



ZERO PENDENCY COURTS PROJECT BY THE DELHI HIGH COURT

SUMMARY OF FINDINGS

MAY 2019



OBJECTIVES OF THE PROJECT



To study the actual, real-time 'Flow of Cases' from the date of institution till final disposal.



To identify the variables responsible for delays in disposal of cases.



To assess realistic time lines needed for the final disposal of newly instituted cases relating to different jurisdictions.



To stipulate norms designating the acceptable or tolerable time schedules for disposal of different types of cases.



To assess the realistic time lines required for various stages of the 'flow of cases' in different jurisdictions.



To appreciate the variables involved in filing and institution patterns and mapping the nature of litigation in different jurisdictions in different District Courts.

BRIEF BACKGROUND

- The project started in January 2017 in subordinate courts in Delhi.
- 11 pilot courts with no backlog or arrears were chosen
- Each of the 11 pilot courts were compared with a reference court handling similar types of cases and within the same jurisdiction.
- Pilot courts were closely monitored by the High Court
- Courts were expected to record the number of minutes spent per hearing and the reasons for adjournments

DAKSH's ROLE



DAKSH HAS BEEN ASSOCIATED WITH THE PROJECT SINCE APRIL 2017



TO EASE THE DATA COLLECTION PROCESS, DAKSH DEVELOPED AN ONLINE TOOL, "COURT LOG"



THE APP HELPED IN RECORDING TIME SPENT PER HEARING, REASONS FOR ADJOURNMENTS AND VARIOUS OUTCOMES OF A HEARING THROUGH A DROP DOWN LIST.



DASHBOARDS WERE SET UP FOR EACH OF THE COURTS FOR QUICK ANALYSIS AND CONTAINED A SUMMARY OF THE WORK DONE BY THE JUDGES ON THE PREVIOUS DAY.



DATA WAS ENTERED BY THE COURT STAFF ON A DAILY BASIS. COURT STAFF WERE TRAINED BY THE DAKSH REPRESENTATIVES.



DAKSH ASSISTED THE DELHI HIGH COURT DRAFT THE FINAL REPORT WHICH WAS RELEASED ON 3 MAY 2019.

KEY FINDINGS

Analysing flow of cases in courts



Since pilot courts had a fewer number of cases on their docket they could spend more time per hearing when compared to the reference courts.



Amongst civil cases, Misc. Cases/Purpose stage occupied the highest percentage of hearings in both the pilot and the reference courts. This stage is an omnibus classification that include written statements, issuing of notice/summons, filing of replication etc.



Amongst criminal cases Prosecution Evidence stage occupied the highest percentage of hearings in the pilot and the reference courts indicating that Prosecution Evidence stage forms the crux of criminal proceedings.



In terms of minutes, the trend was similar as pilot courts handling civil cases spent more amount of time per hearing on the final order/judgments stage.



In terms of time, most of the pilot courts with criminal cases spent more amount of time per hearing on the final arguments and the final order/judgments stage. Courts need to research on case laws and dictate judgment which takes a considerable amount of time.

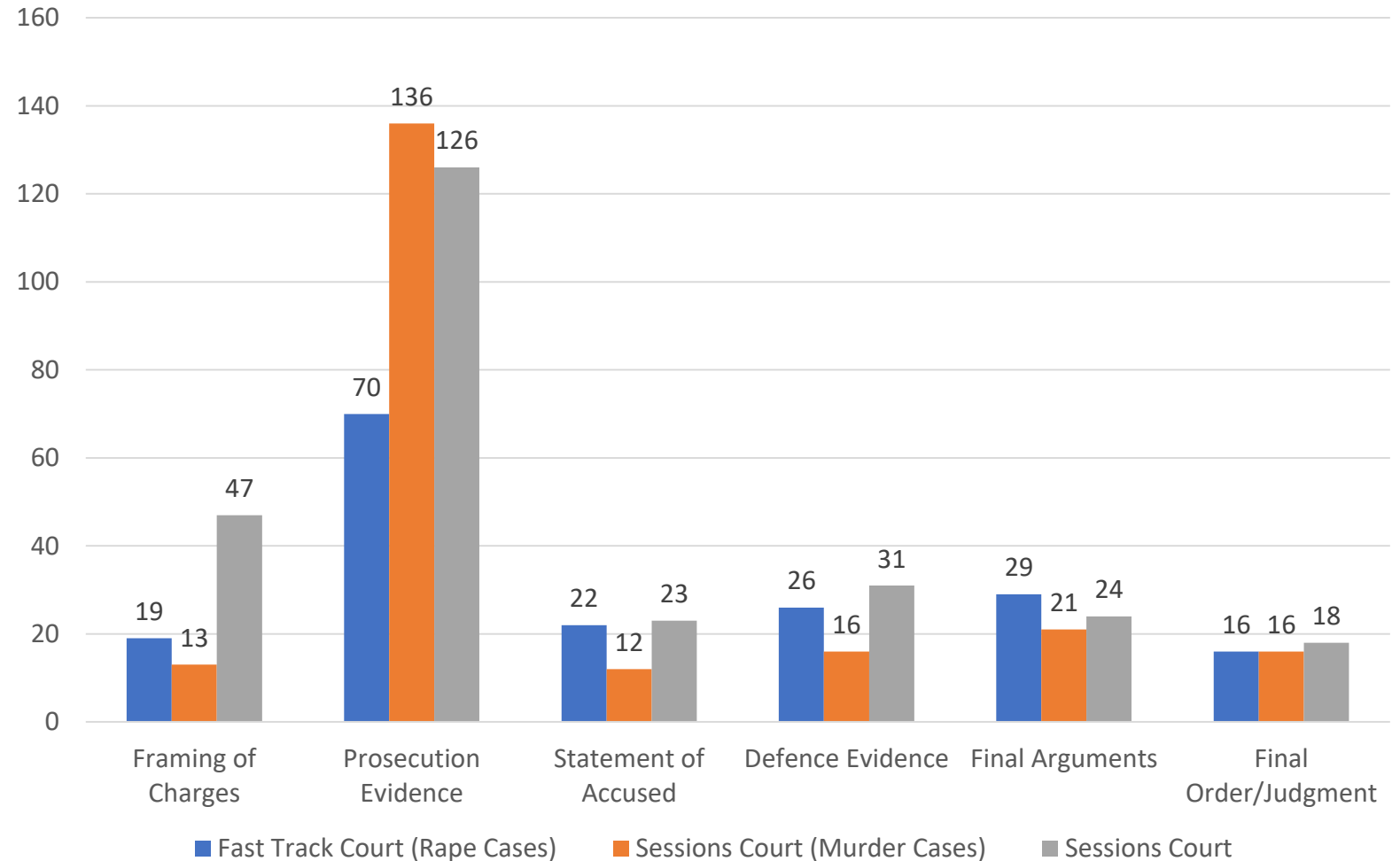
Ideal time taken to dispose cases

The table indicates the effort required by pilot courts to dispose different types of cases. The data can be used to create ideal time lines for disposal of cases and can form the basis for defining backlogs.

Category for Pilot Courts	Case Types	Average days taken to dispose	Average Minutes taken to dispose
Sessions Courts	Sessions Cases	147	527
Sessions Courts (Murder Cases)	Sessions Cases	197	963
Fast Track Court (Rape Cases)	Sessions Cases	90	265
District Courts	Civil Suits	149	129
Labour Court	Labour/Industrial Tribunal Reference Cases	122	141
Motor Accidents Claims Court	Motor Accidents Claims Cases	50	86
Rent Controller Court	Rent Control Cases	77	123

Average days for different criminal stages

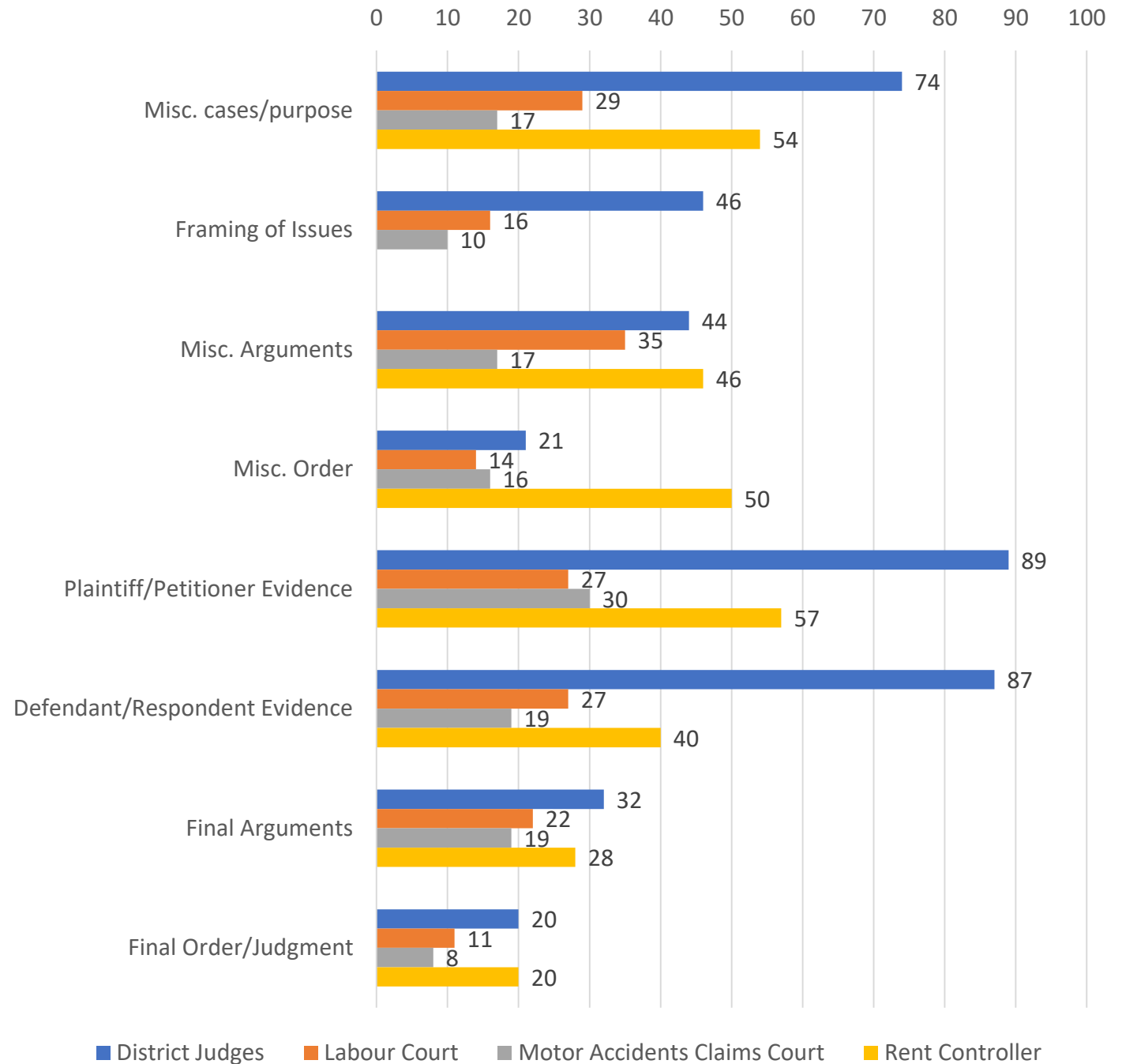
Average days to complete stages in pilot courts handling criminal cases



The chart shows the average days taken to complete different stages in pilot courts. Courts tend to take the most amount of days to complete the Prosecution Evidence stage.

Average days for different civil stages

The chart shows the average days taken to complete different stages in pilot courts. Courts tend to spend the most amount of days on the evidence stages and misc. cases/purpose stage.



Causes for Delay

Absence of witnesses was identified as the most common reason for adjournments. As per court log data 8% of hearings in sessions courts and motor accidents claims courts were adjourned due to absence of witnesses.

Adjournments sought by counsels/parties at different stages was also a major reason for delay. 13% of hearings in district courts were adjourned due to either the absence of the counsels/parties or extra time sought by them.

Delay in service summons to the parties or witnesses further tend to delay the day to day proceedings of the court.

Summoning outstation parties was also identified as a major reason for delay in the pilot courts.

Ideal judge strength for Delhi

Category	Ideal judge strength to clear all the pending cases in one year	Number of current judges	Number of pending cases as of 9 April 2019 across Delhi
Sessions Courts	82	60	32,378
Fast Track Courts	5	6	1,610
District Courts	62	49	7,1962
Labour Courts	26	11	12,308
Motor Accidents Claims Courts	7	12	13,340
Rent Controller Courts	4	5	5,214

With the help of the “Time-Based Weighted Case Load” method and the duration of time spent by the pilot judges on different cases, the ideal number of judges required to dispose all the pending cases in Delhi has been calculated.

Way Forward



- The data can be used to assess the time lines for various stages in a case.
- Benchmarks can be created for disposing different types of cases.
- Data can be used to come up with a concrete definition of backlog or delay.
- The effort taken to dispose a case can be incorporated in the units system which is used to assess the performance of subordinate court judges.
- An ideal judge strength required can also be calculated.



THANK YOU