

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

LOK SABHA

UNSTARRED QUESTION NO. 3707

TO BE ANSWERED ON WEDNESDAY, THE 11TH DECEMBER, 2019.

Case Flow Management Rules

**3707. SHRI MOHANBHAI KALYANJI KUNDARIYA:
SHRI DHANUSH M.KUMAR:
SHRI SOYAM BAPU RAO:
SHRI SELVAM G:**

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 Supreme Court established the scheme of National Court Management Systems (NCMS), if so, the details thereof;**
- (d) whether this NCMS will be applicable to all courts of the country along with the status of implementation of the same and reasons for delay, if any; and**
- (e) the steps taken by the Government to ensure implementation of these model rules to reduce time bound periods for litigation and the pendency of cases?**

ANSWER

**MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND ELECTRONICS &
INFORMATION TECHNOLOGY**

(SHRI RAVI SHANKAR PRASAD)

(a) & (b): Yes, Sir. In pursuance of the judgment of the Supreme Court in Salem Advocate Bar Association *versus* Union of India case, the Law Commission had prepared draft case flow management rules for subordinate courts and draft case management rules for High Courts.

(c) & (d): Yes, Sir. 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, responsiveness and timely 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. All High Courts have constituted State Court Management System (SCMS) Committee to do similar exercise at the State Level. Similarly, District Court Management System Committee has been constituted at the District level.

(e): The Union Government is committed to speedy disposal of cases and reduction in pendency of cases to improve access to justice. The National Mission for Justice Delivery and Legal Reforms has adopted many strategic initiatives, including improving infrastructure [court halls and residential units] for Judicial Officers of District and Subordinate Courts, leveraging Information and Communication Technology (ICT) for better justice delivery, filling up of vacant positions of Judges in High Courts and Supreme Court, reduction in pendency through follow up by Arrears Committees at District, High Court and Supreme Court level, emphasis on Alternate Dispute Resolution (ADR) and initiatives to fast track special type of cases.
