

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO. 875

TO BE ANSWERED ON WEDNESDAY, THE 20TH DECEMBER, 2017.

Case Flow Management Rules

875. SHRI SUMAN BALKA:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government is aware of the Case Flow Management Rules that are laid out to effectively deal with cases in a time-bound manner at different levels of judiciary;**
- (b) if so, the details thereof;**
- (c) whether the Government is aware of the Supreme Court's report of 2012 on the topic of national common standards on Case Flow Management to be applied across all High Courts;**
- (d) if so, the status of implementation of the same and reasons for delay if any and if not implemented till date the reasons therefor; and**
- (e) the steps taken by the Government to ensure implementation of these model rules to reduce time periods for litigation and the pendency of cases?**

ANSWER

**MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P. P. CHAUDHARY)**

(a) & (b): Yes, Madam. The Law Commission has prepared Model Case Flow Management Rules for trial courts, subordinate appellate courts and High Courts following the request from the Supreme Court in Salem Bar Association *versus* Union of India case.

(c) & (d): Yes, Madam. The Supreme Court of India with an objective to revisit and implement the recommendations of Law Commission of India in its various reports to promote Court Management, Case Management and improve Administration of Justice, established the scheme of National Court Management Systems (NCMS) in 2012 for enhancing timely justice under overall control of Chief Justice of India. A National Court Management System Committee (NCMS Committee) was constituted by the Supreme Court to facilitate development of policy initiative in order to reform and strengthen the judicial system and enhance quality and responsiveness of judicial administration. The Policy and Action Plan of the NCMS provides for proposals to be developed by the NCMS Committee on setting measurable performance standards for courts, adoption of case management systems, standardization of judicial data and statistics and adoption of human resource plan for courts. The plan, *inter-alia*, outlines a broad framework for case management, which includes settling issues, encouraging parties to resort to Alternate Dispute Resolution, extensive use of Order X of Code of Civil Procedure, 1908 in civil matters and fixing a time schedule for resolution of cases. However, it was left open to High Courts to implement the recommendations relating to case management.

(e): The Government has adopted a co-ordinated approach to assist judiciary for phased liquidation of arrears and pendency in judicial systems, which, *inter-alia*, involves providing better court infrastructure computerisation, increase in the strength of subordinate judiciary and initiating policy and legislative measures in the areas prone to excessive litigation and emphasis on human resource development. The implementation of rules relating to Case Flow management falls within the ambit of respective High Courts in their areas of jurisdiction.
