

OFFICE MEMORANDUM

Subject: 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 13.03.2020 – Regarding.

Please find enclosed herewith Action Points of the Meeting held on 13.03.2020 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.

(Ashok Kumar)
Deputy Secretary
Tel. No. 011-23072136

Encl: As above

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. The Secretary (Law), Government of NCT of Delhi, New Delhi
6. The Prl. Secretary (Law), Government of Maharashtra, Mumbai.
7. The Principal Secretary (Law), Government of Karnataka, Bangluru.
8. The Secretary (Law), Government of West Bengal, Calcutta.
9. Shri Surinder S. Rathi, Member (Processes), B Block, 8th floor, Additional Building Complex, Supreme Court of India, New Delhi – 110001.
10. Shri Ravinder, Joint Secretary, DPIIT
11. Shri Soumendra Nath Das, Registrar, Commercial Appellate Division, High Court of Calcutta
12. Shri S.B.Singh, DDG, NIC

Copy to:

1. Ms. Supriya Devasthali, Director, DPIIT
2. PPS to Secretary (Justice)
3. PPS to Joint Secretary (National Mission), Department of Justice, Jaisalmer House, New Delhi

ACTION POINTS OF THE MEETING HELD ON 13.03.2020 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 13.03.2020 (Friday) at 4.30 P.M. in the Conference Hall of the Department of Justice, to discuss the progress on the reforms to be implemented in respect of “*Enforcing Contracts*” under “*Ease of Doing Business*” under the Chairmanship of Shri Barun Mitra, Secretary, Department of Justice. A list of participants is attached as **Annexure**.

The following parameters along with the action points were discussed by the Secretary, Department of Justice with the High Courts of Delhi and Bombay and Governments of NCT of Delhi and Maharashtra for submission of Reforms Update in the Doing Business Report 2021:

S.No	Agenda	Shortcomings	Action to be taken by Agency
1.	Establishment of Dedicated Commercial Courts in Delhi and Mumbai	Lack of sufficient supporting documents / data that the 22 Commercial Courts in Delhi and 4 Commercial Courts in Mumbai are exclusively dealing with commercial cases.	Delhi and Mumbai: It is requested that supporting documents/data are shared to confirm that the 22 courts in Delhi and 4 courts in Mumbai are dedicated commercial courts exclusively dealing with commercial cases .
2.	Case-Management Hearing (Claiming 1 point)	Case management hearing for commercial cases is implemented only in some cases even though it is mandated as per Order XVA, CPC.	Delhi and Mumbai: It is requested that consolidated details of cases as per 8 standard formats with CNR Number is shared for the month of January and February, 2020
3.	Random and Automatic Allocation (Claiming 0.5 Point)	Before Randomly allocating cases to different judges a checkbox need to be clicked which was not accepted to World Bank.	NIC- It is requested to enable automatic allocation of cases with no human intervention through CIS Software. Delhi and Mumbai: It is requested that consolidated details of cases randomly and automatically allocated as per 8

			standard formats with CNR Number is shared for the month of January and February, 2020
4.	Use of Electronic Case Management Tools (Claiming 2 points)	All ECMTs are not available on one place. Some features are not available in APP while available in portal.	eCommittee, Supreme Court of India/NIC It is requested that all the features of electronic case management system are integrated in one system for Judges and one system for Lawyers.
5.	Time taken for disposal of cases within 800 days in Commercial Courts of Delhi and Mumbai (Increasing our score which is currently 0 out of 100)	The Doing Business team collects information through readings of the law and consultations with local legal experts who routinely practice before the Delhi and Mumbai Commercial District Courts.	Delhi and Mumbai: It is requested that a list of lawyers practicing before Delhi District Courts and Bombay City Civil Courts (name, emails and mobile numbers) is shared as they can be forwarded to World Bank for the purpose of collecting information from local legal experts practicing before the competent courts. It is further requested that orders/letters issued with regard to reduction of trial and judgment time and documents supporting its implementation are shared.
6.	Electronic filing (Claiming 1 point)	The system of electronic filing of commercial cases (e-filing) should be implemented in all commercial courts in Delhi & Mumbai	Delhi is requested to share FORMS required for e filing so that they can be uploaded on CIS with the NIC/e-committee Mumbai is requested to take necessary steps to get electronic filing implemented throughout Mumbai and share the action taken and details of cases electronically filed as per 8 standard formats with CNR

			numbers. eCommittee, Supreme Court of India and NIC: It is requested that forms submitted in Court e made available in the e-filing Software.
7.	Electronic Service of Processes (Claiming 1 point)	The functionality of electronic service of summons (e-summons by email/SMS alert) is ready but is not yet operational. The implementation of the same has to be expedited.	Delhi and Mumbai: It is requested to implement the rules already notified and share the case details as per the 8 standard formats with CNR numbers.

The Meeting ended with a vote of thanks to the chair.

List of participants.

1. Shri Barun Mitra, Secretary, Department of Justice
2. Shri G.R. Raghavender, Joint Secretary, Department of Justice.
3. Shri Ravinder, Joint Secretary, DPIIT
4. Smt Aparna Swami, Joint Registrar (Judicial) (Rules), High Court of Delhi
5. Shri Sunil Kumar Sharma, Additional Secretary (Law), GNCTD.
6. Shri Abhilash Malhotra, Metropolitan Magistrate, Tis Hazari Courts, Delhi.
7. Shri S.B.Singh, DDG, NIC
8. Shri Ashok Kumar, Deputy Secretary, Department of Justice.
9. Shri Rituj Chopra, Consultant, National Mission for Justice Delivery and Legal Reforms

Present through Video Conferencing

1. Shri R.S. Pavaskar, Central Project Coordinator, High Court of Bombay, Mumbai
2. Shri D.P.Surana, Registrar (Inspection-I)-cum-nodal authority for Enforcing Contracts, High Court of Bombay, Fort, Mumbai
3. Shri U.B. Shukla, Legal Adviser-cum-Joint Secretary, Law and Judiciary Department, Mantralaya, Mumbai