

# Lifecycle study of criminal cases in Mumbai shows massive delays: Praja Foundation

An analysis of Sessions court cases showed that it took 11.1 months from FIR to file charge sheet

Mrityunjay Bose, DHNS, NOV 27 2020, 11:02 IST UPDATED: NOV | 27 2020, 11:02 IST



A year-on-year comprehensive lifecycle study of cases in the financial capital of Mumbai has reflected inordinate delays bringing to light the shortage of police personnel, prosecutors and judges.

The lifecycle study conducted for Sessions court cases from 2013 to 2017, shows that it took, on an average, 11.1 months from the FIR to charge sheet, while the same should be done within 90 days. Further, it took, on an average, 2.4 years from first hearing to judgement.

The study was conducted by the Praja Foundation, which for the last two decades have been working for accountable governance.

"In 2019-20 for example, there was an 18% shortage of police personnel in Mumbai compared to sanctioned posts. This, in turn, has an impact on the existing workforce, including extended work hours and working conditions that affect the overall health of police, reducing their ability to perform their duties effectively", said Nitai Mehta, founder and managing trustee, Praja Foundation.

"Vacancy in sanctioned posts also has a direct impact on performance in case of the judiciary, where there was a 28% shortage in public prosecutors and 14% shortage of Sessions court judges. In 2019, 2,49,922 cases were to be tried in courts for IPC in Mumbai in 2019 out of which judgement was given in just 6% of the cases," added Mehta.

One of the ways adopted to reduce high pendency of cases was passing of special laws with clear provisions for timely completion of cases through special courts -- however, these too have not been successful. One such example is the Protection of Children from Sexual Offences (POCSO) Act, 2012 which, recognising the need for controlling and providing speedy justice in the case of sexual crimes against children, provided for these cases to be completed within one year from the date of cognisance while being tried in a special POCSO court.

"However in 2019, while 1,319 cases of POCSO were registered, just 448 cases were tried in courts, of which only half (222) were tried in the special POCSO court.

Moreover, only 20% of these judgements in POCSO courts were pronounced within one year (as required by the act" said Mehta

To improve the policing and the judicial system it is first important to fill vacant posts and look at reforms that reduce the burden on the existing personnel and ensure better working conditions for them so that they can perform their duties effectively This will in turn also lead to improved quality of investigation and timely justice.

A second bigger, and more challenging aspect, is to sensitise and train the people operating within the system. What any victim first needs, is an unbiased, co-operative and sensitive police and judiciary.

Third, like any other system or governance structure, monitoring is key to ensuring accountability in the system. In line with this, implementation of reforms such as the Police Complaints Authority at the divisional level to take

complaints against the police (rank of a senior police inspector and below) needs to be done and the body needs to be given considerable and independent authority to make decisions.

"We need people to be partners in policing through a police-public relationship of trust and collaboration, to not just effectively report and investigate crimes or maintain law and order, but to address and tackle the inherent and underlying causes of crime," added Mehta.

Link:- <https://www.deccanherald.com/national/west/lifecycle-study-of-criminal-cases-in-mumbai-shows-massive-delays-praja-foundation-920390.html>