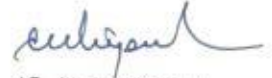


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Government of India
Ministry of Law and Justice
(Department of Justice)

Jaisalmer House, 26-Mansingh Road,
New Delhi - 110 011.
Dated: 31.1.2017.

Subject: Minutes of meeting held with respondents to World Bank report on ease of doing business on 24.01.2017 in Jaisalmer House to discuss reforms pertaining to 'Enforcing Contracts'.

A meeting was held on 24th January, 2017 with respondents of World Bank Report on Ease of Doing Business under the chairmanship of Shri G. R. Raghavender, Joint Secretary, Department of Justice which was attended by officers of Department of Justice, Department of Industrial Policy and Promotion, respondents (law firms) and World Bank. The minutes of the meeting are circulated to all concerned for information and record.



(C. K. Reejonja)
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Enclosures: As above.

1. Shri Ajay Kumar Lal, Joint Secretary (eCourts), Department of Justice.
2. Shri Yashwant Anand Goswami, Member (Project Manager), eCommittee of Supreme Court of India, New Delhi.
3. Shri C.K. Reejonja, Deputy Secretary, Department of Justice.
4. Dr. K.S. Jayachandran, Deputy Secretary, Department of Justice.
5. Shri Z.A. Khan, Under Secretary, Department of Justice.
6. Ms. Pallavi Bedi, Project Manager, JDLR Team, Department of Justice.
7. Sh. Kaviraj Singh, Secretary General, Indian National Bar Association.
8. Shri S. Ramaswamy, Chairperson, GC Section, Indian National Bar Association.
9. Shri Suman Doval, Indian National Bar Association.
10. Shri Dhawal Piplani, Manager, Department of Industrial Policy and Promotion.
11. Ms. Ishita Sinha, Project Manager, Department of Industrial Policy and Promotion.
12. Shri Anuj Chaudhary, World Bank.
13. Ms. Ritika Ganju, Phoenix Legal.
14. Shri Tushin Batra, Decos Legal.
15. Shri Rupal Bhatia, Lex Counsel, Law Offices.
16. Shri Navneet Jain, ASC Legal, Solicitors and Advocates.
17. Shri Shamik Saha, ASC Legal, Solicitors and Advocates.
18. Ms. Tanya Khare, O.P. Khaitan & Co.
19. Shri Sumes Dewan, Lex Favios.
20. Shri Salman Waris, Tech Legis.
21. Dr. Praveen Alok (Partner), O.P. Khaitan & Co.
22. Shri Arun Gupta, Factum Legal.
23. Shri Mrityunjay Kumar, Dhingra & Singh - Attorneys-at-Law.
24. Shri Avinash Vasudevan, Dhingra & Singh - Attorneys-at-Law.
25. Shri Atul Dua, Sr. Partner, Seth Dua Association.
26. All other respondents invited to the meeting.

Copy to:

- (i) Joint Secretary (GRR), Department of Justice.
- (ii) Shri Shailendra Singh, Joint Secretary, Department of Industrial Policy and Promotion.
- (iii) Ms. Reetu Jain, Director, Department of Industrial Policy and Promotion.

DRAFT MINUTES OF MEETING HELD WITH RESPONDENTS TO WORLD BANK REPORT ON EASE OF DOING BUSINESS ON 24.01.2017 IN JAISALMER HOUSE TO DISCUSS REFORMS PERTAINING TO 'ENFORCING CONTRACTS'.

A meeting was held on 24th January, 2017 with respondents of World Bank Report on Ease of Doing Business under the chairmanship of Shri G. R. Raghavender, Joint Secretary, Department of Justice which was attended by other officers of Department of Justice, Department of Industrial Policy and Promotion and World Bank. A list of the participants who attended the meeting is attached at **Annexure-I**.

JS (GRR) welcomed the participants and conveyed that the purpose of calling the meeting was to inform the respondents about the recent developments and reforms initiatives undertaken in the area of 'enforcing contracts'. JS (GRR) thereafter, provided details of the four components of the quality of judicial process indices namely, court structure and proceedings, case management, court automation and alternative dispute resolution. He highlighted the scores assigned by the World Bank to each of these components in its recent report. He further stated that although various reforms had been introduced the same has not been reported in the World Bank Report due to lack of awareness among the respondents.

A discussion with reference to District and Subordinate Courts of Delhi on the above subject was undertaken. The following suggestions/remarks were made by the participants.

- (i) Process service gets delayed in the absence of electronic delivery of service.
- (ii) Process fee should be made a part of Court fees.
- (iii) Government being the biggest litigant must take initiative by resorting to ADR methods to settle disputes.
- (iv) Most of the district courts do not have facilities to enable lawyers to access e courts portal.
- (v) A presentation on the reports available online on the eCourts and NJDG portal was made by Mr. Goshwami, Member, eCommittee.
- (vi) Member, eCommittee also demonstrated how judges can use electronic case management system for accessing laws, regulations and case-law; automatic generation of a hearing schedule for all cases on the judge's docket; sending notifications to lawyers; tracking status of a case on the judge's docket, and viewing and manage case documents (briefs, motions, etc.).
- (vii) Member, eCommittee also demonstrated how lawyers can use electronic case management system for accessing laws, regulations, case laws and forms to be submitted to the court as well as receiving notifications, tracking the status of a case and viewing court orders and decisions in a particular case.
- (viii) Most of the participants pointed out that sms/email services are not available in the subordinate courts of Delhi. Member, eCommittee responded stating that a lawyer has to get himself/herself registered in order to receive notification / messages by email or sms.
- (ix) Some of the participants stated that although there are electronic case management tools available, their implementation remains poor. For example, the Court is required to upload daily orders on the website on a daily basis, however, the same is not being uploaded.
- (x) The participants also suggested the need to fix timelines for oral arguments.
- (xi) The need to evolve a uniform nomenclature for all categories of cases was also pointed out by some of the participants.

- (xii) The participants also expressed the need to strengthen perjury law.
- (xiii) It was also highlighted that the payment of court fee through an electronic mode should be permitted; instead of requiring physical presence of the advocates for obtaining challan/ electronic stamp paper.
- (xiv) It was suggested that lower judiciary should be sensitized about the economic loss owing to delay of cases.
- (xv) The participants unanimously accepted the need to introduce pre-trial conference and recommended the need to introduce a unified law on conflict resolution.
- (xvi) The participants highlighted the need to appoint expert judges to handle commercial cases.
- (xiv) The participants also expressed the need to bring about a fundamental change to the litigation culture, mindset and a commitment from the bar and the bench, to resolve disputes in an efficient and time-bound manner.

Meeting concluded with vote of thanks to the Chairperson.

Annexure-I

List of participants of Meeting with respondents (law firms) to improve India's ranking in World Bank Ease of Doing Business Report, 2017 held on 24.01.2017 in Conference Hall, Jaisalmer House, New Delhi.

1. Shri G.R. Raghavendra, Joint Secretary, Department of Justice, Chairperson.
2. Shri Ajay Kumar Lal, Joint Secretary (eCourts), Department of Justice.
3. Shri Yashwant Anand Goswami, Member (Project Manager), eCommittee of Supreme Court of India, New Delhi.
4. Shri C.K. Reejonia, Deputy Secretary, Department of Justice.
5. Dr. K.S. Jayachandran, Deputy Secretary, Department of Justice.
6. Shri Z.A. Khan, Under Secretary, Department of Justice.
7. Ms. Pallavi Bedi, Project Manager, JDLR Team, Department of Justice.
8. Sh. Kaviraj Singh, Secretary General, Indian National Bar Association.
9. Shri S. Ramaswamy, Chairperson, GC Section, Indian National Bar Association.
10. Shri Suman Doval, Indian National Bar Association.
11. Shri Dhawal Piplani, Manager, Department of Industrial Policy and Promotion.
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14. Ms. Ritika Ganju, Phoenix Legal.
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17. Shri Navneet Jain, ASC Legal, Solicitors and Advocates.
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20. Shri Sumes Dewan, Lex Favios.
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22. Dr. Praveen Alok (Partner), O.P. Khaitan & Co.
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25. Shri Avinash Vasudevan, Dhingra & Singh - Attorneys-at-Law.
26. Shri Atul Dua, Sr. Partner, Seth Dua Association.