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.
• 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 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 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.

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.

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.
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.

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

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

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 timelines 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