



Gujarat National Law University

Gujarat National Law University

Gandhinagar, Gujarat, India



न्याय विभाग
DEPARTMENT OF
JUSTICE

National Conference on Backlog of Cases & Court Management

February 22, 2019

Organized by
Gujarat National Law University, Gandhinagar

Under the aegis of
Department of Justice, Ministry of Law, Govt. of India

ABOUT THE UNIVERSITY

Gujarat National Law University (GNLU) is the statutory university established by the Govt. of Gujarat under the Gujarat National Law University Act, 2003. The University is recognized by the Bar Council of India (BCI) and University Grants Commission (UGC) (2f & 12b). The University is also member of the Association of Indian Universities (AIU) and the University is functioning as nodal agency to uplift the legal education in the State of Gujarat.

The Objectives of the University

The GNLU Act 2003 proclaims that the objectives of the union, "shall be to advance and disseminate learning and knowledge of law and legal processes and their role in national development: to develop in the students and the research scholars sense of responsibility to serve society in the field of law by developing skills in regard to advocacy, legal services, legislation, parliamentary practice, law reforms and such other matters; to make law and legal processes efficient instruments of social development; and to promote inter-disciplinary study of law in relation to management, technology, international cooperation and development."

The ethos of imparting education in Gujarat National Law University comprises of a mutual endeavor of the Faculty and the students who become part of our august family after clearing the hurdle of a rigorous and strenuous selection procedure. The cream of the country finds a place amidst us. The University has been in a process of striving for academic and professional excellence in the field of legal studies in the country. The University became functional from the year, 2004. Our teaching methodology and the student response to it can be safely summarized as being par excellence. Our student fraternity has won us laurels in the various spheres of national and international moot court competitions, paper presentations and the attendant Cultural activities. We strive for an all-round and inter-disciplinary academic excellence in sync with the other National Law Schools of the country.

Since its inception the University has been holding regular in-house Moot Court competitions where-in meritorious students are sent abroad for participating in Moot Court jamborees. The hub of activity happens to be our Moot Court Committee and the Legal Aid Clinic, which have developed a workable and efficient interface with the industry and the Judiciary to the satisfaction of us all. As we persist in our academic endeavors, it won't be an overstatement to make, that our University will become a leader in the sphere of legal education in the country. Our founding myth too objectifies the ideal of, "Let all good and noble thoughts come to us from all directions", which is a hymn from the Rigveda. We, the fraternity of Gujarat National Law University aim at a homogenization of all trends and civilizational patterns by inculcating in our students, an appreciation of other cultures and regions of the country in all its homogeneity.

For more details please visit www.gnlu.ac.in

ABOUT THE CONFERENCE

Judicial pendency has always been an area of discussion since India got freedom and even after seven decades from independence, this evil is not diminishing. At present, total 2,91,31,931 (About three crores) cases (civil and criminal) are pending in Indian courts¹.

No doubt, there has been positive efforts like overhauling procedural laws, setting up of tribunals, promoting alternative dispute resolution methods from legislature as well as from judiciary to curb this menace but the results are not very motivating. The main reasons behind the pendency are- heavy workload on the judges, insufficient strength of judges, insufficient human resource and infrastructure in courts, lengthy and cumbersome procedures which do not necessarily require judicial mind etc.

There is a very old proverb of justice that "Justice should not only be done, it must also seem to be done" but when a litigant is made to wait for years and then he gets the judgment in his favour than justice is only done and in no manner it can be said that justice is seemed to be done. Moreover the Fundamental right of speedy

¹As per the records of National Judicial Data Grid available at <https://njdg.ecourts.gov.in/njdgnw/index.php> accessed on 06th December 2018.

trial and speedy justice² is also violated if the decision is pronounced after many years of hearing.

An important area, which can surely decrease the pendency in significant way, is efficient Court Management System in Judiciary. Courts are being managed by same individuals and in routine manner. Time has come when new techniques and technologies must be adopted by the judiciary for the court management staff and more qualified and efficient staff must be appointed. Looking at this, 13th Finance Commission allocated Rs. 300 Cr. for appointment of Court Managers across country.³ In last five years, states have started appointing court managers in their respective courts. But there are some states which have been lagging behind in implementing the said policy. In a recent case also⁴, the Supreme Court has directed the Government to appoint professionally qualified Court Managers (Preferably with an MBA degree) in all Principal District and Sessions Courts for better court administration.

This conference will focus on the unexplored, unattended, unaddressed reasons behind the backlog of cases and will try to find out what are the positive changes that can be done in court management techniques thereby addressing the menace of judicial backlog.

SUB-THEMES OF THE CONFERENCE

Followings are suggested sub-themes for the conference not exhaustive ones.

Backlog of Cases

Empirical work done in following areas shall be preferred for the conference

- Reasons for pendency in different areas like civil, criminal, revenue etc. and the future prospects to curb the pendency
- Pendency patterns in different courts- Lower Courts, High Courts, Supreme Court, Tribunals, Forums etc.

²As declared by the Supreme Court in the case of Hussainara Khatoon v State of Bihar (AIR 1979 SC 1369).

³http://doj.gov.in/sites/default/files/Annexure_A-Part-I.pdf

⁴An interlocutory application was filed in the case of All India Judges Association & Ors. V Union of India & Ors. (WRIT PETITION (CIVIL) NO. 1022 OF 1989) in which the Supreme Court on 02nd August 2018 directed as above.

- Pendency patterns in different cadre of judges
- Pendency records of judges
- Role of Nationals Law Schools and other Law Colleges in reducing pendency
- Role of judges in administering the pendency issues
- Abuse of court guidelines and rules related to adjournment
- Role of Registrar General and Court managers in reducing pendency
- Judicial vacancy and its effect on pendency
- All India Judiciary and Backlog of cases
- Vacations in judiciary and pendency
- Guidelines for routine adjournments
- Effectiveness of ADR in reducing pendency
- Introducing ADR in criminal cases
- Role of NGOs and Civil Society Organisations in reducing pendency
- Duration of pendency in different courts and its economic assessment
- Adjournments and imposition of realistic cost

Court Management

- Case Management
- Court Management
- Quality Management
- Responsiveness Management: Access to Justice; Legal Aid and User Friendliness
- Management of court resources
- Management of Bar & Litigants
- Management of financial resources
- Court Managers in India – How far they helping the Indian Judicial System?
- Information Technology in Indian Judiciary
- Role of think tanks in judicial process, decision making. Some evidence based work.
- Infrastructure in Judiciary
- Human Resource Management in Judicial System
- Court/Case management framework, performance index
- Role of Bar and Bench in court management
- Comparative analysis of court management in other countries
- Need of dedicated Law/Regulations for Court Management System in India

WHO SHOULD ATTEND?

Academicians, Judges, Students, Lawyers, Court Managers, Policy Makers, Practitioners, people from NGOs, Think tanks etc.

OUTCOME OF THE CONFERENCE

We invite well researched, evidenced based papers discussing the backlog of cases, speedy disposal of cases, Case Management, Court Management and other allied judicial and managerial aspects.

Followings are the guidelines for the papers;

- Word limit for Extended Abstract: 1000 words in following format with 5 key words.
 - I. Cover page containing name, affiliation, contact details of the author(s)
 - II. Title
 - III. Background
 - IV. Observation
 - V. Suggestions/Recommendation
- Full length paper 6000 to 8000 words
- Font Size - Heading 14, Text 12, Font - Times News Roman, Spacing 1.5" Margin 1"
- All references to be mentioned in the foot note (OSCOLA Refrencing)
- Paper(s) to be submitted in word file to **nbc2019@gnlu.ac.in**

All selected papers will be compiled and may be published in Book having ISBN and submitted to Department of Justice, Ministry of Law for further consideration.

Important Dates

Submission of Extended Abstract	: January 10, 2019
Acceptance of Extended Abstract	: January 12, 2019
Submission of Full Length Paper	: February 08, 2019
Acceptance of Full Length Paper	: February 12, 2019
Last Date of Payment of Fees	: February 15, 2019

Registration fees

Student/Research Scholar : Rs. 500 /-

Academician/Professional : Rs. 1,000 /-

Accommodation will be provided on charge basis as per GNLU Norms

Payment Link :-

<https://www.onlinesbi.com/prelogin/icollecthome.htm?corpID=627430>

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