

## Enforcing Contracts

1. **Description of Reform:** Assignment of New Cases to Judges randomly through an automated system.

A new Case Management System v3.0.1 has been launched in District Courts and High Courts of Delhi and Mumbai. The software enables configuration of courts and case types and facilitates random allocation of cases. As the process would be automated the prediction of assigning cases to a particular judge would be impossible.

**Impact:** On the Cost Structure and Proceedings Index, a score of 1 should be assigned to the question "Whether cases are assigned randomly and automatically to judges throughout the competent court?" as the assignment of cases is random and automated.

**Date of Entry into Force:** April 2018

**Legal Basis:**

2. **Description of Reform:** Electronic case filing has been introduced in District Courts of Delhi & Mumbai.

Through the software the cases/complaints can be filed electronically. A hard copy is no longer required to be filed along with the electronic version. No manual intervention or physical follow up is required post filing of the case.

**Impact:** A score of 1 should be assigned to the question "Whether the initial complaint can be filed electronically through a dedicated platform (not e-mail or fax) within the competent court?"

**Date of Entry into Force:** December 2017

**Legal Basis:**

3. **Description of Reform:** An application is developed for process servers to electronically register proof of service along with the GPS location and image of recipient.

The application has enabled

- Generation of summons the moment the court orders to issue summons/notice
- Generation of Unique ID's and QR code
- Geo tagging of the summons
- Capture Photo/Signature of the party

The application has made it possible to carry out service of process electronically for claims filed before the courts.

**Impact:** A score of 1 should be assigned to the question "Whether the initial complaint can be served on the defendant electronically, through a dedicated system or by e-mail, fax or SMS (short message service), for cases filed before the competent court?"

**Date of Entry into Force:** April 2018

**Legal Basis:**

4. **Description of Reform:** Last year the Doing Business Team had acknowledged the presence of the following case management tools for judges i.e. (i) to send notifications to lawyers and (ii) view court orders or judgements in a particular case. It is highlighted that, in addition to above tools, case management tools provided to judges of the lower courts in Mumbai and Delhi include the following:
- (iii) to automatically generate hearing schedule for all cases on their docket;
  - (iv) To semi-automatically generate court orders
  - (v) To track status of cases on their docket;
  - (vi) To view court orders and judgments in a particular case
  - (vii) access to case law online, is facilitated for the judges

The Doing Business team may interact with judges for a better understanding of the IT case management tools provided to judges at the district courts for feedback on the same.

As the methodologies requirements of least 4 of 8 proposed case management tools should be available for judges is met, a score of 1 should be given on the case management index against the question pertaining to case management tools.

**Impact:** A score of 1 should be assigned to the question ""Are there any electronic case management tools in place within the competent court for use by Judges?"

**Date of Entry into Force:** April 2018

**Legal Basis:**

5. **Description of Reform:** Last year the Doing Business team acknowledged the presence of (i) to receive notifications and (ii) to view court orders and decisions in a particular case.
- In addition, the dedicated section on electronic case management tools for lawyers have been created on the district court websites to:
- (i) access forms to be submitted to the court;
  - (ii) to track the status of a case;
  - (iv) view & manage case documents

- (v) file briefs & documents with the court
- (vi) access court orders & decision of a given case
- (vii) access laws, regulations & case laws;

In Delhi, these are provided on <http://ecourts.gov.in/newdelhi>

In Mumbai, these are provided on <http://ecourts.gov.in/mumbai/citycivil>

According to the methodology, a score of 1 is assigned whenever lawyers can use an electronic case management system for at least four of the following purposes: (i) to access laws, regulations and case law; (ii) to access forms to be submitted to the court; (iii) to receive notifications (for example, e-mails); (iv) to track the status of a case; (v) to view and manage case documents (briefs, motions); (vi) to file briefs and documents with the court; and (vii) to view court orders and decisions in a particular case. In this case all seven facilities are available on the above websites.

**Impact:** The assessment on the question "Are there any electronic case management tools in place within the competent court for use by lawyers" should be changed from No to Yes and a score of 1 should be assigned

**Date of Entry into Force:** April 2018

**Legal Basis:**

## **Mumbai**

1. **Description of Reform:** Commercial courts relevant to the case study assumptions are now addressed by 9 designated commercial courts in Mumbai. As on March 15, 2018, a total of 10,662 commercial cases of various pecuniary value are under trial in the designated commercial courts created at the Mumbai City Civil & Sessions Courts. The Mumbai City Civil & Sessions Courts have a pecuniary jurisdiction which covers all matters up to a maximum of INR 1 Crore (i.e. INR 10 million.)  
The creation of dedicated courts for adjudication of Commercial Disputes in Mumbai City Civil & Sessions Courts is expected to reduce the number of days in disposal of cases of commercial nature.

**Impact:** Reduction in Time

**Date of Entry into Force:**

**Legal Basis:**