

Sub: Minutes of the Review Meeting on Ease of Doing Business (through VC) held on 31.07.2020 under the Chairmanship of Secretary, Department of Justice

A review meeting was held under the Chairmanship of Secretary (J) on 31.07.2020 through Video Conferencing with the representatives from Delhi, Bombay, Calcutta and Karnataka High Courts, E-Committee, National informatics Centre. List of Participants at **Annexure**. Registrar, Karnataka High Court made a detailed presentation on reforms undertaken by the Karnataka High Court as attached. The details of presentation and decision taken during the meeting are as under:-

1.	<p>Submission of Data by dedicated Commercial Courts as per prescribed formats provided under the Commercial Courts (Statistical Data) Rules, 2020</p> <p>Achievement :All the statistical data is generated as per prescribed 8 templates every month in the prescribed templates and shared to EODB, Department of Justice.</p>
2.	<p>Issue of Notification for Setting up of 8 more Dedicated Commercial Courts (6 in Urban and 2 in Rural) in Bengaluru with specified value of Rs.3.00 Lakhs</p> <p>Achievement :State of Karnataka has adopted the pecuniary jurisdiction of Commercial Courts at Rs.3 Lakhs as provided under Sec.3(1A) of the Commercial Courts Act 2015.</p> <p>Government Order regarding Sanction of 6 more dedicated Commercial Courts for Urban and 1 more dedicated Commercial Court for Rural already shared.</p>
3.	<p>Finalization of MOU with BSNL for setting up of all Dedicated Commercial Courts in Bengaluru</p> <p>Achievement :State of Karnataka entered into MOU (Agreement) with BSNL on 03-07-2020 for a period of 9 years for establishing 10 Dedicated Commercial Courts in BSNL Building, Bengaluru.</p>
4.	<p>Completion of Civil Works in BSNL building for setting up all Dedicated Commercial Courts in Bengaluru</p> <p>Achievement :PWD has taken possession on 28-07-2020 and commenced Civil works.</p> <p>Decision: To complete all Civil works within one month and operationalize the dedicated Commercial Courts by 10thSeptember, 2020.</p>
5.	<p>To issue Practice directions to all dedicated commercial courts to follow the timelines provided in the amended CPC provisions of the Commercial Courts Act 2015 and complete the trial and judgement within 500 days</p> <p>Achievement :It is under consideration before the committee of Judges.</p> <p>Decision :E-Committee also requested to formulate Digital Practice directions on Case</p>

	Management tools for Commercial Courts.
6.	<p>Practice directions to all dedicated commercial courts within its jurisdiction to follow amended provisions of Section - 35 and Section-35A of CPC to refund attorney and court fee by unsuccessful party to the successful party in all commercial disputes.</p> <p>Achievement :It is implemented, after approval by the committee constituted for the purpose, separate notification to be issued.</p>
7.	<p>To implement automatic and random allocation of all commercial cases provided in the CIS 3.2 Software</p> <p>Achievement :164 Cases have been randomly allocated from February-June 2020 with the existing feature in CIS 3.2.</p> <p>Removal of checkbox decision is under the consideration before the Hon'ble Committee for Computers and Technology of Karnataka High Court. Once it is approved, Hon'ble eCommittee, Supreme Court will be requested for change in CIS for Dedicated Commercial Courts. Member,eCommittee of Supreme Court informed that he has already moved proposal for approval of its Chairman for a policy decision on removal of checkbox system in automatic and random allocation of cases in all commercial courts.</p>
8.	<p>Practice directions to all dedicated commercial courts to follow only 3 adjournment rule suggested under Order 17, Rule-1 of CPC for at least 50% of commercial cases dealt in the dedicated commercial courts</p> <p>Achievement :It is under consideration. Practice directions are being finalized and after approval will be notified by 31st August, 2020.</p>
9.	<p>To generate cause list for Pre-trial Conference/Case Management Hearing using CIS 3.2 software</p> <p>Achievement :Cause list is generated as per the stages provided in CIS.</p> <p>Decision : Delhi High Court has already placed CMH in the CIS software. The same template could be followed by Bengaluru. Delhi High Court agreed to share whether the change was made in coremodule for this purpose for further adaptation by the Karnataka.</p> <p>E-Committee to consider making available facility of automatic generation of Email/SMS alert to litigants/advocates in respect of CMH.</p>
10.	<p>To issue Practice directions to all Judicial Officers in all Dedicated Commercial Courts and their staff to use 8 Electronic Case Management Tools (eCMTs) provided in the eCourt Service portal for judges and JustIS App</p> <p>Achievement :JustIS App is implemented since December 2018. 874 Judicial Officers in</p>

	Karnataka State are using JustIS App. All Judicial Officers including Commercial Courts are trained in 8 ECMTs. Practice directions for all courts are being prepared and will be issued after approval.
11.	<p>To popularize the use of 7 Electronic Case Management Tools(eCMTs) provided in the eCourt Service portal and eCourt Service mobile app for lawyers in collaboration with Bar Council</p> <p>Achievement :Department of Industry and Commerce, Government of Karnataka is undertaking the publicity of eCourt Services for Commercial Courts.High Court is organizing webinars also. On 25/07/2020, 678 advocates were trained.</p>
12.	<p>To operationalise the Efiling facilities in all dedicated Commercial Courts</p> <p>Achievement :E-filing is integrated with CIS and made operational. 70 case have been efiled in Commercial Court, Billary since 25th January, 2020. 18 users have registered in City Civil Court, Bengaluru since 21st July, 2020.</p>
13.	<p>To issue practice directions on e-filing all dedicated commercial courts</p> <p>Achievement :Draft Rules for Online Electronic Filing (e-fling) prepared by the Committee constituted for the purpose but will be implemented after approval from Committee for Computers and Technology and also before the Hon'ble Rules Committee.</p>
14.	<p>To make the e-filing facilities operational by organizing live training sessions for lawyers on how to use e-filing facilities in all dedicated commercial court complexes</p> <p>Achievement :e-filing facility is made operational at City Civil Court, Bengaluru w.e.f. 21-07-2020.eSevakendra is opened at City Civil Court Complex, Bengaluru to facilitate the advocates for e-filing,21 Advocates practicing in Commercial Courts have been trained.</p>
15.	<p>To operationalise the e-Summons facilities in all dedicated Commercial courts.</p> <p>Achievement :It is under discussion. A Committee of 10 Judges has been constituted to frame the Rules. After approval of the same, practice directions will be issued for all Courts.</p>
16.	<p>To issue practice directions on implementation of e-summons by electronic e-mail and sms alert to all dedicated commercial courts</p> <p>Achievement :Draft Rules have been prepared and placed before the Committee.</p> <p>Decision: Registrar, Delhi High Court(MrReetesh Singh) Registrar-Computers, Karnataka High Court(Shri S.Gowda) to prepare a note on how to facilitate the obtaining of emails/ mobile telephone numbers of parties involved in commercial dispute to implement esummons.</p>
17.	<p>To provide mandatory column in the e-filing facility so that lawyers mandatorily fill up email id and mobile number of both the plaintiff and defendant.</p> <p>Achievement :Email ID and Mobile Number is made mandatory in the e-filing Portal in High Court and well as in the District Courts</p>

18. **To finalise training calendar separately for judges, commercial court staff and lawyers**

Achievement :180 Commercial Court Judges were trained on 14th to 15th March, 2020. Five training Sessions conducted for 678 Advocates between 29th May, 2020 to 28th July, 2020. Karnataka High Court to provide list of Advocates in Karnataka State doing Commercial litigation.

Key Decisions:

- i). E-Committee requested to formulate Digital Practice Directions on Electronic Case Management Tools.
- ii). One Digital Paperless Court each in Calcutta and Bombay could start as Pilot Project with approval of E-Committee.
- iii). E-Committee requested to take a policy decision on removal of check box to remove human intervention in random allocation of Commercial cases amongst Judges.
- iv). Invest India to disseminate the information on E-Filing training for Advocates and have Master Trainers Advocates.
- v). Karnataka/Bombay/Calcutta High Courts to share the schedule of Training Programme for Judges, Court Staff and Advocates.
- vi) Kolkata High Court to make a presentation on status of work done in implementation of Enforcing Contracts reforms in Dedicated Commercial Courts on 7th August 2020.