated that there is likelihood of increase of 2 courts. Position to be updated in next meeting.
- iv. Identification and review of the reason(s) behind the handling of only two types of commercial cases (vis-à-vis 22 types) by Dedicated Commercial Courts has been undertaken by Mumbai. They suggested introducing a dropbox system for the 22 types of commercial cases, to be examined by E-Committee/NIC, with possibility of one blank box, which could cater for cases falling under more than one category.

Action Points- Calcutta High Court

- i. To expedite the completion of construction of the Commercial court building at 6 Church Lane, Kolkata. Calcutta HC to share all letters and reminders sent to the WB Government on the issue with DoJ. It was informed that there are building stability certification issues.
- 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. It was informed that the matter was under consideration of the High Court.
- iii. To set up e-Seva Kendra in Commercial Court complex after resolving of dispute regarding allocation of space. To share a status note on the land earmarked for establishment of eSeva Kendra at Alipore Court.
- iv. To share a status note regarding the process of digitization of case documents undertaken by Calcutta HC. The note may also highlight the systemic challenges that may be encountered in the process of digitization that may be shared with eCommittee for necessary action.
- v. CPC Calcutta HC to hold VC with NIC for guidance on operationalizing e-summons facility in Kolkata.
- vi. Calcutta HC has developed dedicated interface/portal for Commercial Courts.

- vii. To identify 2 Dedicated Commercial Courts in Calcutta for the implementation of pilot project of e-Summons to facilitate sending online summons through emails and SMS alert by obtaining database of companies registered with the Ministry of Corporate Affairs (MCA). A VC to be arranged by DOJ with technical experts of NIC and MCA with CPC, Calcutta High Court and his team next week.
- viii. Calcutta may implement the service of e-Summons expeditiously.
- ix. To review the reason behind no commercial cases going through the PIMS mechanism. DoJ will share other reports with Calcutta.
- x. To share minutes/numbers of meetings undertaken with members from the Bar for training them to improve the overall functioning of the Commercial Courts.
- xi. The State government has notified the amendment for implementation of e-payment of Court fees. To be commenced shortly with assistance of NIC.
- xii. To operationalize 2 new Dedicated Commercial Courts as nomination of officers for posts sanctioned has now been accomplished.

Action Points- Karnataka High Court

- i. To share the schedule for training of Judicial Officers and Lawyers expeditiously for the month of September and details of trainings/trainees trained.
- ii. To take active steps like holding meetings with members from the Bar and training them to improve the overall functioning of the Commercial Courts. To share the schedule for training of Judicial Officers and Lawyers expeditiously.
- iii. To extend hand of cooperation and share the good practices with Bombay High Court or any other Commercial Courts regarding developing dedicated interface for Commercial Courts.

Action Points- Invest India

- i. To forward all inputs received, till date, of suggestions received from the Sub-Committees on Time Standards and Delays, Pre Institution Mediation and Settlement and eCourt Services and follow up on the ones awaited.
- ii. To prepare an Executive Summary of all inputs received so that the same can be taken up for discussion with the members of the EoDB fortnightly review meeting for further action.

Action Points- eCourts

- i. To obtain from eCommittee the Digital Preservation Standard Operating Procedure(SOP) version 1.0 pertaining to digitization of court records.

- ii. To share the data received on the number of courts that have implemented and made functional the facility for ePayment of Court fees.
- iii. To share progress made on the establishment of eSeva Kendra's across the Country in the coming financial year.
- iv. The blueprint and developments as shared by Delhi HC related to the digital paperless courts under Negotiable Instruments Act in Delhi to be shared with Bombay, Delhi, Karnataka and Kolkata including the data regarding the cases filed, check bounce complaints e-filed as well as cases that have reached the stage of evidence.

Action Points- DoJ

- i. A presentation is to be prepared for the World Bank's Ease of Doing Report and circulated to all for updation/comments.
- ii. To circulate paper received from Karnataka on Case Management Hearing best practices with other three High Courts.
- iii. To hold meeting with Calcutta for the implementation of pilot project of e-Summons to facilitate sending online summons through emails and SMS alert by obtaining database of companies registered with the MCA.
- iv. To follow up to the letter written to Delhi HC seeking status of sub-committee constituted for reduction of time taken between trial and judgment in commercial cases.
- v. DoJ to share other HCs PIMS reports with Calcutta so that the reason behind no commercial cases going through the PIMS mechanism can be reviewed.
- vi. To hold a special meeting regarding ways to strengthen the Pre-Institution Mediation and Settlement mechanism in the Dedicated Commercial Courts. NALSA, A2J (DOJ), representatives from four HCs and Department of Legal Affairs (DoLA) and invite Member, E-Committee as well.
- vii. To update regarding the progress on creation of website for publicizing the reform measures undertaken for improving India's ranking in World Bank's Report on Doing Business for "Enforcing Contracts" indicator.
- viii. To form a dedicated team for preparation of a quarterly newsletter publicizing the reform measures undertaken for improving India's ranking in World Bank's Report on Doing Business for "Enforcing Contracts" indicator.
- ix. To consolidate all inputs received, till date, of suggestions received from the Lawyers' Sub-Committees on Time Standards and Delays, Pre Institution Mediation and Settlement and eCourt Services.
- x. To obtain a note from eCommittee on NJDG feature of "Time to Disposition" in case of Commercial Courts and forward the same to DPIIT.

- xi. To address letter on behalf of DoJ regarding status update/further course of action regarding pilot testing in Uttar Pradesh, Haryana and Maharashtra for linkage of land records and registration database with NJDG.

The meeting concluded with vote of thanks by Secretary, Department of Justice.

Annexure

1. Shri Barun Mitra, Secretary, Department of Justice.
2. Shri G.R. Raghavender, Joint Secretary, National Mission, Department of Justice.
3. Shri P.P. Pandey, Joint Secretary, eCourts, Department of Justice.
4. Shri Rohan Sinha, Registrar (Recruitment & Management), High Court of Calcutta.
5. Shri T G Shivashankare Gowda, Registrar (Computers), High Court of Karnataka.
6. Shri D.P. Surana, Registrar(Inspection), Bombay High Court.
7. Shri S.S. Rathi, OSD/Registrar, Delhi High Court.
8. Shri M. K. Mishra, DDG, NIC.
9. Shri Ashish J. Shiradhonkar, HOD e-Courts Project, NIC.
10. Shri Atul Kurhekar, Member, E-Committee
11. Shri Narayan Prasad, Deputy Secretary, Department of Justice.
12. Shri Ramesh Chand Ahuja, Under Secretary, Department of Justice.
13. Shri Ravi Shankar Jha & AkshayHariharan, Senior Investment Specialist, Invest India.