

**THE GAUHATI HIGH COURT**  
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

**NOTIFICATION NO. 41**  
Dated: Guwahati, the 7<sup>th</sup> of June, 2024

In line with the "**Action Plan for Arrears Reduction in District Judiciary (APAAr-DJ)**" prepared by the "*Committee for Model Case Flow Management Rules for Trial Courts, District Appellate Courts, High Courts and to suggest a plan for reduction of arrears in the High Courts and District Courts*" of the Hon'ble Supreme Court of India, the Hon'ble Gauhati High Court has been pleased to introduce the "**Action Plan for Arrears Reduction in District Judiciary (APAAr-DJ)**" as outlined below.

**ACTION PLAN FOR ARREARS REDUCTION IN DISTRICT JUDICIARY**  
**(APAAr-DJ)**

**1. FORMATION OF DISTRICT CASE MANAGEMENT COMMITTEE**

A District Case Management Committee shall be established in each district by **15-06-2024**.

**1.1 Composition of the District Case Management Committee**

- (i) The District & Sessions Judge concerned as the Chairman.
- (ii) The District & Sessions Judge shall nominate (as deemed fit and proper) as Members of the District Case Management Committee:
  - (a) The Principal Judge, Family Court and/or Member, MACT (only in districts where there are Family Courts and/or Motor Accident Claims Tribunals); and/or,
  - (b) The Special Judge (CBI / Assam); and/or,
  - (c) The Addl. District & Sessions Judge; and/or,
  - (d) The Civil Judge (Sr. Div.); and/or
  - (e) The Chief Judicial Magistrate; and/or,
  - (f) The Secretary, District Legal Services Authority, and/or,
  - (g) The Principal Magistrate, Juvenile Justice Board.

## **1.2 Functions of the District Case Management Committee**

- (i) Identification of all 10 / 20 / 30 years old cases (civil / criminal / LAC / MACT / POCSO / family disputes) (as on 31-12-2023) and taking into account all those cases fall in this category (as on 01-01-2025) and preparation of a list of such cases by such Courts.
- (ii) Identification of all interim applications / execution cases pending since the last 3 months and above and preparation of a list of such cases by such Courts (such lists shall have to be updated from time to time).
- (iii) Preparation of a list of old / targeted cases where there is a stay order of the Gauhati High Court / Supreme Court of India and thereafter, forwarding the same to the Registrar (Judicial) every month for taking appropriate directions from Hon'ble Arrear Committee to facilitate the progression. The list is to be furnished only by e-mail at **actionplan.ghc@gmail.com**.
- (iv) Reporting to the Gauhati High Court highlighting the dearth of Public Prosecutor if such cases arise.
- (v) In addition to the above functions, the District Case Management Committee shall be at liberty to adopt any other measure for disposal of old pending cases taking into account the circumstances in existence in the respective district for the successful implementation of the Action Plan.

## **1.3 Operation Framework**

### **1.3(A) Phase – I (June to July, 2024)**

- (i) Formation of District Case Management Committee in each district by 15-06-2024.
- (ii) Preparation of lists of targeted cases for each Court for forwarding to the Registrar (Judicial), Gauhati High Court, by e-mail at **actionplan.ghc@gmail.com**.
- (iii) Displaying the list in Notice Board of the respective Courts.

- (iv) Fixing timelines for disposal of such cases after consultation with the Judicial Officers / Advocates.
- (v) Physical verification of cases and reconciling with the National Judicial Data Grid / CIS as expeditiously as possible.
- (vi) Identifying undated cases.
- (vii) Reconstitution of records of lost / misplaced / untraceable case files.
- (viii) Equitable distribution of oldest cases.
- (ix) Appointment of Nodal Officers from the Police (for processes) and the Revenue Department (for survey / preparation of final decree).

### **1.3(B) Phase – II (August to December, 2024)**

- (i) Disposal of all cases which are 10 / 20 / 30 years old.
- (ii) Identification and disposal of:
  - (a) 50 oldest cases (25 civil and 25 criminal cases) by all regular Courts.
  - (b) 100 oldest cases (by Family Courts / Commercial Courts / Juvenile Justice Boards).
  - (c) 50 oldest POCSO cases (by exclusive POCSO Courts).
  - (d) 25 oldest Prevention of Corruption Act cases (CBI / State).
  - (e) 100 oldest Land Acquisition Act cases.
  - (f) 200 oldest Motor Accident Claims cases (by Motor Accident Claims Tribunals) and 100 cases by regular Courts.
  - (g) 300 oldest Negotiable Instruments Act cases.
  - (h) 20 oldest execution cases.

### **1.3(C) Phase – III (January to June, 2025)**

- (i) Disposal of all cases which are 10 years and more old.
- (ii) Identification and disposal of cases as at Phase – II, i.e.:
  - (a) 50 oldest cases (25 civil and 25 criminal cases) by all regular Courts.
  - (b) 100 oldest cases (by Family Courts / Commercial Courts / Juvenile Justice Boards).

- (c) 50 oldest POCSO cases (by exclusive POCSO Courts).
- (d) 25 oldest Prevention of Corruption Act cases (CBI / State).
- (e) 100 oldest Land Acquisition Act cases.
- (f) 200 oldest Motor Accident Claims cases (by Motor Accident Claims Tribunals) and 100 cases by regular Courts.
- (g) 300 oldest Negotiable Instruments Act cases.
- (h) 20 oldest execution cases.

The above "**Action Plan for Arrears Reduction in District Judiciary (APaR-DJ)**" shall come into effect immediately and **shall be followed in addition to Order No. 24 dated 24-04-2013 and Order No. 24(A) dated 20-05-2017 issued earlier by the Hon'ble Gauhati High Court and enclosed herewith.**

**By Order,**

**Sd/- S. Dhar**

**REGISTRAR (JUDICIAL)**

**Memo No. HC.III/10/2024/2451-2481/G dated 7<sup>th</sup> June, 2024**

Copy to:

1. The Secretary General, Supreme Court of India, Guwahati.
2. The L.R. & Secretary to the Govt. of Assam, Judicial Department, Janata Bhawan, Guwahati.
3. The Secretary to the Govt. of Nagaland, Law & Justice Department, Kohima.
4. The Secretary to the Govt. of Mizoram, Law and Judicial Department, Aizawl.
5. The Secretary to the Govt. of Arunachal Pradesh, Law, Justice and Legislative Department, Itanagar.
6. The Director General of Police, Assam / Nagaland / Mizoram / Arunachal Pradesh.

***(He is requested to circulate the Notification amongst the Officers in his respective State).***

7. The Registrar (Vig. / Admn. / Estt.), Gauhati High Court, Guwahati.
8. The Registrar-cum-Principal Secretary to Hon'ble the Chief Justice, Gauhati High Court, Guwahati.
9. The Registrar, Gauhati High Court, Kohima Bench, Kohima/ Aizawl Bench, Aizawl/Itanagar Permanent Bench, Yupia.

***(He is requested to circulate the Notification amongst the Judicial Officers of his respective State).***

10. The District & Sessions Judge,  
Bajali / Baksa / Barpeta / Biswanath / Bogaigaon / Cachar / Chirang / Charaideo / Darrang / Dhemaji / Dhubri / Dibrugarh / Dima Hasao / Goalpara / Golaghat / Hailakandi / Hojai / Jorhat / Kamrup / Kamrup (M) / Karbi Anglong / Karimganj / Kokrajhar / Lakhimpur / Majuli / Morigaon / Nagaon / Nalbari / Sivasagar / Sonitpur / South Salmara-Mankachar / Tinsukia / Udalguri / West Karbi Anglong.

***(He / She is requested to circulate the Notification amongst the Judicial Officers under his / her jurisdiction).***

11. The Secretary, Gauhati High Court Legal Services Committee.  
12. The Member Secretary, Assam State Legal Services Authority / Nagaland State Legal Services Authority / Mizoram State Legal Services Authority / Arunachal Pradesh State Legal Services Authority.

***(He / She is requested to inform all the Grade-II & III Judicial Officers under his / her control about this Notification).***

13. The Principal Judge, Family Court, Barpeta / Cachar / Dhubri / Kamrup (M) No. 1, No. 2 & No. 3 / Nalbari .

***(He / She is requested to inform all the Officers under his / her control about this Notification).***

14. The Presiding Officer, Industrial Tribunal, Guwahati / Dibrugarh / Cachar.  
15. The Member, MACT, Barpeta / Cachar / Dhubri / Goalpara / Kamrup / Kamrup (M) No. 1, 2 & 3 / Nagaon / Nalbari / Sonitpur.  
16. The Presiding Officer, Labour Court, Dibrugarh / Kamrup (M).  
17. The Special Judge-cum-Judge, Designated Court, Assam.  
18. The Special Judge, Assam.  
19. The Special Judge, NDPS Court, Guwahati, Assam.  
20. The Special Judge, CBI & NIA, Guwahati, Assam.  
21. The Special Judge, CBI, Addl. Court No. 1, 2 & 3, Guwahati, Assam.  
22. The Chief Judicial Magistrates of Assam.

Bajali / Baksa / Barpeta / Biswanath / Bogaigaon / Cachar / Chirang / Charaideo / Darrang / Dhemaji / Dhubri / Dibrugarh / Dima Hasao / Goalpara / Golaghat / Hailakandi / Hojai / Jorhat / Kamrup / Kamrup (M) / Karbi Anglong / Karimganj / Kokrajhar / Lakhimpur / Majuli / Morigaon / Nagaon / Nalbari / Sivasagar / Sonitpur / South Salmara-Mankachar / Tinsukia / Udalguri / West Karbi Anglong.

***(He / She is requested to inform all the Grade-II & III Judicial Officers under his/her control about this Notification)***

23. The Joint Registrar ( ), Gauhati High Court, Guwahati.

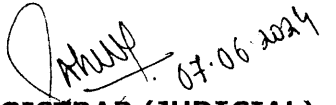
24. The Director, Law Research Institute, Gauhati High Court, Guwahati.  
25. The Research Officer, Judicial Academy, Assam.

***(She is requested to place this Notification before the Hon'ble Director, Judicial Academy, Assam).***

26. The Deputy Registrar ( \_\_\_\_\_ ), Gauhati High Court, Guwahati.  
27. The Asstt. Registrar ( \_\_\_\_\_ ), Gauhati High Court, Guwahati.  
28. The Project Manager, Gauhati High Court, Guwahati.

***(He is requested to upload this Notification in the website of Gauhati High Court).***

29. The Librarian-cum-Research Officer, Gauhati High Court, Guwahati.  
30. The P.S. to Hon'ble Mr. / Mrs. Justice \_\_\_\_\_, Judge, Gauhati High Court, Guwahati.  
31. The Administrative Officer (Judicial), \_\_\_\_\_, Gauhati High Court, Guwahati.  
32. The C.A. to the Registrar General, Gauhati High Court, Guwahati.

  
**REGISTRAR (JUDICIAL)**

**THE GAUHATI HIGH COURT**  
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL  
PRADESH)

**ORDER No. 24**  
Dated Guwahati, the 24<sup>th</sup> April 2013

In supersession of all previous orders, the Hon'ble Gauhati High Court has been pleased to introduce the following Action Plan for reduction in pendency of five years and longer pending cases, for the period with effect from 01.05.2013 to 31.12.2013.

**A. FOR THE COURTS OF DISTRICT & SESSIONS JUDGES AND  
ADDITIONAL DISTRICT & SESSIONS JUDGES**

1. All five years and longer pending cases shall be disposed of before the end of the Action Plan, giving top priority and holding day-to-day trial. Hearing of such cases shall not ordinarily be adjourned beyond fifteen days.
2. All the cases of Under Trial Prisoners (UTPs), where the UTP is in custody for more than two years and where charge sheet have been filed shall be disposed of holding day-to-day trial. All such cases shall be identified forthwith, and a report of such cases shall be forwarded to the Hon'ble High Court.
3. All Criminal Appeals pending for more than one year and all Criminal Revisions pending for more than six months shall be disposed of, holding day-to-day trial, before the end of the Action Plan.
4. Revision petitions filed challenging order passed in Section 125 Cr.P.C. proceedings, guardianship petitions and petitions seeking custody of children shall always be disposed of within a period six months from the date of filing.

**B. FOR THE COURTS OF CIVIL JUDGE / MUNSIFF /  
JUDICIAL MAGISTRATE**

1. Civil Courts shall dispose of all five years and longer pending suits, execution petitions, miscellaneous cases etc., and the Judicial Magistrates shall dispose of all five years and longer pending cases before the end of the Action Plan.
2. All cases of Under Trial Prisoners, where the accused is in judicial custody for more than six months, shall be disposed of within the next three months.
3. Judicial Magistrates dealing with NI Act cases shall dispose of all five years and longer pending cases, if any, within the next three months and shall always dispose of such cases within a period of six months from the date of institution.

4. Judicial Magistrates must dispose of all petitions filed under Section 125 Cr.P.C within a period of six months, from the date of the filing.
5. The presiding officers of civil courts must dispose of Caveat filed under section 148-A CPC within the stipulated period of ninety days.
6. Judicial Magistrates shall not pass order for further remand of accused in judicial custody mechanically. Before passing an order for further remand, the Judicial Magistrate shall see that if the period of detention already undergone is longer than the probable punishment, which may be given on conviction, in the facts and circumstances of a particular case. Instead of remanding again to judicial custody, the accused shall be released.
7. Judicial Magistrates shall dispose of all one-year old petty cases holding lok adalat/holiday court within the next three months. The Judicial Officers shall resort to the provisions of Section 258 Cr.P.C. for disposing of such cases.
8. In appropriate cases, the criminal courts shall resort to the provisions of Section 309 Cr.P.C. and see that the enquiry or trials are concluded expeditiously. The Courts shall not grant adjournments either to the defense or to the prosecution whenever such prayer is made. Even if the adjournment is granted, necessary cost shall be awarded to the other party. In fit and appropriate cases, no adjournment shall be granted and the proceedings shall be stopped.

**C. SPECIAL JUDGES (CBI COURTS)/SPECIAL JUDGE COURT, ASSAM.**

At least fifteen oldest pending cases under the Prevention of Corruption Act shall be disposed of by each court.

**D. MOTOR ACCIDENT CLAIMS TRIBUNALS**

Judicial Officers working exclusively in such tribunals shall dispose of all five years and longer pending cases. The Presiding Officers shall ensure submission of **Accident Information Report** by the Police as per the direction of the Hon'ble Supreme Court.

**For making the judicial system free of five years and longer pending cases, all the Judicial Officers shall try to dispose of the four years and longer pending cases before the period of Action Plan so that the same may not add to the back log of old pending cases at the end of the Action Plan.**

**All the Judicial Officer shall try to dispose of one old pending case on each working day.**



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**Further, all the Judicial Officers shall adhere to the following directions:-**

- i) Cases, involving social concern, shall be treated as a special category, and shall be put on fast track in order to dispose of such cases speedily, holding day-to-day trial.
- ii) In every case where there is a victim, the Court shall grant interim compensation to the victim as per the provision of section 357A of the Cr.P.C., irrespective of the fact whether the accused has committed the alleged crime or not. If there is a victim of a crime, interim compensation shall be granted to the victim by the court, even if the victim files no petition seeking interim compensation. Order granting final compensation as per the Scheme formulated by the State Government under Section 357A CR.P.C., shall be passed at the time of disposal of the case.
- iii) Weekly inspection of Civil and Criminal Nazarat be made by the respective Judge-in-charge to ascertain timely service of process and shall submit report to the concerned District & Sessions Judge.
- iv) Every District & Sessions Judge shall hold meeting every day at 09.30 A.M. for 15/20 minutes with the Judicial Officers of the district. The District & Sessions Judges shall guide the Judicial Officers within their jurisdiction, to increase the qualitative and quantitative output of the officers.
- v) The District & Sessions Judges and the Chief Judicial Magistrates shall hold meetings with the staff of their offices once in a month and evaluate their performance and shall motivate them to work sincerely so that the Courts can discharge their duties effectively.
- vi) The District & Sessions Judges shall hold monthly meeting with the Deputy Commissioners and the Superintends of Police of their respective districts for improving the justice delivery system. The District & Sessions Judges shall furnish the list of the cases, with the name of the concerned police stations, where the processes have not been served. In the next monthly meeting, the District & Sessions Judges shall obtain feedback from the District Police Authorities about the action taken relating to the service of processes of those cases intimation of which were given in the previous month. The minutes of the meeting shall be maintained in a separate register, copy of which shall be forwarded to the Registry, within one week thereafter.
- vii) Effort shall be made by all the Judicial Officers to fix those criminal cases, where the I.O. or the M.O. is same, on the same day, so that their evidences can be recorded in one day and if the case has to be adjourned due to circumstances beyond the control of the court or the parties or the advocates, on the next day. The possibility of examining the I.O. and the M.O. on a particular day shall be explored.