

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.

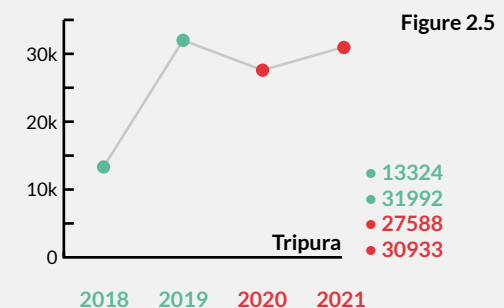
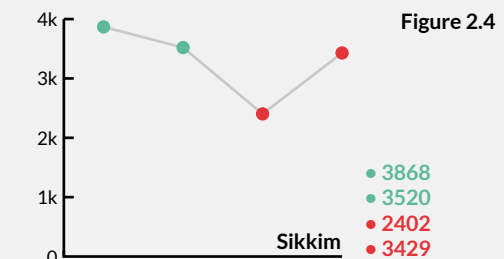
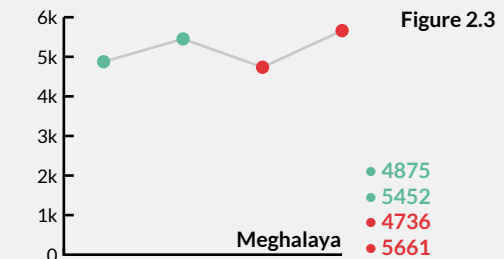
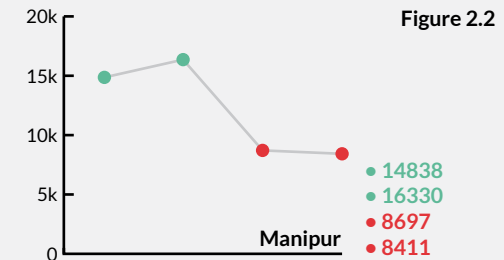
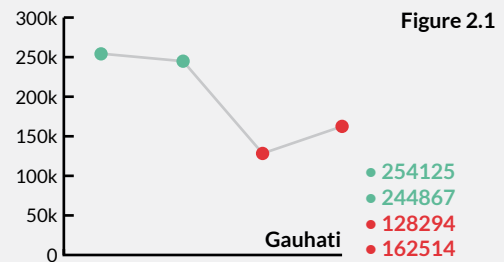
I

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-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.

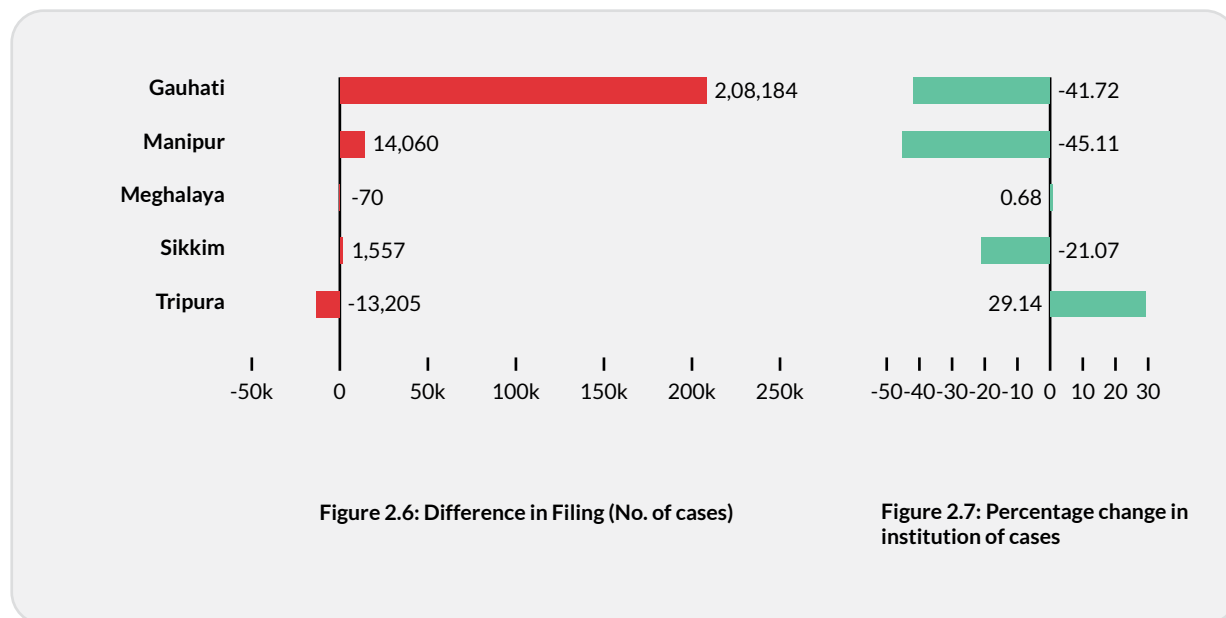
Across the North-East Zone, the District Courts under each High Court's jurisdiction witnessed a significant drop in the number of cases instituted in the year 2020. The filing of cases before the District Courts under the jurisdiction of Gauhati as well as Manipur High Court decreased by almost 50% 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

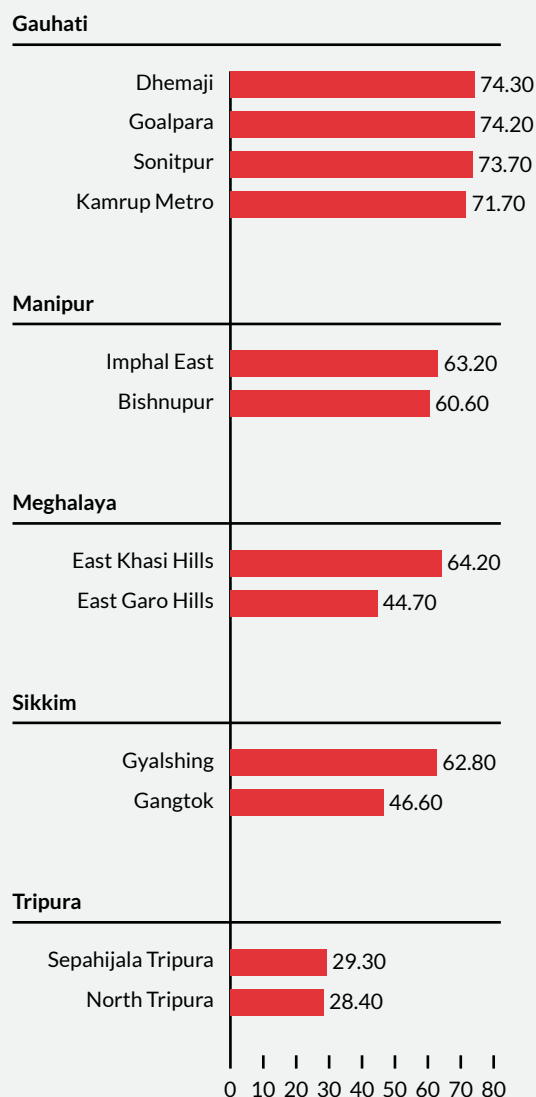
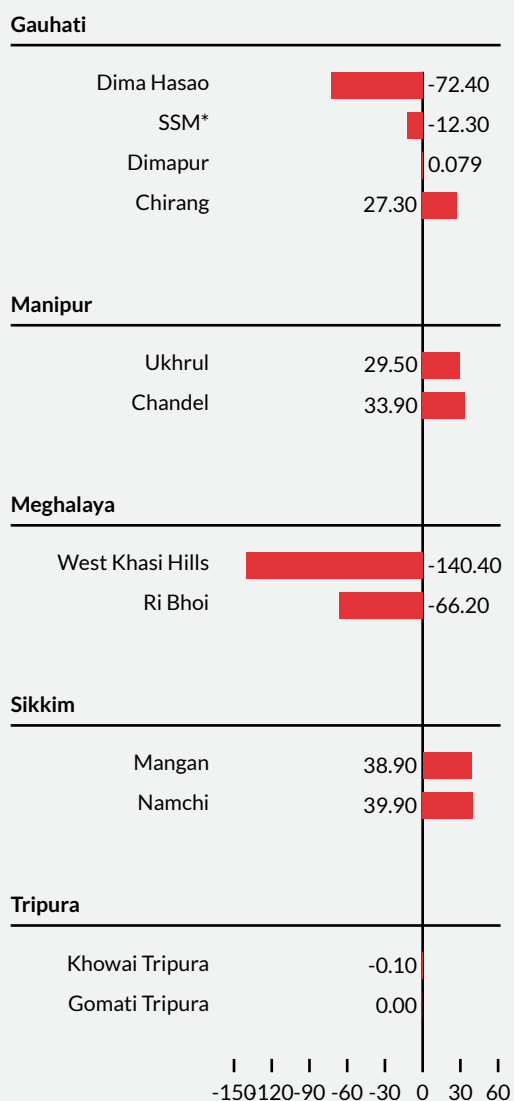


Figure 2.9: Best Performing Districts in the North-East Zone



*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.

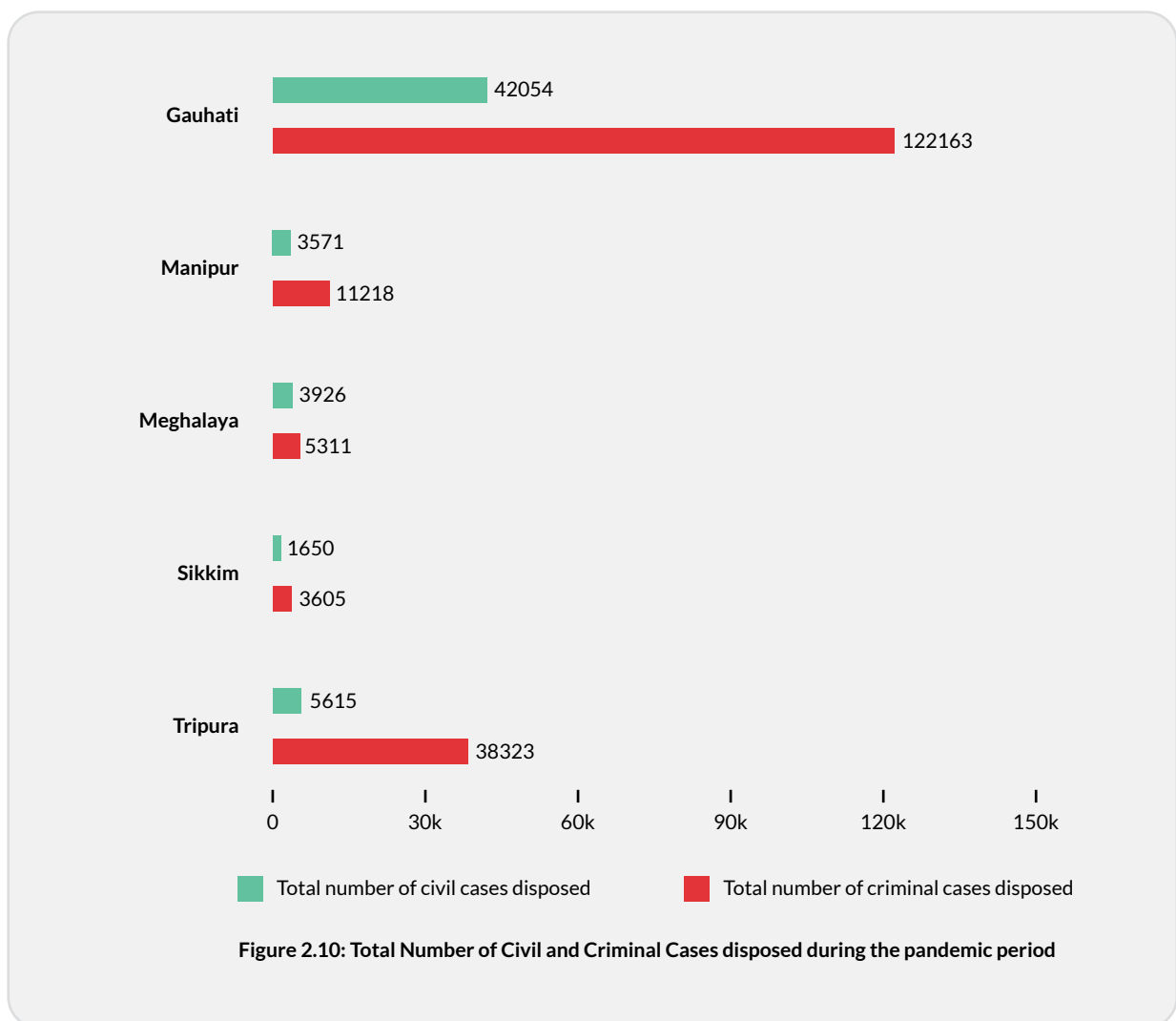
A detailed list of all the District Courts in the North-East Zone along with the percentage reduction in its disposal in 2020 and 2021, when compared to 2018 and 2019 can be accessed [here](#). This information can be instrumental in identifying the positive interventions adopted by the District Judiciary 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).

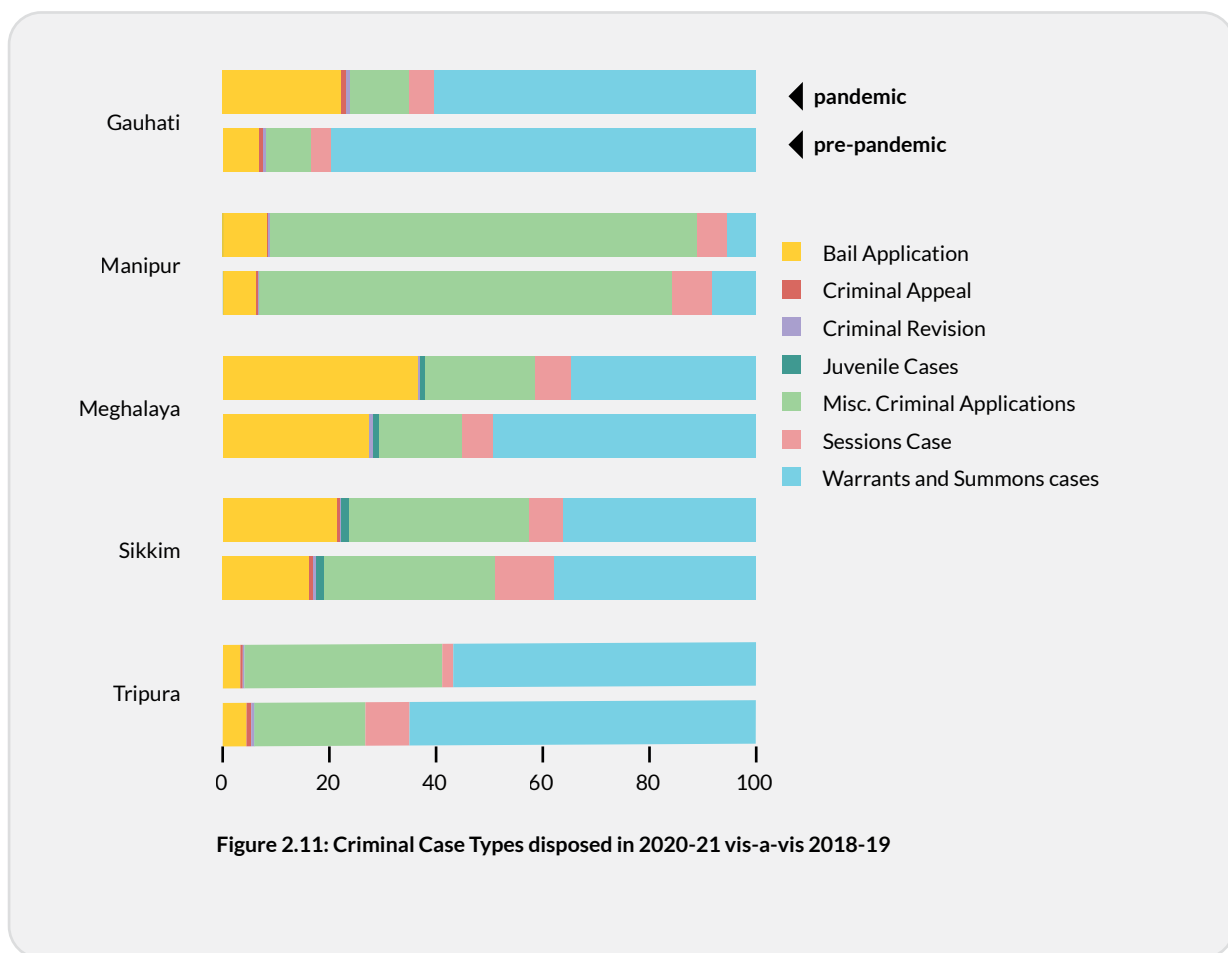


Figure 2.11: Criminal Case Types disposed in 2020-21 vis-a-vis 2018-19

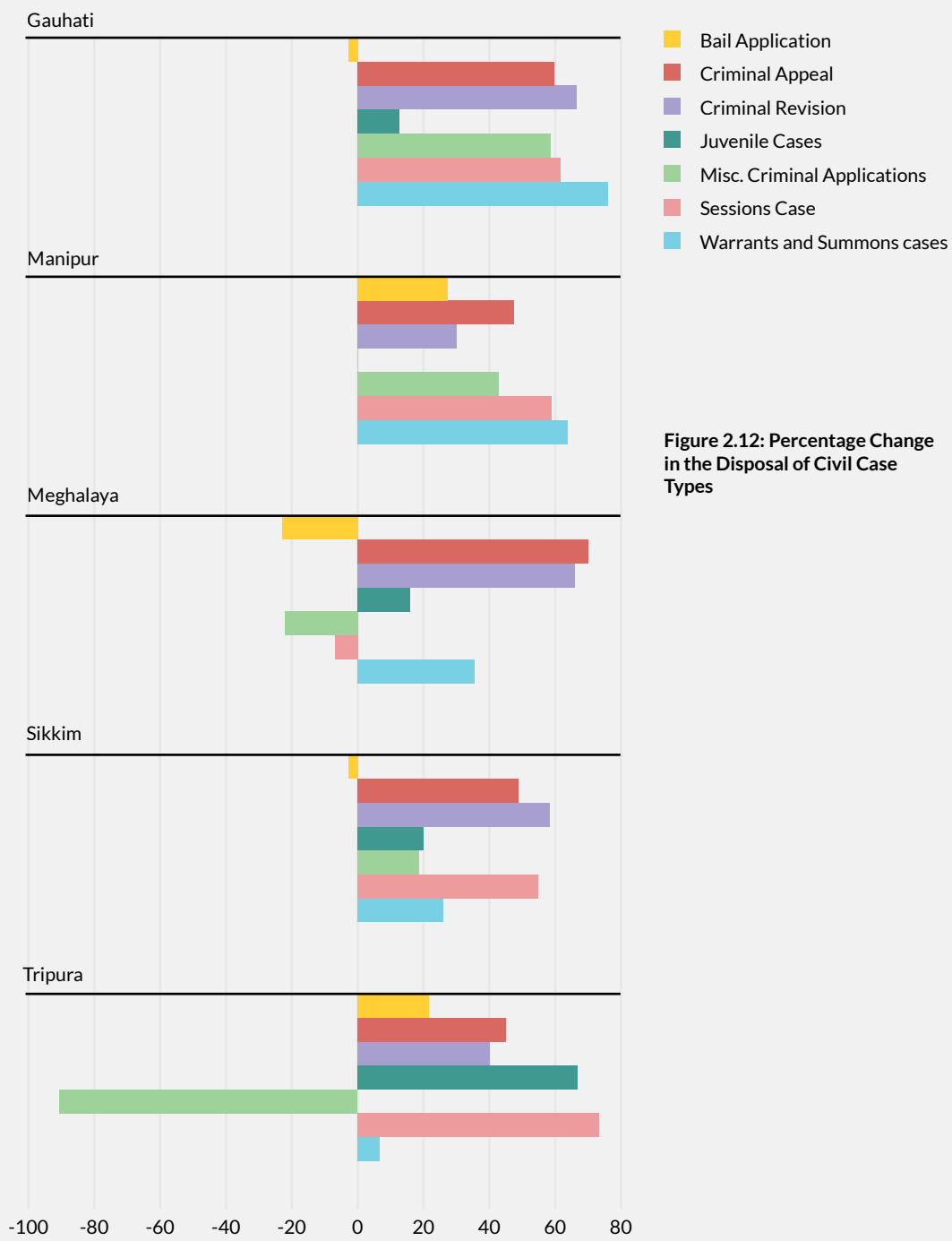


Figure 2.12: Percentage Change in the Disposal of Civil Case Types

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).

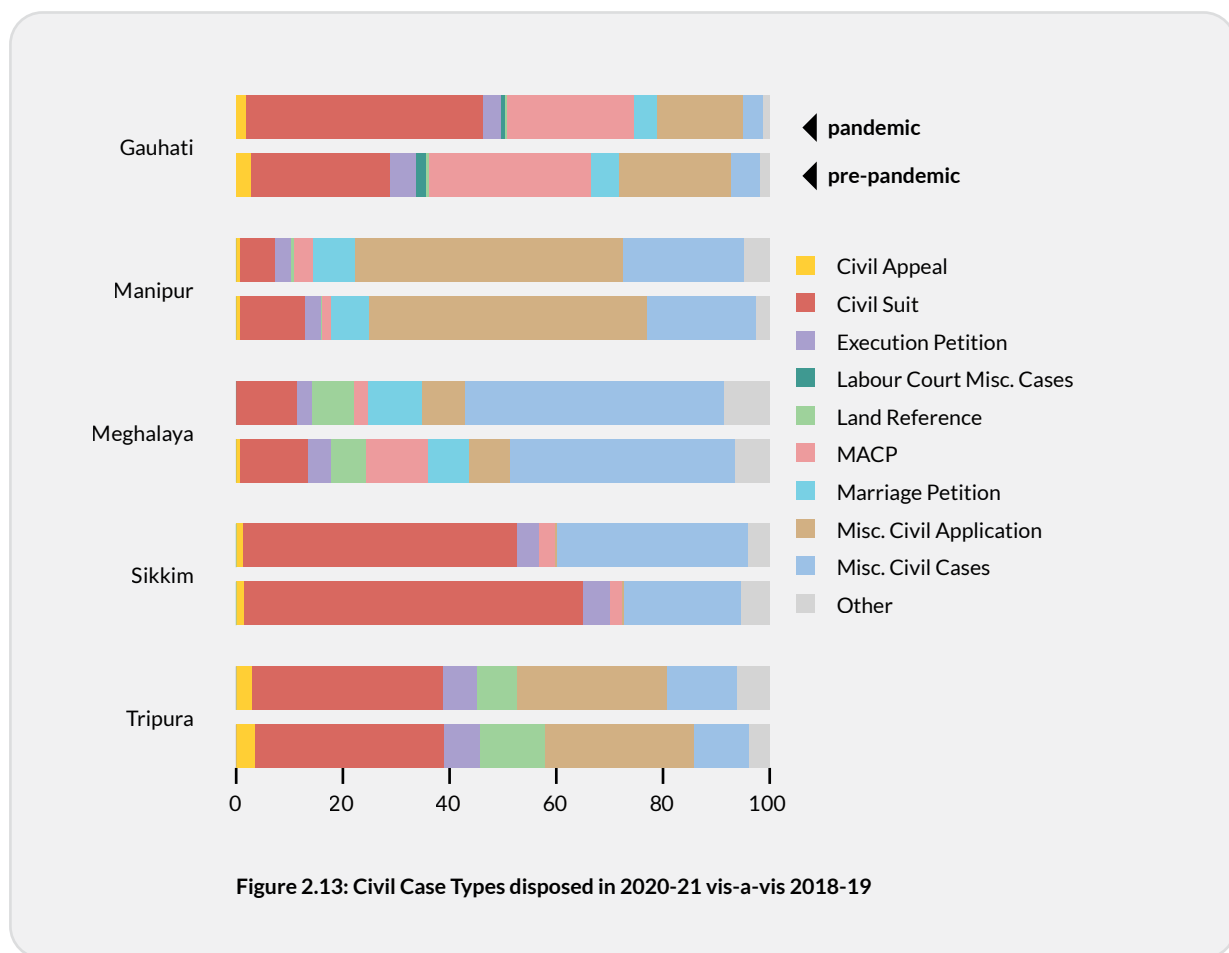
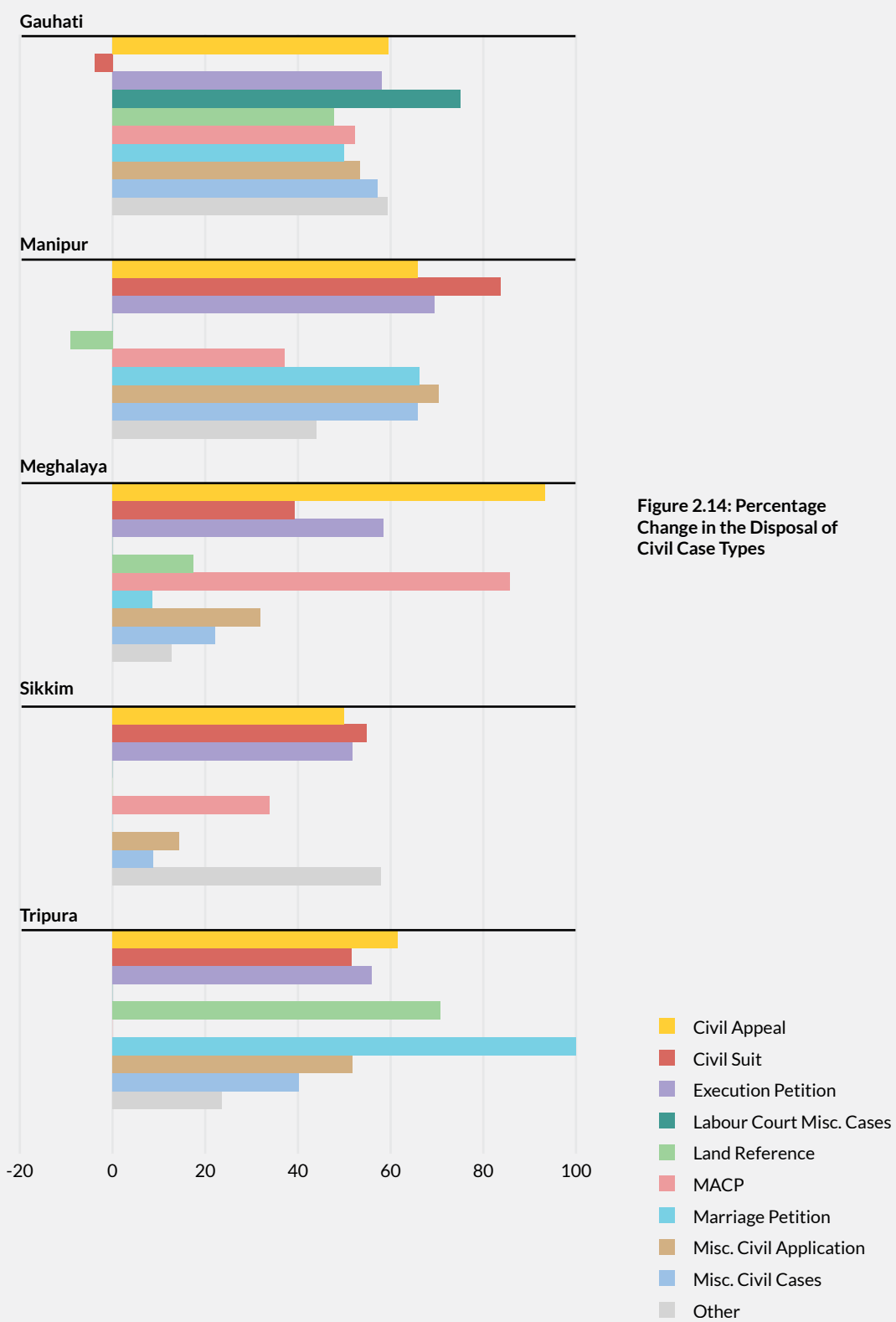


Figure 2.13: Civil Case Types disposed in 2020-21 vis-a-vis 2018-19

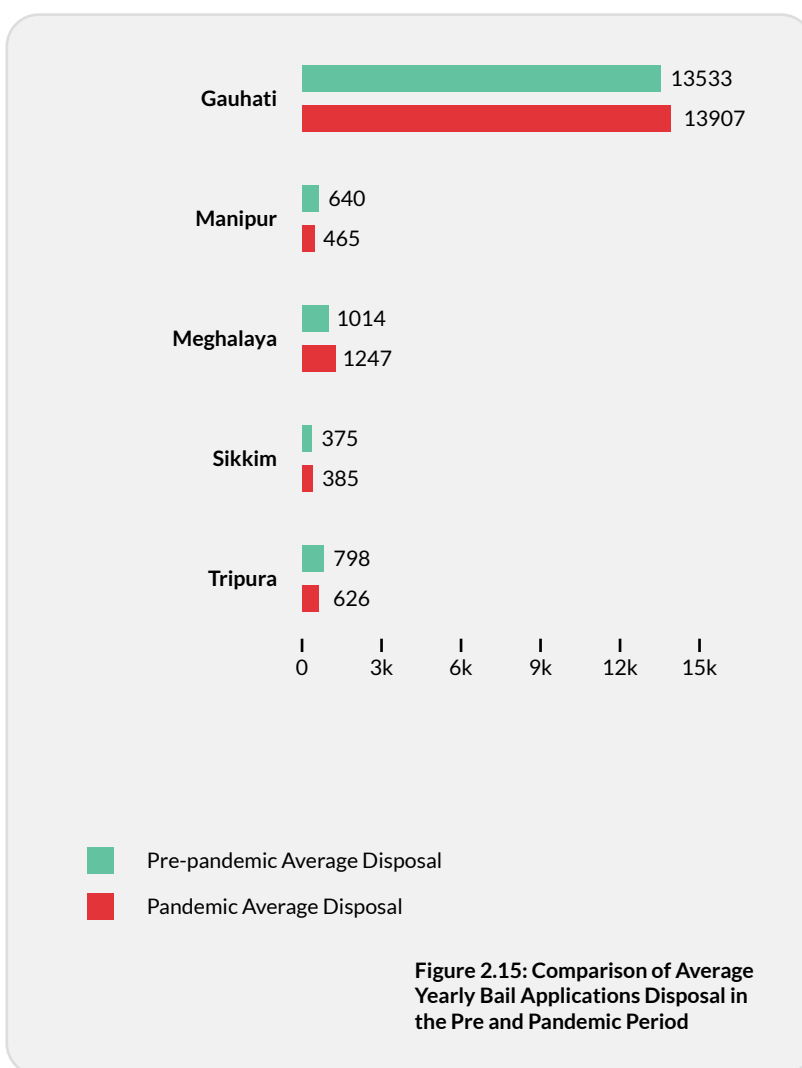


IV

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.

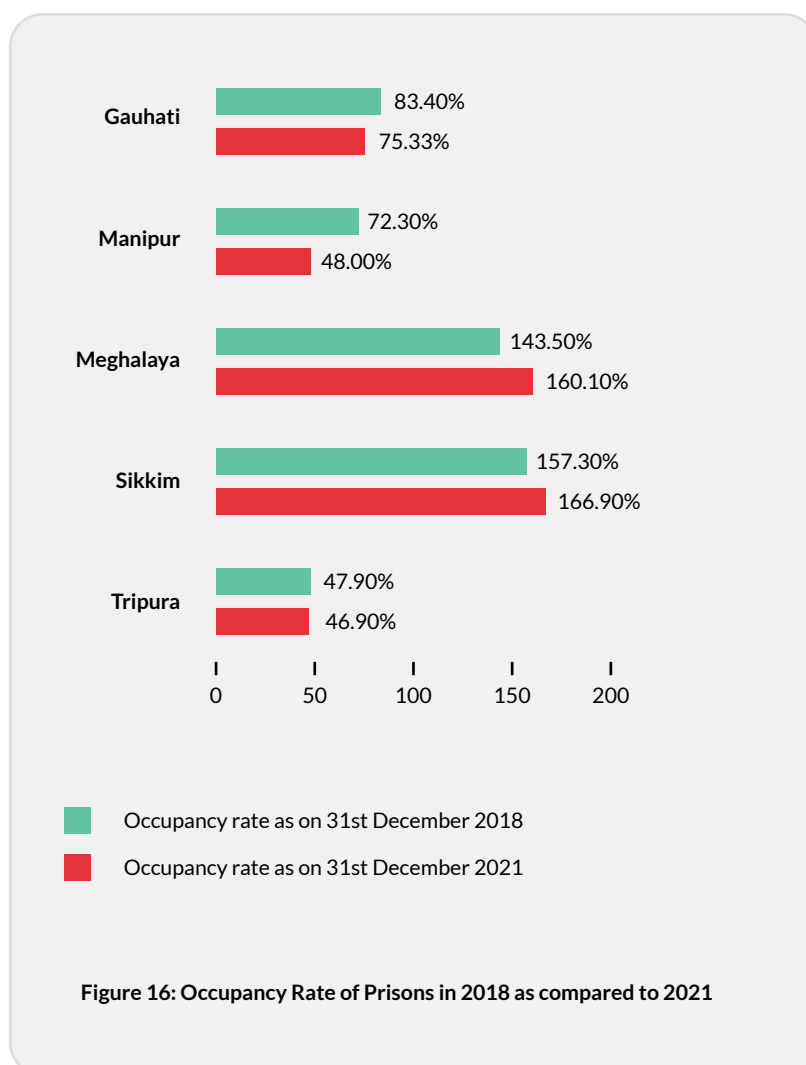
A comparison of the prison occupancy rate on 31 December 2018 and 31 December 2021 offers an insight into the effectiveness of the measures taken by the Supreme Court⁴ to decongest prisons by issuing a series of orders to the state governments.⁵



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.

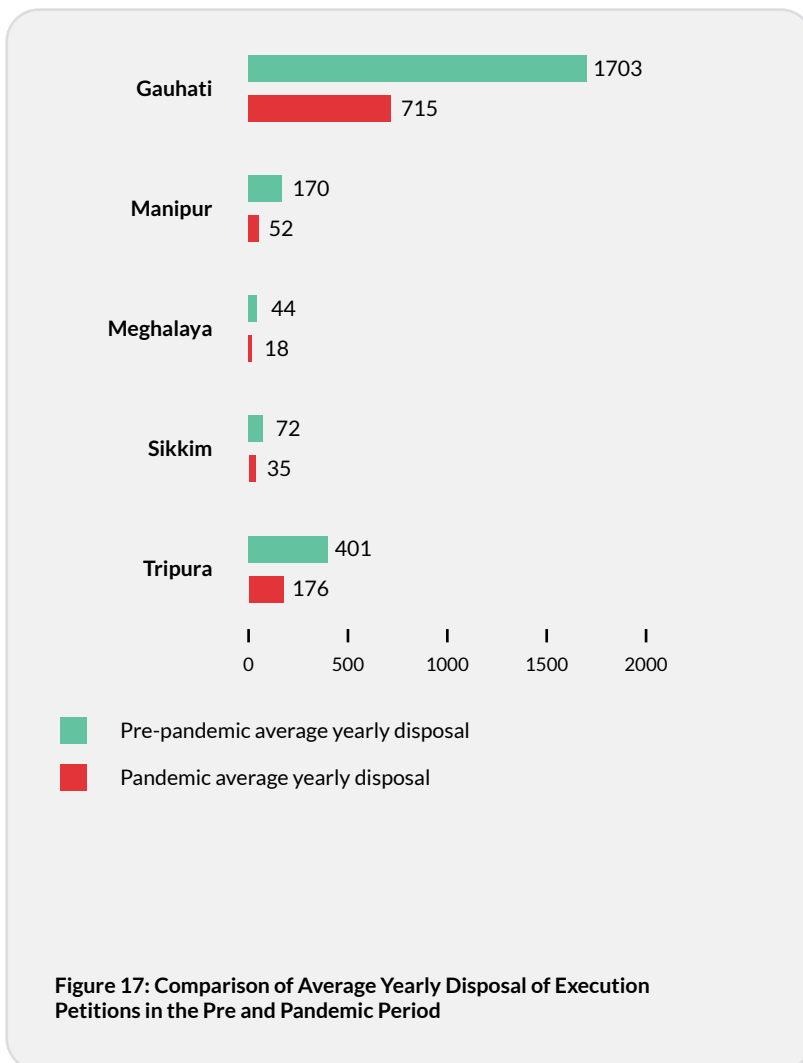


⁶ The High Court of Adjudicature at Gauhati is the High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh. For the purpose of this analysis, the average of the prison occupancy rate of the four states were taken. In 2018, the prison occupancy rate in Assam was 93.2%, in Nagaland was 30.5%, in Mizoram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

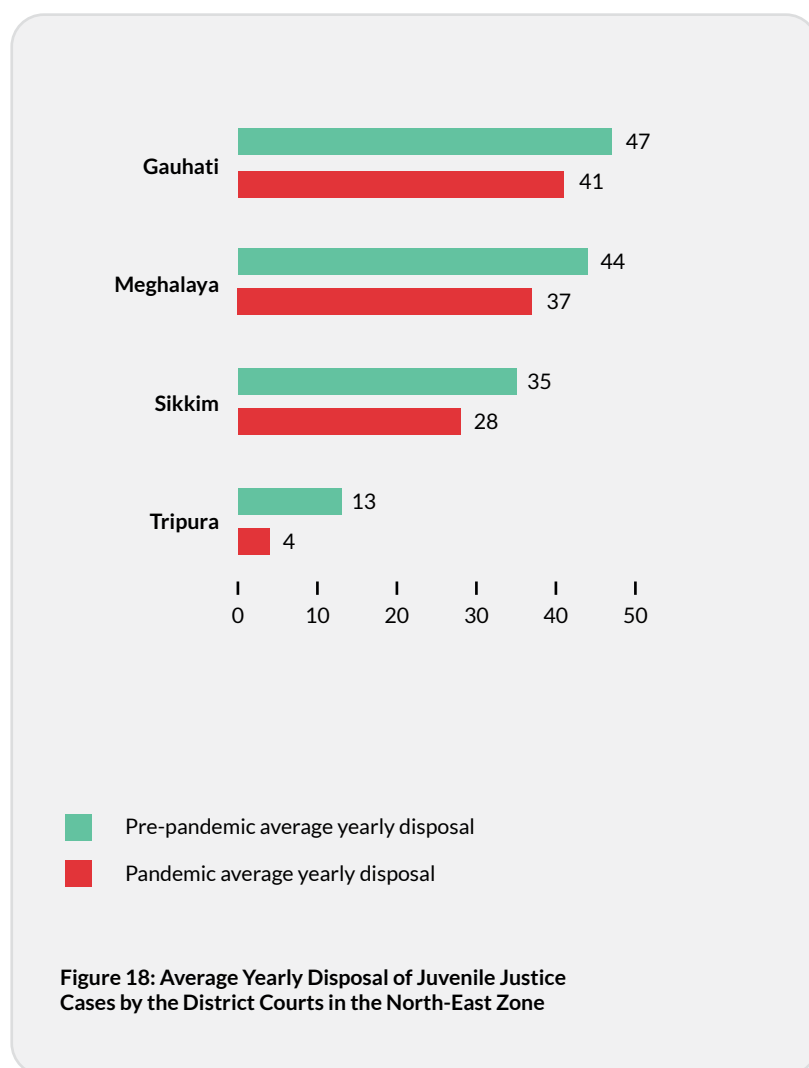


VI

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

