

Data speak

A look at the District
Courts' performance
during the pandemic

November 2022

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better laws.**

About the Authors

Shreya Tripathy is a Senior Resident Fellow and Atishya Kumar is a Research Fellow at Vidhi Centre for Legal Policy working as part of the Justice, Access, and Lowering Delays in India (JALDI) Initiative. Aditya Ranjan was a Research Fellow and Reshma Sekhar was a Senior Resident Fellow with the JALDI Initiative.

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Contact us at jaldi@vidhilegalpolicy.in.

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Shreya Tripathy
Atishya Kumar
Aditya Ranjan
Reshma Sekhar

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Part 1

Main Report

Introduction, methodology and description of the analysis undertaken in the Zonal Reports to understand the performance of the District judiciary during the COVID-19 pandemic.

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Setting the Context

For many, the judiciary as an institution is an embodiment of justice and the Courts are places entrusted with one of the most essential functions of the state - imparting justice and maintaining the rule of law. However, the judiciary as a system is much more than that. To its myriad stakeholders, it offers different functionalities such as that of a marketplace for lawyers, a service provider for litigants, a counsellor for families, a support system for vulnerable victims, and last but not the least, a workplace for judges and the court staff.

These functions, along with the idea that the judiciary is an uninterrupted institution and Courts are the primary physical spaces from where the judiciary operates, came to be severely challenged in the last few years. As with any other public institution, the COVID-19 pandemic posed unprecedented challenges to the Indian judiciary. With multiple lockdowns, for the first time in its history, the Courts were brought to a grinding

halt. Also, for the first time in its history, the judiciary was left with no choice but to quickly adopt technological solutions. As a slow moving, conservative institution, the judiciary had for long resisted drastic reforms in its way of functioning, especially if the reforms were driven by technology. However, in the face of the pandemic, this inhibition had to be shed and technological solutions were adopted quite quickly across the board to keep the Courts accessible and functional.

Fortunately, the Courts did not have to start from scratch. Basic technological infrastructure had been built across the last decade of the eCourts project¹ and this ensured that almost every Court in India was equipped with laptops, internet connectivity, and most importantly, staff trained in using computers and software solutions.² Despite this, until the pandemic, technology had not aided in any significant change in the way the Courts functioned or

¹ eCommittee, Supreme Court of India 'eCourts Mission Mode Project (District and Subordinate Courts) Phase I and II' (*Supreme Court of India*) <[https://nja.gov.in/Concluded_Programmes/2016-17/P-997_PPTs/1.eCourts%20Mission%20Mode%20Project%20\(District%20&%20Subordinate%20Courts\)%20Phase%20I%20&%20II.pdf](https://nja.gov.in/Concluded_Programmes/2016-17/P-997_PPTs/1.eCourts%20Mission%20Mode%20Project%20(District%20&%20Subordinate%20Courts)%20Phase%20I%20&%20II.pdf)> accessed 23 February 2022.

² eCommittee, Supreme Court of India, 'eCourts Project Phase II Objective Accomplishment Report As per Policy Action Plan Document' (*Supreme Court of India*) <https://ecourts.gov.in/ecourts_home/static/manuals/Objective%20Accomplishment%20Report-2019.pdf> accessed 23 February 2022.

the way litigants accessed justice. During the pandemic, however, all the stakeholders had to quickly adapt to the 'technology first' mindset. Naturally, this mindset change along with the sheer ability to use technology was not uniform across all tiers and stakeholders within the judiciary.

Data shows that capacity to conduct virtual hearings,³ availability of high-speed internet connectivity,⁴ digital literacy,⁵ are all extremely unequally distributed. This directly impacts the number of filings, hearings and disposals in different jurisdictions. However, most of the data that is made available are at national or state levels.

Given the severity of the situation, national aggregates in terms of overall virtual hearings conducted pits the Indian judiciary as a leader even by global standards.⁶ Virtual hearings, however, cannot be equated to actual progress in a case. According to the data presented by the Minister of Law and Justice in the Lok Sabha, District Courts saw a sharp increase of 13.45% in the pendency of cases between 31 December 2019 and 31 December 2020. The pending cases went from 3,22,96,224 (as on 31 December 2019) to 3,66,39,436 (as on 31 December 2020).⁷ In the previous year, 2018-2019, the increase was 7.79%. This increase

in pendency has been the highest historically since the Supreme Court started publishing monthly pendency data in 2013.⁸ This data point is again, a depiction of the entire district judiciary. It masks more than it reveals about the way individual District Courts coped with the pandemic. It is this gap in data that this report seeks to address.

The transformation from entirely physical to partially virtual or hybrid mode is usually a carefully planned and executed project. However, with the pandemic, this transformation had to occur hastily, giving rise to challenges that we are yet to completely understand. **This post-facto data driven analysis focused on the District Courts is meant to identify fault lines and weaknesses at the most fundamental level in the judiciary. This will hopefully enable a more robust planning for the next phase of the eCourts project and ensure no jurisdiction is left behind.**

3 eCommittee, Supreme Court of India, 'Annexure to Report – Annexure A to M to Main Report of Objective accomplishments in Phase II' (*Supreme Court of India*) 193 <https://ecourts.gov.in/ecourts_home/static/manuals/Annexures%20of%20the%20report.pdf> accessed on 11 March 2022.

4 IAMAI and Kantar, Internet Adoption in India ICUBE 2020 (June 2021) <https://images.assettype.com/afaqs/2021-06/b9a3220f-ae2f-43db-a0b4-36a372b243c4/KANTAR_ICUBE_2020_Report_C1.pdf> accessed 15 March 2022.

5 National Institute of Electronics & Information Technology, Ajmer, 'NDLM' (*Ministry of Electronics & Information Technology, Government of India*) <<https://nielit.gov.in/ajmer/content/national-digital-literacy-mission#:~:text=Digital%20Literacy%20is%20the%20ability,meaningful%20actions%20within%20life%20situations>> accessed 23 September 2022.

6 Pradeep Thakur, 'SC is global leader in virtual hearings, says law ministry' <<https://timesofindia.indiatimes.com/india/sc-is-global-leader-in-virtual-hearings/articleshow/81070044.cms>> accessed on 1st November 2022.

7 Lok Sabha, 'Unstarred Question No. 5402' (1 April 2022) <<http://164.100.24.220/loksabhaquestions/annex/178/AU5042.pdf>> accessed on 27 October 2022.

8 The Wire Staff, 'COVID-19 Increased Pendency of Cases at All Levels of Judiciary' (*The Wire*, 27 March 2021) <<https://thewire.in/law/covid-19-increased-pendency-of-cases-at-all-levels-of-judiciary>> accessed on 16 September 2022.

Why the focus on District Courts?

This paper studies the effect of the pandemic on the performance of the district judiciary, which is the highest court in a judicial district. District Courts are often the most accessible court of justice for the majority of the Indian population and the first forum approached to resolve disputes. Most of the issues concerning the judiciary in India, including the pendency of disputes, is a district-level problem, more than a state or national level.⁹

While nationwide figures and data are important, they do not reveal the extent of disparity in accessibility in various parts of the country, as well as the variations in the disruption of the judicial function during different phases of the lockdown. In order to eliminate pervasive problems that have been aggravated due to pandemic-induced restrictions, localised interventions at the lowest level is necessary. This is possible only when performance at that level becomes visible to both internal and external decision-makers who have the power to initiate and drive systemic reforms. This study analyses granular data to provide insights on all

District Courts in India during the period of the pandemic and compares it with their respective performance before the pandemic to bring to light the outlier districts that need immediate attention and focus of the decision-makers.

Given the heterogeneity in the legal landscape of our judiciary, any future policy intervention should be customised for a particular district or state and cannot be a uniform mandate. Such customised interventions will ensure that the specific issues that the district judiciary may be grappling with, are being addressed. This study will present to the reader the extent of such heterogeneity through the analysis of the types of cases that were prioritised during the pandemic, variance in the number of filings, and disposal of cases across districts within the same state.

With the above objectives in mind, this paper intends to analyse the effect of the COVID-19 pandemic on the District Courts by using case data from the first two years of the pandemic (January 2020-December 2021). The study

⁹ Smriti Jalihal and Yugank Goyal, 'Judicial delays and the need for intervention at the district level' (*Mint*, 22 May 2022) <<https://www.livemint.com/opinion/columns/judicial-delays-and-the-need-for-intervention-at-the-district-level-11653237233189.html>> accessed 16 September 2022.

focuses on data from the 642 District Courts which have been extracted from the National Judicial Data Grid ('NJDG') (for details, refer to Research Methodology) to primarily understand the performance of the District Courts during the pandemic period.

Research Methodology

Aim of the Study

This paper aims to understand the effect of COVID-19 on the accessibility and efficiency of the District Courts in India.

On 27 January 2020 the first case of COVID-19 was reported in India.¹⁰ Since then, the country has seen many waves of the pandemic through which the number of cases has increased and decreased variedly. This has affected the litigation landscape of the country, especially across District Courts.

In the beginning of the pandemic, the High Courts, guided by the Supreme Court, directed the District Courts to hear cases virtually.¹¹

The suspension of the physical functioning of the courts during the lockdown impacted the access to justice, particularly at the district and lower levels where infrastructure and resources were scarce.¹² In addition, the lockdown restrictions made it challenging for lawyers, notaries, and others to carry out their profession.¹³ The transition from physical courts to virtual courts required the courts and all its stakeholders to be prepared with all the necessary technology, infrastructure, and skill sets to support the seamless conduct of cases online. Unfortunately, such technological infrastructure was far from reachable for the majority of courts, advocates, and litigants. Lastly, the pandemic further aggravated the inordinate delay in many cases increasing

¹⁰ M.A. Andrews and others, 'First confirmed case of COVID-19 infection in India: A case report' (*National Library of Medicine*, May 2020) <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7530459/#:~:text=We%20present%20here%20the%20first,rhinitis%20or%20shortness%20of%20breath>> accessed 23 September 2022.

¹¹ High Court of Karnataka, 'Memorandum (District Judiciary)' (15 March 2020) <<https://karnatakajudiciary.kar.nic.in/noticeBoard/COVID-19-Memorandum-DistJudiciary-15th-March-2020.pdf>> accessed 11 February 2022.

¹² Sindhu Bhattacharya, 'Livelihoods threatened by Covid, lawyers turned to bar councils for help' (*Business Standard*, 16 August 2021) <https://www.business-standard.com/article/current-affairs/livelihoods-threatened-by-covid-lawyers-turned-to-bar-councils-for-help-121081500986_1.html> accessed 13 July 2022.

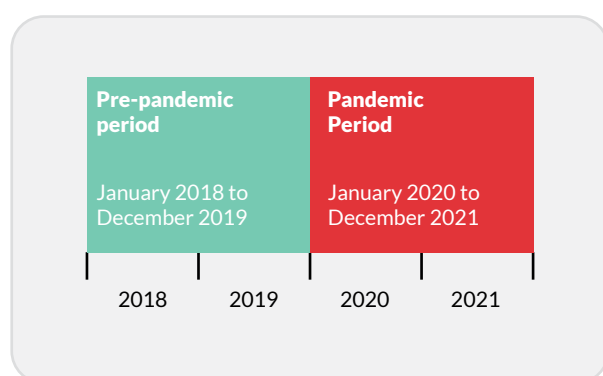
¹³ Aamir Khan, 'Jobs, offices, mental peace: Young lawyers speak on what they lost during the COVID-19 pandemic' (*Bar and Bench*, 15 July 2021) <<https://www.barandbench.com/columns/how-covid-19-pandemic-impacted-lawyers>> accessed 11 February 2022.

pendency and extending the hardships faced by the litigants due to never-ending litigation.¹⁴

Timeline

While a nationwide lockdown to stop the spread of the COVID-19 virus was announced on 25th March 2020, cases started appearing from January 2020 itself. Some of the High Courts such as the High Court of Jammu & Kashmir and Ladakh had restricted the functioning of the District Courts in the beginning of March.¹⁵ Throughout the pandemic period, India saw a rise and fall in cases with conditions being drastically different across Districts within the same state. Therefore, while the researchers are mindful that there was no absolute uniformity in the incidence of COVID or the resultant impact on institutions, the entirety of 2020 and 2021 has been taken as the “pandemic period”.

Further, this has then been compared to two years prior to the pandemic (2018 and 2019) to see the change in institution and disposal of cases in District Courts during the pandemic period. Hence, the years 2018 and 2019 have been taken as the “Pre-pandemic period” for the study.



Research Questions

While the larger aim is to understand the differences across District Courts under the parent High Court and the way they were able to tackle the challenges posed by the pandemic, the study also aims to find answers to the following specific data related questions:

1. What has been the difference in the filing of cases during the pandemic period vis-a-vis the two years prior to the pandemic?
2. Has the disposal of cases in District Courts been affected during the pandemic years?
3. To what extent has the disposal of cases been affected during the pandemic years?
4. What were the types of cases that were prioritised during the pandemic?
5. Whether the pandemic and subsequent decongestion of prisons required under the Supreme Court orders resulted in more bail orders being granted during the pandemic?
6. What was the effect of the pandemic period on the disposal of execution petitions?
7. What was the effect of the pandemic period on the disposal of juvenile justice cases?

Answers to the above questions are meant to serve as points for further research and discussion in the future.

¹⁴ Vaibhav Ganjapure, 'Family court pendency up by 868, mutual divorce cases rise' (*The Times of India*, 31 January 2022) <<https://timesofindia.indiatimes.com/city/nagpur/family-court-pendency-up-by-868-mutual-divorce-cases-rise/articleshow/89229534.cms>> accessed 13 July 2022.

¹⁵ Jammu & Kashmir and Ladakh, 'Guidelines/ Advisory issued by the Government of India on containing cases of Corona-Virus Infection.' (10 March 2020) <<https://www.jkhighcourt.nic.in/doc/upload/notices/Order%20No%2040431.pdf>> accessed 3 October 2022.

Division into Zones

Currently, India has 672 District Courts.¹⁶ Out of these, on the NJDG website,¹⁷ case data was available for 642 District Courts at the time of the data being scraped from the website.¹⁸ Given the large volume of data, for ease of analysis and presentation, the District Courts have been divided into five zones depending on their geographical location. The zones and the parent High Courts of the District Courts included under each zone are as follows:

North Zone

1. Allahabad
2. Delhi
3. Himachal Pradesh
4. Jammu & Kashmir and Ladakh
5. Punjab & Haryana
6. Uttarakhand

North-East Zone

1. Gauhati
2. Manipur
3. Meghalaya
4. Sikkim
5. Tripura

East Zone

1. Calcutta
2. Chattisgarh
3. Jharkhand
4. Orissa
5. Patna

South Zone

1. Andhra Pradesh
2. Karnataka
3. Kerala
4. Madras
5. Telangana

West Zone

1. Bombay
2. Gujarat
3. Madhya Pradesh
4. Rajasthan

Defining Performance of District Courts

For the purpose of this paper, the performance of a Court is assessed on the basis of the number of cases disposed by a District Court during the pandemic years in comparison to their pre-pandemic levels to see the extent of change in disposal rate. The paper doesn't take into account any of the additional factors that may be affecting the disposal of cases such as a change in the number of judges, the difficulty levels of different categories of cases disposed, the number of Courts that had the necessary hardware and technological requirements, the stage at which they got the said necessary equipment, etc.

Additionally, with a view to give the parent High Court a holistic view of the functioning of the District Courts under them, other analysis includes deviation in the disposal of cases by the same Court before and during the pandemic, the fall in the average filing of cases during the pandemic period, and the

¹⁶ e-Committee, Supreme Court of India, 'About e-Committee' (*Supreme Court of India*) <<https://ecommitteesci.gov.in/>> accessed 16 September 2022.

¹⁷ The National Judicial Data Grid (NJDG) is a database of orders, judgments and case details of 18,735 District & Subordinate Courts and High Courts. It is an online platform created under the eCourts Project on which data is updated on a near real-time basis by the connected Courts.

¹⁸ For the purpose of this study data has been extracted by the NJDG website from 01 January 2018 to 31 December 2022.

nature of cases that were prioritised during the pandemic period as compared to the pre-pandemic period.

Source of Data

This paper relies on the data scraped from the NJDG website to understand how the case docket of the District Court has been impacted during the pandemic. NJDG, which is an aggregate of data from the e-courts,¹⁹ contains case-related information on pendency and disposal.²⁰ The data is available at the month and case-type level granularity for each District Court, starting from 2015.

The e-Courts project has been undertaken in a phased manner and this has led to the data being inconsistent across the years. Hence, the data available on NJDG is not completely comprehensive. During this study, the authors have been cognizant of the following limitations and have accordingly directed the scope and depth of the inquiry of the study:

- NJDG does not offer granular details regarding case hearing and its lifecycle. While analyzing the impact of the pandemic on the functioning of the Courts, the study was not able to deep dive into the extent to which daily Court functioning was affected by the pandemic.
- As NJDG expanded over the years, more District Courts and case types were gradually added to the grid.²¹ However, this expansion of NJDG is not well documented. In the absence of this information, the study could not account for the missing data for a few districts and the case types during the period of the analysis.

- The current version of NJDG only gives insights into the overall Court activity in terms of filings and disposals. It does not provide insights into the productivity of Courts during a certain period, including the type of disposal, case length, number of hearings, etc.
- The information available on NJDG is provided through local servers of respective Courts and hence, cannot be substituted for verified information available with the competent authority designated by each Court.
- Lack of an API to access the data at the NJDG portal makes data scraping less reliable since null responses sometimes are confused for lack of data.

Details of case data extracted from NJDG

The extracted data was analysed to compare the performance of the District Courts during the pandemic period, i.e., 2020-2021, vis-a-vis the period before the pandemic, i.e., 2018-2019. The performance of each District Court during the pandemic has been compared with its own pre-pandemic performance.

The following data points were extracted:

1. Names of States
2. Names of Districts
3. Month-wise cases filed
4. Month-wise cases disposed
5. Case types

¹⁹ Legal Correspondent, 'Supreme Court launches portal to track cases pending at district courts' (*The Hindu*, 19 September 2015) <<https://www.thehindu.com/news/national/supreme-court-launches-portal-to-track-cases-pending-at-district-courts/article7668677.ece>> accessed 16 September 2022.

²⁰ Department of Justice, 'The National Judicial Data Grid (NJDG)' <<https://doj.gov.in/the-national-judicial-data-grid-njdg/>> accessed 16 September 2022.

²¹ *Supra* n. 13.

Key to reading the Report

The report has been divided into five zones for easier comparison of District Courts under the jurisdiction of a specific High Court and across High Courts in the same geographical area. Under each zonal report, the following individual issues have been analysed.

In the following segments, a brief explanation as to why a particular issue has been considered for analysis across all five zones is provided. This explanation should be read along with the data findings highlighted under individual zonal reports. These segments intend to allow the reader to get a gist of what the zonal reports contain while helping avoid repetition of explanations across all five zones.

For ease of access, the links to the zonal reports are provided at the end of each section.

I. Case-filing trends during the pandemic

The restricted access to justice and courts across the country resulted in reduced filings

in the District Courts in the pandemic period. *To understand the extent of reduction, the paper analyses the yearly filings of cases in the District Courts across the jurisdiction of different High Courts, between 2018 and 2021.* Through this, the paper aims to present the difference in the filing of cases across all categories before and during the pandemic period.

The analysis for the zones can be found here:

North Zone
North-East Zone
East Zone
South Zone
West Zone

While external factors such as limited economic and social activities due to lockdowns may have reduced disputes to some extent,²² it may be concluded that a significant portion of the change in case filing was on account of limited access to the Courts.²³ The decision to restrict filing cases that were not

²² Ministry of Home Affairs, Government of India, 'Order No 40-3/2020-DM-I(A)' (24 March 2020) <https://www.mha.gov.in/sites/default/files/MHAorder%20copy_0.pdf> accessed 19 July 2022.

²³ Leah Verghese, 'Ensure access to justice in a post-Covid world' (*Hindustan Times*, 7 January 2021) <<https://www.hindustantimes.com/analysis/ensure-access-to-justice-in-a-post-covid-world/story-o4OLC4wEa40hSLCJFww0HJ.htm>> accessed 19 July 2022.

classified as 'urgent' along with the general lack of access to Courts and legal services left several disputes searching for a forum for their resolution. To address this, the Supreme Court in fact increased the limitation period for cases whose limitation period had expired between 15 March 2020 and 28 February 2022, allowing the litigants to file them between March and April 2022.²⁴

Consequently, a significant number of disputes are likely to enter the judiciary in the coming years and may result in an increased workload on the system.

II. Disposal of cases during the pandemic

The COVID-19 pandemic did not only affect access to the Courts, it also had an impact on their efficiency. As the Courts adjusted to the virtual functioning and grappled with insufficient digital resources including computers, internet bandwidth, etc., the number of cases disposed of by the Courts in the year 2020 dipped massively. Even though the situation recovered marginally in 2021 across the zones, the decreased disposal rates added to the longstanding concerns of inordinate delays and the burgeoning pendency in Indian Courts.²⁵

*In this section, an analysis of the disposal statistics of the District Courts has been undertaken.*²⁶

While most districts struggled to dispose of cases at their usual frequency, a few surpassed expectations and disposed of more cases during the pandemic years (2020 and 2021) than they disposed of in the preceding years. This section further identifies the District

Courts where the disposal of cases suffered the most and the District Courts which were able to keep pace with their disposal rate even during the pandemic.

This analysis gauges the performance of the District Courts against its own past standards i.e., it aims to calculate the percentage reduction of the disposed of cases in 2020 and 2021 when compared with the two years preceding the pandemic, i.e., 2018 and 2019. In this analysis, a negative value of 'percentage reduction of the disposal of cases' indicates instances where the disposal per year increased during the pandemic and vice versa.

The analysis for the zones can be found here:

North Zone
North-East Zone
East Zone
South Zone
West Zone

The comparison of the District Courts enables the readers, stakeholders, and decision-makers to identify the better-performing District Courts as per the disposal statistics while also highlighting the concerns faced by District Courts in other parts of the state. It further highlights the extent to which the efficiency and disposal of cases has changed because of the pandemic.

III. Case types prioritised by courts during the pandemic

As the availability of the workforce was restricted by the lockdown, only certain urgent

²⁴ In Re: Cognizance for extension of limitation *Suo Motu Writ Petition* (C) No 3 of 2020 (Supreme Court of India, 10 January 2022) <https://main.sci.gov.in/supremecourt/2022/871/871_2022_31_301_32501_Order_10-Jan-2022.pdf> accessed 19 July 2022.

²⁵ The Wire Staff, 'COVID-19 Increased Pendency of Cases at All Levels of Judiciary' (*The Wire*, 27 March 2021) <<https://thewire.in/law/covid-19-increased-pendency-of-cases-at-all-levels-of-judiciary>> accessed 20 July 2022.

²⁶ For the purpose of this analysis, data was available for only 627 District Courts.

matters could be listed and heard by the District Courts.²⁷ In most states, the decision regarding the categorization of urgent matters for hearing was left to the presiding officers of the respective District Courts. However, some High Courts later issued guidelines identifying some key categories of cases as “urgent matters” to be heard during the lockdown period.²⁸

To understand the types of cases that were prioritised during the pandemic, in this section, we looked at the number and types of civil and criminal cases disposed during 2020 and 2021. The data on the number of cases under each case type was extracted and clubbed into civil and criminal as per the categorization on NJDG.

The analysis for the zones can be found here:

North Zone

North-East Zone

East Zone

South Zone

West Zone

Over the pandemic period, High Courts frequently increased and decreased the ambit of matters heard by the Court, which further added to the confusion regarding the Court’s functioning.²⁹ These frequent changes combined with the difficulty in attaining case-related information directly from the Court increased dependence on digital data uploaded by the Courts online and thereby, on continuous internet connectivity. It may be noted that, across most Zones, District Courts prioritised criminal cases over civil cases.

IV. Decongestion of jails and prisons during the pandemic

The overcrowding of prisons, unsanitary conditions, and general disregard for hygiene make prisons in India one of the hotspots for disease and infections.³⁰ As per the data collated by the Commonwealth Human Rights Initiative, as many as 18,157 inmates were infected with COVID-19 and 17 inmates succumbed to the virus during the peak of the first wave of the pandemic whereas, during the second wave of the pandemic, 5960 inmates were infected while 646 died because of the COVID-19 virus.³¹

27 High Court of Uttarakhand, ‘Notification’ (24 March 2020) <<https://highcourtofuttarakhand.gov.in/upload/contents/File-677.pdf>> accessed 25 May 2022; High Court of Himachal Pradesh, ‘Notification’ (16 April 2020) <<https://highcourtofuttarakhand.gov.in/upload/contents/File-677.pdf>> accessed 25 May 2022.

28 High Court of Uttarakhand, ‘Notification’ (12 April 2020) <<https://highcourtofuttarakhand.gov.in/upload/contents/File-682.pdf>> accessed 25 May 2022.

29 See High Court of Delhi, ‘Extension of Suspended Functioning of Courts Subordinate to Delhi High Court till 23.05.2020’ (16 May 2020) <http://www.delhihighcourt.nic.in/writereaddata/Upload/PublicNotices/PublicNotice_4X45SQKBXGX.PDF> accessed 25 May 2022; High Court of Delhi, ‘Order Regarding Functioning of Courts Subordinate to Delhi High Court till 14.08.2020’ (20 June 2020) <http://www.delhihighcourt.nic.in/writereaddata/Upload/PublicNotices/PublicNotice_5GDI2J06RP7.PDF> accessed 25 May 2022; High Court of Delhi, ‘System of Hearing of Matters Before Delhi District Courts with Immediate Effect’ (19 April 2021) <http://www.delhihighcourt.nic.in/writereaddata/Upload/PublicNotices/PublicNotice_F32WW96RRP7.PDF> accessed 25 May 2022.

30 Soumyadeep Bhaumik and Rebecca J. Mathew, ‘Health and beyond...strategies for a better India: using the “prison window” to reach disadvantaged groups in primary care’ (*National Library of Medicine*, July-September 2015) <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4535085/>> accessed 23 September 2022. See In Re: *Contagion of COVID-19 Virus In Prisons* (2020) 5 SCC 313.

31 ‘State/UT wise prisons’ response to the coronavirus pandemic in India’ (Commonwealth Human Rights Initiative) <<https://www.humanrightsinitiative.org/content/stateut-wise-prisons-response-to-covid-19-pandemic-in-india#table%20G>> accessed 21 July 2022.

To prevent the proliferation of the virus in overcrowded prisons of India, the Supreme Court issued a series of orders directing the state governments to consider measures to decongest prisons.³² This included the constitution of a High-Powered Committee in each state to determine the class of prisoners who could be released.³³ Such decongestion measures required the District Courts to prioritize the disposal of bail applications.

In this section, a disposal analysis of the bail applications filed during the pandemic reveals whether the District Courts were able to dispose of bail cases to prioritize the decongestion of prisons.

Further, a comparison of the prison occupancy rate on 31 December 2018 and 31 December 2021 is undertaken to understand the effectiveness of the above-mentioned measures.³⁴

The analysis for the zones can be found here:

North Zone

North-East Zone

East Zone

South Zone

West Zone

Despite directions of the Supreme Court, the process of decongesting prisons remained slow and troublesome for the inmates. The bail cases continued to be decided on a case-to-case basis in District Courts and as indicated by newspaper reports as well as the data collated for this paper, the disposal of bail applications during the pandemic remained low.³⁵

A study mapping the policing in Madhya Pradesh during the pandemic highlighted that the criminalization of lockdown violations resulted in a steady inflow of under-trial prisoners in prisons across the state.³⁶ As a result of this, 109 out of 131 prisons in Madhya Pradesh continued to be overcrowded even after the efforts by the judiciary to decongest prisons.³⁷ There was a need for a more proactive approach on part of the judiciary to hear and dispose of bail applications and decongest the prisons.³⁸ However, it appears that the inefficiency of District Courts while conducting virtual proceedings and the lack of alternative processes resulted in most prisons remaining as overcrowded as before.³⁹

³² *In Re: Contagion of COVID-19 Virus In Prisons* (2020) 5 SCC 313; *In Re: Contagion of COVID-19 Virus In Prisons* 2020 SCC OnLine 344.

³³ *In Re: Contagion of COVID-19 Virus In Prisons* 2020 SCC OnLine SC 344.

³⁴ Prison Statistics 2019 (National Crimes Records Bureau, Ministry of Home Affairs) 46 <<https://ncrb.gov.in/sites/default/files/PSI-2019-27-08-2020.pdf>> accessed 21 July 2022; Prison Statistics 2020 (National Crimes Records Bureau, Ministry of Home Affairs) 44 <https://ncrb.gov.in/sites/default/files/PSI_2020_as_on_27-12-2021_0.pdf> accessed 21 July 2022.

³⁵ Sonam Saigal, 'Jails turn into hotbeds of disease' (*The Hindu*, 25 May 2020) <<https://www.thehindu.com/news/cities/mumbai/jails-turn-into-hotbeds-of-disease/article31666835.ece>> accessed 21 July 2022.

³⁶ Aditi Pradhan and others, 'Counter-mapping Pandemic Policing: A Study of Sanctioned Violence in Madhya Pradesh' (Criminal Justice and Police Accountability Project) <https://www.thakur-foundation.org/upload/grant_applicants_outcome/1598765446_Final%20-%20Mapping%20Pandemic%20Policing.pdf> accessed 11 August 2022.

³⁷ *ibid.*

³⁸ Aditya Ranjan, 'Token Temporary Measures to Decongest Prisons Can't Save Inmates from COVID-19' (*The Wire*, 12 May 2021) <<https://thewire.in/rights/token-temporary-measures-to-decongest-prisons-cant-save-inmates-from-covid-19>> accessed 22 July 2021.

³⁹ *Supra* n. 25.

V. Execution Petitions during the Pandemic

Execution Petitions are filed by the decree-holder as a plea before the Court to execute its judgement. Execution Petitions do not require the courts to go into the substantial questions of law and facts since they are already decided at the trial level.

Given that these petitions are filed by parties that have in all probability already suffered through a long process of litigation, a delay in their disposal results in a travesty of justice. Therefore, Execution Petitions deserve special attention.

In this section, we study the disposal of Execution Petitions by the District Courts during the pandemic.

The analysis for the zones can be found here:

North Zone
North-East Zone
East Zone
South Zone
West Zone

Any change in the disposal of these Petitions is indicative of the possibility that the manpower required to grant the prayers such as attachment of property or freezing of accounts was not available during the pandemic. When there is a drop in the disposal of Execution Petitions, the affected parties are kept waiting for the enforcement of orders even after the long-drawn legal battle is over.

VI. Justice for the juveniles

The COVID-19 pandemic had derailed fast-track Courts across the country. With limited capacity to hear cases, many cases related to vulnerable victims and accused dragged on through the years of the pandemic.⁴⁰ As per the Juvenile Justice Act, 2015, the inquiry against children in conflict of law should be conducted within four months, unless extended for a period of a maximum of two additional months.⁴¹ However, the reduced capacity of Courts resulted in a decrease in the disposal of juvenile justice cases.

In this section, we study the disposal of Juvenile Justice cases by District Courts.

The analysis for the zones can be found here:

North Zone
North-East Zone
East Zone
South Zone
West Zone

⁴⁰ Aamir Khan, 'How the COVID-19 pandemic has derailed fast-track justice for survivors of sexual assault cases' (*Bar and Bench*, 24 July 2021) <<https://www.barandbench.com/columns/covid-19-pandemic-derailed-fast-track-justice-survivors-sexual-assault>> accessed 12 August 2022.

⁴¹ Juvenile Justice Act 2015, s 14(2).

An Overview of Key Findings

General findings

- The case filings saw a decrease of 32% during the pandemic period as the number of cases instituted went from a total of 46447870 in 2018 and 2019 to a total of 31559309 in 2020 and 2021.
- Disposal of cases saw a decrease of 42.33% during the pandemic period as the number of cases disposed went from a total of 38896865 in 2018 and 2019 to a total of 22428561 in 2020 and 2021.
- Amongst the criminal cases disposed during the pandemic period, bail applications were prioritised across all zones.
- With respect to disposal of criminal cases, across the North Zone, bail applications were prioritised during the pandemic as compared to the pre-pandemic years. However, in terms of absolute numbers, only the District Courts under the High Court of Uttarakhand were able to dispose of more bail applications on average during the pandemic period.
- Disposal of arbitration cases saw an increase by 149.12% and 136.67% in the District Courts under Himachal Pradesh and Uttarakhand, respectively, during the pandemic years while almost all other types of cases were negatively impacted and their disposal rate was much lesser during the pandemic period.

North Zone

- In the North Zone, the District Courts in Jammu & Kashmir and Ladakh saw an increase in the number of cases instituted both in 2020 and in 2021 by a total of 13.04% compared to the previous two years. Even with respect to the disposal rate, there was just an overall 3% decrease during the pandemic years, which is much lesser than all the District Courts of other states studied in the North Zone report.

North-East Zone

- Across the North-East Zone, District Courts saw a decline in the number of case filings in 2020. However, District Courts under all High Courts recovered the case filing numbers in 2021 except the High Court of Manipur. The District Courts under the High Court of Meghalaya and Tripura on an average improved case

institutions to overtake the pre-pandemic numbers.

- In the North-East Zone, the disposal rate at the District Courts under the High Court of Judicature at Gauhati suffered the most during the pandemic. The various District Courts under the High Court of Meghalaya performed inconsistently with a few like East Khasi Hills and East Garo Hills saw a decline in disposal rate by 64.20% and 44.70%, respectively. However, the District Courts of West Khasi Hills and Ri Bhoi improved their case disposals by 140.4% and 66.2%, respectively.
- With respect to disposal of criminal cases, across the North-East Zone, bail applications were prioritised during the pandemic as compared to the pre-pandemic years by the District Courts under all High Courts except High Court of Tripura. However, there was no significant increase in the actual number of bail applications being disposed of during the pandemic period.

East Zone

- Across the East Zone, District Courts saw a significant decline in the number of case filings throughout the pandemic years. Only the District Courts under the High Court of Chhattisgarh were able to significantly improve case filings in 2021 while the others continued to struggle. The District Courts under the High Court of Judicature at Patna saw a downward trend with respect to case institutions in 2021 as well.
- Despite the low rate of case filings across the District Courts under the High Court of Judicature at Patna, a few District Courts improved their case disposal rate during the pandemic as compared to the previous two years. District Courts under the High

Court of Orissa suffered the most in terms of number of case disposals.

- With respect to disposal of criminal cases, across the East Zone, bail applications were prioritised during the pandemic as compared to the pre-pandemic years but disposal of Warrants and Summons cases suffered significantly. However, in terms of actual number of bail applications being disposed, only District Courts under the High Courts of Chhattisgarh and Orissa saw a marginal increase during the pandemic period.

South Zone

- Across the South Zone, District Courts saw a decline in the number of case filings in 2020. However, District Courts under all High Courts recovered the case filing numbers in 2021 except the High Court of Kerala, which continued to see a decline. The District Courts under the High Court of Kerala also suffered the most decline in disposal of cases.
- Despite continued prioritisation of Civil Suits during the pandemic, in terms of whole numbers, there was a significant decline (5,70,695) in the number of Civil Suits disposed during the pandemic years in comparison to the previous years.
- With respect to disposal of criminal cases, across the South Zone, bail applications were prioritised during the pandemic as compared to the pre-pandemic years. However, there was no significant increase in the actual number of bail applications being disposed of during the pandemic period. There was no data available for disposal of bail applications by the District Courts under the High Court of Judicature at Madras and hence, the same is not included in the analysis.

West Zone

- Across the West Zone, all District Courts saw a decline in the number of case filings in 2020. However, District Courts under all High Courts recovered the case filing numbers in 2021 except the High Court of Judicature at Bombay, which continued to see a decline. In 2021, the District Courts under the High Court of Gujarat improved the case institution numbers to the extent that on average, the pandemic years saw more case institutions than the pre-pandemic years.
- Additionally, the disposal of cases during the pandemic years suffered compared to the previous two years. Just like the low institution of cases, the disposal rate was also the lowest in the District Courts under the High Court of Judicature at Bombay.
- With respect to disposal of criminal cases, across the West Zone, bail applications were prioritised during the pandemic as compared to the pre-pandemic years. However, in terms of absolute numbers, only the District Courts under the High Courts of Madhya Pradesh and Rajasthan were able to dispose of more bail applications during the pandemic period.

The following section deals with how the District Courts could have been more efficient during the pandemic so as to ensure that case filings and disposals would not have suffered across all zones, adding to the backlog of cases.

Building a Disaster Resilient Justice System

The judiciary, like every other institution in the country, was caught off-guard by the COVID-19 pandemic. While the judiciary attempted its best to overcome the challenges and continued to offer judicial and dispute resolution services to the populace, it was underprepared to handle a challenge as big as the pandemic.

The most vulnerable populace such as the victims living with their abusers,⁴² prison inmates trying to escape the overcrowded and infection-ridden prisons,⁴³ and migrant workers trying to get their salaries approaching the judiciary,⁴⁴ were met with closed courts, halted proceedings, and postponed hearings. As a result, the access to justice suffered, the efficiency of the courts

dropped massively, the pendency of the courts increased, the prisons became a breeding ground for the virus and the children accused of crimes had to spend crucial years of their lives awaiting justice.

While other pillars of the government, the legislature and the executive, worked out changes to return to their normal functioning, the judiciary struggled to resume physical hearings and normal court proceedings.⁴⁵ It was only after the third wave of the pandemic in the early months of 2022 that the functioning of the judiciary returned to its pre-pandemic levels.⁴⁶ Such disruption of the justice system resulted in shock waves across the country, compelling the legal community to look at alternatives such as Online Dispute

⁴² Vignesh Radhakrishnan and Naresh Singhravelu, 'Data | Domestic violence complaints at a 10-year high during COVID-19 lockdown' (*The Hindu*, 24 June 2020) <<https://www.thehindu.com/data/data-domestic-violence-complaints-at-a-10-year-high-during-covid-19-lockdown/article31885001.ece>> accessed 25 August 2022.

⁴³ *Supra* n. 39.

⁴⁴ Ditthi Bhattacharya, 'Making migrants count: The role of Indian judiciary amid COVID-19 pandemic', (*Down to Earth*, 19 August 2021) <<https://www.downtoearth.org.in/blog/economy/making-migrants-count-the-role-of-indian-judiciary-amid-covid-19-pandemic-78548>> accessed 25 August 2022.

⁴⁵ Dhananjaya Mahapatra, 'Supreme Court reverts back to physical hearing for adjudication of cases' (*The Times of India*, 31 March 2022) <<https://timesofindia.indiatimes.com/india/supreme-court-reverts-back-to-physical-hearing-for-adjudication-of-cases/articleshow/90553850.cms>> accessed 27 July 2022.

⁴⁶ *Ibid*; PTI, 'Delhi High Court, district courts to resume complete physical functioning from March 2' (*The Economic Times*, 11 February 2022) <<https://economictimes.indiatimes.com/news/india/delhi-high-court-district-courts-to-resume-complete-physical-functioning-from-march-2/articleshow/89509866.cms>> accessed 27 July 2022.

Resolution methods to address the disputes arising in this period.⁴⁷

Role of Circulars and Notifications

The Supreme Court of India released its first notification addressing the spread of the COVID-19 pandemic and steps to be taken to reduce the same on 13 March 2020.⁴⁸ The notification focused on listing only “urgent matters” and restricting the number of litigants and lawyers in the courtroom to maintain social distancing.⁴⁹ However, it did not elaborate on what would constitute “urgent matters” and any clarity regarding the same came later through the notification dated 23 March 2020.⁵⁰

Meanwhile, the High Courts across India followed in the steps of the Supreme Court and between 16 March 2020 to 25 March 2020 restricted their own functioning as well as the functioning of District Courts under them. The notifications also talked about the

shift from physical hearing to virtual ones.⁵¹ Some introduced a roster system to reduce the number of judicial officers and staff members in the Court premises so as to maintain social distancing.⁵² However, there were examples like the notification issued by the High Court of Judicature at Allahabad which shut down all Subordinate Courts under it as soon as the national lockdown on 25 March 2020 was announced.⁵³ This was followed by extensions in deadlines and directions to the state governments to give more time to citizens in cases of demolitions and evictions.⁵⁴

Like the Supreme Court, most of the High Courts did not go into the details of the case types that constituted “urgent matters” when giving directions to the Subordinate Courts. Hence, the Courts decided on the urgency of matters on a case-to-case basis, making accessibility to the Courts even more difficult for both litigants as well as lawyers, especially during a time when every faction of the society was turning towards the judicial system for

⁴⁷ Akanshha Agarwal, ‘With judiciary embracing technology, time to push dispute resolution online’ (*Business Standard*, 29 March 2020) <https://www.business-standard.com/article/current-affairs/with-judiciary-embracing-technology-time-to-push-dispute-resolution-online-120032901023_1.html> accessed 27 July 2022. See Deepika Kinhal and Tarika Jain, ‘Indian courts will have to prepare for a different kind of a Covid crisis’ (*The Print*, 28 April 2020) <<https://theprint.in/opinion/indian-courts-prepare-different-kind-covid-crisis/410164/>> accessed 27 July 2022.

⁴⁸ Supreme Court of India, ‘Notification’ (*SCOobserver*, 2020) <https://scoobserver-production.s3.amazonaws.com/uploads/beyond_court_resource/document_upload/384/Hearing_of_only_Urgent_Matters.pdf> accessed 5 October 2022.

⁴⁹ *Ibid.*

⁵⁰ Supreme Court of India, ‘Circular’ (23 March, 2020) <https://main.sci.gov.in/pdf/cir/23032020_153213.pdf> accessed 5 October 2022.

⁵¹ High Court of Madras, ‘Covid-19 Effective Prevention of Corona Virus Disease in the Premise of all Subordinate Courts in the State of Tamil Nadu and Union of Puducherry’ (18 March 2020) <http://www.hcmadras.tn.nic.in/Restriction_Sub_Courts.pdf> accessed 5 October 2022.

⁵² High Court of Delhi, ‘Lockdown/Suspension of Work of Delhi High Court & Courts Subordinate’ (23 March 2020) <http://www.delhihighcourt.nic.in/writereaddata/Upload/PublicNotices/PublicNotice_L07R5UBQP6N.PDF> accessed 5 October 2022.

⁵³ High Court of Judicature at Allahabad, ‘Order’ (25 March 2020) <https://www.allahabadhighcourt.in/event/event_7390_25-03-2020.pdf> accessed 5 October 2022.

⁵⁴ High Court of Judicature at Allahabad, ‘Compliance of order passed in Public Interest Litigation(PIL) No. 564 of 2020(In re Versus State of U.P. dated 26.03.2020)’ (26 March 2020) <https://www.allahabadhighcourt.in/event/event_7421_21-04-2020.pdf> accessed 10 October 2022.

relief due to the unprecedented times.⁵⁵ As per a study conducted by Live Law, only 11 out of 25 High Courts provided clarity as to what “urgent matters” would entail with only the High Courts of Andhra Pradesh, Gauhati, Jharkhand, and Madhya Pradesh providing notifications regarding the same in March 2020 itself.⁵⁶ The other 7 High Courts provided guidelines between April to June 2020. To complicate matters even further, there was such discrepancy between High Courts and the directions given by them to their respective District Courts that while Courts in Madhya Pradesh, Kerala, Gujarat, and Delhi prioritised bail applications to decongest prisons, as per the Supreme Court guidelines, High Courts of Rajasthan and Bombay went in the opposite direction and did not consider bail applications as “urgent matters”.⁵⁷

Furthermore, many High Courts like Delhi,⁵⁸ Himachal Pradesh,⁵⁹ and Gujarat⁶⁰ mandated physical functioning of all the Subordinate Courts in January or February 2021, only to resume virtual hearings in April 2021 during the peak of the second wave of the COVID-19 pandemic in India. On the other hand, High Courts like Punjab and Haryana⁶¹ and Madras⁶² chose to let the Presiding Officers of the District and Sessions Courts in each

district to decide on choosing between virtual hearings or open physically, based on the situation in the districts. This, decentralized method actually gave weightage to the ground reality of the spread of the COVID-19 virus in the respective districts as well as the litigants and lawyers regularly appearing in those Courts.

The complete dependence on circulars and notifications and the volume of the same shows the unpreparedness of the judicial system to deal with an emergency situation like the pandemic. There is either a need for a plan of action for a more centralized system in case of such situations or the system should be prepared to be completely decentralized and let the ground realities of every district dictate the procedure.

The next section delves deeper into what steps the judiciary can take to be better prepared for such disasters in the future.

Disaster Management and the Judiciary

While the COVID-19 pandemic was an unprecedented event, the judicial system should incorporate measures to prepare for natural, medical, and human-induced disasters

⁵⁵ Anubha Rastogi S, ‘An Analysis of Accessing High Courts During COVID Lockdown: March To August 2020’ (*Livelaw*, 2021) <<https://www.livelaw.in/columns/analysis-accessing-high-courts-lockdown-march-august-2020-172014>> accessed 5 October 2022.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ High Court of Delhi, ‘Order Regarding Functioning of the Courts Subordinate to the Delhi High Court’ (20 January 2021) <http://www.delhihighcourt.nic.in/writereaddata/Upload/PublicNotices/PublicNotice_HWSBWHXEBCER.PDF> accessed 5 October 2022.

⁵⁹ High Court of Himachal Pradesh, ‘Office Order’ (14 January 2021) <<https://hphighcourt.nic.in/pdf/Officeorderdated14012021.pdf>> accessed 5 October 2022.

⁶⁰ High Court of Gujarat, ‘Resumption Resumption Esumption of Physical Functioning of Physical Functioning of Subordinate Courts of Gujarat’ (13 January 2021) <https://gujarathighcourt.nic.in/hccms/sites/default/files/miscnotifications/Circular_27094.pdfHigh> accessed 5 October 2022.

⁶¹ High Court of Punjab and Haryana, ‘Working of Courts in the State of Haryana, Punjab and Union Territory, Chandigarh’ (17 April 2021) <https://highcourtchd.gov.in/sub_pages/left_menu/covid19/covid19_pdf/court_dist_17042021_917.pdf> accessed 5 October 2022.

⁶² High Court of Madras, ‘Courts, Subordinate Courts, Covid-19 Physical Hearing in all Subordinate Courts in the State Of Tamil Nadu and Union of Puducherry, Extension of Instructions Issued Regarding’ (28 September 2020) <http://www.hcmadras.tn.nic.in/OM_28_09_2020.pdf> accessed 5 October 2022.

in the future. It should adopt a robust disaster mitigation system to address disruption in the physical hearing, destruction of Court records or facilities caused by disasters such as cyclones, floods, earthquakes, epidemics, and pandemics.

The Disaster Management Act 2005 puts the responsibility on every ministry and department under the central and state governments to allocate resources and take measures for mitigation and preparedness against disasters.⁶³ However, the judiciary, though entrusted with one of the most crucial sovereign functions, does not share any such responsibilities. In several instances, the Courts have asked the executive to devise disaster management plans,⁶⁴ but ironically, most High Courts themselves are lacking in a robust plan for preparedness and mitigation of disasters.

Recently, a few High Courts have taken the initiative and adopted a disaster management policy. The High Court of Judicature at Bombay was a pioneer in this respect and in 2016, devised a disaster management policy for the Court.⁶⁵ The policy provides for the identification of preventive and mitigation measures along with the capacity building to mitigate disasters that are likely to affect the functioning of the Court. In 2021, the

Chhattisgarh High Court also notified a disaster management policy for the Court.⁶⁶ However, the policy, despite being adopted amidst the COVID-19 pandemic, is centered only around fire hazards and does not account for necessary safeguards for other disasters.

Further, the High Court of Madhya Pradesh has notified Real-Time Action Plan to address any disaster situation.⁶⁷ This action plan provides for necessary evacuation and disaster management, but lacks capacity building, establishing a dedicated body, and creating a communication channel for addressing the challenges posed by the disaster. Interestingly, the District Court of Chamba in 2021 has also notified a Disaster Management Plan, 2021, identifying gaps in existing capacity to address disasters and identifying responsibilities for prevention, mitigation, and preparedness for disasters.⁶⁸

Outside these limited efforts, the judiciary has been passive in taking steps towards preparedness and mitigation of disasters. Moving forward, dedicated efforts must be made to make the Courts across the country disaster resilient.

⁶³ Disaster Management Act 2005, s 35, 36, 37 and 38.

⁶⁴ PTI, 'SC directs Centre to formulate national plan for disaster management' (*The Economic Times*, 5 April 2016) <<https://economictimes.indiatimes.com/news/politics-and-nation/sc-directs-centre-to-formulate-national-plan-for-disaster-management/articleshow/51701264.cms?from=mdr>> accessed 28 July 2022; Press Trust of India, 'Give Disaster Management Plan On Pollution Within 48 Hours, Supreme Court Tells Centre' (NDTV, 9 November 2016) <<https://www.ndtv.com/delhi-news/give-disaster-management-plan-on-pollution-within-48-hours-supreme-court-tells-centre-1623059>> accessed 28 July 2022.

⁶⁵ High Court of Bombay, 'Disaster Management Plan for Bombay High Court 2016', <<https://bombayhighcourt.nic.in/writereaddata/disaster/PDF/disaster20171128163000.pdf>> accessed 20 September 2022.

⁶⁶ High Court of Chhattisgarh, 'The Action Plan of Disaster Management of the High Court of Chhattisgarh', Notification No 13091 (23 December 2021) <https://highcourt.cg.gov.in/noti/2021/noti_13091_23122021.pdf> accessed 8 August 2021.

⁶⁷ High Court of Madhya Pradesh, 'Real Time Action Plan for High Court Premises' <https://mphc.gov.in/PDF/web_pdf/LU/RealTimeActionPlan.pdf> accessed 8 August 2022.

⁶⁸ District Courts Chamba, 'Disaster Management Plan 2021' <<https://districts.ecourts.gov.in/sites/default/files/Draft%20Disaster%20Management%20Plan%202021.pdf>> accessed 8 August 2022.

Improving the Disaster Resilience of the Judiciary

The poor disaster resilience of the judicial infrastructure and system has been a long-standing concern. In 2015, Jammu and Kashmir floods crippled the Srinagar District Judiciary as thousands of files were swept away by the flood waters.⁶⁹ Concerningly, instances such as floods, extreme weather situations, and cyclones are likely to be more frequent in this century due to climate change.⁷⁰

Therefore, the judiciary should learn from the disturbances caused by the disasters and should adapt itself to recover faster from similar instances in the future.⁷¹ The capacity and capability of the court systems across the country must be maintained and enhanced without compromising its long-term prospect.⁷²

To this end, the courts should focus on the following measures.

1. Creating a disaster-resilient judicial infrastructure

In the recent past, India has witnessed natural disasters such as cyclones and floods setting back the functioning of the courts by damaging court buildings,⁷³ destroying the Court records,⁷⁴ and imposing excess costs for recovery measures. To prevent the adverse impact of disasters, it is important to upgrade the judicial infrastructure and make it resilient against such challenges and expedite recovery from such damages.

In 2019, the Jammu and Kashmir police admitted that it had to close the case concerning the 1990 Gaw Kadal massacre as all the records related to the case were washed out by the floods.⁷⁵ Such an incident frustrates the process of justice and increases the workload on the investigative agencies and the prosecution. The Courts and justice infrastructure should be upgraded to prevent any destruction of Court records and documents.

2. Increasing the flexibility of court proceedings

A disaster-resilient system should be flexible and adaptable to changes. The pandemic

⁶⁹ Adil Akhzer, 'Ruined Records: Courts struggle to fish out cases swept away in Kashmir floods' (*Indian Express*, 7 September 2015) <<https://indianexpress.com/article/india/india-others/ruined-records-courts-struggle-to-fish-out-cases-swept-away-in-kashmir-floods/>> accessed 11 August 2022.

⁷⁰ DTE Staff, 'How climate change has increased flood events in India' (*Down to Earth*, 16 July 2019) <<https://www.downtoearth.org.in/news/climate-change/how-climate-change-has-increased-flood-events-in-india-65649>> accessed 11 August 2022.

⁷¹ United Nations Office for Disaster Risk Reduction, *UNISDR Terminology and Disaster Risk Reduction* (United Nations International Strategy for Disaster Reduction, Geneva, 2009).

⁷² Department of International Development, Government of UK, 'Defining Disaster Resilience: A DFID Approach Paper' (November 2011) <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/186874/defining-disaster-resilience-approach-paper.pdf> accessed 11 August 2022.

⁷³ Sambad English Bureau, 'Cyclone FANI: Odisha High Court to resume work from Monday' (*Sambad*, 9 May 2019) <<https://sambadenglish.com/cyclone-fani-odisha-high-court-to-resume-work-from-monday/>> accessed 12 August 2022.

⁷⁴ Adil Akhzer, 'Ruined Records: Courts struggle to fish out cases swept away in Kashmir floods' (*Indian Express*, 7 September 2015) <<https://indianexpress.com/article/india/india-others/ruined-records-courts-struggle-to-fish-out-cases-swept-away-in-kashmir-floods/>> accessed 11 August 2022.

⁷⁵ Kashmir News Service, 'Gaw Kadal massacre: Case closed, records washed away in 2014 flood, police tells SHRC' (*The Kashmir Monitor*, 7 February 2019) <<https://www.thekashmirmonitor.net/gaw-kadal-massacre-case-closed-records-washed-away-in-2014-flood-police-tells-shrc/>> accessed 12 August 2022.

has displayed the role played by the digital infrastructure and virtual court facilities to ensure flexibility. Remote access to the Courts and the judiciary allowed scores of advocates, judges, and court staff to perform their responsibilities and enabled litigants access to the judiciary even during the harshest pandemic in modern history. However, as highlighted above, the digital infrastructure in Courts is at a very nascent stage. While there were digital facilities to make judicial function flexible, such systems were often *ad hoc* and unevenly distributed across the judiciary.⁷⁶

The judiciary in India must continue the process of integrating digital infrastructure into its system. Through this continuous process, the Courts should aim to create a robust virtual court system that is:

- a. able to handle the workload of the Courts around the country without limiting their capacity;
- b. available across all the District Courts across India;
- c. accessible and efficient for all and not just for the few.

This virtual court system should be powered by strong internet connectivity accessible across India, an efficient digital storage facility, and fast file-sharing services.

However, while adopting these changes, it should be kept in mind that the use of virtual proceedings cannot address every disaster event. Certain disaster events such as cyclones and electricity grid failures may

disrupt video conferencing facilities and make virtual courts inaccessible.⁷⁷ In such situations where conventional courts and virtual court proceedings are inaccessible, other possible alternatives should be explored to ensure the flexibility of Court proceedings.

3. Enabling participatory approach towards disaster management

The judiciary should also encourage the Courts to learn from the initiatives adopted by better prepared Courts and jurisdictions to address the challenges posed by the disaster.⁷⁸ As highlighted earlier, during the COVID-19 pandemic, while certain District Courts have managed to maintain their efficiency and disposal rate, others have struggled massively in this regard. The judiciary should identify the best practices adopted by the better-performing Courts to enable social learning.

Similarly, the judiciary can also consolidate the best practices adopted by different Courts to address the challenges and disruptions caused by disaster events.⁷⁹ These best practices can be collated on a platform to assist the administration, resource allocation, and management of Courts during and after the disaster event for expedited recovery.

Additionally, the judiciary can also take feedback from the public and litigants regarding the successes and drawbacks of its administration during and post the disaster events. This will help the institution to rectify its errors and improve its disaster mitigation and recovery functions.⁸⁰

⁷⁶ Press Trust of India, 'District courts need good Internet speed for virtual hearings: HC to Delhi' (*Business Standard*, 29 July 2020) <https://www.business-standard.com/article/current-affairs/district-courts-need-good-internet-speed-for-virtual-hearings-hc-to-delhi-120072901792_1.html> accessed 25 February 2022.

⁷⁷ David Matyas and others, 'Imagining Resilient Courts: from COVID-19 to the Future of Canada's Court System' (2022) 48(1) CPP 186 <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9395162/>> accessed 20 September 2022.

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*

In addition to the above-stated measures, considering the nature of disasters and their unpredictability, every disaster will pose a unique set of challenges. In such situations, the judicial leadership should work alongside disaster management experts to undertake the required initiative to address these challenges.

Part 2

Zonal Reports

North Zone
North-East Zone
East Zone
South Zone
West Zone

Data speak

A look at the District Courts'
performance during the
pandemic

**NORTH
ZONE**

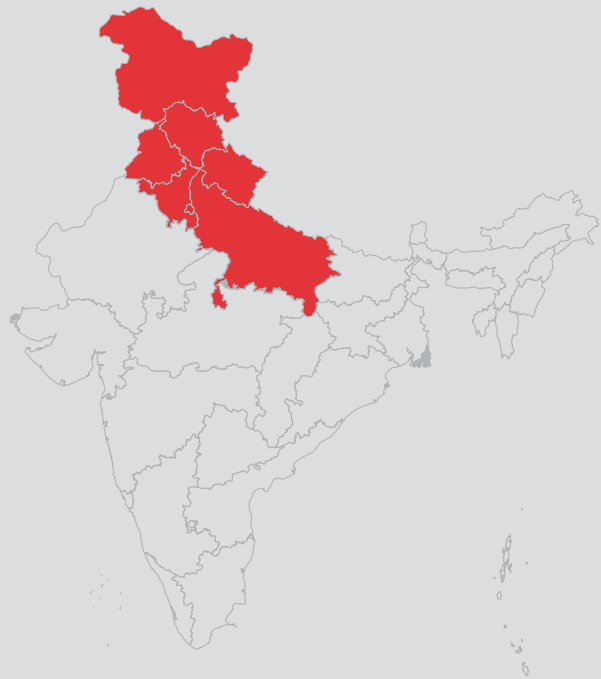
November 2022

How did the Courts function during the pandemic?

The data presented in this part of the report concerns the District Courts under the jurisdiction of:

1. The High Court of Judicature at Allahabad,
2. The High Court of Delhi,
3. The High Court of Punjab and Haryana,
4. The High Court of Himachal Pradesh,
5. The High Court of Jammu & Kashmir and Ladakh, and
6. The High Court of Uttarakhand.

The above jurisdictions have been clubbed and collectively referred to as the 'North Zone'. The following sections contain a detailed analysis of case data from District Courts in the North Zone.



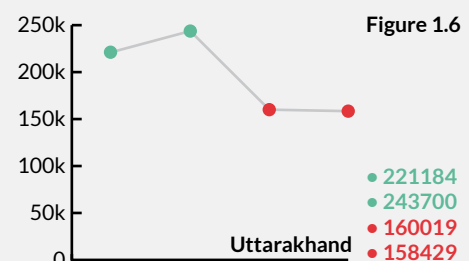
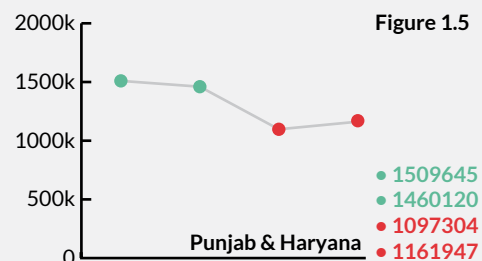
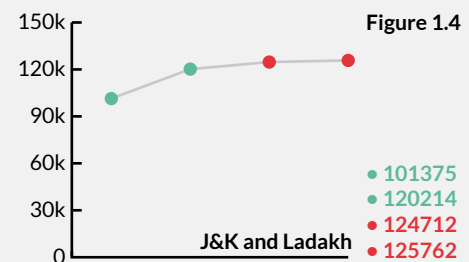
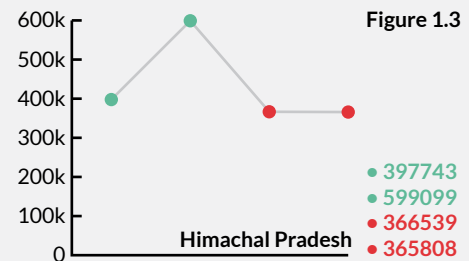
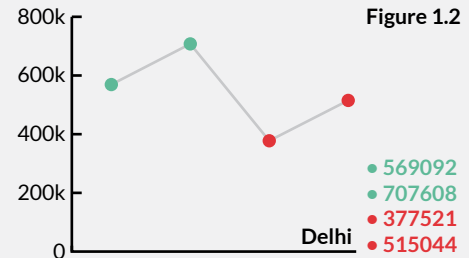
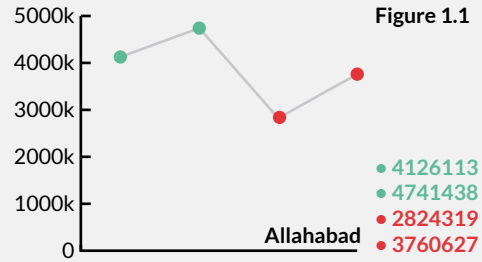
I

Case-filing trends during the pandemic

In this section, we look at the yearly filings of cases in the District Courts across the jurisdiction of different High Courts in the North Zone, between 2018 and 2021. Through this analysis, the report aims to present the difference in the filing trends before and during the pandemic period.

Across the North Zone, except Jammu & Kashmir and Ladakh, each High Court jurisdiction witnessed a significant drop in the number of cases instituted in their respective District Courts. As highlighted by Figures 1.1-1.6, in all the jurisdictions, except Jammu & Kashmir and Ladakh, the filing of the cases significantly dipped in 2020 and only marginally recovered in 2021. Even though attempts had been made to enable digital filing and virtual functioning of the Courts through 2020, the COVID-19 pandemic continued to affect the institution of cases in District Courts even in the second year of the pandemic.

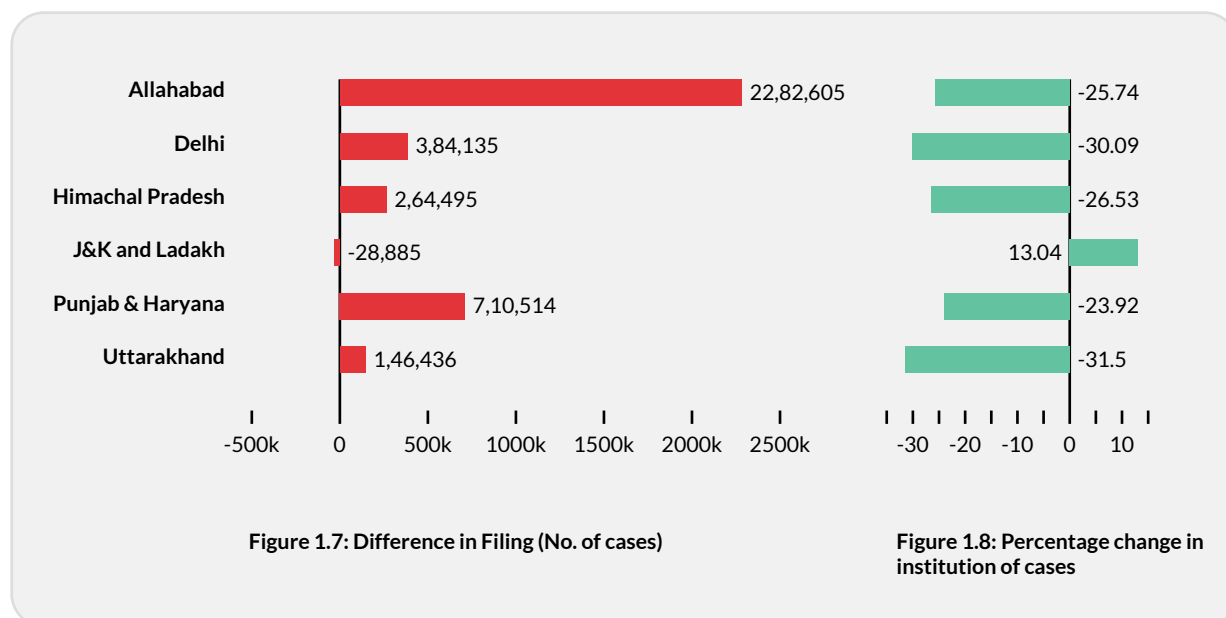
An analysis of the difference between the institution of cases in the two years before the pandemic and the two years when the filings were affected by the pandemic displays the extent of this disruption.



2018 2019 2020 2021

Trend of cases filed before the District Courts between 2018-2021

In all, the North Zone saw a dip of 37,59,300 case filings in 2020 and 2021 in comparison to the preceding two years. The High Court of Jammu & Kashmir and Ladakh, on the other hand, saw an increase in filings by 28,885 cases. The following table shows the difference between the number of filings in 2020-2021 vis-a-vis 2018-2019.



Further analysis of the data, as depicted in Figure 1.8, highlights that the filings across District Courts in Uttarakhand were the most affected by the pandemic and dropped by 31.5 % in 2020-21 in comparison to 2018-19. The District Courts under the jurisdiction of the Delhi High Court, Himachal Pradesh High Court, High Court of Judicature at Allahabad, and High Court of Punjab & Haryana also witnessed a drop of 30.09%, 26.53%, 25.74% and 23.92% respectively. On the other hand, the filing of cases in District Courts under the jurisdiction of the High Court of Jammu & Kashmir and Ladakh increased slightly in 2020.

II

Disposal of cases during the pandemic

Out of the 175 District Courts from the North Zone analysed, 160 District Courts witnessed a reduction in the number of cases disposed of during the pandemic years. Interestingly, some District Courts have not just kept pace with their prior rate of disposal but disposed of more cases than in the previous years. The negative value of 'percentage reduction of the disposal of cases' indicates such instances where the disposal per year increased during the pandemic. We have highlighted the worst and best performing districts.¹

¹ For High Courts having jurisdiction over 20 districts or less, 6 districts have been highlighted in the table. For High Courts having jurisdiction over more than 20 districts but less than 30 districts, 8 districts have been highlighted and for High Courts having jurisdiction over 30 districts, 10 have been highlighted for the analysis, across the Best & Worst performing districts (Figures 1.9 & 1.10).

Figure 1.9: Worst Performing Districts in the North Zone

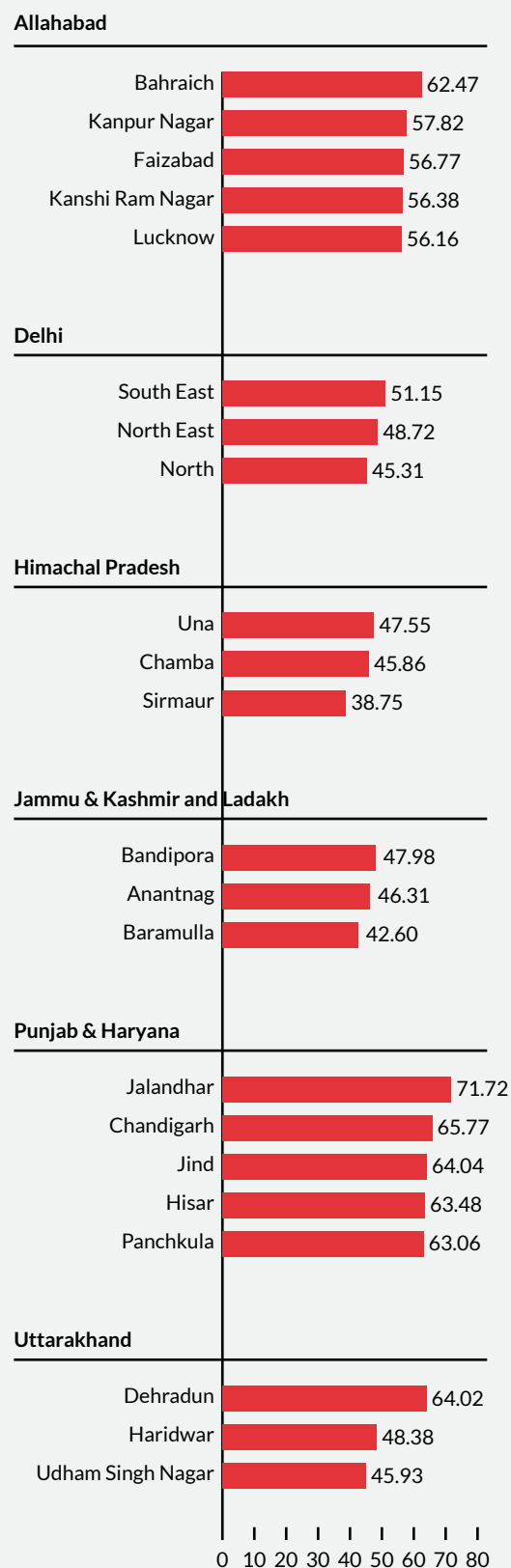
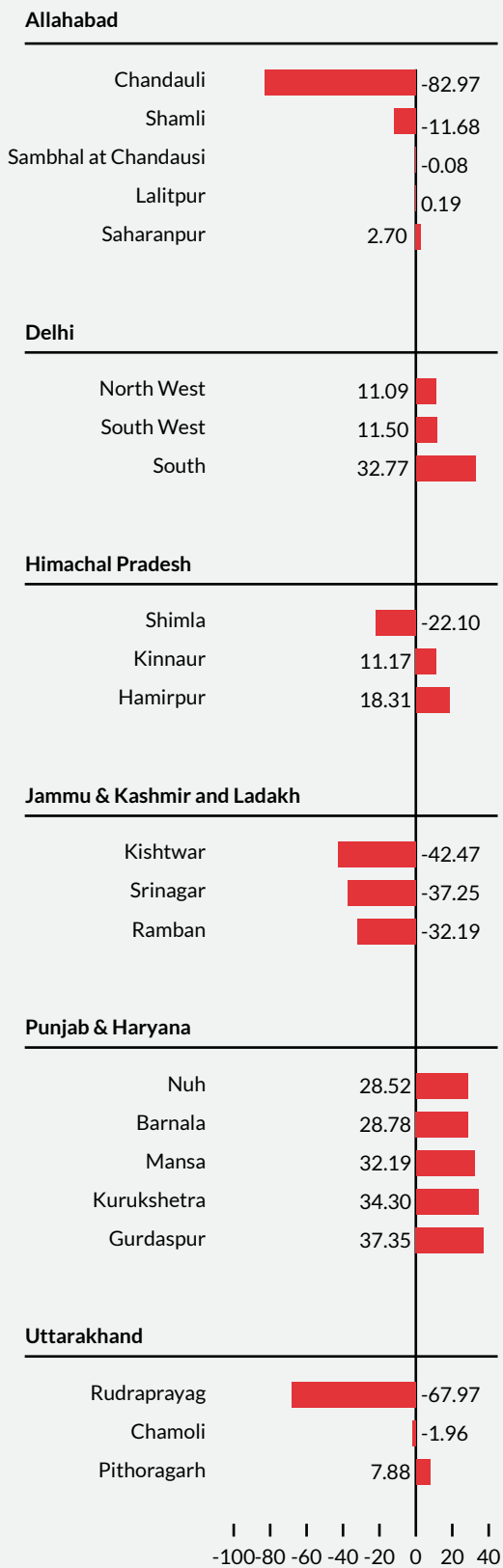


Figure 1.10: Best Performing Districts in the North Zone



In the North Zone, the disposal rate at the District Courts subordinate to the High Court of Punjab and Haryana suffered the most during the pandemic. One would assume that urban centres may have better access to digital services and facilities and thereby perform better during the pandemic. However, despite being urban centres, Jalandhar and Chandigarh District Courts witnessed a reduction of more than 65% in the number of cases disposed of compared to preceding years. On the other hand, 9 out of 22 District Courts in Jammu & Kashmir and Ladakh witnessed an increase in the number of cases disposed during the pandemic compared to the average disposal in 2018 and 2019.

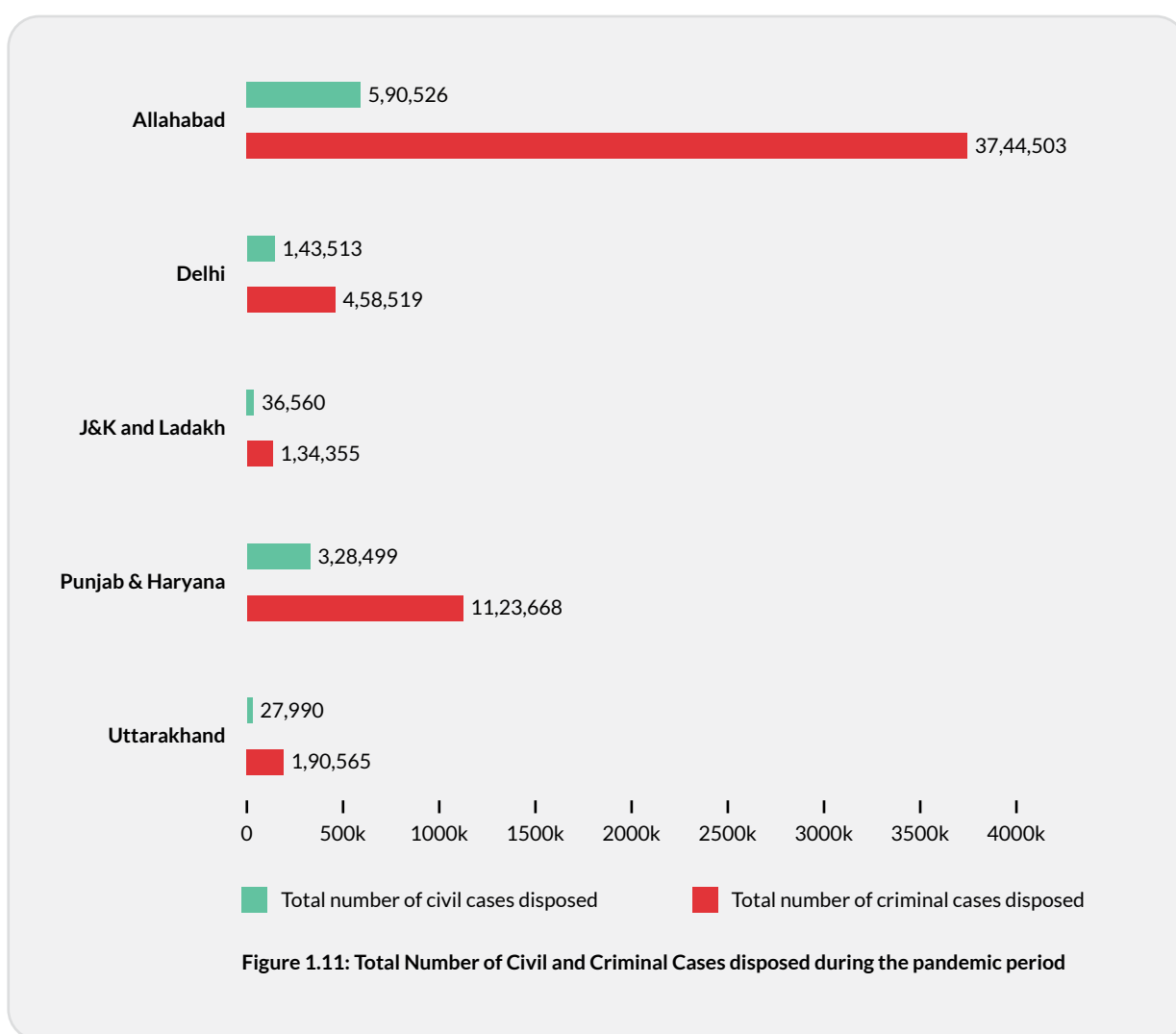
A detailed list of all the District Courts in the North Zone along with the percentage reduction in its disposal in 2020 and 2021, when compared to 2018 and 2019 can be accessed [here](#). This information can be instrumental in identifying the positive interventions adopted by the District Judiciary to dispose of cases during the pandemic while also revealing pain points concerning the functioning of virtual courts at the District Judiciary.

The District Courts in Jammu & Kashmir and Ladakh saw very minor disruption in both institution and disposal of cases during the pandemic. While the total number of cases instituted were 2,50,474 (13.04% increase from the pre-pandemic period), the total number cases disposed were 1,70,915 (just a 3% decrease from the pre-pandemic period).

III

Case types prioritised by Courts during the pandemic

It was observed that District Courts across the North Zone disposed of more criminal cases than civil cases. The total number of each case type that was disposed in the pandemic period were as follows:



In the following section, we have tried to map the types of civil and criminal cases that have been prioritized across various District Courts in the North Zone during the pandemic period by studying the disposal of cases.

As mentioned earlier, the District Courts in the North Zone disposed of more criminal cases than civil cases. The number of case types for civil cases was considerably higher than criminal cases. For the purpose of this analysis, the top 9 categories within civil cases in the North Zone have been taken, the rest have been categorized under the head 'Other'. For the complete list of case types in the 'Other' category for the North Zone, refer to Annexure 1.6.

District Courts under almost all High Courts in the North Zone saw an increase in the disposal of bail applications (an in-depth analysis of the disposal of bail applications has been undertaken in the next section). The maximum increase in disposal of cases was seen in the disposal of Juvenile Justice Cases in the District Courts under the High Court of Judicature at Allahabad by as much as 3380% (an in-depth analysis of the disposal of Juvenile Justice Cases has been undertaken in Section VI).

Within the criminal case type category, the disposal of Warrants and Summons cases remained considerably high across the District Courts as they were in the pre-pandemic period. However, the District Courts under the Uttarakhand and Punjab and Haryana High Court saw a drop in the disposal of Warrants and Summons cases by as much as 70.38% and 67.44% respectively. In contrast, the District Courts of Jammu & Kashmir and Ladakh saw the maximum increase in the disposal of Warrants and Summons by 36.74%. The

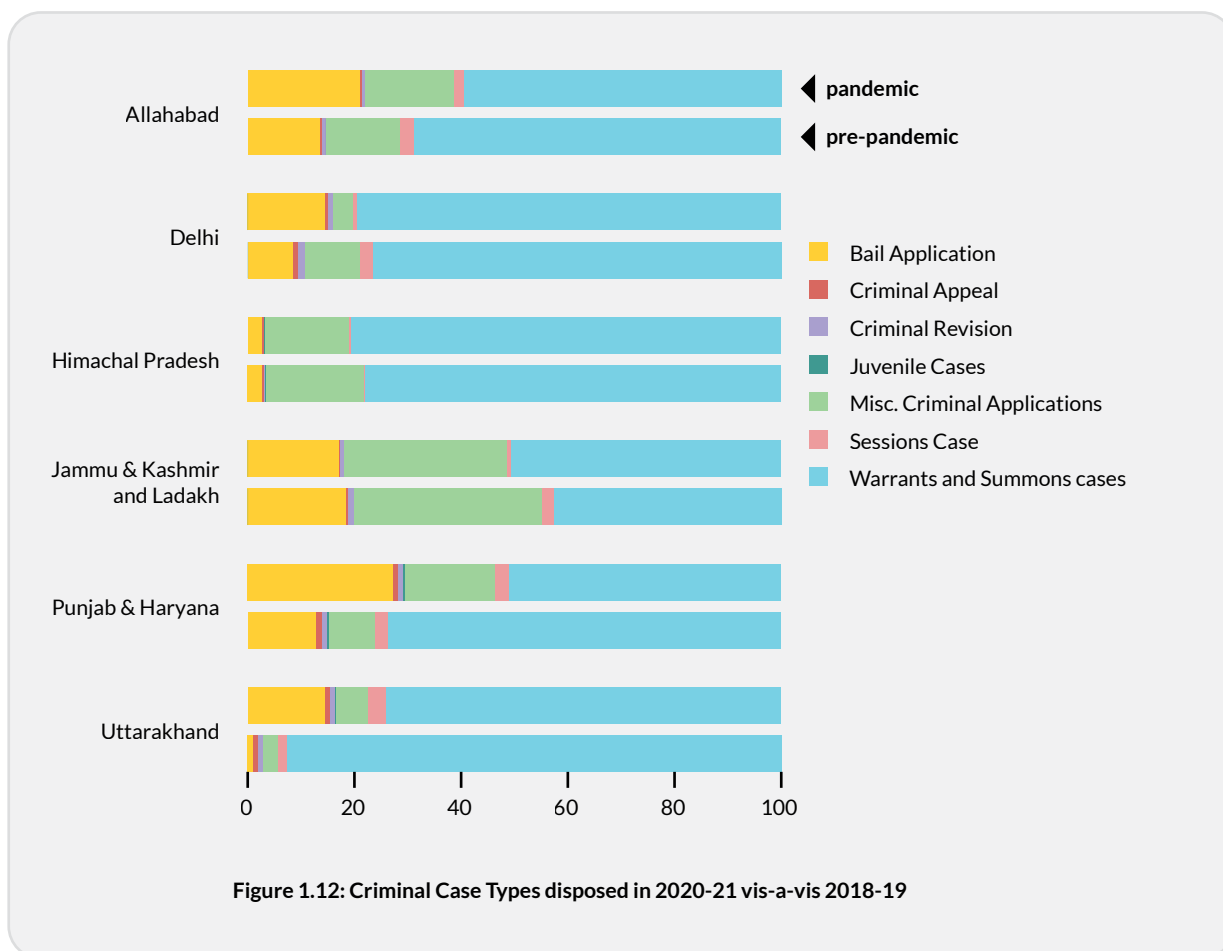
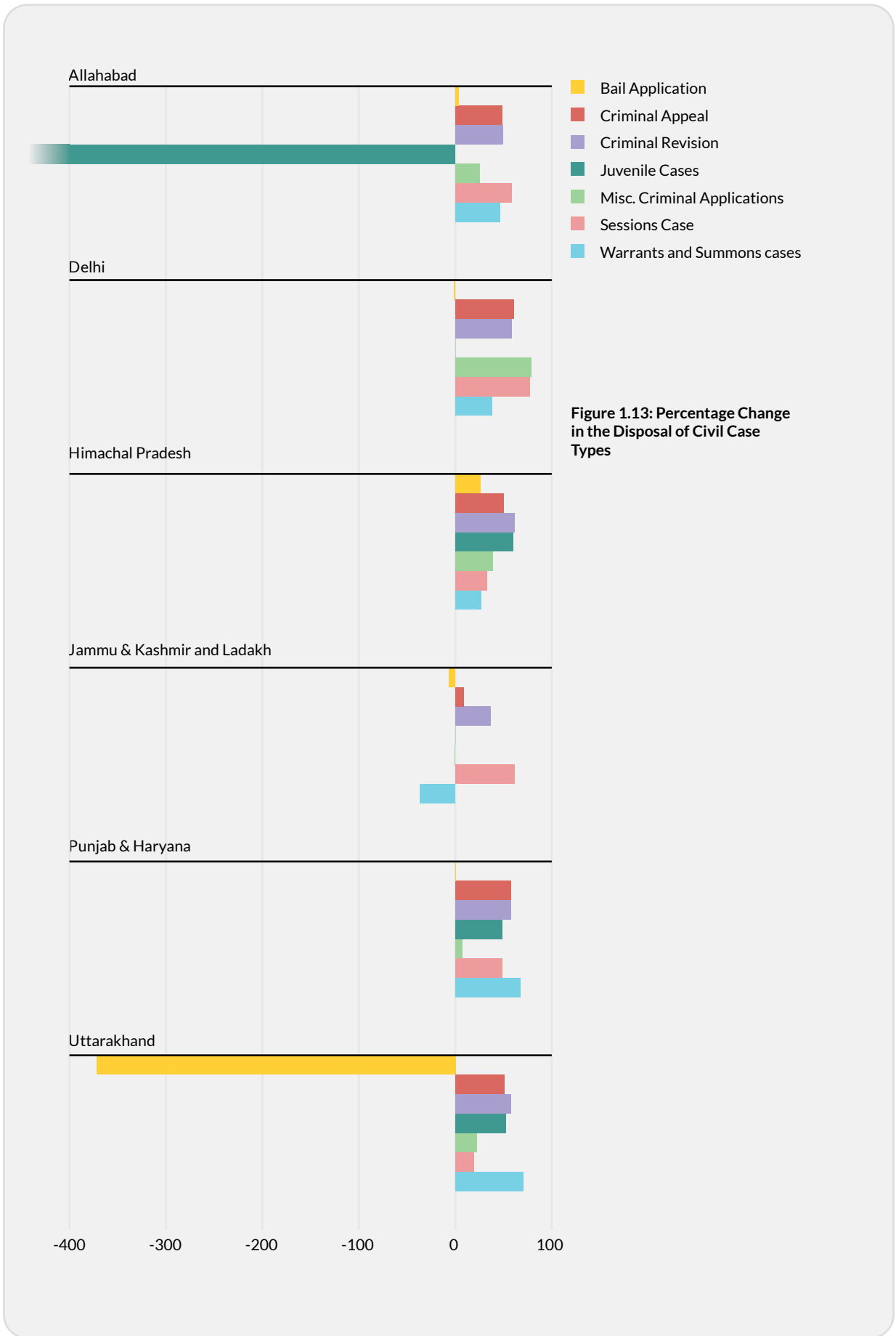
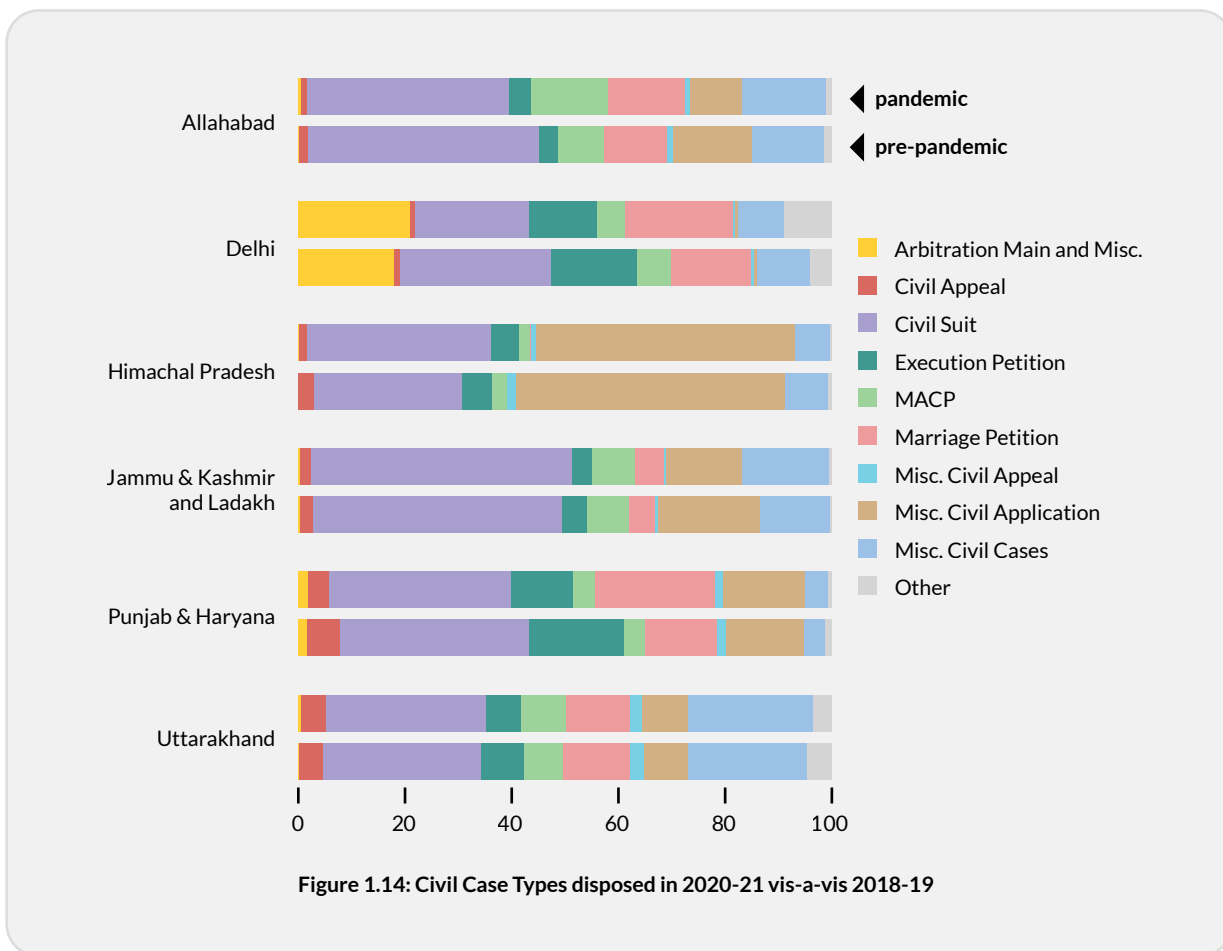
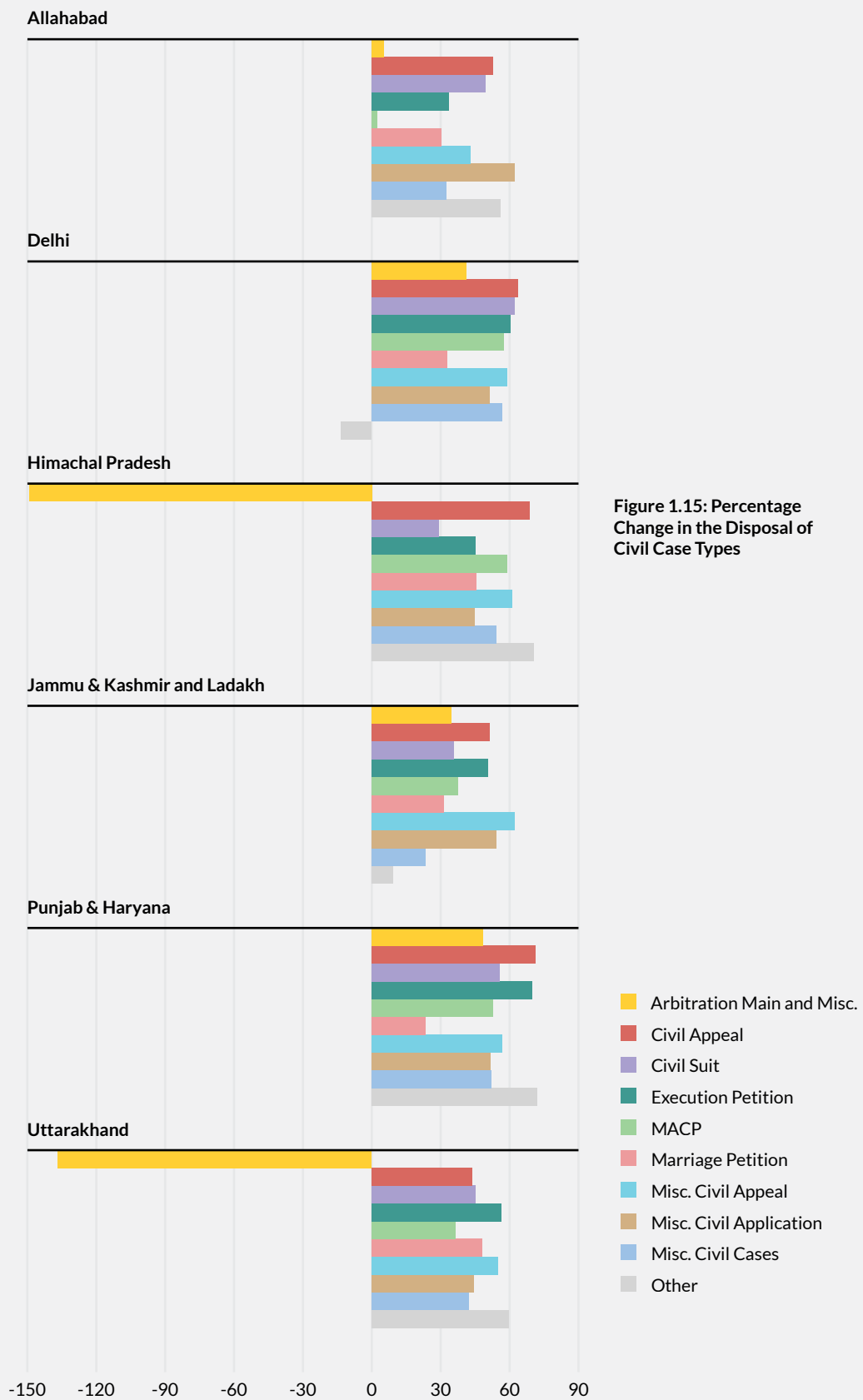


Figure 1.12: Criminal Case Types disposed in 2020-21 vis-a-vis 2018-19



Within the civil cases, a higher percentage of Civil Suits have been disposed of during the pandemic years as well as the pre-pandemic years. The maximum increase in the disposal of civil cases was seen in Arbitration cases, which increased by 149.12% and 136.67% in the District Courts under Himachal Pradesh and Uttarakhand, respectively. The most decrease in the disposal of cases was seen in the disposal of Civil Appeals in the District Courts under Punjab and Haryana High Court followed by the disposal of Execution Petitions by the same District Courts (69.9%) (an in-depth analysis of the disposal of Execution Petitions has been undertaken in Section V).



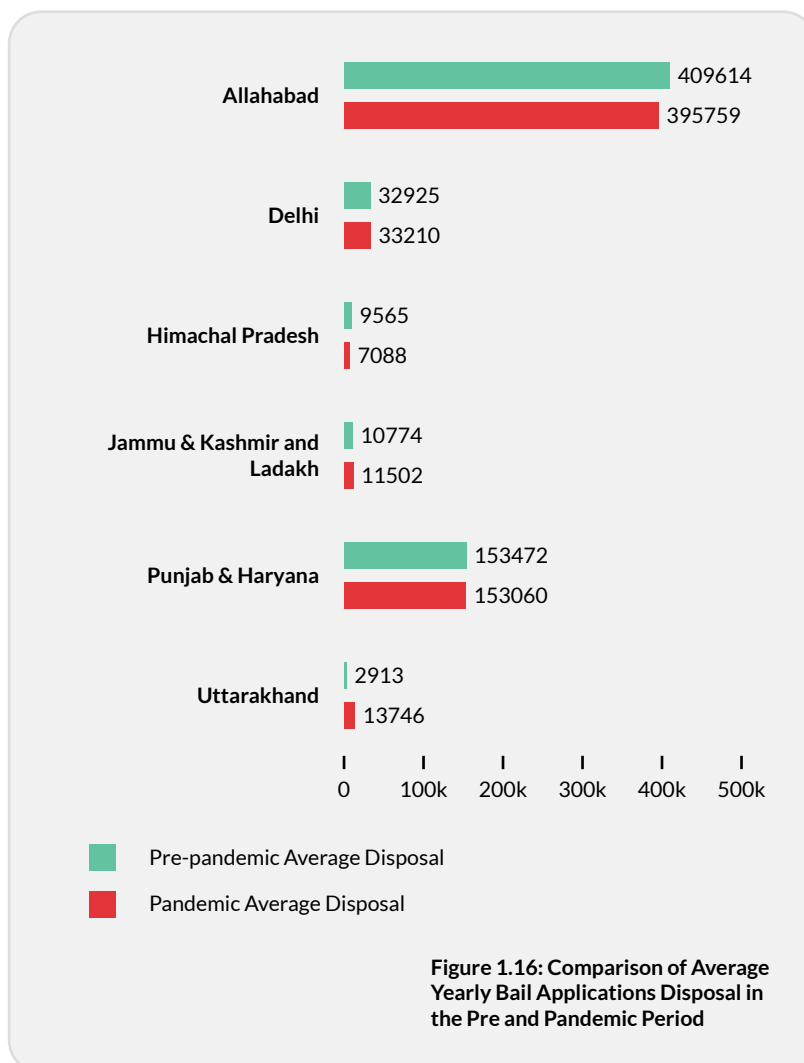


IV

Decongestion of jails and prisons during the pandemic

The figure highlights that there was no steep decline in the disposal of bail petitions as witnessed in the overall disposal of cases. Additionally, except in Uttarakhand, District Courts in no other state were able to increase the disposal of cases significantly. The District Courts in Uttarakhand saw an increase in the disposal of bail applications by as much as 372%. Apart from Uttarakhand, the District Courts in Delhi, Jammu & Kashmir and Ladakh saw a marginal increase of bail disposals by 0.9% and 7%, respectively. While District Courts in Himachal Pradesh, Punjab and Haryana and Uttar Pradesh saw a decline in the number of bail disposals by 26%, 0.3%, and 3%, respectively.

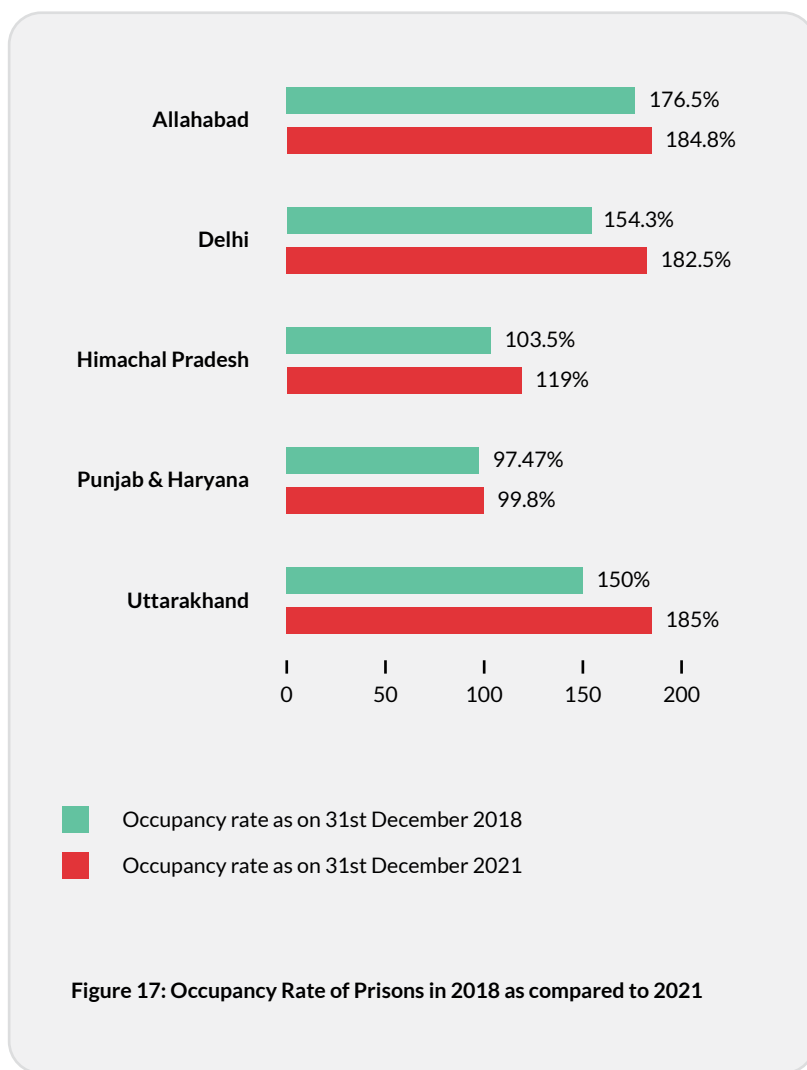
A comparison of the prison occupancy rate on 31 December 2018 and 31 December 2021 offers an insight into the effectiveness of the measures taken by the Supreme Court² to decongest prisons by issuing a series of orders to the state governments.³



² *In Re: Contagion of COVID-19 Virus In Prisons* (2020) 5 SCC 313; *In Re: Contagion of COVID-19 Virus In Prisons* 2020 SCC OnLine 344.

³ National Crime Records Bureau, 'Prison Statistics 2018' (*National Crimes Records Bureau, Ministry of Home Affairs, Government of India*, 23 December 2019) 46 <<https://ncrb.gov.in/sites/default/files/PSI-2018.pdf>> accessed 23 September 2022; National Crime Records Bureau, 'Prison Statistics 2021' (*National Crimes Records Bureau, Ministry of Home Affairs, Government of India*, 18 August 2022) 44 <https://ncrb.gov.in/sites/default/files/PSI-2021/PSI_2021_as_on_31-12-2021.pdf> accessed 23 September 2022.

Jammu & Kashmir and Ladakh are missing from the figure.⁴ As can be seen from the figure, the prison occupancy rate worsened from 2018 to 2021 across all the High Courts.⁵ This clearly indicates that despite steps like constitution of a High-Powered Committee in each state to decongest prisons⁶ on the directions of the Supreme Court, the problem worsened during the pandemic. It is also pertinent to note here that District Courts in Uttarakhand and Delhi, despite increasing their bail disposals during the pandemic could not keep up with number of bail applications and the end goal of decongestion of prisons was evidently not met.



⁴ Ladakh was established as a Union Territory on 31st October 2019 and before that was under the State of Jammu and Kashmir. Hence, separate prison occupancy rate data is only available from 2020 onwards. The NCRB data provides a combined percentage for Jammu and Kashmir and Ladakh region till 2019, making it difficult to analyse the situation in prisons in the two areas pre-pandemic and during the pandemic.

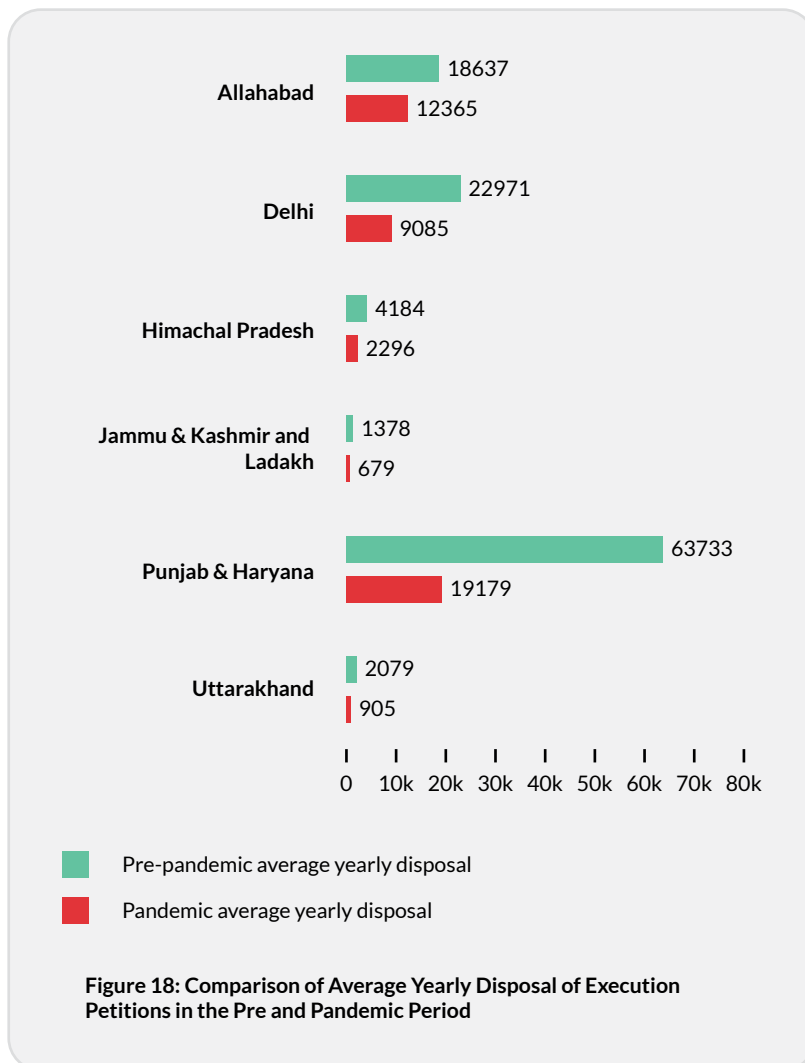
⁵ The High Court of Punjab and Haryana has jurisdiction over the State of Punjab, State of Haryana and the Union Territory of Chandigarh. For the purpose of this analysis, the average of the prison occupancy rate of both the States and the Union Territory have been taken. In 2018, the occupancy rate in Punjab was 95.7%, in Haryana it was 104.3% and in Chandigarh it was 92.4%. In 2021, the occupancy rate in Punjab was 98.5%, in Haryana it was 120.8% and in Chandigarh it was 80.1%.

⁶ *In Re: Contagion of COVID-19 Virus In Prisons 2020 SCC OnLine SC 344.*

V

Execution Petitions during the pandemic

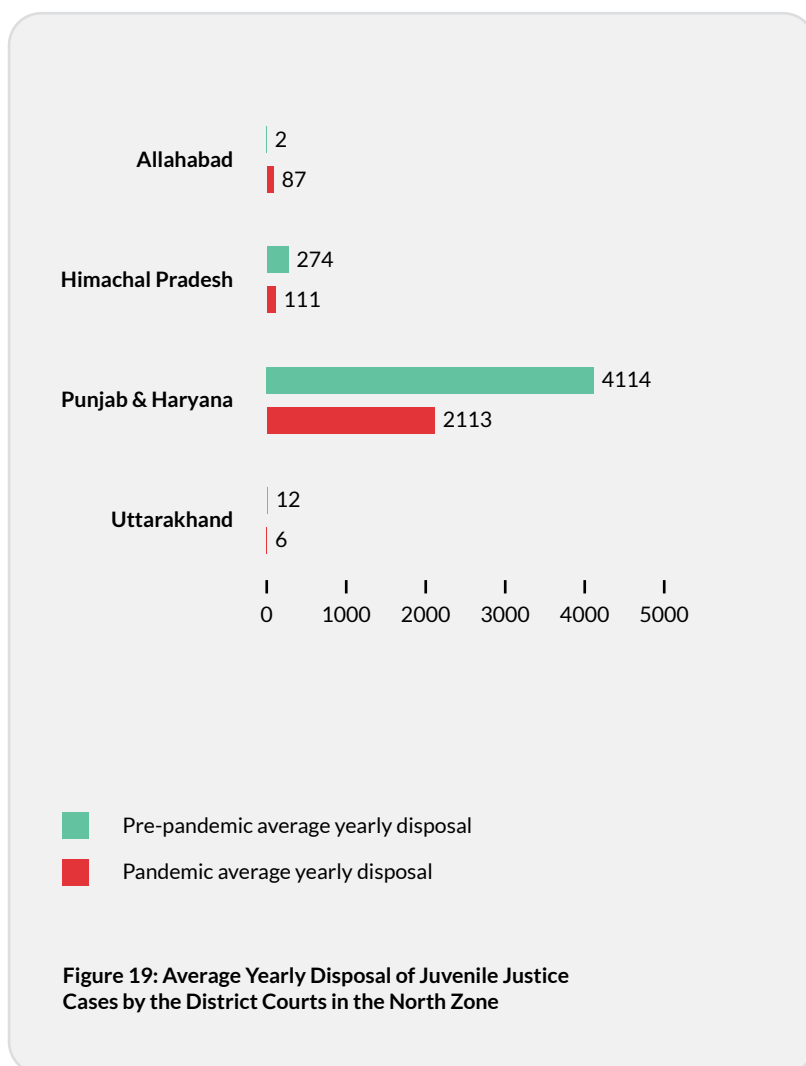
As displayed in the figure, the disposal of Execution Petitions across states dropped massively during the pandemic. In District Courts under the Jurisdiction of the High Court of Punjab and Haryana and the High Court of Delhi, this reduction was the maximum, i.e., 69.9% and 60.45% in comparison to the pre-pandemic levels. This was followed by Uttarakhand, Jammu & Kashmir and Ladakh, Himachal Pradesh and Uttar Pradesh with a reduction of 56.47%, 50.72%, 45.12% and 33.65%. While Uttar Pradesh showed the least proportional change in disposal of Execution Petitions, a reduction of 33.65% is in itself significant.



VI

Justice for the Juveniles

The figure highlights the reduction in the disposal of cases related to children in conflict with the law.⁷ While the number of disposals recorded in Uttar Pradesh and Uttarakhand is too low for any conclusive analysis, the drop in the disposals in Himachal Pradesh and Punjab and Haryana has been significant. In Himachal Pradesh, the number of juvenile justice cases disposed of by District Courts per year reduced by 59.49% during the pandemic, whereas in District Courts under the jurisdiction of the High Court of Punjab and Haryana, reduced by 48.64%.



⁷ This analysis could not be undertaken for Jammu & Kashmir and Ladakh, due to the data being unavailable on the NCRB website.

Annexures

Annexure 1.1: Total number of Criminal Cases disposed during the pre-pandemic and pandemic period.

HC	case_type	pre_pandemic_ total	pandemic_ total	change
Delhi	Bail Application	65851	66421	-0.87
Delhi	Warrant or Summons Criminal Cases	589152	364265	38.17
Delhi	Criminal Revision	10103	4224	58.19
Delhi	Criminal Appeal	6335	2512	60.35
Delhi	Sessions Case	17994	4109	77.16
Delhi	Misc. Criminal Applications	80649	16988	78.94
Himachal Pradesh	Bail Application	19131	14177	25.9
Himachal Pradesh	Warrant or Summons Criminal Cases	557808	410091	26.48
Himachal Pradesh	Sessions Case	2589	1733	33.06
Himachal Pradesh	Misc. Criminal Applications	131505	80599	38.71
Himachal Pradesh	Criminal Appeal	3234	1612	50.15
Himachal Pradesh	Juvenile Cases	549	222	59.56
Himachal Pradesh	Criminal Revision	1194	461	61.39
Jammu & Kashmir and Ladakh	Warrant or Summons Criminal Cases	49633	67869	-36.74
Jammu & Kashmir and Ladakh	Bail Application	21548	23005	-6.76
Jammu & Kashmir and Ladakh	Misc. Criminal Applications	40901	41144	-0.59
Jammu & Kashmir and Ladakh	Criminal Appeal	386	352	8.81
Jammu & Kashmir and Ladakh	Criminal Revision	1475	936	36.54
Jammu & Kashmir and Ladakh	Sessions Case	2710	1049	61.29
Punjab and Haryana	Bail Application	306944	306121	0.27
Punjab and Haryana	Misc. Criminal Applications	204524	189257	7.46
Punjab and Haryana	Juvenile Cases	8228	4227	48.63
Punjab and Haryana	Sessions Case	60303	30912	48.74
Punjab and Haryana	Criminal Revision	21578	9163	57.54
Punjab and Haryana	Criminal Appeal	27838	11745	57.81
Punjab and Haryana	Warrant or Summons Criminal Cases	1757320	572243	67.44
Uttar Pradesh	Juvenile Cases	5	174	-3380.0
Uttar Pradesh	Bail Application	819228	791518	3.38
Uttar Pradesh	Misc. Criminal Applications	837943	626809	25.2

HC	case_type	pre_pandemic_ total	pandemic_ total	change
Uttar Pradesh	Warrant or Summons Criminal Cases	4142145	2226396	46.25
Uttar Pradesh	Criminal Appeal	23417	12120	48.24
Uttar Pradesh	Criminal Revision	41665	21276	48.94
Uttar Pradesh	Sessions Case	157564	66210	57.98
Uttarakhand	Bail Application	5826	27492	-371.88
Uttarakhand	Sessions Case	8237	6679	18.91
Uttarakhand	Misc. Criminal Applications	14584	11389	21.91
Uttarakhand	Criminal Appeal	4133	2020	51.13
Uttarakhand	Juvenile Cases	25	12	52.0
Uttarakhand	Criminal Revision	4754	2007	57.78
Uttarakhand	Warrant or Summons Criminal Cases	475919	140966	70.38

Annexure 1.2: Total number of Civil Cases disposed during the pre-pandemic and pandemic period.

HC	case_type	pre-pandemic total	pandemic total	change
Delhi	Other	11253	12752	-13.32
Delhi	Marriage Petition	42915	28886	32.69
Delhi	Arbitration Main and Misc.	51374	30188	41.24
Delhi	Misc. Civil Application	1715	837	51.2
Delhi	Misc. Civil Cases	28681	12371	56.87
Delhi	MACP	18182	7744	57.41
Delhi	Misc. Civil Appeal	1607	659	58.99
Delhi	Execution Petition	45943	18170	60.45
Delhi	Civil Suit	80915	30714	62.04
Delhi	Civil Appeal	3271	1192	63.56
Himachal Pradesh	Arbitration Main and Misc.	57	142	-149.12
Himachal Pradesh	Civil Suit	40947	29022	29.12
Himachal Pradesh	Misc. Civil Application	74328	40985	44.86
Himachal Pradesh	Execution Petition	8368	4593	45.11
Himachal Pradesh	Marriage Petition	66	36	45.45
Himachal Pradesh	Misc. Civil Cases	12102	5542	54.21
Himachal Pradesh	MACP	4236	1746	58.78
Himachal Pradesh	Misc. Civil Appeal	2228	870	60.95
Himachal Pradesh	Civil Appeal	4290	1347	68.6
Himachal Pradesh	Other	911	268	70.58
Jammu & Kashmir and Ladakh	Other	187	170	9.09
Jammu & Kashmir and Ladakh	Misc. Civil Cases	7837	6000	23.44

HC	case_type	pre-pandemic total	pandemic total	change total
Jammu & Kashmir and Ladakh	Marriage Petition	2896	1986	31.42
Jammu & Kashmir and Ladakh	Arbitration Main and Misc.	205	134	34.63
Jammu & Kashmir and Ladakh	Civil Suit	27859	17935	35.62
Jammu & Kashmir and Ladakh	MACP	4657	2909	37.53
Jammu & Kashmir and Ladakh	Execution Petition	2757	1359	50.71
Jammu & Kashmir and Ladakh	Civil Appeal	1484	722	51.35
Jammu & Kashmir and Ladakh	Misc. Civil Application	11352	5177	54.4
Jammu & Kashmir and Ladakh	Misc. Civil Appeal	443	168	62.08
Punjab and Haryana	Marriage Petition	97038	74402	23.33
Punjab and Haryana	Arbitration Main and Misc.	11751	6055	48.47
Punjab and Haryana	Misc. Civil Application	104949	50523	51.86
Punjab and Haryana	Misc. Civil Cases	28506	13677	52.02
Punjab and Haryana	MACP	27564	12977	52.92
Punjab and Haryana	Civil Suit	253366	112395	55.64
Punjab and Haryana	Misc. Civil Appeal	11450	4939	56.86
Punjab and Haryana	Execution Petition	127467	38358	69.91
Punjab and Haryana	Civil Appeal	44577	12836	71.2
Punjab and Haryana	Other	8301	2337	71.85
Allahabad	MACP	87891	85694	2.5
Allahabad	Arbitration Main and Misc.	2704	2557	5.44
Allahabad	Marriage Petition	120875	84130	30.4
Allahabad	Misc. Civil Cases	138174	93395	32.41
Allahabad	Execution Petition	37274	24730	33.65
Allahabad	Misc. Civil Appeal	10652	6058	43.13
Allahabad	Civil Suit	442261	223205	49.53
Allahabad	Civil Appeal	15797	7444	52.88
Allahabad	Other	13897	6121	55.95
Allahabad	Misc. Civil Application	151966	57192	62.37

Annexure 1.3. Total number of cases filed in the North Zone.

State	Year	Number of Cases filed
Delhi	2018	569092
Delhi	2019	707608
Delhi	2020	377521
Delhi	2021	515044
Himachal Pradesh	2018	397743
Himachal Pradesh	2019	599099
Himachal Pradesh	2020	366539
Himachal Pradesh	2021	365808
Jammu & Kashmir	2018	101375

State	Year	Number of Cases filed
Jammu & Kashmir	2019	120214
Jammu & Kashmir	2020	124712
Jammu & Kashmir	2021	125762
Punjab & Haryana	2018	1509645
Punjab & Haryana	2019	1460120
Punjab & Haryana	2020	1097304
Punjab & Haryana	2021	1161947
Uttar Pradesh	2018	4126113
Uttar Pradesh	2019	4741438
Uttar Pradesh	2020	2824319
Uttar Pradesh	2021	3760627

Annexure 1.4. Total number of Civil and Criminal Cases disposed in the North Zone.

HC	Year	Civil	Criminal
Uttar Pradesh	2018	437116	2757173
Uttar Pradesh	2019	584375	3264794
Uttar Pradesh	2020	280104	1651869
Uttar Pradesh	2021	310422	2092634
Delhi	2018	129007	315535
Delhi	2019	156849	454549
Delhi	2020	67794	197453
Delhi	2021	75719	261066
Himachal Pradesh	2018	69560	246939
Himachal Pradesh	2019	77973	469071
Himachal Pradesh	2020	30781	184984
Himachal Pradesh	2021	53770	323911
Jammu & Kashmir and Ladakh	2018	29286	49101
Jammu & Kashmir and Ladakh	2019	30391	67552
Jammu & Kashmir and Ladakh	2020	14732	56436
Jammu & Kashmir and Ladakh	2021	21828	77919
Punjab & Haryana	2018	340131	1245228
Punjab & Haryana	2019	374838	1141507
Punjab & Haryana	2020	119138	452880
Punjab & Haryana	2021	209361	670788
Uttarakhand	2018	23829	198990
Uttarakhand	2019	27752	314488
Uttarakhand	2020	11058	86872
Uttarakhand	2021	16932	103693

Annexure 1.5. Top 9 Civil Case Categories.

Top 9 Categories

Civil Appeal
Misc. Civil Cases
MACP
Misc. Civil Appeal
Civil Suit
Arbitration Main and Misc.
Execution Petition
Misc. Civil Application
Marriage Petition

Annexure 1.6. Cases categorized as 'Other' category for the North Zone.

Others

Civil Revision
Land Reference
Commercial Suit
Industrial Court Main Cases
Misc. Execution
Labour Court Misc. Cases
Labour Court Main Cases
Election Petition
Other Tribunals
Cooperative Court Cases Main
Cooperative Appeal Cases Misc.
Cooperative Appeal Cases Main
Commercial Appeal

Data speak

A look at the District Courts'
performance during the
pandemic

**NORTH-EAST
ZONE**

How did the Courts function during the pandemic?

The data presented in this part of the report concerns the District Courts under the jurisdiction of:

1. The High Court of Judicature at Gauhati,¹
2. The High Court of Manipur,
3. The High Court of Meghalaya,
4. The High Court of Sikkim, and
5. The High Court of Tripura.

The above jurisdictions have been clubbed and collectively referred to as the 'North-East Zone'. The following sections contain a detailed analysis of case data from District Courts in the North-East Zone.



¹ The High Court of Judicature at Gauhati is the High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh.

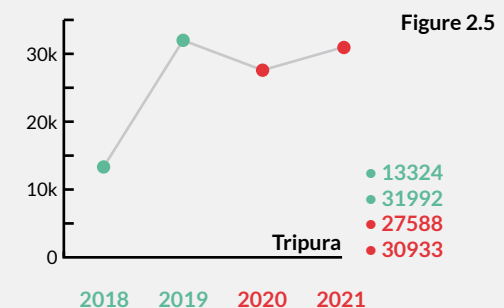
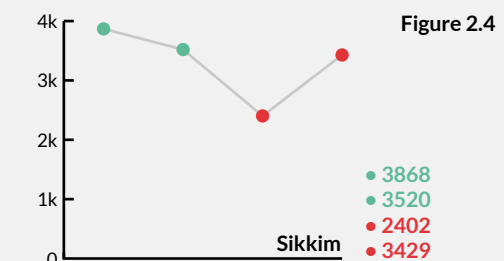
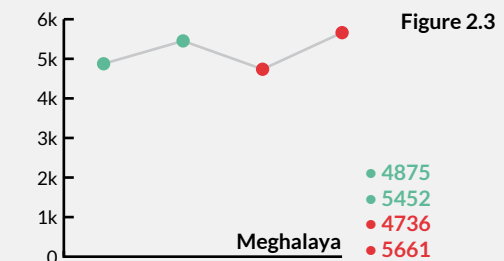
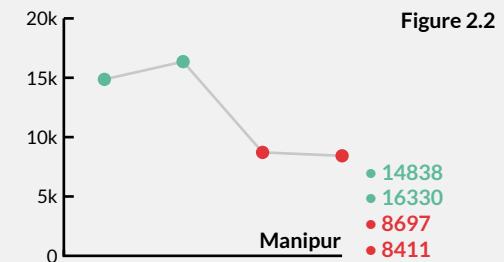
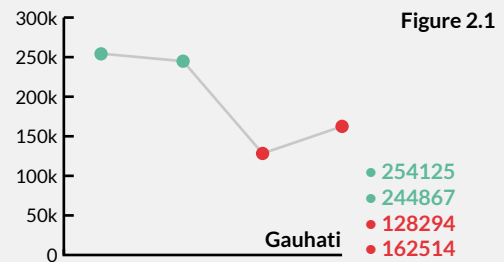
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Case-filing trends during the pandemic

In this section, we look at the yearly filings of cases in the District Courts across the jurisdiction of different High Courts in the North-East Zone, between 2018 and 2021. Through this analysis, the report aims to present the difference in the filing trends before and during the pandemic period.

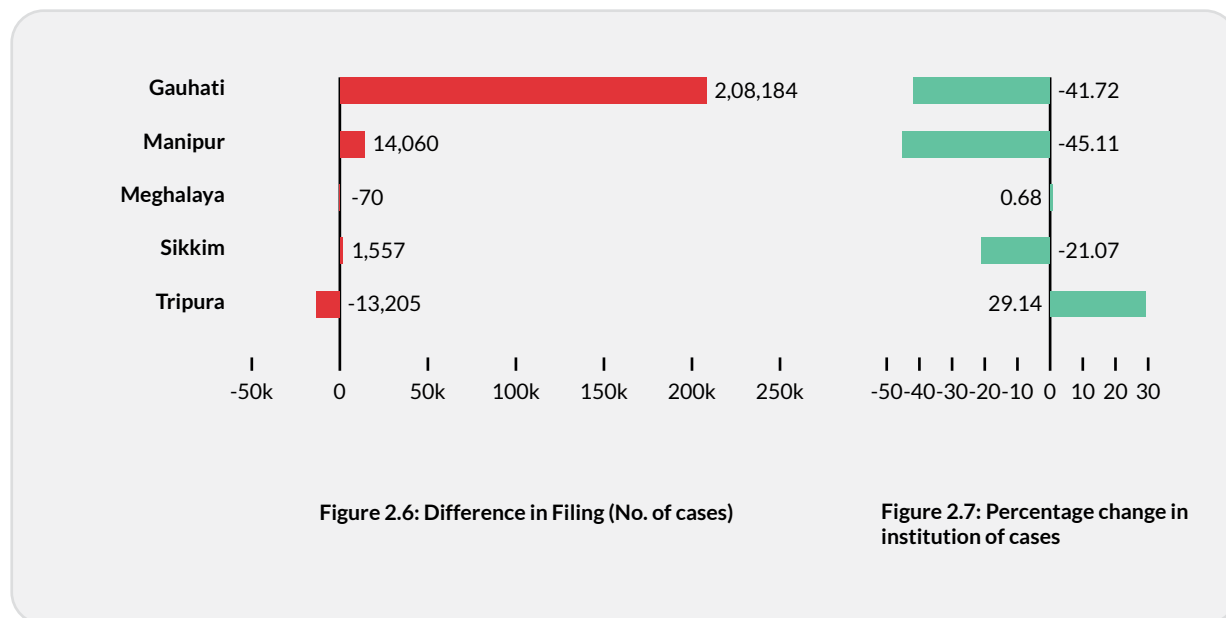
Across the North-East Zone, the District Courts under each High Court's jurisdiction witnessed a significant drop in the number of cases instituted in the year 2020. The filing of cases before the District Courts under the jurisdiction of Gauhati as well as Manipur High Court decreased by almost 50% from 2019 to 2020. The District Courts in Tripura are the only Courts where the pandemic period doesn't seem to have affected the filing patterns, i.e., 31992 cases were filed in 2019, 27588 cases in 2020 and 30933 cases in 2021. Apart from Manipur, in all the other Courts in the North-East Zone, the numbers increased in the year 2021. The District Courts in Meghalaya had more filings in 2021(5661 cases filed) then they had in the pre-pandemic years (4875 cases filed in 2018 and 5452 cases filed in 2019). The attempts that had been made to enable digital filing and virtual functioning of the Courts through 2020 seems to have worked in the North-East Zone.

The following analysis of the difference between the institution of cases in the two years before the pandemic and the two years when the filings were affected by the pandemic displays the extent of disruption in the filing of cases.



Trend of cases filed before the District Courts between 2018-2021

In all, the North-East Zone saw a dip of 2,10,526 case filings in 2020 and 2021 in comparison to the preceding two years, 2,08,184 of which are going to come before the High Court of Judicature at Gauhati. The following table shows the difference between the number of filings in 2020-2021 vis-a-vis 2018-2019.



The District Courts in Meghalaya and Tripura interestingly saw an increase in the number of case filings.

Further analysis of the data, as depicted Figure 2.7, highlights that the filings across District Courts under the jurisdiction of the High Court of Judicature at Gauhati were the most affected by the pandemic and dropped by 41.72 % in 2020-21 in comparison to 2018-2019. Although the District Courts in Manipur saw a decline by 45.11%, this amounts to only 70 cases by volume. On the other hand, the filing of cases in District Courts under the jurisdiction of the Tripura High Court increased by as much as 29.14% in the 2020-21 period.

II

Disposal of cases during the pandemic

Out of the 112 District Courts from the North-East Zone analysed, 107 District Courts witnessed a reduction in the number of cases disposed of during the pandemic years. Interestingly, Gomati District Court in Tripura has shown no change in the rate of disposals and 4 District Courts disposed of more cases during the pandemic than in the previous years. We have highlighted the worst and best performing districts in the table below under each High Court.²

² For High Courts having jurisdiction over 20 districts or less, 6 districts have been highlighted in the table. For High Courts having jurisdiction over more than 20 districts but less than 30 districts, 8 districts have been highlighted and for High Courts having jurisdiction over 30 districts, 10 have been highlighted for the analysis, across the Best & Worst performing districts (Figures 2.8 & 2.9).

Figure 2.8: Worst Performing Districts in the North-East Zone

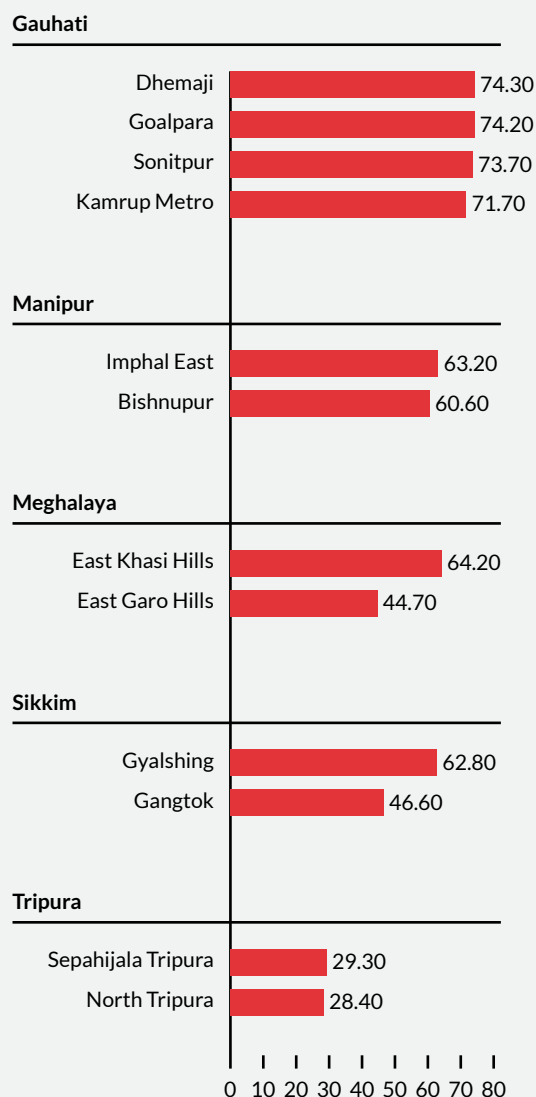
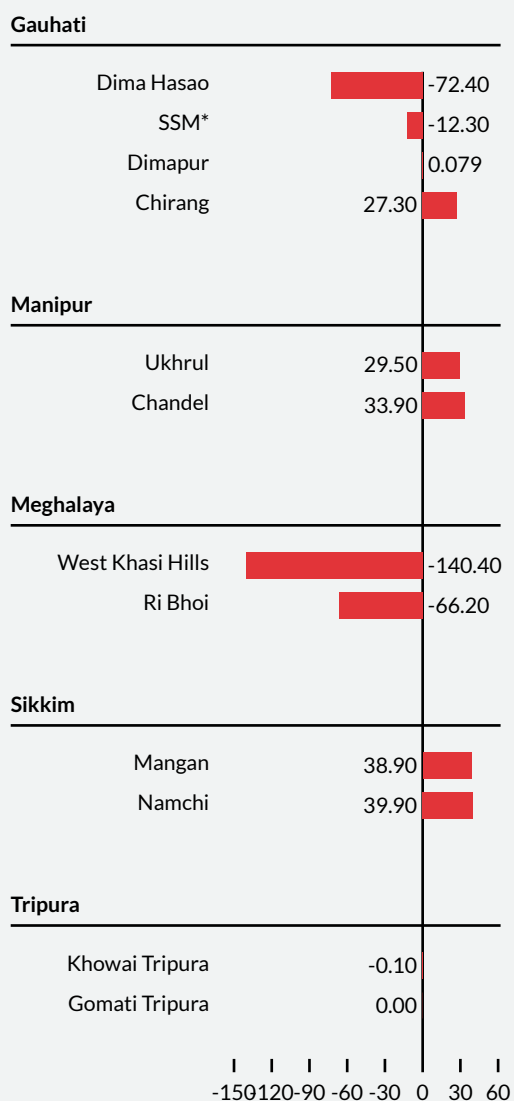


Figure 2.9: Best Performing Districts in the North-East Zone



*South Salmara Mankachar

In the North-East Zone, the disposal rate of the District Courts under the High Court of Judicature at Gauhati suffered the most during the pandemic. The District Courts in Dhemaji, Goalpara, Sonitpur and Kamrup Metro all witnessed a reduction in the number of cases disposed of by more than 70%.³ This may be attributed to the lack of access to adequate digital services and facilities during the pandemic period. However, the High Court of Judicature at Gauhati has jurisdiction over Assam, Nagaland, Mizoram and Arunachal Pradesh and hence, this sharp reduction in disposal should be looked at keeping in mind the number states and people it affects. On the other hand, West Khasi Hills District Court in Meghalaya has seen an increase in rate of disposal during the pandemic period by as much as 140.40% as compared to the pre-pandemic period. Dima Hasao District Court under the Gauhati High Court and Ri Bhoi District Court under the Meghalaya High Court also improved their disposal rate by 72.40% and 66.20%, respectively.

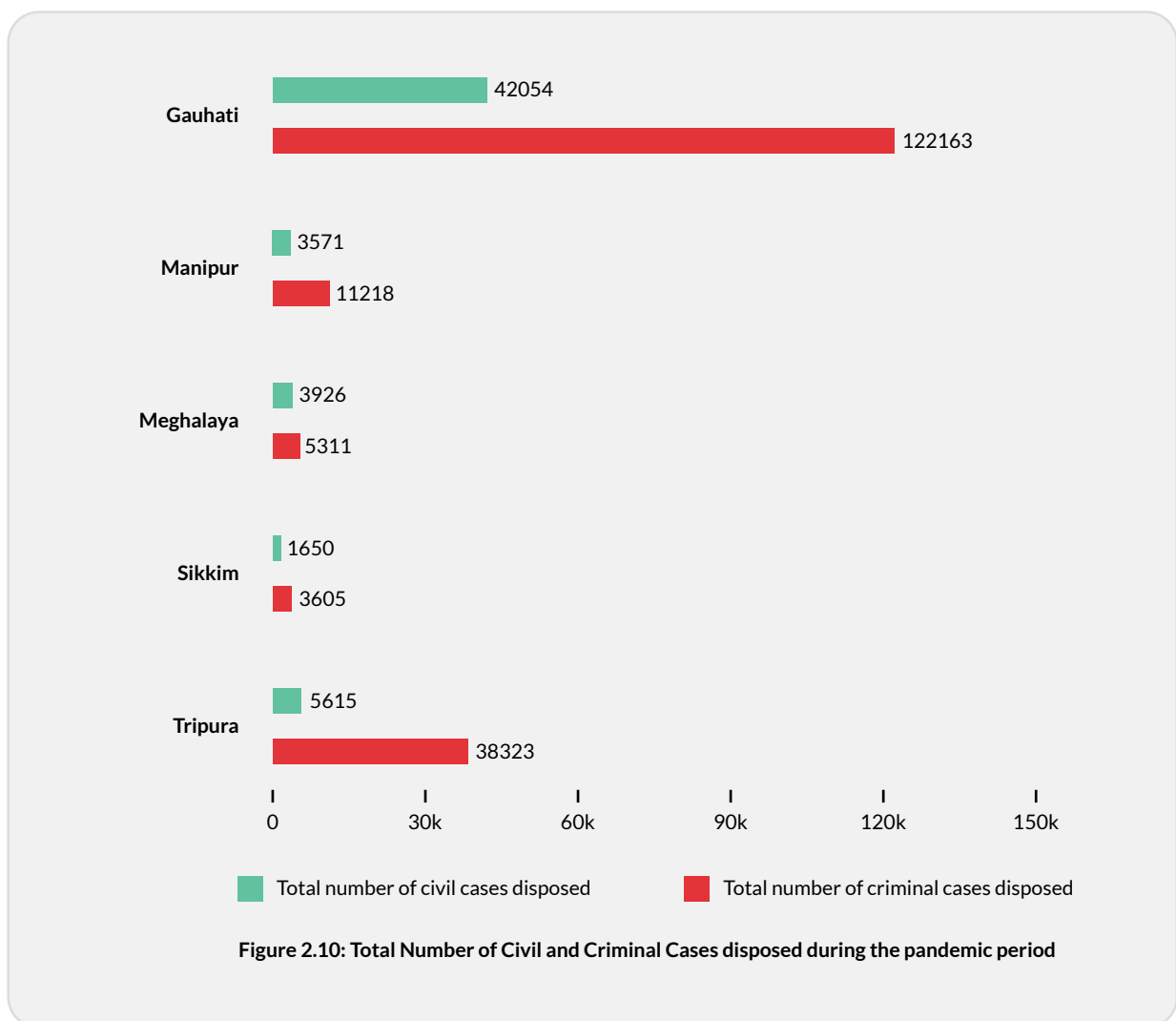
A detailed list of all the District Courts in the North-East Zone along with the percentage reduction in its disposal in 2020 and 2021, when compared to 2018 and 2019 can be accessed [here](#). This information can be instrumental in identifying the positive interventions adopted by the District Judiciary to dispose cases during the pandemic while also revealing pain points concerning the functioning of virtual courts at the District Judiciary.

³ Nalbari District Court also witnessed 70.09% reduction in disposal of cases.

III

Case types prioritised by Courts during the pandemic

It was observed that the District Courts across the North-East Zone disposed of more criminal cases than civil cases. The total number of each case type that was disposed in the pandemic period were as follows:



In the following section, we have tried to map the type of cases prioritised across various District Courts in the North-East Zone during the pandemic period by studying the disposal of cases.

Even though, the District Courts in the North-East Zone disposed of more criminal cases than civil cases. The number of case types for civil cases was considerably higher than criminal cases. For the purpose of this analysis, the top 9 categories within civil cases in the North-East Zone has been taken, the rest have been categorized under the head 'Other'. For the complete list of case types in the 'Other' category for the North-East Zone, refer to Annexure 2.6.

Within the criminal case type category, the disposal of Warrants and Summons cases remained considerably high across the District Courts as they were in the pre-pandemic period. Only the District Courts under the Manipur High Court saw high disposal of Miscellaneous Civil cases across both periods. The District Courts under the jurisdiction of the Gauhati High Court saw a drop in the disposal of Warrants and Summons cases by as much as 76.01%. The District Courts under almost all High Courts in the North-East Zone (except Tripura) saw an increase in the disposal

of Bail Applications (an in-depth analysis of the disposal of Bail Applications has been undertaken in the next section). The maximum increase in the disposal of cases was seen in the disposal of Miscellaneous Criminal Applications in the District Courts under the Tripura High Court by as much as 90.59%. In contrast, the same District Courts saw a decrease in the disposal of Juvenile Justice Cases by 66.67%(an in-depth analysis of the disposal of Juvenile Justice Cases has been undertaken in Section VI).

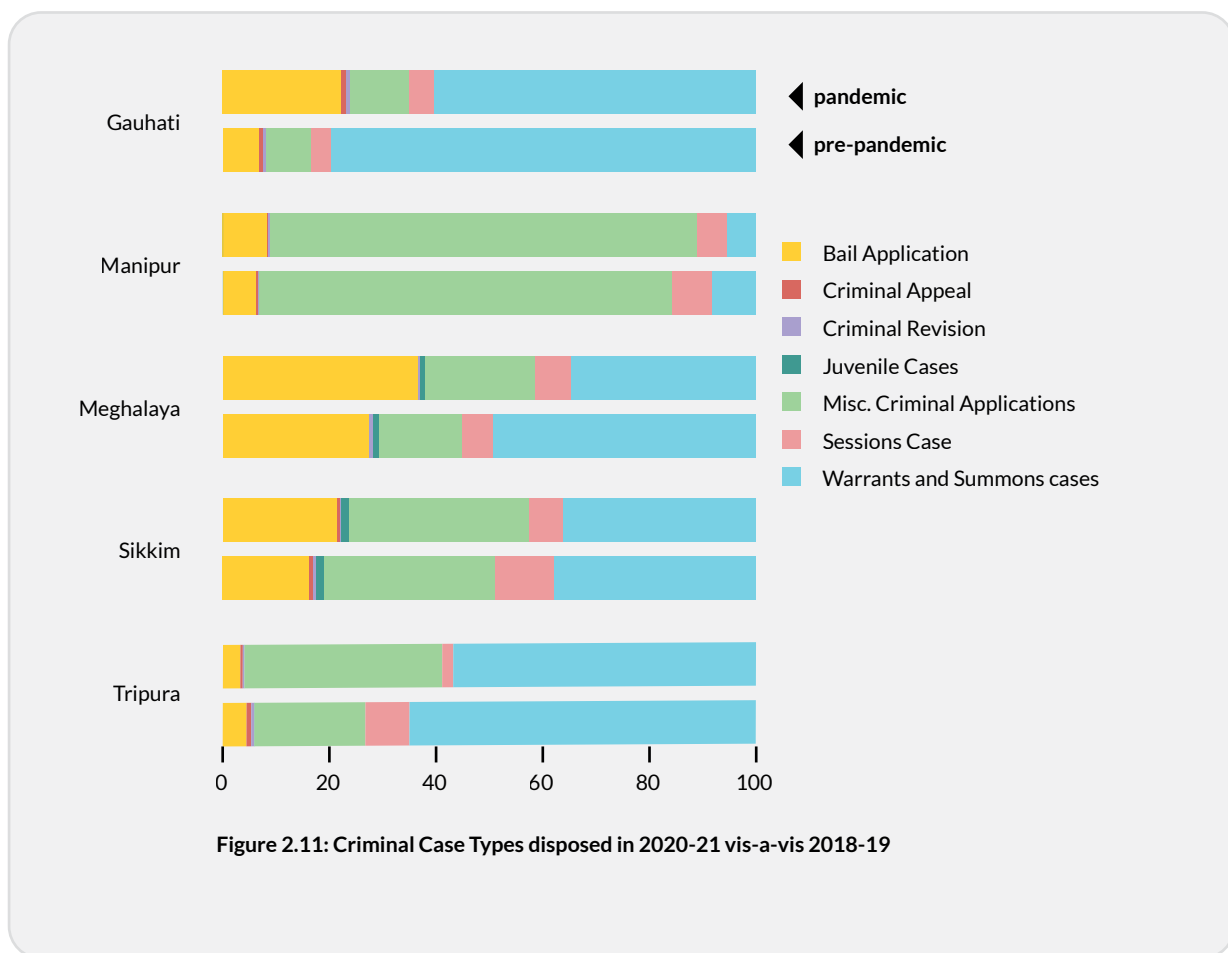


Figure 2.11: Criminal Case Types disposed in 2020-21 vis-a-vis 2018-19

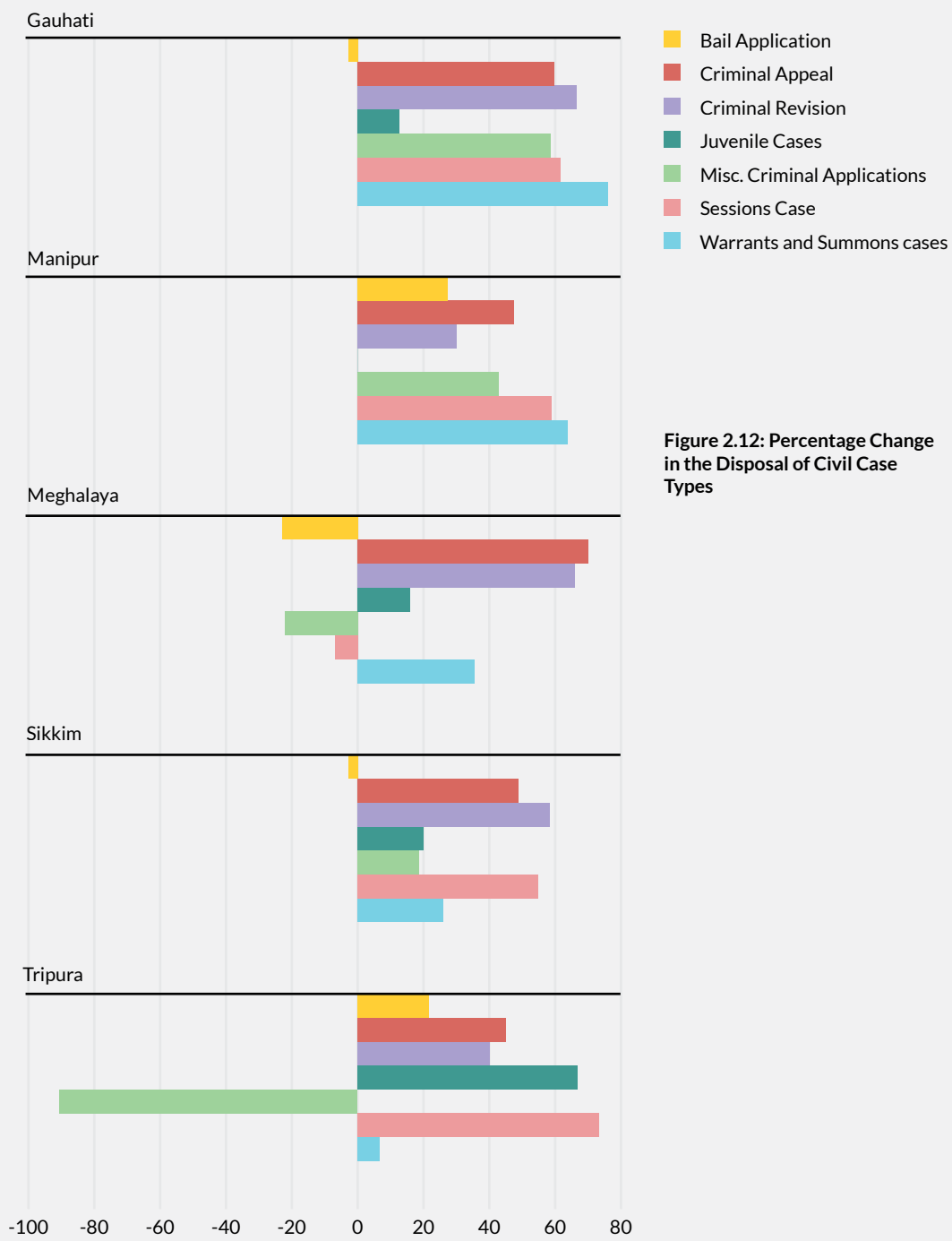


Figure 2.12: Percentage Change in the Disposal of Civil Case Types

Within the civil cases, a higher percentage of Civil Suits have been disposed of during the pandemic years as well as the pre-pandemic years, except Manipur which has a higher percentage of Miscellaneous Civil Applications, and Meghalaya which has a higher percentage of Miscellaneous Civil Cases. The maximum increase in the disposal of civil cases was seen in Land Reference cases in Manipur which increased by 9.09%. Interestingly the District Courts under the jurisdiction of Gauhati High Court saw a 100% decrease in the disposal of Marriage Petitions, with 6 cases being filed in the pre-pandemic years. The most decrease in the disposal of cases was seen in the disposal of Civil Appeals and Modified Assured Career Progression Scheme (MACP) cases in the District Courts under the Meghalaya High Court at 93.33% and 85.71% respectively. The District Courts

under the jurisdiction of the Manipur High Court saw the least number of Execution Petitions being disposed with a decrease in the disposal by 69.41% (an in-depth analysis of the disposal of Execution Petitions has been undertaken in Section V).

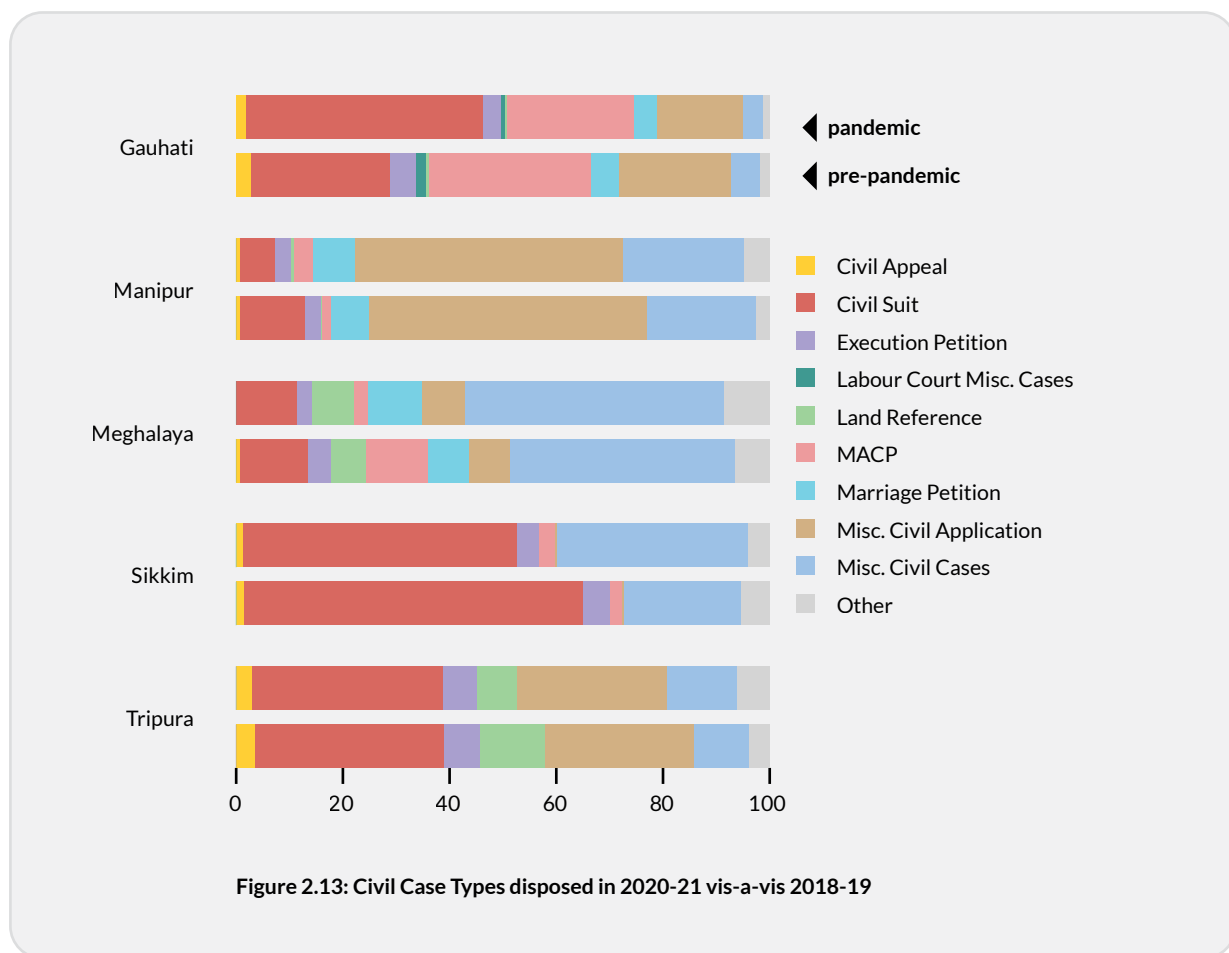
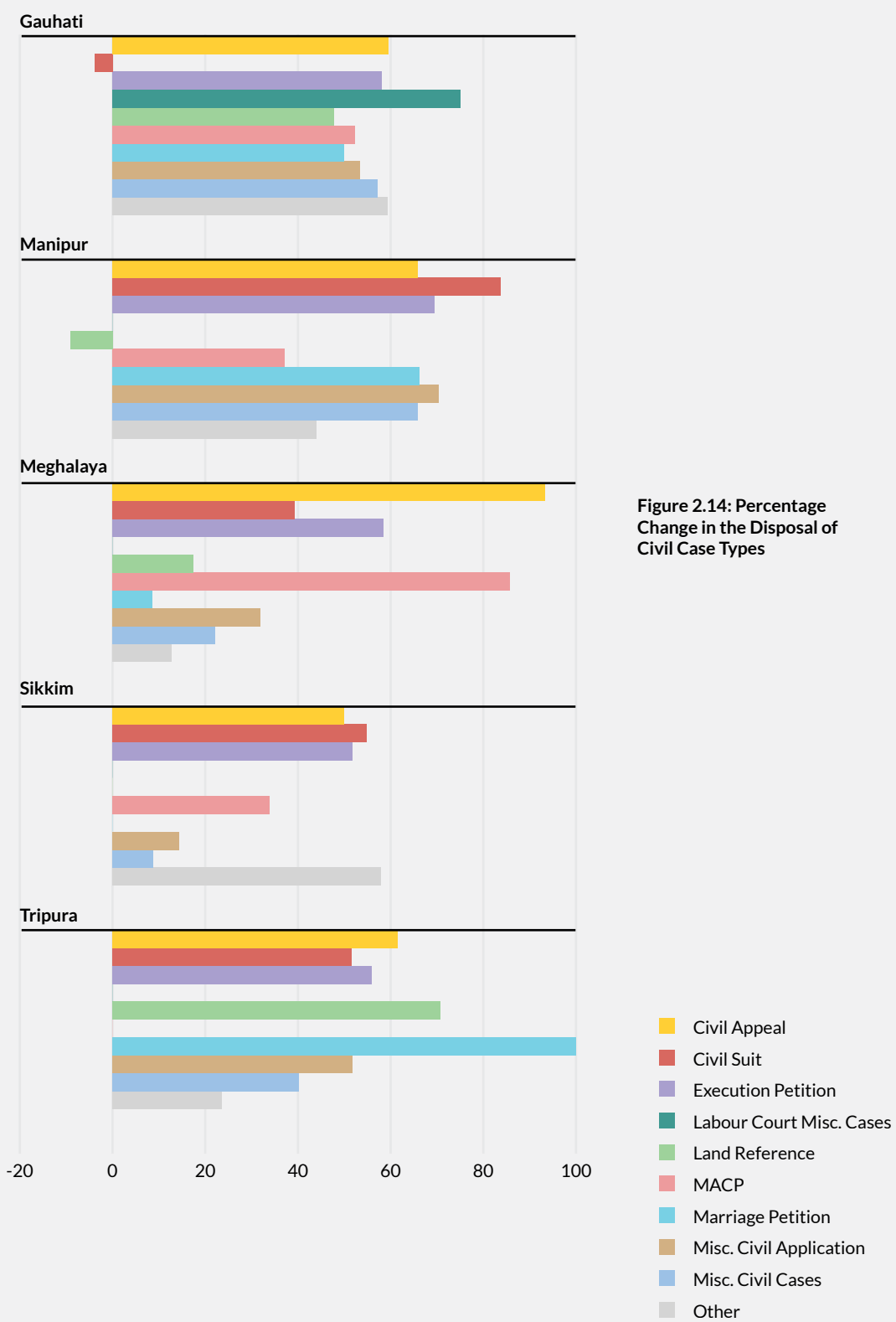


Figure 2.13: Civil Case Types disposed in 2020-21 vis-a-vis 2018-19

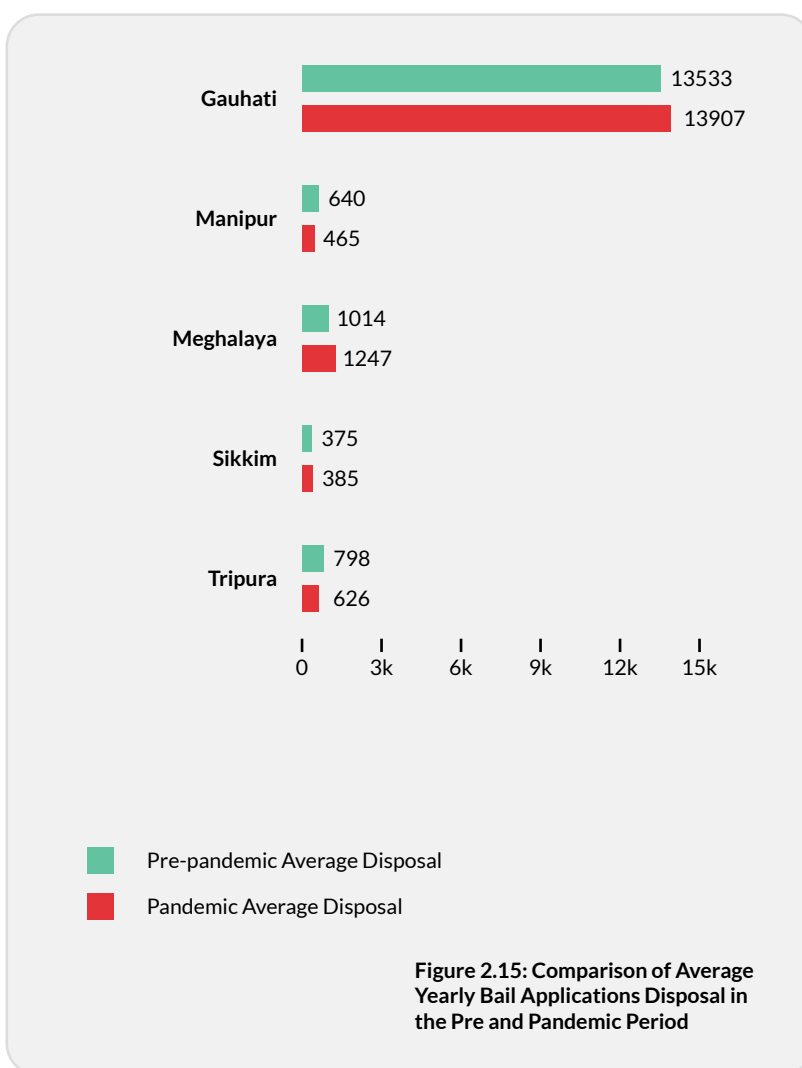


IV

Decongestion of jails and prisons during the pandemic

The figure highlights that there was no steep increase or decline in the disposal of bail petitions as witnessed in the overall disposal of cases. The District Courts in Manipur and Tripura saw a minimal decrease in disposal of bail applications whereas the District Courts in Assam, Meghalaya and Sikkim saw a minimal increase. The District Courts under the jurisdiction of the Manipur High Court saw a decrease in the disposal of bail applications by as much as 27.34% and the Tripura High Court saw a decrease in the disposal of bail applications by 21.5%. On the other hand, the District Courts under the Meghalaya High Court disposed of 22.98% more bail applications than they did in the two years prior to the pandemic period.

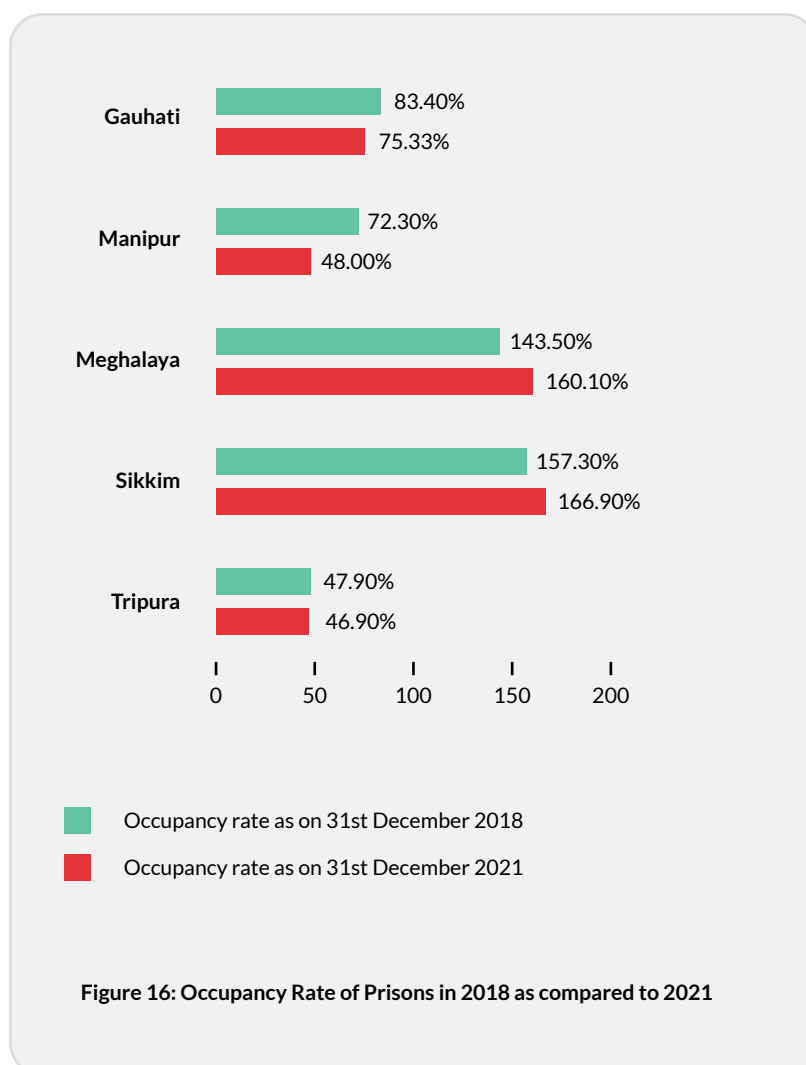
A comparison of the prison occupancy rate on 31 December 2018 and 31 December 2021 offers an insight into the effectiveness of the measures taken by the Supreme Court⁴ to decongest prisons by issuing a series of orders to the state governments.⁵



⁴ *In Re: Contagion of COVID-19 Virus In Prisons* (2020) 5 SCC 313; *In Re: Contagion of COVID-19 Virus In Prisons* 2020 SCC OnLine 344.

⁵ National Crime Records Bureau, 'Prison Statistics 2018' (*National Crimes Records Bureau, Ministry of Home Affairs, Government of India*, 23 December 2019) 46 <<https://ncrb.gov.in/sites/default/files/PSI-2018.pdf>> accessed 23 September 2022; National Crime Records Bureau, 'Prison Statistics 2021' (*National Crimes Records Bureau, Ministry of Home Affairs, Government of India*, 18 August 2022) 44 <https://ncrb.gov.in/sites/default/files/PSI-2021/PSI_2021_as_on_31-12-2021.pdf> accessed 23 September 2022.

From the figure it can be seen that despite the directions given by the Supreme Court, the occupancy rate of prisons in the North-East Zone has not reduced significantly. In the states of Meghalaya and Sikkim, prison occupancy has increased. In Manipur, Tripura and states that come under the jurisdiction of Gauhati High Court,⁶ there was a marginal decrease in the prison population.

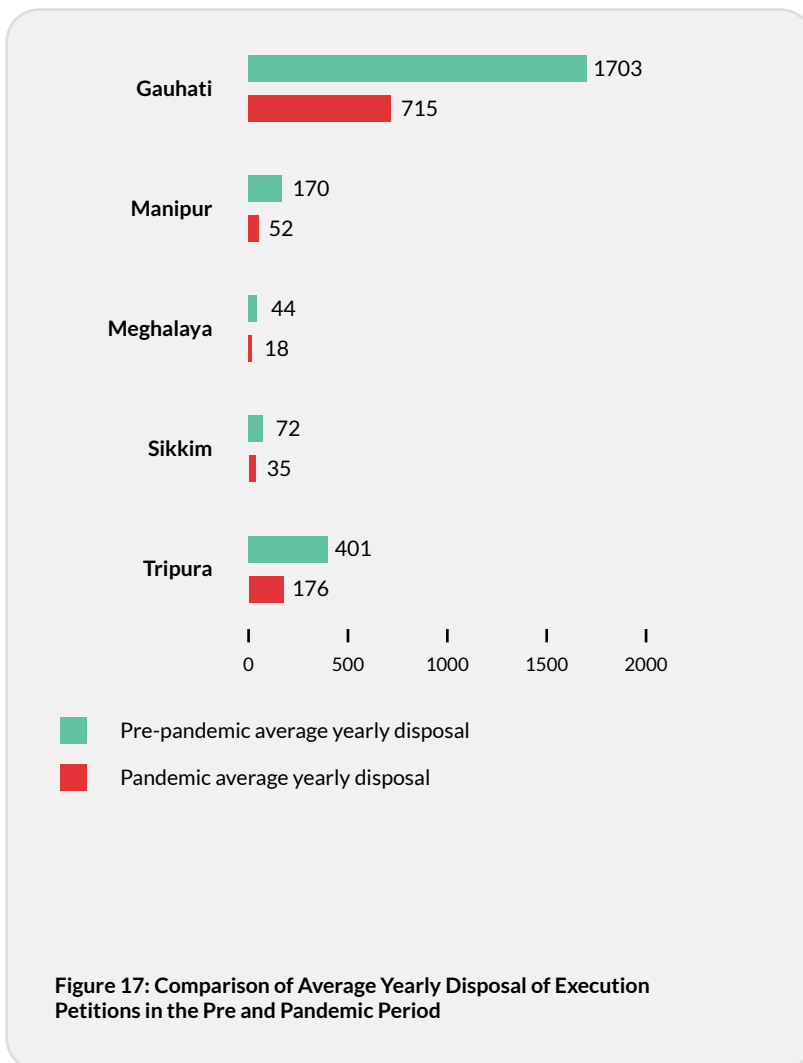


⁶ The High Court of Adjudicature at Gauhati is the High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh. For the purpose of this analysis, the average of the prison occupancy rate of the four states were taken. In 2018, the prison occupancy rate in Assam was 93.2%, in Nagaland was 30.5%, in Mizoram was 104.7% and in Arunachal Pradesh was 105.2%. In 2021, the prison occupancy rate in Assam was 112.8%, in Nagaland was 34.5%, in Mizoram was 78.6% and in Arunachal Pradesh was 75.4%.

V

Execution Petitions during the pandemic

As displayed in the figure, the average disposal of Execution Petitions has reduced across all jurisdictions in the North-East Zone. District Courts under the jurisdiction of Manipur High Court saw the least number of Execution Petitions being disposed with a decrease in disposal by 69.41%. This was followed by District Court under the jurisdiction of Meghalaya, High Court of Judicature at Gauhati, Tripura High Court and Sikkim High Court which saw a decrease in disposal of Execution Petitions by 59.09%, 58.02% 56.11% and 61.39% respectively.

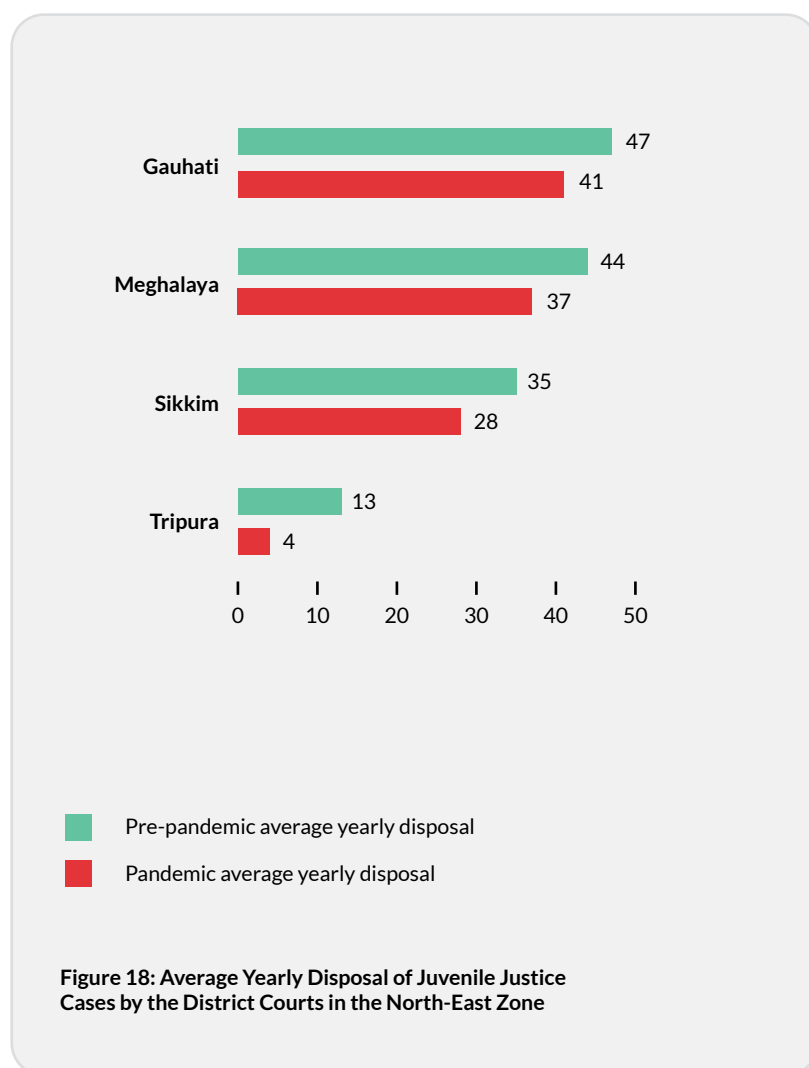


VI

Justice for the Juveniles

The figure highlights the reduction in the disposal of cases related to children in conflict with the law. However, the number of disposals across the North-East Zone is low in both the pandemic and pre-pandemic periods. In Tripura, the number of Juvenile Justice Cases disposed of by District Courts per year reduced the most in the Zone, i.e., by 69.23% during the pandemic. The District Courts under the jurisdiction of Sikkim High Court, Meghalaya High Court and the High Court of Judicature at Gauhati saw a dip in the disposal by 20%, 15.91% and 12.77% respectively.

For the purpose of this analysis, data was not available on the NJDG website for District Courts under the jurisdiction of Manipur High Court.



Annexures

Annexure 2.1: Total number of Criminal Cases disposed during the pre-pandemic and pandemic period.

HC	case_type	pre_pandemic_total	pandemic_total	change
Assam	Bail Application	27066	27815	-2.77
Assam	Juvenile Cases	94	82	12.77
Assam	Misc. Criminal Applications	33058	13712	58.52
Assam	Criminal Appeal	2393	965	59.67
Assam	Sessions Case	15188	5826	61.64
Assam	Criminal Revision	2731	914	66.53
Assam	Warrant or Summons Criminal Cases	313628	75224	76.01
Manipur	Bail Application	1281	931	27.32
Manipur	Criminal Revision	73	51	30.14
Manipur	Misc. Criminal Applications	15701	8989	42.75
Manipur	Criminal Appeal	40	21	47.5
Manipur	Sessions Case	1540	635	58.77
Manipur	Warrant or Summons Criminal Cases	1638	591	63.92
Meghalaya	Bail Application	2028	2495	-23.03
Meghalaya	Misc. Criminal Applications	1148	1401	-22.04
Meghalaya	Sessions Case	430	460	-6.98
Meghalaya	Juvenile Cases	88	74	15.91
Meghalaya	Warrant or Summons Criminal Cases	3653	2358	35.45
Meghalaya	Criminal Revision	53	18	66.04
Meghalaya	Criminal Appeal	10	3	70.0
Sikkim	Bail Application	750	771	-2.8
Sikkim	Misc. Criminal Applications	1492	1215	18.57
Sikkim	Juvenile Cases	70	56	20.0
Sikkim	Warrant or Summons Criminal Cases	1759	1303	25.92
Sikkim	Criminal Appeal	39	20	48.72
Sikkim	Sessions Case	509	230	54.81
Sikkim	Criminal Revision	24	10	58.33
Tripura	Misc. Criminal Applications	7459	14216	-90.59
Tripura	Warrant or Summons Criminal Cases	23285	21764	6.53
Tripura	Bail Application	1597	1252	21.6
Tripura	Criminal Revision	192	115	40.1
Tripura	Criminal Appeal	316	174	44.94
Tripura	Juvenile Cases	27	9	66.67
Tripura	Sessions Case	2968	793	73.28

Annexure 2.2: Total number of Civil Cases disposed during the pre-pandemic and pandemic period.

HC	case_type	pre_pandemic_total	pandemic_total	change
Assam	Civil Suit	18144	18833	-3.8
Assam	Land Reference	305	159	47.87
Assam	Marriage Petition	3629	1817	49.93
Assam	MACP	21088	10068	52.26
Assam	Misc. Civil Application	14597	6813	53.33
Assam	Misc. Civil Cases	3826	1638	57.19
Assam	Execution Petition	3406	1430	58.02
Assam	Other	1194	485	59.38
Assam	Civil Appeal	1945	786	59.59
Assam	Labour Court Misc. Cases	1309	327	75.02
Manipur	Land Reference	22	24	-9.09
Manipur	MACP	197	124	37.06
Manipur	Other	305	171	43.93
Manipur	Civil Appeal	79	27	65.82
Manipur	Misc. Civil Cases	2377	811	65.88
Manipur	Marriage Petition	844	285	66.23
Manipur	Execution Petition	341	104	69.5
Manipur	Misc. Civil Application	6044	1791	70.37
Manipur	Civil Suit	1431	234	83.65
Meghalaya	Marriage Petition	153	140	8.5
Meghalaya	Other	133	116	12.78
Meghalaya	Land Reference	132	109	17.42
Meghalaya	Misc. Civil Cases	855	666	22.11
Meghalaya	Misc. Civil Application	160	109	31.88
Meghalaya	Civil Suit	259	157	39.38
Meghalaya	Execution Petition	89	37	58.43
Meghalaya	MACP	238	34	85.71
Meghalaya	Civil Appeal	15	1	93.33
Sikkim	Misc. Civil Cases	649	592	8.78
Sikkim	Misc. Civil Application	7	6	14.29
Sikkim	MACP	71	47	33.8
Sikkim	Civil Appeal	42	21	50.0
Sikkim	Execution Petition	145	70	51.72
Sikkim	Civil Suit	1880	848	54.89
Sikkim	Other	157	66	57.96
Tripura	Other	450	344	23.56
Tripura	Misc. Civil Cases	1221	731	40.13
Tripura	Civil Suit	4165	2015	51.62
Tripura	Misc. Civil Application	3291	1589	51.72
Tripura	Execution Petition	802	353	55.99
Tripura	Civil Appeal	428	165	61.45

HC	case_type	pre_pandemic_total	pandemic_total	change
Tripura	Land Reference	1430	418	70.77
Tripura	Marriage Petition	6	0	100.0

Annexure 2.3. Total number of cases filed in the North-East Zone.

High Court	Year	Number of Cases filed
Assam	2018	254125
Assam	2019	244867
Assam	2020	128294
Assam	2021	162514
Manipur	2018	14838
Manipur	2019	16330
Manipur	2020	8697
Manipur	2021	8411
Meghalaya	2018	4875
Meghalaya	2019	5452
Meghalaya	2020	4736
Meghalaya	2021	5661
Sikkim	2018	3868
Sikkim	2019	3520
Sikkim	2020	2402
Sikkim	2021	3429
Tripura	2018	13324
Tripura	2019	31992
Tripura	2020	27588
Tripura	2021	30933

Annexure 2.4. Total number of Civil and Criminal Cases disposed in the North-East Zone.

HC	Year	Civil	Criminal
Assam	2018	34452	196859
Assam	2019	34991	197299
Assam	2020	14270	45536
Assam	2021	28086	79002
Manipur	2018	5879	10231
Manipur	2019	5761	10042
Manipur	2020	1888	6026
Manipur	2021	1683	5192
Meghalaya	2018	1047	3560

HC	Year	Civil	Criminal
Meghalaya	2019	987	3850
Meghalaya	2020	456	2694
Meghalaya	2021	913	4115
Sikkim	2018	1733	2370
Sikkim	2019	1218	2273
Sikkim	2020	617	1528
Sikkim	2021	1033	2077
Tripura	2018	5178	10716
Tripura	2019	6615	25128
Tripura	2020	2013	9335
Tripura	2021	3602	28988

Annexure 2.5. Top 9 Civil Case Categories.

Top 9 categories

Civil Appeal
Labour Court Misc. Cases
Misc. Civil Cases
MACP
Civil Suit
Land Reference
Execution Petition
Misc. Civil Application
Marriage Petition

Annexure 2.5. Top 9 Civil Case Categories.

Others

Misc. Civil Appeal
Misc. Execution
Arbitration Main and Misc.
Civil Revision
Other Tribunals
Election Petition
Labour Court Main Cases
Commercial Suit
Industrial Court Main Cases

Data speak

A look at the District Courts'
performance during the
pandemic

**EAST
ZONE**

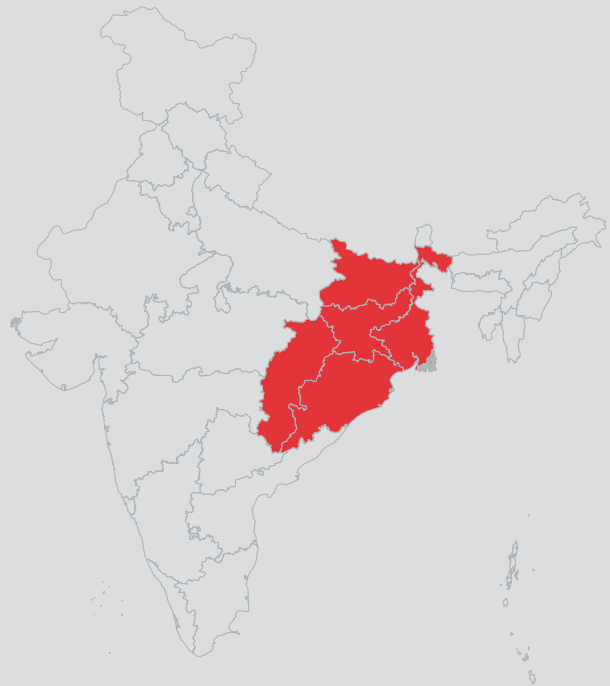
November 2022

How did the Courts function during the pandemic?

The data presented in this part of the report concerns the District Courts under the jurisdiction of:

1. The High Court of Calcutta,
2. The High Court of Chhattishgarh,
3. The High Court of Jharkhand,
4. The High Court of Orissa, and
5. The High Court of Judicature at Patna.

The above jurisdictions have been clubbed and collectively referred to as the 'East Zone'. The following sections contain a detailed analysis of case data from District Courts in the East Zone.



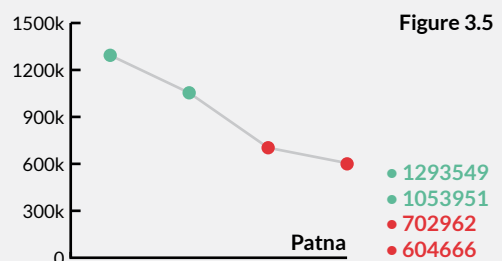
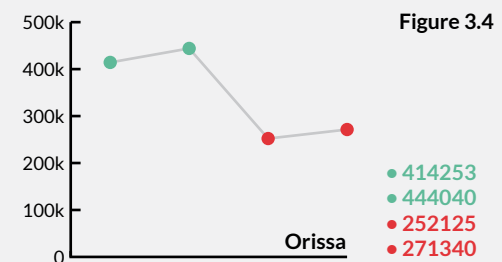
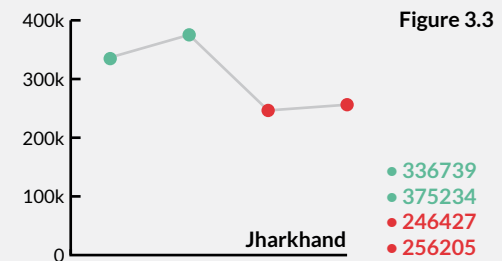
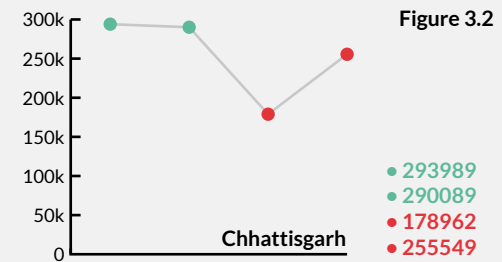
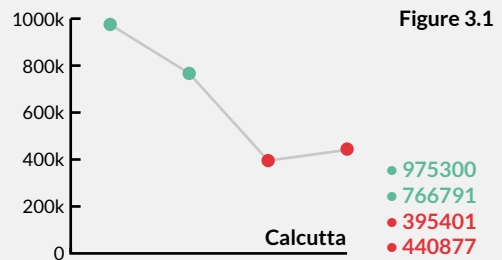
I

Case-filing trends during the pandemic

In this section, we look at the yearly filings of cases in the District Courts across the jurisdiction of different High Courts in the East Zone, between 2018 and 2021. Through this analysis, the report aims to present the difference in the filing trends before and during the pandemic period.

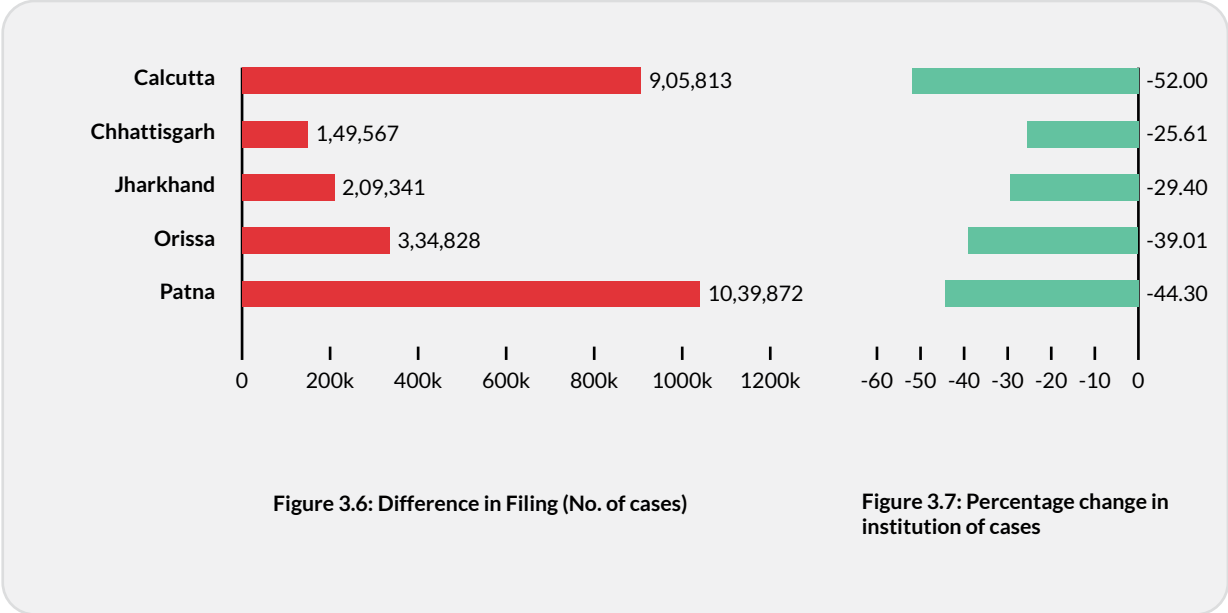
Across the East Zone, the District Courts under each High Court's jurisdiction witnessed a significant drop in the number of cases instituted in the year 2020. While the numbers increased slightly in the year 2021 for most High Courts, the filing of cases significantly increased in the District Courts under the jurisdiction of Chhattisgarh High Court from 178962 cases being filed in 2020 to 255549 cases in 2021. On the contrary, the filing of cases continued to be on a downward trend in the District Courts under the jurisdiction of the High Court of Judicature at Patna from 702962 cases in 2020 to 604666 cases in 2021. Even though attempts had been made to enable digital filing and virtual functioning of the Courts through 2020, the COVID-19 pandemic affected the institution of cases in different District Courts across the East Zone variedly even a year later, in the second year of the pandemic.

The following analysis of the difference between the institution of cases in the two years before the pandemic and the two years when the filings were affected by the pandemic displays the extent of disruption in the filing of cases.



Trend of cases filed before the District Courts between 2018-2021

In all, the East Zone saw a dip of 26,39,421 case filings in 2020 and 2021 in comparison to the preceding two years. The following table shows the difference between the number of filings in 2020-2021 vis-a-vis 2018-2019.



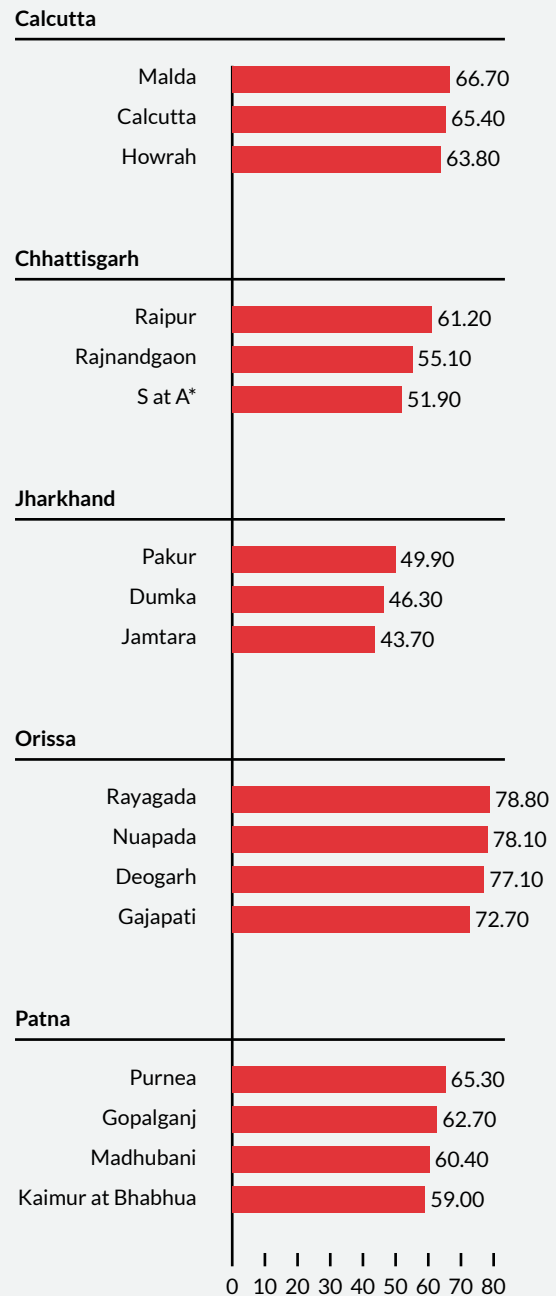
Further analysis of the data, as depicted in Figure 3.7, highlights that the filings across District Courts in the East Zone were affected in the pandemic period. The District Courts under the jurisdiction of the Calcutta High Court were the most affected by the pandemic and dropped by 52% in 2020-2021 in comparison to 2018-19. The District Courts under the jurisdiction of the Patna High Court saw a dip of 44.3% closely followed by the District Courts in Odisha where the filings dropped by 39.01%. The District Courts under the jurisdiction of the Jharkhand High Court and Chhattisgarh High Court also witnessed a drop of 29.4% and 25.61%, respectively.

II

Disposal of cases during the pandemic

Out of the 136 District Courts from the East Zone analysed, 127 District Courts witnessed a reduction in the number of cases disposed of during the pandemic years. Interestingly, 9 District Courts have not just kept pace with their prior rate of disposal but disposed of more cases than in previous years. We have highlighted the worst and best performing districts in the table below under each High Court.¹

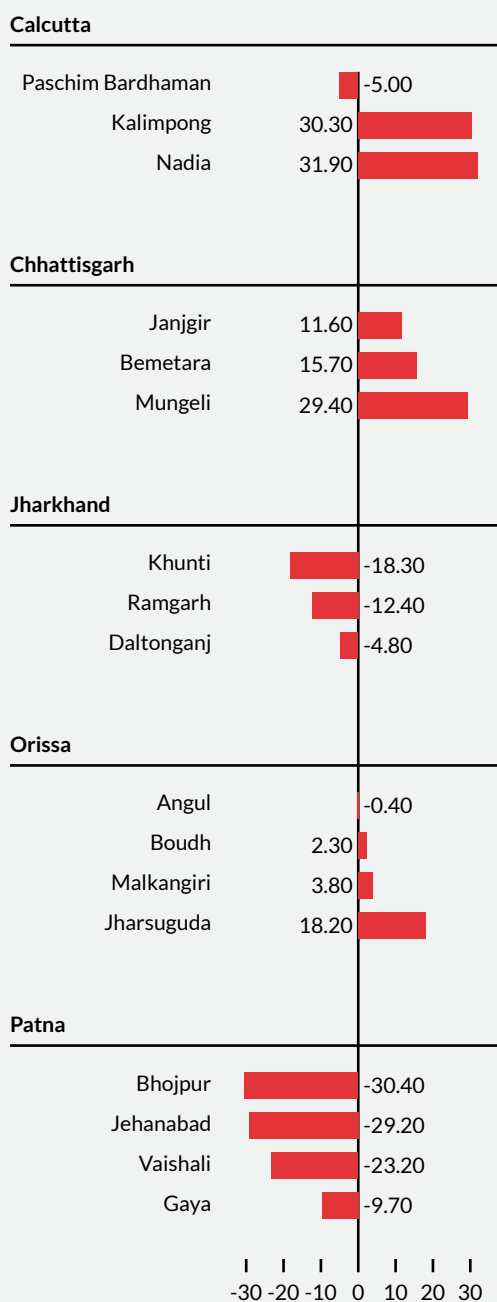
Figure 3.8: Worst Performing Districts in the East Zone



*Surguja at Ambikapur

¹ For High Courts having jurisdiction over 20 districts or less, 6 districts have been highlighted in the table. For High Courts having jurisdiction over more than 20 districts but less than 30 districts, 8 districts have been highlighted and for High Courts having jurisdiction over 30 districts, 10 have been highlighted for the analysis, across the Best & Worst performing districts (Figures 2.8 & 3.9).

Figure 3.9: Best Performing Districts in the East Zone



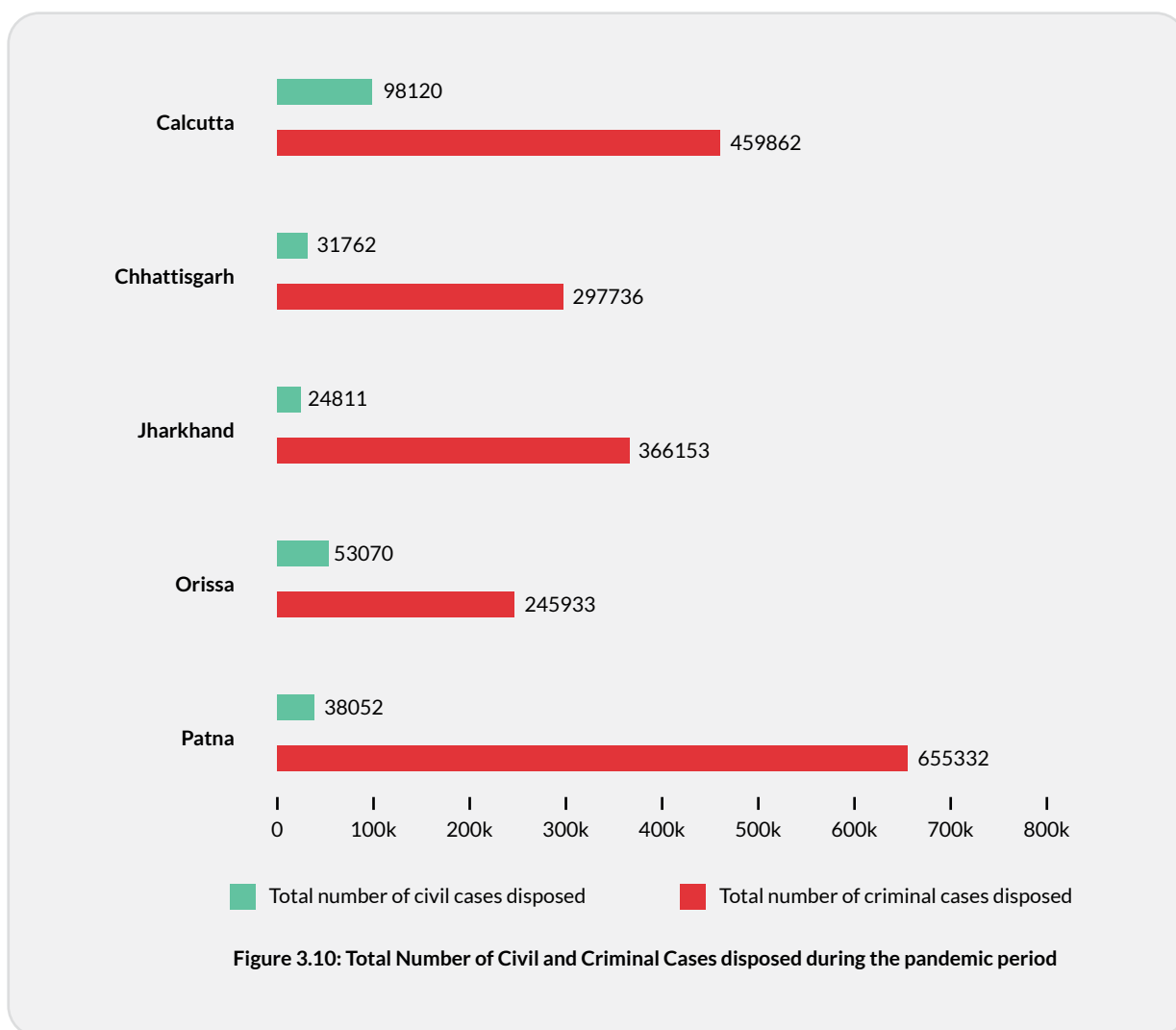
In the East Zone, the disposal rate at the District Courts subordinate to the Orissa High Court suffered the most during the pandemic. The District Courts in Rayagada and Nuapada witnessed a reduction in the number of cases disposed of by more than 78.80% and 78.10% respectively. This was closely followed by the District Court at Deogarh at 77.10%. This may be attributed to the lack of access to adequate digital services and facilities during the pandemic period. Angul District Court was the only District Court under the jurisdiction of the Orissa High Court which saw an increase of 0.40% in case disposal during the pandemic period. Similarly, Paschim Bardhaman is the only District Court under the jurisdiction of the Calcutta High Court which saw an increase of 5.00% in case disposal during the pandemic period. 4 District Courts under the jurisdiction of High Court of Judicature at Patna and 3 District Courts in Jharkhand saw an increase in the number of cases disposed during the pandemic when compared to the average disposal in 2018 and 2019.

A detailed list of all the District Courts in the East Zone along with the percentage reduction in its disposal in 2020 and 2021, when compared to 2018 and 2019 can be accessed [here](#). This information can be instrumental in identifying the positive interventions adopted by the District Judiciary to dispose cases during the pandemic while also revealing pain points concerning the functioning of virtual courts at the District Judiciary.

III

Case types prioritised by Courts during the pandemic

It was observed that the District Courts across the East Zone disposed of more criminal cases than civil cases. The total number of each case type that was disposed in the pandemic period were as follows:



In the following section, we have tried to map the type of cases prioritised across various District Courts in the East Zone during the pandemic period by studying the disposal of cases.

As mentioned earlier, the District Courts in the East Zone disposed of more criminal cases than civil cases. However, the number of case types for civil cases was considerably higher than criminal cases. For the purpose of this analysis, the top 9 categories within civil cases in the East Zone has been taken, the rest have been categorized under the head 'Other'. For the complete list of case types in the 'Other' category for the East Zone, refer to Annexure 3.6.

Within the criminal case type category, the disposal of Warrants and Summons cases remained considerably high across the District Courts as they were in the pre-pandemic period. The District Courts under the Calcutta High Court and Chhattisgarh High Court saw a drop in the disposal of Warrants and Summons cases by as much as 59.93% and 57.16% respectively. The District Courts under almost all High Courts in the East Zone saw an increase in the disposal of Bail

Applications (an in-depth analysis of the disposal of Bail Applications has been undertaken in the next section). The maximum increase in the disposal of cases was seen in the disposal of Juvenile Justice cases in the District Courts under the Calcutta High Court by as much as 62.86% (an in-depth analysis of the disposal of Juvenile Justice Cases has been undertaken in Section VI). The District Courts under the Orissa High Court also saw a 23.58% increase in the disposal of Miscellaneous Criminal Applications.

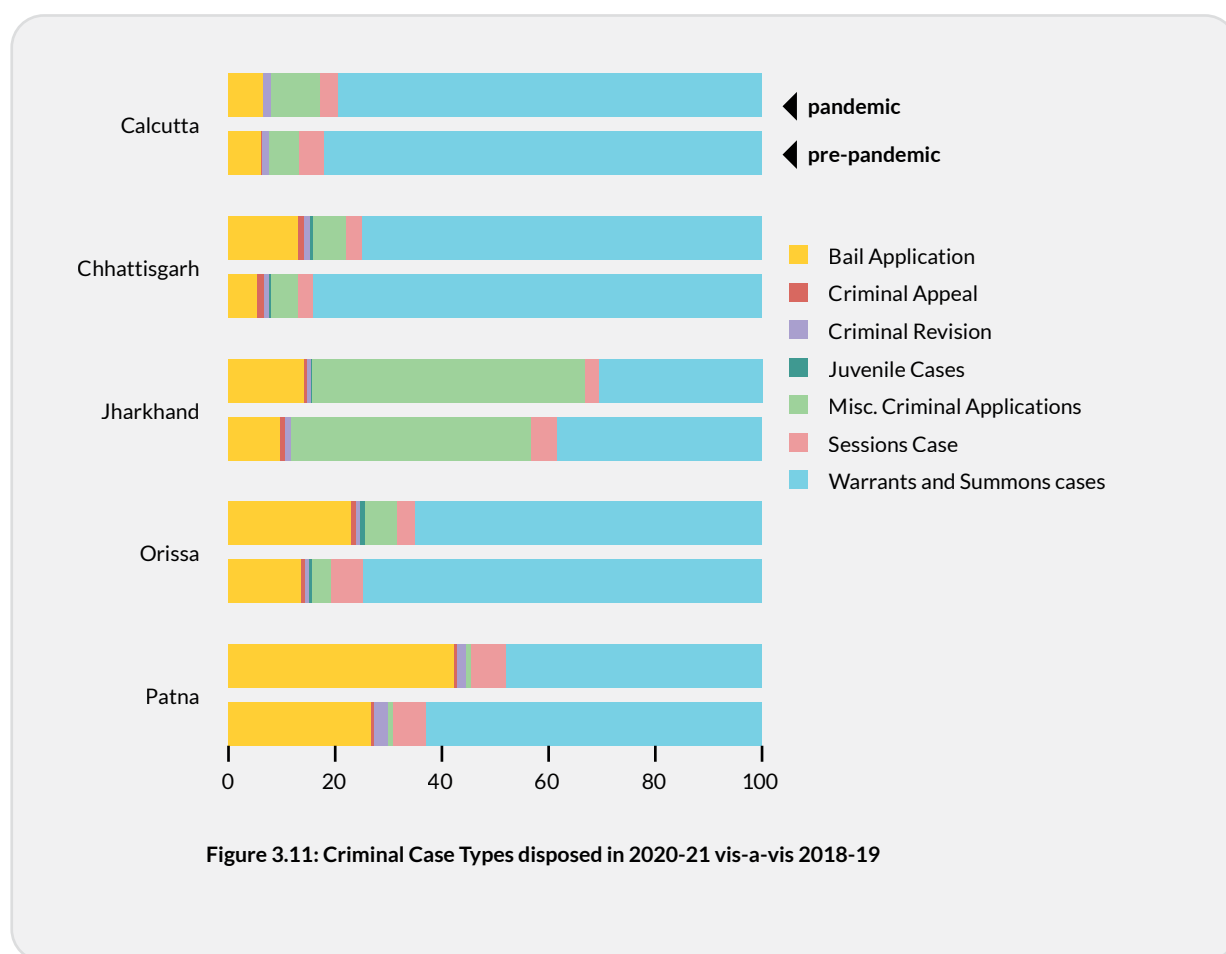


Figure 3.11: Criminal Case Types disposed in 2020-21 vis-a-vis 2018-19

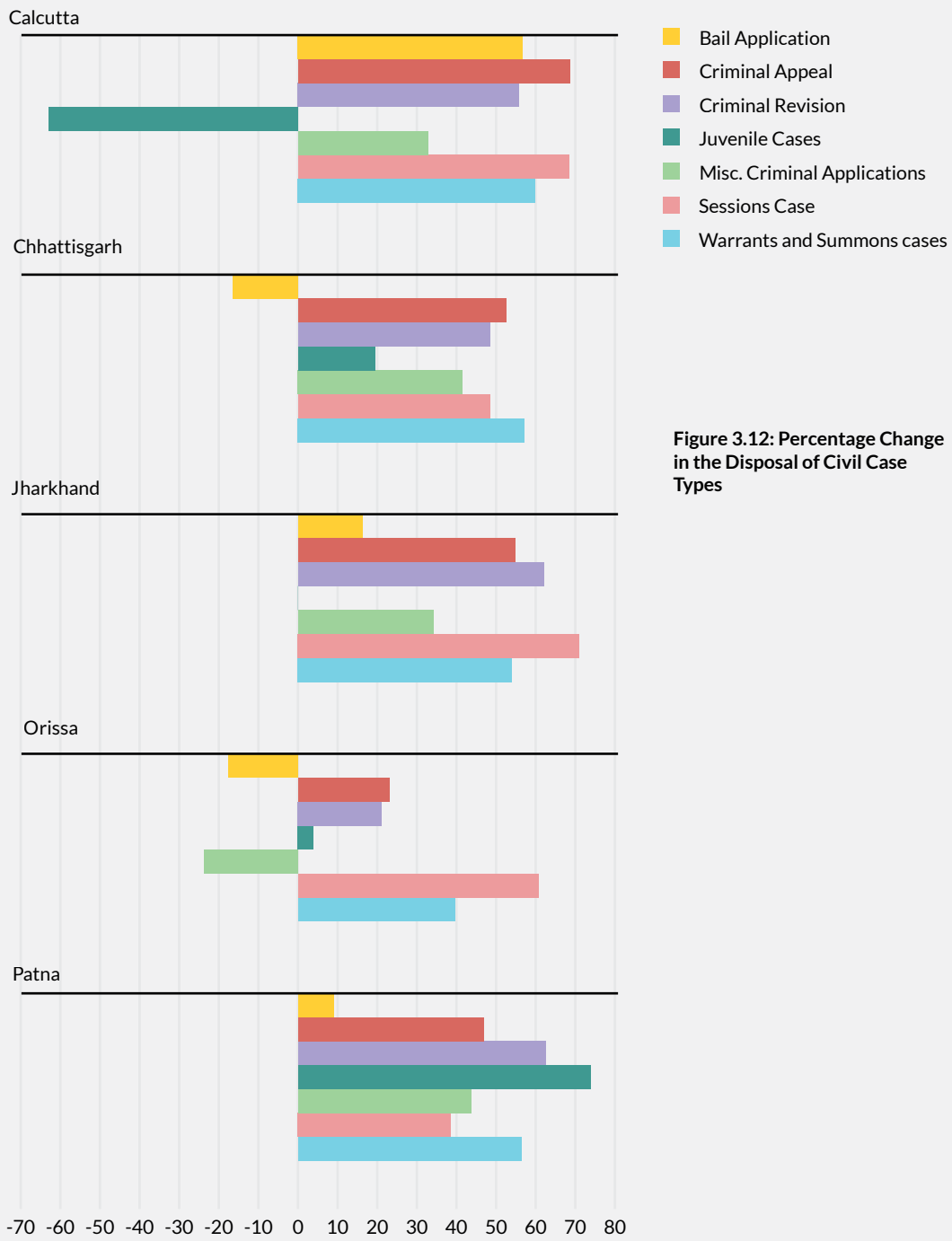


Figure 3.12: Percentage Change in the Disposal of Civil Case Types

Within the civil cases, a higher percentage of Civil Suits have been disposed of during the pandemic years as well as in the pre-pandemic years. The maximum increase in the disposal of civil cases was seen in Land Reference cases in the District Courts under the jurisdiction of the Jharkhand High Court, which increased by 20.57%. The most decrease in the disposal of cases was seen in the disposal of Land Reference cases in the District Courts under the Chhattisgarh High Court (83.33%) followed by the disposal of Civil Suits by the District Courts under High Court of Judicature at Patna (80.31%). The most decrease in the disposal of Execution Petitions was seen in the District Courts under the Calcutta High Court by 75.35% (an in-depth analysis of the disposal of Execution Petitions has been undertaken in Section V).

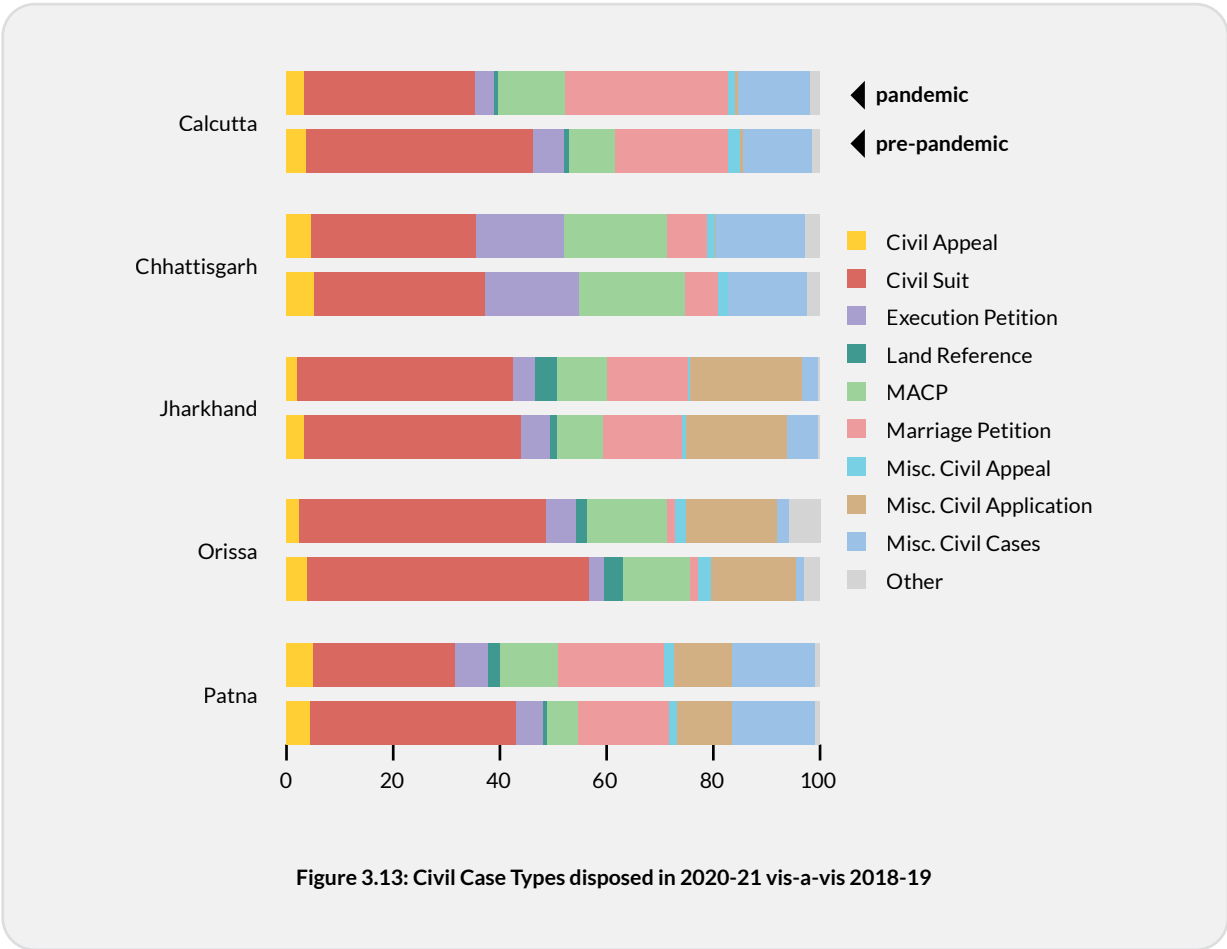
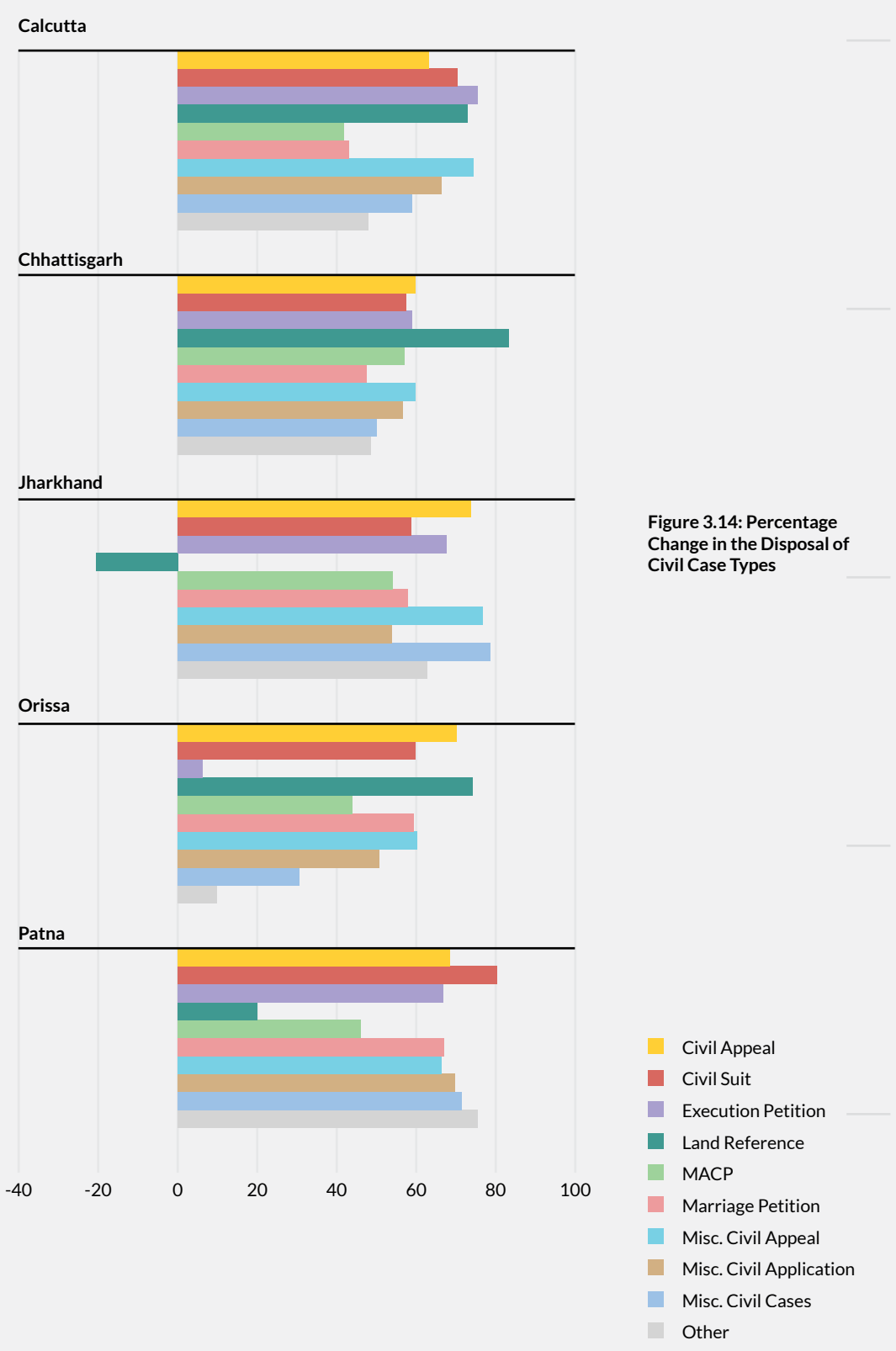


Figure 3.13: Civil Case Types disposed in 2020-21 vis-a-vis 2018-19

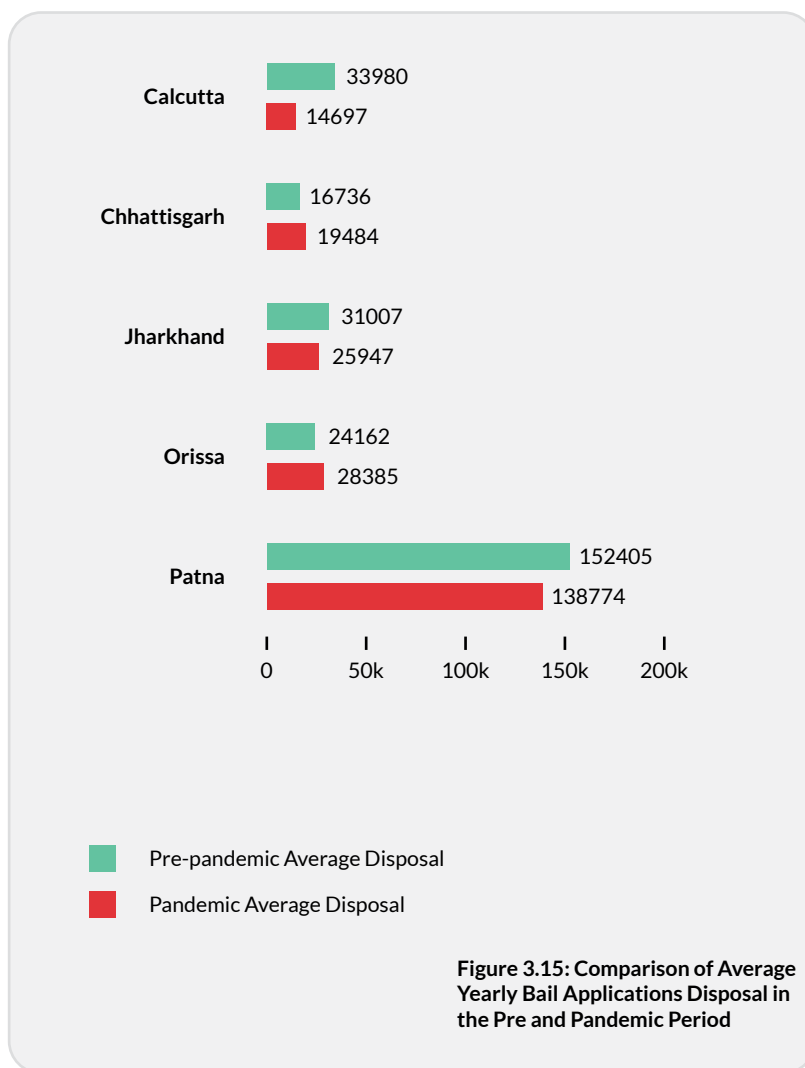


IV

Decongestion of jails and prisons during the pandemic

The figure highlights that there was no steep increase or decline in the disposal of bail applications as witnessed in the overall disposal of cases. The District Courts in Bihar, Jharkhand and West Bengal saw a decrease in disposal of bail applications whereas the District Courts in Chhattisgarh and Orissa were able to increase the disposal of bail applications. The District Courts under the jurisdiction of the Calcutta High Court saw a decrease in the disposal of bail petitions by as much as 56.75% followed by Jharkhand High Court and High Court of Judicature at Patna which saw a decrease in the disposal of bail applications by 16.32% and 8.94% respectively. On the other hand, the District Courts under the jurisdiction of Chhattisgarh and Orissa High Court disposed of 16.42% and 17.48% more bail applications than they did in the two years prior to the pandemic period. While there was no sharp rise in the disposal of bail applications, the lack of sharp decline in the East Zone perhaps indicates that the Courts made some efforts to prioritise bail applications as per the Supreme Court guidelines.

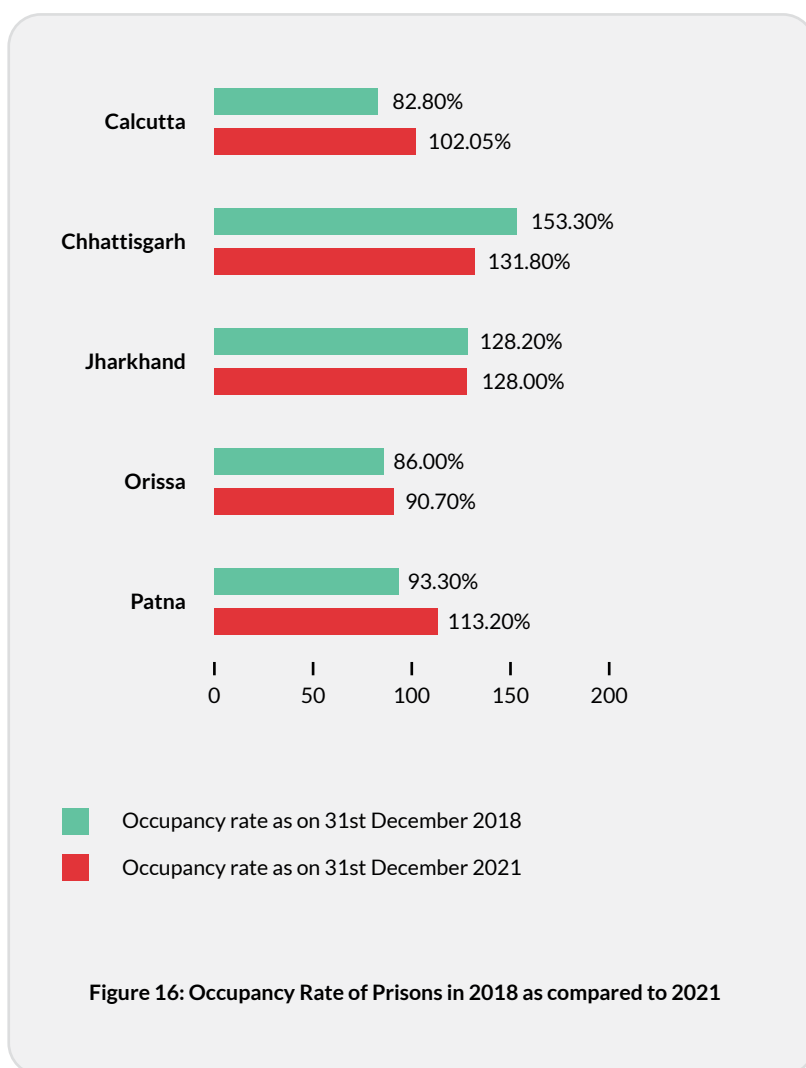
A comparison of the prison occupancy rate on 31 December 2018 and 31 December 2021 offers an insight into the effectiveness of the measure taken by the Supreme Court² to decongest prisons.³



2 In Re: Contagion of COVID-19 Virus In Prisons (2020) 5 SCC 313; In Re: Contagion of COVID-19 Virus In Prisons 2020 SCC OnLine 344.

3 National Crime Records Bureau, 'Prison Statistics 2018' (National Crimes Records Bureau, Ministry of Home Affairs, Government of India, 23 December 2019) 46 <<https://ncrb.gov.in/sites/default/files/PSI-2018.pdf>> accessed 23 September 2022; National Crime Records Bureau, 'Prison Statistics 2021' (National Crimes Records Bureau, Ministry of Home Affairs, Government of India, 18 August 2022) 44 <https://ncrb.gov.in/sites/default/files/PSI-2021/PSI_2021_as_on_31-12-2021.pdf> accessed 23 September 2022.

From Figure 16 it can be seen that despite prioritisation of disposal of Bail Applications by most District Courts the occupancy rate of prisons in the East Zone has not been reduced significantly. Prison occupancy in Bihar, West Bengal⁴ and Odisha has increased while it has remained almost the same in Jharkhand. Chhattisgarh is the only state which saw a marginal decrease in the prison population.

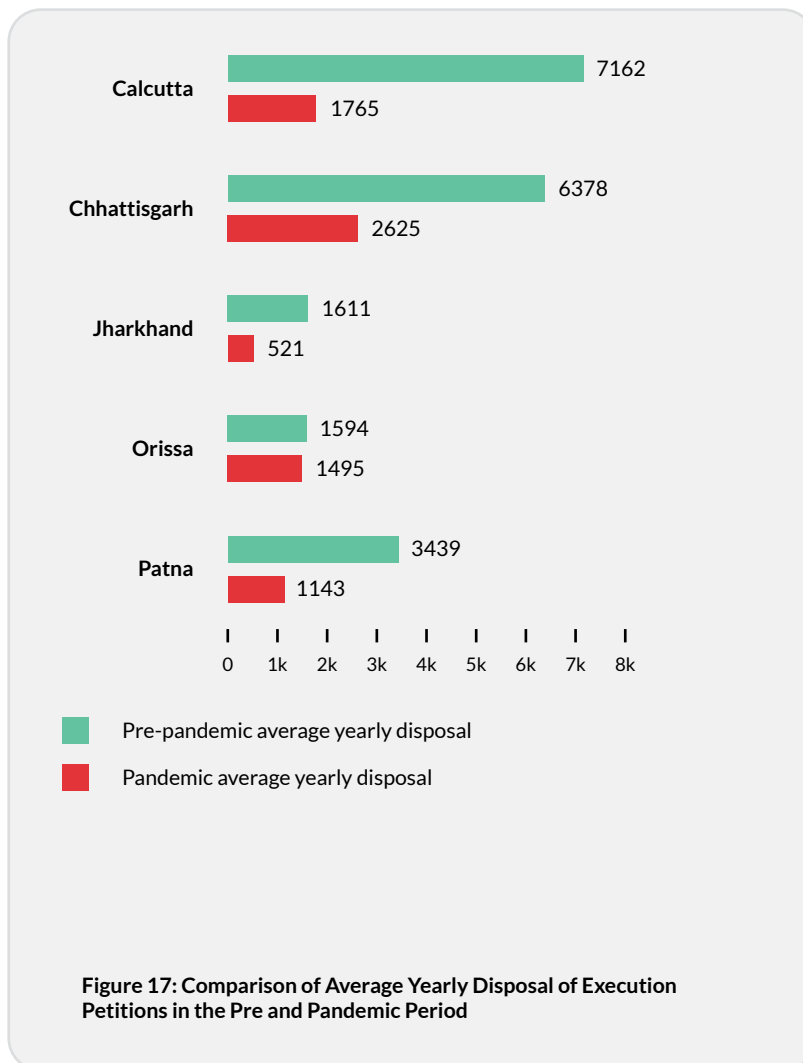


⁴ The High Court of Judicature at Calcutta has jurisdiction over the State of West Bengal and the Union Territory of Andaman and Nicobar Islands. For the purpose of this analysis, the average of the prison occupancy rate of the State and the Union Territory has been taken. In 2018, the occupancy rate in West Bengal was 106.1% and in Andaman and Nicobar Islands was 59.5%. In 2021, the occupancy rate in West Bengal was 120% and in Andaman and Nicobar Islands was 83.7%.

V

Execution Petitions during the Pandemic

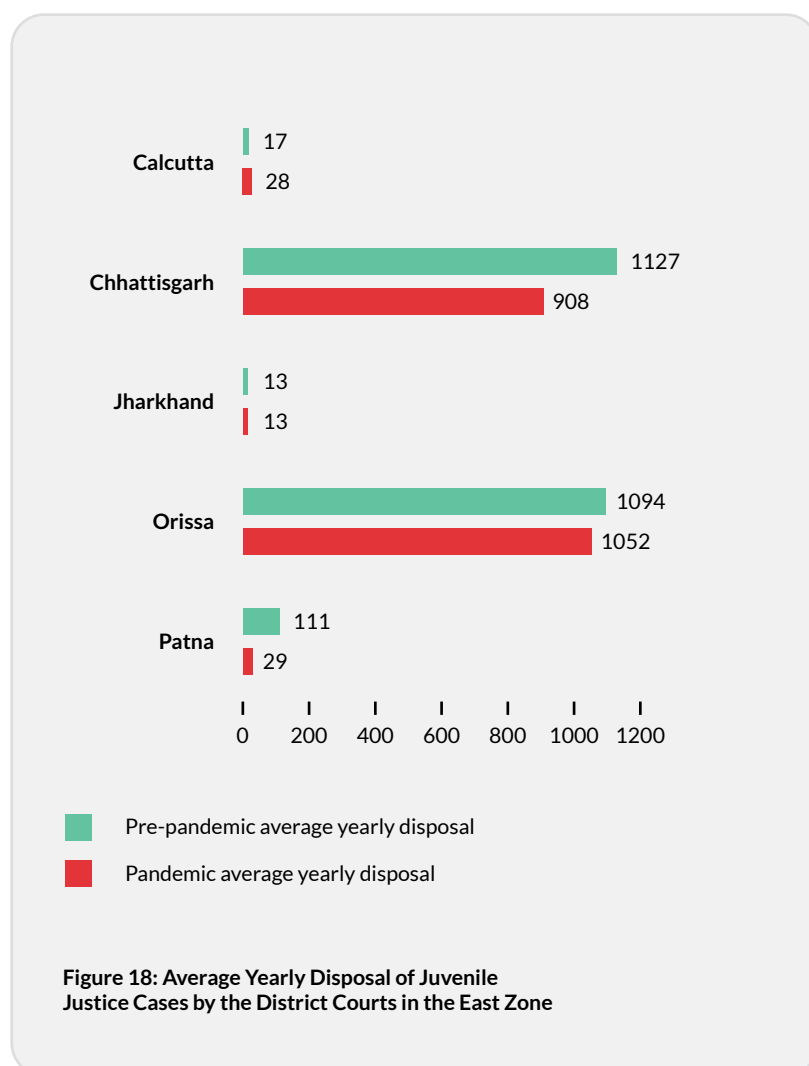
As displayed in the figure, the average disposal of Execution Petitions has reduced across all jurisdictions in the East Zone. District Courts under the jurisdiction of Calcutta High Court saw the least number of Execution Petitions being disposed i.e., 1765. This was followed by District Court under the jurisdiction of Jharkhand, Patna and Chattisgarh High Court which saw a decrease in disposal of Execution Petitions by 67.66%, 66.76% and 58.84%. The District Courts under the Orissa High Court saw the least dip in disposal of Execution Petitions at 6.21% in comparison to the pre-pandemic levels.



VI

Justice for the Juveniles

The figure highlights the reduction in the disposal of cases related to children in conflict with the law across most District Courts in the East Zone. Only District Courts in Jharkhand were able to maintain the average yearly disposal rates during the pandemic period as compared to the two years before the pandemic. The District Courts under the Calcutta High Court disposed of more Juvenile Justice Cases during the pandemic period by 64.71%. The District Courts in Bihar saw a dip in the disposal of Juvenile Justice Cases by as much as 73.87%. The District Courts in Chhattisgarh and Orissa fared better, however, they saw a decrease in disposal as well by 19.43% and 3.82%, respectively.



Annexures

Annexure 3.1: Total number of Criminal Cases disposed during the pre-pandemic and pandemic period.

HC	Case type	Pre-pandemic Total	pandemic Total	Change
Bihar	Bail Application	304810	277549	8.94
Bihar	Sessions Case	70819	43508	38.56
Bihar	Misc. Criminal Applications	10923	6146	43.73
Bihar	Criminal Appeal	6705	3561	46.89
Bihar	Warrant or Summons Criminal Cases	717773	313464	56.33
Bihar	Criminal Revision	29503	11046	62.56
Bihar	Juvenile Cases	222	58	73.87
Calcutta	Juvenile Cases	35	57	-62.86
Calcutta	Misc. Criminal Applications	62359	41929	32.76
Calcutta	Criminal Revision	14625	6465	55.79
Calcutta	Bail Application	67961	29394	56.75
Calcutta	Warrant or Summons Criminal Cases	910708	364927	59.93
Calcutta	Sessions Case	51610	16279	68.46
Calcutta	Criminal Appeal	2586	811	68.64
Chhattisgarh	Bail Application	33473	38969	-16.42
Chhattisgarh	Juvenile Cases	2255	1817	19.42
Chhattisgarh	Misc. Criminal Applications	31205	18253	41.51
Chhattisgarh	Sessions Case	18014	9298	48.38
Chhattisgarh	Criminal Revision	5641	2908	48.45
Chhattisgarh	Criminal Appeal	7691	3648	52.57
Chhattisgarh	Warrant or Summons Criminal Cases	520224	222843	57.16
Jharkhand	Juvenile Cases	27	27	0.0
Jharkhand	Bail Application	62014	51895	16.32
Jharkhand	Misc. Criminal Applications	285776	188014	34.21
Jharkhand	Warrant or Summons Criminal Cases	243196	111879	54.0
Jharkhand	Criminal Appeal	5468	2473	54.77
Jharkhand	Criminal Revision	7232	2746	62.03
Jharkhand	Sessions Case	31418	9119	70.98
Orissa	Misc. Criminal Applications	12254	15143	-23.58
Orissa	Bail Application	48324	56771	-17.48
Orissa	Juvenile Cases	2189	2104	3.88
Orissa	Criminal Revision	2252	1777	21.09
Orissa	Criminal Appeal	2740	2108	23.07
Orissa	Warrant or Summons Criminal Cases	264225	159555	39.61
Orissa	Sessions Case	21546	8475	60.67

Annexure 3.2: Total number of Civil Cases disposed during the pre-pandemic and pandemic period.

HC	Case Type	Pre-pandemic total	Pandemic total	Change
Bihar	Land Reference	1119	896	19.93
Bihar	MACP	7717	4161	46.08
Bihar	Misc. Civil Appeal	2117	711	66.41
Bihar	Execution Petition	6879	2286	66.77
Bihar	Marriage Petition	22776	7501	67.07
Bihar	Civil Appeal	5938	1876	68.41
Bihar	Misc. Civil Application	13887	4195	69.79
Bihar	Misc. Civil Cases	20792	5935	71.46
Bihar	Other	1224	300	75.49
Bihar	Civil Suit	51747	10191	80.31
Calcutta	MACP	21459	12475	41.87
Calcutta	Marriage Petition	52505	29844	43.16
Calcutta	Other	3378	1759	47.93
Calcutta	Misc. Civil Cases	32237	13256	58.88
Calcutta	Civil Appeal	8954	3297	63.18
Calcutta	Misc. Civil Application	1538	519	66.25
Calcutta	Civil Suit	105804	31422	70.3
Calcutta	Land Reference	2313	629	72.81
Calcutta	Misc. Civil Appeal	5416	1388	74.37
Calcutta	Execution Petition	14325	3531	75.35
Chhattisgarh	Marriage Petition	4468	2343	47.56
Chhattisgarh	Other	1662	854	48.62
Chhattisgarh	Misc. Civil Cases	10709	5340	50.14
Chhattisgarh	Misc. Civil Application	60	26	56.67
Chhattisgarh	MACP	14308	6142	57.07
Chhattisgarh	Civil Suit	23046	9794	57.5
Chhattisgarh	Execution Petition	12757	5251	58.84
Chhattisgarh	Misc. Civil Appeal	1277	514	59.75
Chhattisgarh	Civil Appeal	3727	1497	59.83
Chhattisgarh	Land Reference	6	1	83.33
Jharkhand	Land Reference	812	979	-20.57
Jharkhand	Misc. Civil Application	11323	5227	53.84
Jharkhand	MACP	5138	2365	53.97
Jharkhand	Marriage Petition	8896	3740	57.96
Jharkhand	Civil Suit	24353	10031	58.81
Jharkhand	Other	145	54	62.76
Jharkhand	Execution Petition	3222	1043	67.63
Jharkhand	Civil Appeal	1969	516	73.79

HC	Case Type	Pre-pandemic total	Pandemic total	Change
Jharkhand	Misc. Civil Appeal	401	93	76.81
Jharkhand	Misc. Civil Cases	3559	763	78.56
Orissa	Execution Petition	3188	2991	6.18
Orissa	Other	3420	3086	9.77
Orissa	Misc. Civil Cases	1624	1127	30.6
Orissa	MACP	14330	8034	43.94
Orissa	Misc. Civil Application	18463	9121	50.6
Orissa	Marriage Petition	1825	741	59.4
Orissa	Civil Suit	60808	24499	59.71
Orissa	Misc. Civil Appeal	2719	1084	60.13
Orissa	Civil Appeal	4435	1322	70.19
Orissa	Land Reference	4139	1065	74.27

Annexure 3.3. Total number of cases filed in the East Zone.

High Court	Year	Number of cases filed
Bihar	2018	1293549
Bihar	2019	1053951
Bihar	2020	702962
Bihar	2021	604666
Chhattisgarh	2018	293989
Chhattisgarh	2019	290089
Chhattisgarh	2020	178962
Chhattisgarh	2021	255549
Jharkhand	2018	336739
Jharkhand	2019	375234
Jharkhand	2020	246427
Jharkhand	2021	256205
Orissa	2018	414253
Orissa	2019	444040
Orissa	2020	252125
Orissa	2021	271340
West Bengal	2018	975300
West Bengal	2019	766791
West Bengal	2020	395401
West Bengal	2021	440877

Annexure 3.4. Total number of Civil and Criminal Cases disposed in the East Zone.

HC	Year	Civil	Criminal
West Bengal	2018	123254	534389
West Bengal	2019	124675	575495
West Bengal	2020	45901	223648
West Bengal	2021	52219	236214
Chhattisgarh	2018	34979	321802
Chhattisgarh	2019	37041	296701
Chhattisgarh	2020	11776	100607
Chhattisgarh	2021	19986	197129
Jharkhand	2018	25197	302034
Jharkhand	2019	34621	333097
Jharkhand	2020	16702	178669
Jharkhand	2021	8109	187484
Orissa	2018	49949	137239
Orissa	2019	65002	216291
Orissa	2020	20364	86974
Orissa	2021	32706	15895
Bihar	2018	57831	555054
Bihar	2019	76365	585701
Bihar	2020	17363	292411
Bihar	2021	20689	362921 9

Annexure 3.5. Top 9 Civil Case Categories.

Top 9 categories

Civil Appeal
 Misc. Civil Cases
 MACP
 Misc. Civil Appeal
 Civil Suit
 Land Reference
 Execution Petition
 Misc. Civil Application
 Marriage Petition

Annexure 3.6. Cases categorized as 'Other' category for the East Zone.

Others

Misc. Execution
 Arbitration Main and Misc.
 Election Petition
 Civil Revision
 Commercial Suit
 Other Tribunals
 Industrial Court Main Cases

Data speak

A look at the District Courts'
performance during the
pandemic

**SOUTH
ZONE**

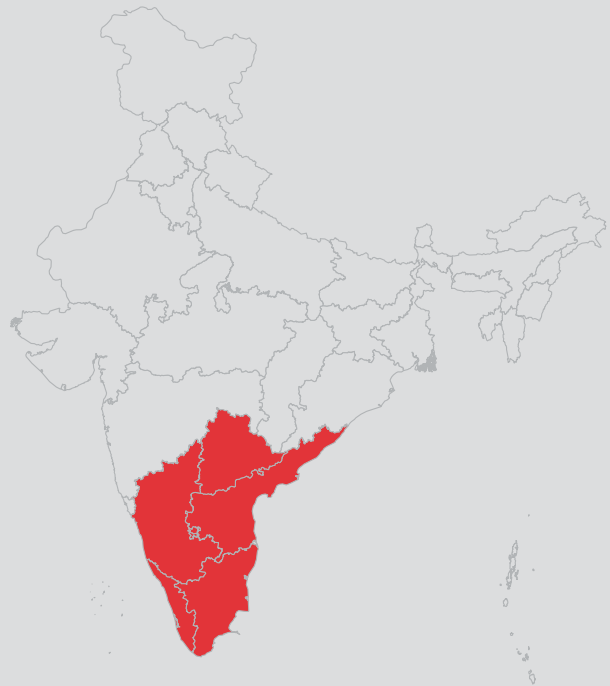
November 2022

How did the Courts function during the pandemic?

The data presented in this part of the report concerns the District Courts under the jurisdiction of:

1. The High Court of Andhra Pradesh,
2. The High Court of Karnataka,
3. The High Court of Kerala,
4. The High Court of Judicature at Madras, and
5. The High Court of Telangana

The above jurisdictions have been clubbed and collectively referred to as the 'South Zone'. The following sections contain a detailed analysis of case data from District Courts in the South Zone.



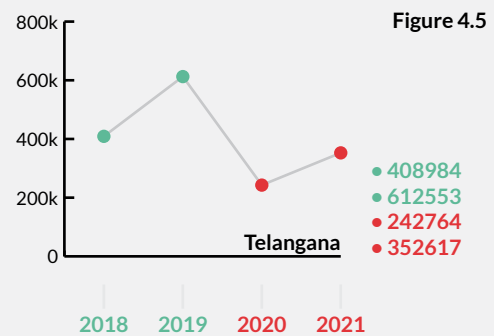
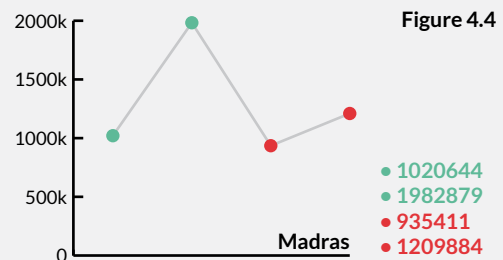
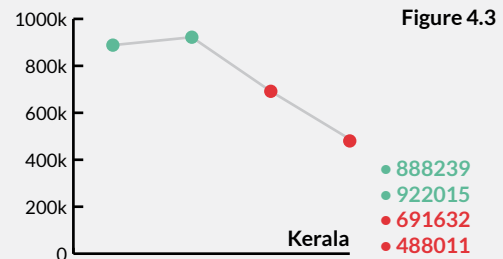
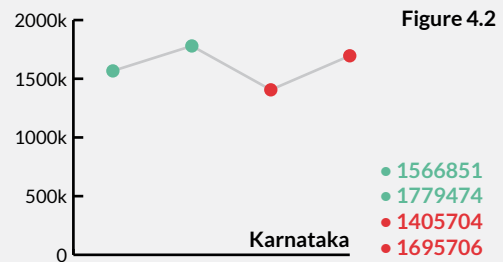
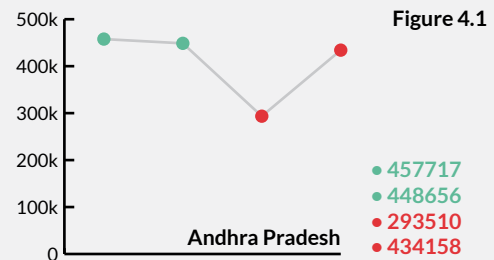
I

Case-filing trends during the pandemic

In this section, we look at the yearly filings of cases in the District Courts across the jurisdiction of different High Courts in the South Zone, between 2018 and 2021. Through this analysis, the report aims to present the difference in the filing of cases across all categories before and during the pandemic period.

Across the South Zone, District Courts under each High Court jurisdiction saw a drastic drop at the onset of the pandemic in the number of cases instituted. Even though attempts had been made to enable digital filing and virtual functioning of the courts through 2020, the COVID-19 pandemic continued to affect the institution of cases in most District Courts even a year later, in the second year of the pandemic. However, a recovery can be seen in 2021 for most District Courts in the South Zone, especially the District Courts under the High Courts of Andhra Pradesh and Karnataka, which only saw a total decrease of 1,78,705 and 2,44,915 cases, respectively. District Courts in Andhra Pradesh saw the most improvement from 2020 to 2021 with case filings increasing by 47.92%.

On the other hand, the filings before the District Courts under the High Court of Kerala continued to be on a downward trend. The District Courts saw an even lower number of case filings in 2021 at 4,88,011 compared to the previous year when 6,91,632 cases were filed.



Trend of cases filed before the District Courts between 2018-2021

The South Zone saw a decline of 19,12,459 in case filings during the pandemic period as compared to the previous two years. The following table shows the difference between the number of filings in 2020-2021 vis-a-vis 2018-2019.

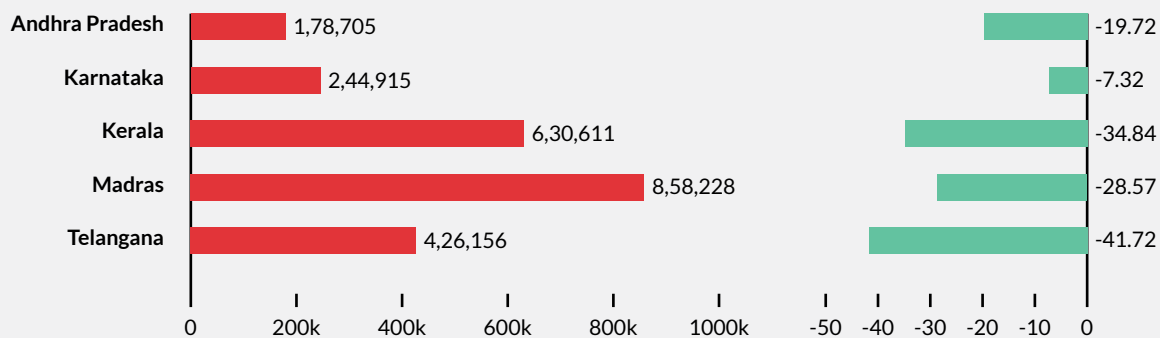


Figure 4.6: Difference in Filing (No. of cases)

Figure 4.7: Percentage change in institution of cases

Further analysis indicates that the District Courts under the High Court of Judicature at Madras saw a massive increase in case filings from 2018 to 2019 during the pre-pandemic period. Hence, despite the case filings improving from 2020 to 2021 by 29.34%, and the number of cases instituted in 2021 also being higher than 2018, the average number of cases instituted during the pandemic years remained 28.57% lower than the pre-pandemic period. District Courts under the High Court of Telangana were the worst affected with 41.72% reduction in case filings in the pandemic years.

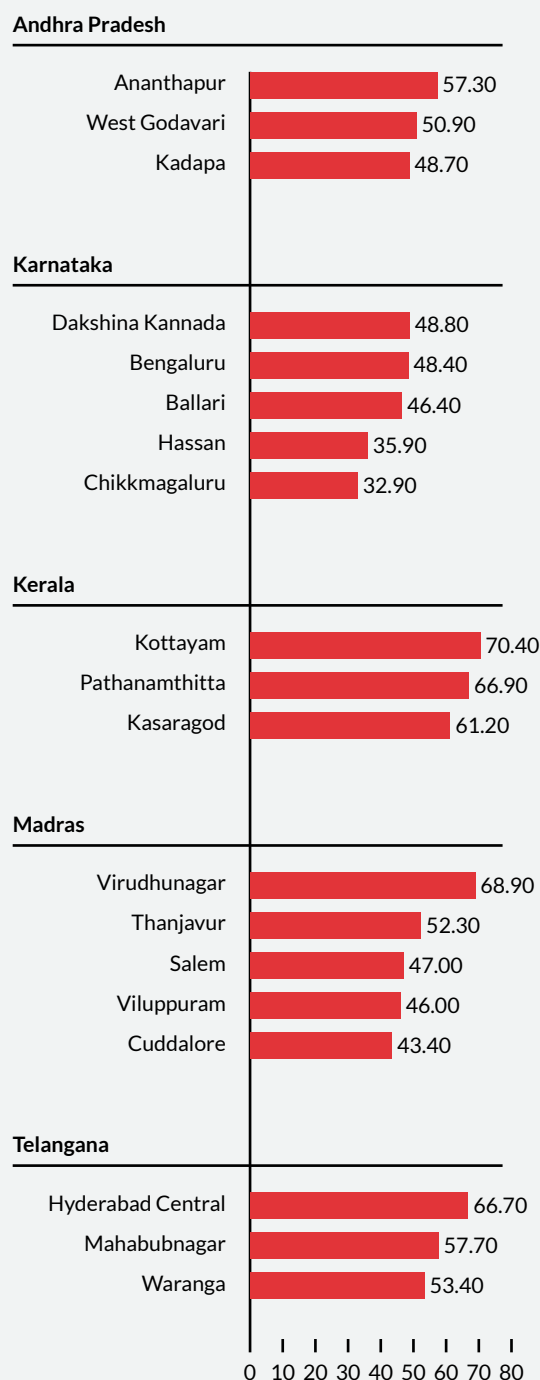
II

Disposal of cases during the pandemic

Out of the 103 District Courts from the South Zone analysed, 93 District Courts witnessed a reduction in the number of cases disposed of during the pandemic years. Interestingly, 10 District Courts in the South Zone did not just keep pace with their prior rate of disposal but improved the same during the pandemic years. We have highlighted the worst and best performing districts.

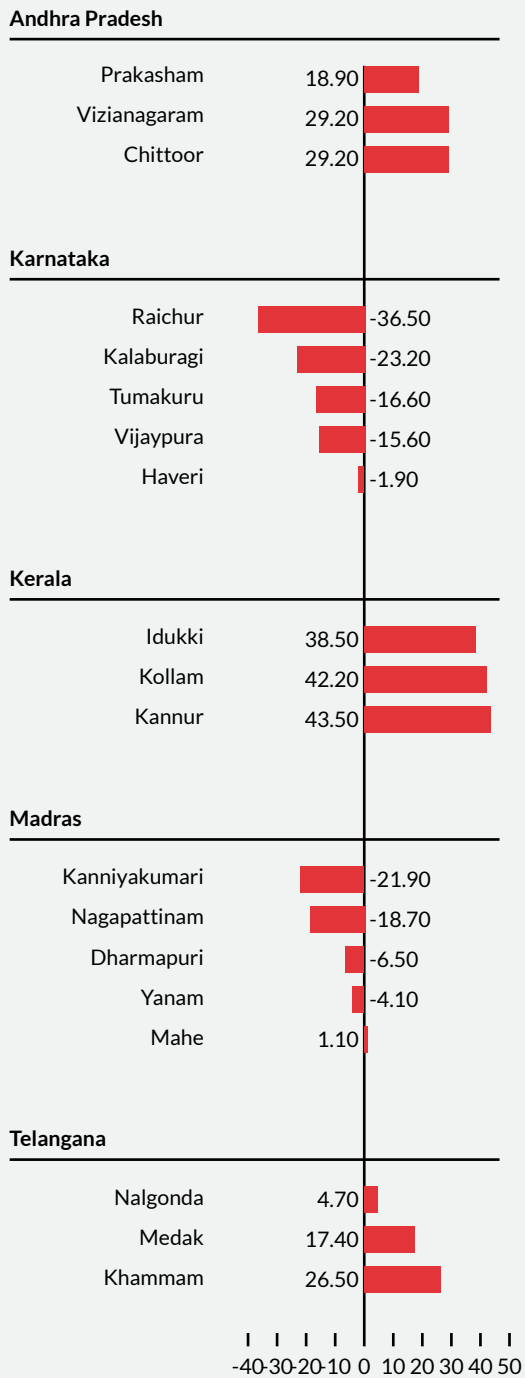
In the South Zone, District Courts under the High Court of Kerala were the worst affected. The worst affected District Court was situated in Kottayam with a 70.6% reduction in disposal rate during the pandemic period. Even the best performing district under the High Court of Kerala disposed 38.5% lesser cases during the pandemic as compared to the pre-pandemic years.¹

Figure 4.8: Worst Performing Districts in the South Zone



¹ For High Courts having jurisdiction over 20 districts or less, 6 districts have been highlighted in the table. For High Courts having jurisdiction over more than 20 districts but less than 30 districts, 8 districts have been highlighted and for High Courts having jurisdiction over 30 districts, 10 have been highlighted for the analysis, across the Best & Worst performing districts (Figures 4.8 & 4.9).

Figure 4.9: Best Performing Districts in the South Zone



The District Courts under the High Court of Karnataka have performed the best with Districts Courts in Raichur, Kalaburagi, Tumakuru, Vijaypura and Haveri disposing more cases during the pandemic period in comparison to the pre-pandemic period.

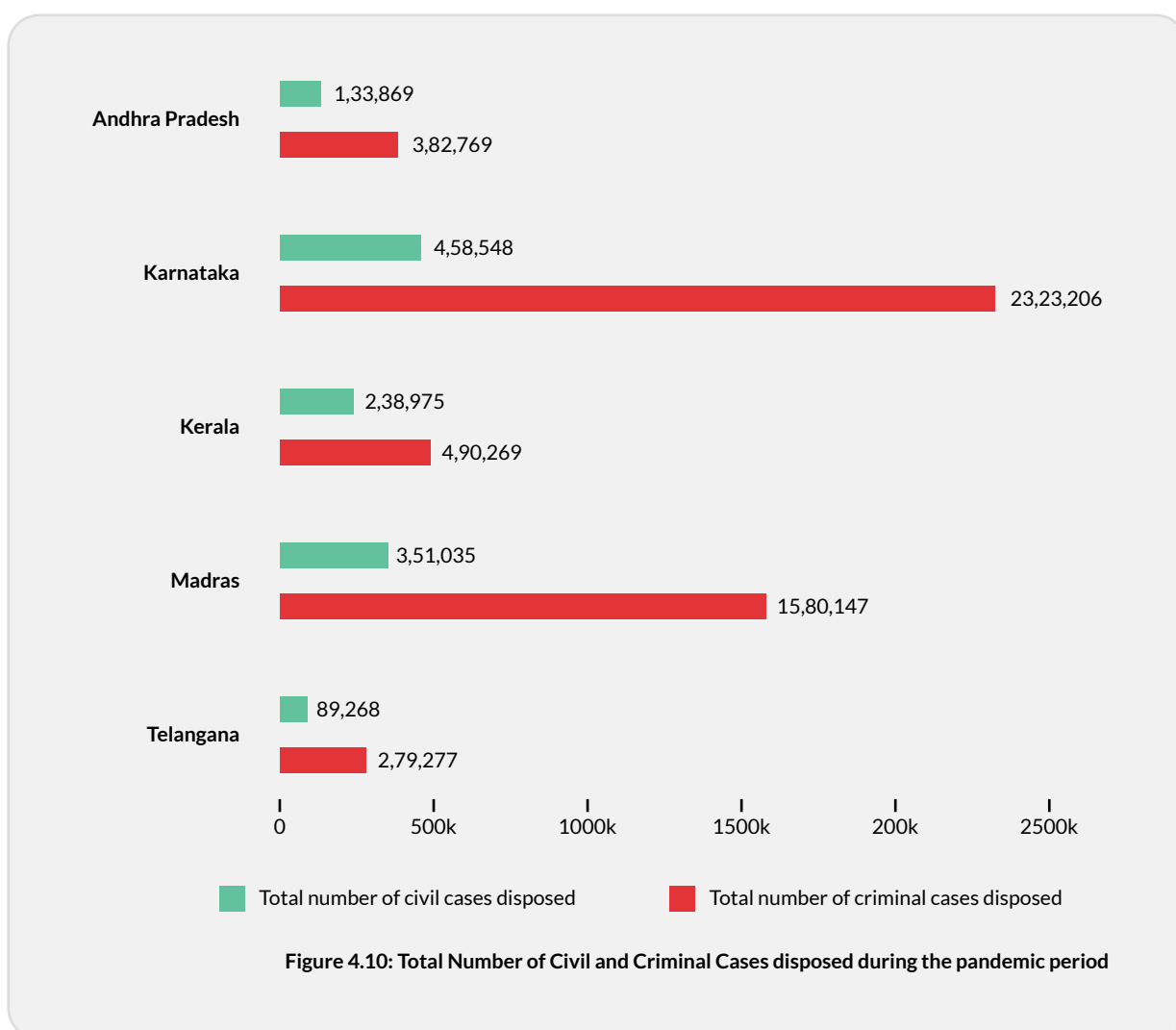
The District Court in Virudhunagar under the High Court of Judicature at Madras is the second worst affected District with a disposal rate reducing by 68.9%. However, the District Courts in Kanniyakumari, Nagapattinam, Dharmapuri and Yanam under the High Court of Judicature at Madras also saw disposal rates improving from the pre-pandemic years.

A detailed list of all the District Courts in the South Zone along with the percentage reduction in their disposal rate in 2020 and 2021, when compared to 2018 and 2019 can be accessed [here](#). This information can be instrumental in identifying the positive interventions adopted by the District Judiciary to dispose cases during the pandemic while also revealing pain points concerning the functioning of virtual courts at the District Judiciary.

III

Case types prioritised by Courts during the pandemic

It was observed that the District Courts across the South Zone disposed of more criminal cases than civil cases. The total number of each case type that was disposed in the pandemic period were as follows:



In the following section, we have tried to map the type of cases prioritised across various District Courts in the South Zone during the pandemic period by studying the disposal of cases.

Even though, the District Courts in the South Zone disposed of more criminal cases than civil cases. The number of case types for civil cases was considerably higher than criminal cases. For the purpose of this analysis, the top 9 categories within civil cases in the South Zone have been taken. The rest have been categorized under the head 'Other'. For the complete list of case types in the 'Other' category for the South Zone, refer to Annexure 4.6.

Within the civil cases, the case types which were prioritised for disposal saw minor changes from pre-pandemic years in comparison to pandemic years. While Civil Suits continued to remain a large chunk of the cases disposed of during the pandemic, other types of cases, such as Marriage Petitions were prioritised by the District Courts under the High Court of Andhra Pradesh during the pandemic. Similarly, the District Courts in Telangana disposed more Modified Assured Career Progression Scheme(MACP) cases during the pandemic, in comparison to the previous years.

It is also noteworthy that across the South Zone, in terms of whole numbers, disposal of civil suits suffered the most during the pandemic.

However, in terms of percentage, that is not the case. The District Courts under the High Courts of Andhra Pradesh, Karnataka and Telangana saw the biggest reduction in Land Reference cases (88.23%, 61.26% and 65.74%, respectively). The District Courts under the High Court of Judicature at Madras saw the most percentage decrease in disposal of Miscellaneous Civil Application cases (81.47%) and the District Courts under the High Court of Kerala saw the most percentage decrease in disposal of Execution Petitions (62.52%).

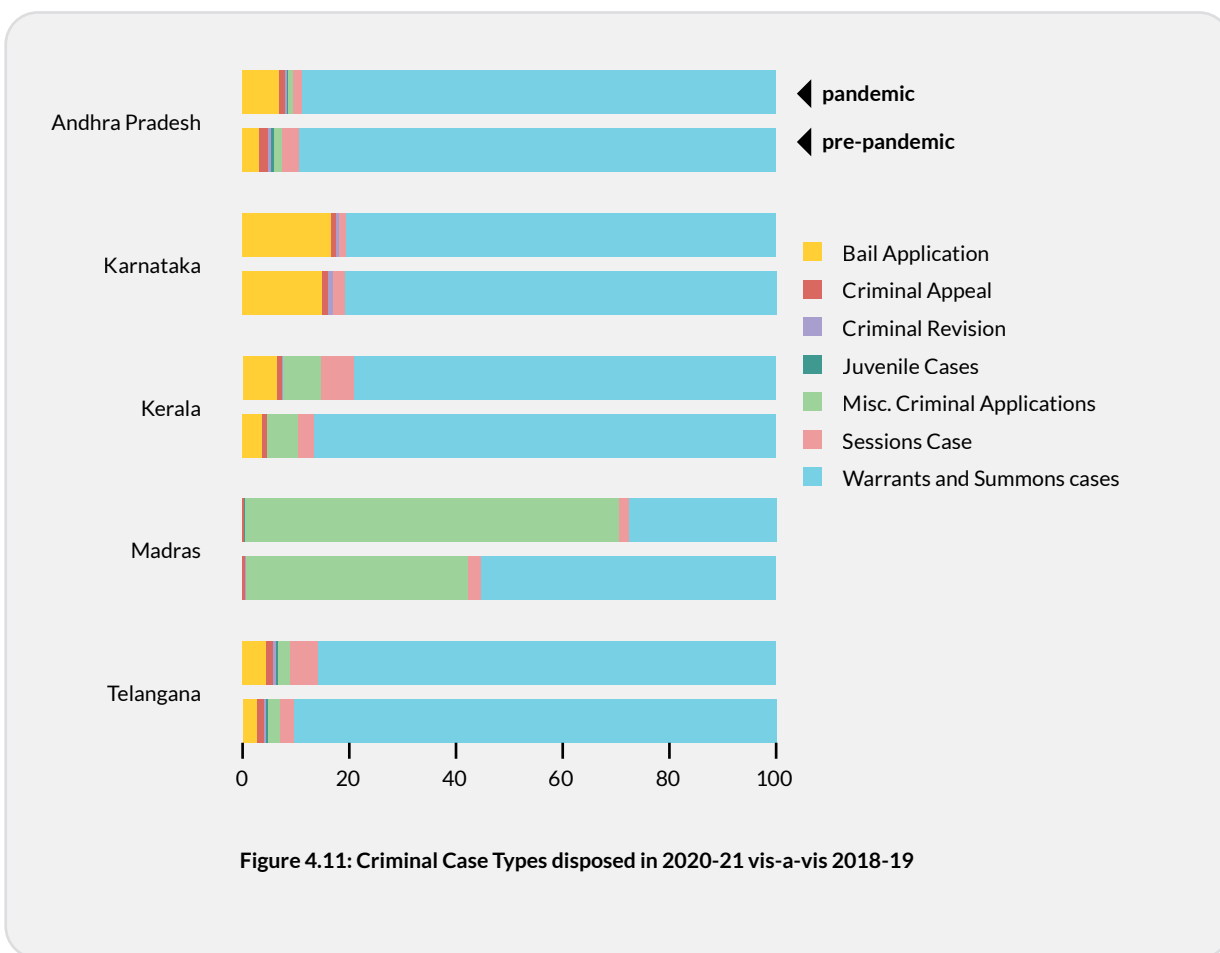


Figure 4.11: Criminal Case Types disposed in 2020-21 vis-a-vis 2018-19

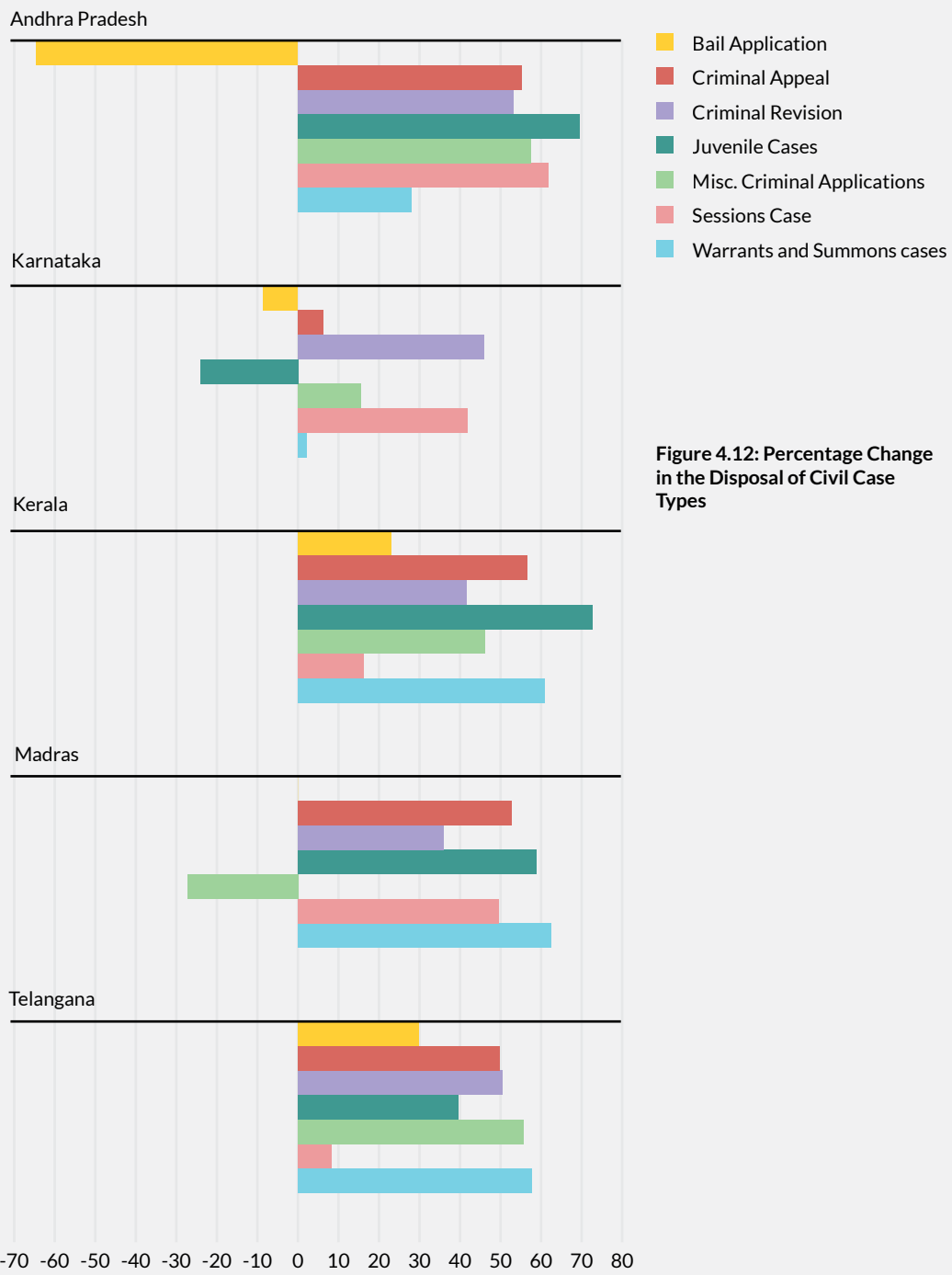


Figure 4.12: Percentage Change in the Disposal of Civil Case Types

In the South Zone, disposal patterns of criminal cases saw a few major changes during the pandemic as compared to pre-pandemic period. Warrants and Summons cases remained the most disposed cases during the pandemic for District Courts under all the High Courts except High Court of Judicature at Madras, which heavily prioritised disposal of Miscellaneous Criminal Applications. Disposal of bail applications saw more prioritisation during the pandemic as compared to pre-pandemic years by the District Courts under all the other High Courts across the South Zone. This shows that despite the capacity of the Courts being severely reduced, they tried to follow the guidelines of the Supreme Court by focusing on bail applications amongst all the criminal cases they were dealing with.

respectively). The District Courts under the High Court of Judicature at Madras and High Court of Telangana saw the most decline in disposal of Warrants and Summons cases (62.36% and 57.72%, respectively). Finally, the District Courts under the High Court of Karnataka saw the most decline in disposal of Criminal Revision cases (45.88%).

In terms of percentage change from pre-pandemic disposal of criminal cases compared to the disposal of cases during the pandemic, the District Courts under the High Courts of Andhra Pradesh and Kerala saw the biggest decline in disposal of Juvenile Justice Cases (69.56% and 72.66%,

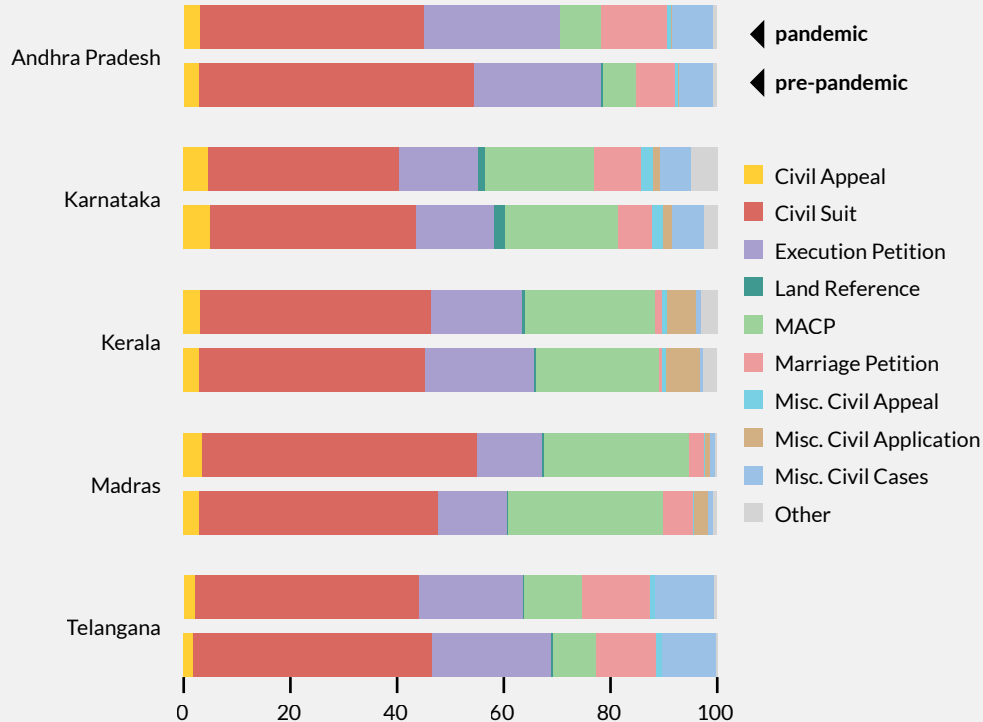
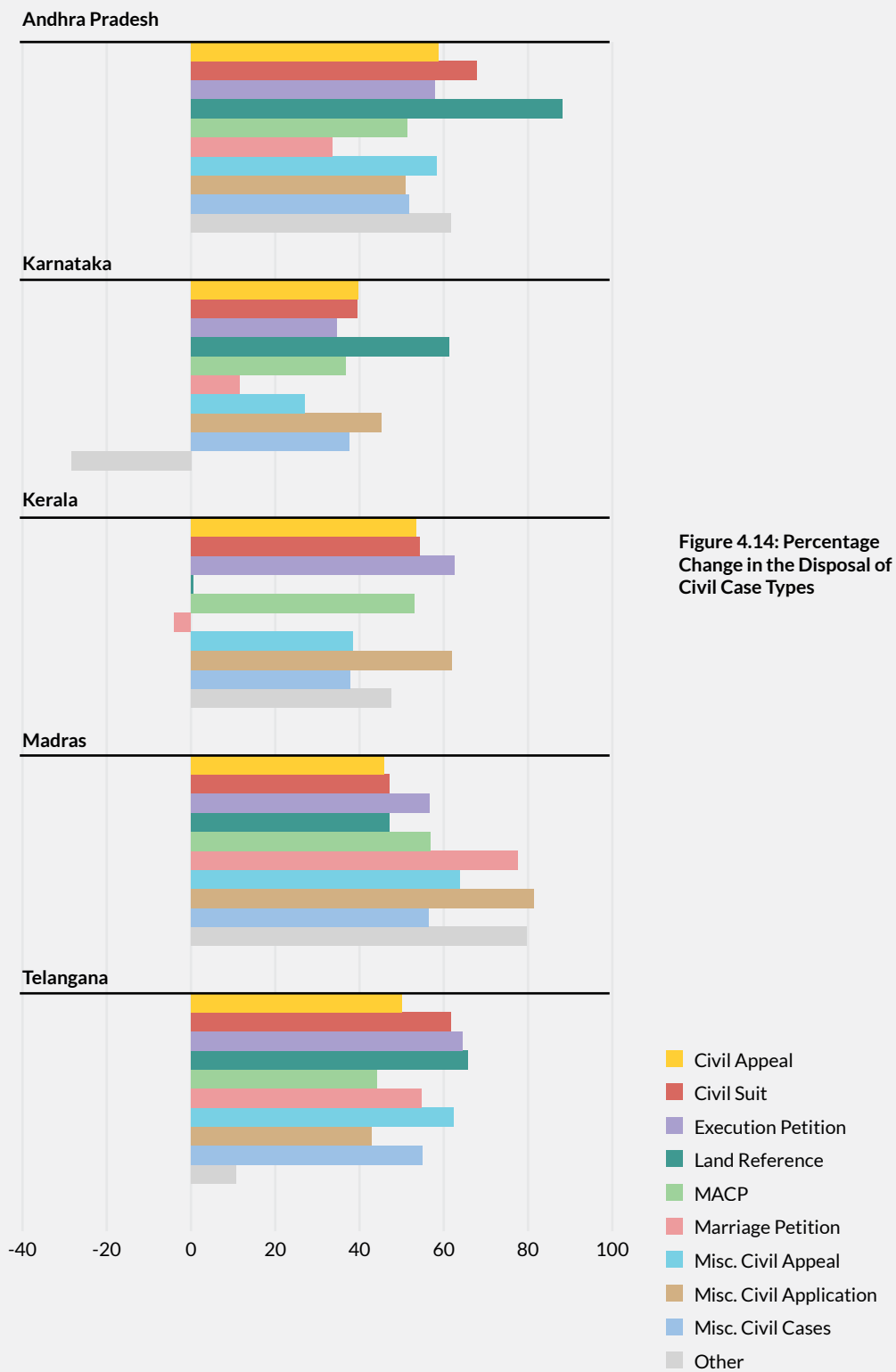


Figure 4.13: Civil Case Types disposed in 2020-21 vis-a-vis 2018-19

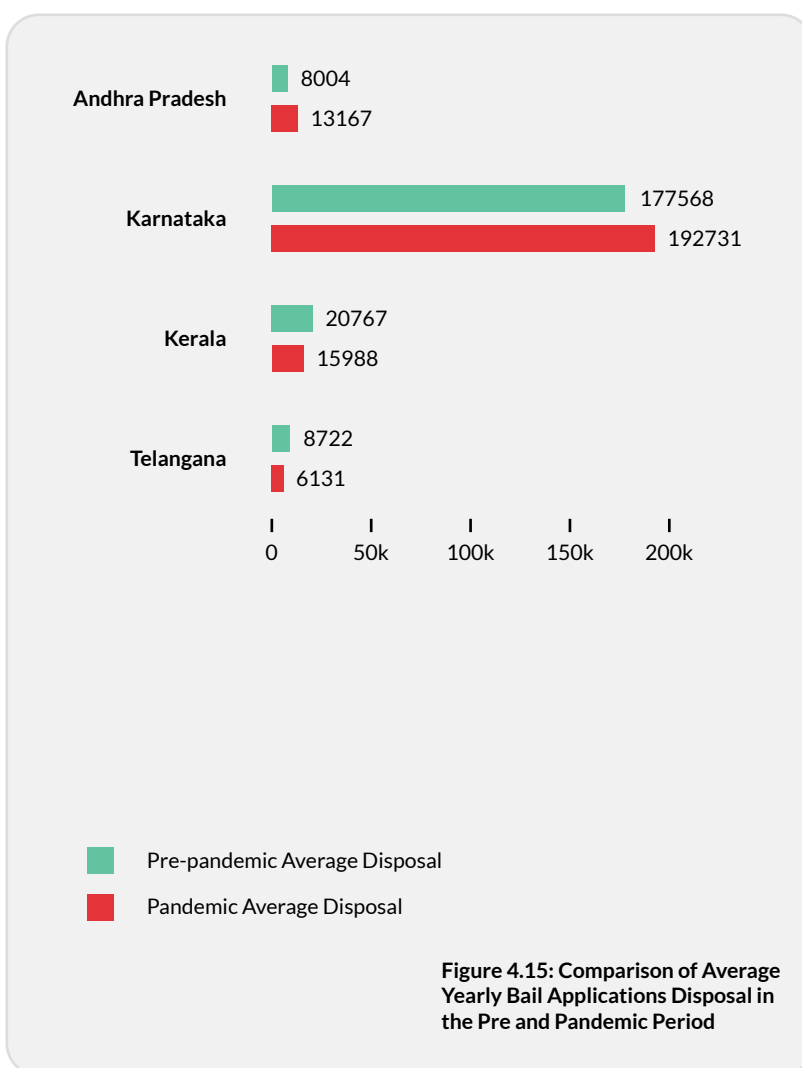


IV

Decongestion of jails and prisons during the pandemic

The figure highlights that there was no steep increase or decline in the disposal of bail applications as witnessed in the overall disposal of cases. The District Courts under the jurisdiction of the Karnataka High Court and Andhra Pradesh High Court saw a meagre increase in the disposal of bail applications while District Courts under the Kerala High Court and Telangana High Court saw a small decrease in the number of bail applications disposed during the pandemic.²

This is in keeping with the overall reduction in disposal rates seen in the District Courts under the High Courts of Kerala and Telangana in Section II.



² There was no bail application disposal data both pre-pandemic and during the pandemic available for District Courts in Tamil Nadu on the NJDG website and hence, the same could not be scraped for analysis of this particular section.

The District Courts under the Kerala High Court³ managed to reduce the occupancy rate in prisons by 8.1% from 2018 to 2021 despite the number of bail applications being disposed during the pandemic years being low. Karnataka was the only other state apart from Kerala that was able to decongest its prisons in 2021 as compared to 2018 by reducing the occupancy rate by 1.1%. This is also in keeping with the 8.53% increase in the disposal of bail applications during the pandemic years by the District Courts under the Karnataka High Court.

All other prisons under the depicted High Courts saw an increase in occupancy rate of prisons. Prisons under the High Court of Telangana and Madras⁴ saw the biggest rise in the occupancy rate of their prisons with an increase of 14.4% and 12.65%, respectively.

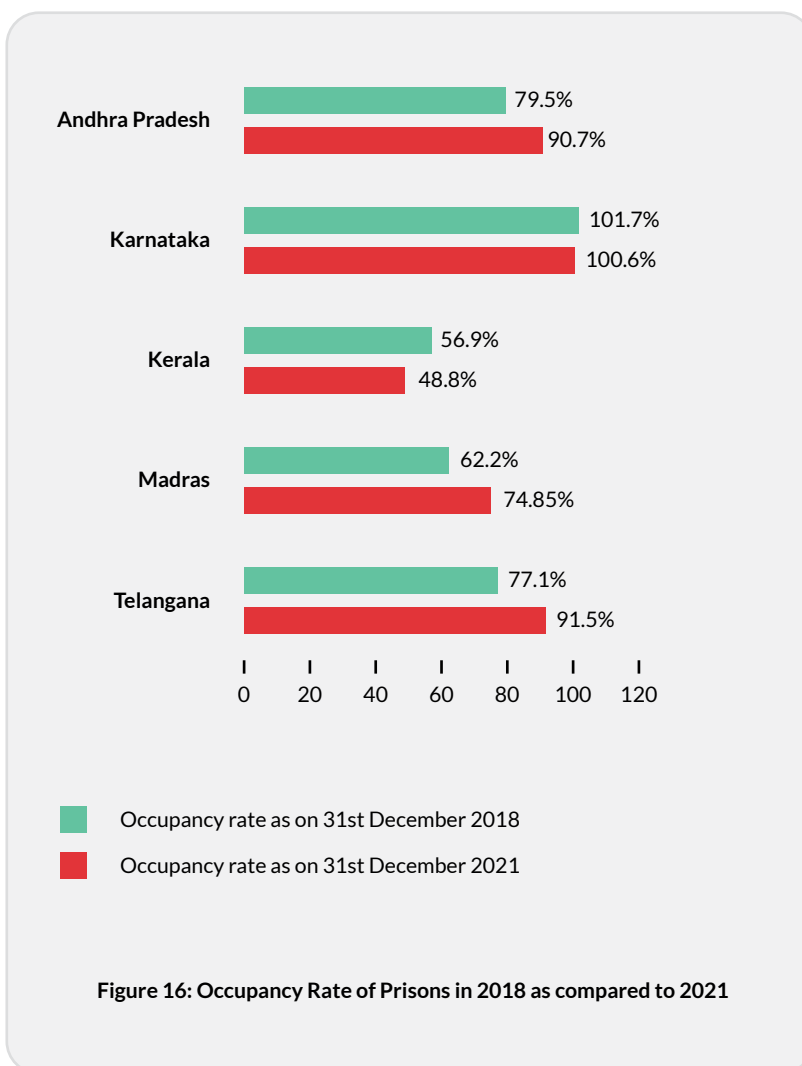


Figure 16: Occupancy Rate of Prisons in 2018 as compared to 2021

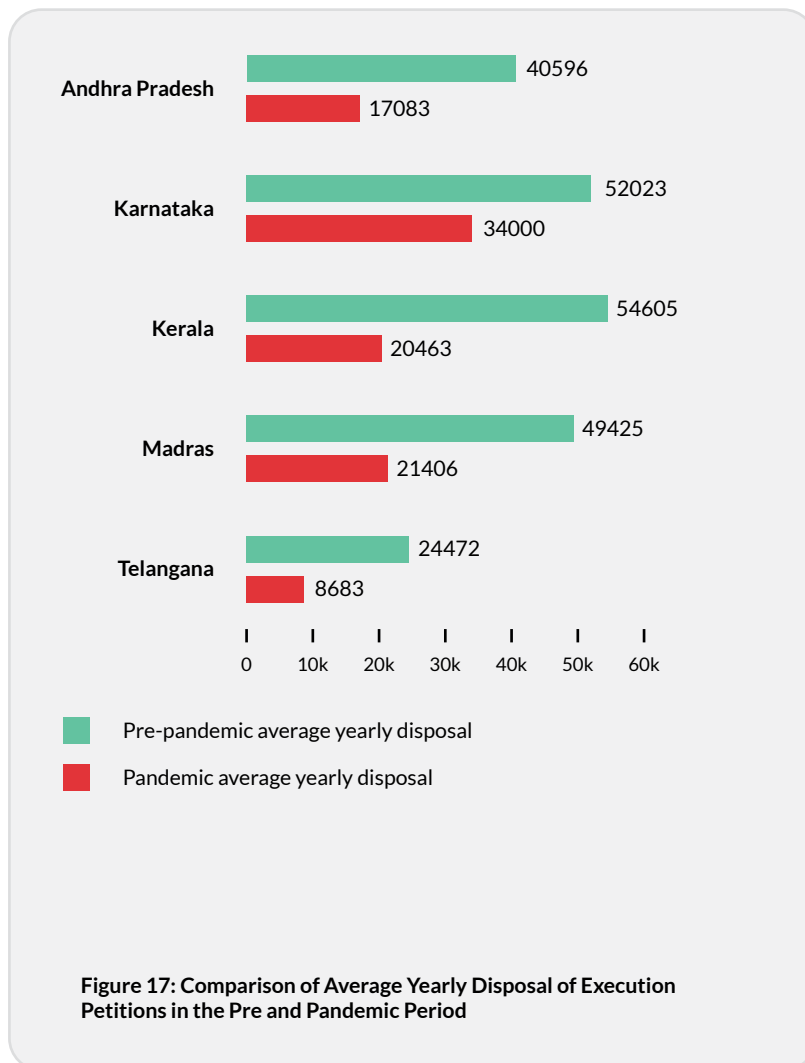
³ The High Court of Kerala has jurisdiction over the State of Kerala and the Union Territory of Lakshadweep. For the purpose of this analysis, the average of the prison occupancy rate of the State and the Union Territory has been taken. In 2018, the occupancy rate in Kerala was 112.2% and the occupancy rate in Lakshadweep was 1.6%. In 2021, the occupancy rate in Kerala was 89.8% and in Lakshadweep it was 7.8%.

⁴ The High Court of Judicature at Madras has jurisdiction over the State of Tamil Nadu and the Union Territory of Puducherry. For the purpose of this analysis, the average of the prison occupancy rate of the State and the Union Territory has been taken. In 2018, the occupancy rate in Tamil Nadu was 60% and the occupancy rate in Puducherry was 64.4%. In 2021, the occupancy rate in Tamil Nadu was 76.4% and the occupancy rate in Puducherry was 73.3%.

V

Execution Petitions during the Pandemic

As displayed in the figure, the average disposal of Execution Petitions has reduced significantly across all jurisdictions in the South Zone. The District Courts under the High Court of Telangana and Kerala were the worst affected as there was a reduction of 64.51% and 62.5%, respectively in disposal of Execution Petitions during the pandemic. The District Courts under the High Court of Karnataka were least affected but even they saw a significant reduction of 34.64% during the pandemic period.



VI

Justice for the Juveniles

The figure highlights the reduction in the disposal of cases related to children in conflict with the law across most District Courts in the South Zone. Only District Courts under the High Court of Karnataka were not just able to keep pace with the cases in the pre-pandemic years, but actually disposed more juvenile justice cases by 23.96% in a time bound manner in 2020 and 2021. Andhra Pradesh saw the highest reduction in the disposal of juvenile justice cases by 69.55%.

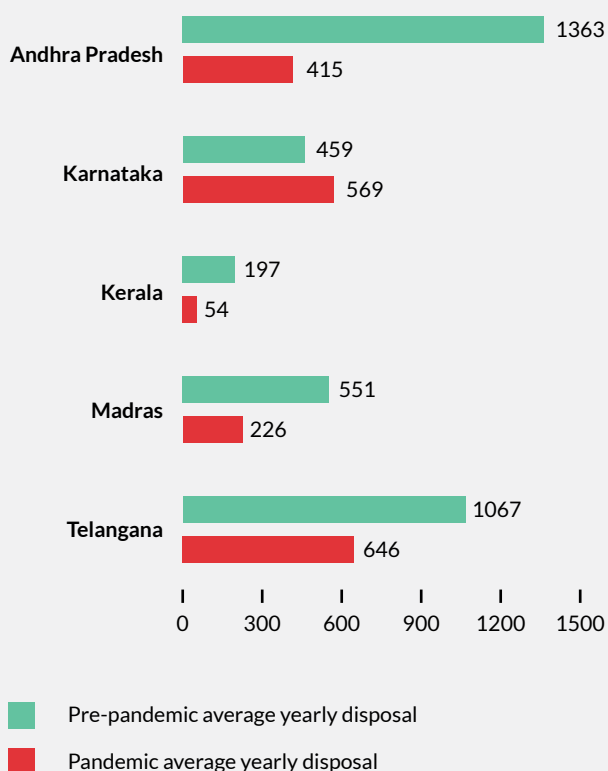


Figure 18: Average Yearly Disposal of Juvenile Justice Cases by the District Courts in the South Zone

Annexures

Annexure 4.1: Total number of Criminal Cases disposed during the pre-pandemic and pandemic period.

HC	case type	pre-pandemic total	pandemic total	change
Andhra Pradesh	Bail Application	16008	26334	-64.51
Andhra Pradesh	Warrant or Summons Criminal Cases	472347	339959	28.03
Andhra Pradesh	Criminal Revision	2995	1405	53.09
Andhra Pradesh	Criminal Appeal	9551	4272	55.27
Andhra Pradesh	Misc. Criminal Applications	8035	3413	57.52
Andhra Pradesh	Sessions Case	17115	6556	61.69
Andhra Pradesh	Juvenile Cases	2727	830	69.56
Karnataka	Juvenile Cases	918	1139	-24.07
Karnataka	Bail Application	355136	385463	-8.54
Karnataka	Warrant or Summons Criminal Cases	1912046	1871999	2.09
Karnataka	Criminal Appeal	23591	22128	6.2
Karnataka	Misc. Criminal Applications	990	836	15.56
Karnataka	Sessions Case	49874	29065	41.72
Karnataka	Criminal Revision	23238	12576	45.88
Kerala	Sessions Case	36229	30377	16.15
Kerala	Bail Application	41534	31977	23.01
Kerala	Criminal Revision	1308	763	41.67
Kerala	Misc. Criminal Applications	64675	34895	46.05
Kerala	Criminal Appeal	10645	4631	56.5
Kerala	Warrant or Summons Criminal Cases	991634	387518	60.92
Kerala	Juvenile Cases	395	108	72.66
Madras	Misc. Criminal Applications	872088	1110019	-27.28
Madras	Criminal Revision	2731	1749	35.96
Madras	Sessions Case	54516	27517	49.52
Madras	Criminal Appeal	10168	4801	52.78
Madras	Juvenile Cases	1102	453	58.89
Madras	Warrant or Summons Criminal Cases	1157151	435608	62.36
Telangana	Sessions Case	16163	14816	8.33
Telangana	Bail Application	17445	12262	29.71
Telangana	Juvenile Cases	2135	1292	39.48
Telangana	Criminal Appeal	7961	4004	49.7
Telangana	Criminal Revision	2252	1115	50.49
Telangana	Misc. Criminal Applications	14347	6363	55.65
Telangana	Warrant or Summons Criminal Cases	566273	239425	57.72

Annexure 4.2: Total number of Civil Cases disposed during the pre-pandemic and pandemic period.

HC	case type	pre-pandemic total	pandemic total	change
Andhra Pradesh	Marriage Petition	24992	16606	33.55
Andhra Pradesh	Misc. Civil Application	359	176	50.97
Andhra Pradesh	MACP	20852	10156	51.29
Andhra Pradesh	Misc. Civil Cases	21740	10495	51.72
Andhra Pradesh	Execution Petition	81192	34166	57.92
Andhra Pradesh	Misc. Civil Appeal	2173	907	58.26
Andhra Pradesh	Civil Appeal	10083	4161	58.73
Andhra Pradesh	Other	2447	938	61.67
Andhra Pradesh	Civil Suit	174908	56129	67.91
Andhra Pradesh	Land Reference	1147	135	88.23
Karnataka	Other	17479	22445	-28.41
Karnataka	Marriage Petition	45962	40648	11.56
Karnataka	Misc. Civil Appeal	13264	9680	27.02
Karnataka	Execution Petition	104047	68001	34.64
Karnataka	MACP	148260	93788	36.74
Karnataka	Misc. Civil Cases	41692	26035	37.55
Karnataka	Civil Suit	271607	164453	39.45
Karnataka	Civil Appeal	34637	20924	39.59
Karnataka	Misc. Civil Application	12497	6853	45.16
Karnataka	Land Reference	14767	5721	61.26
Kerala	Marriage Petition	3140	3263	-3.92
Kerala	Land Reference	1454	1446	0.55
Kerala	Misc. Civil Cases	3603	2239	37.86
Kerala	Misc. Civil Appeal	3785	2328	38.49
Kerala	Other	13902	7294	47.53
Kerala	MACP	123081	57855	52.99
Kerala	Civil Appeal	15562	7258	53.36
Kerala	Civil Suit	226610	103548	54.31
Kerala	Misc. Civil Application	33723	12817	61.99
Kerala	Execution Petition	109211	40927	62.52
Madras	Civil Appeal	22069	11959	45.81
Madras	Land Reference	2766	1465	47.04
Madras	Civil Suit	342418	181119	47.11
Madras	Misc. Civil Cases	7701	3351	56.49
Madras	Execution Petition	98850	42813	56.69
Madras	MACP	221074	95458	56.82
Madras	Misc. Civil Appeal	354	128	63.84
Madras	Marriage Petition	44107	9919	77.51
Madras	Other	5386	1091	79.74
Madras	Misc. Civil Application	20141	3732	81.47
Telangana	Other	500	447	10.6

HC	case type	pre-pandemic total	pandemic total	change
Telangana	Misc. Civil Application	7	4	42.86
Telangana	MACP	17479	9763	44.14
Telangana	Civil Appeal	3914	1956	50.03
Telangana	Marriage Petition	24821	11263	54.62
Telangana	Misc. Civil Cases	22052	9938	54.93
Telangana	Civil Suit	97855	37454	61.73
Telangana	Misc. Civil Appeal	2330	879	62.27
Telangana	Execution Petition	48944	17367	64.52
Telangana	Land Reference	575	197	65.74

Annexure 4.3. Total number of cases filed in the South Zone.

HC	Year	Number of Cases filed
Andhra Pradesh	2018	457717
Andhra Pradesh	2019	448656
Andhra Pradesh	2020	293510
Andhra Pradesh	2021	434158
Karnataka	2018	1566851
Karnataka	2019	1779474
Karnataka	2020	1405704
Karnataka	2021	1695706
Kerala	2018	888239
Kerala	2019	922015
Kerala	2020	691632
Kerala	2021	488011
Madras	2018	1020644
Madras	2019	1982879
Madras	2020	935411
Madras	2021	1209884
Telangana	2018	408984
Telangana	2019	612553
Telangana	2020	242764
Telangana	2021	352617

Annexure 4.4. Total number of Civil and Criminal Cases disposed in the South Zone.

HC	Year	Civil	Criminal
Andhra Pradesh	2018	148755	264129
Andhra Pradesh	2019	191138	264649
Andhra Pradesh	2020	64134	155175
Andhra Pradesh	2021	69735	227594
Karnataka	2018	304795	1089672
Karnataka	2019	399417	1276121
Karnataka	2020	192499	987255
Karnataka	2021	266049	1335951
Kerala	2018	217579	556720
Kerala	2019	316492	589700
Kerala	2020	109086	180833
Kerala	2021	129889	309436
Madras	2018	318887	630619
Madras	2019	445979	1467137
Madras	2020	155282	631668
Madras	2021	195753	948479
Telangana	2018	99869	229613
Telangana	2019	118608	396963
Telangana	2020	32231	95640
Telangana	2021	57037	183637

Annexure 4.5. Top 9 Civil Case Categories.

Top 9 categories

Civil Appeal
 Misc. Civil Cases
 MACP
 Misc. Civil Appeal
 Civil Suit
 Land Reference
 Execution Petition
 Misc. Civil Application
 Marriage Petition

Annexure 4.6. Cases categorized as 'Other' category for the South Zone.

Others

Arbitration Main and Misc.
 Misc. Execution
 Commercial Suit
 Industrial Court Main Cases
 Industrial Court Misc. Cases
 Civil Revision
 Commercial Appeal
 Election Petition
 Labour Court Main Cases
 Labour Court Misc. Cases

Data speak

A look at the District Courts'
performance during the
pandemic

**WEST
ZONE**

November 2022

How did the Courts function during the pandemic?

The data presented in this part of the report concerns the District Courts under the jurisdiction of:

1. The High Court of Judicature at Bombay,
2. The High Court of Gujarat,
3. The High Court of Madhya Pradesh, and
4. The High Court of Rajasthan.

The above jurisdictions have been clubbed and collectively referred to as the 'West Zone'. The following sections contain a detailed analysis of case data from District Courts in the West Zone.

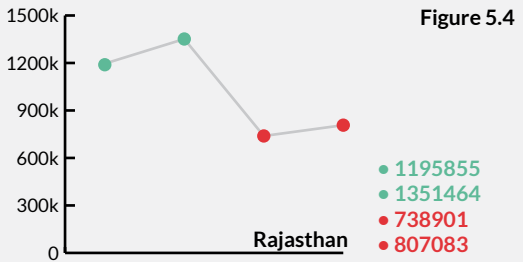
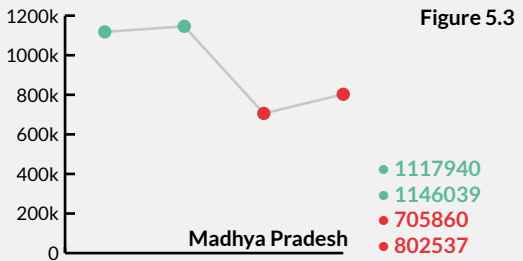
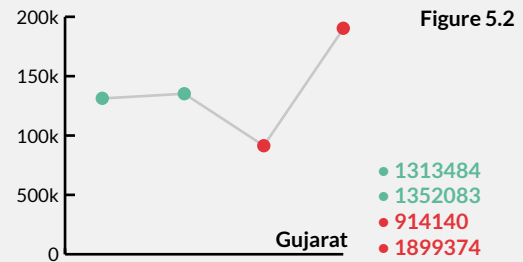
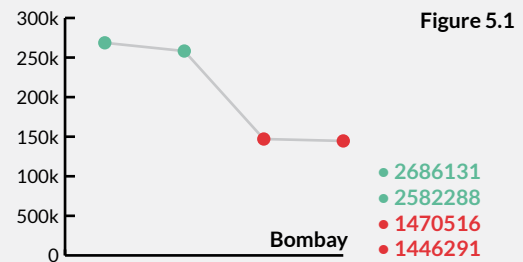


I

Case-filing trends during the pandemic

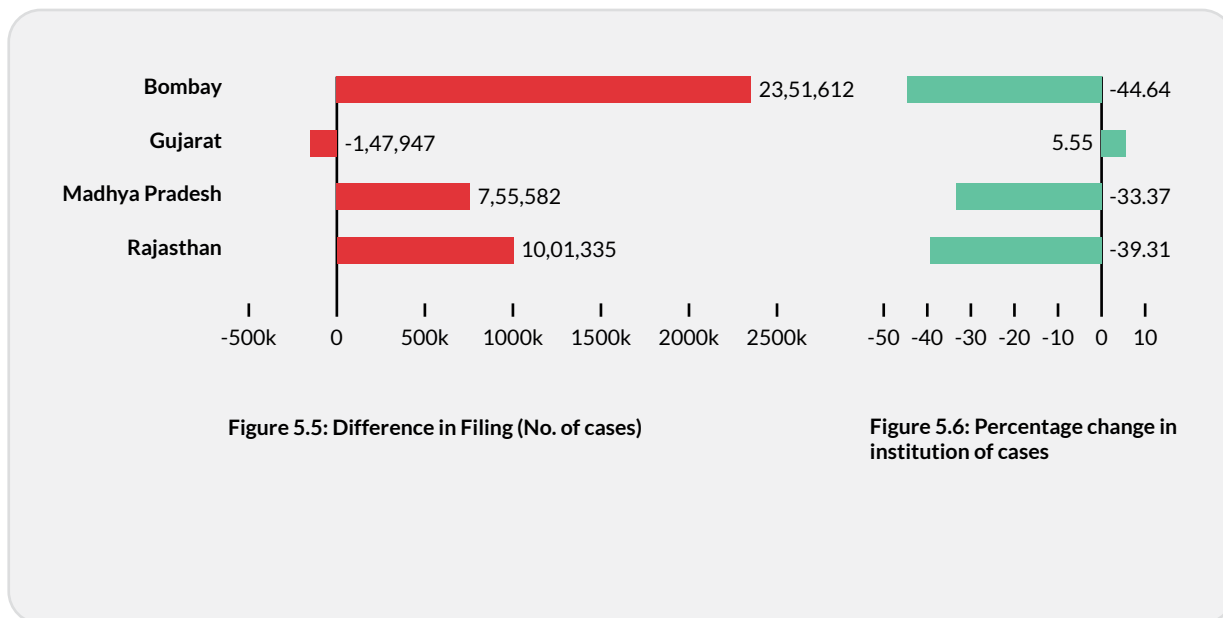
In this section, we look at the yearly filings of cases in the District Courts across the jurisdiction of different High Courts in the West Zone, between 2018 and 2021. Through this analysis, the report aims to present the difference in the filing of cases across all categories before and during the pandemic period.

Across the West Zone, District Courts under the jurisdiction of each High Court saw a drastic drop at the onset of the pandemic in the number of cases instituted. Even though attempts had been made to enable digital filing and virtual functioning of the courts through 2020, the COVID-19 pandemic continued to affect the institution of cases in most District Courts even a year later, in the second year of the pandemic. While recovery can be seen in 2021 for District Courts across the West Zone, Courts under the High Court of Judicature at Bombay, continued to show a downward trend in the number of cases instituted. The number of cases instituted went from 1470516 in 2020 to 1446291 in 2021 for Courts under the High Court of Judicature at Bombay. The District Courts under the High Court of Gujarat improved the institution of cases from 914140 cases in 2020 to 1899374 cases 2021, showing an increase of over 107%.



Trend of cases filed before the District Courts between 2018-2021

The West Zone saw a decline of 39,60,582 in case filings during the pandemic period as compared to the previous two years. The following table shows the difference between the number of filings in 2020-2021 vis-a-vis 2018-2019.



Further analysis indicates that the District Courts under the jurisdiction of the High Court of Judicature at Bombay witnessed the most significant reduction in the institution of cases, with the average dropping by 44.64%. It is evident from the figure above that only the District Courts under the High Court of Gujarat managed to increase their average number of case filings during the pandemic by 5.55%. The District Courts in Rajasthan and Madhya Pradesh saw a decline of 39.31% and 33.37%, respectively.

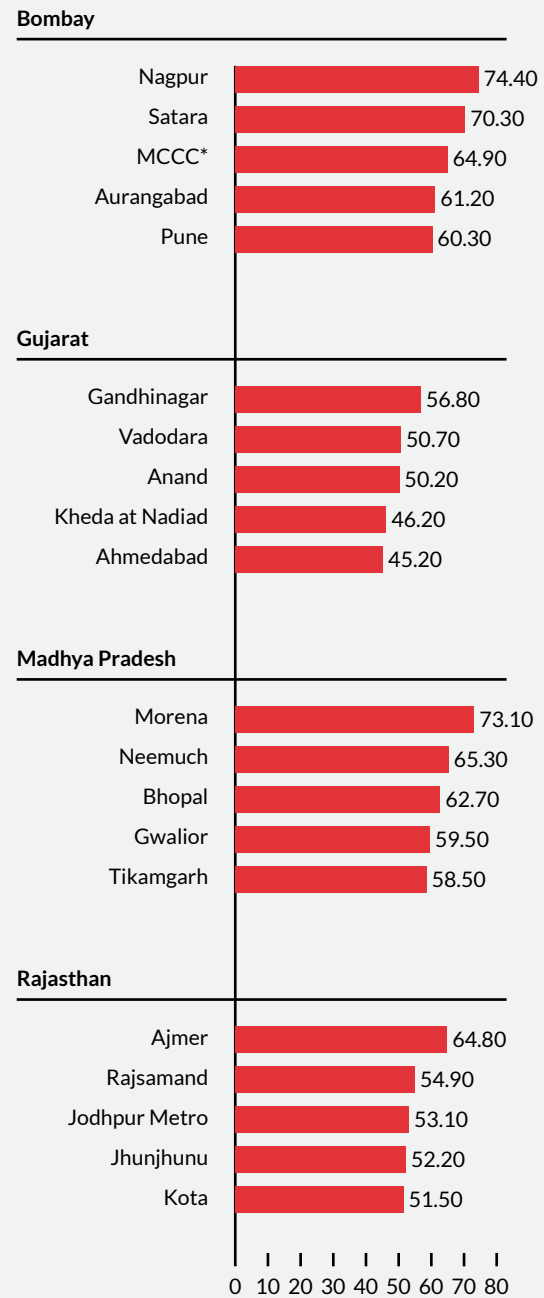
II

Disposal of cases during the pandemic

Out of the 158 District Courts from the West Zone analysed, 157 District Courts witnessed a reduction in the number of cases disposed of during the pandemic years. Only one District Court under the jurisdiction of Gujarat High Court, did not just keep pace with its prior rate of disposal but improved the same during the pandemic years. We have further highlighted the worst and best performing districts.¹

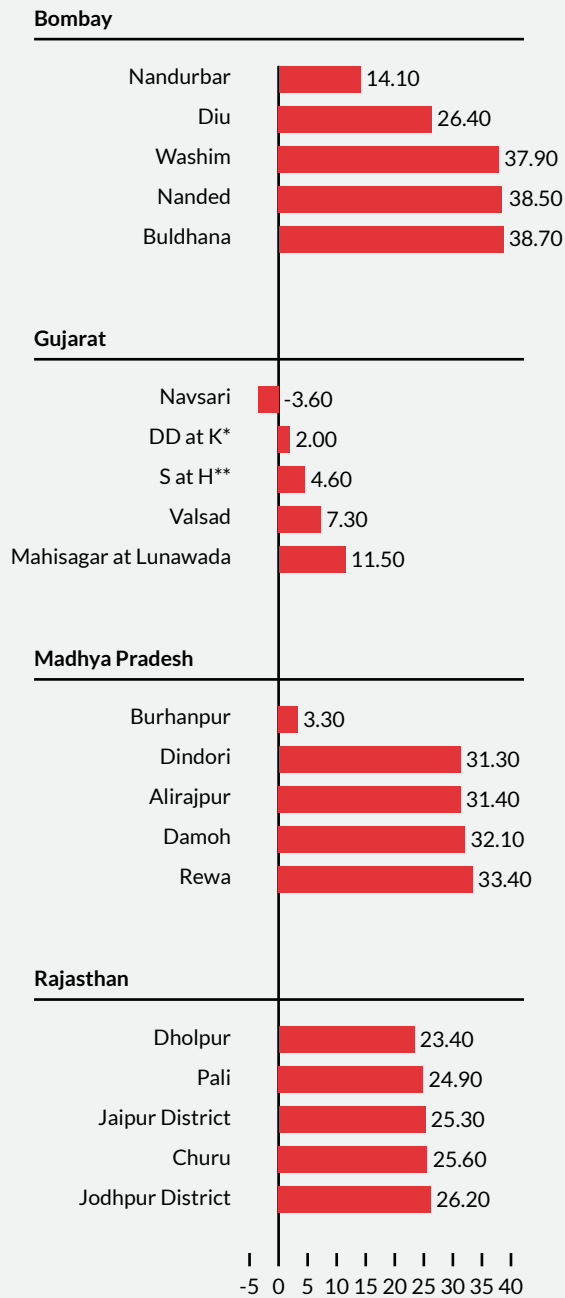
¹ For High Courts having jurisdiction over 20 districts or less, 6 districts have been highlighted in the table. For High Courts having jurisdiction over more than 20 districts but less than 30 districts, 8 districts have been highlighted and for High Courts having jurisdiction over 30 districts, 10 have been highlighted for the analysis, across the Best & Worst performing districts (Figures 5.7 & 5.8).

Figure 5.7: Worst Performing Districts in the West Zone



*Mumbai City Civil Court

Figure 5.8: Best Performing Districts in the West Zone



*Devbhumi Dwarka at Khambhaliya
 ** Sabarkantha at Himmatnagar

In the West Zone, disposal rate of District Courts under the High Court of Judicature at Bombay suffered the most during the pandemic. The Nagpur District Court performed the worst with disposal rate being affected by 74.4%. This was closely followed by Morena in Madhya Pradesh with a 73.1% decline in disposal of cases as well as the Bombay District Court, which saw a decline of 70.3%. This may be attributed to the lack of access to adequate digital services and facilities during the pandemic period. It is interesting to note that while one of the worst affected District Courts was Morena of Madhya Pradesh, one of the least affected District Courts was also located in Burhanpur of Madhya Pradesh.

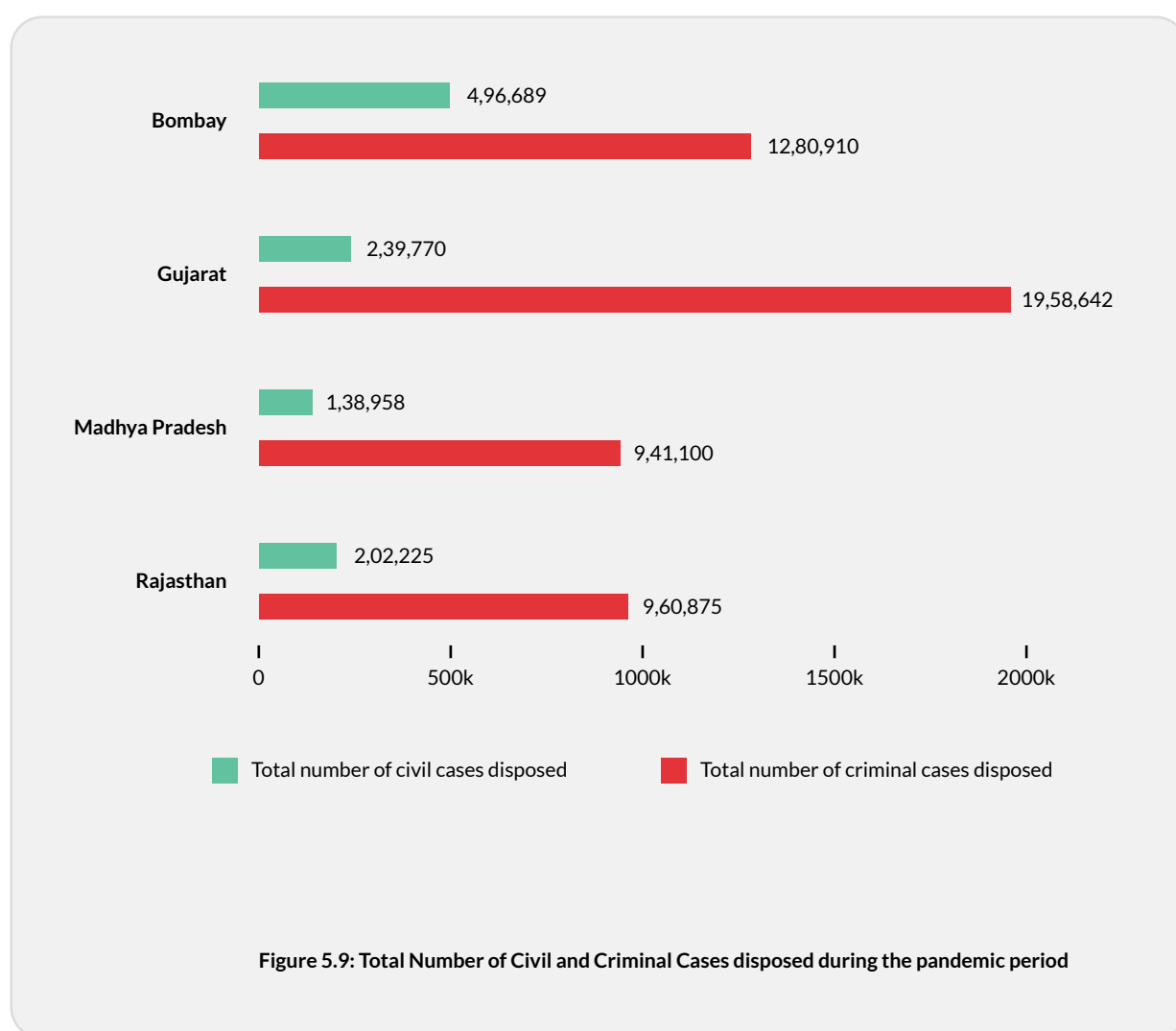
Similar to the institution of cases, the District Courts under the High Court of Gujarat were the least disrupted in terms of disposals. The District Court in Navsari under the High Court of Gujarat even outperformed the pre-pandemic rate of disposal of cases by 3.6%. Similarly, the District Courts in Devbhumi Dwarka at Khambhaliya and Sabarkantha at Himmatnagar, both in Gujarat faced minor disruptions as their disposal rates fell by only 2% and 4.6%, respectively.

A detailed list of all the District Courts in the West Zone along with the percentage reduction in its disposal in 2020 and 2021, when compared to 2018 and 2019 can be accessed [here](#). This information can be instrumental in identifying the positive interventions adopted by the District Judiciary to dispose cases during the pandemic while also revealing pain points concerning the functioning of virtual courts at the District Judiciary.

III

Case types prioritised by Courts during the pandemic

It was observed that the District Courts across the West Zone disposed of more criminal cases than civil cases. The total number of each case type that was disposed in the pandemic period were as follows:



In the following section, we have tried to map the type of cases prioritised across various District Courts in the West Zone during the pandemic period by studying the disposal of cases.

Even though, the District Courts in the West Zone disposed of more criminal cases than civil cases. The number of case types for civil cases was considerably higher than criminal cases. For the purpose of this analysis, the top 9 categories within civil cases in the West Zone have been taken. The rest have been categorized under the head 'Other'. For the complete list of case types in the 'Other' category for the West Zone, refer to Annexure 5.6.

case for the District Courts under the High Court of Judicature at Bombay, Gujarat High Court and Rajasthan High Court. The former two saw the biggest decrease in disposal of Land Reference cases (67.88% and 87.23%, respectively) while the latter saw the most decrease in Labour Court Main Cases (63.93%).

Within the civil cases, the case types which were prioritised for disposal saw some changes from pre-pandemic years in comparison to pandemic years. While Civil Suits continued to account for a large chunk of the cases disposed even during the pandemic, other types of cases, for example, more Miscellaneous Civil Applications were disposed in comparison to Civil Suits by the District Courts under the High Court of Judicature at Bombay during the pandemic. It is also noteworthy that across the West Zone, in terms of whole numbers, disposal of civil suits has suffered the most. However, in terms of percentage, that is not the

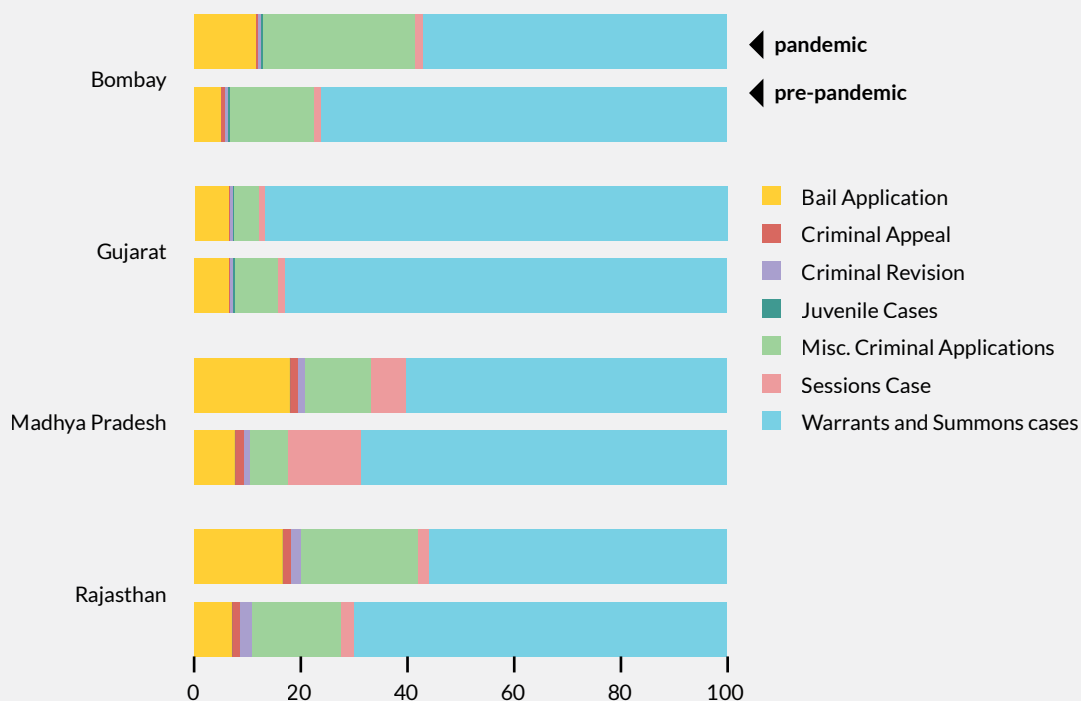


Figure 5.10: Criminal Case Types disposed in 2020-21 vis-a-vis 2018-19

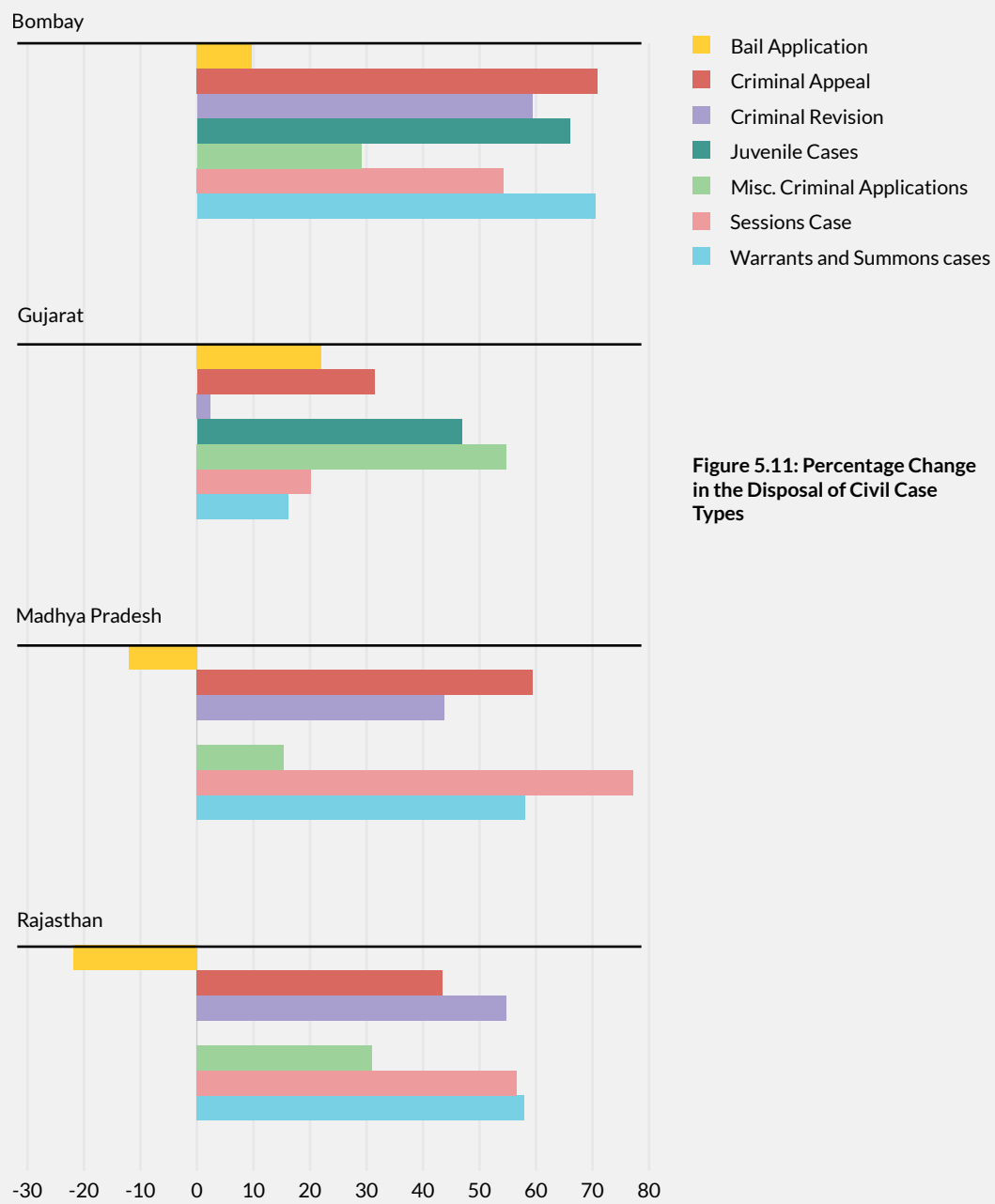
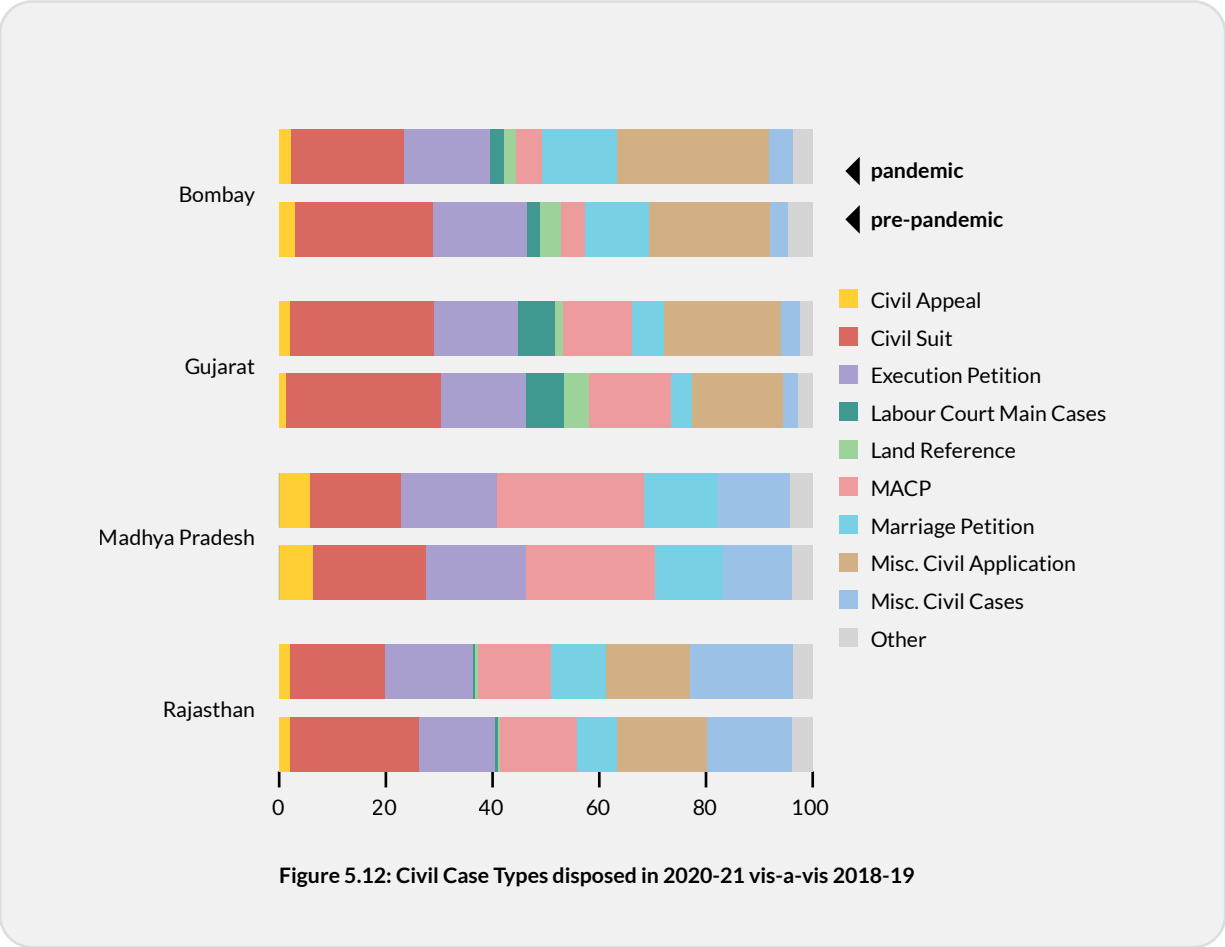


Figure 5.11: Percentage Change in the Disposal of Civil Case Types

In the West Zone, disposal patterns of criminal cases saw quite a few changes during the pandemic period. Warrants and Summons cases remained the most disposed case during the pandemic. However, disposal of bail applications saw more prioritisation during the pandemic as compared to pre-pandemic times by District Courts under all the High Courts except the Gujarat High Court. This is relevant as it tells us that despite the capacity of the courts being severely reduced, the courts tried to follow the guidelines of the Supreme Court by focusing on bail applications amongst all the criminal cases they were dealing with.

District Courts under High Court of Gujarat by 54.71%. Sessions Cases saw the decline in disposal by 77.26% in District Courts under the High Court of Madhya Pradesh. Finally, Warrants and Summons cases under the District Courts of High Court of Rajasthan saw the highest reduction in case disposals by 57.89%.

In terms of percentage change from pre-pandemic disposal of criminal cases compared to the disposal of cases during the pandemic, there was considerable variance across the West Zone. The District Courts under the High Court of Judicature at Bombay saw the highest reduction in disposal of Criminal Appeals (70.84%). Miscellaneous Criminal Applications were least disposed cases by the



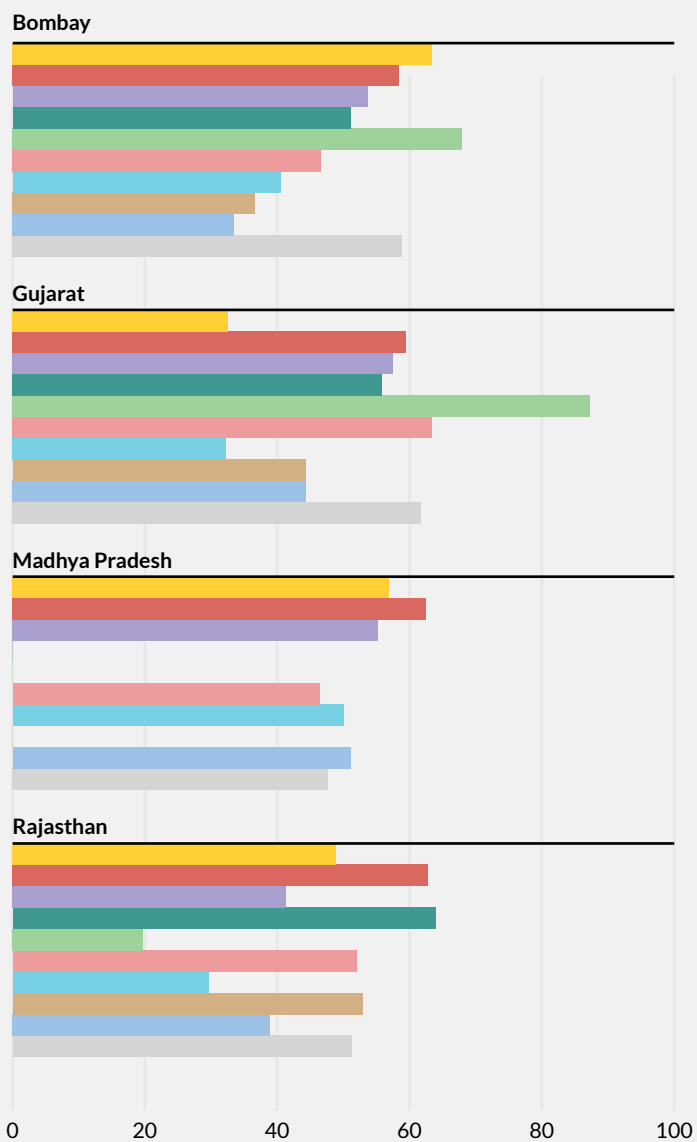


Figure 5.13: Percentage Change in the Disposal of Civil Case Types

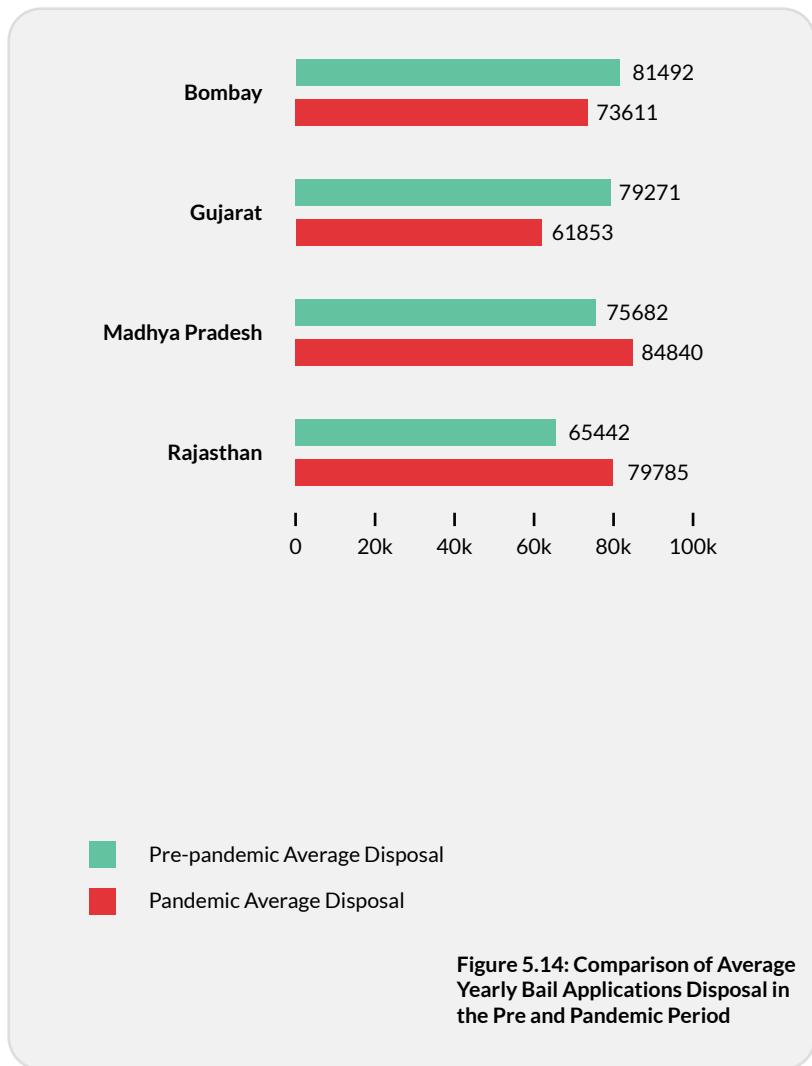
- Civil Appeal
- Civil Suit
- Execution Petition
- Labour Court Main Cases
- Land Reference
- MACP
- Marriage Petition
- Misc. Civil Application
- Misc. Civil Cases
- Other

IV

Decongestion of jails and prisons during the pandemic

The figure highlights that there was no steep increase or decline in the disposal of bail applications as witnessed in the overall disposal of cases. The District Courts of Rajasthan saw the highest number of increase in disposal of bail applications by 21.9%, going from an average 65,992 bail applications disposals in the two years before the pandemic to 79,785 bail cases. The District Courts of Madhya Pradesh also saw an increase by 12.1% during the pandemic.

On the other hand, District Courts under the High Court of Judicature at Bombay as well as the District Courts under the High Court of Gujarat saw a decline in the average number of disposal of bail applications during the pandemic. The District Courts of Gujarat performed the worst in the West Zone with respect to average bail disposals as they fell by 21.9%. The District Courts under the High Court of Judicature at Bombay saw a decline by 9.6% in average disposal of bail applications.



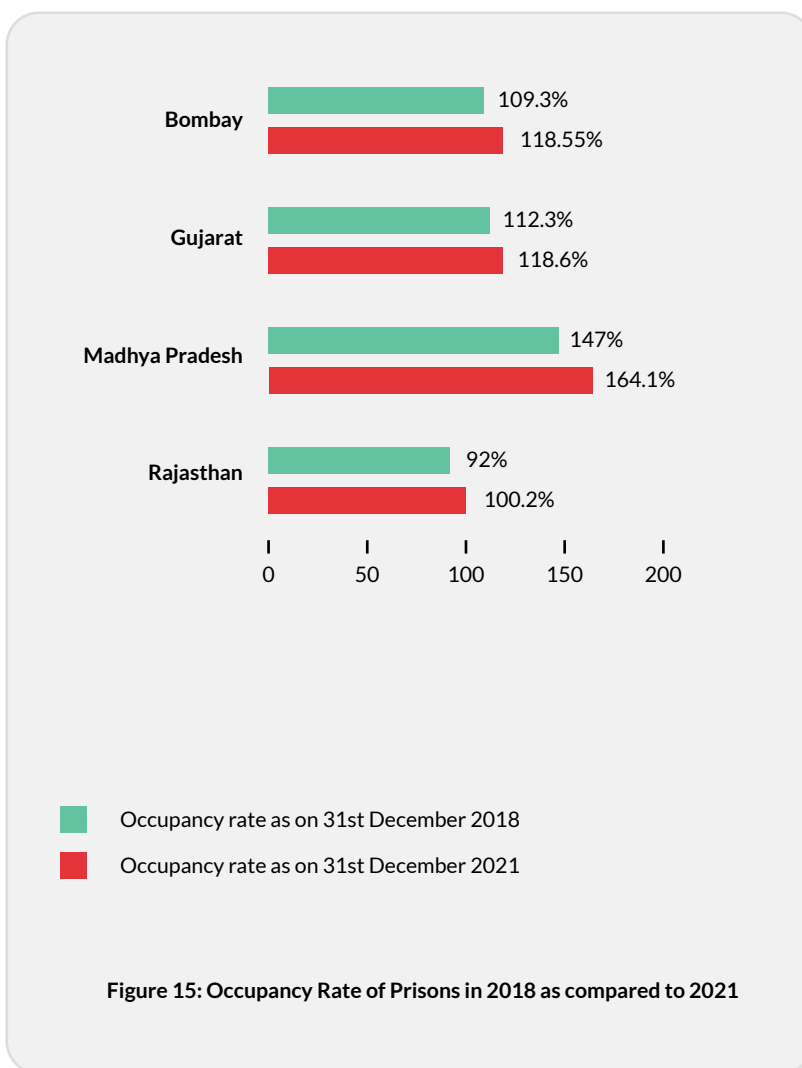
It is interesting to note that the District Courts of Gujarat were the least affected on all indicators like case filings and average disposal of both civil and criminal cases during the pandemic.

A comparison of the prison occupancy rate on 31 December 2018 and 31 December 2021 offers an insight into the effectiveness of the measures taken by the Supreme Court² to decongest prisons by issuing a series of orders to the state governments.³

² *In Re: Contagion of COVID-19 Virus In Prisons* (2020) 5 SCC 313; *In Re: Contagion of COVID-19 Virus In Prisons* 2020 SCC OnLine 344.

³ National Crime Records Bureau, 'Prison Statistics 2018' (*National Crimes Records Bureau, Ministry of Home Affairs, Government of India*, 23 December 2019) 46 <<https://ncrb.gov.in/sites/default/files/PSI-2018.pdf>> accessed 23 September 2022; National Crime Records Bureau, 'Prison Statistics 2021' (*National Crimes Records Bureau, Ministry of Home Affairs, Government of India*, 18 August 2022) 44 <https://ncrb.gov.in/sites/default/files/PSI-2021/PSI_2021_as_on_31-12-2021.pdf> accessed 23 September 2022.

The figure does not include the occupancy rate of prisons in Dadra and Nagar Haveli and Daman and Diu.⁴ From the figure it can be seen that despite the directions given by the Supreme Court, the occupancy rate of prisons in the West Zone in fact saw an increase from 2018 to 2021. The prisons under the courts in Madhya Pradesh saw the maximum increase of occupancy by 17.1%.⁵



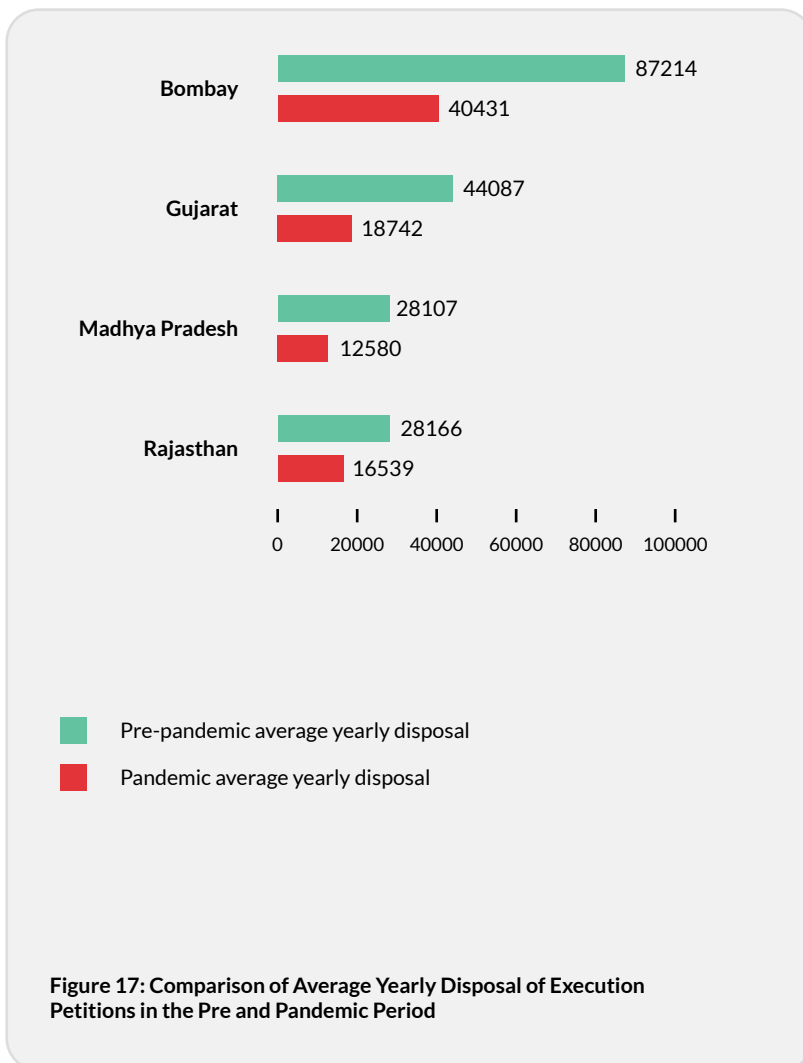
⁴ Dadra and Nagar Haveli and Daman and Diu were separate Union Territories till their merger on 26 January 2020. Hence, the occupancy rate data provided by NCRB is provided separately for Dadra and Nagar Haveli as well as Daman and Diu in 2018 but in 2021 it has been combined, making it difficult to be included for the purpose of our analysis.

⁵ The High Court of Judicature at Bombay has jurisdiction over the State of Maharashtra and Goa as well as the Union Territory of Dadra and Nagar Haveli and Daman and Diu. Only the State of Maharashtra and Goa have been considered for this analysis under the High Court of Bombay (please refer to footnote no. 4) and the average of the prison occupancy rate of the two states has been considered. In 2018, the prison occupancy rate in Maharashtra was 148.9% and in Goa it was 69.7%. In 2021, the prison occupancy rate in Maharashtra was 158.8% and in Goa it was 88.3%.

V

Execution Petitions during the Pandemic

As displayed in the figure, the average disposal of Execution Petitions reduced across all jurisdictions in the West Zone. The District Courts under High Court of Gujarat saw the most drastic decline by 57.48% as the average yearly disposal of Execution Petitions went from 44,087 petitions to 18,742 petitions. This was followed by a decrease by 55.24% and 53.64% in average disposal of Execution Petitions by District Courts of Madhya Pradesh and High Court of Judicature at Bombay, respectively. The District Courts under the High Court of Rajasthan were the least affected at a decrease of 41.2% from average disposal of Execution Petitions pre-pandemic as compared to during the pandemic period.

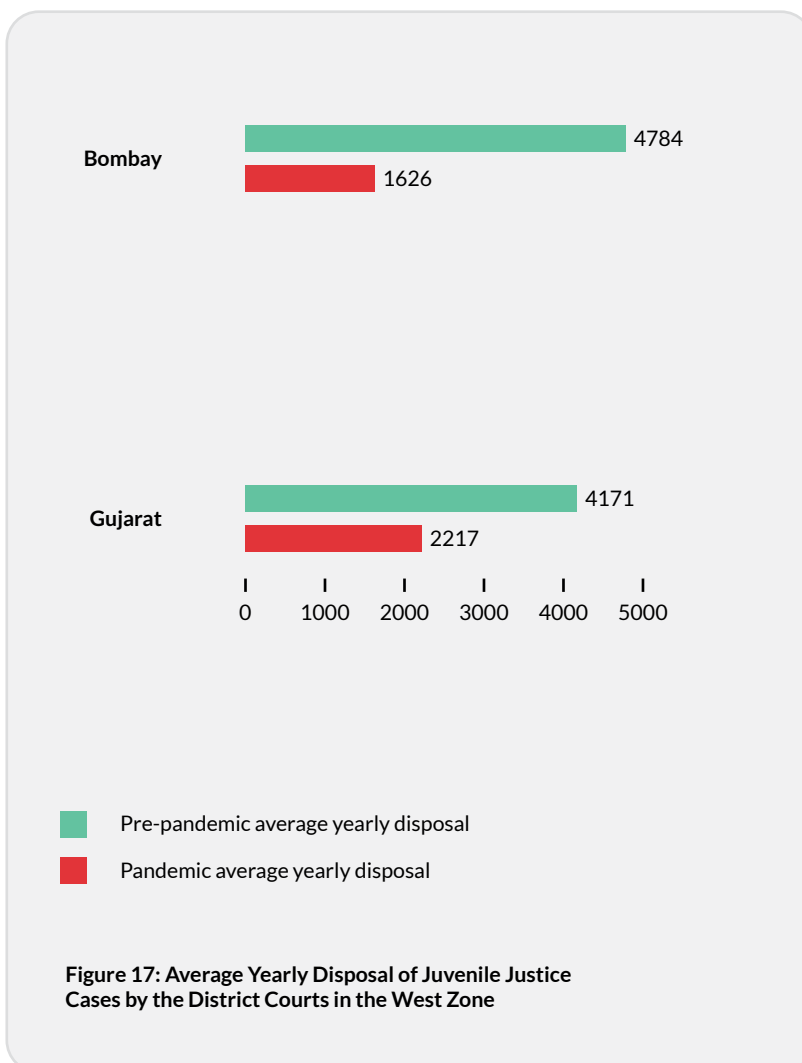


VI

Justice for the Juveniles

The figure highlights the reduction in the disposal of cases related to children in conflict with the law across most District Courts in the West Zone.⁶ District Courts under the High Court of Judicature at Bombay and High Court of Gujarat saw a drastic decrease in their disposal of Juvenile Justice Cases. District Courts under the High Court of Judicature at Bombay performed the worst with disposal of Juvenile Justice Cases (66%), followed by the District Courts under the High Court of Gujarat (45.55%).

There was no disposal data both pre-pandemic and during the pandemic for juvenile justice cases under the District Courts in Madhya Pradesh and Rajasthan available on the NJDG website and hence, the same could not be scraped for analysis of this particular section.



⁶ There was no disposal data both pre-pandemic and during the pandemic for juvenile justice cases under the District Courts in Madhya Pradesh and Rajasthan available on the NJDG website and hence, the same could not be scraped for analysis of this particular section.

Annexures

Annexure 5.1: Total number of Criminal Cases disposed during the pre-pandemic and pandemic period.

HC	case type	pre-pandemic total	pandemic total	change
Bombay	Bail Application	162985	147223	9.67
Bombay	Misc. Criminal Applications	515773	365723	29.09
Bombay	Sessions Case	40598	18589	54.21
Bombay	Criminal Revision	20155	8197	59.33
Bombay	Juvenile Cases	9568	3253	66.0
Bombay	Warrant or Summons Criminal Cases	2475561	730630	70.49
Bombay	Criminal Appeal	25016	7295	70.84
Gujarat	Criminal Revision	10453	10203	2.39
Gujarat	Warrant or Summons Criminal Cases	2027955	1699615	16.19
Gujarat	Sessions Case	28843	23034	20.14
Gujarat	Bail Application	158542	123706	21.97
Gujarat	Criminal Appeal	9543	6548	31.38
Gujarat	Juvenile Cases	8343	4435	46.84
Gujarat	Misc. Criminal Applications	201165	91101	54.71
Madhya Pradesh	Bail Application	151365	169681	-12.1
Madhya Pradesh	Misc. Criminal Applications	137483	116342	15.38
Madhya Pradesh	Criminal Revision	22047	12392	43.79
Madhya Pradesh	Warrant or Summons Criminal Cases	1349903	566391	58.04
Madhya Pradesh	Criminal Appeal	34787	14101	59.46
Madhya Pradesh	Sessions Case	273523	62193	77.26
Rajasthan	Bail Application	130885	159570	-21.92
Rajasthan	Misc. Criminal Applications	305595	210981	30.96
Rajasthan	Criminal Appeal	28436	16074	43.47
Rajasthan	Criminal Revision	39210	17722	54.8
Rajasthan	Sessions Case	43908	19072	56.56
Rajasthan	Warrant or Summons Criminal Cases	1276229	537456	57.89

Annexure 5.2: Total number of Civil Cases disposed during the pre-pandemic and pandemic period.

HC	case type	pre-pandemic total	pandemic total	change
Bombay	Misc. Civil Cases	33257	22120	33.49
Bombay	Misc. Civil Application	223835	141845	36.63
Bombay	Marriage Petition	116242	69178	40.49
Bombay	MACP	45625	24345	46.64
Bombay	Labour Court Main Cases	24792	12134	51.06
Bombay	Execution Petition	174429	80862	53.64

HC	case type	pre-pandemic total	pandemic total	change
Bombay	Civil Suit	252618	105050	58.42
Bombay	Other	44661	18384	58.84
Bombay	Civil Appeal	29877	10932	63.41
Bombay	Land Reference	36853	11839	67.88
Gujarat	Marriage Petition	21367	14477	32.25
Gujarat	Civil Appeal	7180	4845	32.52
Gujarat	Misc. Civil Application	94001	52399	44.26
Gujarat	Misc. Civil Cases	15562	8670	44.29
Gujarat	Labour Court Main Cases	38416	16956	55.86
Gujarat	Execution Petition	88175	37484	57.49
Gujarat	Civil Suit	159964	64909	59.42
Gujarat	Other	14536	5558	61.76
Gujarat	MACP	85103	31174	63.37
Gujarat	Land Reference	25825	3298	87.23
Madhya Pradesh	MACP	71454	38298	46.4
Madhya Pradesh	Other	11149	5838	47.64
Madhya Pradesh	Marriage Petition	38328	19160	50.01
Madhya Pradesh	Misc. Civil Cases	38502	18839	51.07
Madhya Pradesh	Execution Petition	56214	25160	55.24
Madhya Pradesh	Civil Appeal	18961	8169	56.92
Madhya Pradesh	Civil Suit	62586	23494	62.46
Rajasthan	Land Reference	1581	1270	19.67
Rajasthan	Marriage Petition	29278	20615	29.59
Rajasthan	Misc. Civil Cases	63352	38720	38.88
Rajasthan	Execution Petition	56333	33079	41.28
Rajasthan	Civil Appeal	8335	4260	48.89
Rajasthan	Other	15507	7563	51.23
Rajasthan	MACP	57704	27701	51.99
Rajasthan	Misc. Civil Application	68001	32026	52.9
Rajasthan	Civil Suit	96945	36030	62.83
Rajasthan	Labour Court Main Cases	2664	961	63.93

Annexure 5.3. Total number of cases filed in the West Zone.

HC	Year	Number of Cases filed
Bombay	2018	2686131
Bombay	2019	2582288
Bombay	2020	1470516
Bombay	2021	1446291
Gujarat	2018	1313484

HC	Year	Number of Cases filed
Gujarat	2019	1352083
Gujarat	2020	914140
Gujarat	2021	1899374
Madhya Pradesh	2018	1117940
Madhya Pradesh	2019	1146039
Madhya Pradesh	2020	705860
Madhya Pradesh	2021	802537
Rajasthan	2018	1195855
Rajasthan	2019	1351464
Rajasthan	2020	738901
Rajasthan	2021	807083

Annexure 5.4. Total number of Civil and Criminal Cases disposed in the West Zone.

HC	Year	Civil	Criminal
Bombay	2018	468365	1796924
Bombay	2019	513824	1452732
Bombay	2020	204410	494166
Bombay	2021	292279	786744
Gujarat	2018	267731	1128788
Gujarat	2019	282398	1316056
Gujarat	2020	88092	357752
Gujarat	2021	151678	1600890
Madhya Pradesh	2018	136325	1047953
Madhya Pradesh	2019	160869	921155
Madhya Pradesh	2020	56755	382936
Madhya Pradesh	2021	82203	558164
Rajasthan	2018	175922	793945
Rajasthan	2019	223778	1030318
Rajasthan	2020	87271	440325
Rajasthan	2021	114954	520550

Annexure 5.5. Top 9 Civil Case Categories.

Top 9 categories

Civil Appeal
Misc. Civil Cases
MACP
Civil Suit
Land Reference
Execution Petition
Misc. Civil Application
Labour Court Main Cases
Marriage Petition

Annexure 5.6. Cases categorized as 'Other' category for the West Zone.

Others

Misc. Civil Appeal
Industrial Court Main Cases
Labour Court Misc. Cases
Misc. Execution
Arbitration Main and Misc.
Other Tribunals
Industrial Court Misc. Cases
Civil Revision
Cooperative Court Cases Main
Election Petition
Commercial Suit
Cooperative Court Cases Misc.
Cooperative Appeal Cases Main
Cooperative Appeal Cases Misc.
Commercial Appeal

