

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.

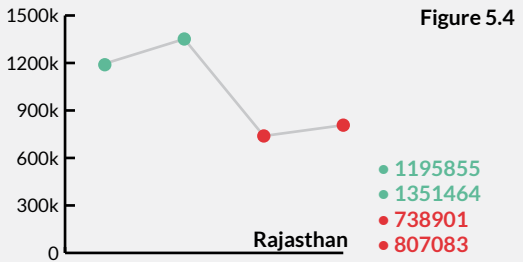
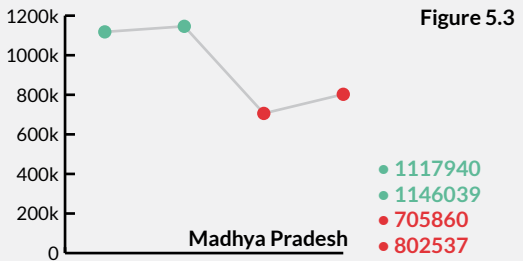
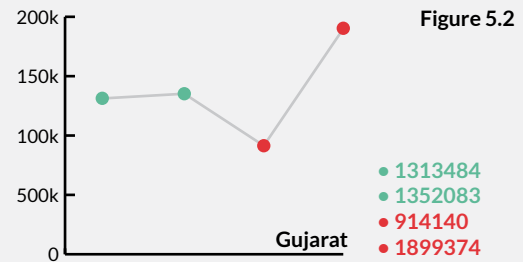
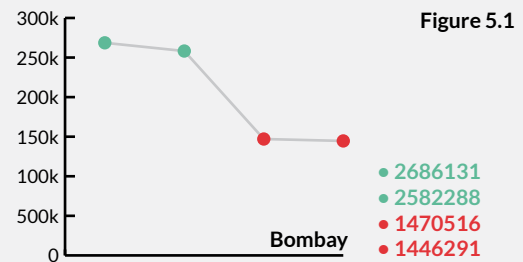


I

Case-filing trends during the pandemic

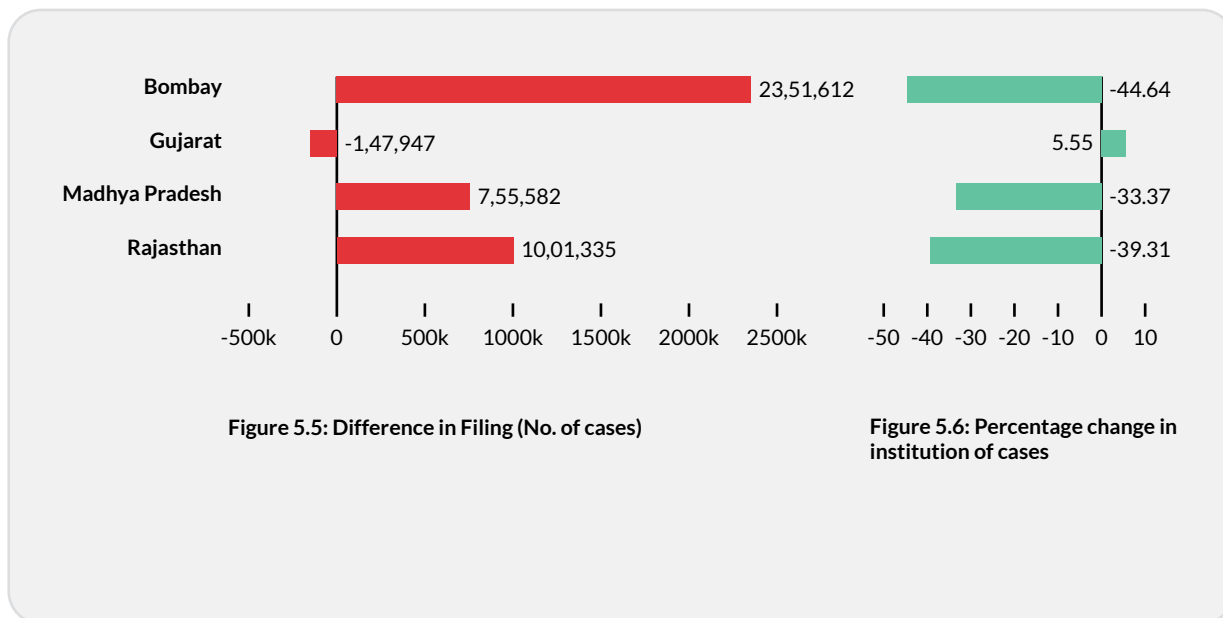
In this section, we look at the yearly filings of cases in the District Courts across the jurisdiction of different High Courts in the West Zone, between 2018 and 2021. Through this analysis, the report aims to present the difference in the filing of cases across all categories before and during the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

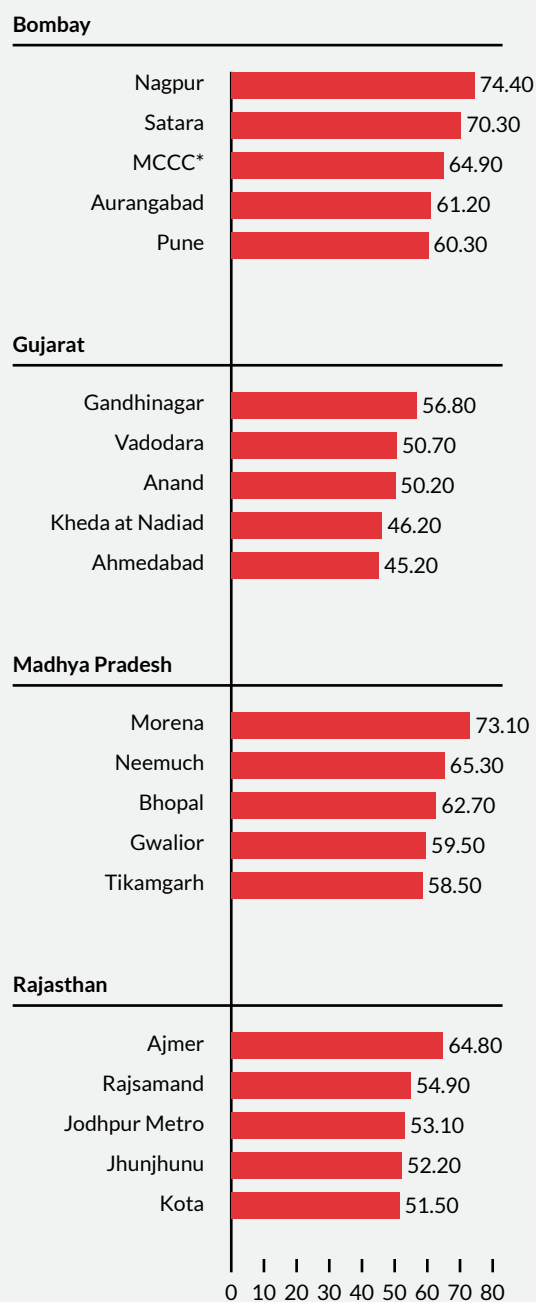
II

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

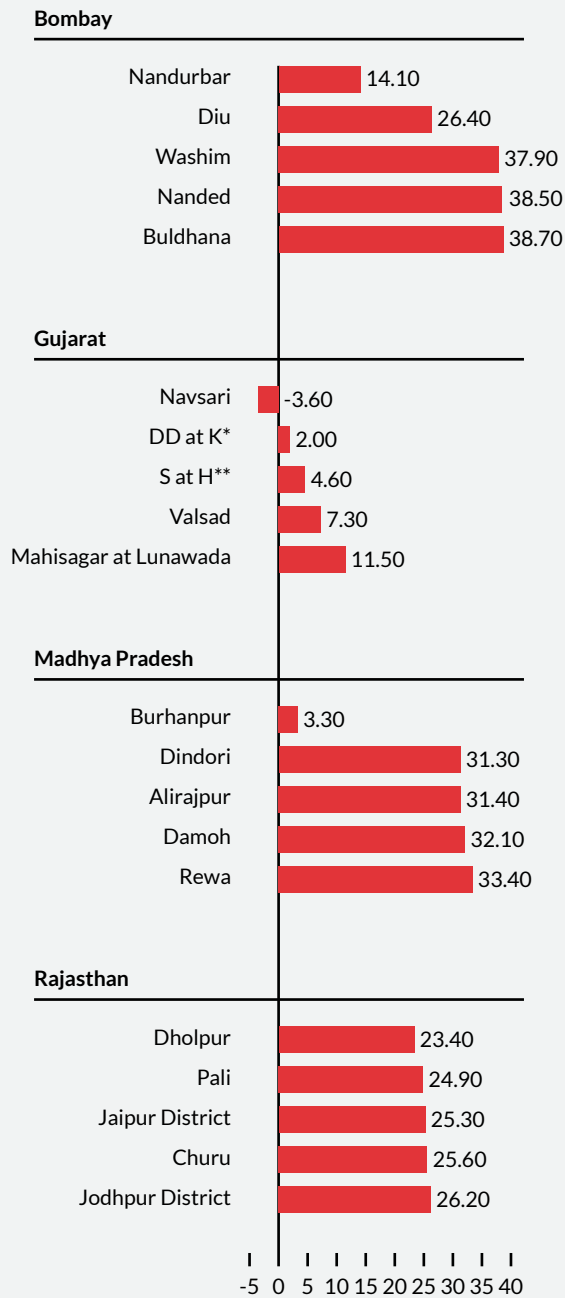
¹ For High Courts having jurisdiction over 20 districts or less, 6 districts have been highlighted in the table. For High Courts having jurisdiction over more than 20 districts but less than 30 districts, 8 districts have been highlighted and for High Courts having jurisdiction over 30 districts, 10 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.

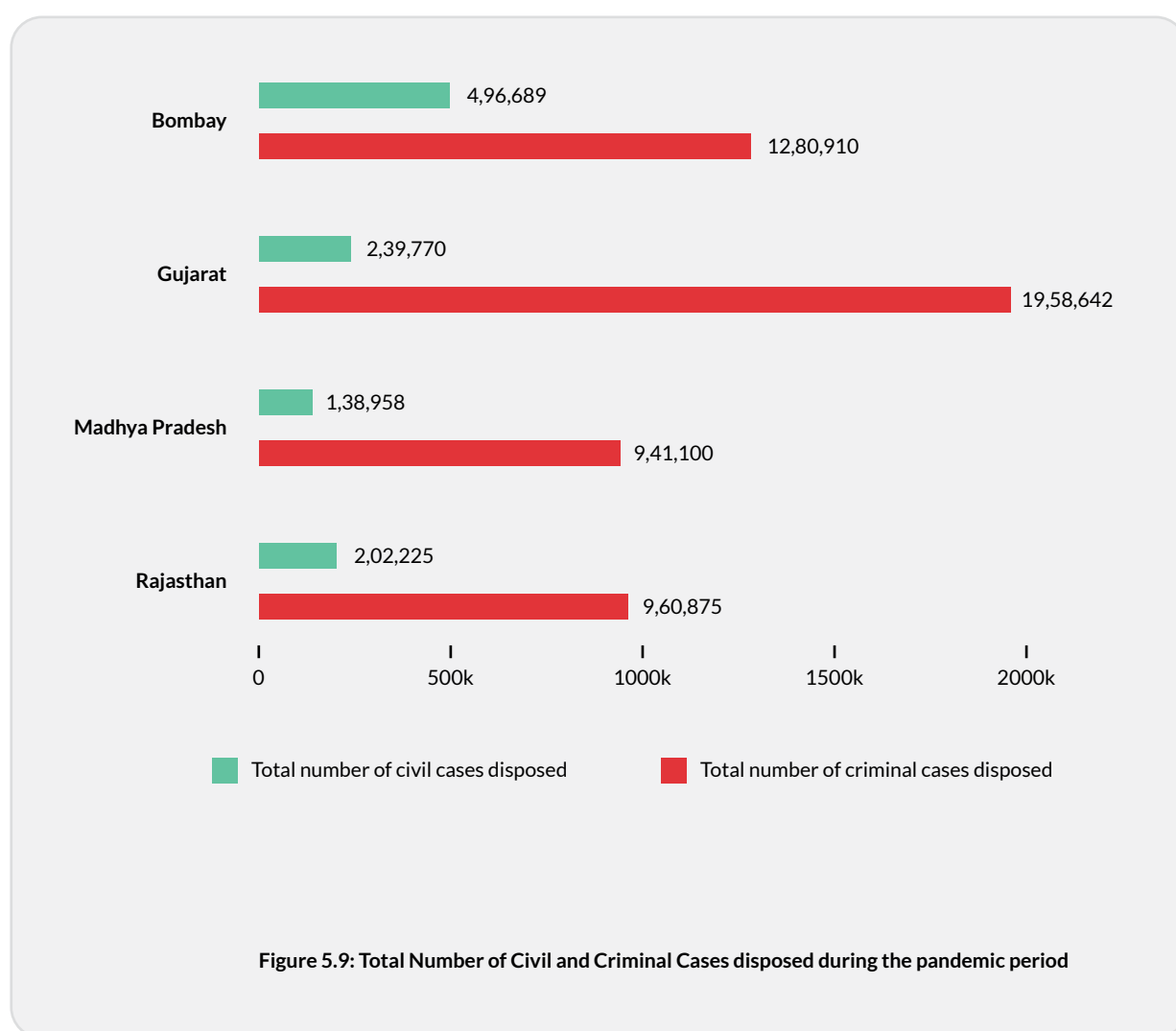
Similar to the institution of cases, the District Courts under the High Court of Gujarat were the least disrupted in terms of disposals. The District Court in Navsari under the High Court of Gujarat even outperformed the pre-pandemic rate of disposal of cases by 3.6%. Similarly, the District Courts in 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

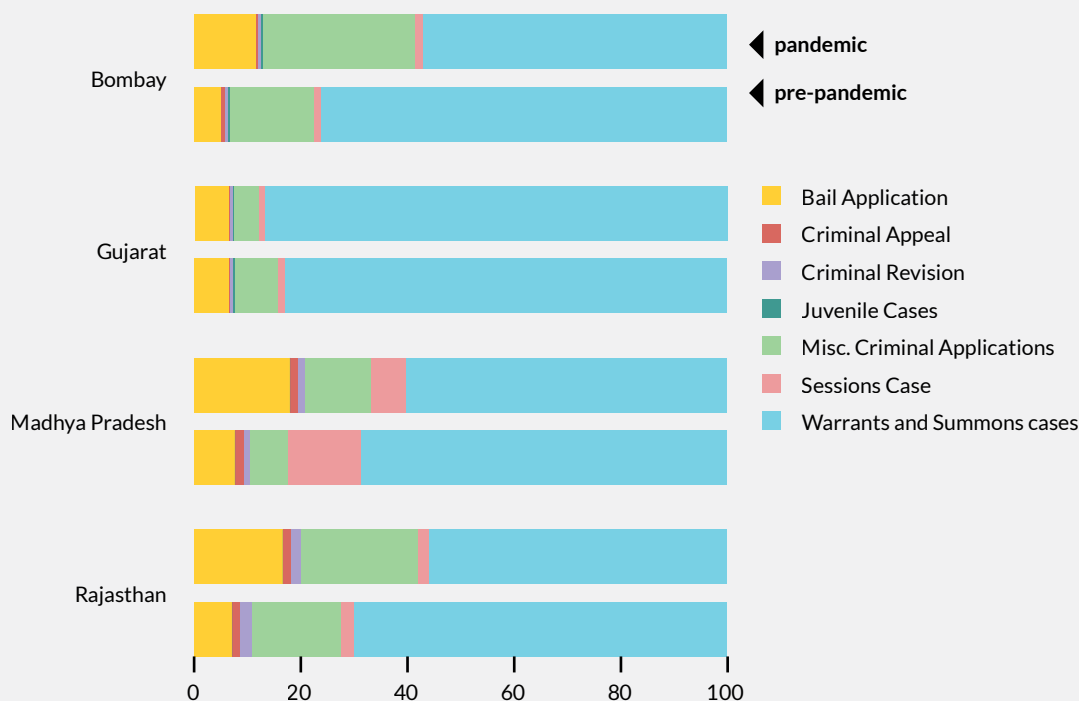


Figure 5.10: Criminal Case Types disposed in 2020-21 vis-a-vis 2018-19

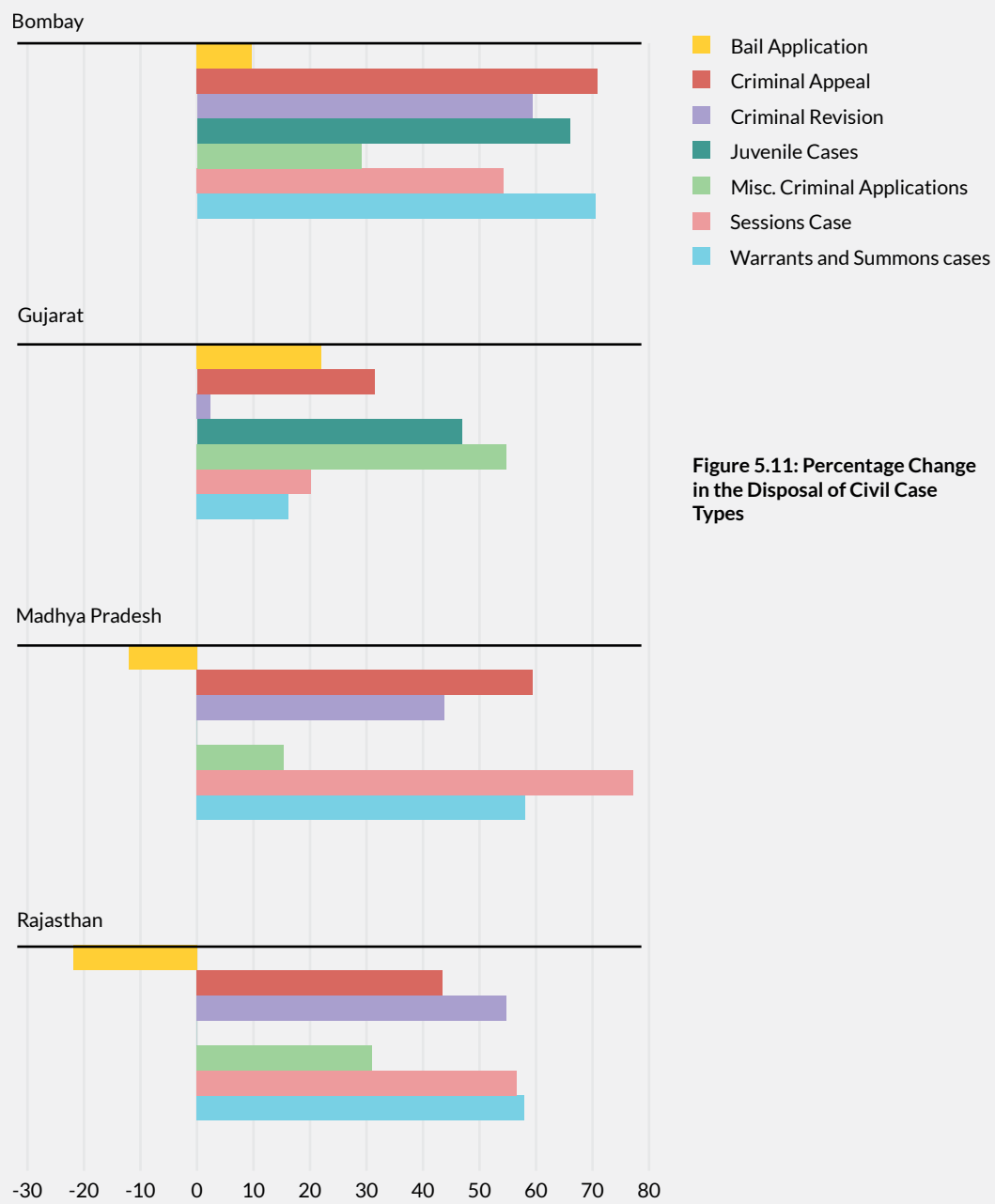
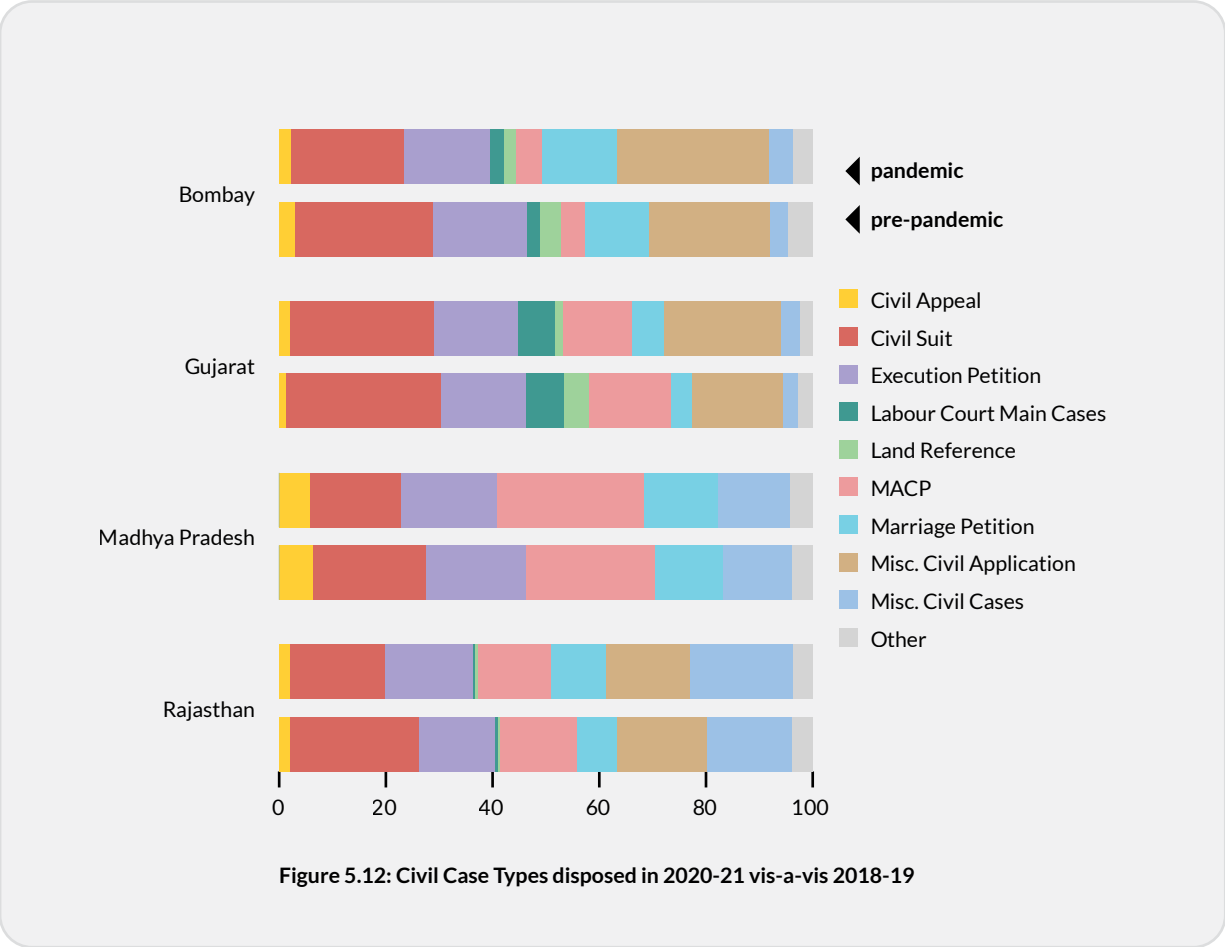


Figure 5.11: Percentage Change in the Disposal of Civil Case Types

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



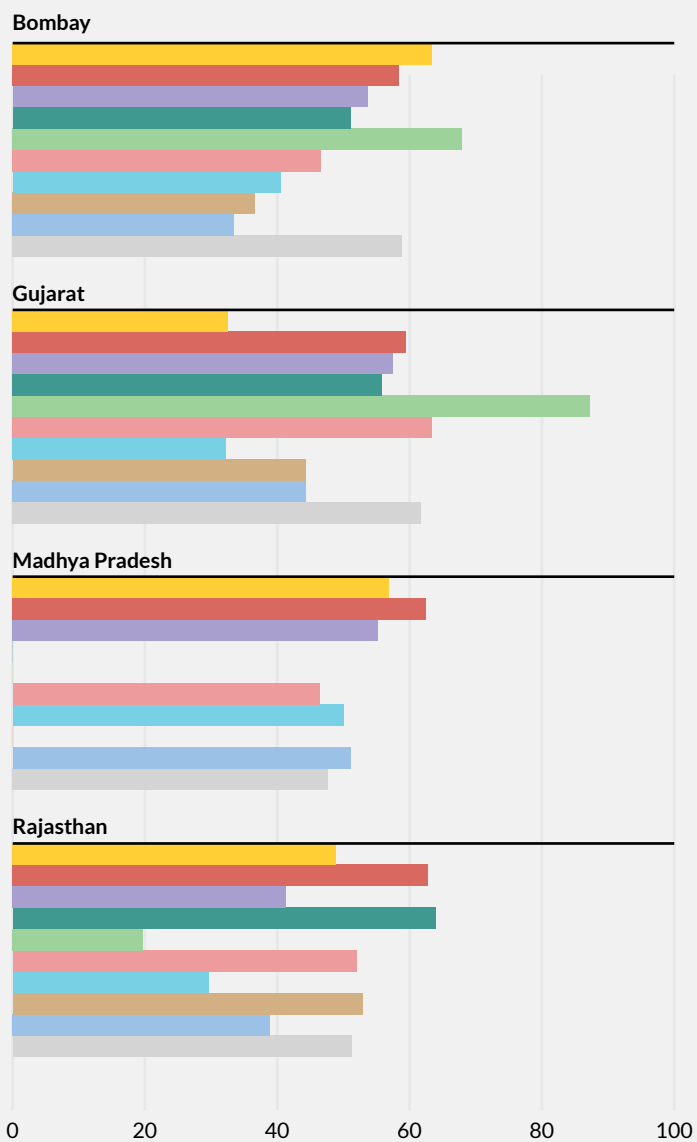


Figure 5.13: Percentage Change in the Disposal of Civil Case Types

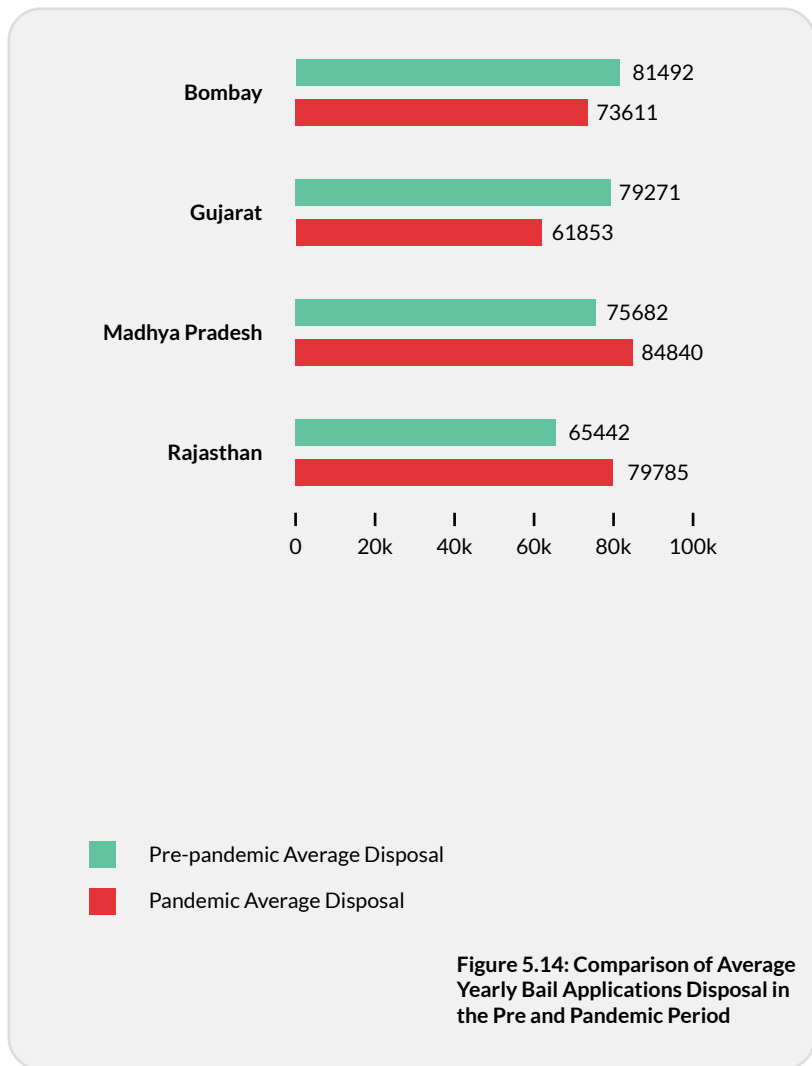
- Civil Appeal
- Civil Suit
- Execution Petition
- Labour Court Main Cases
- Land Reference
- MACP
- Marriage Petition
- Misc. Civil Application
- Misc. Civil Cases
- Other

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.



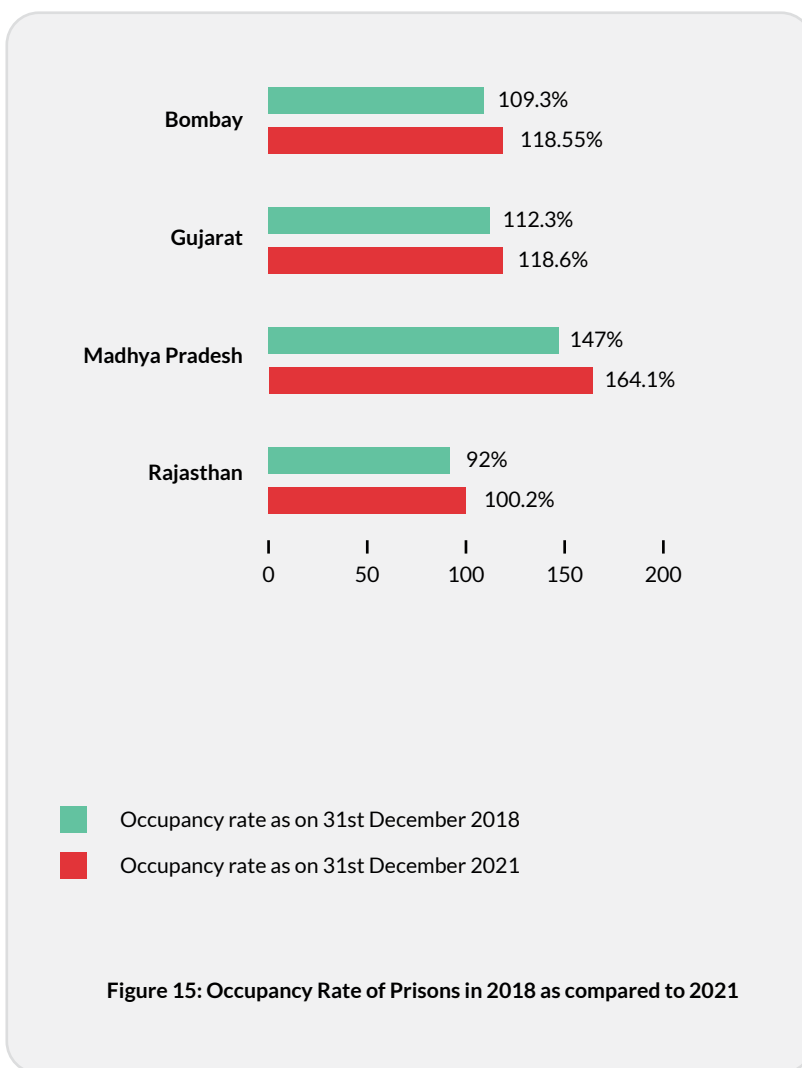
It is interesting to note that the District Courts of Gujarat were the least affected on all indicators like case filings and average disposal of both civil and criminal cases during the pandemic.

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



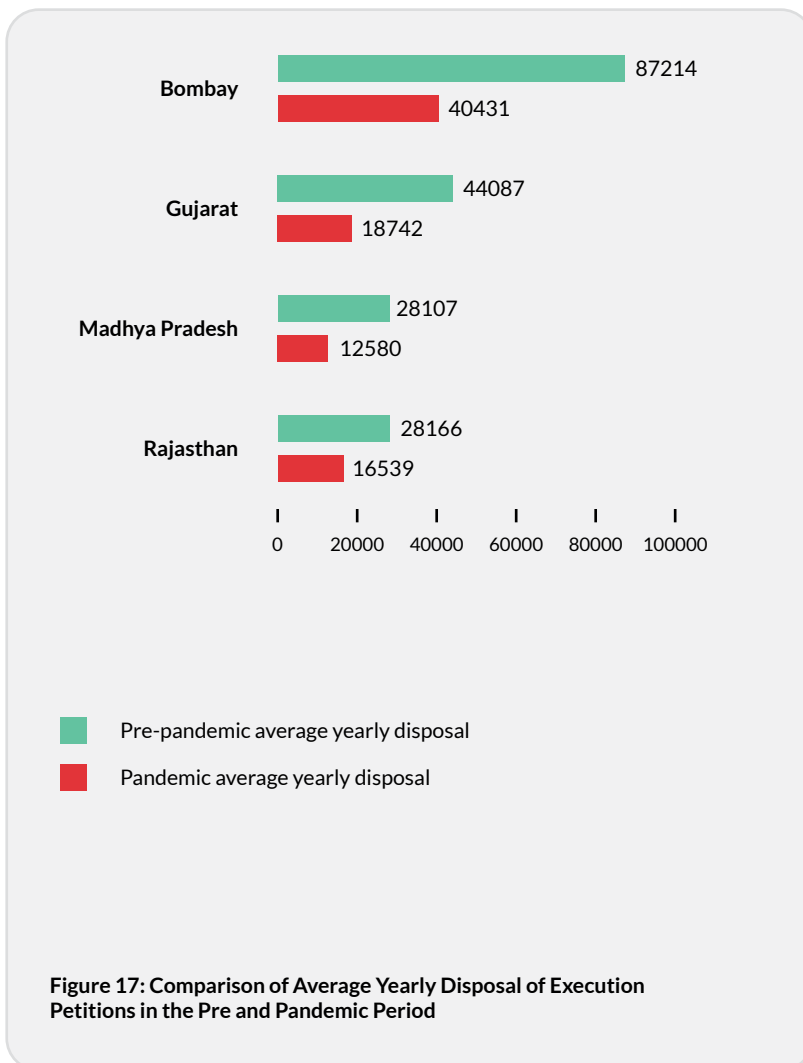
⁴ Dadra and Nagar Haveli and Daman and Diu were separate Union Territories till their merger on 26 January 2020. Hence, the occupancy rate data provided by NCRB is provided separately for Dadra and Nagar Haveli as well as Daman and Diu in 2018 but in 2021 it has been combined, making it difficult to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

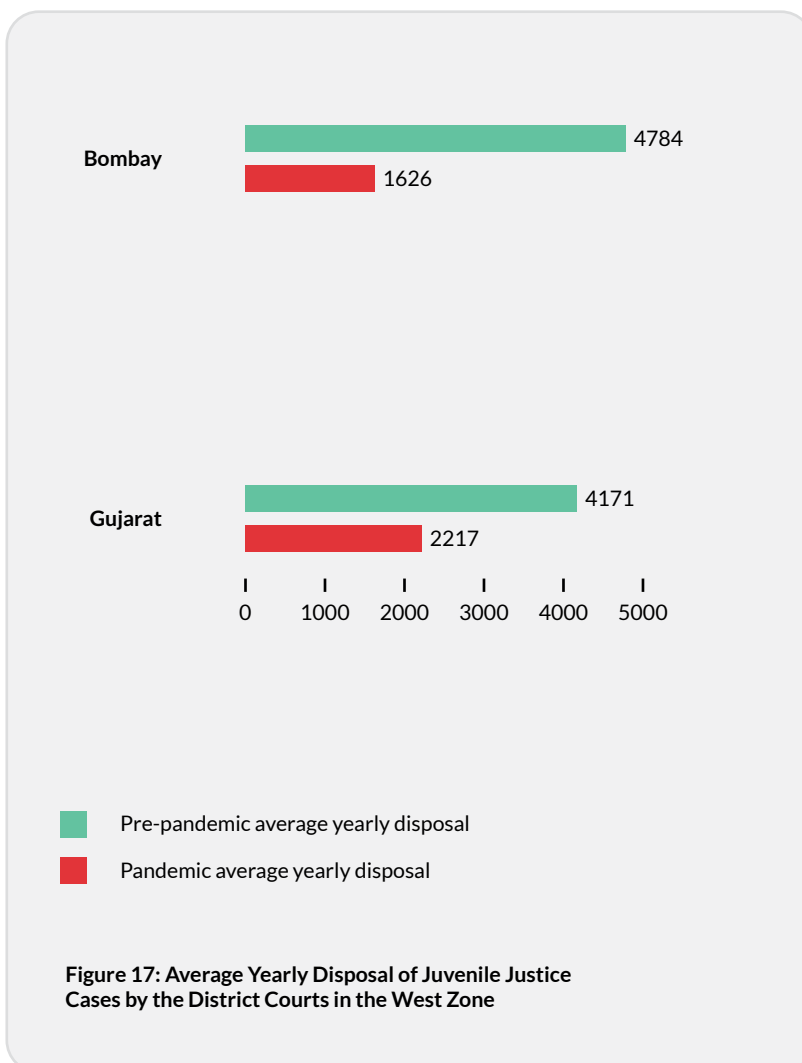


VI

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

