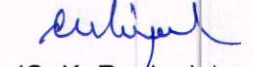


OFFICE MEMORANDUM

Subject: **Minutes of Tenth Meeting of the Task Force for improving India's ranking in World Bank Report on the parameter of Doing Business "Enforcing Contract" at 03.30 P.M. on 21st August, 2019 - Regarding**

The Tenth Meeting of the Task Force constituted for improving India's ranking in World Bank Report on Doing Business, in respect of the parameter of "Enforcing Contracts" was held on 21st August, 2019 at Jaisalmer House, 26-Mansingh Road, New Delhi. The minutes of the meeting are circulated to all members of the Task Force and to the officers who attended the meeting, for kind information and necessary action by all concerned.

It is requested that necessary action may please be taken by all concerned for implementing the decisions of the Task Force as per the minutes and submit an Action Taken Report in the matter.



(C. K. Reejonia)
Director

Tele/Fax: 011-23072146.

Encl: As above

- 1 Shri Shailendra Singh, Additional Secretary, Department for Promotion of Industry and Internal Trade, Udyog Bhawan, New Delhi.
2. Shri K.Biswal, Additional Secretary, Legislative Department, Ministry of Law and Justice, Shastri Bhawan, New Delhi.
3. Shri Ravinder, Joint Secretary, Department for Promotion of Industry and Internal Trade, Udyog Bhawan, New Delhi.
4. Dr. Rajiv Mani, Joint Secretary, Department of Legal Affairs, Ministry of Law and Justice, room No. 411-B(A), Shastri Bhawan, New Delhi.
5. Shri Sadanand Vasant Date, Joint Secretary, Department of Justice, New Delhi.
6. Registrar General, Bombay High Court, Mumbai.
7. Registrar General, Delhi High Court, New Delhi.
8. Shri Girish Kathpalia, District Judge (HQ), Tis Hazari Court, Delhi.
9. Shri Yashwant Anand Goswami, Member (Project Management), A-313, 3rd Floor, Lok nayak Bhawan, Khan Market, New Delhi- 110003 (Fax No. 24632074) (Tel No. 24632071-72).
10. Secretary (Law), Government of NCT of Delhi, New Delhi.
11. Secretary (Law), Government of Maharashtra, Mumbai.
12. Smt. Supriya S. Devasthali, Director, Department of Promotion of Industry and Internal Trade.
13. Shri R. S. Pavaskar, CPC-Bombay High Court.
14. Shri Sidharth Mathur, Joint Registrar (Rules) and CPC Delhi High Court.
15. Shri Abhilash Malhotra, Metropolitan Magistrate, / Central / Delhi District Court.
16. Ms. M.A. Savant, Deputy Secretary, Government Maharashtra.

Copy for kind information and necessary action please:-

- 1 Secretary, Department of Legal Affairs, Ministry of Law and Justice, Shastri Bhawan, New Delhi.
- 2 Secretary, Legislative Department, Ministry of Law and Justice, Shastri Bhawan, New Delhi.

Copy to:-

- 1 PPS to Secretary (Justice).
- 2 PS to Joint Secretary (GRR)

Minutes of Tenth Meeting of Task Force for Improving India's Ranking in World Bank Doing Business Report for "Enforcing Contracts" Indicator.

The Tenth Meeting of the Task Force for Improving India's Ranking in World Bank Doing Business Report for "Enforcing Contracts" Indicator was held under the Chairmanship of Secretary (Justice) on 21st August, 2019 at 03.30 P.M. in Department of Justice, Jaisalmer House, New Delhi. Following officers participated in the meeting.

1. Dr. Alok Srivastava, Secretary (Justice) – Chairman.
2. Shri K. Biswal, Additional Secretary, Legislative Department.
3. Shri G. R. Raghavender, Joint Secretary (National Mission) Department of Justice.
4. Shri Sadanant Date, Joint Secretary (eCourts), Department of Justice.
5. Shri Rajiv Mani, Joint Secretary, Department of Legal Affairs.
6. Smt. Supriya S. Devasthali, Director, Department of Promotion of Industry and Internal Trade.
7. Shri Giridhar G. Pai, Director, Department of Justice
8. Shri Sidharth Mathur, Joint Registrar (Rules) and CPC Delhi High Court.
9. Shri Abhilash Malhotra, Metrolopolitan Magistrate, / Central / Delhi District Court.
10. Shri R. S. Pavaskar, CPC-Bombay High Court.
11. Ms. M.A. Savant, Deputy Secretary, Government Maharashtra.

No representative from Delhi Government participated in the meeting.

At the outset Chairman welcomed all the participants and asked the Joint Secretary (National Mission) to start the proceedings.

1. Status of Operationalisation of Commercial Courts in Delhi and Mumbai.

1.1 Delhi: CPC Delhi informed that he would check and convey the status of operationalisation of 22 Courts exclusively for Commercial Cases in Delhi. After discussion, it was decided that the Commercial Courts may be operationalised latest by 31st October, 2019.

1.2 Mumbai: Representative from Maharashtra Government intimated that the proposal for establishment of Commercial Courts in Mumbai has already been approved by their Integrated Finance Division. The same is likely to be placed before the Cabinet shortly.

2. Details of cases dealt with by the designated Commercial Courts / Pre-institution mediation and settlement of commercial disputes / Case Management Hearing

It was decided that the information sought by Department of Justice circulated *vide* letter dated 08.08.2019, containing 8 excel sheets relating to data on various parameters of Enforcing Contracts, shall be compiled, month-wise with effect from April, 2019 onwards, by each Commercial Court and uploaded on the website of the respective District Court. The data shall also be made available to Department of Justice in soft copy.

In addition, *vide* OM dated 15.07.2019 and reminder dated 08.08.2019, Department of Legal Affairs was requested to incorporate these formats designed for furnishing data of commercial cases by amending the Commercial Courts (Statistical Data) Rules, 2018. It was decided that DoLA may examine the same.

3. Status of e-filing of cases

3.1 Delhi: Representatives of Delhi High Court and District Court Delhi informed that e-filing of arbitration cases has started. However, certain issues with regard to facilitation of e-filing have been taken up with the eCommittee. One of the issues is provision of scanners to implement e-filing in all Commercial Courts of Delhi. In this regard, it was decided that a meeting may be convened by Joint Secretary (eCourts) involving representatives of eCommittee, Delhi-CPC, Delhi District Courts for resolving issues relating to hardware procurement for implementation of e-filing in all Commercial Courts in Delhi.

3.2 Mumbai: Representative of Bombay High Court stated that 55 cases have been filed in the High Court on the original side. However, no case has been e-filed in the City Civil Courts. It was decided that a help desk with scanners to facilitate e-filing may be set up in the City Civil Courts to handhold advocates and facilitate e-filing of cases.

4. ePayment of Court Fees

4.1 Delhi: Delhi High Court has signed an MoU with the State Bank of India to enable e-payment of court fee. e-payment of court fee and other charges is operational in Delhi District Courts. e-payment can also be made in virtual courts.

4.2 Mumbai: It was intimated that the facility is available in the City Civil Court, Mumbai and other District and Taluka Courts of Maharashtra.

5. NSTEP

5.1 Delhi: Delhi Government has approved the proposal for providing Mobile phones for process servers. However, certain issues with regard to specification and related cost of the Mobile phones are pending with Delhi Government.

5.2 Mumbai: Representative of Maharashtra Government mentioned that Order sanctioning funds of Rs.4,97,476/- to meet financial implication of the recurring expenses for monthly rental of 4G internet to be provided to 2,162 bailiffs for implementation of NSTEP, has been issued today i.e. 21.08.2019.

6. Pre-Institution Mediation

6.1 Delhi: It was mentioned process of settlement of cases through Pre-Institution Mediation could not become much popular possibly because of high mediation fee. It was discussed that the Delhi High Court may list out issues that impede the settlement of cases in pre-institution mediation and send the same to Department of Justice. Thereafter, consultation may be held with the stakeholders for arriving at possible solutions. Also, it was decided that Delhi High Court and Bombay High Court may take steps to ensure that sufficient number of trained mediators are available to facilitate settlement of cases through pre-institution mediation.

The meeting concluded with a thanks to the chair.
