

Data speak

A look at the District Courts'
performance during the
pandemic

**NORTH
ZONE**

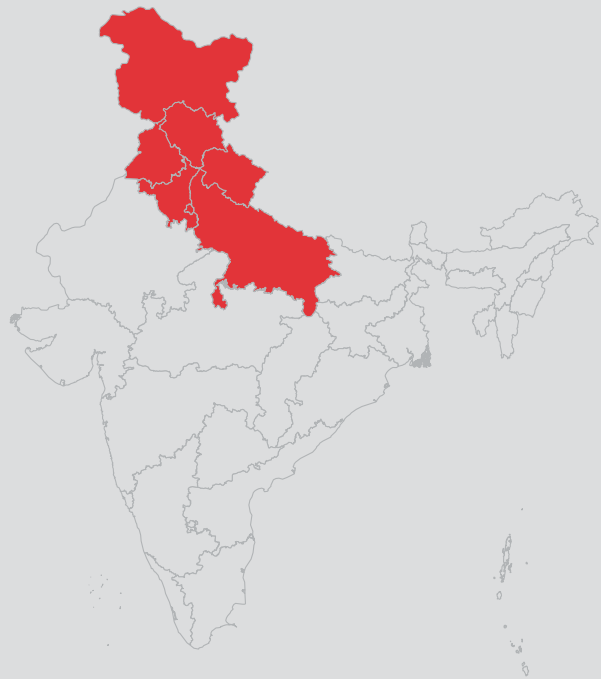
November 2022

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.



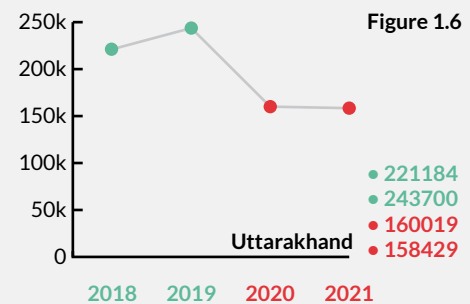
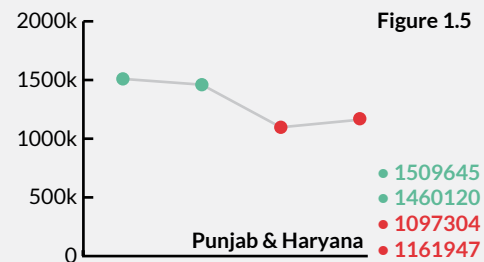
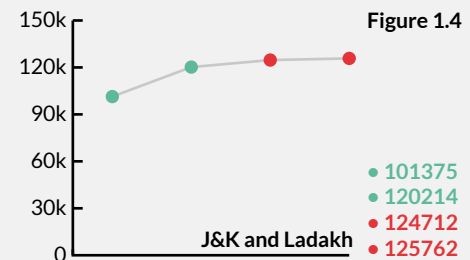
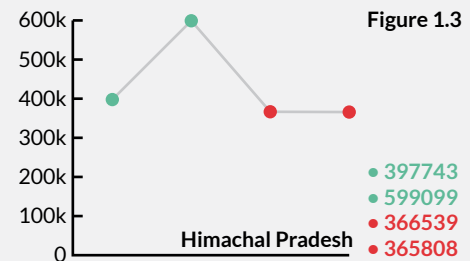
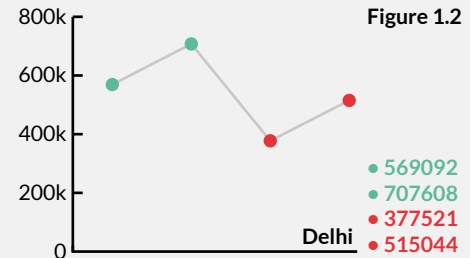
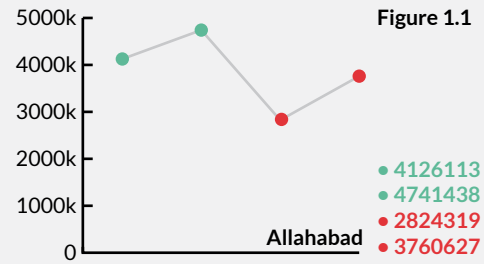
I

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.

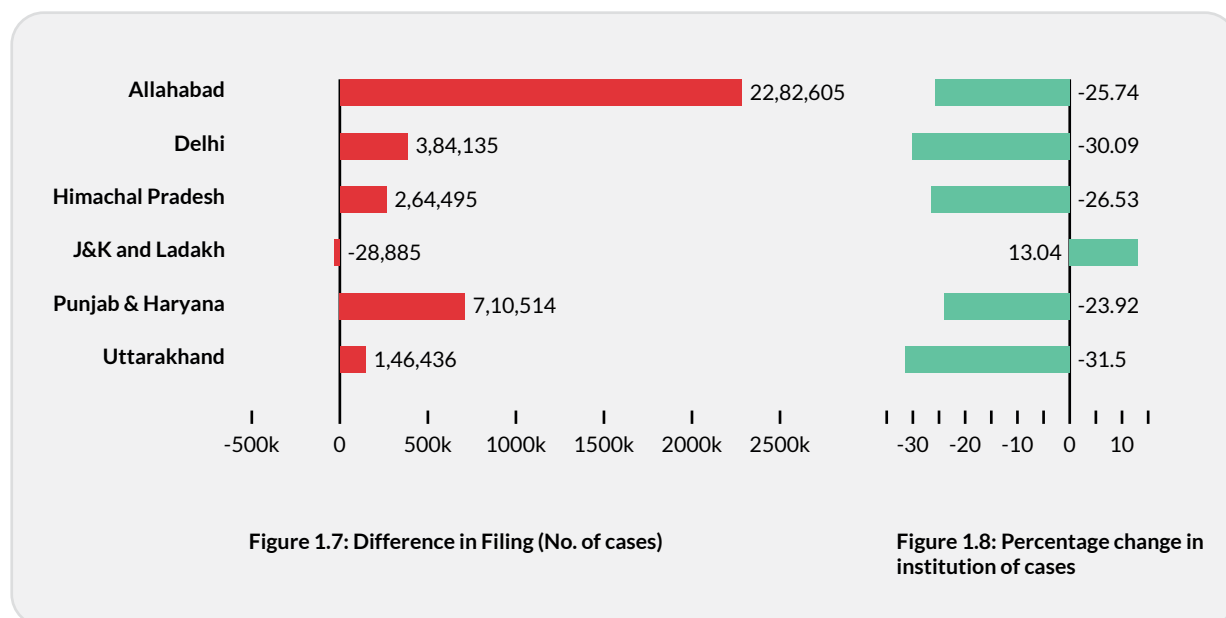
Across the North Zone, except Jammu & Kashmir and Ladakh, each High Court jurisdiction witnessed a significant drop in the number of cases instituted in their respective District Courts. As highlighted by Figures 1.1-1.6, in all the jurisdictions, except Jammu & Kashmir and Ladakh, the filing of the 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.



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

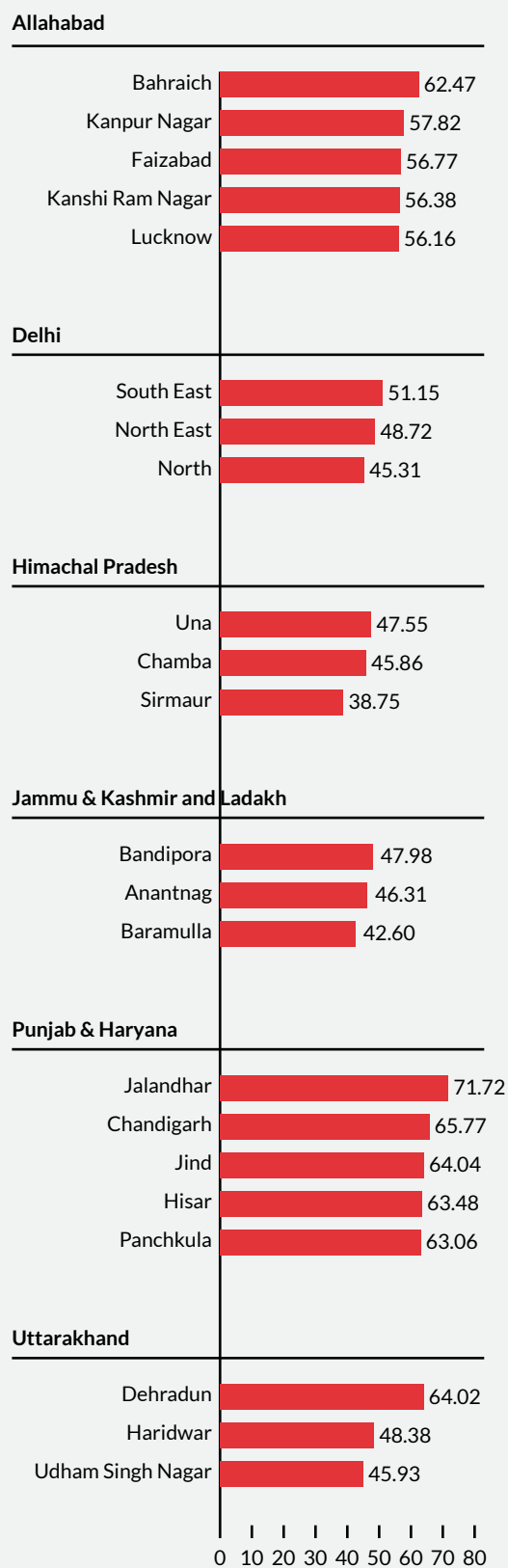
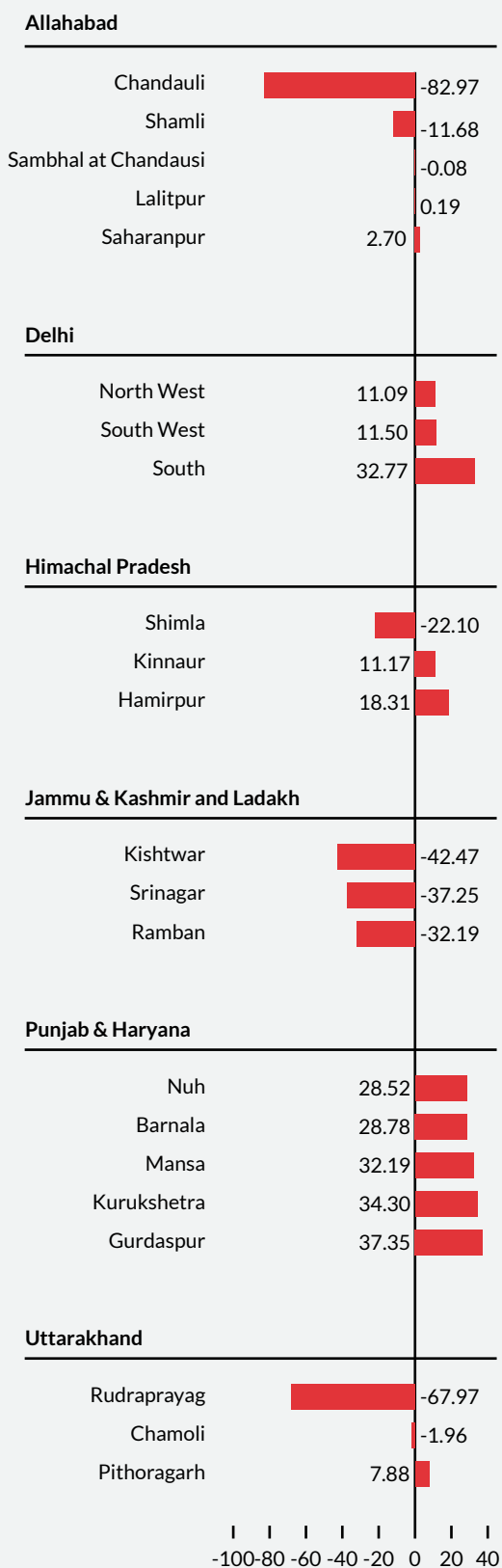


Figure 1.10: Best Performing Districts in the North Zone



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.

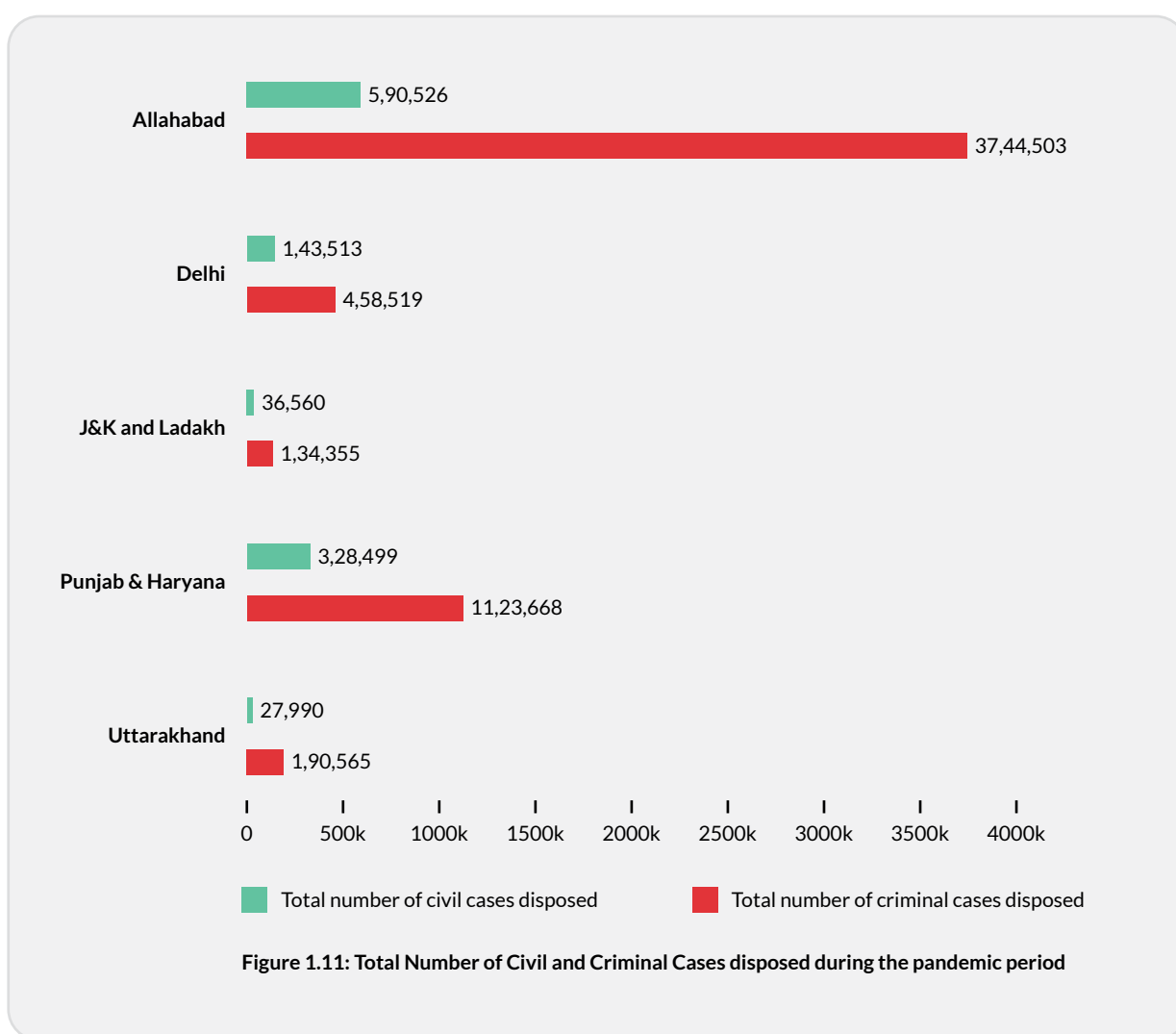
A detailed list of all the District Courts in the North Zone along with the percentage reduction in its disposal in 2020 and 2021, when compared to 2018 and 2019 can be accessed [here](#). This information can be instrumental in identifying the positive interventions adopted by the District Judiciary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

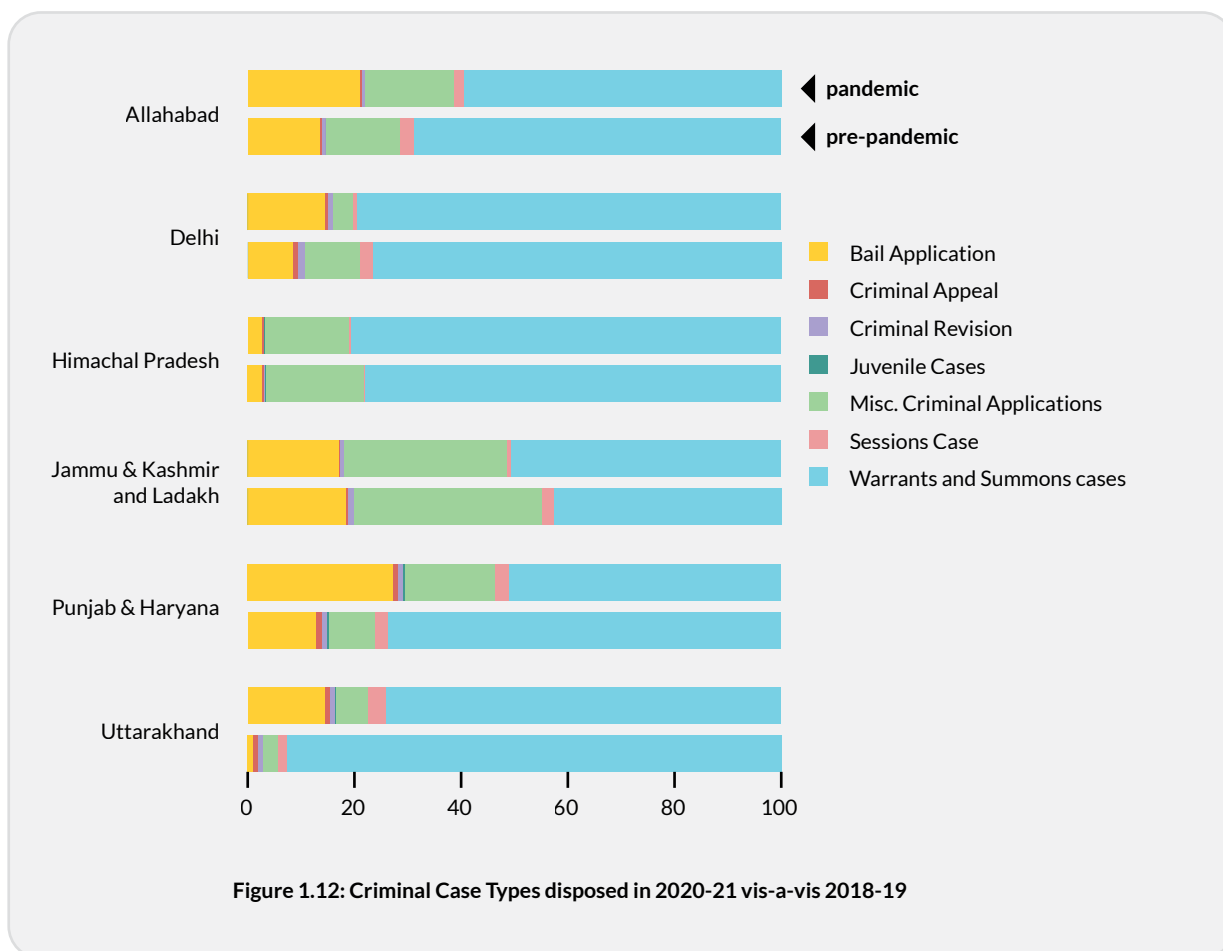
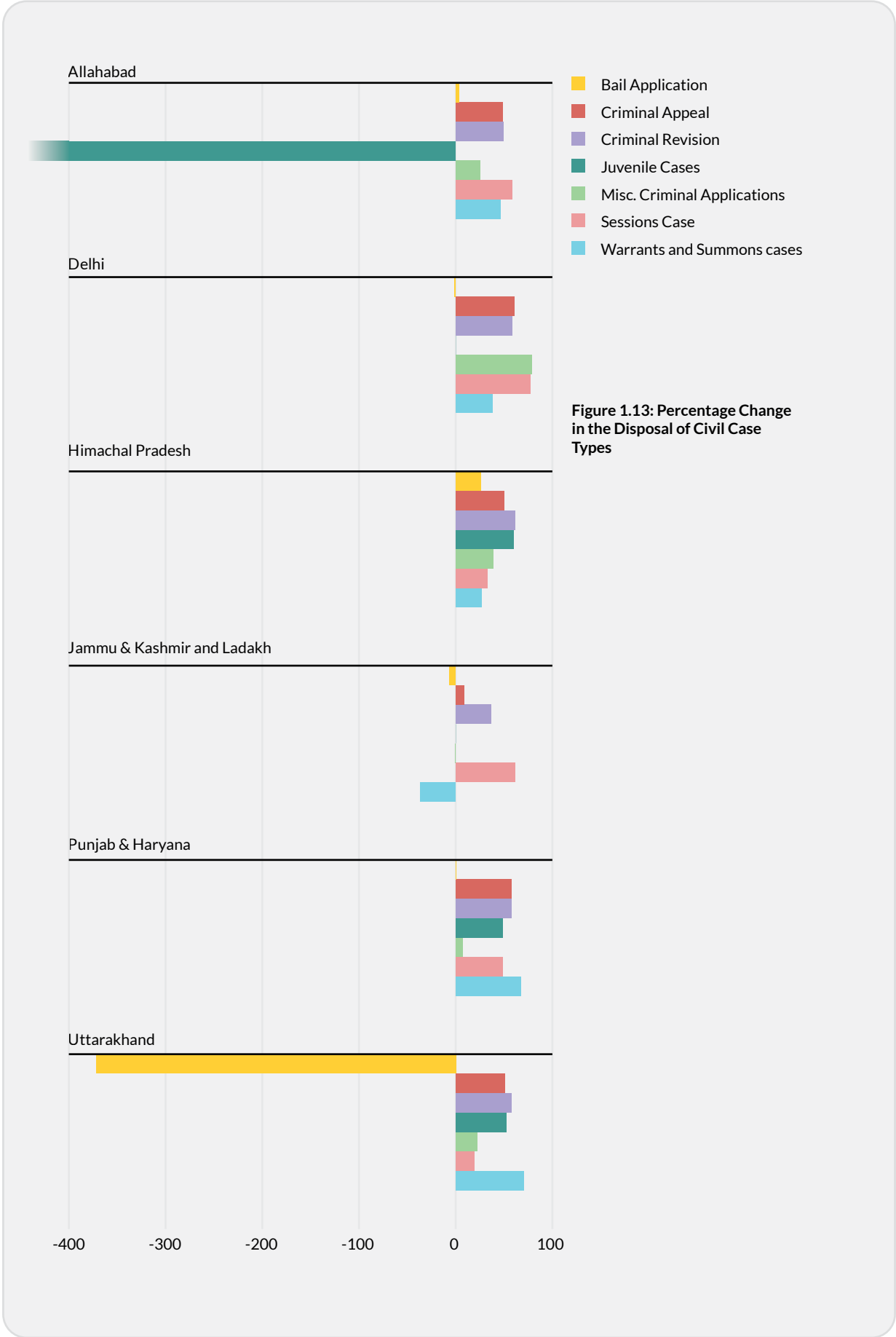


Figure 1.12: Criminal Case Types disposed in 2020-21 vis-a-vis 2018-19



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).

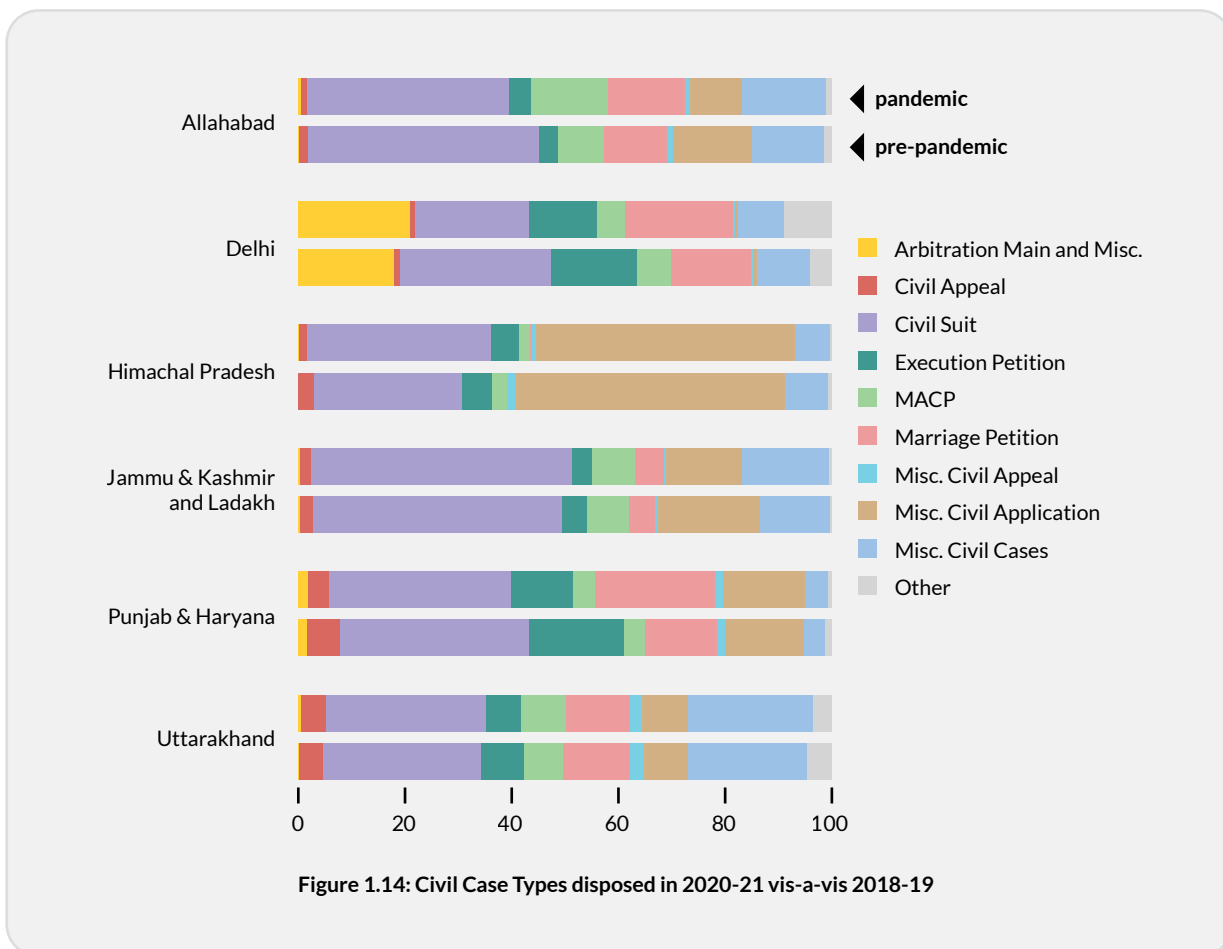
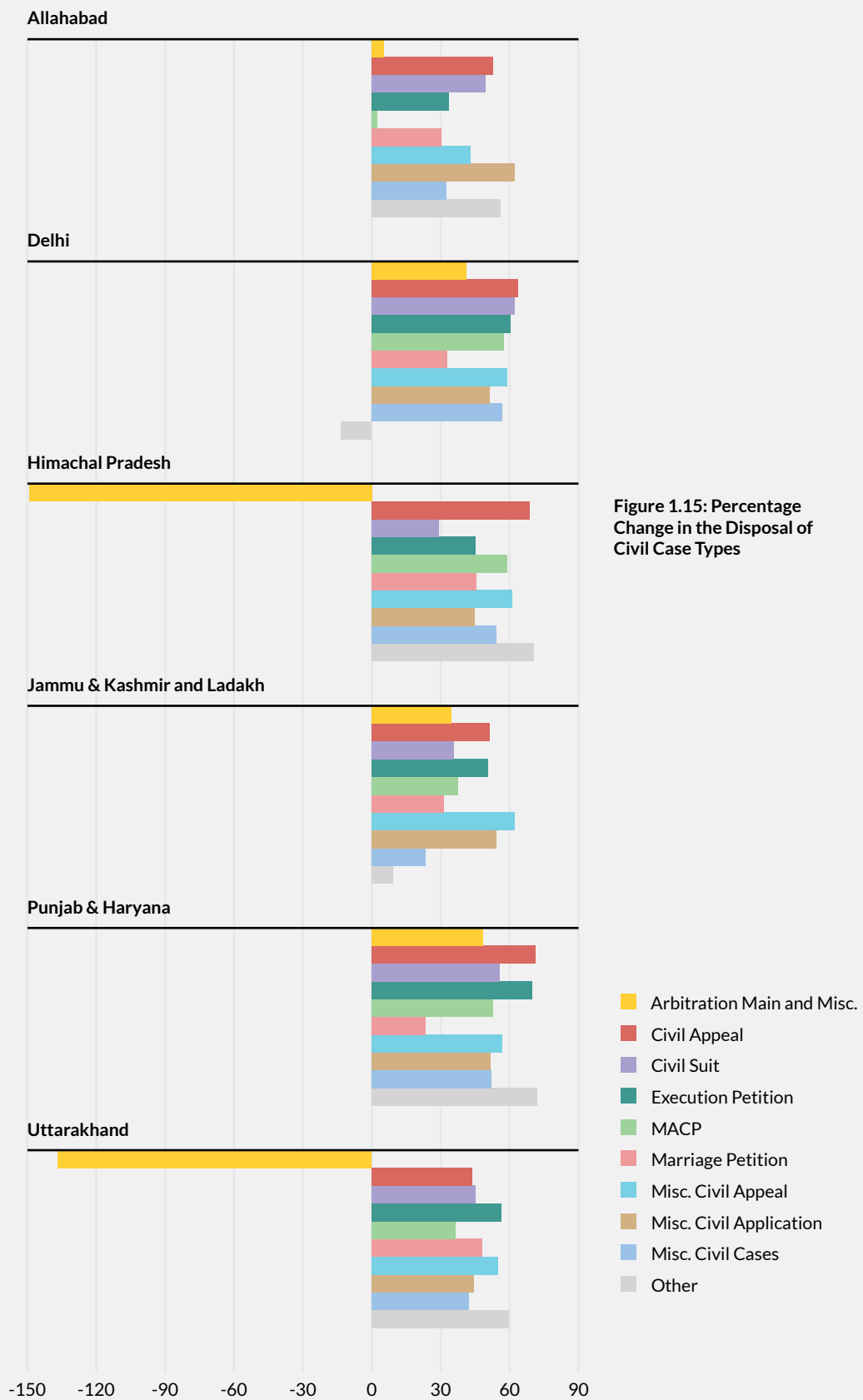


Figure 1.14: Civil Case Types disposed in 2020-21 vis-a-vis 2018-19

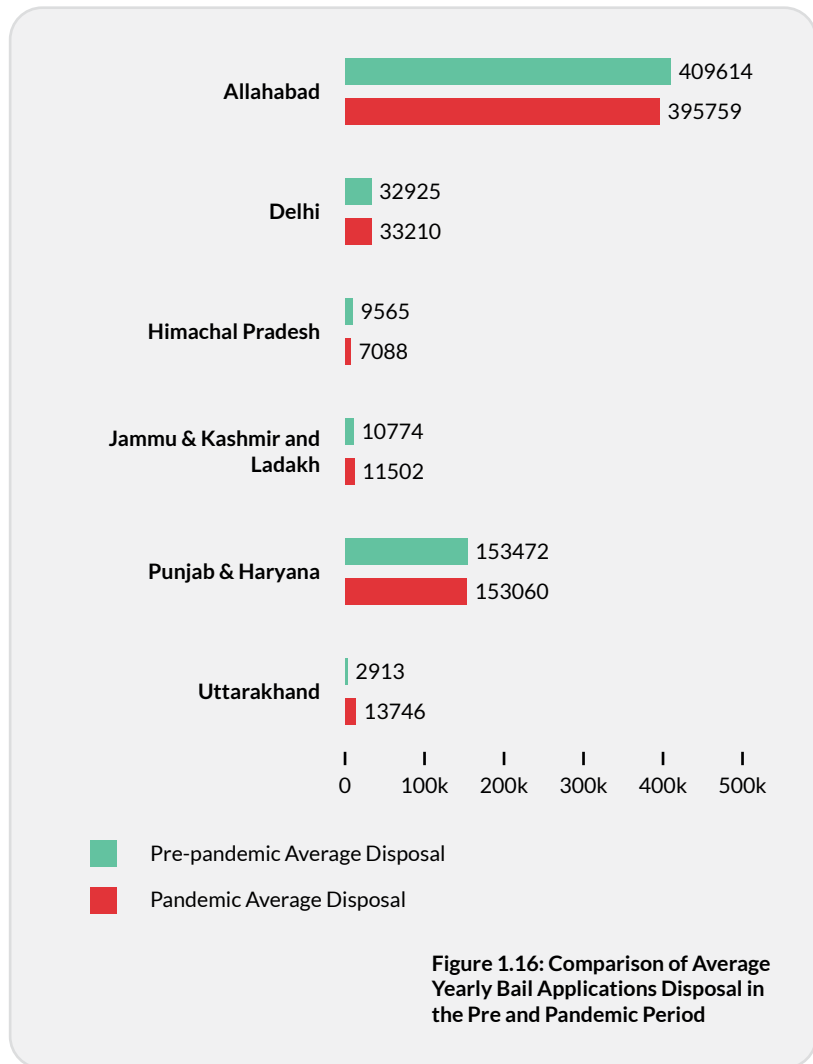


IV

Decongestion of jails and prisons during the pandemic

The figure highlights that there was no steep 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.

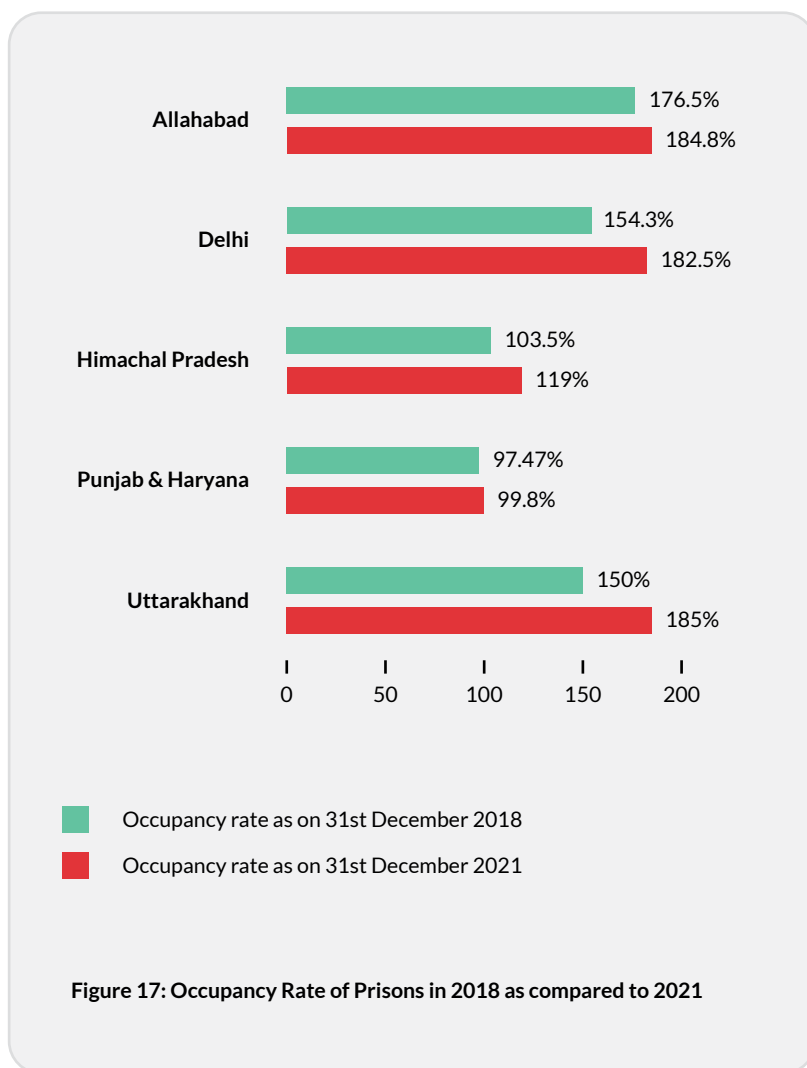
A comparison of the prison occupancy rate on 31 December 2018 and 31 December 2021 offers an insight into the effectiveness of the measures taken by the Supreme Court² to decongest prisons by issuing a series of orders to the state governments.³



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.

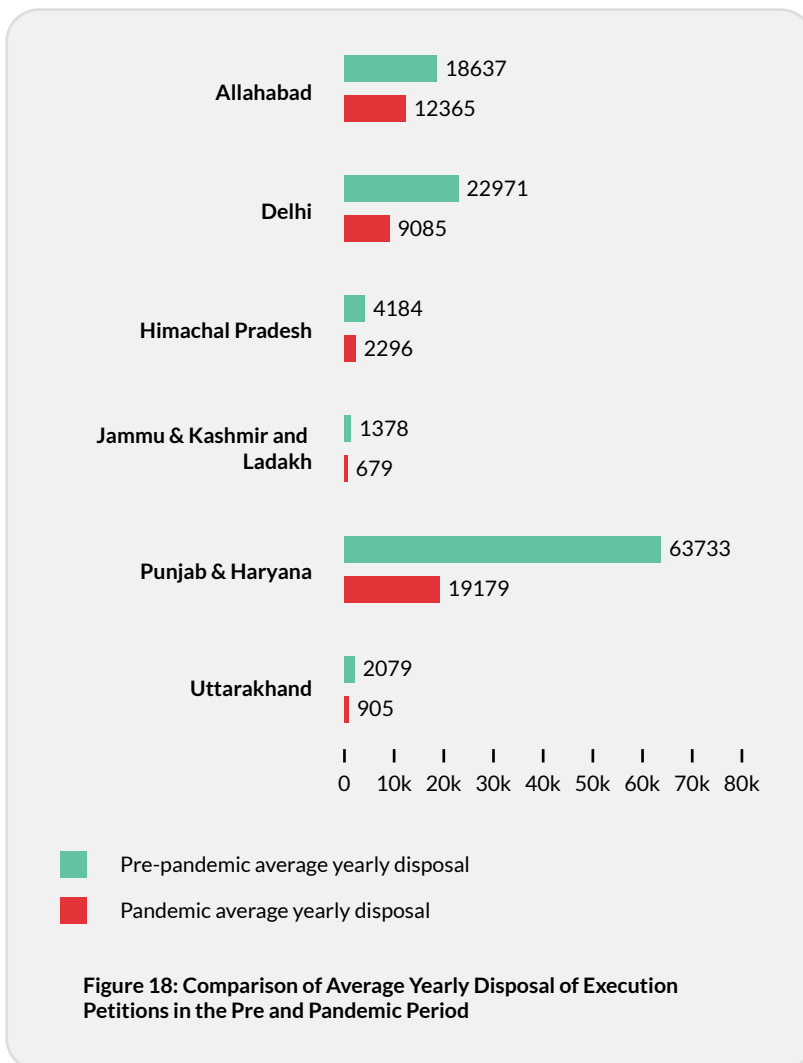
⁵ The High Court of Punjab and Haryana has jurisdiction over the State of Punjab, State of Haryana and the Union Territory of Chandigarh. For the purpose of this analysis, the average of the prison occupancy rate of both the States and the Union Territory have been taken. In 2018, the occupancy rate 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

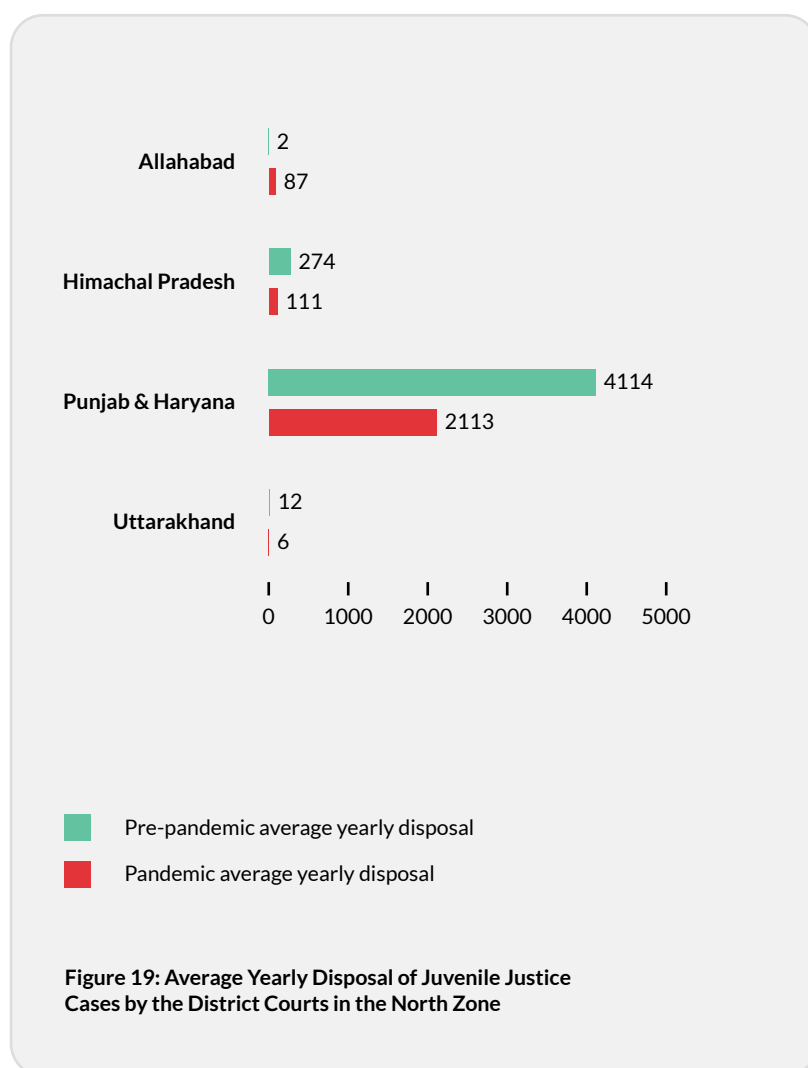
As displayed in the figure, the disposal of Execution Petitions across states dropped massively during the pandemic. In District Courts under the Jurisdiction of the High Court of Punjab and Haryana and the High Court of Delhi, this reduction was the maximum, i.e., 69.9% and 60.45% in comparison to the 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

