


**E-file No. 4298**  
Government of India  
Ministry of Law & Justice  
Department of Justice  
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Jaisalmer House, 26 Mansingh Road,  
New Delhi – 11, Dated: 21.10.2020

**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 16.10.2020 – Regarding.**

Please find enclosed herewith Action Points of the Meeting held on 16.10.2020 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.

  
(Prem Lata Kaushik)

Deputy Secretary

Tel-011 23072549

Email:pl.kaushik@nic.in

Encl: As above

To:

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. Shri Soumendra Nath Das, Registrar, Commercial Appellate Division, High Court of Calcutta
6. Shri Atul Kurhekar, Member, E-Committee
7. Shri P P Pandey, Joint Secretary(eCourts), Department of Justice
8. Shri S.B. Singh, DDG,NIC
9. Shri Ravi Jha, Invest India

Copy to:

1. PPS to Secretary(Justice), Department of Justice, Jaisalmer House, New Delhi
2. PPS to Joint Secretary (National Mission), Department of Justice, Jaisalmer House, New Delhi
3. NIC, DoJ for uploading on the website of the Department.

**Action points of the meeting held on 16.10.2020 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 16.10.2020 (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**.

2. At the outset Secretary (Justice) welcomed the participants. He informed about important developments that have taken place since the last meeting viz.

- Establishment of 22<sup>nd</sup> Commercial Court in Delhi High Court
- Creation of 42 additional posts of Delhi Higher Judicial Services (DHJS) in Super Time scale for Commercial Court Judges along with ancillary staff.
- Hon’ble Chief Justice, Karnataka High Court in his letter dated 01.10.20 has highlighted the steps taken in Karnataka for implementation of Commercial Courts Act 2015
- On 15.10.2020, online meeting was held in which besides DoJ, Department of Land Resources, eCommittee of Supreme Court and NIC had participated, including Shri Justice (Retd) R.C.Chavan, Vice Chairman, eCommittee. Following the meeting, the ongoing stalemate in linking property dispute with NJDG was sorted out and DoLR is to set up a Working Group to prepare the SoP and undertake the pilot projects in one or two States initially.

3. Secretary (Justice) also informed that soon the World Bank would be seeking data/information from DoJ and the Cabinet Secretary will also review the progress, and therefore requested that data relating to Commercial Courts should be sent timely.

4. The actionable items were then discussed and following decisions taken.

**Action Points- Karnataka High Court**

- i. To provide data in each category of the 22 type of commercial disputes.
- ii. To share details with Bombay HC and Sh.Atul Kurhekar, Member eCommittee of Supreme Court on the codification process done in CIS software to identify/segregate 22 type of commercial disputes.
- iii. To share the training schedule.
- iv. To share details of trainings already conducted and the number of participants in these trainings.
- v. To send the data on e filing of cases.
- vi. To share the status on Random and Automated allocation of cases

**Action Points- Calcutta High Court**

- i. To work on a dedicated website on Commercial Courts
- ii. To send the data on e filing of cases
- iii. To share the training schedule
- iv. To share details of trainings already conducted and the number of participants in these trainings.

### **Action Points- Delhi High Court**

- i. To provide data in each category of the 22 type of commercial disputes.
- ii. To furnish a Note for revisiting Section 19 of Commercial Courts Act 2015, as amended from time to time, to synergize it with Section 15 of the said Act.
- iii. To send the training schedule for 2020-21.

### **Bombay High Court**

- i. The reply received on handling of only 2 types of commercial cases (vis-à-vis 22 types) does not seem convincing, as no statistics have been provided. Bombay HC to have a relook in the matter and take up codification on the lines conducted by Karnataka and Delhi High Courts.
- ii. To indicate the trainings conducted by them and the number of participants in these trainings.
- iii. To work on a dedicated website on Commercial Courts
- iv. To send the data on e-filing of cases. The figures are extremely tardy and needs serious introspection.

### **eCommittee/NIC:**

- i. For Replication of MACT Module on PIMS in CIS Software, the eCommittee to revert back within a week.

### **Action Points- All 4 High Courts**

- i. All HCs to think of measures for reduction of litigation cost and send a note in this regard to DoJ.
- ii. To share a report on compliance w.r.t. PPT of DPIIT relating to Global Best Practices.
- iii. To send the data relating to Commercial Courts timely.

### **Action Points- DoJ**

- i. DoJ to write a letter to the RGs for setting up of Special Court for Specific Relief Act for Infrastructure disputes/Contracts, on the lines of letter written by the Hon'ble MLJ to Hon'ble CJs.
- ii. DoJ to take action for revisiting Section 19 of Commercial Courts Act 2015, as amended from time to time to synergize it with Section 15 of the Act. A Note in this regard will be sent by Delhi High Court for initiation of action.
- iii. To write to Secretary, DoLA about formation of a Committee that will recommend Simplification of Rules and if necessary formulate rules de novo, for Commercial Courts. Sh. S. S. Rathi, OSD cum Registrar agreed to join the Committee. The Committee will also recommend standardization of Forms which will get uploaded on the Portal.
- iv. To share the details of Resource Persons from Delhi Judicial Academy for imparting training on Commercial courts to Kolkata HC.
- v. Through open API, DoJ to explore culling out data of commercial courts of the 4 HCs.
- vi. To explore whether the data of Registrar of Companies can be accessed through Bharat API for getting addresses/emails of Companies, for eSummons.

- vii. To invite Sh. Kushwaha, eCommittee for the next EoDB review meeting, in connection with digital and paperless pilot projects in Delhi and Mumbai.
  - viii. To share the PPT sent by DPIIT on Global Best Practices with HCs/eCommittee.
  - ix. To hold a meeting with Invest India and Sh. Gaurav Gupta, NIC, for creation of a dashboard, about various reforms and linkage of DoJ website with EoDB website. A rough sketch to be prepared and shared with the four HCs, if need be.
  - x. Action Plan to be prepared w.r.t communication strategy viz updation of flyers, brochure etc.
  - xi. To share data of e-filing received from the four HCs with respective CJs.
6. The Meeting ended with a vote of thanks to the chair.

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List of Participants.

1. Shri Barun Mitra, Secretary, Department of Justice
2. Shri G.R. Raghavender, Joint Secretary, Department of Justice
3. Shri P P Pandey, Joint Secretary, Department of Justice
4. Ms Prem Lata Kaushik, Deputy Secretary, Department of Justice
5. Shri Surinder S Rathi, OSD cum Registrar to Chief Justice, Delhi High Court
6. Shri Soumendra Nath Das, Registrar (Commercial Courts Division), High Court of Calcutta
7. Shri Rakesh Singh, Delhi High Court.
8. Shri T G Shivashankare Gowda, Registrar (Computers), High Court of Karnataka.
9. Sh D P Surana, Registrar (Inspection), High Court of Bombay.
10. Sh. Akshay, Invest India.