

Data speak

A look at the District Courts'
performance during the
pandemic

**EAST
ZONE**

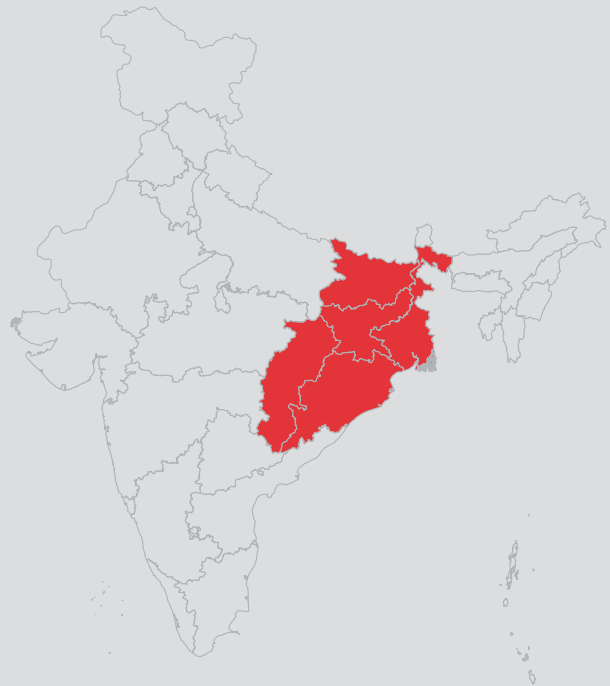
November 2022

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.

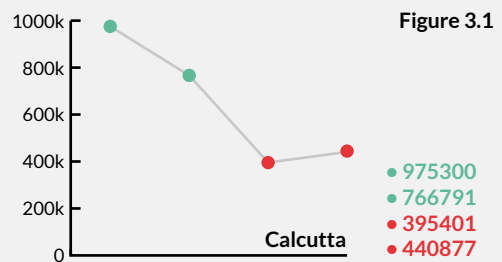


Figure 3.1

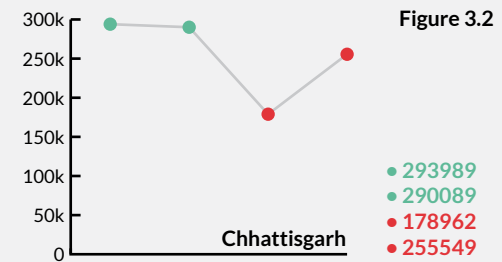


Figure 3.2

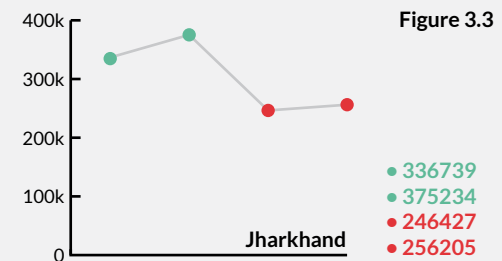


Figure 3.3

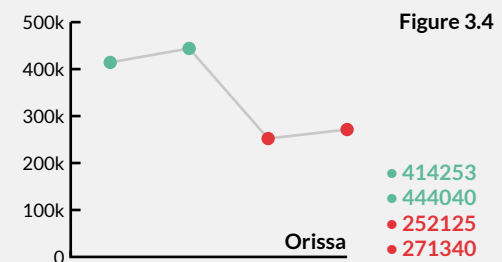


Figure 3.4

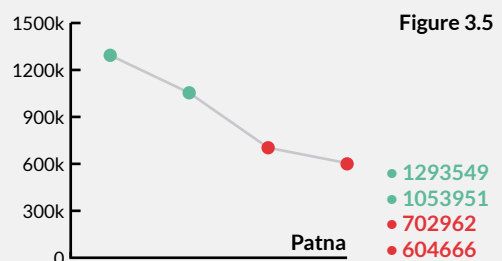
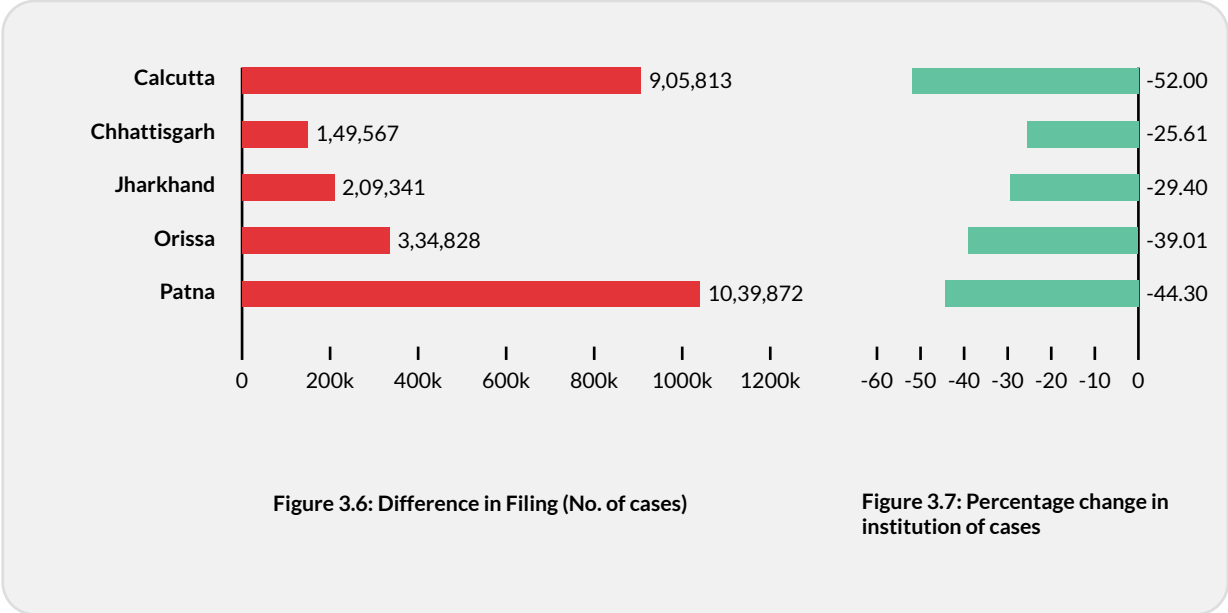


Figure 3.5

2018 2019 2020 2021

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.



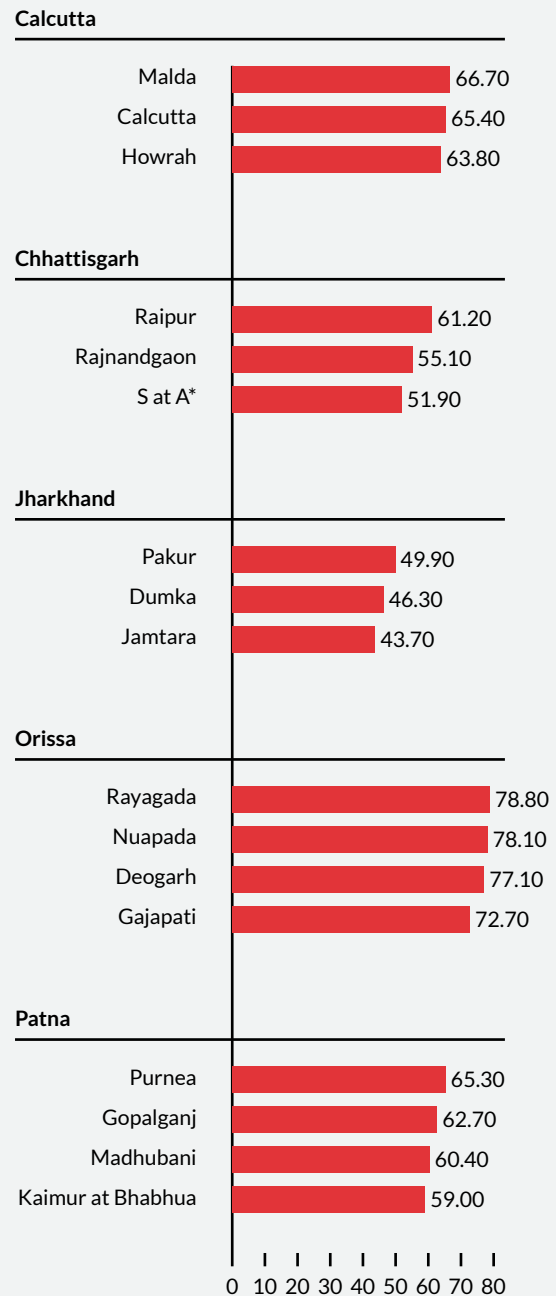
Further analysis of the data, as depicted in Figure 3.7, highlights that the filings across District Courts in the East Zone were affected in the pandemic period. The District Courts under the jurisdiction of the Calcutta High Court were the most affected by the pandemic and dropped by 52% in 2020-2021 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

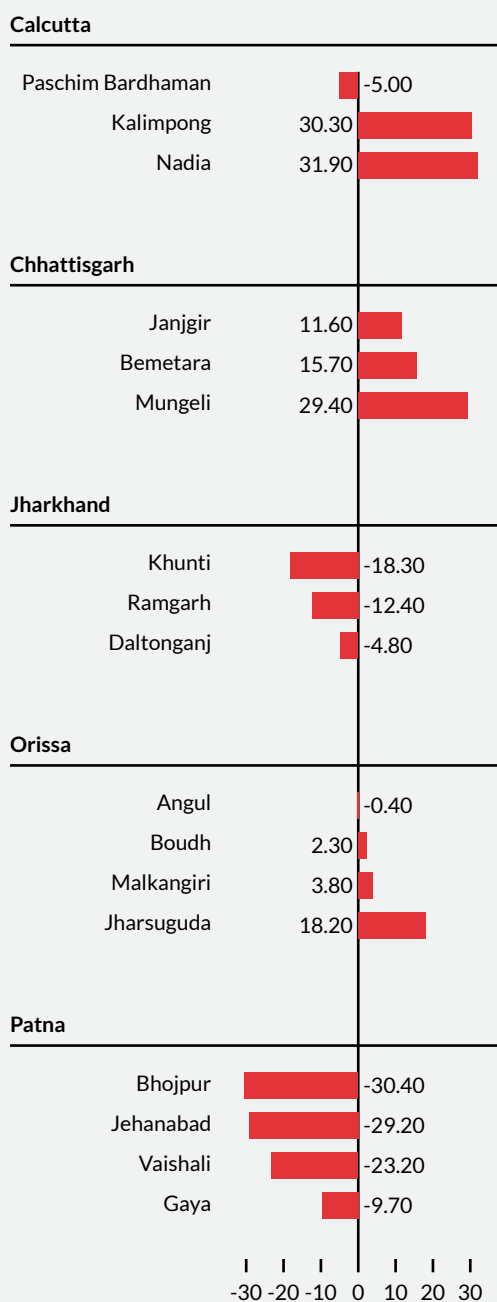
Figure 3.8: Worst Performing Districts in the East Zone



*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



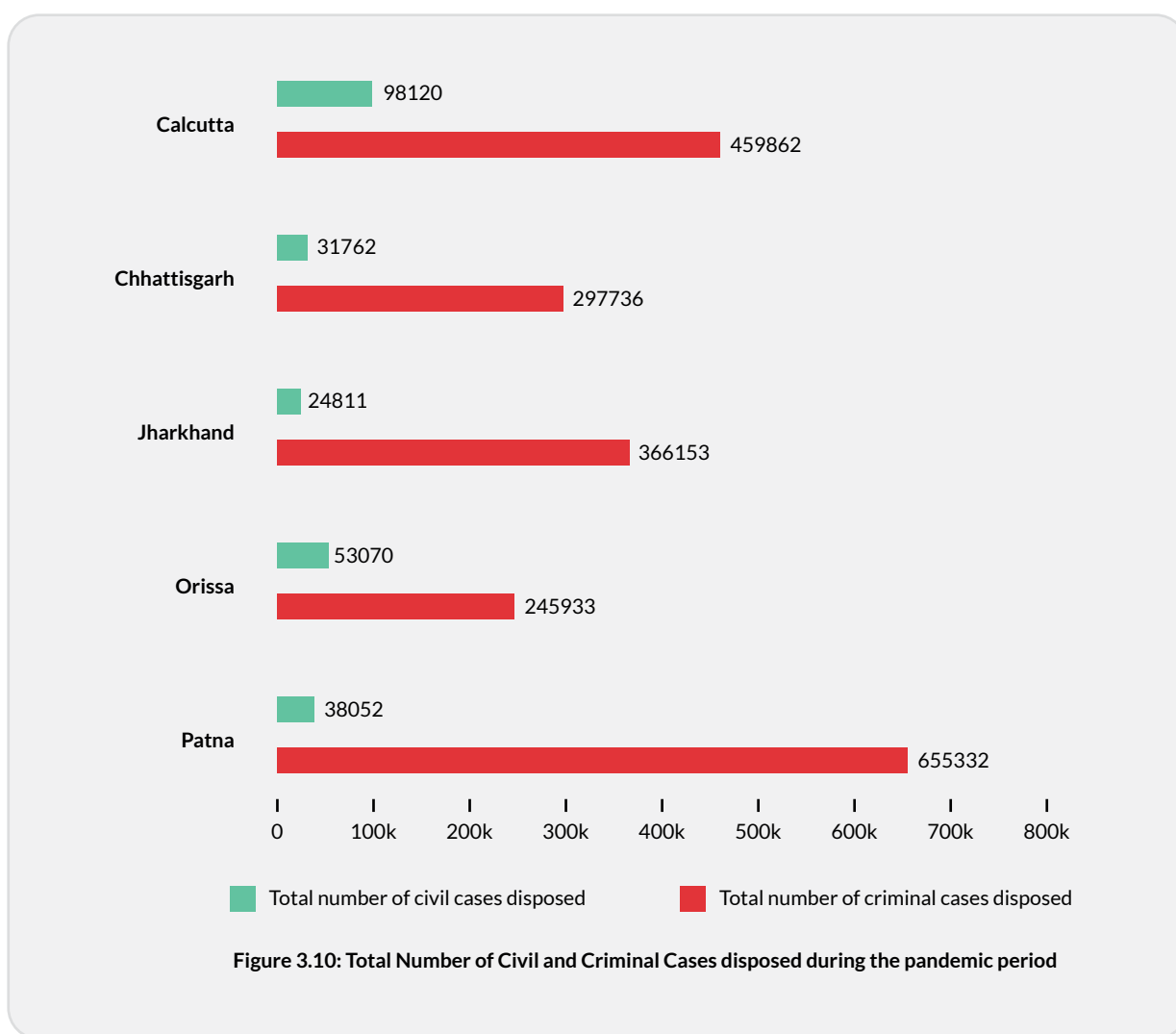
In the East Zone, the disposal rate at the District Courts subordinate to the Orissa High Court suffered the most during the pandemic. The District Courts in Rayagada and Nuapada witnessed a reduction in the number of cases disposed of by more than 78.80% and 78.10% respectively. This was closely followed 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.

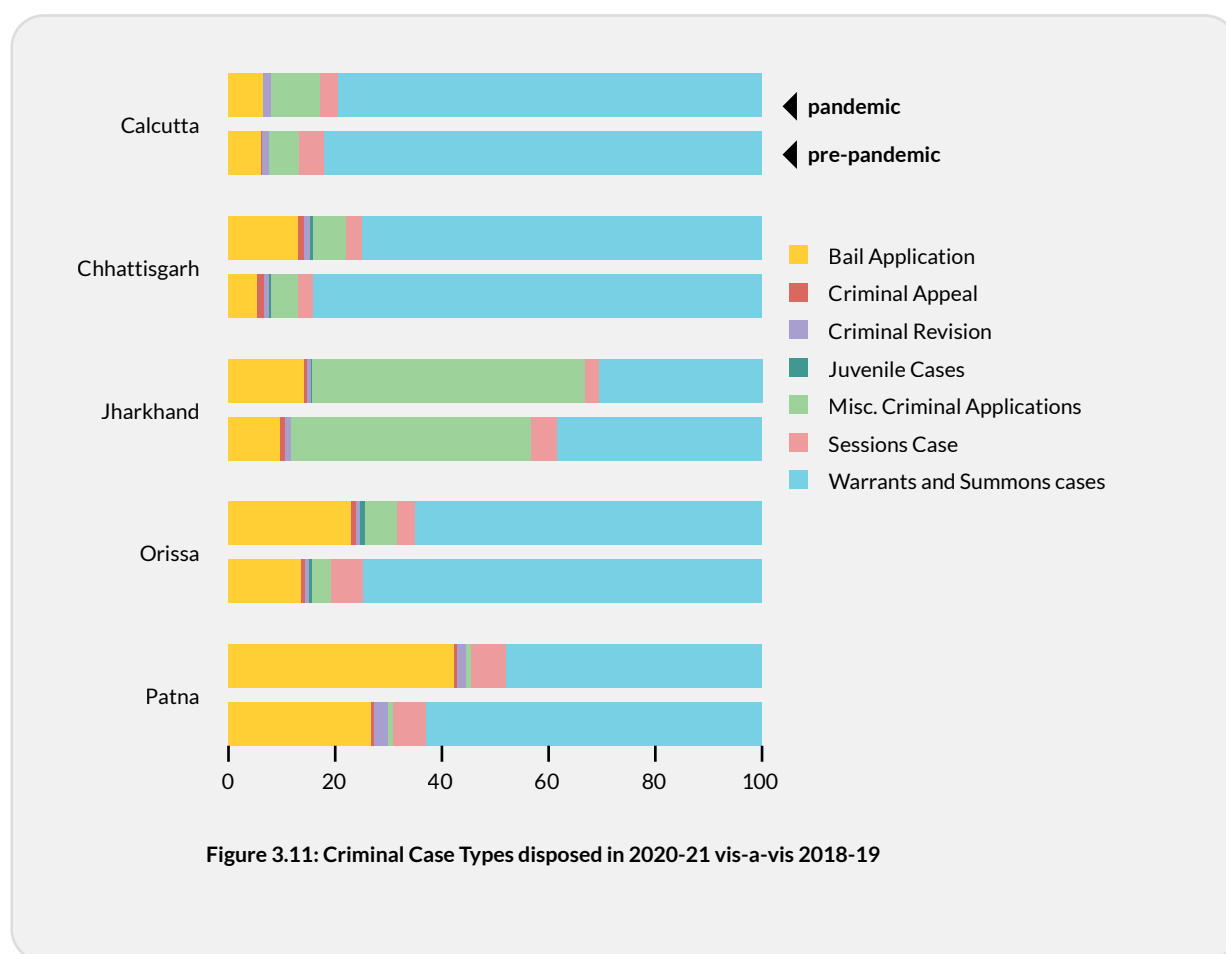


Figure 3.11: Criminal Case Types disposed in 2020-21 vis-a-vis 2018-19

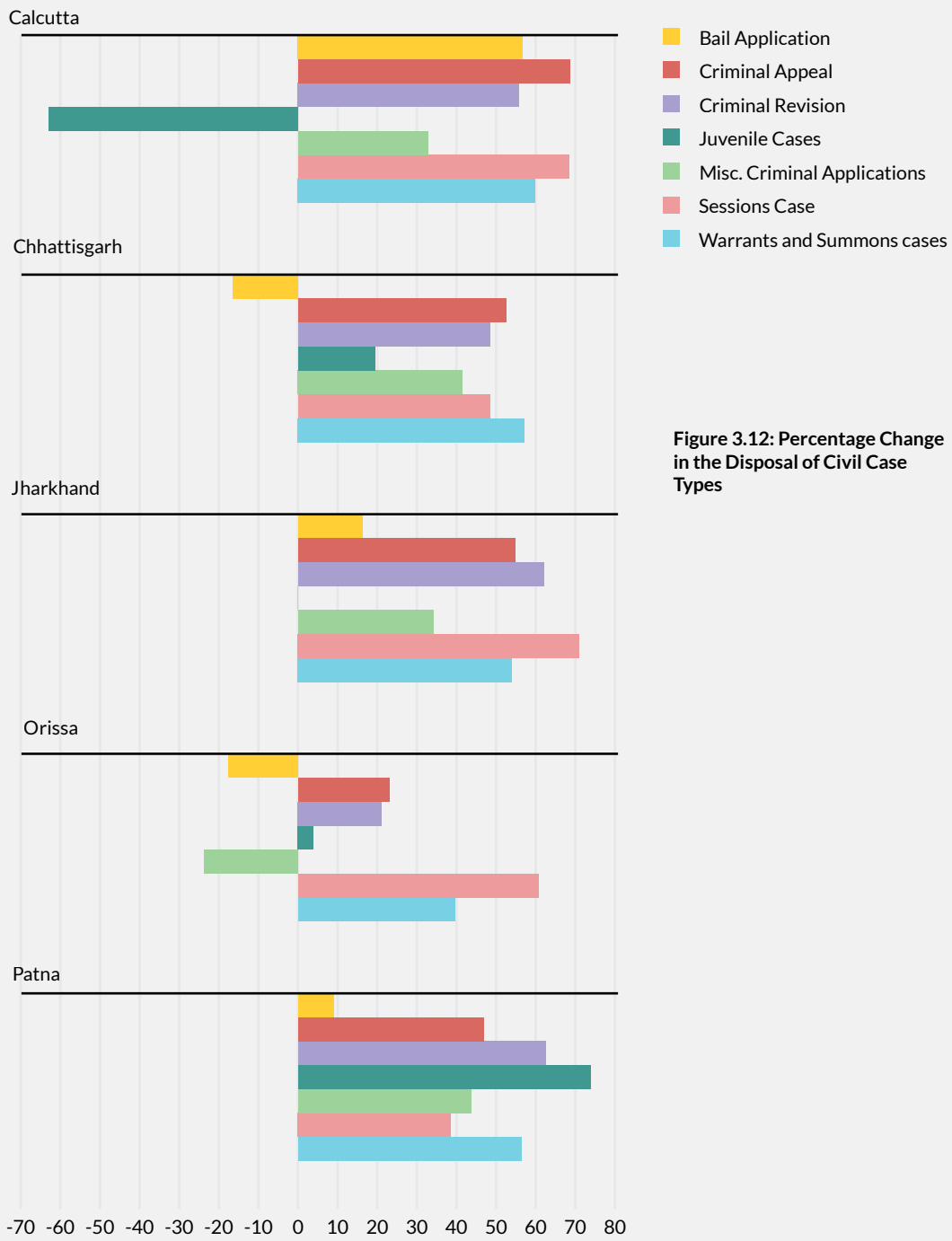


Figure 3.12: Percentage Change in the Disposal of Civil Case Types

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).

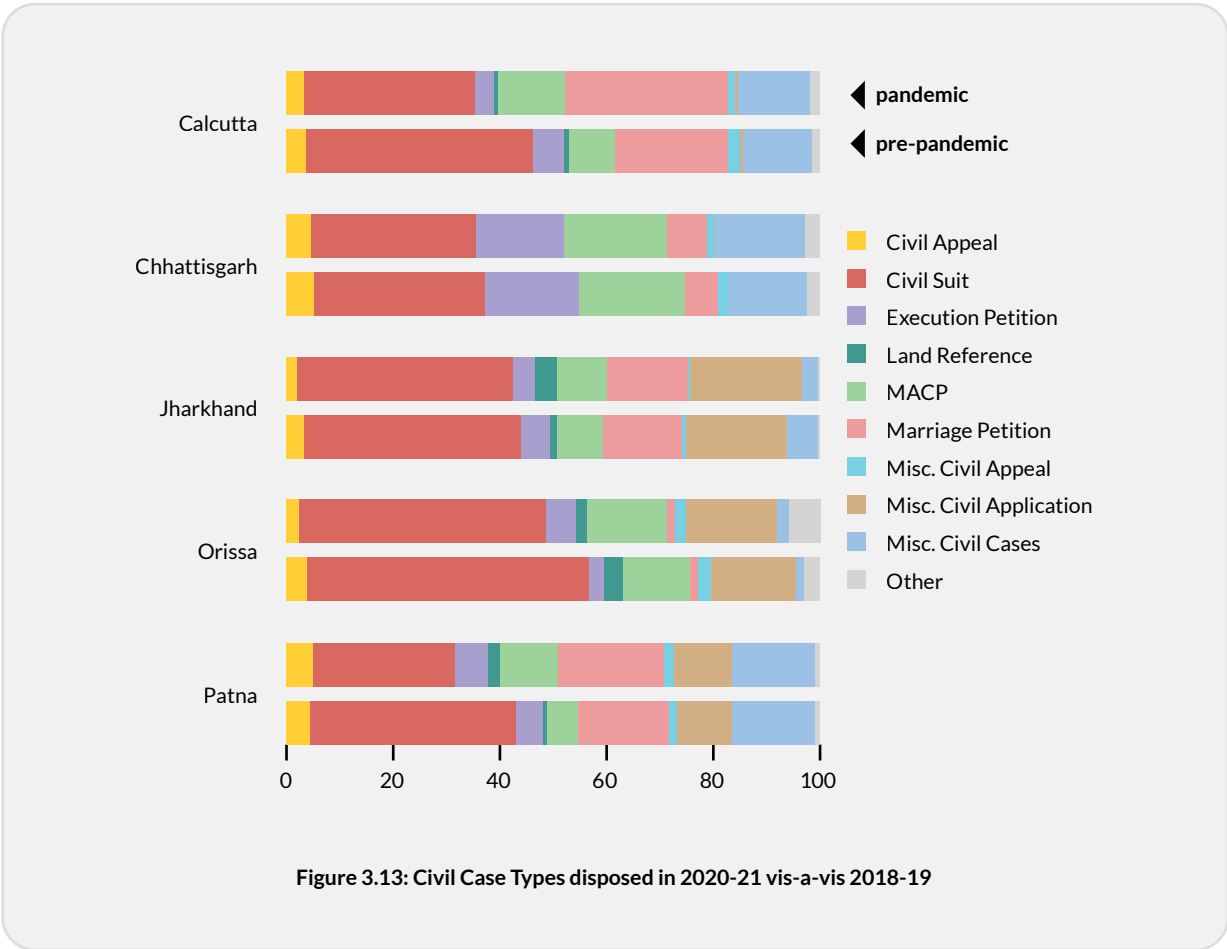


Figure 3.13: Civil Case Types disposed in 2020-21 vis-a-vis 2018-19

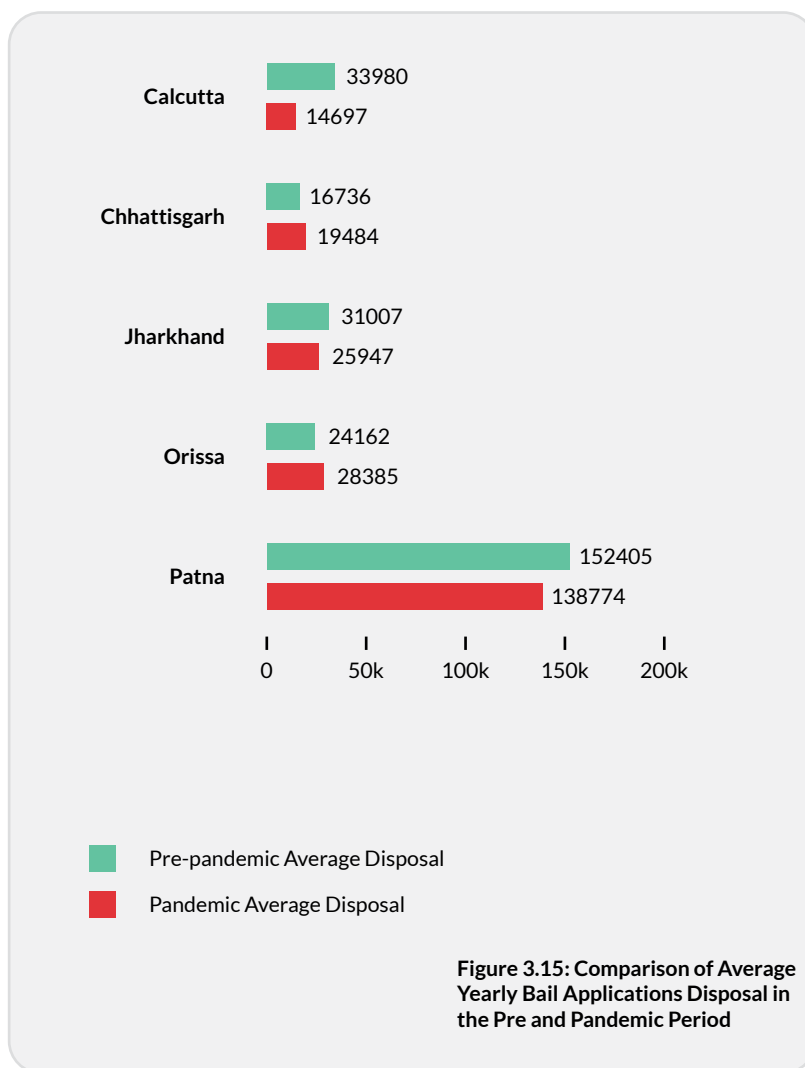


IV

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.

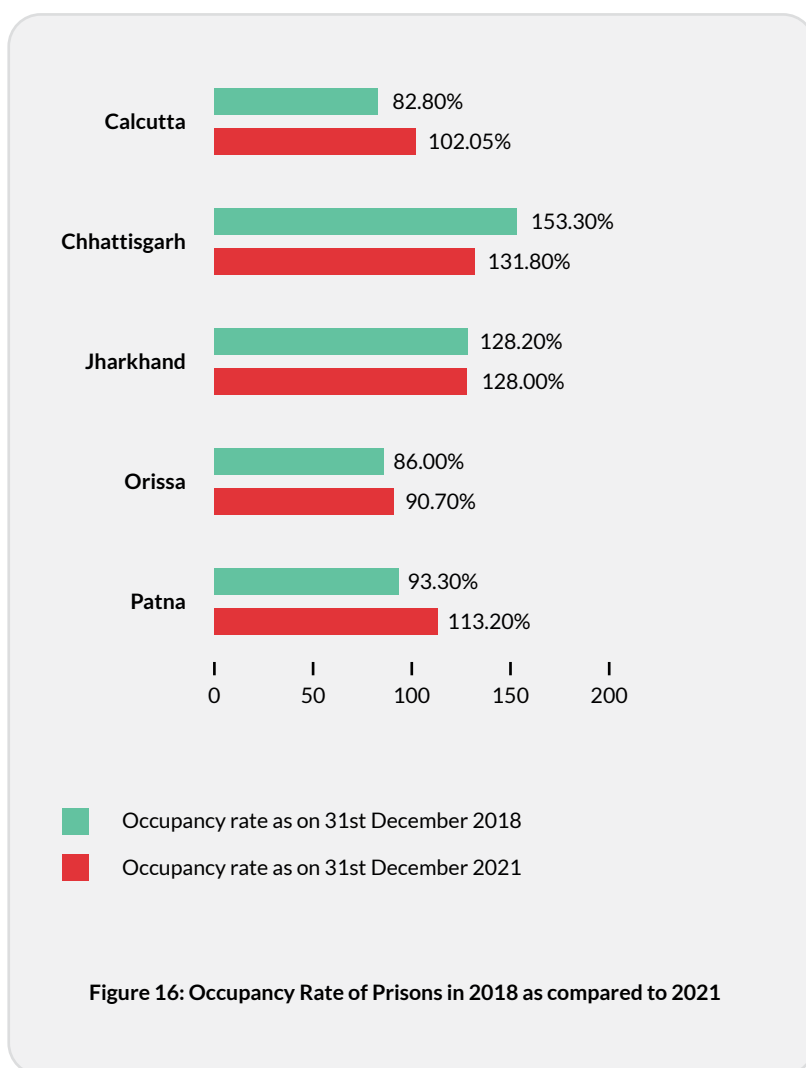
A comparison of the prison occupancy rate on 31 December 2018 and 31 December 2021 offers an insight into the effectiveness of the measure taken by the Supreme Court² to decongest prisons.³



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.

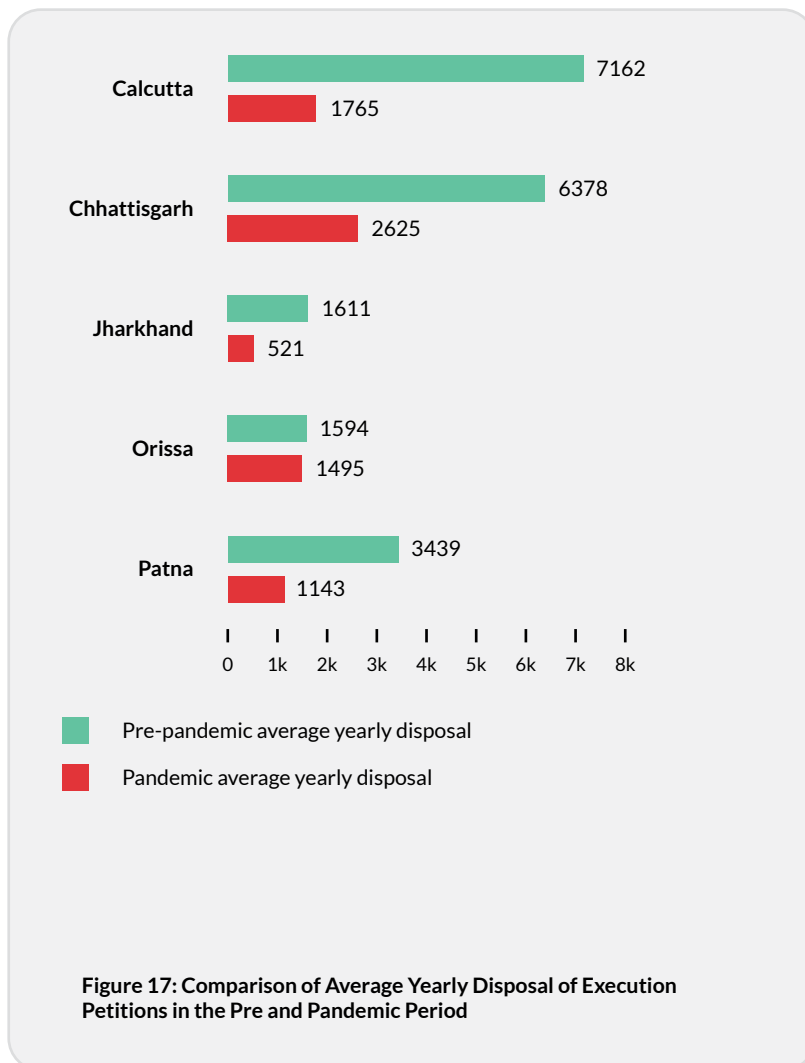


⁴ The High Court of Judicature at Calcutta has jurisdiction over the State of West Bengal and the Union Territory of Andaman and Nicobar Islands. For the purpose of this analysis, the average of the prison occupancy rate of the State and the Union Territory has been taken. In 2018, the occupancy rate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

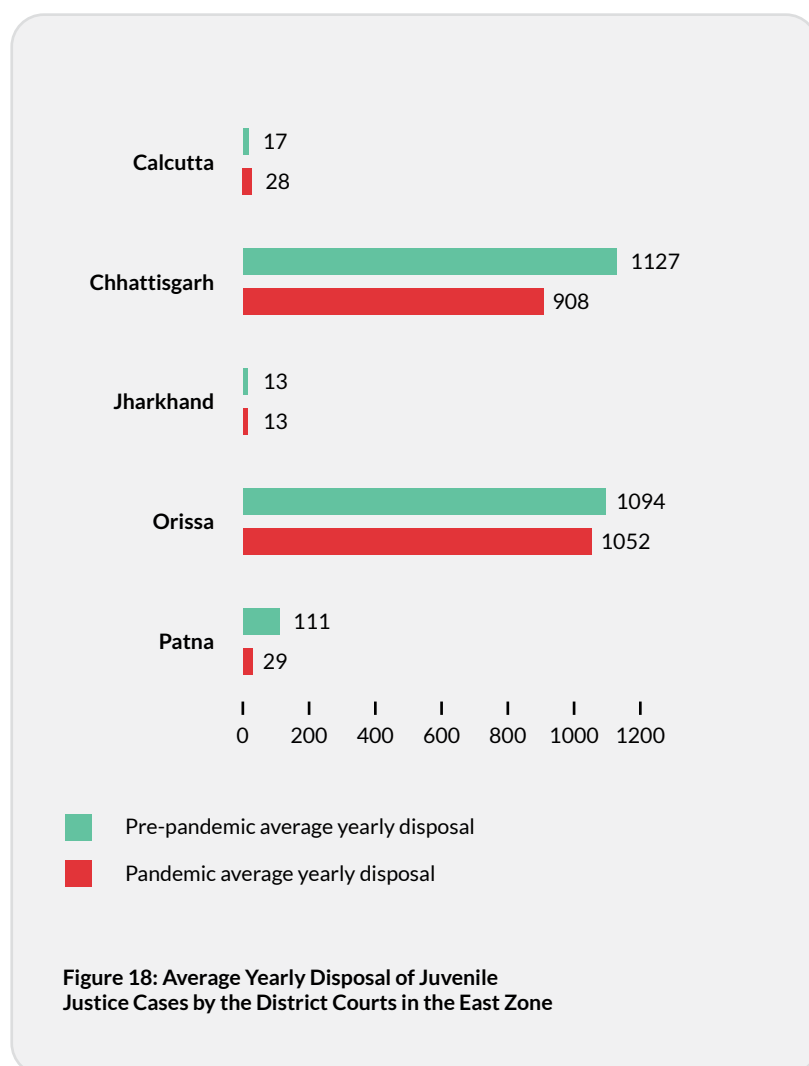
As displayed in the figure, the average disposal of Execution Petitions has reduced across all jurisdictions in the East Zone. District Courts under the jurisdiction of Calcutta High Court saw the least number of Execution Petitions being disposed i.e., 1765. This was followed by District Court under 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

