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## INTRODUCTION

Ministry of Law and Justice is the oldest limb of the Government of India dating back to 1833 when the Charter Act 1833 was enacted by the British Parliament. The said Act vested legislative power in a single authority for the first time, namely the Governor General of Council, by virtue of this authority and the authority vested under him under section 22 of the Indian Councils Act 1861 to 1920. After the commencement of the Government of India Act 1919 the legislative power was exercised by the Indian Legislature constituted thereunder. The Government of India Act 1919 was followed by the Government of India Act 1935. With the passing of the Indian Independence Act 1947, India became a Dominion and the Dominion Legislature made laws from 1947 to 1949 under the provisions of section 100 of the Government of India Act 1935 as adapted by the India (Provisional Constitution) Order 1947. Under the Constitution of India which came into force on the 26th January 1950 the legislative power is vested in Parliament.

## COMPOSITION OF THE MINISTRY

Ministry of Law and Justice comprises of the Legislative Department and the Department of Legal Affairs and Department of Justice. In so far as Department of Justice is concerned, a separate Chapter (Chapter III) has been brought out covering all details.

The Department of Legal Affairs is concerned with advising the various Ministries of the Central Government while the Legislative Department is concerned with drafting of principal legislations for the Central Government.

## MISSION

To transform Government into an efficient and responsible litigant;

To bring reforms in the Indian Legal System to achieve expansion, inclusion and excellence in Legal Education, the Legal Profession and legal services, including the Indian Legal Service.

To develop a system towards creating legal professionals so that they can meet future challenges not only for India but also of the world both in litigation and non-litigation field and to focus on their social responsibility and strong professional ethics. Having realized the aspirations of the Twelfth Five Year Plan, constraints such as enormous litigation (3.3 cr.), consequent burden on the public exchequer or on resources including man power and need to confer wide discretionary powers on government authorities, our mission is aimed to have proper legal framework to channelize administrative power, conflict management, help in enforcing rule of law & achieving the objectives set by various wings of government.

## OBJECTIVES

- To facilitate the functioning of Ministries and Departments for good governance by providing legal advice/opinion relating to matters referred to by them as well as examination of legislative proposals.
- To reform the Indian Legal Service to make it efficient, responsive and globally competitive.
- To develop a comprehensive e-governance solution for Central Agency Section and IT enabled transformation of the Department of Legal Affairs.
- To reduce litigation and encourage settlement of disputes by Alternative Dispute Resolution (ADR) methods.
- To promote excellence in the Legal Profession and to develop a frame work to usher in a new era in the field of legal education.
- To bring in Legal reforms.
- To effectively administer the acts under the purview of this Department viz., the Advocates Act, 1961, the Notaries Act, 1952, the Legal Services Authorities Act, 1987 and the Advocates Welfare Fund Act, 2001.

## CHAPTER-I

### DEPARTMENT OF LEGAL AFFAIRS

#### 1. FUNCTIONS AND ORGANISATIONAL SET UP

1.1 The Department has been allocated the following items as per the Government of India (Allocation of Business) Rules, 1961:-

1. Advice to Ministries/Departments on legal matters including interpretation of the Constitution and the laws, conveyancing and engagement of counsels to appear on behalf of the Union of India in the High Courts and subordinate courts where the Union of India is a party.
2. Attorney General of India, Solicitor General of India, and other Central Government law officers of the States whose services are shared by the Ministries of the Government of India.
3. Conduct of cases in the Supreme Court and the High Courts on behalf of the Central Government and on behalf of the Governments of States participating in the Central Agency Scheme.
4. Reciprocal arrangements with foreign countries for the service of summons in civil suits for the execution of decrees of Civil Courts, for the enforcement of maintenance orders, and for the administration of the estates of foreigners dying in India.
5. Authorization of officers to execute contracts and assurances of property on behalf of the President under Article 299(1) of the Constitution of India, and authorization of officers to sign and verify plaints or written statements in suits by or against the Central Government.
6. Indian Legal Service.
7. Treaties and Agreements with foreign countries in matters of civil law.
8. Law Commission.
9. Legal Profession including the Advocates Act, 1961 (25 of 1961) and persons entitled to practice before High Courts.
10. Enlargement of the jurisdiction of Supreme Court and the conferring thereon of further powers; persons entitled to practice before the Supreme Court, references to the Supreme Court under Article 143 of the Constitution of India.
11. Administration of the Notaries Act, 1952 (53 of 1952)
12. Income-tax Appellate Tribunal.
13. Appellate Tribunal for Foreign Exchange



The Department has also been allocated administration of the following Acts:-

- (a) The Advocates Act, 1961;
- (b) The Notaries Act, 1952;
- (c) The Advocates' Welfare Fund Act, 2001;
- (d) The National Tax Tribunal Act, 2005

1.2 The Department is also administratively in-charge of the Appellate Tribunal for Foreign Exchange, the Income Tax Appellate Tribunal, National Tax Tribunal and the Law Commission of India. The Department is also administratively concerned with all the matters relating to the Indian Legal Service. It is further connected with the appointment of Law Officers namely the Attorney General of India, the Solicitor General of India and the Additional Solicitors General of India. With a view to promote studies and research in law and with a view to promoting Alternative Disputes Resolution Mechanism as well as improvement in legal profession, this Department sanctions grants in aid to certain institutions engaged in these fields like Indian Law Institute, International Centre for Alternative Dispute Resolution, Institute of Constitutional and Parliamentary Studies and Bar Council of India.

## **2. ORGANISATIONAL SET-UP**

The Department of Legal Affairs has a two tier set up, namely, the Main Secretariat at New Delhi and the Branch Secretariats at Mumbai, Kolkata, Chennai and Bengaluru. The nature of duties discharged can be broadly classified into two areas- Advice work and Litigation work. The Organisational Chart of the Department of Legal Affairs is at Annexure-I.

### **(1) MAIN SECRETARIAT**

- (i) The set up at the Main Secretariat includes Law Secretary, Additional Secretaries, Joint Secretary and Legal Advisers and other Legal Advisers at various levels. The work relating to tendering of legal advice and conveyancing has been distributed amongst groups of officers. Each group is normally headed by an Additional Secretary or a Joint Secretary and Legal Adviser, who, in turn, is assisted by a number of other Legal Advisers at different levels.
- (ii) The litigation work in the Supreme Court on behalf of all the Ministries/Departments of the Government of India and some administrations of the Union Territories is handled by the Central Agency Section presently headed by an IRPS officer of the rank of Joint Secretary and is assisted by three Additional Government Advocates, two Deputy Government Advocate, two Assistant Government Advocates, one Section Officer and other staff.
- (iii) The litigation work in the High Court of Delhi on behalf of all the Ministries/Departments of the Government of India is processed by the Litigation (High Court) Section presently headed by a Deputy Legal Adviser.

- (iv) The litigation work in the Subordinate Courts in Delhi is handled by the Litigation (Lower Court) Section presently headed by an Assistant Legal Adviser.
- (v) The Department has a special cell, namely, Implementation Cell for dealing with the implementation of the recommendations of the Law Commission and the administration of the Advocates Act, 1961. It also deals with the legal profession. This Cell is also concerned with the National Tax Tribunal Act, 2005 and it has also been entrusted with the work of coordination under the Right to Information Act, 2005.
- (vi) There is one post of Joint Secretary & Legal Adviser each in Railway Board and Department of Telecommunications respectively and the incumbents to the posts function from the said offices. Presently, a Deputy Legal Adviser is functioning in Department of Telecommunications. Further, there is one sanctioned post of Joint Secretary and Legal Adviser in the Department of Public Enterprises and the incumbent functions as an Arbitrator under the scheme of Permanent Machinery of Arbitration in that Department. One Deputy Legal Adviser functions as an Arbitrator in the Arbitration cases in the DGS&D. Further, one Deputy Legal Adviser functions from the Army Purchase Organisation under the Ministry of Defence. In addition, some posts of different levels such as Additional Legal Adviser, Deputy Legal Adviser and Assistant Legal Adviser also exist in the Ministry of Defence, Ministry of Labour, Ministry of Urban Development and DGS&D.

## **(2) CREATION OF ILS**

With the development of the society, the legal profession underwent a metamorphosis and several attempts have been made for proper dispensation of justice and to cater to the legal needs of the society. One such attempt made in 1956 to cater to the needs of the Government qualitatively is creation of Central Legal Service (the forerunner of the present Indian Legal Service). The Government of India in the Ministry of Law and Justice established Indian Legal Service under the Indian Legal Service Rules, 1957, which came into force on the 1st October 1957. Since inception, the officers of the Indian Legal Service have been rendering dedicated service to the nation by giving legal advice in important matters to various Ministries/Departments of the Government of India and drafting bills and ordinances which are introduced in the Parliament. This service has given Governors to States, Secretary General to Parliament, Chief Election Commissioner and Election Commissioners, Judges to High Courts and Judicial Officers to various Tribunals like CAT, ITAT, DRT etc.

## **(3) ROLE OF ILS**

The officers of the Indian Legal Service (ILS), being the principal legal organ of the Government of India rose to the challenges and acquitted them well. The digital revolution has ushered in information economy which in turn has powered up new areas of wealth creation. This necessitates them to examine the legal structure, which will serve the information economy. They being the

Principal legal advisers to the Government have responded effectively and speedily to the demands made upon them by the various organs of the Government and playing a pivotal role in both advisory as well as in drafting work. They play a role in shaping the very stones that will maintain the constitutional foundations, extend structures, and stand against weather adversity. They all are bricklayers of the Constitutional Cathedral.

### **3. ADVICE 'A' SECTION**

Advice 'A' Section has received 4092 references from various Ministries/ Departments of the Government of India for vetting of Documents and Legal opinions/Advices on various issues (including references for advice received from the office of Law Secretary, Addl. Secretaries and Joint Secretaries) which were duly attended and the opinion tendered by the officers of this Department were forwarded to the respective Ministries/ Departments, for needful action. In addition, the officers of this Department also participated in various National/ International Meetings and Conferences.

- (2) Apart from tendering legal advice, this section has dealt with references and other communications received by the Hon'ble Minister and Officers of this Department.
- (3) 65 matters relating to RTI Application pertaining to the Advice A & B Sections were also dealt with.
- (4) 158 references relating to conveyancing including a number of international agreements were also dealt with by the section.
- (5) During the aforesaid period, 58 Cabinet Notes and 79 references relating to State Bills and Ordinances were received for examination.

### **4. ADVICE 'B' SECTION**

Advice 'B' Section has received 3572 references from various Ministries/ Departments of the Government of India for vetting of Documents and Legal opinions/advice on various issues (including references for advice received from the office of Law Secretary, Addl. Secretaries and Joint Secretaries) which were duly attended to, and the opinion tendered by the officers of this Department were forwarded to the respective Ministries/ Departments, for needful action. In addition, the officers of this Department also participated in various National/ International Meetings and Conferences.

- (2) Apart from tendering legal advice, this section has dealt with references and other communications received by the Hon'ble Minister and Officers of this Department.
- (3) During the aforesaid period, 142 Cabinet Notes, 774 SLP/AG/SG/ASG opinions and 85 notices of Meetings were received for examination from Legal and constitutional aspect. Further, matters relating to Parliament Questions and Assurances pertaining to Advice A & B Sections were also dealt with.

## **5. CENTRAL AGENCY SECTION**

Central Agency Section (CAS) was set-up in the year 1950. This office is responsible for conducting litigation before Hon'ble Supreme Court of India on behalf of all Ministries / Departments of the Central Government and also on behalf of NCT of Delhi, Union Territories, the office of the Comptroller & Auditor General of India including all field offices under C&AG. All Special Leave Petitions on behalf of Union of India are filed after obtaining opinion of Law Officers on the feasibility of filing Special Leave Petitions / Civil Appeals in the Supreme Court through Central Agency Section. This office is presently looked after by a Joint Secretary ; who has been declared as In-charge of this office and has been delegated the powers of Head of Department. He is assisted by 6 Government Advocates and other Gazetted and Non-Gazetted staff as well as by 6 Govt. Panel Counsels to assist the Law Officers and Senior Advocates.

(2) The functions of the Central Agency Section are as under:

- References of the Ministries/ Departments of Government of India received through the Department of Legal Affairs, Ministry of Law and Justice to obtain the opinion of Ld. Attorney General, Ld. Solicitor General and Ld. Additional Solicitor Generals.
- Engagement of Law Officers / Panel Counsels for various cases.
- Conduct and supervision of litigation on behalf of Union of India/ NCT of Delhi, C & AG and Union Territories in the Supreme Court of India.
- Supervision of records, R&I Section, Fee Bill Unit, Personal Deposit Unit, Computer Cell and Administration Division which includes Cash Section also.

(3) At present three Government Advocates in the Central Agency Section are Advocates on Record of the Supreme Court. One retired Govt. Advocate who is Advocate-on-Record has been engaged as Consultant. They appear before the Supreme Court in matters pertaining to the Union of India, NCT of Delhi, C&AG and Union Territories as per the Supreme Court Rules.

(4) As per computerized record of Central Agency Section during the year 2016, the Section has received 3468 new cases from various Ministries/Departments of Government of India, 239 files of NCT of Delhi and Union Territories. The major litigation pertains to Ministry of Finance, Central Excise, Income Tax, Railways, Defence, CBI etc.

## **6. LITIGATION IN DELHI (HIGH COURT)**

The Litigation (HC) Section handles the Litigation work in Delhi High Court on behalf of all the Ministries/Departments of Govt. of India except for Railways and Income Tax Departments. Officer-in-Charge assisted by Superintendent (L) and other staff look-after the Litigation work as follows: -

(a) The cases dealt with and contested in Delhi High Court are generally relating to: -

Civil and Criminal Writ Petitions under Article 226 & 227 of the Constitution of India, Civil

Misc. Applications, Division Bench Appeals, Company Applications, Execution Applications and Criminal Misc.

(b) And the cases dealt with and contested in Courts other than Delhi High Court are generally related to: -

BIFR, AAIFR, National Consumer Dispute Redressal Commission, Industrial Tribunal-cum-Labour Court, Company Law Board, Un-lawful activities (Prevention Tribunal), Debt Recovery Tribunal, Debt Recovery Appellate Tribunal, Immigration Appellate Committee, Appellate Tribunal for Electricity, Central Information Commission, District Consumer Forum.

(2) The Litigation work is dealt with by two Sections- Litigation (HC) Section 'A' and 'B' being supervised by Superintendent (L). Section 'A' deals with advance notices pertaining to Writ Petitions, Letters Patent Appeals (LPA), and Miscellaneous Petitions under Article 226 & 227 of the Constitution of India including matters of general nature. Section 'B' deals with the Original Revisions etc. and the Writ Petitions filed on behalf of the Union of India before the Hon'ble Delhi High Court. This Section also deals with matters relating to other Courts/Tribunals as mentioned in para 1(b) above.

(3) To conduct Central Government litigation, there is one Additional Solicitor General of India (ASG), nine Central Government Standing Counsels (CGSC), panels of Senior Counsels and Govt. Pleaders (GP). In matters of public importance and also involving complicated questions of Law, one of the Law Officers namely- Attorney General of India/ Solicitor General of India/ Additional Solicitor General of India is engaged. Close liaison is being maintained with the concerned Departments and Counsels to safeguard the Government interests in Delhi High Court. The Deputy Legal Adviser and other officers keep a close watch over the progress of the cases at each stage.

(4) This Unit was allocated a budget of Rs.12 crore in the B.E. for F.Y 2016-17. During the period under the report, approximately 7500 professional fee bills pertaining to the Law Officers and Govt. Counsels have been received for payment. Further, 2500 fee bills are likely to be received till 31 March 2017. As on close of December, 2016 approximately 6500 fee bills to the tune of Rs.5.63 crore have been duly processed and paid to the concerned Law Officers and Counsels.

(5) During the period from 1.4.2016 to 31.12.2016 Litigation (HC) Section has engaged Law Officers and Govt. Counsel in 3871 cases to conduct the litigation in Delhi High Court. Section wise details of receipt of cases and engagement of Govt. Counsel are as follows: -

### LITIGATION HIGH COURT SECTIONS

Section	Cases received from 1/4/2016- 31/12/2016	Cases expected from 01/01/2017 to 31/3/2017	Total
A	3468	1150	4618
B	403	135	538
Total	3871	1285	5156



### LITIGATION IN CAT (PRINCIPAL BENCH)

- (6) The Litigation CAT (PB) Delhi Cell looks after the Cases/Litigation work relating to the Ministries and Departments of UOI and nominates the Counsels from the approved panel to defend the interest of Ministries/Departments of UOI in CAT (PB), New Delhi.
- (7) During the period from 1.4.2016 to 31.12.2016, Litigation CAT (PB) Cell has engaged Govt. Counsels in 930 cases to conduct the litigation in CAT (PB). Details of receipt of cases are as follow:-

### LITIGATION IN CAT (PB) DELHI

Section	Cases received from 1/4/2016- 31/12/2016	Cases expected from 01/01/2017 to 31/3/2017	Total
CAT (PB) Cell	930	300	1230

### LITIGATION (LOWER COURT) SECTION, TIS HAZARI

- (i) The Litigation work in District Courts/Consumer Forums/Tribunals in Delhi / New Delhi on behalf of all Ministries / Departments of Government of India except Railways and Income-Tax Department is handled by Litigation (Lower Court) Section. The Litigation work, in the above said Courts / Tribunals are at present looked after by a Deputy Legal Adviser & In charge assisted by a Superintendent. (Legal) / Assistant (Legal).
- (ii) There is a panel of Sr. Counsels/ Additional Central Government Counsels from whom counsels are nominated for contesting the cases. On receipt of request from the Ministry / Department, action is taken to engage a suitable counsel to appear on their behalf in the Courts. During the period under report, this Section engaged Counsels in 663(old as well as new) cases. Close liaison is maintained with various Departments / Counsels at all times to safeguard the interest of the Government (Union of India) in the District Courts / Consumer Forums / Tribunals. Total number of cases pending in the District Courts / Tribunals / Consumer Forums is 7931 as on 31.12.2016.
- (iii) Fee bills received from the counsels are scrutinized having regard to the terms and conditions of their appointment before certifying and making payments at the prescribed rates. During the period under report 417 fee bills were received and an amount of Rs.4,29,1090/- was paid towards Professional Fee bills of Counsels. Total budget for the financial year 2016-2017 of Litigation (LC) Section is Rs.1,20,00000/-.
- (iv) In order to keep pace with the development of Information Technology in the Judiciary especially at the level of District Courts / Subordinate Courts and also to ensure effective functioning of Lower Court (Litigation) Section, a proposal for

computerization of this Section was submitted to the Competent Authority along with the System-study Report conducted by the National Informatics Centre (NIC).

- (v) The Assistant Legal Adviser who is the Branch Officer of this Section has been designated as Central Public Information Officer under the Right to Information Act, 2005. The Superintendent (Legal) supervises the Litigation (LC) Section.

## **7. JUDICIAL SECTION**

The Judicial Section is responsible for the organization of litigation of the Government of India and Union Territories before the Supreme Court, various High Courts, the Central Administrative Tribunal and District and Subordinate Courts. Its functions include the processing the appointments of the Attorney General for India, the Solicitor General and the Additional Solicitors General of India, the Assistant Solicitors General of India, Central Government Counsel in the Supreme Court, High Courts, the Central Administrative Tribunals, Armed Forces Tribunals, District and Subordinate Courts and Consumer Forums in some of the states for conducting litigation work on behalf of the Central Government, engagement of Law Officers and other Counsel on behalf of Ministries/Departments for the conduct of cases before the Supreme Court, High Courts, Tribunals, Commission of Inquiry, District and Subordinate Courts, Quasi-Judicial Authorities etc. Its functions also include formulation and settlement of their terms and conditions for conducting cases. The Judicial Section is also responsible for nomination of Arbitrators in disputes between the various Departments of the Government of India and private parties.

(2) The Section is responsible for issuing statutory orders e.g. orders under GSR 167, authorizing various officers to sign and verify plaints and written statements in suits in any court of civil jurisdiction or in writ proceedings by or against Central Government under Rule 1 of order XXVII of the First Schedule I to the Code of Civil Procedure, 1908. This Section also authorizes officers to sign contracts and agreements on behalf of President of India under Clause 1 of Article 299.

(3) The Section is also dealing with the work of Reciprocal arrangements with foreign countries for the service of summons in civil suits, the execution of decrees of Civil Courts, the enforcement of maintenance orders, and the administration of the estates of foreigners dying in India inter-state.

(4) India has acceded to the Hague Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters and also Hague Convention on Taking of Evidence Abroad in Civil and Commercial Matters in the year 2007. Ministry of Law and Justice is the Central Authority for both the conventions. Judicial Section is dealing with the work of service of summons/notices to Indian nationals through Judicial Authorities, received from the foreign countries under the said conventions. Judicial Section also deals with forwarding of service of summons/notices originated from Judicial Authorities of the country to the Central Authorities of foreign countries.

(5) During the said period, one Law Officer (Addl. SGI) was appointed in Supreme Court of India & one Asstt. SGI was appointed in J&K High Court at Srinagar. Besides this, 24 Panel Counsel were appointed in Supreme Court (12 Group 'A'; 9 Group 'B' and 3 Group 'C'). In addition to this during the said period, the engagements of following Panel Counsel were made in various Courts/Tribunals in India:

S.No	State/UT	Courts/Tribunals			
		High Court	CAT	AFT	District Courts
1.	Andhra Pradesh & Telangana	07	----	2 (Chennai Bench)	01
2.	Bihar	----	01	----	08
3.	Delhi	12	02	----	03
4.	Jharkhand	01	----	----	----
5.	Karnataka	01	----	----	65
6.	Kerala	----	----	13	----
7.	Odisha	----	----	----	148
8.	Punjab & Haryana	02	----	02	89
9.	Rajasthan	01	----	02	----
10.	Tamil Nadu	01	01	----	122
11.	Uttarakhand	01	----	----	----
12.	Uttar Pradesh	10	05	01	151
	TOTAL	36	09	20	587

(6) Ministry of Law & Justice, Department of Legal Affairs, being the nodal Ministry for reciprocal arrangement with foreign countries, has entered into Mutual Legal Assistance Treaty in Civil and Commercial matters with Afghanistan (under section 44(b) of the Arbitration and Conciliation Act, 1996). Besides, Department of Legal Affairs is the Central Authority under Hague Convention of 1965 for service abroad of judicial and extra judicial documents in civil and commercial matters. Under this obligation, around 900 requests were processed. Also, India is one of the signatories to the Convention on the Taking of Evidence Abroad in Civil or Commercial Matters, signed on 18th March 1970. The Convention has 82 signatories (81 States and one Regional Economic Integration Organization). During the period 6 requests were processed under the said Convention.

## 8. NOTARY CELL

(1) The administration of the Notaries Act, 1952 and the Notaries Rules, 1956 comes under the purview of the Notary cell. The Notary Cell deals with examination/scrutiny of the memorials/applications received from different States/Union Territories in the country and processing of these memorials for appointment of Notaries. This Cell conducts inquiries into the allegations of professional or the other misconduct on the part of the Notaries. The Notary Cell also renews certificates of practice of notaries, issued by the Central Government. For sufficient reasons



and in deserving cases it also grants extension of the area of practice to the notary public, on receipt of an application for purpose.

(2) Interviews for appointment of notaries were conducted in the States of Haryana, Punjab, Rajasthan, Karnataka, Gujarat and UT of Chandigarh. As a result, about 1984 advocates/applicants have been appointed as Notaries during the period from January to December 2016. So far, 13000 notaries have been appointed by the Central Government in various parts of the country. Besides, 1350 Notary Certificates have been renewed during the period.

## 9. IMPLEMENTATION CELL

(1) Besides legal education and legal profession Implementation Cell is also concerned with the administration of the Advocates Act, 1961 and the Advocates' Welfare Act, 2001.

**The Advocates Act, 1961:** The Parliament of India enacted the Advocates Act, 1961 w.e.f. 19.05.1961 to amend and consolidate the law relating to legal practitioner and to provide for the constitution of Bar Councils and an All India Bar.

**The Advocates Welfare Fund Act, 2001:** The Parliament of India enacted the Advocates Welfare Fund Act, 2001 w.e.f. 14.09.2001 to provide for the constitution of a welfare fund for the benefit of advocates and for matters connected therewith or incidental thereto.

(2) Till 01.12.2016 the Law Commission of India has submitted 263 Reports out of which 262 Reports have been laid before both the Houses of the Parliament. Since Report No. 263 was recently submitted by the Law Commission of India on 17.10.2016, it will be laid in the Parliament in due course. All the Reports received upto December, 2016 have also been forwarded to the concerned Ministries/Department for examination/implementation.

(3) The Implementation Cell, in pursuance of the recommendations of the Department Related Parliamentary Standing Committee on Personal, Public Grievances, Law & Justice, since 2005 has been continuously laying an Annual statement reflecting the status of pending Law Commission Reports before both the Houses of the Parliament. The last such Statement (12th Statement) was laid on the Table of both the Houses of Parliament (in Lok Sabha on 07.12.2016 and Rajya Sabha on 09.12.2016).

## 10. RTICELL

RTI Cell deals with the applications, First Appeals and Second Appeals concerning Department of Legal Affairs.

S.No.	RTI Matters	Total (01.04.2016 to 31.12.2016)
1.	Total RTI Requests	1400
2.	First Appeals before the First Appellate Authority	25
3.	Second Appeals before the Hon'ble Central Information Commission	19
4.	Total request received online	4417

## 11. LIBRARY & RESEARCH SECTION

The Library and Research Section looks after the requirements of legal books/Journals and other research materials of the Ministry of Law and Justice. This section provides reference and legal research services to its users.

(2) During this year, Library and Research Section acquired 327 numbers of books and 720 volumes (approx.) of law journals which were got bounded for reference.

(3) The Library and Research Section subscribes to 19 Indian law journals, 3 foreign law journals.

(4) The Library and Research Section has acquired / subscribed to the following CD ROM /online services for retrieval of case laws, judgments and articles etc. for the use of officers of this Ministry.

- a) AIR Combo DVD[(updates) Supreme Court, High Courts, Criminal Law Journal]] (1950-2015)
- b) SCC online case finder
- c) SCC Online Web (IP) Services
- d) Manupatra.Com Online (IP) Services
- e) Westlaw India Online (IP) Services
- f) CLA Online
- g) Lexis Nexis Online (IP) Services

## 12. PROGRESSIVE USE OF HINDI IN OFFICIAL WORK IN THE DEPARTMENT OF LEGAL AFFAIRS

The Department of Legal Affairs has taken following steps to implement various instructions issued by the Department of Official Language on the progressive use of Hindi for official purposes of the Union as contained in the Official Languages Act, 1963 and the Official Languages (Use for Official Purposes of the Union) Rules 1976 :-

### (a) Notification under the Rule 10(4) of the Official Languages (Use for Official Purposes of the Union) Rules 1976 :

This Department was notified under Rule 10(4) of the Official Languages Rules, 1976 on 21-3-1980. Orders were issued on 25-07-1989 directing all officers and employees proficient in Hindi to submit drafts etc. of all communications addressed to State Governments/Union Territories and to private individuals and also to Central Government offices located in Regions “A” and “B” and of communications in reply to

letters etc., received in Hindi or signed in Hindi, including appeals, representations etc., from the employees only in Hindi. Instructions in this regard are reiterated every year for strict compliance.

**(b) Organisation of Hindi Day/Hindi Month**

With a view to accelerate the use of the Official Language and to increase the awareness of the employees as regards the Official Language policy and the various incentive schemes for using Hindi in official work, Hindi Day was celebrated in the Department on 14-9-2016. Hon'ble Minister for Law & Justice, Minister of State for Law & Justice, Law Secretary and Rajbhasha Adhikari in their messages appealed to the officers and employees of the Department to adopt Hindi in their day-to-day official work. Hindi Day messages received from Hon'ble Home Minister and Cabinet Secretary were also circulated in the Department and its offices. In order to make the various programmes organised in this connection effective, 'Hindi Month' was organised in the Department from 1.9.2016 to 30.9.2016. This was done with the twin objectives of (a) giving wider publicity to the various schemes and (b) generating maximum output in terms of work done in Hindi. This year, during the 'Hindi Month', 7 competitions viz, 'Hindi Essay Competition', 'Hindi Typing Competition', 'Hindi Shorthand Competition', 'Translation Competition', 'Hindi Noting and Drafting Competition', 'Hindi dictation Competition' for group 'D' employees and LDC & court clerks, and 'Official work in Hindi' Competition were organised in the Department. 91 officers/employees participated in these competitions. Out of which, 82 successful participants will be awarded with Certificates and cash prizes amounting to Rs. 65,800/- by the Law Secretary in the function to be held shortly. 'Hindi Day' was also celebrated in the Branch secretariats of the Department and benches of the Income Tax Appellate Tribunal. Various competitions were organised on this occasion and successful participants were awarded with cash prizes.

**(c) Creation of check points for implementation of orders relating to the Official Language.**

- (i) A review of the check points for implementation of orders relating to the Official Language was made and orders for creation of adequate number of check points (eight) in accordance with Rule 12 of the Official Languages Rules, 1976 were issued on 16-11-1994. The effectiveness of check points is being regularly monitored through the quarterly progress reports received from sections/offices.
- (ii) In Sections / Units where the staff are proficient in Hindi, the use of Hindi in their day to day work is being encouraged. Work relating to grant of various types of leave is being done in Hindi. Almost all cases relating to House Building Advances, GPF Advances and Withdrawals etc. are also being processed in Hindi and orders are also being issued in Hindi.

- (iii) All general orders, notifications, resolutions and administrative reports etc. are invariably issued in bilingual form. All letters received in Hindi are invariably replied to in Hindi only. Strict vigilance is maintained to ensure that there is no violation of the relevant rules in this regard. English to Hindi dictionaries have been provided to all sections of the Department for encouraging the use of Hindi in day to day official work.
- (iv) Hindi specimen of standard draft of letters sent frequently by various sections have been provided. All forms used in the Department have also been translated into Hindi. Entries in service books are also being made in Hindi. All rubber stamps, name plates, sign boards etc., are invariably prepared in bilingual form.
- (v) All the 300 computers in the Department are bilingual. Facility to work in Hindi is available on the computers provided to the officers and sections of the Department.
- (vi) A time bound programme has been prepared for imparting Hindi/ Hindi Stenography/ Hindi Typing Training to the employees of the Department and its offices under the Hindi Teaching Scheme. Employees are awarded personal pay/ Advance increments/ Cash Awards etc. as per the instructions of the Ministry of Home Affairs, Department of Official Language.
- (vii) The first Sub-Committee of the Committee of Parliament on Official Language inspected the progressive use of Hindi in the Chennai bench of Income Tax Appellate Tribunal on the 21st January, 2016. Shri T. N. Tiwari, Additional Secretary & Rajbhasha Adhikari and Shri Vijay Singh Meena, DD(OL) represented the Department of Legal Affairs in the inspection meeting. Follow up action is being taken on the assurances given to the Committee of Parliament on Official Language
- (viii) In pursuance of the instructions of the Ministry of Home Affairs, Department of Official Language and assurances given to the First Sub-Committee of the Committee of Parliament on Official Language, in order to review compliance of the statutory provisions relating to Official Language and discuss problems faced in this regard, an Inspection Team has been constituted in the Department of Legal Affairs under the chairmanship of Rajbhasha Adhikari for inspection of Sections, Branch Secretariats and Benches of ITAT and other offices under the administrative control of the Department. During the year 2016, inspection of Chandigarh Bench of ITAT in respect of use of Hindi in official work was carried out by DD(OL) on 16 and 17.05.2016.
- (ix) Presidential orders issued by the Department of Official Language on the recommendations contained in 8 parts of the Report of the Committee of Parliament on Official Language are being implemented in the Department and its subordinate offices.
- (x) The meetings of Official Language Implementation Committee of the Department are held regularly. Rajbhasha Adhikari of the Department is the chairman of this

committee and Deputy Secretary (Admn.), all USs and all Section Incharges and Branch Officers are members of this committee whereas Deputy Director (O.L.)/Assistant Director (O.L.) is the member secretary. In these meetings, Compliance Status of Quarterly progressive report and implementation of orders related to Official Language are reviewed. Minutes of the meetings are circulated to all concerned for follow-up action. Last meeting of the committee was held on 22th December, 2016.

- (xi) Details regarding the progressive use of Hindi including training aspect covering the period from 1st January, 2016 to 31st December, 2016 are given in Annexure- II and Annexure-III

### **13. BRANCH SECRETARIAT KOLKATA**

During 2016-17, the Branch Secretariat, Kolkata was headed by a Senior Government Advocate upto June, 2016 and thereafter by an Additional Government Advocate who is functioning as In-charge. The Branch Secretariat, Kolkata is functioning from 2nd & 3rd Floors, Middle Building, 11, Strand Road, Kolkata-700001. It has eight wings viz. Advice, Litigation, CAT/Lower Court, Administration, Cash & Accounts, Hindi, Counsel Fee Bill, and R & I Section. In addition, this Branch Secretariat has a Library containing more than 9000 books under the supervision of a Section Officer.

(2) The Litigation Wing of the Branch Secretariat, Kolkata looks after the entire litigation matter pertaining to the High Court at Calcutta both in the Original as well as Appellate Side. The Branch Secretariat is looking after litigation of the Union of India before various High Courts including Circuit Benches at Port Blair and Ld. Courts & Forums covering 12 States and one Union Territory. The Branch Secretariat also looks after service matters relating to Central Government employees before the Central Administrative Tribunal, Calcutta Bench as well as other benches at Cuttack, Guwahati, Patna and Circuit Benches at Andaman & Nicobar Islands. Further Panel Counsels are also engaged to appear before various Tribunals like NGT, CGIT, CESTAT, State Commission, District Forums, DRAT, DRT, Lower Courts etc. and in Arbitration matters before the Arbitrators on receipt of specific requests from Departments concerned.

(3) The Advice Wing of this Branch Secretariat renders legal advice upon the references received from various Ministries/Departments and also conducts litigation pertaining to all the Central Government Ministries/Departments including the Income Tax Department, Railways, Customs and Central Excise, Revenue Intelligence, FERA/FEMA, Ministry of Defence, Ministry of Home, Ministry of External Affairs and all other Ministries/Departments having their offices at West Bengal, Assam, Nagaland, Manipur, Arunachal Pradesh, Meghalaya, Bihar, Jharkhand, Orissa, Tripura, Mizoram and Sikkim and Union Territory of Andaman and Nicobar Islands and other Central Government Offices situated outside the Eastern Zone but cause of action arising in Kolkata or being their headquarter in Kolkata (e.g. Ordnance Factory Board).



(4) During 2016-17, total 871 number of references received from various Ministries/Departments of Central Government by the Advice Wing up to December, 2016 during 2016-17. Apart from this it is expected that the total number of references for advice received and dealt with during 2016-17 will be around 1200. Pleadings, Agreements/contracts filed in various Courts as well as before Central Administrative Tribunals are also vetted by this Branch Secretariat.

(5) In litigation wing, Government Advocates who are regular employees act as Advocates-on-Record as well as Government Pleader within the meaning of Order-XXVII Rule 8B(a) of the Code of Civil Procedure, 1908 and get the matter heard/argued through a panel Counsel engaged for this purpose. The Additional Solicitor General of Calcutta High Court appeared in important matters assisted by Panel Counsel so engaged by Branch Secretariat.

(6) During 2016-17, the Senior Government Advocate (Upto June, 2016), one Additional Government Advocate and three Junior Central Government Advocates acted as Advocates-on-Record for and on behalf of the Union of India in the Calcutta High Court and also appeared before the Court as Government Pleader. Three Assistant Legal Advisers look after Advice and Litigation work.

(7) The total number of High Court cases received/conducted by the Litigation Division of the Branch Secretariat, Kolkata during 2016-17 up to December, 2016 was 2211 and the number of cases disposed of during the said period was 2569 (some cases pertained to previous years). The number of litigation expected to be handled during January to March, 2017 will be around 700. Similarly, the number of cases received in the Branch Secretariat, Kolkata for engagement on service matters before CAT, Calcutta Bench during 2016-17 (up to December, 2016) are 576 and it is expected that total number of such cases will be around 700 during 2016-17. The number of cases in Courts including arbitration cases handled during 2016-17 (up to December, 2016) was 268 and it is expected that another 35 cases (approximately) will be received during the remaining period of 2016-17. A comparative Analysis of litigation conducted in the Branch Secretariat, Kolkata is given at **Annexure-IV**.

(8) Branch Secretariat, Kolkata has Appellate Authority (Additional Government Advocate), CPIO and ACPIO to deal with the RTI matters. During 2016-17 total 5 TRI references and one appeal were received till December, 2016 and duly disposed of within stipulated time.

(9) During 2016-17 claims of the professional fee bills submitted by the panel counsel have been speedily processed and of the sanctioned Revised Estimates of Rs.4,00,00,000/- (Rupees four crore only) for payment towards Professional Fees to the Counsel, an amount of Rs.2,78,28,710/- (Rupees two crore seventy eight lakh seven hundred ten only) have been utilised to make payments to them till December, 2016 for the cases relating to High Court at Calcutta. A pie chart depicting disbursement of fees to Panel Counsel has been placed in Annexure-V.

(10) The Hindi Section is under the supervision of the Section Officer with the assistance of one Junior Hindi Translator for enhancing use of Hindi as official language in this Branch Secretariat.

‘HINDI DIWAS’ was celebrated in this Branch Secretariat with great enthusiasm during September 2016. Till date, around 64% of the Officers/staff members have obtained working knowledge in Hindi under the Hindi Teaching Scheme. It is expected that by the year 2019, all members of the staff will complete such courses/training.

(11) A software named ‘COSA’ developed by NIC, Kolkata is in operation for preparation of pay bills of the employees of the Branch Secretariat, Kolkata. Necessary work has already been done in this regard. Further, the quarterly returns of Income Tax deducted at source are being prepared in the Electronic Media and submitted to Income Tax Department through TIN Facilitation Centre in floppies/CDs. A new format i.e. Form-24G has been introduced by the Income Tax Authority which is required to be filled up and submitted in electronic format by 10th of the following month in which TDS has been deducted by this Office. Also the weekly statement of expenditure is prepared using the PFMS platform developed by NIC, and submitted to Pay & Accounts Office online. In addition, information regarding licence fee payment for Government quarters is also required to be sent online to the Directorate of Estates using Government Accounting Management System (GAMS). 37 (Thirty seven) numbers of Personal Computers are in use at present in the Branch Secretariat, Kolkata. Provision of Local Area Network has been provided to each Section/ Officer’s room. Almost all the Computers in the Branch Secretariat, Kolkata now have internet connection.

(12) Under the supervision of Section Officer, the Library of this Branch Secretariat containing more than 9000 books and journals, is proving its worthiness and is very helpful for use in Litigation and also tendering advice as well to Government Ministries/Departments. Online legal library ‘Manupatra’ and ‘CDJ Law Journal’ have also been subscribed by this Branch Secretariat.

(13) One biometric attendance system, for employees in the Branch Secretariat, Kolkata, is in operation w.e.f. 12th April, 2011. In addition to this Aadhar based Biometric Attendance System has also been introduced successfully in this Branch Secretariat.

(14) The software ‘LIMBS’, developed by NIC, is also functional in the Branch Secretariat, Kolkata. Once the data entry is made in this software, the cases can be monitored online and instructions etc. to the advocates & the departments may be given online. The programme is proving very useful in monitoring the litigation bringing down costs as well. In this regard it is stated that to reduce the paper work and ease the functioning of litigation work and records, Branch Secretariat, Kolkata has entered list of cases from 2005 onwards, pertaining to High Court, in the Computers allotted to different Sections.

(15) International Yoga Day was observed in the Branch Secretariat, Kolkata with much enthusiasm on 21st June, 2016.

(16) Cleanliness Drive is being continued in the Branch Secretariat, Kolkata as a regular process. A Committee headed by Assistant Legal Adviser has been constituted in the Branch Secretariat, Kolkata for supervision of cleanliness drive and weeding out of old records. This Branch Secretariat organised Seminars on ‘Providing maximum effective Service to the stakeholders in the Branch

Secretariat, Kolkata’ and also on ‘Public Awareness on Swachhta’ during the month of January, 2016. This Branch Secretariat has got a cleaner and beautiful look after the extensive renovation work done by CPWD and is in process of its further betterment.

#### **14. BRANCH SECRETARIAT, MUMBAI**

The Ministry of Law & Justice, Department of Legal Affairs, Branch Secretariat, Mumbai is presently headed by a Senior Government Advocate, two Additional Govt. Advocates, two Assistant Legal Advisers, one Superintendent (Legal), one Section Officer and other officials. A Report to the above effect has been submitted as per the directives of the Central Information Commission for time bound implementation of obligations under Section 4 of the Right to Information Act, 2005. The particulars regarding functioning, duties, organization etc. said therein are narrated in the following report:

**(1) ORGANIZATION:** As far as the work handled by Mumbai Branch Secretariat is concerned, it includes tendering of legal advice, handling of litigation work pertaining to Bombay High Court, litigation pertaining to other subordinate courts which falls under the entire Western Region and the administration of the Branch Secretariat.

The Senior Govt. Advocate is the overall In-charge of the Branch Secretariat. Additional Govt. Advocate(s), Additional Legal Adviser, Assistant Legal Adviser(s) & Superintendent (Legal) are assisting the Senior Govt. Advocate handling the advice, litigation and administrative matters of the Branch Secretariat. The Section Officer assists the Senior Govt. Advocate in the administrative matters and accounts.

In addition to the above, the work of the Branch Secretariat is bifurcated into separate sections for its smooth functioning, i.e. Advice Section, Original Side Litigation Section consisting of miscellaneous civil writ petitions, FERA/FEMA, DGFT, SAFEMA cases, Suits, Arbitration cases and Land Acquisition References and Appellate Side Litigation Section consisting of Misc. Civil Writ Petitions and Litigation concerning Criminal Laws. Each Section is headed by a senior Officer of this Branch Secretariat who is assisted by an officer.

There is one Assistant (Legal), Assistant Section Officers, PPS, PAs, Senior Court Clerks and Court Clerks who assist the Officers in discharging their duties.

**(2) FUNCTIONS & DUTIES:** Branch Secretariat, Mumbai renders advice to various Ministries/Departments of Government of India on receipt of the respective references from it on different kinds of legal matters and attends to the litigation work of the Central Government in Bombay High Court, C.A.T., National Company Law Tribunal other Tribunals and before all the Subordinate Courts of entire Western Region. The entire work is performed by its Officers under the guidance of the Senior Govt. Advocate / In-charge of this Branch Secretariat.

**(3) LEGAL ADVICE:** The references received from various Ministries/Departments of Central Government seeking legal advice are examined at the first instance by the Superintendents



(Legal) and thereafter put up to the Senior Govt. Advocate /In-charge who in turn marks the cases to the Senior Govt. Advocate, Additional Government Advocate(s), Assistant Legal Adviser(s) as per the distribution/allotment of work. If required, the advice matters are also referred to the Additional Solicitor General of India for his expert opinion.

As far as the current year is concerned, this Branch Secretariat has received about 2615 cases being reference seeking advice and this Branch Secretariat has almost disposed of all the cases and nothing is pending on date.

**(4) LITIGATION:** The litigation of this Branch Secretariat is headed by the Senior Government Advocate, Additional Govt. Advocate(s), Assistant Legal Adviser(s) and Superintendent (Legal) in discharging the duties and in handling the litigation matters filed in Bombay High Court either filed by the Government of India or against it. So also, the litigation pertaining to Subordinate Courts is handled by the Branch Secretariat. Wherever necessary the litigation is handled through the Advocates / Counsel appointed / empanelled on the Panel of Government of India for Bombay High Court on its Ordinary Original Civil Jurisdiction, Appellate Jurisdiction & Criminal Jurisdiction and through other Counsel empanelled on different Panels appearing before the different Courts of law.

As far as the current year is concerned, this Branch Secretariat has received about 4139 cases in different litigation sections. The Counsel were engaged for protecting the interest of Government of India involved in the matter through different Central Govt. Ministries/Departments and on or about 1402 litigation cases have been disposed of before the High Court.

**(5) ADMINISTRATION:** The Senior Govt. Advocate /In-charge is the head of the Administration of the Branch Secretariat, Mumbai. He is assisted by the Section Officer/DDO, in handling the day-to-day administrative matters of the Branch Secretariat.

**(6) OFFICIAL LANGUAGE:** The Senior Govt. Advocate & In-charge of this Branch Secretariat also works in the capacity of “Vibhagiya Rajbhasha Adhikari” and other officers nominated by him work for promotion and maximum usage of Official Language in the Branch Secretariat. A “Rajbhasha Samiti” is constituted in this Branch Secretariat with Members as under:

- |    |  |                         |
|----|--|-------------------------|
| 1. | Shri Pankaj Kapoor,<br>Senior Govt. Advocate | Chairman                |
| 2. | Shri A.A. Ansari,<br>Addl. Govt. Advocate    | Executive Chairman      |
| 3. | Shri Niraj Kumar,<br>Coordinator             | Assistant Legal Adviser |
| 4. | Shri Anup Kumar,<br>Executive Member         | Assistant (Legal)       |
| 5. | Smt. Usha V. Salian,<br>Executive Member     | Personal Assistant      |
| 6. | Smt. Vaishali Karmale,<br>Executive Member   | Multi Tasking Staff     |

The above Committee is submitting periodical Reports to the In-charge.

## **15. BRANCH SECRETARIAT, CHENNAI**

Deputy Legal Adviser heads the Branch Secretariat at Chennai.

**(1) ADVICE:** The Branch Secretariat renders legal advice to all Central Government Offices located in the States of Tamil Nadu, Kerala and the Union Territory of Puducherry. During the period from 01-04-2016 to 31-12-2016 about 895 references were received for advice and disposed off. About 350 references for advice are expected during the remaining period of current financial year 2016-2017.

**(2) LITIGATION:** The Branch Secretariat, Chennai looks after the entire litigation work of Central Government (except cases relating to Railways, Telecom, Income-Tax, Central Excise and Customs, etc.) in the High Court of Madras, Madurai Bench of Madras High Court and High Court of Kerala. It also looks after the Central Government litigation work in the City Civil Courts, Presidency Courts of Small Causes, Subordinate Courts, Tribunals, Consumer Fora, etc. in Tamil Nadu and Kerala. Besides, the Branch Secretariat, Chennai has also been entrusted with the work of Central Government litigation before the Madras Bench of Central Administrative Tribunal at Chennai and Ernakulam Bench of Central Administrative Tribunal in Kerala.

During the period from 01-04-2016 to 31-12-2016 about 6016 litigation matters were received and disposed off, which include receipts, fee bills and files opened regarding High Court/CAT/LC etc., and projection for the remaining period of three months pertaining to the litigation matters, during the current financial year is expected to be about 1500.

The Branch Secretariat keeps the Ministries and Departments of the Central Government informed about the important developments of their cases as well as the results of the litigation with suitable advice for further action, if required. Pleadings, affidavits etc., to be filed in the Courts/ Tribunals / Consumer Fora / Arbitration matters in Tamil Nadu and Kerala are scrutinized and vetted at the draft stage. Functions of Branch Secretariat, Chennai also include engagement / nominations of the Counsel and collection of materials from the Central Government Departments involved in the cases for being passed on to the Counsel after necessary scrutiny of the documents from the legal angle.

**(3) COUNSEL'S FEE BILLS:** The Branch Secretariat itself pays the fees directly from its centralized funds to the Additional Solicitor General of India, Assistant Solicitor General, Senior Panel Counsel and the Central Government Standing Counsel in respect of cases before the Madras High Court and Madurai Bench of Madras High Court. Fee Bills preferred by the Central Government Counsel for appearance before the Central Administrative Tribunal and Subordinate Courts are scrutinized / certified and sent to the Departments concerned for payment.

**(4) MISCELLANEOUS:** During the period under report, various R.T.I. applications, appeals, statements and other references / litigation correspondence were received and dealt with accordingly.

**(5) Female Employees:** There are 8 female employees working in this office, viz., 1 Deputy Legal Adviser, 1 Superintendent (Legal), 2 Personal Assistants (CSSS), 1 Senior Court Clerk and 2 Assistant Section Officers (CSS) and 1 Assistant(L).

**(6) Statistics of Employees working under the following categories:**

There are 09 employees falling under various categories other than General Category employees, i.e., SC – 4; ST – 1; OBC – 3; Ex-servicemen/OBC – 1.

## 16. BRANCH SECRETARIAT, BENGALURU

The Branch Secretariat has jurisdiction over the States of Karnataka and Andhra Pradesh handling the litigation and advice of various Central Government Departments/Ministries. Deputy Legal Adviser heads the Branch Secretariat, Bengaluru.

**(1) ADVICE:** The Branch Secretariat renders legal advice to all the Central Government Departments and offices located in the States of Karnataka, Andhra Pradesh and Telangana. During the current year 2016-2017, about 861 references were received for advice and all advice cases were disposed during the period upto 31.12.2016. The advice work includes scrutiny and vetting of pleadings i.e. statement of objections, counter affidavits to be filed before the High Courts i.e. High court of Karnataka, Bengaluru, Circuit Benches of High Court of Karnataka at Dharwad and Gulbarga and High Court of Andhra Pradesh respectively, reply statement to be filed before Central Administrative Tribunal, written statement, counter affidavits, counter statements, versions filed before District Courts, Subordinate Courts and various other Tribunals.

Examining the feasibility of filing SLP, Appeals, review etc. interpretation of laws guiding Departments on legal sustainability of their action and holding discussions with the administrative Departments, whenever necessary.

**(2) LITIGATION:** The Branch Secretariat supervises the entire litigation of the Central Government Departments and offices in the High Court of Karnataka, Bengaluru, Circuit Benches of High Court of Karnataka at Dharwad & Gulbarga and High Court of Andhra Pradesh, Subordinate Courts located at Bengaluru City and twin cities of Hyderabad and Secunderabad and CAT in both the States. This Branch Secretariat also looks after the work of Government litigation in the District Consumer Dispute Redressal Fora, the State Consumer Redressal Commissions of the States, Central Govt. Industrial Tribunal and Debt Recovery Tribunal. During the current year 2015-17 about 6278 litigation matters, which includes nomination of counsel, counsel fee bills and general correspondence relating to litigation were received. The function of the Branch Secretariat in this regard includes engagement/ nomination of the Counsel and distribution of cases among the Central Government Counsels as on 31.12.2016.

**(3) COUNSEL'S FEE BILLS:** This Branch Secretariat itself processes counsel fee bills and pays the fees directly from its centralized funds to the Assistant Solicitors General of India and Central Government Counsel in the High Court of Karnataka, Bengaluru. So far as Circuit Benches

of High Court of Karnataka at Dharwad and Gulbarga are concerned, the counsel fee bill is borne by the concerned Department on whose behalf the Counsel conducts the cases and not by the Branch Secretariat, Bengaluru. The concerned Departments pay the fee for Central Government panel Counsel in CAT, District and subordinate Courts. Hence this Branch Secretariat is not certifying counsel fee bills.

**(4) ESTABLISHMENT OF OFFICE OF ADDITIONAL SOLICITORS GENERAL OF INDIA:** Government of India has appointed Shri K.M. Nataraj, Senior Advocate and Shri Prabhuling K. Navadgi, Senior Advocate as Additional Solicitor Generals of India for the Southern Zone and in the High Court of Karnataka respectively for a period of three years with effect from 8th April, 2015. Both the Additional Solicitors General of India are based in Bengaluru. The Officers of the Additional Solicitors General are situated in the premise of Hon'ble High Court of Karnataka.

**(5) AUDIT PARA:** There is no outstanding Audit para pending against Branch Secretariat, Bengaluru.

## 17. LAW COMMISSION OF INDIA (LCI)

The 21st Law Commission of India has been constituted with effect from September 1, 2015 for a period of three-year term, ending on 31st August, 2018. The Commission is consisted of the following namely:-

Chairman	Justice Dr. B S Chauhan
Member	Mr Justice Ravi R Tripathi
Member	Prof.(Dr.)S.Sivakumar
Member-Secretary	Dr. Sanjay Singh
Secretary, Department of Legal Affairs	
Member (Ex-Officio) Secretary, Legislative Department	Shri Suresh Chandra
Member (Ex-Officio)	Dr. G. Narayana Raju
Member (Part-Time)	Dr. Bimal N Patel
Member (Part-Time)	Shri S P Jain
Member (Part-Time)	Shri Abhay Bhardwaj

(2) The Terms of Reference of the Twenty-first Law Commission are as follows:

A. Review/Repeal of obsolete laws:

- Identify laws which are no longer needed or relevant and can be immediately repealed.
- Identify laws which are not in harmony with the existing climate of economic liberalization and need change.



- iii. Identify laws which otherwise require changes or amendments and to make suggestions for their amendment.
  - iv. Consider in a wider perspective the suggestions for revision/amendment given by Expert Groups in various Ministries/Departments with a view to coordinating and harmonizing them.
  - v. Consider references made to it by Ministries/Departments through the Department of Legal Affairs, Ministry of Law and Justice in respect of legislations having bearing on the working of more than one Ministry/Department.
  - vi. Suggest suitable measures for quick redressal of citizens grievances, in the field of law.
- B. Law and Poverty:
- i. Examine the Laws which affect the poor and carry out post-audit for socio-economic legislations.
  - ii. Take all such measures as may be necessary to harness law and the legal process in the service of the poor.
- C. Keep under review the system of judicial administration to ensure that it is responsive to the reasonable demands of the times and in particular to secure:
- i. Elimination of delays, speedy clearance of arrears and reduction in costs so as to secure quick and economical disposal of cases without affecting the cardinal principle that decision should be just and fair.
  - ii. Simplification of procedure to reduce and eliminate technicalities and devices for delay so that it operates not as an end in itself but as a means of achieving justice.
  - iii. Improvement of standards of all concerned with the administration of justice.
- D. Examine the existing laws in the light of Directive Principles of State Policy and to suggest ways of improvement and reform and also to suggest such legislations as might be necessary to implement the Directive Principles and to attain the objectives set out in the Preamble to the Constitution.
- E. Examine the existing laws with a view for promoting gender equality and suggesting amendments thereto.
- F. Revise the Central Acts of general importance so as to simplify them and to remove anomalies, ambiguities and inequities.
- G. Recommend to the Government measures for making the statute book up-to-date by repealing obsolete laws and enactments or parts thereof which have outlived their utility.
- H. Consider and to convey to the Government its views on any subject relating to law and judicial administration that may be specifically referred to it by the Government through Ministry of Law and Justice (Department of Legal Affairs).

- I. Consider the requests for providing research to any foreign countries as may be referred to it by the Government through Ministry of Law and Justice (Department of Legal Affairs).
- J. Examine the impact of globalization on food security, unemployment and recommend measures for the protection of the interests of the marginalized.
- (3) The Law Commission in accordance with its terms of reference and the references received from the Supreme Court and High Courts, has taken up various Law Reform projects.
- (4) In addition to examination of the National Litigation Policy, the Law Commission has forwarded the following two reports to the Central Government for consideration.
  - (i) Report No. 263 titled “The Protection of Children (Inter-Country Removal and Retention) Bill, 2016”
  - (ii) Report No. 264 titled “The Criminal Law (Amendment) Bill, 2017 (Provisions dealing with Food Adulteration)”
- (5) Besides, the Law Commission is examining the various other Law Reform Projects relating to Comprehensive Review of Criminal Justice System, Bail; Law on Sedition; Hate Speech; The Advocates Act; Consideration of Statutory Appeals directly to the Supreme Court from orders of Tribunals; Uniform Civil Code; Regularisation of Betting and Gambling and bringing BCCI under the purview of the RTI Act.
- (6) RTI:

Appellate Authority	Dr. (Smt.) Pawan Sharma, Joint Secretary & Law Officer
CPIO (Legal)	Shri A.K. Upadhyay, Additional Law Officer
CPIO (Admn.)	Shri Kuldeep Kumar, Under Secretary
No. of RTI dealt during the year	100
No. of RTI Appeals during the year	9

## 18. INDIAN LAW INSTITUTE (ILI)

**Introduction:** ILI is a Premier Legal Research Institute founded in 1956 with the objectives to cultivate the science of Law, to promote advanced studies in legal research with a view to relating law with socio-economic development and needs of the people, to ensure systematization of law, to encourage and conduct investigation in legal education system and to publish studies in the form of books and periodicals. The Chief Justice of India is the ex-officio President of the Institute. The Institute has been granted Deemed University status in 2004.

**Academic Programmes:** After the declaration as Deemed University in 2004, the institute launched research oriented LL.M. programme. The admission to L.L.M. programme is strictly on merit in

Common Admission Test (CAT) conducting every year and Interview. Presently the following programmes are conducted by the Institute:

Programme(s)	Students Enrolled in academic session 2016-17
LL.M.- 1 Year (Full Time)	26
P G Diploma Courses (Alternative Dispute Resolution, Corporate Laws and Management, Cyber Law and Intellectual Property Rights Laws)	252
Ph.D in Law	05
Total No. of Students	283

- The Institute has a Ph.D. programme. There are 14 scholars enrolled as on date.
- The Institute also conducts on line e-learning certificate courses on IPR and Cyber Law of three months duration. The online Cyber Law Course batch No. 25 and 36th Batch of online IPR Course were completed.

### Research & Publications Released

The following research publications have been released by the ILI during period of report:

- **Journal of the Indian Law Institute (JILI)** - It is publishing quarterly and contains research articles on current topics of international importance.
- **Annual Survey of Indian Law** - The Indian Law Institute brings out every year a very prestigious publication: Annual Survey of Indian Law in which the latest trends in every branch of law of importance are presented.
- **ILI Newsletter** - It is being published quarterly and contains details of the activities undertaken by the Institute during the quarter and information on the forthcoming activities.
- **A Treatise on Consumer Protection Law** - The revised and updated edition of the book was published.
- **Legal Research and Methodology** – The revised and updated edition of the book was published.
- **Index to Legal Periodicals** – It is being published yearly. It contains indexes, periodicals (including year books and other annual publications) pertaining to law and related fields being received by the ILI Library.
- **Compendium of Bilateral and Regional Instruments for South Asia** – This is a research compendium jointly published by Indian Law Institute and United Nations Office on Drug and Crime (UNODC).

- **Digitization of Documents** – The ILI has digitized more than 2.5 lakh pages of its own publications and rare documents. These are available in DVD form.

#### **Activities in ILI (Seminar/conference/training/workshop/visits/special lectures)**

- **Summer Course**

The Indian Law Institute and the Human Rights and Business Academy (HURBA) organised a summer course on “Business and Human Rights” from June 20 – July 1, 2016. Mr. Justice Dipak Misra, Judge, Supreme Court of India, delivered the inaugural address. Mr. Rakesh Munjal, Senior Advocate/Vice President, ILI, Ms. Justine Nolan from UNSW, Australia, Dr. Jernej Letnar Čerňič from European University Institute, Scotland and Prof. (Dr.) Manoj Kumar Sinha, Director, ILI addressed the participants at the inaugural session. Mr. Justice Anil R. Dave, Judge, Supreme Court of India delivered the valedictory address alongwith Dr. Surya Devanand, Dr. Erika R. George.

The two week intensive course was attended by 60 participants from diverse backgrounds including students, corporate executives, government officials and policy makers. The course was structured in the form of interactive seminars, 20 seminars of two hours in total. The participants were exposed to international and comparative perspectives in the field of business and human rights by a team of leading scholars and practitioners from all over the world. On successful completion of the course, the participants were issued certificates by the Indian Law Institute.

- **Workshop on Death and Sex in Criminal law**

The Indian Law Institute organised a workshop on “Death and Sex in Criminal Law”. The workshop was conducted from September 26, to October 1, 2016. The Inaugural Address was delivered by Mr. Justice Dipak Misra, Judge, Supreme Court of India. Eminent speakers like Prof. Shiv Visvanathan, Professor, Jindal School of Government and Public Policy, O.P Jindal University, Haryana and Prof. Anup Dhar, Associate Professor, Ambedkar University, New Delhi addressed the participants. The workshop helped the participants to approach law from the point of view of sociology, philosophy, history and psychoanalysis including contemporary debates on euthanasia, suicide and santhara within the parameters of law.

All the participants were required to make presentations on the final day of the workshop and a participation certificate was awarded on the successful completion of the workshop.

- **Workshop on Financial Literacy Awareness**

The Indian Law Institute in collaboration with Securities and Exchange Board of India organised a workshop on ‘Financial Literacy Awareness’ on August 26, 2016 at 4.00 p.m. in ILI. The purpose of holding the workshop was to spread awareness about



protection of interests of the investors as well as common man so that they can take their financial decisions in a more prudent and meaningful manner and also to make them aware about the intricacies of the market and the risks involved in different financial products.

- **Workshop on “Understanding the Copyright & Related Rights” from November 21-26, 2016.**

The Workshop offered academicians, scholars, lawyers, publishers and law students an opportunity to develop better understanding of the copyright law and related concepts. It addressed and shed clarity on diverse interests of copyright owners and licensees. The workshop sessions comprised lectures, presentations, participatory activities and discussions pertaining to all copyright conundrums. Eminent academicians of copyright law enriched the deliberations for the advantage of participants. Upon successful completion of the workshop, certificates were issued by the Institute to the participants.

- **International Conference on Use of Technology in Courts and Liberalisation of Legal Profession on December 10, 2016**

The Indian Law Institute organized one day joint international conference on the theme “Use of Technology in Courts and Liberalisation of Legal Profession” jointly with Deakin University, Australia and National Law University, New Delhi on December 10, 2016. The Conference was attended by eminent jurists both from Australia and India, legal luminaries from academics and practice and diplomats from Australian High Commission as audience and panelists in the Technical Sessions. The Conference was focused on the two broad areas i.e. Use of Technology in Courts and Liberalisation of the Indian Legal Profession.

- **Annual Law Conference on Legal Research Methodology: Issues and Challenges from December 17-18, 2016**

The Indian Law Institute conducted an Annual Law Conference on “Legal Research Methodology: Issues and Challenges” on 17-18 December, 2016, to provide an enriching exposure to the participants on various aspects of legal methodology. The two day programme covered the basic concepts of research methodology focusing on theoretical and practical inputs like formulation of research problem, data collection, conducting literature review, selection of an appropriate method for analysing data and report writing. The target group for participation was faculty members, research scholars and post graduate students from the field of law and social sciences. Mr. Justice Dipak Misra, Judge, Supreme Court of India was the chief guest at the inaugural function.

### **Research Projects**

- **Project from Ministry of Panchayati Raj, Government of India :** The Ministry of Panchayati Raj (MoPR), has entrusted a project to the Indian Law Institute on “A Study on Case Laws Relating to Panchayati Raj in Supreme Court and Different High Courts”.
- **Project from the National Investigation Agency:** The National Investigation Agency (NIA), Ministry of Home Affairs, Government of India has entrusted a project to the Indian Law Institute to prepare a compendium of terrorism-related cases and to draft a model investigation and procedural manual.
- **Project from Ministry of Law and Justice:** The Ministry of Law, Department of Justice has entrusted a project to the Indian Law Institute on “Infrastructure Facilities for Subordinate Judiciaries.”
- **Project from Central Information Commission:** Central Information Commission has requested for a project by the Indian Law Institute on Section 4 of the Right to Information Act, 2005.

### **FORECAST OF ACTIVITIES**

**(FROM 01.01.2017 TO 31.03.2017)**

Publication: The following research documents have been proposed to be published during the above period:

- (i) Journal of the Indian Law Institute (Quarterly publication)
- (ii) ILI Newsletter with Case Comments and Legal Jottings (Quarterly)
- (iii) Annual Survey of Indian Law – 2016
- (iv) Index to Legal Periodicals – 2016
- (v) New Books on
  - Legal Control of Environmental Pollution : An Assessment of Existing Legislation
  - Terrorism, Sedition and Human Rights in India
  - Law, Violence and Justice
  - Intellectual Property and Human Rights in India
  - Law of Copyright: challenges in the Digital World
  - Money Laundering Laws : Issues and Challenges in India
  - Expanding Role of Water Law in 21st Century India : Achievements and Challenges

**Seminar/Conference/Training Programme/Workshop**

- (i) In 2017, the Institute shall organize a one/two day (s) training programme in collaboration with National Human Rights Commission for Prison Officials/ Media Personnel and Judicial Officers on January 23, 2017, February 11-12, , February 22, and March 25-26.
- (ii) Law Commission of India and Indian Law Institute are jointly organizing judicial consultation on bail-related issues to be held on 21st January 2017.

**19. THE INTERNATIONAL CENTRE FOR ALTERNATIVE DISPUTE RESOLUTION (ICADR)**

**Introduction:** The International Centre for Alternative Dispute Resolution (ICADR) was registered under the Societies Registration Act, 1860 on 31st May, 1995. It is an autonomous organisation with its Headquarters at New Delhi and Regional Centres at Hyderabad and Bengaluru. It has been established to promote, popularise and propagate alternative dispute resolution methods to facilitate early resolution of disputes and to reduce the burden of arrears in Courts.

**Arbitration Cases:** The Centre at New Delhi has so far received 51 cases for arbitration including 4 international commercial cases and 4 cases for conciliation. The Arbitral Tribunals have disposed of 43 arbitration cases and hearings in remaining 8 cases are in progress. All four conciliation cases have been disposed off. ICADR continues to receive several requests from Departments of the Government/PSU's for appointment of arbitrators in cases where they are parties. The ICADR has been furnishing panels of arbitrators to the Government/PSU's of India for appointment of arbitrators.

**Conferences/Seminars/Workshops/Training Programmes:**

- The ICADR has organized conference on “Institutional Arbitration and The Challenges Ahead”. This said conference was inaugurated by Mr. Justice T.S. Thakur, the then Chief Justice of India and Chairperson, ICADR. There were two working sessions in this conference on “Institutional Arbitration in India: ICADR as a Facilitator” and “ICADR: The Way Forward”. The programme was attended by many legal luminaries, Officers of Government of India and representatives of Public and Private Sector Companies, Advocates, etc.
- ICADR also organized a 40 hour training programme on Mediation in June 2016 and 10 workshops/seminars/training programmes on ADR.

**Forecast of likely activities during the remaining part of the Current Financial Year i.e. from 1st January, 2017 to 31st March, 2017:**

- (i) ICADR Headquarters proposes to organize some training programmes in mediation and arbitration.

- (ii) ICADR Regional Office-Hyderabad plans to organize 3 Training Programmes/Workshops on ADR in various Districts of the Telangana and Andhra Pradesh, in addition to P.G. Diploma Courses in Alternative Dispute Resolution (ADR) and Family Dispute Resolution (FDR).
- (iii) ICADR, Regional Office, Bengaluru plans to organize two Training programmes/workshops on ADR.

## **20. BAR COUNCIL OF INDIA (BCI)**

The Bar Council of India was constituted under the Advocates Act, 1961 and it has been empowered among other things, to lay down standards of professional conduct and etiquette for lawyers and to maintain and improve the standards of legal education in the country. While the State Bar Councils are the authorities for enrolment of Advocates, the State Bar Councils and the Bar Council of India together enforce discipline among Lawyers. The Bar Council of India acts as appellate authority in respect of disciplinary matters.

(2) The Council meets at regular intervals to transact business in accordance with the agenda circulated to the Members. At the meetings, the Council also conduct removal proceedings under Section 26(1) where persons are enrolled either by misrepresentation or by suppressing essential facts; deals with references received from State Bar Councils under Section 26(1) where the State Bar Council proposes to reject the enrolment application due to any reason; and hear and decide revision petitions under Section 48A of the Advocates Act, 1961 where complaints against advocates for professional or other misconducts filed by individuals are dismissed by State Bar Councils summarily.

## **21. INSTITUTE OF CONSTITUTIONAL AND PARLIAMENTARY STUDIES (ICPS)**

The Institute of Constitutional and Parliamentary Studies (ICPS) is an autonomous body registered under the Societies Registration Act, 1860. The Institute was set up on 10th December, 1956, with the aim to promote and provide for Constitutional and Parliamentary Studies with special reference to the evolution and working of the Indian Constitution in all aspects. In pursuance of its objects, the Institute undertakes research and academic activities and organizes lectures and seminars on themes of current importance. The Institute also brings out publications, organizes internship programme and besides conducting diploma course.

## **22. INCOME-TAX APPELLATE TRIBUNAL (ITAT), MUMBAI**

(1) **ORIGIN:** Section 252 of the Income-tax Act, 1961 provides that the Central Government shall constitute an Appellate Tribunal consisting of as many Judicial Members and Accountant Members as it thought fit, to exercise the powers and discharge the functions conferred on the Appellate Tribunal by the said Act. The Income-tax Appellate Tribunal was established on 25th January, 1941, in pursuance of a similar provision contained in the Indian Income-tax Act, 1922.

**(2) CONSTITUTION:** The Income Tax Act, 1961 further provides that, a Judicial Member of the Tribunal shall be person, who has for at least 10 years held a Judicial Office in the territory of India or has been a Member of the Indian Legal Service and has held a post in Grade-II of that service or any equivalent or higher post for at least three years or who has been an advocate for at least ten years. An Accountant Member shall be a person, who has for at least 10 years been in practice of accountancy (a) as Chartered Accountant under the Chartered Accountants Act, 1949 (38 of 1949) or as a Registered Accountant under any law formerly in force or partly as a Registered Accountant under any law formerly in force or partly as such registered Chartered Accountant, and partly as such Chartered Accountant or who has been a Member of the Indian Income Tax Service, Group A and has held the post of (Additional) Commissioner of Income-tax or any equivalent or higher post for at least three years.

**(3) SHORTAGE OF MEMBERS AND STAFF:** The present sanctioned strength of Members of Tribunal is 126 for 63 benches spread over 27 cities throughout the country out of which only 101 Members are in position and accordingly there are 25 posts of Members vacant as on date. The Tribunal is presently headed by the President assisted by nine (9) Vice - Presidents. At present, seven (7) post of Vice-Presidents and seventeen (17) Members are vacant.

As regards shortage of Registry Officers, Senior Private Secretaries and Private Secretaries, it is submitted that all sanctioned posts of Deputy Registrars (7), are presently lying vacant and out of the 38 sanctioned posts of Assistant Registrars, 17 posts are lying vacant. Further, 2 sanctioned posts of Hindi Officer, all are presently lying vacant, out of the 126 sanctioned posts of Senior Private Secretaries, 38 posts are vacant and out of the 47 sanctioned posts of Private Secretaries, 30 posts are vacant. The details regarding vacancies in other posts in the Income Tax Appellate Tribunal are as under:-

Sr. No.	Posts	Vacant
1	Senior Accountant	2
2	Supdt	4
3	Office Supdt.	8
4	Hindi Translator	11
5	Librarian	1
6	Head Clerk	11
7	U.D.C.	32
8	Steno Grade D	4
9	L.D.C.	64
10	Staff Car Driver	16
11	Multi Tasking Staff	97
	Total	250



**(4) POWERS AND FUNCTIONS:** The Income-tax Appellate Tribunal, constituted under the Income-tax Act, deals with second appeals in all matters of direct taxes and appeals against the revision orders of administrative Commissioners as well as orders of acquisition of properties under Chapter-XX A of the Income-tax Act.

The powers and functions of the Appellate tribunal are exercised and discharged by the Benches constituted by the President of the Tribunal from amongst the Members thereof. A Bench consists of one Judicial Member and one Accountant Member. The President or any other Member of Tribunal authorised in this behalf by the Central Government may, sitting singly, dispose of any case which has been allotted to the Bench of which he is a Member and which pertains to an assessee whose total income as computed by the Assessing Officer in the case does not exceed five lakhs rupees and the President may, for the disposal of any particular case, constitute a Special Bench consisting of three or more Members, one of whom shall necessarily be a Judicial Member and one Accountant Member, subject to the provisions of the Income-tax Act, 1961.

**(5) PROCEDURE AND RULES:** The Appellate Tribunal has the power to regulate its own procedure and the procedure of its Benches in all matters arising out of the exercise of its powers or in the discharge of its functions, including the places at which the Benches shall hold their sittings.

The Appellate Tribunal has, accordingly, framed its own rules called the Income-tax (Appellate Tribunal) Rules, 1963. The said Rules are best suited for the expeditious disposal of all matters pending before the Income-tax Appellate Tribunal. The Tribunal functions not only as the final fact finding authority in matters concerning Income-tax but also in all matters of taxation such as Wealth-tax, Gift-tax and Expenditure tax etc. The Appellate Tribunal is manned by efficient personnel discharging their functions to the best of their ability and holding the scales of justice evenly between the tax payer and the Revenue without fear or favor.

Generally, appeals are heard by a Bench consisting of one Accountant Member and one Judicial Member. However, in appropriate cases, at the discretion of the President, a Bench may consist of more than two Members.

The matters which the Appellate Tribunal disposes of are of vital importance involving revenue to the tune of millions of rupees. The Tribunal is entrusted with the responsible task of deciding intricate questions of law and fact. The presence of both the Judicial and Accountant Members is guaranteed that questions of fact which arise for their consideration are properly enquired into and that the accountancy point, as also the legal angle, have been weighed properly. The Tribunal allows the representatives of both the parties to appeal before it and invariably hears them before passing any order. The Members hear the parties, peruse the evidence on record, make their own notes, refer to the authorities cited at the Bar, confer among themselves and then pass final orders. The procedure is, by itself, a guarantee that questions of facts are properly and judicially decided and inference drawn by the Tribunals are beyond reproach.

**(6) PENDENCY OF APPEALS:** At the beginning of the year 2016, the Pendency of the appeals was 95669 and as on 1st January, 2017 the number of appeals pending in the Income-tax Appellate Tribunal stands at 91538.

It will be seen from the following table that the commitment to reduce pendency is showing encouraging results after all the newly created Benches were made functional:

Year	Institution	Disposal	Pendency at the end of year
2004-2005	57331	78901	137164
2005-2006	45283	73979	108468
2006-2007	43192	65524	86136
2007-2008	44356	59653	70839
2008-2009	40372	55889	55322
2009-2010	41648	49353	47617
2010-2011	44250	36293	55574
2011-2012	42346	33816	64104
2012-2013	43934	33752	74286
2013-2014	46031	31886	88643
2014-2015	45072	30494	103238
2015-2016	40087	51010	91971
<b>2016-2017 upto 01.01.201</b>			
	<b>35712</b>	<b>36145</b>	<b>91538</b>

**(7) EFFORTS FOR REDUCTION OF PENDENCY:** Necessary instruction have already been issued to all the Benches to scrutinize and identify cases which are covered by decisions of I.T.A.T., High Courts, and the Supreme Court and post them on priority basis. This includes group and small matters. The Bar is also requested to the notice of I.T.A.T., all such covered cases for out of turn posting. Besides, Search & Seizure and Appeals u/s 263 are also being given priority in their disposal.

The pendency figure of Single Member Cases is as under:-

Month	Total Pendency
January,2016	2203
February,2016	1945
March,2016	1878
April,2016	1949
May,2016	2638
June,2016	5737
July,2016	15509
August,2016	14912
September,2016	14296
October,2016	14066
November,2016	13878
December,2016	13935

The pendency figure of Wealth Tax Cases is as under:-

Month	Total Pendency
January,2016	269
February,2016	215
March,2016	227
April,2016	240
May,2016	262
June,2016	322
July,2016	235
August, 2016	290
September, 2016	325
October, 2016	356
November, 2016	368
December,2016	364

There are 63 sanctioned Benches of the I.T.A.T. wherein the required strength of the Members is 126 and presently have 101 Members and some of the Benches are not regularly functioning resulting in increase of pendency thereof.

**(8) COMPUTERISATION:** The process of computerization started in the Income Tax Appellate Tribunal in early 2000 and in recent years, this process has gained great momentum with several innovative projects being implemented in day-to-day activities of the Tribunal. Over the years, various projects have been undertaken and implemented by the Tribunal to live upto its motto “Nishpaksh Sulabh Satvar Nyay”.



**(9) ACHIEVEMENTS:**

- (a) **ITAT Online Project:** This pilot project is the first initiative to automate the process of judicial administration in the Tribunal starting from receipt and registration of appeals and applications till disposal and uploading of Tribunal orders. This project was commissioned and implemented in all Benches of the Tribunal in phased manner. ITAT Online is a web-based application which can be accessed from anywhere and anytime. As of now, all Benches of ITAT have been connected to the ITAT Online database and activities like registration, data updation, Tribunal order uploading, etc. are being carried out through the web application. Web-cum-Database Server of this project has been setup in-house and connected by an exclusive high speed 4 Mbps (1:1) Internet Leased Line on Fiber Optic Cable technology.
- (b) **ITAT Official Website:** As an extension to the ITAT Online Project, Official Website of Income Tax Appellate Tribunal has been created and commissioned to deliver judicial and general information to the general public. The Official website has been redesigned to make it more user friendly, informative, responsive, updated and compliant to Government of India Guidelines for Websites. Dynamic information like Cause Lists, Constitution, Case Status, Order Search, Pronouncement Search, etc. have been provided to cater the judicial information needs of the litigants before the Tribunal. This apart, static information like Holiday Lists, Tenders & Auctions, Notice Board, Right to Information, etc. has been made accessible to the litigants in particular and public in general. This website has been widely used and appreciated.
- (c) **NICEMail:** In furthering the utilization of Information and Communication Technology in general administration and effective communication between various Benches, Members and officers, ITAT has subscribed for E-Mail services offered by National Informatics Centre. NICEMail accounts have been created for all Benches, Zones, Members, Registry Officers, Sr. PS/PS and all sections of Head Office. In recent years, due to its ease, fastness, simplicity and economic-and-ecological advantage over conventional methods of communication, usage of E-Mail has started to gain acceptance of the users.
- (d) **INFRASTRUCTURE UPGRADATION:** ITAT has always been conscious that better computerization needs better infrastructure. Accordingly, ITAT has been replacing the old and obsolete computers, printers and other equipments with the latest ones in phased manner. All Members of ITAT have already been provided with laptops for their official use.

**(10) FUTURE PROJECTS:****(a) Redevelopment of Web Application and launching of E-Filing**

For long, ITAT has been contemplating to revamp its Official Website and Web Application to make them more informative, user friendly and compliant to the guidelines and standards. Also, ITAT has given assurance to the Parliamentary Committee on Official Language to make the website and application fully and functionally bilingual. ITAT has also agreed to the request of Income Tax Department for sharing the ITAT Online data with the National Judicial Reference System (NJRS) project, for which also we have to make certain provisions in the Web Application.

Accordingly, to fulfill the above requirements, ITAT has taken up redevelopment of the Bi-lingual Project. ITAT has also included in the project a new Citizen-To-Government (C2G) Module namely 'e-Filing' to enable the litigants before the Tribunal to file appeals and applications online from their door-steps; and to disseminate information through SMS, Email and Mobile Application. Provision is also made in the Project to facilitate and ensure paperless courts in due course.

The development of this project has already been entrusted to a NICSI-Empanelled vendor. The official website has already been launched and the web-application, e-filing module and mobile application are likely to be rolled out in coming two months.

**(b) E-Courts**

During the last year, E-courts were setup at ITAT Rajkot and Jabalpur Benches. Bench proceeding were conducted at ITAT Rajkot and Jabalpur Bench connecting to ITAT Ahmedabad and Delhi Benches respectively. A total number of 826 and 106 appeals were disposed through E-court at these places respectively.

Infrastructure was made available for E-courts at ITAT Mumbai, Delhi, Hyderabad, Ahmedabad, Rajkot, Jaipur, Jodhpur, Jabalpur, Pune, Chandigarh, Bangalore, Chennai, Kolkata, Guwahati Benches, so that non-functional Benches can be made functional as and when necessary.

**(11) OWN BUILDINGS OF I.T.A.T:** ITAT purchased land at Pune, Bangaluru, Jaipur, Lucknow & Guwahati for office-cum- residential accommodation. The Govt. of Odisha has allotted a plot of land measuring 1.601 Acre to ITAT, Cuttack Bench for construction of office building and staff quarters at CDA, Cuttack. Further, ITAT made application for allotment of land for office premises for ITAT, Kolkata Benches, Kolkata at new Town Area, Kolkata at Financial and Legal Hub developed by West Bengal Housing and infrastructure Development Corporation Ltd. (WBHIDCO).

**(12) Details of the status of land:**

- (i) **Pune** – Building plan is awaited for approval of competent authority.
- (ii) **Bangalore** – Construction of the building is started and under process. 4.00 Crore has been released under the head “Capital Outlay” during the Current Financial Year 2016-17 to carry civil and electrical works.
- (iii) **Jaipur** – Construction of building has been completed and shifted to new building in April-2016. Release of an amount of 1.97 crore for carrying out of balance civil and electrical works under the head “Capital Outlay” during the Current Financial Year 2016-17 to carry civil and electrical works.
- (iv) **Lucknow**– Preliminary estimates for ₹53.18 Crores (including expenditure of boundary and main door) submitted by NBCC Ltd., Lucknow as per the terms and conditions suggested by the CPWD, for carrying out construction of office-cum-residential complex on the plot of land 8314.28 Sq.Mtr.Land of ITAT, Lucknow Benches is under process and to obtain approval and concurrence of Ministry.
- (v) **Cuttack** – Preliminary Estimates for Rs.2.14 crore submitted by CPWD for construction of boundary wall and Preliminary estimates for ₹24.47 crore submitted by CPWD for construction of office-cum-residential complex for ITAT, Cuttack Bench is under process and to obtain approval and concurrence of Ministry.
- (vi) **Guwahati** – Taken over land of Central Inland Water Transport Corporation Ltd.(CIWTC) at ₹4.03 crore at Fancy Bazar, Guwahati, under the head “Capital Outlay” during the current Financial Year 2016-17.
- (vi) **Kolkata** – Applied for allotment of land, Land for office premises for ITAT, Kolkata Benches, Kolkata at New Town Area, Kolkata at Financial and Legal Hub developed by West Bengal Housing Infrastructure Development Corporation Ltd. (WBHIDCO). Ministry’s concurrence received to deposit of Earnest Money for ₹25 lakh under the head “Capital Outlay” during the current Financial Year 2016-17 and is under process for payment.

**(13) FACILITIES FOR MEMBERS:** The Hon’ble Supreme Court of India vide order dated 19.9.2003 in SLP (L) Mos.6905/1998 & TP(C) Nos. 659 and 672-673 of 1998 in the case of Union of India and others Vs. All Gujarat Federation of tax consultants had directed the Government to provide the various facilities to the Members of Income Tax Appellate Tribunal and every effort has been made by the ITAT to provide the said facilities to the Members.

**(14) BENEVOLENT FUND:** A Benevolent Fund, the corpus of which has been built out of voluntary contributions by the officers and staff, also exists in the Income-tax Appellate Tribunal. The President, Income-tax Appellate Tribunal, is the petron. Officers and staff contributes voluntarily to this fund and disbursements are made to officials in need of medical or other emergent situations on the recommendation of Committee formed under the Rules.

**(15) RIGHT TO INFORMATION ACT, 2005:** It is being implemented by the Income Tax Appellate Tribunal.

**(16) IMPLEMENTATION OF OFFICIAL LANGUAGE POLICY:**

- (i) Official Language Implementation Committees have been constituted at all the Benches of Income-tax Appellate Tribunal, with a view to keeping a watch and providing guidance for proper implementation of the official language policy prescribed by Department of official language, Government of India.
- (ii) Progress in achieving the targets set for Hindi correspondence and its implementation is monitored by the concerned Benches and their quarterly reports regarding progressive use of Hindi is regularly scrutinized by Head Quarters at Mumbai. Training in Hindi/Hindi Typing/Hindi Stenography is offered by nominating sufficient number of officials under Hindi Teaching Scheme., Department of official language, Government of India.
- (iii) Hindi workshops are also held in all the Benches for proper implementation of the official language policy and to encourage the use of Hindi and to remove the hesitation of officers / employees to work in Hindi.
- (iv) Every endeavour is being made for the progressive use of Hindi by putting the Hindi Work as much as required in accordance with the provisions of the Official Language Act, 1963.
- (v) This year sufficient funds were provided to purchase Hindi Books at all these Benches. As per the implementation of official language policy in all offices of Income Tax Appellate Tribunal to make an expenditure of the purchase of Hindi Books which is 50% of total library grant was allotted this year, in accordance with the target fixed by the Department of official language, Government of India.
- (vi) With a view to creating awareness in regard to the use of Official Language Hindi in official work as well as to accelerate the pace of its progressive use, Hindi Day & Hindi Fortnight have been organized at all benches.

**(17) IMPLEMENTATION OF INSTRUCTIONS REGARDING REPRESENTATIVE IN SERVICES OF HANDICAPPED, SHEDULED CASTES & SCHEDULED TRIBES, AND EX-SERVICEMEN ETC:**

The Government of India's instructions regarding the concessions in appointments to the Handicapped, Scheduled Castes & Scheduled Tribes and Ex-Serviceman etc., were duly implemented during the year 2016-2017 and the statistics relating to representation of these categories in services of the Income-tax Appellate Tribunal is at **ANNEXURE -VI**.



### 23. APPELLATE TRIBUNAL FOR FOREIGN EXCHANGE (ATFE)

The Appellate Tribunal for Foreign Exchange was established under section 18 of Foreign Exchange Management Act (FEMA), 1999. As per section 19 of FEM Act, any person aggrieved by an order passed by Enforcement Directorate, or made by an Adjudicating Authority other than referred to in sub-Section (1) of Section 17, may prefer an appeal to this Tribunal. That appeal is filed within 45 days from the date of receiving the order by the aggrieved person and after depositing the penalty amount. When a fresh appeal is filed by an aggrieved party, the same is scrutinized in the registry. After scrutiny and completing all pleadings, Registrar refers the matter for hearing before the appropriate bench of the Tribunal.

(2) During calendar year 2016, the Tribunal could decide only 69 matters finally and about 91 interim orders have been passed on various applications. It is pertinent to mention here that the post of the Hon'ble Chairperson is lying vacant since September 2016 which is likely to be filled up very soon. The Tribunal is a National Tribunal where lawyers including senior designated lawyers from all over the country appear. Despite acute shortage of staff and funds the Tribunal with its two regular functional benches is discharging work in a most orderly manner. 31 fresh matters have been received in the Registry and one matter has been remanded back by the High Court during the above period. Total number of pending cases at the end of December, 2016 are 889. A yearly statement showing the fresh filing and finally decided cases is enclosed herewith. It is also to mention here that important orders/judgments are being published in law journals like Taxman and Manupatra. The target of the Tribunal is to decide about maximum number of matters finally on merits in the current calendar year. Tribunal is also focusing for developing of its own web-site which has now come up to the final stage and likely is to be operational in the next coming months. Proposal for library, restructuring of staffing, grant of financial powers etc. are being pursued.

#### (3) COMPOSITION OF THE TRIBUNAL:

The composition of the Tribunal is as under:-

	<b>Name of the Officer</b>	<b>Phone No.</b>
1.	Hon'ble Chairperson (Vacant)	011-23316359
2.	Dr. H.K. Mudgil, Hon'ble Acting Chairperson	011-23738154
3.	Smt. Sharda Jain, Hon'ble Member.	011-23711710
4.	Shri Jagannath, A.L.A./Registrar, also First Appellate Authority under RTI Act	011-23714281
5.	Shri Rakesh Kumar, PS, also C.P.I.O. under RTI Act.	011-23738154



- (4) The statement showing the total number of pendency, disposal of appeals and filing of fresh appeals during the year of 2016 is as under. This statement is based on as per record/information available with the registry:

A	B	C	D	E	F	G
Total number of pending matters at the end of year-2015	Total numbers of Fresh matters filed during the year of 2016	Total numbers of matters remanded back by the High Courts in the year of 2016	Total number of Appeals (A+B+C)	Total number of Appeals finally Disposed off during the year 2016	Number of Interim orders on Misc. Applications are passed.	Total numbers of pending Appeals at the end of year-2016 (D-E)
926	31	01	958	69	91	958-69=889

## 24. VIGILANCE ACTIVITIES

The Vigilance Unit in the Ministry of Law and Justice caters to Department of Legal Affairs (including Income tax Appellate Tribunal) and Legislative Department. Vigilance Unit is presently headed by Shri R. K. Srivastava, Deputy Legal Adviser. The overall responsibility of vigilance activities of both of these Departments rests with the Chief Vigilance Officer. The Chief Vigilance Officer is the nodal point in the vigilance unit set up for these Departments and is entrusted with the following:

- Identification of sensitive areas prone to malpractices/ temptation and taking preventive measures to ensure integrity/ efficiency in government functioning.
- Taking suitable action to achieve the targets fixed by the Department of Personnel & Training on anticorruption measures;
- Scrutiny of complaints and initiation of appropriate investigation measures;
- Inspection and follow up action on the same;
- Furnishing comments of the Department to the Central Vigilance Communication on the investigation reports of the Central Bureau of Investigation;
- Taking appropriate action in respect of departmental proceedings on the advice of Central Vigilance Commission or otherwise;
- Obtaining first and second stage advice of the Central Vigilance Commission wherever necessary; and
- Obtaining the advice of Union Public service Commission in regard to the nature and quantum of penalty.

(2) Preventive vigilance continues to receive priority attention with emphasis on identification of areas sensitive or prone to malpractices and temptation. The guidelines/ instructions issued from time to time by the Department of Personnel & Training and Central Vigilance Commission in this regard are followed. Vigilance Awareness Week was observed in the week starting from 31st October, 2016 to 5th November, 2016. The pledge taking function was organized at 11.00 a.m. on 31.10.2016 and Law Secretary administered the Pledge to all the officers and staff of both the Departments in Shastri Bhawan. This year the main focus of observing Vigilance Awareness Period was “Public participation in promoting Integrity and eradicating Corruption”.

## 25. GENDER ISSUES

The Complaints Committee set up by the Department to look into the complaints on sexual harassment from employees of both the Departments i.e. Department of Legal Affairs and Legislative Department, has since been reconstituted vide order No.129 dated 30th November, 2012 continued during 2016-17. The said committee is to ensure time bound treatment of complaints, if any, received by it. The committee has to make an Annual Report of the complaints received, and action taken by it, to the Secretary, Department of Legal Affairs and Secretary, Legislative Department in respect of the staff working under their respective control. The said committee is also empowered to co-opt a third party, either NGO or other body, familiar with or having experience in the subject matter, as a Member.

26. Statements showing the total number of government servants, number of Scheduled Castes, the Scheduled Tribes, Other Backward classes, Ex-Servicemen and physically handicapped amongst them in the Department of Legal Affairs and Legislative Department as on 01.01.2017 is enclosed at **Annexures - VII**.

27. The representation of female employees in the Ministry of Law & Justice is given at **Annexure - VIII**.

## 28. INITIATIVES TAKEN UNDER ‘MINIMUM GOVERNMENT AND MAXIMUM GOVERNANCE

(1) Simplification of official procedure Admn.IV Section is cadre controlling authority for the three services of Central Secretariat Service viz. CSS, CSSS and CSCS. The Procedure prescribed by DOP&T is being followed in dealing with administrative matters.

(2) Digital India - Following initiatives have been taken under the Digital India Program.

### (i) LIMBS (Legal Information and Management Briefing System)

LIMBS is an easy to access, web-based tool for comprehensive, regulatory and pro-active monitoring of court cases.

LIMBS is a web-based platform which provides a common access portal to all users having varying needs and cutting across administration pyramids i.e. access is available right from the file dealer to

the top management LIMBS has user friendly data entry screen for capturing the details of court cases. Progress of court cases can be entered. Various MIS reports help to monitor these cases. E-document vault allows user to enter the important judgment. SMS alerts are used to sensitize the users over important issues.

The LIMBS application will host huge data, involve various stakeholders, Nodal Authorities to take data driven decisions, know the data of hearing in advance and may enable the authorities to prepare their response in advance.

## **(ii) NDSAP (National Data Sharing and Accessibility Policy)**

The objective of this policy is to facilitate the access to Government of India owned shareable data and information in both human readable and machine readable forms through a network all over the country in a proactive and periodically updatable manner, within the framework of various related policies. Acts and rules of Government of India, thereby permitting wider accessibility and use of public data and information.

Benefits of NDSAP:-

- (a) Maximising use
- (b) Avoiding duplication
- (c) Maximised integration
- (d) Ownership information
- (e) Better decision-making

## **(iii) E-Office**

The main objectives of e-office are:-

- (a) To improve efficiency, consistency and effectiveness of government responses
  - (b) To reduce turnaround time and to meet the demands of the citizens charter
  - (c) To provide for effective resource management to improve the quality of administration
  - (d) To reduce processing delays
  - (e) To establish transparency and accountability
  - (f) The system will automate movement of files within government offices.
- (4) Reduction of Decision making level - In some cases like sanction of leave etc. power has been delegated.
- (5) On-line processing of Pension cases - On line process of Pension cases is being initiated.

## **29. CONSTITUTION DAY**

On the occasion of 126th Birth Anniversary of Dr. BR Ambedkar, Chairman of Drafting Committee, 26th Nov. 2016 was celebrated as 'Constitution Day'. The Celebration consisted of reading out of 'Preamble' to the Constitution of India.





सत्यमेव जयते

## **CONSTITUTION OF INDIA**

### **Preamble**

WE THE PEOPLE OF INDIA, having  
solemnly resolved to constitute India into a  
Sovereign Socialist Secular Democratic Republic  
and to secure to all its citizens

### **JUSTICE**

Social, economics and political:

### **LIBERTY**

of thought, expression, belief, faith and worship

### **EQUALITY**

of status and of opportunity: and to  
promote among them all

### **FRATERNITY**

assuring the dignity of the individual and  
the unit and integrity of the Nation

### **IN OUR CONSTITUENT ASSEMBLY**

this twenty-sixth day of November, 1949, do

**HEREBY ADOPT, ENACT AND GIVE TO  
OURSELVES THIS CONSTITUTION**

**30. Details of foreign visits undertaken by the Hon'ble Minister of Law & Justice, Officers of the Department of Legal Affairs and Law Officers w.e.f. 01-01-2016 to 31.12.2016.**

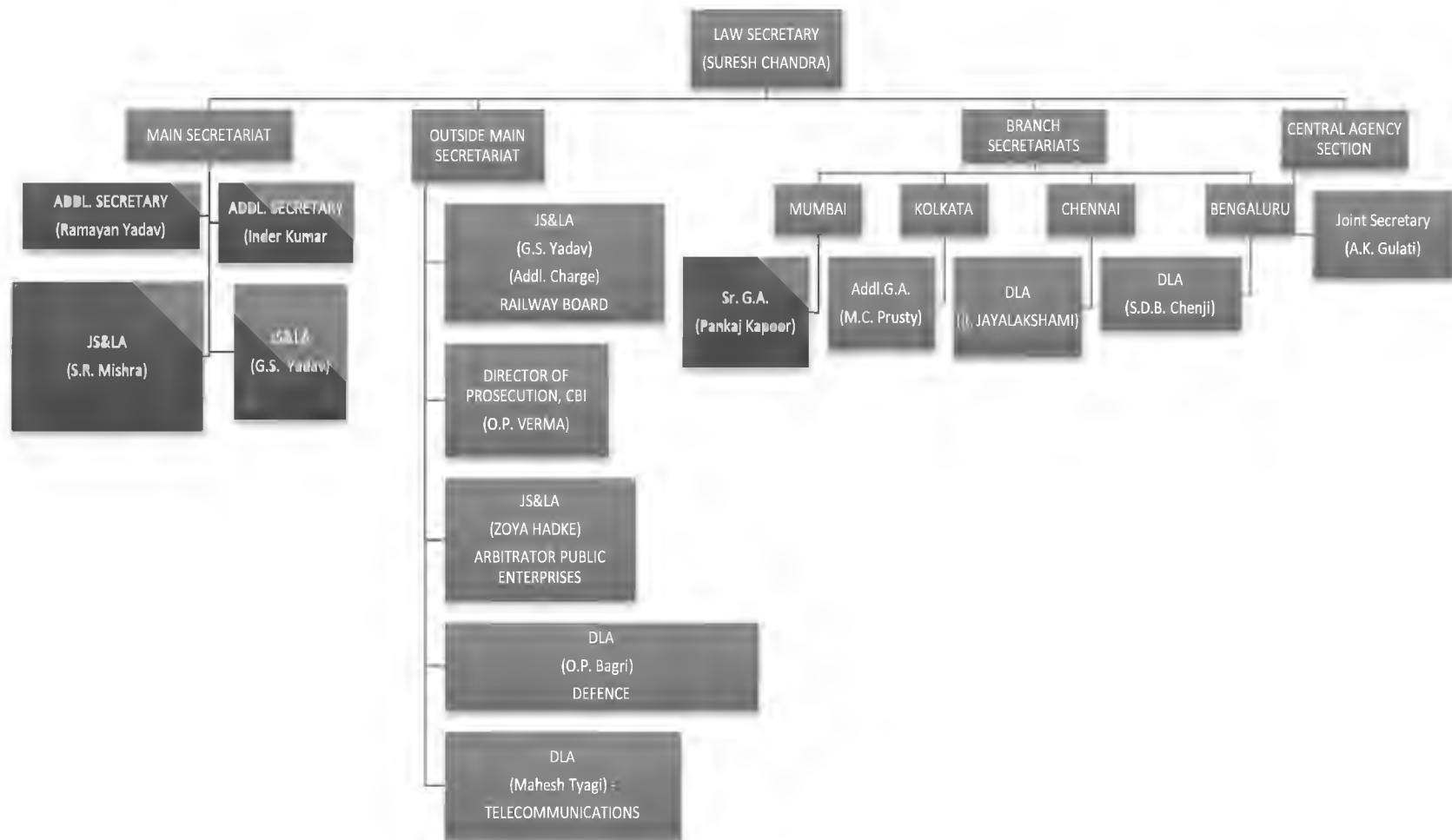
S. No.	Name & Designation	Country	Purpose of visit and duration
1.	Shri D.V.Sadananda Gowda, the then Hon'ble Minister of Law & Justice.	Russia (St. Petersburg)	To Participate in VIth St. Petersburg International Legal Forum from 17th to 21st May, 2016.
2.	Shri P.P.Chaudhary, Hon'ble Minister of State (Law & Justice)	Netherlands (The Hague)	In connection with Litigation matter at the Hague from 25th to 26th October, 2016.
3.	Shri Suresh Chandra, Law Secretary	U.S. A. (New York)	To attend 49th Session of the United Nations Commission on international Trade Law (UNCITRAL), New York (USA) from 11th to 15th July, 2016.
		Netherlands (The Hague)	In connection with Litigation matter at the Hague from 25th to 26th October, 2016.
4.	Shri Mukul Rohatgi, Ld. Attorney General for India	South Korea and Japan	To participate in the 50th Anniversary celebration of the UNCITRAL and seminars on Intellectual Property Rights and Indian Judicial System from 16th to 23rd May, 2016.
5.	Shri K.M.Natraj, Additional Solicitor General of India	Russia (St. Petersburg)	To Participate in VIth St. Petersburg International Legal Forum from 17th to 21st May, 2017.
6.	Shri Vijay Mohan Jain, OSD to then Hon'ble Minister of Law & Justice.	Russia (St. Petersburg)	To Participate in VIth St. Petersburg International Legal Forum from 17th to 21st May, 2017.
7.	Shri R.K.Srivastava, Deputy Legal Adviser	Brazil (Brasilia)	To participate in the meeting of the Bilateral Investment Treaty (BIT) between India and Brazil from 3rd to 7th October, 2016.
8.	Dr. R.J.R. Kasibhatla, Deputy Legal Adviser	New Zealand (Auckland)	To Participate in meeting of the Working Group of Investment in the 13th Round of the Regional Comprehensive Economic Partnership Negotiations from 12th to 18th June, 2016
		Vietnam (Ho Chi Minh City)	To participate in the meeting of the 14th round of Working Group on Investment from 14th -19th August, 2016.
		Indonesia (Tangerang, Banten)	To participate in 16th Meeting of the Regional Comprehensive Economic Partnership Trade Negotiating Committee (RCEP TNC 16) and related meeting from 5th to 10th December, 2016



9.	Shri Ramesh Chander, Deputy Legal Adviser	U. S. A. (New York)	49th Session of the United Nations Commission on International Trade Law (UNCITRAL) New York from 3rd to 15th July, 2016.
10.	Shri Rajveer Singh Verma, Deputy Legal Adviser	Russia (St. Petersburg)	To Participate in VIth St. Petersburg International Legal Forum from 17th to 21st May, 2017.
11.	Dr. D.V.Rao, Deputy Legal Adviser	Iran (Tehran)	To participate in the Commencement of negotiation between Indian and Iran on Bilateral investment Treaty (BIT) in Tehran, from 5th to 7th September, 2016.
12.	Shri R.Ganesh Voltair, Deputy Legal Adviser	China (Tianjin)	To participate in the 15th meeting of the Regional Comprehensive Economic Partnership Trade Negotiations Committee (RCEP TNC 15) and related meeting from 16th to 21st October, 2016.
13.	Shri Raghvendra Singh Shrinet, Assistant Legal Adviser	South Korea (Inchon)	To participate in the Trade Law Forum Conference being organized by the UNCITRAL-Regional Centre for Asia and the Pacific at Inchon (South Korea) from 16th to 18th May, 2016.
15.	Ms. Arti Chopra, Assistant Legal Adviser	Austria (Vienna)	To participate in the Sixty fifth session of UNCITRAL working Group II (Dispute Settlement) to be held in Vienna(Austria) 12th to 23rd September, 2016.
		Australia (Perth)	To participate in the 12th Meeting of the working Group on Investment (WGI) under Regional Comprehensive Economic Partnership (RCEP) in Perth, Australia from 23rd to 29th April, 2016.

**31. Status of Pending Audit Paras: - NIL**

**Annexure – I**  
**(See Chapter – I, Para 2)**  
**ORGANISATION CHART OF THE DEPARTMENT OF LEGAL AFFAIRS**



## ANNEXURE – II

[See Chapter-I, Para 12(c)(xi)]

### Details of officers/officials Trained Under Hindi Teaching Scheme as on 31-12-2016

	1	2	3
	Total No. of Officers and Operating Staff	No. of Staff knowing Hindi/Hindi Trained	No. of persons yet to be trained in Hindi
Legal Affairs	385	385	0
	4	5	6
Legal Affairs	Total No. of Typists (Court Clerks / LDCs)	No. of persons trained in Hindi Typewriting	No. of persons yet to be trained in Hindi Typewriting
	76	46	30
	7	8	9
Legal Affairs	Total No. of Stenographers	No. of persons trained in Hindi	No. of Persons yet to be trained in Hindi Stenography
	112	78	34

# ANNEXURE – III

[See Chapter-I, Para 12(c)(xi)]

## DETAILS OF THE PROGRESSIVE USE OF HINDI INCLUDING HINDI TEACHING SCHEME DURING THE PERIOD FROM 1<sup>ST</sup> JANUARY, 2016 TO 31<sup>ST</sup> DECEMBER, 2016

	1	2	3	4		5		6
	Letters received in Hindi	Letters replied to in English	Letters replied to in Hindi	Total No of originating letters		Letters sent to in Hindi		Letters sent to in English
Legal Affairs	6942	No letter was replied to in English	6301	31270		19530		11740
	7	8	9	10		11		12
	Total No. of telegrams	Issued in Hindi	Issued in English	No. of documents issued both in Hindi & English		No. of documents issued in Hindi		No. of documents issued in English
	---	---	---	5007		---		---
	13	14	15	16		17		
	Total No. of Computers	No. of Devnagari/bilingual Computers	No. of English Computers	Total No. of Staff		No. of staff proficient in Hindi		
Legal Affairs	300	300*	—	Gazetted	Non gazetted	Gazetted	Non gazetted	
				171	214	72	155	

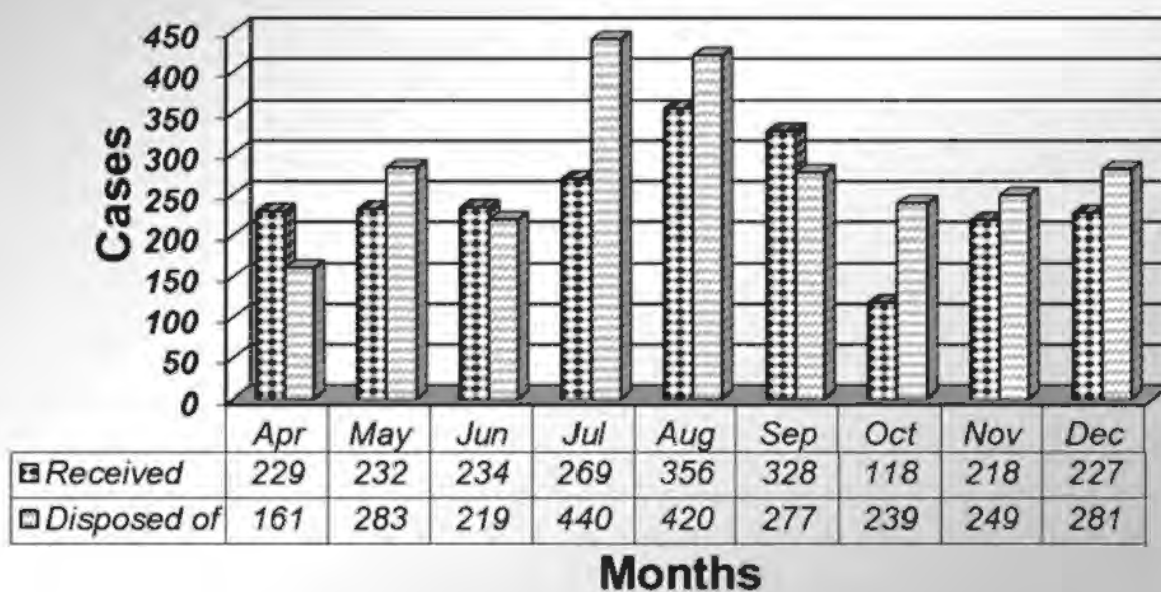
18		19	
Rubber Stamps		Name Plates	
Bilingual	In English	Bilingual	In English
All	---	All	----

\*All computers have facility to work both in Hindi and English.

# ANNEXURE – IV

[See Chapter-I, Para 13 (7)]

**Comparative analysis of litigation handled by the Branch Secretariat, Kolkata during April, 2016 to December, 2016**

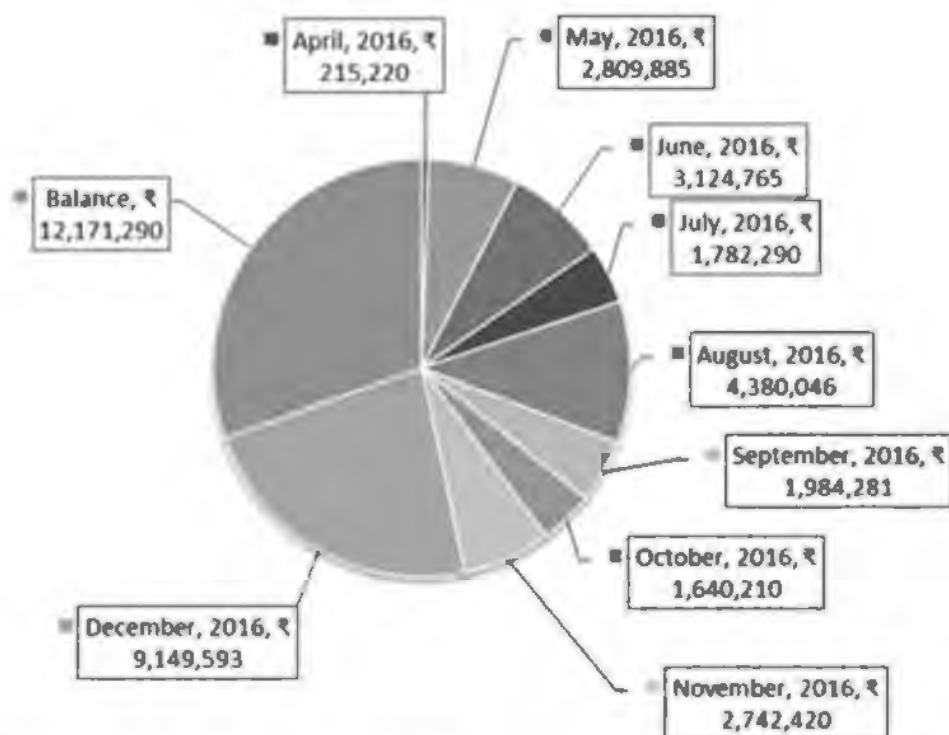




ANNEXURE – V

[See Chapter-I, Para 13 (9)]

**Data regarding disbursement of Professional Fee to Panel Counsel by the Branch Secretariat, Kolkata during April, 2016 to December, 2016**



**Budgetary amount during the year 2016-2017 : Rs. 4,00,00,000/-**  
**Total Amount Paid upto December, 2016 : Rs. 2,78,28,710/-**

ANNEXURE – VI

[See Chapter-I, Para 22(17)]

**Total number of Employees of I.T.A.T. including SCs, STs, OBCs, ExS, PH as on 01.01.2017**

GROUP A	No of employees	GEN	SC	ST	OBC	Ex-serv	PH
President	1	1	-	-	-	-	-
Vice President	2	2	-	-	-	-	-
Accountant Member	52	29	4	3	15	-	1
Judicial Member	46	26	7	2	11	-	-
Registrar	1	1	-	-	-	-	-
Deputy Registrar	-	-	-	-	-	-	-
Assistant Registrar	21	11	4	1	5	-	-
Hindi Officer	-	-	-	-	-	-	-
<b>TOTAL</b>	<b>123</b>	<b>70</b>	<b>15</b>	<b>6</b>	<b>31</b>	<b>0</b>	<b>1</b>

GROUP B	No of employees	GEN	SC	ST	OBC	Ex-serv				PH			
						SC	ST	OBC	GEN	SC	ST	OBC	GEN
Senior P.S.	88	55	11	1	21	-	-	-	-	-	-	-	-
Private Secretary	17	7	1	1	8	-	-	-	-	-	-	-	-
Supdt	2	2	-	-	-	-	-	-	-	-	-	-	-
Office Suptd.	3	1	2	-	-	-	-	-	-	-	-	-	-
Hindi Translator	6	3	1	-	2	-	-	-	-	-	-	-	-
Head Clerk	37	26	7	3	1	-	-	-	-	-	-	-	-
Senior Accountant	0	0	-	-	-	-	-	-	-	-	-	-	-
Librarian	2	2	-	-	-	-	-	-	-	-	-	-	-
Assistant	8	7	1	-	-	-	-	-	-	-	-	-	-
<b>TOTAL</b>	<b>163</b>	<b>103</b>	<b>23</b>	<b>5</b>	<b>32</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

GROUP C	No of employees	GEN	SC	ST	OBC	Ex-serv				PH			
						SC	ST	OBC	GEN	SC	ST	OBC	GEN
Upper Division Clerk	90	43	9	3	29	-	-	3	-	-	1	-	2
Steno Grade 'D'	1	1	-	-	-	-	-	-	-	-	-	-	-
Lower Division Clerk	124	59	25	11	26	-	-	1	-	-	-	2	-
Staff Car Driver	34	3	9	3	4	1	1	8	5	-	-	-	-
<b>TOTAL</b>	<b>249</b>	<b>106</b>	<b>43</b>	<b>17</b>	<b>59</b>	<b>1</b>	<b>1</b>	<b>12</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>2</b>

	No of employees	GEN	SC	ST	OBC	Ex-serv				PH			
						SC	ST	OBC	GEN	SC	ST	OBC	GEN
Multi-Tasking Staff	201	61	64	16	31	1	3	8	10	3	0	3	1
<b>TOTAL</b>	<b>201</b>	<b>61</b>	<b>64</b>	<b>16</b>	<b>31</b>	<b>1</b>	<b>3</b>	<b>8</b>	<b>10</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>1</b>

## ANNEXURE – VII

[See Chapter-I, Para 26]

STATEMENT SHOWING THE TOTAL NUMBER OF GOVERNMENT SERVANTS AND THE NUMBER OF SCHEDULED CASTES, SCHEDULED TRIBES, OTHER BACKWARD CLASSES, EX-SERVICEMEN AND PHYSICALLY HANDICAPPED AMONGST THEM AS ON THE 1<sup>ST</sup> JANUARY, 2017

### DEPARTMENT OF LEGAL AFFAIRS

Group	Total No. of Employees	Scheduled Castes	% of total employees	Scheduled Tribes	% of total employees	Other Backward Classes	% of total employees	Ex-service-men	% of total employees	Physically Handicapped	% of total employees
<b>Group 'A'</b>	97	18	18.55	6	6.18	12	12.37	-	-	3	3.09
<b>Group 'B'</b>	250	38	15.20	5	2.00	22	8.80	3	1.20	6	2.40
<b>Group 'C'</b>	135	13	9.62	2	1.48	16	11.85	-	-	2	1.48
<b>Group 'D' (excluding safaiwala)</b>	164	51	31.09	9	5.48	24	14.63	1	.60	2	1.21
<b>Group 'D' Safaiwala</b>	8	8	100	-	-	-	-	-	-	-	-
<b>TOTAL</b>	654	128	19.57	22	3.36	74	11.31	4	.61	13	1.98

- \* The above statement includes information in respect of posts existing in Legislative Department, Law Commission and Central Agency Section also pertaining to cadres being controlled by this Department.
- \* The above statement does not include information about posts in Income Tax Appellate Tribunal (ITAT).

**STATEMENT SHOWING THE NUMBER OF RESERVED VACANCIES FILLED BY MEMBERS  
OF SCHEDULED CASTES AND SCHEDULED TRIBES DURING THE YEAR 2016**

**Department of Legal Affairs**

**Scheduled Castes**

Group of post	Total no. of vacancies	Total no. of vacancies	Total no. of vacancies reserved	Total no. of vacancies reserved	No. of SC candidates appointed	Short-fall	No. of ST candidates appointed against vacancies reserved for SCs in the third year of carry forward	No. of SC vacancies carried forward to next year	No. of reservations of reservations lapsed after carrying forward for 3 years	No. of reservations lapsed from 1980 till the end of the year previous to the year of review	Progressive total of reservation lapsed (col. 10+11)
	Notified*	Filled	Out of col.2	Out of col.3							
1	2	3	4	5	6	7	8	9	10	11	12
Other than Lowest rung – Group 'A' and Lowest rung of Group 'A'	-	3	-	-	-	-	-	-	-	-	-
Group 'B'	4	10	-	-	1	-	-	-	-	-	-
Group 'C'	-	-	-	-	-	-	-	-	-	-	-
Group 'D' (excluding Safaiwala)	-	-	-	-	-	-	-	-	-	-	-
Group 'D' (Safaiwala)	-	-	-	-	-	-	-	-	-	-	-

**Scheduled Tribes**

Group of post	Total no. of vacancies reserved	Total no. of vacancies reserved	No. of ST candidates appointed	Short-fall	No. of SC candidates appointed against vacancies reserved for STs in the third year of carry forward	No. of ST vacancies carried forward to next year	No. of reservations of reservations lapsed after carrying forward for 3 years	No. of reservations lapsed from 1980 till the end of the year previous to the year of review	Progressive total of reservation lapsed (col. 19+20)
	Out of col.2	Out of col.3							
	13	14	15	16	17	18	19	20	21
Other than Lowest rung – Group 'A' and Lowest rung of Group 'A'	-	-	-	-	-	-	-	-	-
Group 'B'	4	1	-	-	-	-	-	-	-
Group 'C'	-	-	-	-	-	-	-	-	-
Group 'D' (excluding Safaiwala)	-	-	-	-	-	-	-	-	-
Group 'D' (Safaiwala)	-	-	-	-	-	-	-	-	-

\* Vacancies in r/o various posts belonging to cadres of CSS and CSSS are calculated by DoP&T. Only the vacancies belonging to Group 'C' Posts of CSCS cadre are calculated by this Department which are yet to be notified.

**STATEMENT SHOWING THE NUMBER OF RESERVED VACANCIES FILLED BY MEMBERS  
OF SCHEDULED CASTES AND SCHEDULED TRIBES DURING THE YEAR 2016**

**Department of Legal Affairs**

**Scheduled Castes**

Group of post	Total no. of vacancies Notified*	Total no. of vacancies Filled	Total no. of vacancies reserved Out of col.2	Total no. of vacancies reserved Out of col.3	No. of SC candidates appointed	Short-fall	No. of ST candidates appointed against vacancies reserved for SCs in the third year of carry forward	No. of SC vacancies carried forward to next year	No. of reservations of reservations lapsed after carrying forward for 3 years	No. of reservations lapsed from 1980 till the end of the year previous to the year of review	Progressive total of reservation lapsed (col. 10+11)
1	2	3	4	5	6	7	8	9	10	11	12
Other than Lowest rung – Group 'A' and Lowest rung of Group 'A'	-	3	-	-	-	-	-	-	-	-	-
Group 'B'	4	10	-	-	1	-	-	-	-	-	-
Group 'C'	-	-	-	-	-	-	-	-	-	-	-
Group 'D' (excluding Safaiwala)	-	-	-	-	-	-	-	-	-	-	-
Group 'D' (Safaiwala)	-	-	-	-	-	-	-	-	-	-	-

**Scheduled Tribes**

Group of post	Total no. of vacancies reserved Out of col.2	Total no. of vacancies reserved Out of col.3	No. of ST candidates appointed	Short-fall	No. of SC candidates appointed against vacancies reserved for STs in the third year of carry forward	No. of ST vacancies carried forward to next year	No. of reservations of reservations lapsed after carrying forward for 3 years	No. of reservations lapsed from 1980 till the end of the year previous to the year of review	Progressive total of reservation lapsed (col. 19+20)
	13	14	15	16	17	18	19	20	21
Other than Lowest rung – Group 'A' and Lowest rung of Group 'A'	-	-	-	-	-	-	-	-	-
Group 'B'	4	1	-	-	-	-	-	-	-
Group 'C'	-	-	-	-	-	-	-	-	-
Group 'D' (excluding Safaiwala)	-	-	-	-	-	-	-	-	-
Group 'D' (Safaiwala)	-	-	-	-	-	-	-	-	-

\* Vacancies in r/o various posts belonging to cadres of CSS and CSSS are calculated by DoP&T. Only the vacancies belonging to Group 'C' Posts of CSCS cadre are calculated by this Department which are yet to be notified.



ANNEXURE – VIII

[See Chapter-I, Para 27]

**REPRESENTATION OF FEMALE EMPLOYEES**

GROUPS	DEPARTMENT OF LEGAL AFFAIRS (Including Legislative Department)		INCOME TAX APPELLATE TRIBUNAL (ITAT)	
	TOTAL NO. OF EMPLOYEES	NO. OF FEMALE EMPLOYEES	TOTAL NO. OF EMPLOYEES	NO. OF FEMALE EMPLOYEES
GROUP A	97	15	123	8
GROUP B	250	93	163	25
GROUP C	135	4	249	89
GROUP D	172	15	201	13
<b>TOTAL</b>	<b>654</b>	<b>127</b>	<b>736</b>	<b>135</b>

## **CHAPTER-II**

### **LEGISLATIVE DEPARTMENT**

Legislative Department acts mainly as a service provider in so far as the legislative business of the Union Government is concerned. It ensures smooth and speedy processing of legislative proposals of various administrative Departments and Ministries.

#### **1. FUNCTIONS**

- 1.1 The Legislative Department, being a service-oriented Department of the Government of India, is concerned with the following matters, namely:-
- (i) Scrutiny of Notes for the Cabinet in relation to all legislative proposals from drafting angle;
  - (ii) Drafting and scrutiny of all Government Bills including Constitution (Amendment) Bills, translation of all the Bills into Hindi and forwarding of both English and Hindi versions of the Bills to the Lok Sabha or Rajya Sabha Secretariat for introduction in Parliament; drafting of official amendments to the Bills; scrutiny of non-official amendments and rendering assistance to administrative Ministries/Departments to decide the acceptability or otherwise of non-official amendments;
  - (iii) Rendering assistance to Parliament and its Joint/Standing Committees at all stages through which a Bill passes before enactment. This includes scrutiny of, and assistance in, preparation of reports and revised Bills for the Committees;
  - (iv) Drafting of Ordinances to be promulgated by the President;
  - (v) Drafting of legislation to be enacted as President's Acts in respect of States under President's rule;
  - (vi) Drafting of Regulations to be made by the President;
  - (vii) Drafting of Constitution Orders, i.e. Orders required to be issued under the Constitution;
  - (viii) Scrutiny and vetting of all statutory rules, regulations, orders, notifications, resolutions, schemes, etc., and their translation into Hindi;
  - (ix) Scrutiny of State legislation in the concurrent field, which require assent of the President under article 254 of the Constitution;
  - (x) Scrutiny of legislation to be enacted by the Union territory Legislatures;
  - (xi) Elections to Parliament, the Legislatures of States and Union territories and Offices of the President and Vice-President;
  - (xii) Apportionment of expenditure on elections between the Union and the States/Union territories having Legislatures;

- (xiii) Election Commission of India and electoral reforms;
  - (xiv) Administration of the Representation of the People Act, 1950; the Representation of the People Act, 1951; the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991;
  - (xv) Matters relating to Chief Election Commissioner and other Election Commissioners under the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991;
  - (xvi) Matters relating to the Delimitation of Parliamentary and Legislative Assembly Constituencies.
  - (xvii) Legislation on matters relating to personal laws, transfer of property, contracts, evidence, civil procedure, etc., in the Concurrent List of the Seventh Schedule to the Constitution;
  - (xviii) Imparting training in legislative drafting to the officers of the Union/State Governments, etc.
  - (xix) Publication of Central Acts, Ordinances and Regulations and their authorised translations in Hindi and other languages specified in the Eighth Schedule to the Constitution and also translation of legal and statutory documents;
  - (xx) Publication of Hindi translation of selected judgments of the Supreme Court and High Courts on cases pertaining to constitutional, civil and criminal laws in the form of law Journals (Patrikas);
- (2) Legislative Department does not have any statutory or autonomous body under its control. It has two other wings under it, namely, the Official Languages Wing and Vidhi Sahitya Prakashan, which are responsible for propagation of Hindi and other Official Languages in the field of law.
- (a) **Official Languages Wing** of the Legislative Department is responsible for preparing and publishing standard legal terminology and also for translating into Hindi, all the Bills to be introduced in Parliament, all Central Acts, Ordinances, Subordinate legislations, etc., as required under the Official Languages Act, 1963. This Wing is also responsible for arranging translation of the Central Acts, Ordinances, etc., into the Official Languages as specified in the Eighth Schedule to the Constitution as required under the Authoritative Texts (Central Laws) Act, 1973. The Official Languages Wing also releases grants-in-aid to various registered voluntary organisations engaged in promotion and propagation of Hindi and other regional languages and those organisations, which are directly engaged in the publication of legal literature and propagation of Hindi and other Languages in the field of law.
  - (b) **Vidhi Sahitya Prakashan** is mainly concerned with bringing out authoritative Hindi versions of reportable judgements of the Supreme Court and the High Courts with the objective of promoting the progressive use of Hindi in the legal field. Vidhi Sahitya Prakashan brings out various publications of legal literature in Hindi. It also holds exhibitions in various States for giving wide publicity to legal literatures available in Hindi and to promote their sales.

## 2. ORGANISATIONAL SET UP

The organisational set-up of the Legislative Department includes the Secretary, Additional Secretary, Joint Secretary & Legislative Counsel, Additional Legislative Counsel, Deputy Legislative Counsel and Assistant Legislative Counsel and other supporting staff. The work relating to legislative drafting in the case of principal legislation and to scrutinising and vetting of subordinate legislation have been distributed among various Legislative Groups. Each Legislative Group is headed by a Joint Secretary & Legislative Counsel or Additional Secretary, who in turn is assisted by a number of Legislative Counsel at different levels. The Secretary of the Legislative Department acts as the Chief Parliamentary Counsel and the Additional Secretary is in charge of all subordinate legislation. The Organisational Chart of the Legislative Department is at Annexure-IX.

## 3. LEGISLATION

Legislation is one of the major instruments of articulating the policy of the Government. In this context, the Legislative Department plays an important role to secure the policy objectives, which the Government may wish to achieve through legislation.

(2) Legislative Department not only performs functions as a servicing Department for drafting the legislation initiated by the administrative Ministries and Departments but also initiates legislative proposals in respect of the matters with which it is administratively concerned.

(3) Legislative Department drafts the Finance Bill to give effect to the financial proposals of the Central Government every year. This exercise is undertaken in the Legislative Department on the budget proposals being brought before it by the Ministry of Finance. For the purposes of convenience, the various subjects on which Bills are drafted in the Legislative Department at the behest of administrative Ministries/ Departments may be broadly categorised as under:-

- (a) Constitutional amendments;
- (b) Economic and corporate laws;
- (c) Civil Procedure and other social welfare legislation;
- (d) Repeal of obsolete laws; and
- (e) Miscellaneous laws.

4. During the period from 1st January 2016 to 31st December, 2016, this Department has examined 112 Notes for the Cabinet/new legislative proposals in consultation with different Ministries/Departments for drafting Bills/Ordinances for introduction in the Houses of the Parliament. A total number of 42 legislative Bills were forwarded to Parliament for introduction during this period.

The list of Bills forwarded to Parliament during this period is as follows:

Sl. No.	Short Title
1.	The Election Laws (Amendment) Bill, 2016
2.	The Constitution (Scheduled Castes) Order (Amendment) Bill, 2016
3.	The Finance Bill, 2016
4.	The Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Bill, 2016
5.	The Enemy Property (Amendment and Validation) Bill, 2016
6.	The Appropriation (Railways) Vote on Account Bill, 2016
7.	The Regional Centre for Biotechnology Bill, 2016
8.	The Appropriation (Railways) Bill, 2016
9.	The Appropriation (Vote on Account) Bill, 2016
10.	The Appropriation Bill, 2016
11.	The Sikh Gurdwaras (Amendment) Bill, 2016
12.	The Mines and Minerals (Development and Regulation) Amendment Bill, 2016
13.	The Companies (Amendment) Bill, 2016
14.	The Appropriation (No. 2) Bill, 2016.
15.	The Appropriation (Railways) No.2 Bill, 2016
16.	The Uttarakhand Appropriation (Vote on Account) Bill, 2016.
17.	The Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Bill, 2016
18.	The Institutes of Technology (Amendment) Bill, 2016
19.	The Indian Medical Council (Amendment) Bill, 2016
20.	The Dentists (Amendment) Bill, 2016
21.	The National Institutes of Technology, Science Education and Research (Amendment) Bill, 2016
22.	The High Courts (Alteration of Name) Bill, 2016
23.	The Citizenship (Amendment) Bill, 2016
24.	The Lokpal and Lokayuktas (Amendment) Bill, 2016
25.	The Transgender Persons (Protection of Rights) Bill, 2016
26.	The Appropriation (No.3) Bill, 2016
27.	The Employees Compensation (Amendment) Bill, 2016
28.	The Central Agricultural University (Amendment) Bill, 2016
29.	The Motor Vehicles (Amendment) Bill, 2016
30.	The Maternity Benefit (Amendment) Bill, 2016
31.	The Taxation Laws (Amendment) Bill, 2016
32.	The Factories (Amendment) Bill, 2016
33.	The Surrogacy (Regulation) Bill, 2016
34.	The Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2016
35.	The Taxation Laws (Second Amendment) Bill, 2016
36.	The National Institutes of Technology, Science Education and Research (Second Amendment) Bill, 2016
37.	The Appropriation (No.4) Bill, 2016
38.	The Appropriation (No.5) Bill, 2016
39.	The Constitution (Scheduled Castes and Scheduled Tribes) Order (Amendment) Bill, 2016.
40.	The Merchant Shipping Bill, 2016
41.	The Payment of Wages (Amendment) Bill, 2016
42.	The Major Port Authorities Bill, 2016



5. Out of the Bills which were pending before Parliament and those introduced during the period from 01-01-2016 to 31-12-2016, 52 Bills have been enacted into Acts including one Constitutional amendment Act. The list of the Acts enacted during this period is as follows:-

Sl.No.	Short Title of the Act
1.	The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 <b>(1 of 2016)</b>
2.	The Juvenile Justice (Care and Protection of Children) Act, 2015 <b>(2 of 2016)</b>
3.	The Arbitration and Conciliation (Amendment) Act, 2015 <b>(3 of 2016)</b>
4.	The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 <b>(4 of 2016)</b>
5.	The Atomic Energy (Amendment) Act, 2015 <b>(5 of 2016)</b>
6.	The Payment of Bonus (Amendment) Act, 2015 <b>(6 of 2016)</b>
7.	The Appropriation (No. 4) Act, 2015 <b>(7 of 2016)</b>
8.	The Appropriation (No. 5) Act, 2015 <b>(8 of 2016)</b>
9.	The Sugar Cess (Amendment) Act, 2015 <b>(9 of 2016)</b>
10.	The Election Laws (Amendment) Act, 2016 <b>(10 of 2016)</b>
11.	The Bureau of Indian Standards Act, 2016 <b>(11 of 2016)</b>
12.	The Carriage by Air (Amendment) Act, 2016 <b>(12 of 2016)</b>
13.	The High Court and the Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2016 <b>(13 of 2016)</b>
14.	The Appropriation (Railways) Vote on Account Act, 2016 <b>(14 of 2016)</b>
15.	The Appropriation (Railways) Act, 2016 <b>(15 of 2016)</b>
16.	The Real Estate (Regulation and Development) Act, 2016 <b>(16 of 2016)</b>
17.	The National Waterways Act, 2016 <b>(17 of 2016)</b>
18.	The Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 <b>(18 of 2016)</b>
19.	The Appropriation (Vote on Account) Act, 2016 <b>(19 of 2016)</b>
20.	The Appropriation Act, 2016 <b>(20 of 2016)</b>
21.	The Sikh Gurdwaras (Amendment) Act, 2016 <b>(21 of 2016)</b>
22.	The Appropriation Acts (Repeal) Act, 2016 <b>(22 of 2016)</b>
23.	The Repealing and Amending Act, 2016 <b>(23 of 2016)</b>
24.	The Constitution (Scheduled Castes) Order (Amendment) Act, 2016 <b>(24 of 2016)</b>
25.	The Mines and Minerals (Development and Regulation) Amendment Act, 2016 <b>(25 of 2016)</b>
26.	The Appropriation (Railways) No.2 Act, 2016 <b>(26 of 2016)</b>

27.	The Industries (Development and Regulation) Amendment Act, 2016 <b>(27 of 2016)</b>
28.	The Finance Act, 2016. <b>(28 of 2016)</b>
29.	The Appropriation (No.2) Act, 2016. <b>(29 of 2016)</b>
30.	The Anti-Hijacking (Amendment) Act, 2016 <b>(30 of 2016)</b>
31.	The Insolvency and Bankruptcy Code, 2016 <b>(31 of 2016)</b>
32.	The Dr. Rajendra Central Agricultural University Act, 2016 <b>(32 of 2016)</b>
33.	The Uttarakhand Appropriation (Vote on Account) Act, 2016 <b>(33 of 2016)</b>
34.	The Indian Trusts (Amendment) Act, 2016 <b>(34 of 2016)</b>
35.	The Child Labour (Prohibition and Regulation) Amendment Act, 2016 <b>(35 of 2016)</b>
36.	The Regional Centre for Biotechnology Act, 2016 <b>(36 of 2016)</b>
37.	The Lokpal and Lokayuktas (Amendment) Act, 2016 <b>(37 of 2016)</b>
38.	The Compensatory Afforestation Fund Act, 2016 <b>(38 of 2016)</b>
39.	The Indian Medical Council (Amendment) Act, 2016 <b>(39 of 2016)</b>
40.	The Dentists (Amendment) Act, 2016 <b>(40 of 2016)</b>
41.	The Institutes of Technology (Amendment) Act, 2016 <b>(41 of 2016)</b>
42.	The National Institute of Technology, Science Education and Research (Amendment) Act, 2016 <b>(42 of 2016)</b>
43.	The Benami Transactions (Prohibition) Amendment Act, 2016 <b>(43 of 2016)</b>
44.	The Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Act, 2016 <b>(44 of 2016)</b>
45.	The Central Agricultural University (Amendment) Act, 2016 <b>(45 of 2016)</b>
46.	The Appropriation (No. 3) Act, 2016 <b>(46 of 2016)</b>
47.	The Taxation Laws (Amendment) Act, 2016 <b>(47 of 2016)</b>
48.	The Taxation Laws (Second Amendment) Act, 2016 <b>(48 of 2016)</b>
49.	The Right of Persons with Disabilities Act, 2016 <b>(49 of 2016)</b>
50.	The Appropriation (No.4) Act, 2016 <b>(50 of 2016)</b>
51.	The Appropriation (No.5) Act, 2016 <b>(51 of 2016)</b>

## 6. CONSTITUTION AMENDMENT ACT

1.	The Constitution (One Hundred and First Amendment) Act, 2016 (Goods and Services Tax)
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## 7. ORDINANCES

The Legislative Department drafted Ten Ordinances which were promulgated by the President under article 123 of the Constitution during the period from 1st January, 2016 to 31st December, 2016:

Ordn. No.	Short Title
1.	The Enemy Property (Amendment and Validation) Ordinance, 2016 <b>(1 of 2016)</b>
2.	The Uttarakhand Appropriation (Vote on Account) Ordinance, 2016 <b>(2 of 2016)</b>
3.	The Enemy Property (Amendment and Validation) Second Ordinance, 2016 <b>(3 of 2016)</b>
4.	The Indian Medical Council (Amendment) Ordinance, 2016 <b>(4 of 2016)</b>
5.	The Dentists (Amendment) Ordinance, 2016 <b>(5 of 2016)</b>
6.	The Enemy Property (Amendment and Validation) Third Ordinance, 2016 <b>(6 of 2016)</b>
7.	The Enemy Property (Amendment and Validation) Fourth Ordinance, 2016 <b>(7 of 2016)</b>
8.	The Enemy Property (Amendment and Validation) Fifth Ordinance, 2016 <b>(8 of 2016)</b>
9.	The Payment of Wages (Amendment) Ordinance, 2016 <b>(9 of 2016)</b>
10.	The Specified Bank Notes (Cessation of Liabilities) Ordinance, 2016 <b>(10 of 2016)</b>

## 8. REGULATION:

One Regulation has been issued under article 240 of the Constitution:

	Short Title
1.	The Andaman and Nicobar Islands Anatomy Regulations, 2016 (1 of 2016)

## 9. CONSTITUTION ORDER:

One Constitution Order has been issued under article 342 of the Constitution:

	Short Title
1.	The Constitution (Puducherry) Scheduled Tribes Order, 2016

## 10. SUBORDINATE LEGISLATION

During the period from 1st January, 2016 to 31st December, 2016, the number of statutory rules, regulations, orders and notifications scrutinized and vetted by this Department was 3996.

## **11. REPEAL OF OBSOLETE LAWS**

- (i) The Appropriation Acts (Repeal) Act, 2016 (22 of 2016) has been enacted repealing 756 Appropriation Acts.
- (ii) The Repealing and Amending Act, 2016 (23 of 2016) has been enacted repealing 294 Acts.

Cabinet has also approved for repeal of the 105 obsolete Acts of the remaining 422 Act, identified for repeal.

## **12. FUNCTIONS OF THE ELECTION COMMISSION**

Since the time of independence, free and fair elections are being held as per the principles enshrined in the Constitution and the laws governing elections in India. The Constitution has vested in the Election Commission the superintendence, direction and control of the entire process of conducting elections to Parliament, State Legislatures and to the offices of the President and Vice President of India.

(2) Election Commission is a permanent constitutional body. Initially, the Election Commission had only a Chief Election Commissioner. At present, it consists of Chief Election Commissioner and two Election Commissioners. For the first time, two additional Election Commissioners were appointed on 16th October, 1989 but they had a short tenure till 1st January, 1990. Later, on 1st October, 1993, two additional Election Commissioners were appointed. Since then, the multi-member Election Commission has been in operation.

(3) The Chief Election Commissioner and Election Commissioners are appointed by the President of India. As per the Chief Election Commissioner and Other Election Commissioners (Conditions of Service) Act, 1991 (11 of 1991), they have tenure of six years, or up to the age of 65 years, whichever is earlier. They enjoy the same status and receive salary and perks as are available to Judges of the Supreme Court of India. The Chief Election Commissioner can be removed from office only in the like manner and on the like grounds as a Judge of the Supreme Court.

(4) Political parties are registered with the Election Commission in terms of section 29A of the Representation of the People Act, 1951 (43 of 1951). The Election Commission ensures inner party democracy in their functioning by insisting upon them to hold organisational elections at periodic intervals. Political parties registered with the Commission are granted recognition at the State and National levels on the basis of their poll performance at general elections according to criteria specified by it.

(5) The Election Commission has its independent Secretariat for the work relating to the smooth conduct of elections to Parliament and State Legislatures. Legislative Department is entrusted with the functions as the nodal Department for providing Governmental sanctions.

(6) In the year 1950, in the matters of election expenses, it was decided by the Central Government in consultation with the State Governments that the expenditure incurred in relation to the preparation of electoral roll to the Assembly constituencies would be shared on 50:50 basis between the Central Government and State Governments. Further, the expenditure on account of conduct of elections to the House of the People and the State Legislative Assembly would be borne by the Central Government and the concerned State Government and if the election to the House of the People and the State Legislative Assembly are held simultaneously, then, the expenditure would be shared on 50:50 basis between Central and concerned State Government. The initial expenditure will be borne by the respective State Governments and on submission of the audited report, the Central Government's share will be reimbursed.

### 13. ELECTION LAWS AND ELECTORAL REFORMS

Legislative Department is administratively concerned with the following Acts in connection with the conduct of elections to Parliament, State Legislatures and to the offices of the President and the Vice-President, reform of these laws/rules made there under and matters pertaining/incidental thereto:

- (i) The Representation of the People Act, 1950,
- (ii) The Representation of the People Act, 1951,
- (iii) The Presidential and Vice-Presidential Elections Act, 1952,
- (iv) The Delimitation Act, 2002,
- (v) The Andhra Pradesh Legislative Council Act, 2005,
- (vi) The Tamil Nadu Legislative Council Act, 2010.

(2) The electoral system of our country, which is also called the first-past-the-post system of elections, has completed sixty seven years. We have covered the journey of these sixty-seven years after India became Republic with glory and exemplary successes in all the fields. This has been the result of the relentless toil and continuous struggle of the millions who have shaped the present and future of this great country with their sweat and blood. Undoubtedly, this journey has not been an easy sail and we have witnessed much turbulence and turmoil during this period. During this period, the political scenario and the electoral process of the country have undergone continuous epoch-making changes. With each election, the complexities of the electoral process and the election management have been increasing. Of late, the Indian polity is witnessing the era of coalition politics, which has put premium on every single seat in the legislative bodies. This has resulted in healthy competition as the election mandate has fractured extensively. Every single ballot has proved extremely valuable. In such a scenario, allegations and counter-allegations are invariably made. Some inroads by corrupt and criminal elements has posed a challenging task for the conduct of free and fair elections.



(3) The aforesaid scenario, which has been continuously changing, has necessitated reforms of electoral laws on several occasions. In the light of the experience gained during elections, recommendations of the Election Commission, the proposals from different sources including political parties, eminent men in public life and the deliberations in the Legislatures and various public bodies, the successive Governments have taken a number of measures, from time to time, to bring about electoral reforms; though need to effect a comprehensive package of electoral reforms cannot be gainsaid.

(4) The Registration of Electors Rules, 1960 & Conduct of Elections Rules, 1961 were amended vide notification dated 16th September, 2016. The object of the amendment is to simplify and make more user friendly the Form No. 6, 6A, 7, 8, 8A, 18 & 19 appended to Registration of Electors Rules, 1960 and Form No. 2A, 2B, 2C, 2D, 2E, 2F, 2G & 2H appended to Conduct of Elections Rules, 1961. The Conduct of Elections Rules, 1961 were further amended vide notification dated 21st October, 2016 to facilitate the transmission of postal ballot paper by the Returning Officer by such electronic means as may be specified by the Election Commission.

(5) On the 16th January, 2013 the issue of electoral reforms in its entirety has been referred to the Law Commission of India by the Hon'ble Minister of Law and Justice for its consideration, after taking into consideration the reports of various committees in the past, views of the Election Commission and other stakeholders, and to suggest comprehensive measures for changes in the law expeditiously, preferably within a period of three months. After consideration of these entire things, Law Commission of India submitted its 255th Report on 'Electoral Reforms' in 2015. The Legislative Department has constituted a task force to examine the 244th and 255th report on 'electoral reforms'.

The Task Force has submitted its reports with certain suggestion. At present, the 244th & 255th Law Commission Reports are under consideration for implementation of the same.

## **14. ELECTRONIC VOTING MACHINE**

The Electronic Voting Machine (EVM), the replacement of the ballot box is mainstay in the electoral process. First conceived in 1977 in the Election Commission, the Electronics Corporation of India Ltd. (ECIL), Hyderabad was assigned the task to design and develop it. In 1979 a proto-type was developed, which was demonstrated by the Election Commission before the representatives of political parties on 6th August, 1980. The Bharat Electronic Ltd. (BEL), Bangalore, another public sector undertaking, was co-opted along with ECIL to manufacture EVMs once a broad consensus was reached on its introduction.

(2) First time use of EVMs occurred in a bye-election in Kerala in May, 1982, however, the absence of a specific law prescribing its use led to the Supreme Court striking down that election. Subsequently, in 1989, the Parliament amended the Representation of the People Act, 1951 to create a provision for the use of EVMs in the elections. A general consensus on its introduction could be

reached only in 1998 and these were used in 25 legislative assembly constituencies spread across three states of Madhya Pradesh, Rajasthan and Delhi. Its use was further expanded in 1999 to 45 parliamentary constituencies and later, in February 2000, to 45 assembly constituencies of the Haryana assembly elections. In the state assembly elections, held in May 2001, in the states of Tamil Nadu, Kerala, Pondicherry and West Bengal, the EVMs were used in all the assembly constituencies. Since then, for every state assembly elections, the Commission has used the EVMs. In 2004, in the general elections to the Lok Sabha, the EVMs (more than one million) were used in all 543 parliamentary constituencies in the country.

(3) An EVM consists of two units, namely, Control Unit (CU) and Ballot Unit (BU) with a cable (5 mtr long) for connecting the both. A Ballot Unit caters upto 16 candidates. There are number of variants available for the EVMs. Time-to-time it has evolved and has become more robust. In case of pre-2006 and post-2006 EVMs, 4 (Four) Ballot Units can be cascaded together to accommodate upto a maximum of 64 candidates (including NOTA), which can be used with one Control Unit. In case of upgraded post-2006 EVMs, 24 (Twenty Four) Ballot Units can be cascaded together catering to 384 candidates (including NOTA) which can be used with one Control Unit. It runs on a power pack (Battery) having 7.5 volts. In case of upgraded post-2006 EVM, power packs are inserted in 5th, 9th, 13th, 17th & 21st Ballot Units, if more than 4 BUs are connected to a Control Unit. On the right side of the BU along the candidates' vote button digits 1 to 16 are embossed in Braille signage for guidance of visually impaired electors. Subsequently, the Commission has introduced Voter Verifiable Paper Audit Trail (VVPAT) with the EVMs in select assembly constituencies to take the voting experience at higher level.

(4) The design and application of EVMs in the elections are considered a significant achievement in global democracy. It has brought more transparency, swiftness, and acceptability in the system. It has also helped in creating a vast pool of election officials well versed in its use. In its evolution, the Commission has issued series of instructions, frequently asked questions, and technical guidelines. During this period a number of judicial pronouncements has also helped in making the EVMs an integral component of our electoral system.

## **15. EVOLVEMENT AND DISPOSAL OF EVMs FORMATION OF TECHNICAL EXPERT COMMITTEE.**

ECI-EVMs were endorsed by a technical experts subcommittee appointed by the Government of India at the initiative of the Goswami Committee on Electoral Reforms in 1990. This Committee was headed by Prof. S. Sampath, then Chairman RAC, Defence Research and Development Organization, with Prof. P.V. Indiresan, then with IIT, Delhi and Dr. C. Rao Kasarbada, the then Director, Electronics Research and Development Center, Trivandrum as members. Subsequently, the Commission has been consulting a group of technical experts comprising Prof. P.V. Indiresan (member of the earlier committee), Prof. D.T. Shahani and Prof. A.K. Agarwala of IIT Delhi, on all EVM related technical issues. In November, 2010, the Commission has expanded its Technical

Expert Committee by including two more experts, namely, Prof D.K. Sharma from Department of Electrical Engineering, IIT of Mumbai and Prof. Rajat Moona from Department of Computer Science and Engineering, IIT of Kanpur (now Director General, C-DAC). After the demise of Prof. Indiresan in the year 2013, the Committee is being headed by Prof. D.T. Shahani.

(2) All the matters, related to upgradation and disposal of EVMs, are consulted with the Technical Expert Committee (TEC) and thereafter a decision in the matter is taken. At present, the Commission has three version of EVMs in use i.e. Pre-2006, Post-2006 and Upgraded Post-2006. The upgraded Post-2006 (Post-2013) EVMs were used in the General Elections to the House of the People, 2014.

(3) The EVMs manufactured in the year 1989-90 are being destroyed, as advised by the manufacturers, the life of EVMs is about 15-years and that it is risky to use machines more than 15 years old and a phase-out plan for the disposal of EVMs, manufactured in the year 2000-2005, has been communicated to the M/o Law and Justice.

(4) The details of EVMs, procured till date are as under-

S.No.	Financial year	Total no. of BUs	Total no. of CUs	Total amount paid/ Amount Sanctioned (in Rs.)	Total amount paid/ Amount Sanctioned (in Crores)
1	2000-01	142631	142631	1499880443	149.99
2	2001-02	135481	135481	1422900000	142.29
3	2002-03	190592	190592	2006100000	200.61
4	2003-04	336045	336045	3530000000	353.00
5	2004-05	125681	125681	1315400000	131.54
6	2006-07	250000	250000	2893742332	289.38
7	2008-09	180000	180000	1900000000	190.00
8	2009-10	127000	100000	1150000000	115.00
9	2013-14	382876	251650	2159435745	215.94
	<b>Total</b>	<b>1870306</b>	<b>1712080</b>	<b>17877458520</b>	<b>1787.75</b>

(5) Recently approval for procurement of EVMs, in the three financial years, has been received from Ministry of Law & Justice as under:

Sl. No.	Financial Year	Ballot Units	Control Units
1	2016-17	5,50,000	5,45,000
2	2017-18	4,10,000	3,14,000
3	2018-19	4,35,306	71,716
	<b>TOTAL</b>	<b>13,95,306</b>	<b>9,30,716</b>

## **16. STATUS FOR THE PROGRESS OF ELECTORS PHOTO IDENTITY CARD (EPIC)**

The use of electors' photo identity cards by the Election Commission is slowly and surely making the electoral process simple, smoother and quicker. A decision was taken by the Election Commission of India in 1993 to issue photo identity cards to electors throughout the country to check bogus voting and impersonation of electors at elections. The electoral roll is the basis for issue of EPICs to the registered electors. The electoral rolls are normally revised every year with 1st January of the year as the qualifying date. Every Indian citizen who attain the age of 18 years or above as on that date is eligible for inclusion in the electoral roll and can apply for the same. Once he is registered in the roll, he would be eligible for getting an EPIC. The scheme of issuing the EPICs is, therefore, a continuous and ongoing process for the completion of which no time limit can be fixed as the registration of electors is a continuous and ongoing process (excepting for a brief period between the last date for filing nomination and completion of electoral process) on account of more number of persons becoming eligible for the right of franchise on attaining the age of 18. The Commission's continuous effort is to provide the EPICs to the electors who have been left out in the previous campaigns as well as the new electors. The Election Commission, which is in overall charge of implementation of the scheme of issuance of photo identity cards to electors has been monitoring its progress on regular basis.

(2) It has been the endeavor of the Election Commission to achieve the target of 100% coverage under the EPIC scheme, as far as practicable, in a time-bound manner. No standard time period is defined by the Commission for issue of EPIC. However, constant efforts are being made to issue EPIC to all such persons whose names have already been enrolled in the electoral roll:

- (i) Special photography campaigns are organized to make EPIC of all voters.
- (ii) Photographs of electors in the cases where these are not available in the electoral database are collected/taken by conducting a special drive from time to time.
- (iii) Booth Level Officers are appointed by the Commission to collect photographs and make EPIC of all voters.
- (iv) 25th January has been declared as the National Voters' Day so as to ensure hassle free enrolment and issue of EPIC to all newly registered electors.

(3) Latest data (2016) in respect of coverage of EPIC in States/UTs, available in the Commission is given below:-

**STATEMENT SHOWING THE STATUS OF EPIC, 2016**

S. No.	Name of the State	EPIC %
S01	Andhra Pradesh	100.00
S02	Arunachal Pradesh	99.55
S03	Assam	93.85
S04	Bihar	100.00
S05	Goa	99.55
S06	Gujarat	99.99
S07	Haryana	100.00
S08	Himachal Pradesh	100.00
S09	Jammu & Kashmir	89.49
S10	Karnataka	99.43
S11	Kerala	100.00
S12	Madhya Pradesh	100.00
S13	Maharashtra	95.18
S14	Manipur	100.00
S15	Meghalaya	100.00
S16	Mizoram	100.00
S17	Nagaland	98.06
S18	Orissa	97.96
S19	Punjab	98.57
S20	Rajasthan	99.60
S21	Sikkim	100.00
S22	Tamil Nadu	100.00
S23	Tripura	100.00
S24	Uttar Pradesh	99.70
S25	West Bengal	100.00
S26	Chhattisgarh	97.57
S27	Jharkhand	99.92
S28	Uttarakhand	100.00
S29	Telangana	100.00
U01	Andaman & Nicobar Islands	98.97
U02	Chandigarh	99.98
U03	Dadra and Nagar Haveli	100.00
U04	Daman and Diu	97.91
U05	National Capital Territory of Delhi	100.00
U06	Lakshadweep	100.00
U07	Puducherry	99.99
	<b>ALL India</b>	<b>99.04</b>

\* DATA OF 2015



## 17. VOTER VERIFIABLE PAPER AUDIT TRAIL (VVPAT)

In a meeting of all political parties held on 4th October, 2010, the parties expressed satisfaction with the EVM but some parties requested the Commission to consider introducing Voter Verifiable Paper Audit Trail for further transparency and verifiability in poll process. The Commission referred the matter to its Technical Expert Committee on EVMs for examining and making a recommendation in this regard. The Expert Committee had several rounds of meeting with the manufacturers of EVM, namely, BEL & ECIL, on this issue and then had met the political parties and other civil society members to explore the design requirement of the VVPAT system with the EVM. Election Commission has informed vide letter dated 26th December, 2016 that after considering various aspects, Election Commission of India has identified two CPSUs i.e. ITI Ltd, Bangalore and CEL, Ghaziabad besides BEL and ECIL for manufacturing of VVPATs.

(2) The Government of India notified the amended Conduct of Elections Rules, 1961 on 14th August, 2013, enabling the Commission to use VVPAT with EVMs. The Commission used VVPAT with EVMs first time in bye-election from 51-Noksen (ST) Assembly Constituency of Nagaland. Thereafter, VVPATs have been being used in selected constituencies in every election to Legislative Assembly and 8 Parliamentary Constituencies in General Election to the House of the People-2014.

(3) Recently, the Commission has placed orders for supply of 67,000 VVPATs on the manufacturers namely; M/s. Bharat Electronics Limited, Bangalore and M/s. Electronics Corporation of India Limited, Hyderabad.

## 18. FACTS OF VVPAT

Voter Verifiable Paper Audit Trail is an independent system attached with the Electronic Voting Machines that allows the voters to verify that their votes are cast as intended. When a vote is cast, a slip is printed containing the serial number, name and symbol of the candidate and remains exposed through a transparent window for 7 seconds. Thereafter, this printed slip automatically gets cut and falls in sealed drop box of the VVPAT.

(2) VVPAT consists of a Printer and a VVPAT Status Display Unit (VSDU). VVPAT runs on a power pack (Battery) of 15 volts. Control Unit and VSDU are kept with the Presiding Officer/Polling Officer and Ballot Unit and Printer are kept in the voting compartment.

(3) The VVPATs have been used in the following elections, so far:

Sl. No.	Name of State	No. and Name of AC/PC/	Polling Station	Election held	Manufacturer
During bye- election to Nagaland Legislative Assembly, 2013 VVPAT used in the following AC					
1.	Nagaland	51-Noksen (ST) AC	21	4/9/2013	B E L & ECIL
During General Election to Mizoram Legislative Assembly, 2013 VVPAT used in the following ACs					
2.	Mizoram	1. 10-Aizawl North-I (ST)		25/11/2013	ECIL
		2. 11-Aizwal North-II (ST)			
		3. 12-Aizwal North-III (ST)			
		4. 13-Aizwal East-I			
		5. 14-Aizwal East-II (ST)			
		6. 15-Aizwal West-I (ST)			
		7. 16-Aizwal West-II (ST)			
		8. 17-Aizwal West-III (ST)			
		9. 18-Aizwal South-I (ST)			
		10. 19-Aizawl South-II (ST)			
During General Election to Mizoram Legislative Assembly, 2013 VVPAT used in the following ACs					
3.	NCT of Delhi	40-New Delhi AC		4/12/2013	BEL
During General Election to Lok Sabha, 2014 VVPAT used in the following PCs					
4.	Mizoram	385 Polling Stations of 1- Mizoram PC	385	11/4/2014	BEL
5.	Bihar	30- Patna Sahib PC	1746	17/4/2014	BEL
6.	Karnataka	26- Bangalore PC	1926	17/4/2014	BEL
7.	Chhattisgarh	8- Raipur PC	2204	24/4/2014	ECIL
8	Tamil Nadu	4- Chennai Central PC	1153	24/4/2014	BEL
9	Gujarat	6- Gandhinagar PC	1770	30/4/2014	BEL
10.	Uttar Pradesh	35- Lucknow PC	1728	30/4/2014	ECIL
11.	West Bengal	22- Jadavpur PC	1959	12/5/2014	ECIL
During General Election to Maharashtra Legislative Assembly, 2014 VVPAT used in the following ACs in September-October, 2014					
12.	Maharashtra	38-Amravati AC	245	15/10/2014	ECIL
		42-Achalpur AC	290		
		47-Wardha	332		
		61-Bhandara (SC)	429		
		71-Chandrapur (SC)	336		
		78-Yavatmal	387		

Sl. No.	Name of State	No. and Name of AC/PC/	Polling Station	Election held	Manufacturer
		107-Aurangabad Central	258		
		108-Aurangabad West (SC)	274		
		109-Aurangabad East	250		
		123-Nashik East	313		
		124-Nashik Central	279		
		125-Nashik West	290		
		225-Ahmednagar City	259		
During General Election to Mizoram Legislative Assembly, 2013 VVPAT used in the following ACs					
13.	Haryana	13-Thanesar AC	161	15/10/2014	BEL
		21-Karnal AC	170		
		25-Panipat City AC	168		
		31-Sonipat AC	144		
		62-Rohtak AC	145		
		77-Gurgaon AC	171		
During General Election to Jharkhand Legislative Assembly, 2014 VVPAT used in the following ACs					
14.	Jharkhand	36-Bokaro AC	566	14/12/2014	BEL
		40-Dhanbad AC	424	14/12/2014	
		48-Jamshedpur East AC	262	2/12/2014	
		49-Jameshpur West AC	290	2/12/2014	
		63-Ranchi AC	364	9/12/2014	
		64-Hatiya AC	434	9/12/2014	
		65-Karke (SC) AC	388	9/12/2014	
During General Election to Jammu & Kashmir Legislative Assembly, 2014 VVPAT used in the following ACs					
15.	J&K	71-Gandhi Nagar	172	20/12/2014	BEL
		72-Jammu East	82		
		73-Jammu West	171		
During General Election to NCT of Delhi Legislative Assembly, 2015, held in January-February, VVPAT used in the following ACs					
16.	NCT of Delhi	38-Delhi Cant.	150	7/2/2015	BEL
		40-New Delhi	220		
During General Election to Legislative Assembly of Bihar, 2015, held in October-November, VVPAT used in the following ACs					
17.	Bihar	183-Kumhrar	355		ECIL
		182-Bankipur	330		
		181-Digha	383		
		230-Gaya Town	227		
		94-Muzaffarpur	275		
		83-Darbhanga	258		
		194-Arrah	261		
		172-Biharsarif	331		

Sl. No.	Name of State	No. and Name of AC/PC/	Polling Station	Election held	Manufacturer
		118-Chapra	274	Oct-Nov-2015	BEL
		105-Siwan	263		
		156-Bhagalpur	301		
		63-Katihar	228		
		62-Purnia	258		
		165-Munger	284		
		75-Saharsa	312		
		208-Sasaram	315		
		146-Begusarai	264		
		223-Aurangabad	273		
		200-Buxar	256		
		54-Kishanganj	238		
		216-Jahanabad	286		
		237-Nawada	303		
		28-Sitamarhi	244		
		133-Samastipur	227		
		48-Forbesganj	279		
		241-Jamul	259		
		36-Madhubani	281		
		149-Khagaria	210		
		101-Gopalganj	285		
		43-Supaul	240		
		73-Madhepura	272		
		161-Banka	238		
		205-Babua	257		
		19-Motihari	256		
		132-Hajipur	277		
		8-Bettiah	213		
		During General Election to Legislative Assembly of Mizoram, 2015, held in October-November, VVPAT used in the following ACs			
18.	Mizoram	12-Aizwal NE-III (ST)		21.11.2015	BEL
During General Election to Legislative Assembly of West Bengal, 2015, held in October-November, VVPAT used in the following ACs					
19.	West Bengal	4-CoochBehar Dakshin	253	March-May	ECIL
		12-Alipurduar	273	2016	
		17-Jalpaiguri (SC)	280		
		26-Siliguri	238		
		35-Raiganj	194		

Sl. No.	Name of State	No. and Name of AC/PC/	Polling Station	Election held	Manufacturer
		39-Balurghat	188		
		51-Englishbazar	251		
		64-Murshidabad	272		
		Krishnanagar	268		
		119-Barasat	283		
		150-Jadavpur	340		
		161-Ballygunge	291		
		162-Chowrangee	222		
		171-Howrahmadhya	308		
		189-Chandannagore	258		
		203-Tamluk	287		
		236-Medinipur	296		
		242-Purulia	266		
		252-Bankura	303		
		260-Bardhman Dakshin	294		
		154-Behala Paschim	341		
		285-Suri	287		

During General Election to Legislative Assembly of Kerala, 2016, held in March-May, VVPAT used in the following ACs

20	Kerela	133-Vattiyoorkavu	141	March-May, 2016	ECIL
		135-Nemom	148		
		124-Kollam	154		
		104-Alappuzha	153		
		97-Kottayam	158		
		82-Eranakulam	122		
		83-Thrikkakara	147		
		67-Thrissur	149		
		56-Palakkad	140		
		40-Malappuram	154		
		27-Kozhikode North	142		
		11-kannur (Town area)	42		

During General Election to Legislative Assembly of Tamilnadu, 2016, held in March-May, VVPAT used in the following ACs

21	Tamilnadu	21-Anna Nagar	255	March-May 2016	BEL
		43-Vellore	244		
		53-Krishnagiri	294		
		89-Salem (North)	284		
		99-Erode (West)	285		



Sl. No.	Name of State	No. and Name of AC/PC/	Polling Station	Election held	Manufacturer
		114-Tiruppur (North)	327		
		118-Coimbatore (North)	285		
		132-Dindigul	268		
		140-Tiruchirappalli (West)	271		
		155-Cuddalore	228		
		37-Kancheepuram	316		
		74-Villupuram	281		
		189-Madurai (East)	302		
		214-Thoothujudi	271		
		224-Tirunelveli	305		
		229-Kanniyakumari	300		
During General Election to Legislative Assembly of Puducherry, 2016, held in March-May, VVPAT used in the following ACs					
22	Puducherry	15-Ouppalam	24	March-May, 2016	BEL
		16-Orleampeth	23		
		27-Karaikal South	27		
During General Election to Legislative Assembly of Assam, 2016, held in March-May, VVPAT used in the following ACs					
23	Assam	9-Silchar	232	March-May, 2016	BEL
		23-Dhubri	192		
		32-Bongaigaon	222		
		37-Goalpara East	222		
		51-Jalukbari	212		
		52-Dispur	375		
		53-Gauhati East	240		
		54-Guahati West	285		
		73-Tezpur	200		
		98-Jorhat	191		
During Bye Election to Telangana Legislative Assembly 2016, VVPAT used in the following AC					
24	Telangana	113-Palair	243	March-May, 2016	ECIL

## 19. COURT CASES INVOLVING ELECTION LAWS

Legislative Department, being administratively in-charge of election laws has also to handle various court cases involving validity of election and election laws. In the beginning of the year 2016, there were 235 cases pending in the Supreme Court and different High Courts on election related matter. During the said year, 17 fresh cases were received, in which para-wise comments, counter affidavits and appropriate instructions, respectively, have been conveyed to the concerned Government

Counsel. Out of the 17 fresh cases filed during the year under reference, 1 case has been disposed of and, apart from this, 6 old pending cases have also been disposed of during this period. Now, there are about 245 cases pending before the Supreme Court and various High Courts. All cases are being effectively monitored.

## 20. CONDUCT OF PARLIAMENTARY WORK

During the year 2016-17, the Legislative Department, which has been allocated the job of coordination/conduct of Parliamentary business of the Ministry of Law and Justice, handled the following work:-

S. No.	Item of Business	Figures for the Ministry of Law and Justice.
1.	Lok Sabha Questions	358
2.	Rajya Sabha Questions.	121
3.	Private Members' Bill in Lok Sabha.	8
4.	Private Members' Bills in Rajya Sabha	6
5.	Private Members' Resolutions	4
6.	Calling Attention Notices in Lok Sabha.	-
7.	Calling Attention Notices in Rajya Sabha.	1
8.	Short Duration Discussion in Lok Sabha.	2
9.	Matter raised during Zero Hour	28
10.	Matter raised under Rule 377 in Lok Sabha.	8
11.	Special Mention in Rajya Sabha.	10

## 21. CONSULTATIVE COMMITTEE

The Consultative Committee of Members of Parliament attached to the Ministry of Law and Justice was constituted on the 3<sup>rd</sup> September, 2014 with 11 Members under the Chairmanship of Hon'ble Minister of Law and Justice. During the year 2016, one meeting of the Consultative Committee attached to this Ministry was held on 5th April, 2016.

## 22. LEGISLATION UNDER CONCURRENT LIST

As per the Government of India (Allocation of Business) Rules, 1961, the following subjects which fall within List III-Concurrent List of the Seventh Schedule to the Constitution as regards legislation only has been allocated to this Department:-

- (a) marriage and divorce, infants and minors, adoption, wills, intestate and succession, joint family and partition;
- (b) transfer of property other than agricultural land (excluding benami transactions, registration of deeds and documents);

- (c) contracts, but not including those relating to agricultural land;
- (d) actionable wrongs;
- (e) trusts and trustees, administrators-General and Official Trustees;
- (f) evidence and oaths;
- (g) civil procedure including limitation and arbitration;
- (h) Charitable and religious endowments and religious institutions.

### **23. REPORT OF THE LAW COMMISSION**

At present, the Legislative Department is pursuing 41 Reports of the Law Commission of India on personal laws and on subjects mentioned in List III-Concurrent List of the Seventh Schedule to the Constitution, with which this Department is administratively concerned. The recommendations of the Commission are being examined in consultation with the concerned Ministries/Departments of Central Government, State Governments/Union territories.

### **24. JOINT PARLIAMENTARY COMMITTEE ON OFFICE OF PROFIT**

The Joint Committee on Offices of Profit which has been constituted during the tenure of each Lok Sabha (since the second Lok Sabha) undertakes the work of continuous scrutiny in respect of nature, character and composition of Office of Profit, statutory and non-statutory bodies under the Government of India or any State Government with a view to recommending to the Government of India for amending the Schedule to the Parliament (Prevention of Disqualification) Act, 1959.

(2) A Joint Committee of the Houses of Parliament was constituted to examine the constitutional and legal provisions relating to office of profit during the 14th Lok Sabha and inter-alia, to suggest a comprehensive definition relating to the expression “office of profit” for the purposes of articles 102 (1) (a) and 191 (1) (a) of the Constitution. The Committee, after deliberations and taking evidence from the stakeholders and the State Governments, recommended for amendment of the Constitution for laying down a comprehensive definition of the expression “office of profit”. Accordingly, a draft Note for the Cabinet on the subject “Action on the Report of the Joint Committee of Parliament constituted to examine the constitutional and legal provisions relating to Office of Profit” along with a draft Bill to amend the Constitution has been prepared in this Department and circulated to all the Ministries/Department as well as the State Governments/Union territory Administrations for their views/comments. Comments of certain State Governments/ Union territory Administration and Ministries/Departments of the Central Government are still awaited.

### **25. EXPERT COMMITTEE TO EXAMINE THE SPECIFIC RELIEF ACT, 1963**

In order to make the law relating to enforcement of contract more effective and business friendly for ease of doing business, an expert committee was constituted by Legislative Department on 28th January, 2016 to examine the provisions of the Specific Relief Act, 1963 and to make suggestions for

amendments therein. The said committee has submitted its report, which is being examined in this Department.

(2) In the context of the present day needs, the importance being attached to the ease of doing business and the enormous legal and regulatory reforms being carried out to facilitate the ease of doing business, enforcement of contracts, settlement of disputes, etc., it is proposed to amend the Act to bring it in conformity with the present needs.

## **26. PETITIONS AND OTHER COURT CASES RELATING TO PERSONAL LAWS AND OTHER SUBJECTS.**

The Legislative Department, being in-charge of personal laws and matters relating to List III-Concurrent List of the Seventh Schedule to the Constitution, such as, the Contract Act, 1872, the Evidence Act, 1872, the Indian Trust Act, 1882, the Transfer of Property Act, 1882, the Partition Act, 1893, the Code of Civil procedure, 1908, the Limitation Act, 1963, etc. and also relating to office of profit, handled various petitions and other court cases in the Supreme Court and different High Courts. During the period from 1st January, 2016 to 31st December, 2016, nine fresh cases have been received. Parawise comments, counter affidavits as per instructions have been prepared and conveyed to the Government Counsel.

## **27. STATE LEGISLATIVE PROPOSALS**

State Legislative proposals relating to the subjects falling under concurrent list of the Constitution and allocated to this Department, which, by virtue of the provisions of clause (2) of article 254 of the Constitution, require assent of the President are scrutinised in the Department. During the period from 1st January, 2016 to 31st December, 2016, sixty eight references relating to State Bills/Ordinances have been scrutinised.

## **28. INSTITUTE OF LEGISLATIVE DRAFTING AND RESEARCH (ILDR)**

Legislative Drafting is a specialised job which involves drafting skill and expertise. Continuous and sustainable efforts are required to enhance the skills in drafting of laws. The existing resource persons need training and orientation to develop the aptitude and the skill in legislative drafting. In January, 1989, with a view to increasing the availability of trained Legislative Counsel in the country, the Institute of Legislative Drafting and Research (ILDR) was established as a Wing of the Legislative Department, Ministry of Law and Justice. Since its inception, ILDR has been imparting theoretical as well as practical training in Legislative Drafting. ILDR has been awarded ISO 9001:2008 Certification on the basis of evaluation of the working of QMS in ILDR. Now Dr. Mukulita Vijaywargiya is course Director of ILDR, who also functions as the controlling officer of the Institute. The following activities have been performed by ILDR during the period 2016-17.

- (i) Basic course in Legislative Drafting of three months' duration for the middle level law officers of the Central/State Governments/Union territory Administrations;



- (ii) Appreciation Course of two weeks' duration for the middle level officers of the Central Government Ministries/Departments/Attached/Subordinate Offices and Central Public Sector Undertakings.

(2) During the period under report, ILDR has conducted one Basic Course, one Appreciation Course and one Refresher Course namely, the Twenty-Eight Basic Course in Legislative Drafting was conducted from 11th July, 2016 to 10th October, 2016, the Nineteenth Appreciation Course in Legislative Drafting was conducted from 20th January, 2016 to 3rd February, 2016.

(3) ILDR offers Voluntary Internship Scheme for Law Students to motivate students in creating interest in legislative drafting skills and secure knowledge about the nature and working of the Legislative Department. Till now 284 trainees were benefited by the Basic Course and 263 officers got the training in Appreciation Course. More than 100 students were given opportunities till now under the Voluntary Internship Schemes.

## **29. E-GOVERNANCE INITIATIVES**

(i) Open Source Content Management Framework: As part of the Digital India Programme, the Legislative Department has accepted to adopt and migrate to the said Open Source Content Management Framework (CMF) through the National Informatics Centre (NIC) so as to make the Department's website more citizen friendly, which are in the final stages of completion and hosting. The Open Source Content Management Framework is being adopted with the objective of improving the Government Department websites so as to enable static sites to migrate to a dynamic portal, automatically making available certain special features like Mobile Friendliness, Text Speech Enablement, Language Translation/Transliteration, Payment Gateway Enablement and Visitor Analytic Dashboard. The CMF Team of NIC is in the final stages of completion of the said migration and the Open Source CMF website will be hosted very soon.

(ii) Implementation of e-Office: Implementation of e-Office, as part of good governance and being an important part of the Mission Mode Projects of the Government, is under active consideration of the Department. It has been decided to implement e-Office Premium in the Legislative Department, provided by National Informatics Centre (NIC)/ National Informatics Centre Services Incorporated (NICS). e-Office Premium is a standard product and is a re-useable one and one amenable to replication across the Ministries/Departments of the Government. The project will be implemented with the assistance of NICS. The Legislative Department has received the proposal from NICS to implement e-Office. Necessary administrative approval on the said proposal has been obtained and presently the same is being processed for obtaining financial approval. Once financial approval is received, steps will be taken in coordination with NIC and NICS to start implementation of the project in the Department in a phased manner as per the schedule provided by NICS in its proposal.



(iii) Migration of internet protocol from IPv4 to IPv6: Necessary steps have been taken by the Legislative Department in coordination with NIC Cell for conversion of the internet protocol of the computer systems installed in the Department from IPv4 to IPv6. NIC Cell examined the matter and has conveyed that all network routers in this Department's LAN have been made IPv6 compatible by replacing all non-manageable Hubs by Manageable Switches. On receipt of the preparedness report from the Network Administrator, NIC Head Quarters, NIC Cell will undertake pilot test network regarding IPv6 migration.

(iv) Cyber Security Instructions to thwart any possible cyber attack in the Legislative Department: The Cyber Security Instructions as provided by the Government to sensitise the officers and staff of the Legislative Department on the continuing threat of data pilferage, hacking and similar cyber attacks by non-State entities have been circulated for strict adherence in order to thwart any possible cyber attack and secure the Department's website.

### **30. RTI APPLICATIONS**

Consequent upon the enactment of the Right to Information Act, 2005 (22 of 2005), the Legislative Department constituted a Right to Information Cell with effect from the 12th August, 2005 with one Appellate Officer, One Central Public Information Officer and one Central Assistant Public Information Officer. At Present Dr. Mukulita Vijayawargiya, Additional Secretary, Shri S.K. Chitkara, Deputy Secretary and Ms. Vidyawati, Under Secretary are functioning as the Appellate Authority, Central Public Information Officer and Central Assistant Public Information Officer. This Department has launched a separate webpage under the caption "Right to Information" on the Department's official website and maximum information pertaining to this Department has been disseminated therein in consonance with the provisions of the Right to Information Act, 2005 so as to ensure the object of proactive disclosure of information envisaged under the Act. Further, contact E-mail addresses have been created in coordination with the NIC Cell for Appellate Authority and Central Public Information Officer of this Department, so as to make this Department's website more user friendly for the public to utilise the provisions of the said Act. The contact e-mail address of the Appellate Authority is [aa-rti-legis@nic.in](mailto:aa-rti-legis@nic.in) and that of the Central Public Information Officer is [cpio-rti-legis@nic.in](mailto:cpio-rti-legis@nic.in).

(2) Keeping in view, the various provisions of RTI Act, 2005, the applications received from the applicants are thoroughly examined and the available information collected from the concerned administrative units of the Legislative Department is provided to the applicants. Also, the applications which contain the subject matter pertaining to other Ministries/Departments of the Central Government are promptly transferred to the concerned Ministries/Departments in consonance with the relevant provisions of the said Act. Further, in case of first appeals, the same are independently examined by the Appellate Authority and disposed of within the prescribed time limit. During 2016-17 (1st April, 2016 to 31st December, 2017) seven hundred seventy (770) applications seeking information under the said Act were received, which were promptly attended to

by giving due reply to the applicants as per the provisions of the RTI Act, 2005 and the rules made thereunder. Seventy one (71) first appeals preferred before the Appellate Authority have been duly disposed of on merits during the period of 1st April, 2016 to 31st December, 2016. As per the trends of inflow of applications, it is expected that some 300 more applications are expected during the remaining three months of 2016-2017. On account of handling of RTI applications, this Department has earned Rs.4270/- towards application fee and photo copying charges till December, 2016.

### 31. CORRECTION SECTION

#### (1) Maintenance of Central and State Codes

The Correction Section is responsible for maintenance and up-dating of the Central legislations, the Constitution of India and Orders issued thereunder, Manual of Election Laws, Central Ordinances, Regulations, President's Acts, General Statutory Rules and Orders and compilation of State Acts for the use of officers in the Ministry of Law and Justice. The amendments made by the amending Acts, passed by Parliament during the Budget Session, Monsoon Session and Winter Session 2016, which were brought into force, have been carried out in the master copies of India Code Volumes. This is an ongoing exercise. Out of the twenty-nine States, this Section has received the State Acts from thirteen States for the year 2016, namely, Andhra Pradesh, Assam, Goa, Haryana, Kerala, Maharashtra, Punjab, Tamil Nadu, Uttar Pradesh, Uttarakhand, Telangana, Delhi. This Section maintains master copies of the India Codes, which contains unrepealed Central Acts for reference by the Ministers-in-charge, officers in the Ministry of Law and Justice (Department of Legal Affairs and Legislative Department) and the Law Officers of the Government of India. These are valuable reference books and are also used for publishing the revised editions of Acts by the Central Government. The Central Acts have been updated in the master copies of the India Codes upto the year 2015 and the work of up-dating for the year 2016 is under process. Index to Central Acts both Alphabetical and Chronological (Chronological table) have also been made available on the official website of Legislative Department under the heading Legislative References at [www.lawmin.nic.in](http://www.lawmin.nic.in).

(2) During the year 2016, Correction Section has downloaded Gazette copies of Fifty-nine Acts of Parliament (including Ordinances, Appropriation Acts and Finance Act) and one Constitutional Amendment Act from the official website i.e. [www.egazette.nic.in](http://www.egazette.nic.in). Out of the above, 13 are Principal Acts, 24 are Amendment Acts and 10 are Ordinances promulgated by the President of India.

#### A. Principal Acts received during the year (excluding Appropriation Acts and Finance Act):

1. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 2015 (1 of 2016)
2. The Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016)

3. The Commercial Courts, Commercial Division and Commercial Appellate Divisions of High Courts Act, 2015 (4 of 2016)
4. The Bureau of Indian Standards Act, 2016 (11 of 2016)
5. The Real Estate (Regulation and Development) Act, 2016 (16 of 2016)
6. The National Waterways Act, 2016 (17 of 2016)
7. The Aadhaar (A Targeted Delivery of Financial and other subsidies, Benefits and Services) Act, 2016 (18 of 2016)
8. The Anti- Hijacking Act, 2016 (30 of 2016)
9. The Insolvency and Bankruptcy code, 2016 (31 of 2016)
10. The Dr. Rajendra Prasad Central Agricultural University Act, 2016 (10 of 2016)
11. The Regional Centre for Biotechnology Act, 2016 (36 of 2016)
12. The Compensatory Afforestation Fund Act, 2016 (38 of 2016)
13. The Rights of Persons with Disabilities Act, 2016 (49 of 2016)

**B. Amendment Acts including one Constitution Amendment Act received during the year:**

1. The Arbitration and Conciliation (Amendment) Act, 016 (3 of 2015)
2. The Atomic Energy (Amendment) Act, 2016 (5 of 2016)
3. The Payment of Bonus (Amendment) Act, 2015 (6 of 2016)
4. The Sugar Cess (Amendment) Act, 2015 (9 of 2016)
5. The Election Laws (Amendment) Act, 2016 (10 of 2016)
6. The Carriage By Air (Amendment) Act, 2016 (12 of 2016)
7. The High Court and the Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2016 (13 of 2016)
8. The Sikh Gurdwaras (Amendment) Act, 2016 (21 of 2016)
9. The Repealing and Amending Act, 2016. (23 of 2016)
10. The Constitution (Scheduled Castes) Order Amendment) Act, 2016. (24 of 2016)
11. The Mines and Minerals (Development) and Regulation Amendment, 2016. (25 of 2016)
12. The Industries (Development and Regulation) Amendment Act, 2016. (27 of 2016)

13. The Indian Trusts (Amendment) Act, 2016. (34 of 2016)
14. The Child Labour (Prohibition and Regulation) Amendment Act, 2016 (35 of 2016)
15. The Lokpal and Lokayuktas (Amendment) Act, 2016 (37 of 2016)
16. The Indian Medical Council (Amendment) Act, 2016 (39 of 2016)
17. The Dentists (Amendment) Act, 2016 (40 of 2016)
18. The Institutes of Technology (Amendment) Act, 2016 (41 of 2016)
19. The National Institutes of Technology, Science, Education and Research (Amendment), Act, 2016 (42 of 2016)
20. The Benami Transactions (Prohibition) Amendment Act, 2016 (43 of 2016)
21. The Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Act, 2016 (44 of 2016)
22. The Central Agricultural University (Amendment) Act, 2016 (45 of 2016)
23. The Taxation Laws (Amendment) Act, 2016. (47 of 2016)
- \* The Constitution (One Hundredth and First Amendment) Act, 2016
24. The Taxation Laws (Second Amendment) Act, 2016 (48 of 2016)

**C. Ordinances promulgated by the President of India during the year:**

1. The Enemy Property (Amendment and Validation) Ordinance, 2016 (1 of 2016)
2. The Uttarakhand Appropriation (Vote on Account) Ordinance, 2016 (2 of 2016)
3. The Enemy Property (Amendment and Validation) Second Ordinance, 2016 (3 of 2016)
4. The Indian Medical Council (Amendment) Ordinance, 2016 (4 of 2016)
5. The Dentists (Amendment) Ordinance, 2016 (5 of 2016)
6. The Enemy Property (Amendment and Validation) Third Ordinance, 2016 (6 of 2016)
7. The Enemy Property (Amendment and Validation) Fourth Ordinance, 2016 (7 of 2016)
8. The Enemy Property (Amendment and Validation) Fifth Ordinance, 2016 (8 of 2016)
9. The Payment of Wages (Amendment) Ordinance, 2016 (9 of 2016)
10. The Specified Bank Notes (Cessation of Liabilities) Ordinance, 2016 (10 of 2016)

(3) Based on the above mentioned Acts of Parliament, the amendments have been carried out in the master copies of the Principal Acts. During the year 2016, the Acts which have been brought into force by the respective administrative Ministries, date of enforcement and their Notification numbers have been entered at the relevant places of master copies of the respective Acts.

### **32. GAZETTE NOTIFICATIONS**

During the year 2016, Correction Section has received Gazette of India Notifications upto 2015. According to the Ministry of Urban Development, (PSP Division) O.M. dated 25th February, 2016 all the Gazette Notifications and Acts of Parliament for the year 2015-16 shall be e-published by uploading on the official website i.e. [www.egazette.nic.in](http://www.egazette.nic.in). The Gazette copies of the same have been downloaded, arranged and entered in the respective folders.

### **33. STATE ACTS**

During the year 2016, total 295 State Acts and 66 Ordinances were received from different States. All the Acts and Ordinances have been entered in the relevant Registers and Folders.

### **34. PRINTING SECTIONS**

The Printing Sections of the Legislative Department, namely, the Printing I and Printing II, undertake the processing of legislation for printing at various stages. These two Sections handle the work relating to the editing of manuscripts of the Bills (including preparation of contents and annexures, wherever required), Ordinances, Regulations, Adaptation Orders, Orders issued under the Constitution of India, Delimitations Orders and other statutory instruments before sending them to Press. Proofs of the Bills, etc., are checked at multiple stages and after approval, the same are sent to Legislative I Section, which forwards them to Lok Sabha/Rajya Sabha Secretariats for printing of 'To be introduced in Lok Sabha/Rajya Sabha' stage copies. The Bills, which are required to be introduced at a short notice are also got printed by the Printing Sections on behalf of the Lok Sabha and Rajya Sabha Secretariats. Subsequently, the printed copies of the Bill are examined at various stages, viz., 'To be/As introduced' stage, 'As passed by the Lok Sabha/Rajya Sabha' stage, 'As passed by Both the Houses' stage, 'Assent copy' stage, 'Signature copy' stage and at last, after assent of the President, the Act is prepared and processed for publication in the Official Gazette. Immediately thereafter, the Act is prepared and edited again for publishing the same as A-4 stage copy for public sale. Proofs of the A-4 size copies of the Acts are again scrutinised and get approved before returning to the Government Press for final printing and the printed copies of the Acts are checked for errata and released for sale.

(2) Besides the editing and proof-checking of various other publications like the Constitution of India, India Code, Acts of Parliament, updated modified editions of the Central Acts, etc., are also undertaken by the Printing Sections, as per the departmental requirements.

(3) During the period from the 1st January, 2016 to the 31st December, 2016, the following tasks were undertaken by the Printing I and Printing II Sections, namely:-



- (a) processing and enactment of some important Acts, like Finance Act, 2016 (28 of 2016), the Insolvency and Bankruptcy Code, Act, 2016 (31 of 2016), the Compensatory Afforestation Fund Act, 2016 (38 of 2016) and the Benami Transactions (Prohibition) Amendment Act, 2016 (43 of 2016).
- (b) edited manuscripts and checked the proofs, scrutiny copies of 100 Bills, 10 Ordinances, 2 Constitution Orders, 2 Regulations and 1 Gazette;
- (c) checked the computer printout copies 480x2 = 960 pages of the Constitution of India;
- (d) edited and checked 31 Acts of Parliament;
- (e) checked the proof and printed copies of 17 Diglot modified editions of Central Acts;
- (f) checked computer printout of Acts of Parliament for the year 1993, 2011 and 2012;
- (g) India Code updated Acts printout pages for the year 2015 to 2016 containing approximate pages 9000 has been checked.

### **35. GENERAL STATUTORY RULES AND ORDERS (G.S.R.O). SECTION**

The revised edition of the Central Acts is published by the Legislative Department and the subordinate legislation under the Acts are published by the administrative Ministry or the Department concerned.

(2) The subordinate legislation consisting of general statutory rules and orders, notifications, etc., under an enactment is prepared and issued by the Ministry or Department which is administratively concerned with the Act, after getting it vetted from the Legislative Department. Pursuant to the recommendations of the Parliamentary Committee on Subordinate Legislation, a scheme for maintaining subordinate legislation up-to date and making the same available expeditiously to the public was formulated. The administrative Ministries are required under the said scheme, to maintain folders, containing up-to date copies of rules, orders and notifications issued by them.

(3) The Rajya Sabha Committee on subordinate Legislation in its 135th Report has categorically recommended that Ministries, as part of their e-governance initiative may, put all legislation on their websites, preferably bilingually. The Committee has further recommended that the Ministry of Communication and information Technology would develop standard application software with an internet interface for use in all Ministries, which would provide a searchable database of subordinate legislation linked to the principal Acts, administered by the respective Ministry.

(4) General Statutory Rules and Orders (GSRO) Section maintains alphabetical registers regarding General Statutory Rules and Orders (GSRO) issued by the various Ministries/Departments published in the Gazette of India and also compiles them in book form for official use. Entries of various notifications have been made in the alphabetical registers relating to Part-II Section 3, Sub-sections (i) and (ii) of various Ordinary and Extraordinary Notifications up to the month of December, 2014.

- (5) General Statutory Rules and Orders (GSRO) Section has during the year 2015 sorted out the Gazette notifications relating to subordinate legislation issued by various Ministries/Departments under Part-II, Section 3, Sub- sections (i) and (ii), both pertaining to Ordinary and Extraordinary notifications upto the month of December, 2014 and bound in book form.
- (6) The Gazette notifications issued by various Ministries/Departments under Part-II, Section 4 and Part-III, Section 4 both pertaining to Ordinary and Extraordinary notifications for the period upto 2015 have been sorted out and under process for binding in book form.
- (7) During the year 2016, the General Statutory Rules and Orders (GSRO) Section has received notifications upto, the month of May, 2015, May. According to Ministry of Urban Development, (PSP Division) O.M, dated the 25th February, 2016, all the notifications for the year 2015-16 shall be e-published by uploading on the official website i.e. [www.egazette.nic.in](http://www.egazette.nic.in).

### **36. INTEGRATED FINANCE AND BUDGET AND ACCOUNTS SECTION (IFD)**

The Integrated Finance and Budget and Accounts Section is responsible for the work relating to preparation of Budget Estimates and Revised Estimates for all the three Departments of the Ministry of Law and Justice, namely, Department of Legal Affairs, Legislative Department and Department of Justice and also for various autonomous bodies such as ICADR, ICPS, BCI, ITAT, NALSA, Supreme Court Legal Association etc. Further, the work relating to finalisation of Budget, Pre-Budget Discussion, Vote on Account and seeking supplementary/ additional funds are also looked after by this Section. The preparation of the Detailed Demands for Grants of the whole Ministry and compiling of Election Commission of India and Supreme Court of India is also done by Budget and Accounts Section. The Section is also accountable for preparing and printing of the Annual Report and Outcome Budget of the Ministry of Law and Justice. Apart from this, the Section is also dealing with the proposals which involve financial implications and wherever specific opinion is required to be taken from the Ministry of Finance. The work relating to Parliamentary Standing Committee on Demands for Grants for the Ministry of Law and Justice is also co-ordinated by this Section.

- (2) IF&B&A Section is also responsible for the work relating to provisional release of funds to the States/Union territories (having Legislatures) on account of Election related expenditure under the Major Head 2015. The Section releases the funds under the following categories:
- (a) Electoral Offices: This relates to day to day establishment related expenditure including salaries of election staff. The expenditure is shared on a 50:50 basis between the Government of India and State Governments /Union territories (having Legislatures).
  - (b) Preparation and Printing of Electoral Rolls: This relates to printing of electoral rolls and excludes expenditure incurred on computerisation of electoral rolls undertaken by the State Governments /Union territories (having Legislatures) on the direction of the Election Commission of India to them.
  - (c) Charges for conduct of elections to the Lok Sabha - This expenditure is borne fully by

the Union Government when such elections are held independently but shared in equal proportion when held simultaneously with State Legislative Assembly elections.

- (d) Charges for conduct of elections to Parliament (Rajya Sabha)- This expenditure is borne fully by the Union Government.
- (e) Issue of Photo Identity Cards to Voters - This expenditure is shared on a 50:50 basis between the Government of India and States/Union territories (having Legislatures) and is a recurring expenditure.
- (f) Expenditure on Electronic Voting Machines (EVMs) and Expenditure on Presidential and Vice-Presidential elections- This expenditure is borne fully by the Union Government.

### 37. PUBLICATION SECTION

Publication Section brings out, from time to time, modified editions of the Central Acts and other important publications like the Constitution of India, Manual of Election Law, Orders issued under the Constitution of India, Index to Central Acts in Alphabetical and Chronological orders, Index Statutory Definitions etc.

- (2) The Constitution of India (English and Hindi version) incorporating the latest amendments have been compiled for bringing out the fifth edition of the pocket size Constitution in diglot form.
- (3) The proof of the Constitution of India was scrutinised and vetted for being published by the Lok Sabha Secretariat.
- (4) Manuscripts of English version of fifteen Acts including the Code of Civil Procedure, 1908, the Evidence Act, 1872, the Indian Penal Code, 1860 duly incorporating the up to date amendments have been prepared and forwarded to Official Languages Wing for necessary action and publication of some Central is also under process.

### 38. THE OFFICIAL LANGUAGE SECTION

The Official Language Section of the Legislative Department is administratively responsible for the effective implementation of the Official Language Policy of the Union of India, the Official Language Act, 1963 and the Official Language Rules, 1976. This Section is also responsible for the increase of the progressive use of Hindi for official purposes of the Union, in addition to translation of various materials from English to Hindi and vice-versa.

#### (2) Implementation of Constitutional and other provisions regarding the Official Language Policy

- (i) During the period from 1st January, 2016 to 31st December, 2016, the Legislative Department has taken the following steps to implement the Official Language Policy :-  
As per the provisions of the Official Language Rules 1976 , at present, more than

90%, 75% and 64.2% letters to regions 'A', 'B' and 'C' are being sent in Hindi respectively. Constant efforts are being made in this regard to achieve the targets stipulated in the Annual Programme issued by the Department of Official Language, Ministry of Home Affairs. The replies to the letters, applications, representations etc., received in Hindi are being sent invariably in Hindi. All the Resolutions, General Orders, Rules, Notifications, Administrative Reports, other Reports and Documents laid before Parliament, Contracts, Notices etc., are issued bilingually as per sub-section (3) of section 3 of the Official Language Act, 1963.

- (ii) Legislative Department was notified on 29th April, 1979 under sub-rule (4) of rule 10 of the Official Language Rules, 1976 for conducting the official business in Hindi. The officers and employees who are proficient in Hindi have been directed to submit the drafts etc., only in Hindi. For this purpose, 17 Sections out of 31 have been specified to transact the official work in Hindi under sub-rule (4) of rule 8 of the Official Language Rules, 1976.

### **(3) The Quarterly Progressive Reports for the Progressive Use of Official Language Hindi**

The Quarterly Progressive Reports of Hindi are regularly being sent to the Department of Official Language, Ministry of Home Affairs. Through these Reports, position of employees regarding Hindi training and their overall work in Hindi are reflected and it is ensured that the percentage of correspondence as well as noting and drafting in Hindi increase as per the Annual Programme issued by the Department of Official Language, Ministry of Home Affairs.

### **(4) Meetings of the Official Language Implementation Committee**

An Official Language Implementation Committee has been constituted in this Department under the Chairmanship of the Joint Secretary and Legislative Counsel (OL Wing). The meeting of this Committee is held once in every three months regularly to assess the progressive use of Hindi for official purposes. The agenda and minutes of these meetings are sent to the Department of Official Language, Ministry of Home Affairs. The minutes are also circulated to all the officers and Sections of the Department for compliance. Quarterly meetings of the Official Language Implementation Committee were held during the year on 18th March, 2016 (1st), 20th June, 2016 (2nd), 29th September, 2016 (3rd) and 22nd December, 2016 (4th) respectively. This Committee provides effective means to identify problems and find out the solutions for the progressive use of Hindi. In the meetings of this Committee, the Annual Programme issued by the Department of Official Language, Ministry of Home Affairs for transacting the official work of the Union in Hindi is also discussed and every effort is made to achieve the prescribed targets therein. The orders, circulars, directives, notifications, resolutions, recommendations etc., regarding the implementation of Official Language Policy of the Union of India are also discussed in these meetings.



#### **(5) Hindi Advisory Committee of the Ministry**

As per the guidelines issued by the Department of Official Language, Ministry of Home Affairs, the Hindi Advisory Committee of the Ministry of Law and Justice was constituted on 4th August, 1967 under the Chairmanship of the Minister of Law and Justice. This Committee has jointly been constituted for Department of Legal Affairs and Legislative Department. The Committee comprises the Members of Parliament, nominated by the Ministry of Parliamentary Affairs and the Committee of Parliament on Official Language, the nominees of Kendriya Sachivalaya Hindi Parishad, nominees of prominent All India Hindi Voluntary Organisations, nominees of the Ministry of Law and Justice and those of Department of Official Language as non-official members. The Secretaries, Additional Secretaries and the concerned Joint Secretaries of the Department of Legal Affairs, Legislative Department and Department of Official Language are the official members of this Committee.

After formation of the 16th Lok Sabha, the committee has been reconstituted and its first meeting has been held in Udaipur, Rajasthan on 7th July, 2015.

#### **(6) Hindi Training**

This Department nominates its officers/employees for various training courses of Hindi conducted by Hindi Teaching Scheme, Department of Official Language, Ministry of Home Affairs. These Hindi Language Courses are Prabodh, Praveen and Pragya. There are training courses for Hindi typing and Hindi shorthand also. The nomination to these Hindi courses is a continuous process as the officers/employees get recruited, promoted and transferred on regular basis.

#### **(7) Hindi Fortnight**

A 'Hindi Fortnight' from 14th September to 30th September, 2016 was organised in this Department. Various Hindi competitions were held during this period and a large number of officers and employees participated in these competitions. Out of these, two competitions were organised exclusively for non-Hindi speaking personnel. The first, second, third and consolation prizes of Rs.2500/-, Rs.2000/- Rs.1500/- and Rs.500/- respectively. have been awarded to the winners of the competition. Amount of Rs.64,000/- has been sanctioned to be given to the winner of these competitions.

#### **(8) Incentive Schemes for working in Hindi**

There are three incentive schemes in operation in this Department for the progressive use of Hindi as directed by O.L. Department. This year, applications are received only for the original noting and drafting in Hindi under which prizes are to be given to ten employees. Apart from these schemes, officers and employees are granted cash prizes and advance increments on passing the Hindi Training Courses of Hindi Language, Hindi shorthand and Hindi typing conducted by the Hindi Teaching Scheme.



### **(9) Committee of Parliament on Official Language**

The Committee of Parliament on Official Language was set up in 1976 to monitor and give suggestions for the progressive use of the Official Language in Central Government Ministries/Departments and their offices. As far as Legislative Department is concerned, orders issued by the Department of Official Language, based on the recommendations of this Committee are being implemented.

## **39. OFFICIAL LANGUAGES WING**

### **(1) FUNCTIONS**

The Official Languages Wing is a successor Organisation of the Official Languages (Legislative) Commission under the Legislative Department. It has been entrusted with the following functions :-

- (i) Preparation and publication of a standard legal terminology for use, as far as possible, in all Official Languages;
- (ii) Preparation of authoritative texts in Hindi of all Central Acts and Ordinances and Regulations promulgated by the President;
- (iii) Preparation of authoritative texts in Hindi of all Rules, Regulations and Orders made by the Central Government under any Central Act or any Ordinance or Regulation promulgated by the President;
- (iv) Preparation of authoritative texts of all Central Acts and Ordinances and Regulations promulgated by the President in the respective Official Languages of the States and to arrange for the translation of all Acts passed and Ordinances promulgated in any State into Hindi, if the texts of such Acts or Ordinances are in a language other than Hindi; and
- (v) Translation into Hindi of deeds, legal documents like contracts, agreements, leases, bonds, mortgages etc. of different Departments;
- (vi) Translation into Hindi of all statutory Notifications under Section 3(3) of the Official Languages Act, 1963 ;
- (vii) Translation into Hindi of statutory Rules issued by Governments of States under Presidential Rule;
- (viii) Translation into Hindi of all the Parliament Questions/Answers, Assurances etc, relating to the Ministry of Law and Justice;
- (ix) Training in Legislative Drafting in Hindi to Officers from Hindi speaking States;
- (x) Work relating to Coordination Committee of Hindi speaking States for ensuring effective coordination in the evolution of uniform legal phraseology and model of standard clauses in Hindi and publication thereof;

- (xi) Work relating to Hindi Salahkar Samiti of the Ministry of Law and Justice;
- (xii) Work relating to providing Grants-in-Aid to voluntary organisations for promotion of Official Languages in the field of law;
- (xiii) Publication of diglot editions of Central Acts (with legislative history) and popularisation thereof;
- (xiv) Preparation and maintenance of India Code in Hindi (Bharat Sanhita) and also in diglot form; and
- (xv) Publication of regional language versions of the Constitution of India and their release.

## **(2) LEGAL GLOSSARY**

Since the inception of Official Languages (Legislative) Commission in 1961, seven editions of Legal Glossary have been brought out and every successive edition is larger in size. While the first edition (1970) contained 20,000 entries, the latest sixth edition (2001) of Legal Glossary contained approximately 63,000 entries spread over in eight parts. Latest 7th Edition of Legal Glossary has been published in the year 2015 and contained approximately 65,000 entries spread over in seven parts. The Legal Glossary brought out by the Official Languages Wing, which is one of the most important and prestigious publications, has received wide acclaim by discerning men of law and letters.

## **(3) CONSTITUTION OF INDIA**

Besides, the authoritative text of the Constitution of India in Hindi (the Official Language of the Union), the authoritative texts of the Constitution have been brought out in 15 other regional languages, namely, Assamese, Bengali, Gujarati, Kannada, Malayalam, Marathi, Oriya, Punjabi, Sanskrit, Tamil, Telugu, Urdu, Sindhi, Nepali and Konkani.

Special Edition of Constitution of India published on the occasion of First Constitution Day i.e. 26th November, 2015.

## **(4) BHARAT SANHITA**

All the Central Acts have been compiled and brought out in the form of India Code in handy volumes. The last edition of India Code consisting of eight volumes was published in 1959. Action has already been initiated for bringing out Bharat Sanhita (Revised Edition of India Code) in diglot form in chronological order.

One of the salient features of the Code is that the statement of objects and reasons appended to the principal Bills have also been added at the end of each Act and included in the revised edition of India Code. Volume I to XXXI of the revised edition of India Code have already been published and manuscripts of the India Code Volume XXXII and XXXIII have been sent to Press.

**(5) PREPARATION AND PUBLICATION OF AUTHORITATIVE TEXTS OF CENTRAL ACTS**

During the period under report, authoritative texts of about 38 Acts in Hindi have been published in the Official Gazette under section 5 (1)(a) of the Official Languages Acts, 1963. Now the total number of such Acts since 1963 have gone up to 2391.

**(6) PUBLICATION OF DIGLOT EDITIONS OF CENTRAL ACTS**

Central Acts, for which there is likelihood of public demand, are published by the Official Languages Wing in diglot form. When there is a public demand for a particular Act, the same is published in diglot form (Hindi & English) for sale to general public. Total number of such Acts is 401 as on date.

**(7) AUTHORISED HINDI TRANSLATION OF BILLS, ORDINANCES, ETC.**

Sub-section (2) of section 5 of the Official Languages Act, 1963 requires that all Bills to be introduced or amendments thereto moved in either House of the Parliament shall be accompanied by Hindi translation of the same. During the period under report, the Hindi translation of 87 Bills, simultaneously with their English texts, was supplied to the Houses of Parliament. Besides this, Hindi translation of 07 Ordinances and 06 Notes for the Cabinet and 40 Acts were also prepared.

**(8) GENERAL STATUTORY RULES AND ORDERS (G.S.R.Os)**

Sub-section (3) of section 3 of the Official Languages Act, 1963 lays down the foundation for bilingual working of the Central Government. Under clause (1) of that sub-section, all resolutions, general orders, rules, notifications etc., issued or made by the Central Government must be both in Hindi and English languages. During the period under report, 8477 pages of such statutory rules/notifications etc., were prepared for different Departments of the Central Government.

**(9) PREPARATION AND PUBLICATION OF AUTHORITATIVE TEXTS OF RULES, REGULATIONS, ORDERS ETC.**

Clause (b) of sub-section (1) of section 5 of the Official Languages Act, 1963 requires that translation in Hindi published under the authority of the President in the Official Gazette of any Order, Rule, Regulation or Bye-law issued under the constitution or under any Central Act shall be deemed to be the authoritative text thereof in Hindi. Some Rules, Regulations, Orders etc., are at different stages of translation. During the period under report, 2788 pages of Recruitment Rules were translated. Authoritative texts of seven Regulations were published under sub-section 3(1)(b) of the said Act.

**(10) MAINTENANCE OF CENTRAL ACTS, ETC.**

The Correction Section of the Official Languages Wing is maintaining and updating the Central legislations kept as master copies in the form of India Code, India Code (Diglot) as well as Bharat Sanhita. It also keeps Constitution of India and important manuals including Manual of Election

Law up-to-date for reference by the officers in this Wing. This Section is responsible for carrying out the amendments made by the amending Acts passed by the Parliament in the aforesaid master copies of Central legislation.

Besides, manuscripts of Hindi Central Acts for publication in diglot form have also been prepared and printed copies of 08 diglot edition have been printed by O.L. Wing.

In addition to above, this Section supplied –

- (a) 15 up-to-date English copies of Central Acts (diglot edition) to various State Governments for translation into various regional languages; and
- (b) Gazette copies of Hindi version of Central Acts to Hindi speaking States for re-publication in their State Gazettes. This year Index to Central Acts in Alphabetical and chronological order (Diglot) and Constitution of India (Diglot) were prepared and published.
- (c) Work relating to publication mainly undertaken by this Section.

#### **(11) EDITING OF MANUSCRIPTS OF BILLS, ACTS, ORDINANCES, DIGLOT EDITIONS, ETC. AND PUBLICATION THEREOF**

The Printing Section of the Official Languages Wing is primarily concerned with the editing of manuscripts and checking of proofs of Bills, Ordinances, Regulations, President's Acts etc; issued under the Constitution of India, Delimitation of Council Constituencies orders, etc; Bills, which are required to be introduced in a short time, are also printed on behalf of the Houses of People or the Council of States. Editing and Proof-Checking of the publication in diglot form of the Constitution of India, Manual of Election Law, revised Edition of India Code, modified diglot edition of Central Acts, statutory Rules and Orders, Annual Reports etc. are also done in this Section. This Section is also responsible for the printing and publication of Central Acts, Ordinances, Regulations, President's Act, etc; and their subsequent reprints in diglot form as publication for sale. This Section discharged all its responsibilities during the year under review.

The Printing Section of the Official Languages Wing is also performing the duties of the publication Section. During the period under report, 38 Acts were authenticated and 7 Ordinances were got published by this Section. Moreover, Legal Glossary (VII Edition) and Constitution of India (Hindi) (Royal 8V0 Size) were published.

#### **(12) PREPARATION AND PUBLICATION OF STANDARD LEGAL DOCUMENTS**

Section 3 (3)(iii) of the Official Languages Act, 1963 requires that both Hindi and English Languages are to be used for agreements, contracts, leases, bonds, tenders etc., issued by or on behalf of the Central Government. or any Ministry, Department or office thereof. In order to comply with the requirement of the said Act, the Official Languages Wing has prepared Hindi version of the documents in eight volumes for various Ministries and Departments of the Central Government with a view to achieve uniformity in their translation. During the period under report, the Hindi version of 2655 pages of Parliament Questions Answers/Assurances of this Ministry was also prepared.



### **(13) ESTABLISHING THE INDIAN LANGUAGES IN THE SPHERE OF LAW**

The Official Languages Wing, Regional Languages Unit is constantly doing the work of translation of Central Acts into Hindi as enshrined in the Eighth Schedule to the Constitution of India. So far as the regional languages are concerned, this work is being done with the co-operation of respective State Governments.

The Official Languages Wing has also published the authoritative texts of Central Acts in regional languages as envisaged under section 2 of the Authoritative Texts (Central Laws) Act, 1973 (50 of 1973). During the period under report, translation of 21 Central Acts have been approved by the Working Group (Regional Languages) and 10 Central Acts in Regional Languages and 38 Central Acts in Hindi have been authenticated as authoritative texts by the President of India. Besides the Authoritative texts of the Constitution of India in addition to Hindi has been brought out in 15 other Regional Languages that is, Assamese, Bengali, Gujarati, Kannada, Malayalam, Marathi, Oriya, Punjabi, Sanskrit, Tamil, Telgu, Urdu, Sindhi, Nepali and Konkani.

### **(14) WIDE DISTRIBUTION OF CENTRAL ACTS, LEGAL GLOSSARY ETC.**

The Gazette copies of Hindi version of Central Acts after they have been authenticated and published in the Gazette of India have been sent to Hindi speaking States. They were also sent to Gujarat and Maharashtra and the High Courts in these States. Further, these copies were sent to the concerned Ministries and Departments of Government of India, Andaman and Nicobar Islands, the Nagri Pracharini Sabha, Parliament Library and other Libraries. Copies of the Central Acts in diglot form are regularly sent to all States (Hindi as well as non-Hindi speaking States), Supreme Court of India, Parliament Library and all High Courts.

### **(15) WORK RELATING TO THE HINDI SALAHKAR SAMITI**

The Twelfth Hindi Salahkar Samiti of this Ministry was constituted vide Resolution No.E.4(1)/2014-O.L.Wing(LD) dated 14th May, 2015 for three years or remaining tenure of present Lok Sabha which consists of Lok Sabha and Rajya Sabha Members and about eleven official members and invitees. The first meeting of Twelfth Hindi Salahkar Samiti was held on 7th July, 2015 at Udaipur, Rajasthan. The functions of the Samiti are normally to advise the Central Government on matter relating to :-

- (i) preparation of Hindi version of Central Acts and statutory rules ;
- (ii) the evolution of common legal terminology ;
- (iii) the production of standard law books in Hindi for imparting legal education in Hindi in law colleges and Universities ;
- (iv) publication of law journals and reports in Hindi ;
- (v) matters ancillary and incidental to any of the above items ; and
- (vi) suggest ways and means for the propagation and development of Hindi in the field of law for official use.



#### **(16) GRANTS IN AID TO VOLUNTARY ORGANISATIONS**

There is a scheme for the promotion of Official Languages of the Union and States for propagation and development of Hindi and other Indian languages in the field of law. Under the scheme, Voluntary Organisations and institutions are provided with financial aid. Since 1985, the Official Languages Wing has been implementing this scheme to give financial assistance to those voluntary organisations which are engaged in the activities for development and propagation of literature in the field of law and other regional languages which could be in the form of proposed commentaries, treatises, books on legal subjects, law journals, law compendium and other publications as are conducive to enrichment, propagation and development of Hindi and other regional languages of the State. A Committee constituted under the Chairmanship of Mr. Justice Sudhir Kumar Katriar (Retd.) sanctioned the financial assistance amounting to Rs. 10.00 lakhs only to Fourteen voluntary organisations for the year 2015-16.

#### **(17) SPECIAL STEPS ADOPTED FOR THE PROGRESSIVE USE OF OFFICIAL LANGUAGES**

The URL of the Official Languages Wing is <http://lawmin.nic.in/olwing>. The important Acts of Parliament translated into various regional languages have been hosted under the respective languages on the home page of the O.L. Wing. In order to provide soft copies of the Recruitment Rules/Notifications etc; the O.L. Wing has started using Unicode font also.

The Constitution of India, I.P.C., Cr. P.C. and the Manual of Election Law have already been hosted on the net. This website has been further enriched by putting a list of Acts and a list of Rules and Regulations. Up dated Central Acts from 1980 to 2014 have also been uploaded on the website in PDF format for the benefit of legal fraternity and general public as well as the law students.

During the period under report, Bill Section, Translation-I Section, Translation-II Section, Legislative-I Section, Legislative-II Section, Printing Section, Correction Section, Administration Section, Cash Section and Library of O.L. Wing have been fully computerised. The camera ready copies of some important Bills were prepared during the period under report. A list of names, addresses and contact numbers of all the Group 'A' officers of the O.L. Wing in English and Hindi have also been hosted on the Net.

The Scheme for Assistance to Voluntary Organisations for promotion of Official Languages in the field of law has also been hosted both in English and Hindi on the Net.

#### **40. VIDHI SAHITYA PRAKASHAN**

In the year 1958, the Committee of Parliament on Official Languages recommended to make arrangements to bring out authorised translation of important judgments of the Supreme Court of India and the High Courts and to entrust this task to a Central Office under the supervision of Law Department. Thereafter, on the recommendations of the Hindi Advisory Committee, a Journal Wing was set up in the Legislative Department in the year 1968 with the object of promoting the use of

Hindi in the field of law. This Wing was subsequently redesignated as “VIDHI SAHITYA PRAKASHAN”.

(2) Initially, a monthly publication of all the reportable judgments of the Supreme Court of India, as marked ‘REPORTABLE’ was started in April, 1968 and it was designated as “Uchchatama Nyayalaya Nirnaya Patrika”. Another monthly publication containing judgments of the High Courts was started in January, 1969 and it was designated as “Uchcha Nyayalaya Nirnaya Patrika”. In the year 1987 “Uchcha Nyayalaya Nirnaya Patrika” was bifurcated into two Nirnaya Patrikas i.e. “Uchcha Nyayalaya Civil Nirnaya Patrika” and “Uchcha Nyayalaya Dandik Nirnaya Patrika”. Later on, due to ever-increasing volume of Supreme Court’s reportable judgments as well as dearth of requisite editorial staff in the Vidhi Sahitya Prakashan, the “Uchchatama Nyayalaya Nirnaya Patrika” has been publishing in Hindi only selected reportable judgments of the Supreme Court since 1990. The “Uchcha Nyayalaya Civil Nirnaya Patrika” and “Uchcha Nyayalaya Dandik Nirnaya Patrika” respectively publishing in Hindi only important selected Judgements in civil and criminal matters of all High Courts of the country.

(3) Apart from the publication of the above three patrikas, the Vidhi Sahitya Prakashan is also responsible for the following functions, namely :—

- (a) Publication of text books in Hindi in the field of law for use in the academic and others as reference books;
- (b) translation and publication of legal classics in Hindi ;
- (c) awarding of various prizes for the best publications in Hindi in the field of law;
- (d) sale of Hindi publications of the Vidhi Sahitya Prakashan and diglot editions etc. of the Official Language Wing of the Legislative Department ; and
- (e) holding of conferences, seminars and book exhibitions at different parts of the country, particularly in Hindi speaking States for popularisation and improvement of legal literature in Hindi.

(4) In addition to above, standard law books in Hindi written by eminent authors are also being published by the Vidhi Sahitya Prakashan for the use of law students, law teachers, lawyers and judicial officers. In order to give incentive to authors writing law books originally in Hindi and to publishers in the private sector, the prizes and certificates are awarded annually for best publication in Hindi in the field of law.

(5) Seminars in the premises of law colleges, High Courts, District Courts etc., in the Hindi as well as non-Hindi speaking States are held from time to time for propagation and development of Hindi in the field of law. Vidhi Sahitya Prakashan also holds exhibitions of its own publications, including diglot (Hindi-English) editions of the Central Acts of the Official Languages Wing in High Courts and District Courts etc. of different Hindi and non-Hindi speaking States and looks after the sale of these publications.

(6) A quarterly journal entitled 'Vidhi Sahitya Samachar' is also being published which contains detailed information regarding various activities in the field of law and publications of the Vidhi Sahitya Prakashan. A 'Publication List' containing priced publication available with Vidhi Sahitya Prakashan is also made available to the people and customers from time to time.

The details of progress made during the year 2016 are given below:-

(7) **Publication of Nirnaya Patrika :** During the period under report, at the editing/translation stage, the 'Uchchatama Nyayalaya Nirnaya Patrika' has been updated upto October-December, 2016, 'Uchcha Nyayalaya Civil Nirnaya Patrika' has been updated upto January-March, 2016 and 'Uchcha Nyayalaya Dandik Nirnaya Patrika' has been updated upto April-June, 2016.

During the year 2016 the number of the subscribers of the Patrikas is as under :-

Uchchatama Nyayalaya Nirnaya Patrika	95
Uchcha Nyayalaya Civil Nirnaya Patrika	90
Uchcha Nyayalaya Dandik Nirnaya Patrika	88

(8) **Award of Prizes :** Under the Scheme for writing, translating and publication of law books in Hindi and awarding prizes to such books written or published in Hindi for use as text books or reference books, the award to the tune of Rs. 5,00,000/-(Rupees Five lakh only), [the 1st prize for Rs. 50,000/-(Rupees fifty thousand only), 2nd prize for Rs. 30,000/-(Rupees thirty thousand only) and 3rd prize for Rs. 20,000/-(Rupees twenty thousand only)] are awarded annually for the best publication in Hindi in the five principal branches of law. 14 best law books written in Hindi has been awarded for prize in the year 2016 amounting to Rs.3,40,000/- under the scheme.

(9) **Publication of Books :** So far 34 standard law books in Hindi have been published by Vidhi Sahitya Prakashan.

(10) **Seminars, Exhibitions and Sale of Books, etc. :** In the sequence of holding seminars and books exhibitions, in the year 2016, exhibitions of books have been organised in World Book Fair, New Delhi, District Courts of Ahmedabad, Baskanta (Palanpur), Dehradun, Haridwar (Uttarakhand). In these exhibitions, the advocates showed keen interest and highly appreciated the publications of Vidhi Sahitya Prakashan. During the period from 1st January, 2016 to 31st December, 2016, the total sale figure of Vidhi Sahitya Prakashan is Rs.41,32,940/- (Rupees Forty one Lakh thirty two thousand and nine hundred forty only).

#### 41. DEPUTATION/DELEGATION ABROAD : LEGISLATIVE DEPARTMENT

The following Officers in the Legislative Department visited abroad as per details given below:-

Sl. No.	Name of the Officer	Designation	Country	Duration	Purpose
1.	Dr. G. Narayana Raju	Secretary	New York, USA	27th June, 2016 to 1st July, 2016	To participate in the 49th Session of the United Nations Commission on International Trade Law (UNCITRAL).
2.	Ms. Veena Kothavale	Additional Legislative Counsel	Vienna, Austria	12th September, 2016 to 23rd September, 2016	To participate in the 65th Session of the United Nations Commission on International Trade Law (UNCITRAL).
3.	Smt. Sunita Anand,	Deputy Legislative Counsel.	Colombo, Sri Lanka	4th and 5th October, 2016.	To participate in the Second Regional Legislative Drafting Workshop on Internal Humanitarian Law (IHL).
4.	Shri Y.S. Rao	Deputy Legislative Counsel.	Colombo, Sri Lanka	4th and 5th October, 2016.	To participate in the Second Regional Legislative Drafting Workshop on Internal Humanitarian Law (IHL).

## **42. RESERVATION FOR THE SCHEDULED CASTES, SCHEDULED TRIBES, OTHER BACKWARD CLASSES, EX-SERVICEMEN AND PHYSICALLY HANDICAPPED PERSONS IN SERVICE POSTS**

An Officer of the level of Deputy Secretary is functioning as Liaison Officer for the three Administrative Wings of the Legislative Department, viz., Legislative Department (Main), Official Languages Wing and Vidhi Sahitya Prakashan to oversee the implementation of Orders/Instructions of the Government on reservation for the Scheduled Castes, Scheduled Tribes, Other Backward Classes, ex-servicemen and Physically Handicapped persons in service/posts in respective units.

(2) A Statement showing the total number of employees in the Department (Main), Official Languages Wing and Vidhi Sahitya Prakashan and number of employees belonging to the Scheduled Castes, Scheduled Tribes, Other Backward Classes, Ex-servicemen and Physically handicapped persons and the female employees amongst them as on 01.01.2017 is enclosed **Annexure-X and Annexure-XI**.

## **43. DEPARTMENT ACCOUNTING ORGANIZATION**

The Secretary is the Chief Accounting Authority in the Ministry of Law and Justice. He discharges his functions with the assistance of Additional Secretary (Financial Adviser) and Chief Controller of Accounts.

(2) As per Rule 64 of GFRs 2005, the Secretary of a Ministry/Department who is the Chief Accounting Authority of the Ministry/Department shall: –

- (i) Be responsible and accountable for financial management of his Ministry or Department.
- (ii) Ensure that the public funds appropriated to the Ministry are used for the purpose for which they were meant.
- (iii) Be responsible for the effective, efficient, economical and transparent use of the resources of the Ministry in achieving the stated project objectives of that Ministry, whilst complying with performance standards.
- (iv) Appear before the Committee on Public Accounts and any other Parliamentary Committee for examination.
- (v) Review and monitor regularly the performance of the programs and projects assigned to his Ministry to determine whether stated objectives are achieved.
- (vi) Be responsible for preparation of expenditure and other statements relating to his Ministry as required by regulations, guidelines or directives issued by Ministry of Finance.



- (vii) Shall ensure that his Ministry maintains full and proper records of financial transactions and adopts systems and procedures that will at all time afford internal controls.
- (viii) Shall ensure that his Ministry follows the Government procurement procedure for execution of works, as well as for procurement of services and supplies and implements it in a fair, equitable, transparent, competitive and cost-effective manner.
- (ix) Shall take effective and appropriate steps to ensure his Ministry:-
- Collects all moneys due to the Government and
  - Avoids unauthorized, irregular and wasteful expenditure.
- (3) As per Para 1.2.2 of Civil Accounts Manual, the Chief Controller of Accounts for and on behalf of the Chief Accounting Authority is responsible for :-
- Arranging all payments through the Pay and Accounts Offices/Principal Accounts Office except where the Drawing and Disbursing Officers are authorized to make certain types of payments.
  - Compilation and consolidation of accounts of the Ministry/ Department and their submission in the form prescribed, to the Controller General of Accounts; preparation of Annual Appropriation Accounts for the Demands for Grants of his Ministry/Department, getting them duly audited and submitting them to the CGA, duly signed by the Chief Accounting Authority.
  - Arranging internal inspection of payment and accounts records maintained by the various subordinate formations and Pay and Accounts Offices of the Department and inspection of records pertaining to transaction of Government Ministries/Departments, maintained in Public Sector Banks.
- (4) The Chief Controller of Accounts, Ministry of Law and Justice, Supreme Court of India performs his duties with the assistance of two Pr. Accounts Officers and four Pay and Accounts Officers amongst other staff.
- (5) The Ministry of Law and Justice, Supreme Court has 51 DDOs including 32 CDDOs and 19 NCDDOs. The non-cheque drawing DDOs submit bills to the Pay and Accounts Office under pre-check system of payment. The PAO-wise detail of the CDDOs and NCDDOs is as under:

S.No.	PAO	D.D.O.	
		CDDOs	NCDDOs
1	PAO (EO)	4	3
2	PAO (LA)	28	11
3	PAO (SCI)	0	1
4	PAO (LD)	0	4

(6) As per Para 1.2.3 of Civil Accounts Manual, Principal Accounts Office in New Delhi functions under a Principal Accounts Officer who is responsible for :-

- a) Consolidation of the accounts of the Ministry/Department in the manner prescribed by CGA;
- b) Preparation of Annual Appropriation Accounts of the Demands for Grants controlled by that Ministry/Department, submission of Statement of Central Transactions and material for the Finance Account of the Union Government(Civil) to the Controller General of Accounts;
- c) Payment of loans and grants to State Government through Reserve Bank of India, and wherever this office has a drawing account payment there from to Union Territory Government/ Administrations;
- d) Preparation of manuals keeping in view the objective of management accounting system if any, and for rendition of technical advice to Pay and Accounts Offices, maintaining necessary liaison with CGA 's Office and to effect overall coordination and control in accounting matters;
- e) Maintaining Appropriation Audit Registers for the Ministry/ Department as a whole to watch the progress of expenditure under the various Grants operated on by the Ministry/Department;

Principal Accounts Office/Officer also performs all administrative and coordinating function of the accounting organization and renders necessary financial, technical, accounting advice to department as well as to local Pay & Accounts offices.

(7) As per provisions contained in Civil Accounts Manual, Pay & Accounts offices make payments pertaining to respective Ministries/ Departments and in certain cases payments will be made by the departmental Drawing and Disbursing Officers (DDOs) authorized to draw funds, by means of cheques drawn on the offices/branches of accredited bank that may be authorized for handling the receipts and payments of the Ministry/Department. These payments will be accounted for in separate scrolls to be rendered to the Pay and Accounts Offices of Ministry/Department concerned. Each Pay and Accounts Office or Drawing and Disbursing Officer authorized to make payments by cheques, will draw only on the particular branch/branches of the accredited bank with which the Pay and Accounts Office or the Drawing and Disbursing Officer as the case may be, is placed in account. All receipts of the Ministry/Department are also be finally accounted for in the books of the Pay and Accounts Office. The Pay and Accounts office is the basic Unit of Departmentalized Accounting Organization. Its main function include:-

- Pre-check and payment of all bills, including those of loans and grants-in-aid, submitted by Non-Cheque Drawing DDOs.
- Accurate and timely payments in conformity with prescribed rules and regulations.

- Timely realization of receipts.
- Issue of quarterly letter of credit to Cheque Drawing DDOs and post check of their Vouchers/bills.
- Compilation of monthly accounts of receipts and expenditures made by them incorporating there with the accounts of the cheque Drawing DDOs.
- Maintenance of GPF accounts other than merged DDO and authorization of retirement benefits.
- Maintenance of all DDR Heads.
- Efficient service delivery to the Ministry/Department by the banking system by way of e-payment.
- Adherence to the prescribed Accounting Standards, rules and principles.
- Timely, accurate, comprehensive, relevant and useful financial reporting.

(8) The specific approval of the CGA, Ministry of Finance would have to be obtained in connection with any proposal for creation (or re-organization) of a new Pay & Accounts Office or for adding to the list of cheque drawing DDOs included in the Scheme of Departmentalization of Accounts of a Ministry/Department.

(9) The overall responsibilities of Departmental Accounting Organization in respect of Ministry of Law and Justice, Supreme Court of India are:-

- Consolidation of monthly accounts of Ministry and its submission to the CGA.
- Annual Appropriation Accounts.
- Statement of Central Transactions.
- Preparation of “Accounts at a Glance”.
- Union Finance accounts which are submitted to the CGA, Ministry of Finance and Principal Director of Audit.
- Payments of grants-in-aid to State Government / Grantee Institutions / Autonomous Bodies etc.
- Rendering technical advice to all PAOs and Ministry; if necessary in consultation with other organization like DOPT, Ministry of Finance and CGA etc.
- Preparation of Receipt Budget.
- Preparation of Pension Budget.
- Procuring and supplying of cheque books for and on behalf of PAOs/Cheque drawing DDOs and Personal Deposit Account Holder.

- Maintaining necessary liaison with Controller General of Accounts office and to effect overall co-ordination and control in accounting matters and accredited Bank.
- Verify and reconcile all receipts and payments made on behalf of Ministry of Law and Justice through the accredited Bank.
- Maintaining accounts with Reserve Bank of India relating to Ministry of Law and Justice, Supreme Court of India and reconciling the cash balances.
- Ensuring prompt payments.
- Speedy settlement of Pension/Provident fund and other retirement benefits.
- Internal Audit of the Ministry, subordinate and attached offices under Ministry of Law and Justice and its Grantee institutions, etc.
- Making available accounting information to all concerned authorities.
- Budget co-ordination works of Ministry of Law and Justice, Supreme Court of India.
- Monitoring of New Pension Scheme and pension revision cases of Pre-2006 and Pre - 1990 retirees.
- Computerization of Accounts and e-payment.
- Administrative and co-ordination function of the accounting organization.
- Universal Roll out of Public Financial Management System (PFMS) for Central Sector Scheme.
- Universal Roll out of Non-Tax Receipt Portal(NTRP) as per M/o Finance guidelines.

(10) Accounting information and data are also provided to the Ministry to facilitate effective budgetary and financial control. Monthly and progressive expenditure figures under various subheads of the grant of the Ministry of Law and Justice, Supreme Court of India are furnished to Budget Section. Progress of expenditure against budget provisions are also submitted monthly to Secretary, Addl. Secretary & Financial Adviser as well as Heads of Divisions of the Ministry controlling the grant for purposes of better monitoring of expenditure.

(11) The Accounting organization also maintains accounts of long-term advances such as House Building Advance and Motor Car Advance and GPF accounts of employees of the Ministry.

(12) The verification and authorization of pensionary entitlement of officers and staff members is done by the Office of the Chief Controller of Accounts on the basis of service particulars and pension papers furnished by Heads of Offices. All retirement benefits and payments like gratuity, cash equivalent to leave salary as well as payments under Central Government Employees Group Insurance Scheme; General Provident Fund etc. are released by CCA's office on receipt of relevant information / bills from DDOs.

(13) **INTERNAL AUDIT WING** - The Internal Audit Wing carries out audit of accounts of various offices of the Ministry to ensure that rules, regulations and procedures prescribed by the government are adhered to by these offices in their day to day functioning.

Internal Auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It basically aims at helping the organization to accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes. It is also an effective tool for providing objective assurance and advice that adds values, influence change that enhances governance, assist risk management and control processes and improve accountability for results. It also provides valuable information to rectify the procedural mistakes and deficiencies and, thus, acts as an aid to the management. The periodicity of audit of a unit is regulated by its nature and volume of work and quantum of funds.

There are 51 Auditee units / DDOs under various departments of Ministry of Law & Justice and Supreme Court of India excluding autonomous bodies and other grantee institutions and specific schemes under the Ministry. In the Financial Year 2015-16, only five (05) units of Ministry of Law & Justice have been audited. The audit of more units/DDOs could not be conducted because there is no sanctioned post/permanent manpower for the Internal Audit Wing, Principal Accounts Office of this ministry. The audit work is being managed by officers and staffs posted in different Pay & Accounts Offices and Principal Accounts Office.

(14) **Banking Arrangements :-** Indian Bank, State Bank of Patiala, UCO Bank and Dena Bank are accredited banks for PAOs and its field offices of the Ministry of Law, Justice and SCI. Cheques issued by the PAOs/CDDOs are presented to the nominated branch of the accredited bank for payment. The receipts are also remitted to the accredited banks by the respective CDDOs/PAOs. Any change in accredited bank required specific approval of Controller General of Accounts, Department of Expenditure, Ministry of Finance.

## (15) **New Initiatives**

- (i) **e- Payment System** - The e-payment system in all Pay & Accounts Offices of Ministry of Law & Justice, Supreme Court of India has been successfully implemented w.e.f. 01.04.2012 under phase-II.

Since, the IT Act, 2000 recognizes the digitally signed documents or electronic records digitally authenticated by means of an electronic method or procedure in accordance with the provisions of section 3 of the Act, the Controller General of Accounts has developed a facility in COMPACT for electronic payment (e-payment) through digitally signed electronic advices. This will replace the existing system of payment through cheque while leveraging the COMPACT application running in all Pay & Accounts Offices in all Ministries/ Departments of Central Government.



The e-payment system developed is a fully secured web based system of electronic payment services which introduces transparency in government payment system. Payment of dues from the government under this system is made by credit of money directly in to the bank account of payee through a digitally signed e-advice generated from COMPACT through the 'Government e-payment Gateway (GePG)' on a secured communication channel. Necessary functional and security certification has been obtained from STQC Directorate for its role out. The system is being implemented in all Central Government Civil Ministries/ Departments in a phased manner. coming year.

**(ii) Government e-payment Gateway (GePG)**

Government e-payment Gateway (GePG) is a portal which enables the successful delivery of payment services from Pay & Accounts Offices for online payment transactions. The portal is developed by the Office of CGA and has got STQC certification from Department of Information & Technology. The GePG serves as middleware between COMPACT application at PAOs and the Core Banking Solutions (CBS) of the banks/RBI and facilitates automating the manual registration process, e-payment advice, and e-scrolls communications.

**Highlights of e-payment and GePG System**

High Security Standards and System Logs of Transactions.

- The PAO's applications has the following security requirements in place for effective e-payments.
  - 128 Bit PKI encryption.
  - Integrity of Information: Hash Algorithm (SHA1): security standard are designed to ensure confidently of data, authenticity of data and integrity of data being conveyed on the internet by PAOs to the bank.
  - Non-repudiation- Key generation/ Digital Signature based on 128 Bit PKI Infrastructure (as recommended by RBI)
- Digitally signed e-payment Authorization along with Itemized tracking of each e-payment authorization and automated reconciliation.

**(ii) Registration of digital signatures:** The Pay & Accounts Officer obtains digital signature from the NIC Certifying Authority. The digital signatures obtained from the NIC Certifying Authority are stored in a USB Token called i-Key. The PAO registers the digital signatures with GePG portal through the Principal Accounts Office of the concerned Ministry/ Department. The concerned banks download the PAOs digital signatures from the GePG portal. Digital signatures of the authorized signatory of the concerned banks are also uploaded on GePG portal for authentication of e-payment scrolls provided to PAOs by the banks.

### Salient Features of Appropriation Accounts 2015-16

MAJOR HEAD	Budget Estimates	Final Estimates	Expenditure	Excess(+) Saving (-)
<b>Grant No. 64</b>				
2052-Secretariat General Services	108.66	109.33	96.19	-13.14
2014-Administration of Justice	411.56	352.80	346.40	-6.40
2015-Election	2142.40	1888.69	1858.66	-30.03
2020-Collection of Taxes on Income & Expenditure	146.08	72.28	65.30	-6.98
2070-Other Administrative Services	19.85	19.85	17.48	-2.37
2552-North Eastern Areas	80.66	15.00	-	-15.00
3601-Grants-in-Aid to State Governments.	448.69	504.99	503.09	-1.90
3602-Grants-in-Aid for UT Governments	63.00	63.00	63.00	-
4070-Capital Outlay on Other Administrative Services	102.75	15.02	6.82	-8.20
Amount surrendered during the year				-482.71
<b>Total</b>	<b>3523.65</b>	<b>3040.96</b>	<b>2956.94</b>	<b>-566.73</b>
<b>Appropriation No.65-Supreme Court of India</b>				
MH-2014 Administration of Justice (Charged)	155.00	171.02	171.02	-

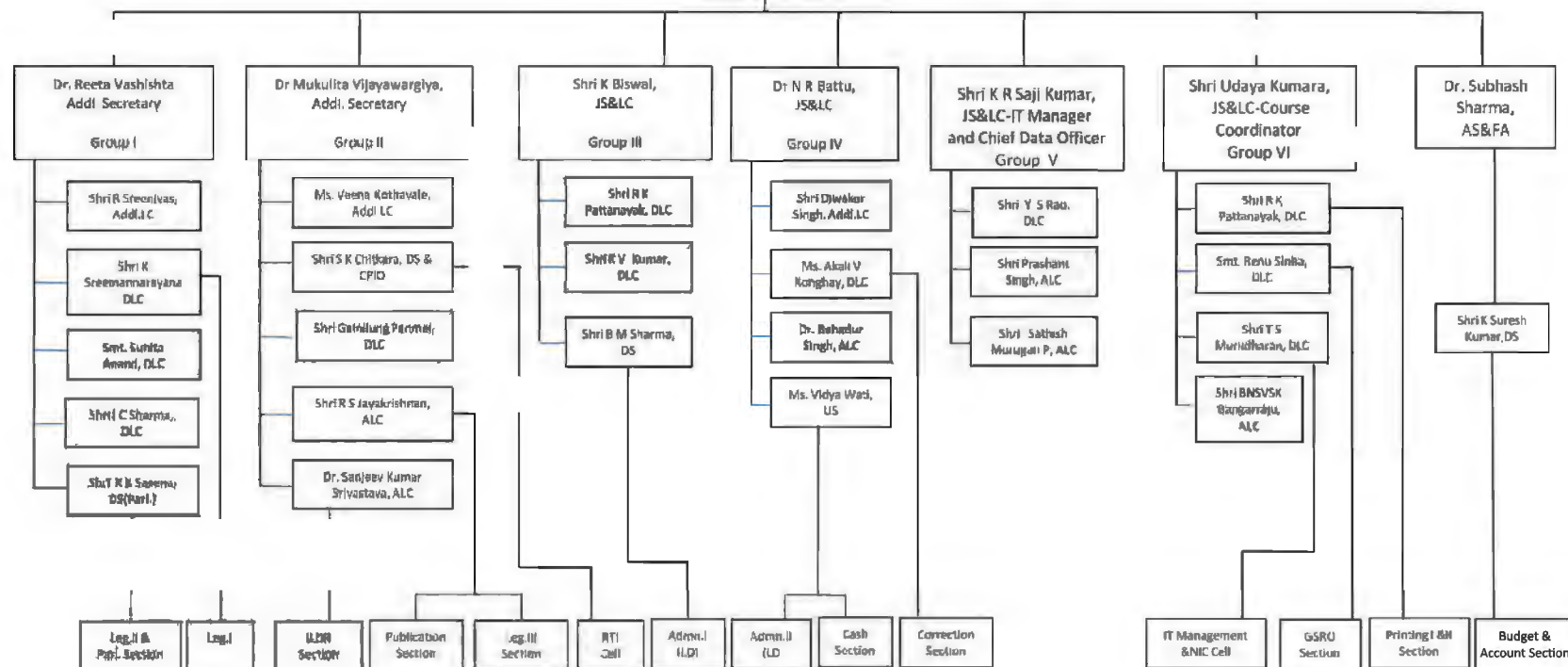
*(Source: Appropriation Accounts 2015-16)*

# ANNEXURE – IX

[See Chapter-II, Para 2]

## ORGANISATION CHART OF THE LEGISLATIVE DEPARTMENT (MAIN) (As on 01.01.2017)

**SECRETARY**  
[Dr. G Narayana Raju]



ANNEXURE – X

[See Chapter-II, Para 42 (2)]

**STATEMENT SHOWING THE TOTAL NUMBER OF GOVERNMENT SERVANTS AND THE NUMBER OF SCHEDULED CASTES, SCHEDULED TRIBES, OTHER BACKWARD CLASSES, EX-SERVICEMEN AND PHYSICALLY HANDICAPPED AMONGST THEM AS ON 1<sup>st</sup> JANUARY, 2017 .**

Group	No. of Employees	SC	%	ST	%	OBC	%	Ex-Service men	%	Physically Handicapped	%
<b>A</b>	70	8	11.4	4	5.7	10	14.2	-	-	2	2.8
<b>B</b>	110	20	18.1	2	1.8	12	10.9	-	-	3	2.7
<b>C</b>	114	36	31.5	9	7.8	15	13.1	-	-	-	-
<b>Total</b>	<b>294</b>	<b>64</b>	<b>21.7</b>	<b>15</b>	<b>4.6</b>	<b>37</b>	<b>12.5</b>	<b>-</b>	<b>-</b>	<b>5</b>	<b>1.7</b>

ANNEXURE – XI

[See Chapter-II, Para 42 (2)]

**REPRESENTATION OF FEMALE EMPLOYEES IN THE LEGISLATIVE  
DEPARTMENT  
AS ON 01-01-2017)**

GROUP	Total No. of Employees	No. of Female Employees	Percentage (%)
Group 'A'	70	15	21.4
Group 'B'	110	34	30.9
Group 'C'	114	12	10.5
<b>Total:-</b>	<b>294</b>	<b>61</b>	<b>20.7</b>



## CHAPTER-III

### DEPARTMENT OF JUSTICE

#### 1. ORGANISATION AND FUNCTIONS

The Department of Justice forms part of the Ministry of Law and Justice. It is headed by Secretary (Justice). The Organisational setup includes four Joint Secretaries, six Directors/Deputy Secretaries and Seven Under Secretaries. The Sanctioned Strength of the Department of Justice is 78 out of which 19 posts are lying vacant. Out of 59 present incumbents only 07 women officer/officials (including 01 women consultant) are working in this Department. The shortfall in work strength is being compensated by engaging retired government officers/officials as consultant. At present 14 Consultants are working in the Department of Justice. The functions of the Department of Justice include the appointment, resignation and removal of the Chief Justice of India, Judges of the Supreme Court of India and Chief Justices and Judges of the High Courts and their service matters. In addition, the Department implements important schemes for infrastructure development of subordinate courts, as also the computerization of courts. The Organizational Chart of the Department of Justice is at **Annexure-XII**.

#### **Vision:**

Facilitating administration of Justice that ensures easy access and timely delivery of Justice to all.

#### **Mission:**

Ensuring adequacy of courts and judges, including servicing of appointment of Judges to the higher judiciary, modernization of courts and procedures, policies for judicial reforms towards improved justice delivery.

#### **OBJECTIVES:**

- (i) Providing adequate number of Judges in the Higher Judiciary
- (ii) Facilitating Justice Delivery and Legal Reforms
- (iii) Assisting development of Judicial infrastructure
- (iv) Facilitating ICT-enablement and connectivity of courts.
- (v) Facilitating setting up of various types of courts.
- (vi) Facilitating utilization of Finance Commission(FC) grants
- (vii) Facilitating access to Justice for the marginalized

As per the Government of India (Allocation of Business Rules-1961 as amended from time to time), the subjects handled by the Department of Justice, inter-alia, include the following :-

- (i) Appointment, resignation and removal of the Chief Justice of India and Judges of the Supreme Court of India; their salaries, rights in respect of leave of absence (including leave allowance), pensions and travelling allowances.
- (ii) Appointment, resignation and removal etc. of Chief Justice and Judges of High Courts in States, their salaries, rights in respect of leave of absence (including leave allowances), pensions and travelling allowances;
- (iii) Appointment of Judicial Commissioners and Judicial Officers in Union Territories;
- (iv) Constitution and organization (excluding jurisdiction and powers) of the Supreme Court (but including contempt of such Court) and the fees taken therein.
- (v) Constitution and organization of the High Courts and the Courts of Judicial Commissioners except provisions as to officers and servants of these courts.
- (vi) Administration of justice and constitution and organization of courts in the Union Territories and fees taken in such courts.
- (vii) Courts fees and Stamp duties in the Union Territories.
- (viii) Creation of All India Judicial Service.
- (ix) Conditions of service of District Judges and other Members of Higher Judicial Service of Union Territories.
- (x) Extension of the Jurisdiction of a High Court to a Union Territory or exclusion of a Union Territory from the Jurisdiction of a High Court.
- (xi) Legal Aid to the poor.
- (xii) Administration of Justice.
- (xiii) Access to Justice Delivery and Legal Reforms.

## **2. APPOINTMENT OF JUDGES**

### **A. SUPREME COURT OF INDIA:**

The Judge strength of the Supreme Court (including the Chief Justice of India) is 31. As on 31.12.2016, 24 Judges are in position, leaving 7 vacancies of Judges to be filled. During the period from 1.1.2016 to 31.12.2016, 4 Judges have been appointed in the Supreme Court. Notification for the appointment of Shri Justice Jagdish Singh Khehar, senior-most Judge of the Supreme Court, as the Chief Justice of India (CJI) with effect from 04th January, 2017 was issued on 19.12.2016.



**B. HIGH COURT OF INDIA:**

As on 31.12.2016 against the sanctioned strength of the High Court Judges of 1079, 650 Judges are in position, leaving 429 vacancies of Judges to be filled. During the period from 1.1.2016 to 31.12.2016, 74 vacancies occurred in High Courts due to superannuation, resignation, etc. The Judge strength of the High Courts has also increased from 1044 to 1079. During aforesaid period, 126 fresh appointments of Judges in High Courts and 131 Additional Judges have been made *Permanent, which is the highest number of appointments made in the last 26 years. In addition, the tenure of 22 Additional Judges of the High Courts was also extended.*

**C. SUPPLEMENTING EXISTING MEMORANDUM OF PROCEDURE (MOP)**

The Supreme Court pronounced its Order on improvement in the 'Collegium System' on 16.12.2015 vide this order they have inter alia decided that the "Government of India may finalize the existing Memorandum of Procedure (MoP) by supplementing it in consultation with the Supreme Court Collegium taking into account aspects such as transparency, secretariat, eligibility criteria and complaints mechanism.

The Government of India after due deliberations, proposed changes in the draft MoP's which were sent to the Hon'ble Chief Justice of India vide letter dated 22.3.2016. The effort of the Government is to supplement the existing MoP by making the appointment process transparent, fair, and accountable within the parameters set by various pronouncements of the Supreme Court and at the same time ensuring the independence of Judiciary. The effort of the Government is to ensure that only good and meritorious candidates are appointed. The response of the Chief Justice of India was received on 25.5.2016 and 01.07.2016. The Supreme Court Collegium has agreed with some of the suggestions made in the revised MoP while it has not accepted some other provisions. The views of Government were conveyed to the Chief Justice of India on 3-8-2016. The response of the Chief Justice of India is awaited.

Meanwhile, at the initiative of the Government of India, the matter of filling up of vacancies of Judges was taken up with the Supreme Court and the process of appointment of Judges are being made as per the existing Memorandum of Procedure.

**3. AMENDMENTS IN THE HIGH COURT/SUPREME COURT JUDGES ACTS**

(1) With the passage of time, certain provisions in the High Court Judges (Salaries and Conditions of Service) Act, 1954 and The Supreme Court Judges (Salaries and Conditions of Service) Act, 1958 had become spent and outdate and some of the provisions relating to determination of leave allowances of judges in both the Acts needed to be simplified. Besides, the Hon'ble Supreme Court in its Judgement dated 31.03.2016 had directed that ten years practice as an advocate be added as qualifying service for Judges elevated from the Bar for pensionary benefits. To achieve the above objectives, a Bill namely The High Court and Supreme Court Judges (Salaries and

Conditions of Service) Amendment Bill, 2015 seeking amendments in the High Court Judges (Salaries and Conditions of Service) Act, 1954 and Supreme Court Judges (Salaries and Conditions of Service) Act, 1958 was approved by the Cabinet. The said Bill was considered and passed by both the Houses of Parliament. The Bill received the assent of the President of India and has been notified on 05.04.2016.

**(2) Implementation of the recommendations of 7th Central Pay Commission in respect of Officers and employees of the Supreme Court of India.**

Hon'ble Chief Justice of India sent the recommendations of the pay revision in respect of Officers and staff of the Supreme Court of India in line with the recommendations of the 7th Central Pay Commission, accepted by the Central Government. This Department considered the recommendations in consultation with Department of Expenditure and conveyed the concurrence to the Supreme Court, for revision of pay in respect of officers and staff of the Supreme Court of India.

**(3) Implementation of the recommendations of 7th Central Pay Commission in respect of Judges of the Supreme Court and High Courts is under consideration.**

The Salaries and Allowances of High Court and Supreme Court Judges are reviewed separately on the recommendations of Hon'ble Chief Justice of India (CJI)/ Committee of Judges. The CJI/Committee of Judges has since submitted the report on revision of Salary & allowances of High Court and Supreme Court Judges. In order to revise the salaries and allowances of High Court and Supreme Court Judges, certain changes are proposed to be made to the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958 and the High Court Judges (Salaries and Conditions of Service) Act, 1954. A draft Note for the Cabinet has been prepared and comments/views have been sought from the Department of Pension & Pensioners' Welfare, Department of Expenditure, Department of Legal Affairs and Legislative Department, which are awaited.

#### **4. NATIONAL JUDICIAL ACADEMY**

The National Judicial Academy (NJA), Bhopal, is an autonomous body established in 1993 (w.e.f.17.08.1993) under the Societies Registration Act, 1860. The main objectives of the Society are to foster development of National judiciary in the country and strengthen administration of justice, judicial education, research and policy formulation. This independent Body functions under the administrative control of the Department of Justice with its office at the Supreme Court of India and its campus at Bhopal, Madhya Pradesh. This is the National Institution, imparting judicial training to judges/judicial officers of the country and provide facilities for training of ministerial officers working in the Supreme Court, study of court management and administration of justice in the States/Union Territories, organisation of conferences, seminars, lectures and research in matters relating to court management and administration.

(2) The Hon'ble Chief Justice of India (CJI) is the Chairman of the General Body of NJA as well as the Chairman of the Governing Council, the Executive Committee and the Academic Council of



NJA. The affairs of the Academy are managed by a Governing Council. The Academy is fully funded by the Government of India. It has a Director as the Principal Executive Officer. NJA academic staff positions include, in addition to the Director, one post of Additional Director (Research), 3 posts of Professor, 6 posts of Assistant Professor, 6 posts of Research Fellow and 6 positions of Law Associates. NJA administrative officers and staff include, in addition to the Director, posts of Registrar, Additional Registrar, Chief Accounts Officer, Maintenance Engineer and other managerial and functional positions.

(3) A provision of Rs.1074.00 lakh had been kept under "Grant-in-Aid General" (Non-Plan) for National Judicial Academy under Budget Estimates for the FY 2016-17 which has been reduced to Rs.1000.00 lakh at Revised Estimates stage. Out of this, a sum of Rs.900.00 lakh has since been released to NJA in three installments. A provision of Rs.1000 lakh had been kept for "Grant-in-Aid for Creation of Capital Assets" (Non-Plan) for the FY 2016-17, which has also been reduced to Rs.400 lakh at Revised Estimates stage. Out of this, an amount of Rs. 88.30 lakh has been released for construction of 20 residential flat for staff of NJA by NBCC while the release of the second installment of Rs. 88.30 lakh is under process.

## 5. FAMILY COURTS

The Family Courts Act, 1984 provides for establishment of Family Courts by the State Governments in consultation with the High Courts with a view to promote conciliation and secure speedy settlement of disputes relating to marriage and family affairs and for matters connected therewith. Under Section 3(1)(a) of the Family Courts Act, it is mandatory for the State Governments to set up a Family Court for every area in the State comprising a city or a town whose population exceeds one million. In other areas of the States, the Family Courts may be set up if the State Governments deem it necessary.

### (2) The main objectives and reasons for setting up of Family Courts are:

- (i) To create a Specialized Court, which will exclusively deal with family matters, so that such a court may have the necessary expertise to deal with these cases expeditiously. Thus, expertise and expeditious disposal are two main factors for establishing such a court;
- (ii) To institute a mechanism for conciliation of the disputes relating to family;
- (iii) To provide an inexpensive remedy; and
- (iv) To have flexibility and an informal atmosphere, in the conduct of proceedings.

(3) A scheme of Central financial assistance was started in the year 2002-03 for setting up of Family Courts. As per the scheme, Central Government provided 50% of the cost of construction of the building of Family Court and residential accommodation of the Judge subject to a ceiling of Rs.10 lakh as a one-time grant as Plan support and Rs.5 lakh annually as the recurring cost under



Non-Plan. The State Government is required to provide matching share. A grant of Rs.11.50 crore has been released to the State Governments since the year 2012-13. The component providing for grant for construction of building of Family Court and residential accommodation of the Judge has been subsumed in the Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary.

(4) As per the reports received from the State Governments, 438 Family Courts are functional in the country at present. Some of the States have informed that action is being taken for setting up more Family Courts.

(5) In March 2015, it was decided to converge the Family Court Scheme (Plan) with the Centrally Sponsored Scheme for Infrastructure Facilities for Subordinate Judiciary. The Family Court (Non-Plan) Scheme under which Rs.2296.46 lakh was given to States has been discontinued from 2016-17 as this is the responsibility of the State concerned.

## **6. E-COURTS INTEGRATED MISSION MODE PROJECT – COMPUTERISATION**

The eCourts Integrated Mission Mode Project is one of the National e-Governance projects being implemented in District and Subordinate Courts of the Country. The objectives of the project is to provide designated services to litigants, lawyers and Judiciary through universal computerization of district and subordinate courts, as well as the upgradation of ICT infrastructure of the Supreme Court and the High Courts.

### **(2) eCourts MMP (Phase I):**

In the year 2007, CCEA approved the computerisation of 13,348 district & subordinate courts over a two year period at the cost of Rs.441.80 crore. In the year 2010, in the light of cost and time overruns, CCEA approved the computerisation of 14,249 district & subordinate courts March 2014 (later extended up to March 2015) with an enhanced scope and a revised budget of Rs.935 crore. This was termed as Phase-I.

Approximately 95% of the activities relating to installation of hardware and software, connectivity and change management have been completed within the stipulated timeline by 31st March, 2015, as indicated below:-

S. No.	Module	Status as on 31.12.2015	% Completion
1	Sites funded	14249	100.00
2	Sites readiness	14249	100.00
3	Hardware installation	13436	94.29
4	LAN installation	13683	96.02
5	Software deployment	13672	95.95

In addition to the above, ICT infrastructure of the Supreme Court and High Courts has also been upgraded. Progress on other activities of the project as of March, 2015 is given below:

- I. **Laptops to Judicial Officers:** Laptops have been provided to 14,309 judicial officers.
- II. **Software:** A unified national core application software - Case Information System (CIS) software - has been developed and made available for deployment at all computerised courts. Entry of data regarding past cases has been initiated, and data in respect of over 7 crore cases is available online.
- III. **Judicial Service Centre:** Judicial Service Centre (JSC) have established at all computerised courts which serves as a single window for filing petitions and applications by litigants/ lawyers as also obtaining information on ongoing cases and copies of orders and judgments etc.
- IV. **Change Management and Training:** As part of the Change Management exercise, over 14,000 Judicial Officers have been trained in the use of UBUNTU-Linux OS and over 4000 court staff have been trained in CIS software.
- V. **Process Re-engineering:** eCommittee has initiated the Process Re-engineering (PR) exercise; PR Committees have been set up in all High Courts to study and suggest simplification in existing rules, processes, procedures and forms.
- VI. **Video Conferencing facilities in courts and jails:** Based on experience of pilot, it was decided in consultation with the eCommittee of Supreme Court of India to provide VC facilities for 500 Court complexes and corresponding jails.
- VII. **Service Delivery and National Judicial Data Grid:** The national e-Courts portal (<http://www.ecourts.gov.in>) has become operational and has been opened for public access. The portal provides online services to litigants such as details of case registration, cause list, case status, daily orders, and final judgments. Currently, litigants can access case status information in respect of over 7 crore pending and decided cases and more than 3 crore orders/judgments pertaining to district and subordinate Courts. NJDG data will also help the judiciary in judicial monitoring and management and the Government to get data for policy purposes.

### (3) e-Courts MMP(Phase-II):

Envisaging further ICT enhancement through universal computerisation of all the courts, the Phase II of the project was approved by the Cabinet in July 2015 with a cost of Rs 1670 crore and duration of four years. Sanction of the Project was issued in August 2015. The project would function in line with the Digital India program of the Government of India.

The project is aimed at delivery of 30 different services to the litigants through seven different platforms.



Phase-II of the project proposes the following new initiatives:

- I. *Enhancement of computer infrastructure in courts as compared to Phase I:*** From 4 computers in each courts to 8 computers considering that computers are used by all important sections of the court registry for day to day processes and service delivery.
- II. *Strengthening the system of serving notices and summons:*** Through provision of authentication devices for process servers at Court Complexes.
- III. *Hardware to District Legal Service Authorities and Taluka Legal Service Committees:*** The offices of DLSAs & TLSCs are required to work in tandem with the court processes for holding of Lok Adalats, listing of cases in Lok Adalats, the cause lists, proceedings, orders etc., in those cases.
- IV. *Hardware for computer labs in State Judicial Academies:*** For sustainability of the efforts of ICT training for Judicial Officers and court officials.
- V. *Information kiosks at each court complex:*** To provide services such as case status and daily order sheets to litigants without having to approach court officials.
- VI. *Development of Central Filing Centres with sufficient infrastructure:*** It has been proposed that Judicial Service Centres (JSCs), which were envisaged primarily as filing counters in Phase I, will be utilised for a composite set of services, including positioning of kiosks and waiting area for litigants. Central Filing Centres (CFCs) and will be called JSC-cum-CFC.
- VII. *Court libraries computerization:*** The libraries of the courts will be computerised. An Integrated Library Management System (ILMS) has been successfully implemented in the Supreme Court.
- VIII. *Solar energy for power backup:*** To utilise solar energy, as an alternate source, being environment friendly and easily available, it is proposed to initially cover 5% of the total court complexes.
- IX. *Service Delivery through use of cloud computing:*** Dispensing with the need for servers in individual court complexes and improving efficiency and scalability of the automation of courts. This will also reduce the need to deploy technical manpower at individual court complexes.
- X. *Systems for timely and regular updation of data:*** To be done by laying down protocols for updation and improving connectivity to expedite data updation to NJDG by all courts.
- XI. *Discontinuation of manual registers:*** To promote use of ICT for day-to-day activities by discontinuation of manual registers and court registers to be maintained only in e-form.

**XII. Mobile based service delivery through SMS and Mobile Apps:** Preparation of mobile phone applications on various mobile platforms for latest case related information, and an SMS Gateway based infrastructure to facilitate push and pull based SMS for litigants and lawyers.

**XIII. Court record room management automation:** The digitised documents/case records pertaining to a particular court will be automatically generated in the court at the time of hearing.

**(4) Achievements of Phase – II:**

- Funds released: DoJ has released Rs.430.05 crore to High Courts and Rs.38.71 crore to NIC under Phase II. High Courts have started the process of procurement of computer hardware and NIC has began procurement of equipment for cloud computing.
- Upgradation of software. A new, more user friendly version of Case Information Software (NC 2.0) has been developed and all computerised courts are being migrated to it. The eCommittee is also working towards integrating High Courts and Supreme Court data into this software.
- National Judicial Data Grid has been (NJDG) developed. A pilot was first launched in select states in 2013. It was made available for all jurisdictions under Phase II and made public in September 2015. Currently, litigants can access online case status information in respect of over 7 crore pending and decided cases and more than 3 crore orders/judgments pertaining to more than 16934 district and subordinate Courts. Litigants and lawyers are also provided services through Judicial Service Centre at the court complexes such as Case Filing, Certified copies of orders and judgments, Case status etc.
- More than 56 crore transactions recorded through eTaal since inception, indicating frequent use of the facility by litigants and lawyers.
- During Jan-Jun,2016, 63 lakh SMSs auto-generated through the system have been sent to the litigants and lawyers.
- Process Re-engineering: With an objective of rationalising court procedures and rules, the exercise of Process Re-engineering (PR) has been taken up by all High Courts. This involves fundamental re-design of judicial processes to bring about a significant improvement in performance. In June, 2016, a Workshop was conducted for all RGs and Law Secretaries where High Courts have identified processes to be revisited. High Courts have given reports on revisions required in existing rules in respect of two important procedural changes and two simple changes. Reports have been received from High Courts. Department of Justice has completed indexing of these reports and eCommittee is working on preparing common minimum guidelines.



(5) In line with the Digital India Programme of the Government of India which emphasises on Citizen centric services, the project would also focus on Digital Infrastructure as a Core Utility to Every Citizen providing Governance and Services on Demand subsequently digitally empowering the Citizens.

Activities to be taken up during the last quarter of the current FY (2016-17) are as under:

S.No	Component	Details
1.	WAN Connectivity	Based on the bandwidth requirement of Courts prepared by NIC, connectivity for courts is to be provisioned.
2.	Authentication devices for process servers	To strengthen the system of issuing notices and summons, it is proposed to use authentication devices. The eCommittee is in process of approving specifications for the devices.
3.	Solar Energy	To utilise solar energy, as an alternate source, it is proposed to initially cover 5% of the total court complexes, of which 51 Court Complexes at the approved cost of Rs.15 lakh per CC are to be covered within the current Financial Year.
4.	Video Conferencing	Video Conferencing between court and jails is to be provisioned under the Ph-II of the eCourts MMP.
5.	Publicity	In the eCommittee meeting held on 12 July, 2016, it was learnt that there is little awareness about the eCourts Project amongst the litigants. To bring awareness, it is proposed to advertise the project. For the purpose, DAVP has been approached.
6.	Software Development Centre, Pune	Software development is an ongoing activity. Software Development Team at NIC, Pune is working on developing and upgrading.
7.	Change Management: IIM Training	Under the Change Management exercise being conducted, it is proposed to train all Central Project Coordinators of High Courts. For the purpose, DoJ approached IIMs and other leading Institutes for these sessions.



## 7. NATIONAL MISSION FOR JUSTICE DELIVERY AND LEGAL REFORMS

National Mission for Justice Delivery and Legal Reforms was set up in August, 2011 with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, inter-alia, involves better infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development. The Mission has taken several steps in each of the strategic areas towards fulfilment of its objectives.

(2) Lack of adequate number of judges to handle the large number of cases pending in courts is often cited to be one of the main reasons for delays. The problem of shortage of judges is being addressed through a two pronged strategy. Firstly, by filling up the large number of existing vacancies in the judiciary and secondly, increasing the sanctioned strength of judges. It would be pertinent to note that as per the Constitutional framework the selection and appointment of judges in subordinate courts is the responsibility of State Governments and High Courts. On account of the concerted efforts made by all stakeholders there has been a gradual increase in the sanctioned strength of the subordinate judiciary over the past few years. It has increased from 17,715 at the end of 2012 to 21,320 in June, 2016. In case of the High Courts, the Chief Justice of India gave an “in principle” concurrence in April, 2014 to the joint recommendation of the Chief Ministers and Chief Justices Conference held in April, 2013 to increase the sanctioned strength of High Courts by 25 per cent. Several States have already accepted this proposal, as a result of which the sanctioned strength of High Courts has increased from 906 judges in March 2014 to 1079 judges in December 2016. The judge-population ratio in the country, taking into account sanctioned strength of judges at all levels now stands at about 18 judges per one million of the population.

(3) However, it is noted that despite the gradual increase in the sanctioned strength, there still remain a large number of vacancies in subordinate courts. As of 30th June, 2016, there were 4,937 vacancies in the posts of judicial officers, representing about 23 per cent of the sanctioned strength. In case of the High Courts, 431 of the 1079 posts, representing 40 per cent of the sanctioned strength, were vacant as of December, 2016. Recently, in the Conference of Chief Justices held on 22nd and 23rd April, 2016 it was inter-alia resolved that the Chief Justices shall take effective steps in coordination with the State Governments to ensure an increase in the cadre strength of the district judiciary commensurate with the needs of their states and in compliance with the judgments of the Supreme Court.

(4) Development of Infrastructural Facilities for Judiciary in the States is the prime responsibility of the State Governments concerned. However, to augment the resources of the State Governments, a Centrally Sponsored Scheme (CSS) for development of infrastructure facilities for



the judiciary was launched by the Central Government in the year 1993-94. Since inception of the Scheme, the Central Government has provided financial assistance amounting to Rs.5,479 crore to State Governments / Union Territories. Out of this, an amount of Rs.2,034 crore has been provided since 2014-15. The scheme, as it stands now, covers construction of court buildings and residential quarters for Judges / Judicial Officers of District and Subordinate Courts. Infrastructure development for the subordinate judiciary is a major thrust area of the National Mission for Justice Delivery and Legal Reforms. Accordingly, the funding pattern of the scheme was revised from 50:50 to 75:25 (90:10 for North Eastern States) under modified scheme from the year 2011-12 onwards. With the enhanced devolution of funds to the States on the recommendations of the 14th Finance Commission, the fund sharing pattern of the Scheme has again been revised from 75:25 to 60:40 (Centre: State) (90:10 for the 8 North-Eastern and 3 Himalayan States) with effect from 2015-16. There is no requirement of funds sharing with Union Territories. On implementation of the Scheme in Mission Mode with effect from 2011-12, an amount of Rs. 4,233 crore has been released under the Scheme to the State Governments and UT administrations under the revised funding pattern in the last five years. This represents a significant increase over the sum of Rs. 1,245 crore that was provided by the Central Government in the initial phase of the scheme from 1993-94 to 2010-11.

(5) As per information collected from High Courts as of December 31, 2015, there were 16,513 court halls / court rooms available for District and Subordinate Courts in the country. In addition, 2,447 court halls / court rooms were under construction. Comparing these figures with the working strength of 16,070 judges / judicial officers reported by High Courts as of December, 2015, adequate court rooms / court halls are available for the current strength of judicial manpower. Focus is now to match the availability of court rooms / court halls with the sanctioned strength of judicial officers / judges in District and Subordinate Courts. Considerable progress has also been made with regard to availability of residential units for judicial officers in District and Subordinate Courts. As of December, 2015, 14,420 residential units were available for Subordinate Courts and 1,868 residential units were under construction.

(6) During the Joint Conference of Chief Ministers of States and Chief Justices of the High Courts held at New Delhi in April 2015, reduction of pendency and backlog of cases in courts emerged as an area which required focused attention at the High Court level. The Chief Justices of the High Courts in the Conference held on 03rd and 04th April 2015 have resolved that each High Court shall establish an Arrears Committee, which would go into the factors responsible for the delays and prepare an action plan to clear the backlog of cases pending for more than five years. It was further resolved in the Conference of Chief Justices of the High Courts held in April, 2016, that in order to ensure expeditious disposal of cases pertaining to women, marginalized segments, senior citizens and differently-abled, steps be taken to (a) prioritize the disposal of cases falling in these categories within the existing court system; (b) an endeavour be made to revisit the cadre strength of subordinate courts and, where necessary, create additional courts to deal with such cases. All High Courts have been requested to take steps towards reduction of pendency of cases in the High Court as also in District and Subordinate Courts. As a result of concerted efforts made by various stakeholders



the increasing trend of pendency of cases in subordinate courts has been checked and the overall pendency in subordinate courts has declined from 2.77 crore in 2010 to 2.70 crore in 2015. Pendency in the Supreme Court of India has declined from 66,692 cases at the end of the year 2012 to 59,272 cases at the end of the year 2015. The pendency in High Courts has declined from 42.49 lakh cases at the end to the year 2010 to 38.70 lakh cases as on 31.12.2015.

(7) A Plan Scheme for Action Research and Studies on Judicial Reforms is being implemented to inter-alia promote action research on Judicial Reforms. Eighteen projects of Action Research have been sanctioned so far under the scheme to reputed Institutions like IITs, IIMs, State Judicial Academies, National Law Schools, Universities etc.

(8) Ninth Meeting of the Advisory Council of the National Mission for Justice Delivery and Legal Reforms was held on 16th February, 2016, under the Chairmanship of the Minister of Law and Justice at Jaisalmer House, New Delhi to review the progress on various initiatives taken by the Mission. The Advisory Council inter-alia deliberated upon the issues relating to Specialisation of Courts, Judicial Accountability and Pre-Litigation Dispute Resolution. Tenth Meeting of the Advisory Council of the National Mission for Justice Delivery and Legal Reforms was held on 18th October, 2016, under the Chairmanship of the Minister of Law and Justice and Electronics and Information Technology at Jaisalmer House, New Delhi to review the progress on various initiatives taken by the Mission. The Advisory Council inter-alia deliberated upon the issues relating to reforms in criminal justice system, manpower planning for subordinate judiciary, streamlining of court processes, judicial database for policy formulation etc.

## **8. ACCESS TO JUSTICE FOR THE MARGINALISED**

Project Duration: January 2013 – December 2017

Project States: Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Uttar Pradesh.

### **Background:**

The Department of Justice, Ministry of Law and Justice, Government of India is undertaking a project on Access to Justice for Marginalised persons in collaboration with the United Nations Development Programme (UNDP). The project focuses on strengthening access to justice for the poor by developing strategies that address barriers to accessing justice in legal, social, economic and political domains.

The interventions under the project are focused on strengthening access to justice for the marginalized, particularly the poor, women, scheduled castes, scheduled tribes, and minorities. The project focuses, on the one hand, to improve the institutional capacities of key justice service providers, to enable them to effectively serve the poor and disadvantaged. On the other hand, it works directly to empower the poor and disadvantaged men and women to seek and demand justice services.

Phase I of the project was undertaken between 2009 and 2012. During this phase, the project reached out to 2 million people, provided trainings to 7000 paralegals and young lawyers, created simplified information, education and communication materials. The current phase, Phase II is for a five-year period between May 2013 and December 2017. The Department is also implementing a similar project in the eight north eastern region states and Jammu and Kashmir for a period expanding five years i.e. between 2012-2017.

#### Project Focus:

- (i) Strengthening access to justice for the marginalized- particularly women, scheduled castes, scheduled tribes and minorities.
- (ii) Improving institutional capacities of key justice service providers to enable them to effectively serve the poor and disadvantaged.
- (iii) Empowering the poor and disadvantaged men and women to seek and demand justice services.

#### Project Activities:

**Mainstreaming Legal Literacy:** Convergence with nodal ministries and flagship programs to enhance legal awareness of marginalized groups.

- (1) **State Institute for Rural Development (SIRD) UP- Legal literacy campaign in Barabanki district:**
  - Preparation of legal literacy material in the form of booklets, pamphlets, short films, street plays.
  - State Level Launch Workshop of the legal literacy campaign. Launch of the Campaign in Barabanki district.
  - An online monitoring application to track the activities of legal literacy campaign was developed.
  - Training of 500 Village Level Resource Persons and campaign on legal literacy in target 779 GPs.
- (2) **NLMA's Sakshar Bharat :-** MoU signed between DoJ and NLMA for mainstreaming legal literacy through Sakshar Bharat Program
  - SRC, Lucknow and Jaipur: 2 Trainings conducted, each of 200 Resource Persons (RPs) and 600 preraks across 62 districts of UP and 32 districts of Rajasthan.
  - SRC Lucknow completed two trainings of 160 RPs and one training of 309 preraks.
  - SRC Jaipur: Completed one training of 130 RPs.
  - One day regional consultation on legal literacy conducted in Jaipur on 26 June 2016.



**(3) Common Service Centre (CSC) e-Governance India Limited**

- Trained 50 Village Level Entrepreneurs in 3 districts of Jharkhand. Legal literacy content developed and mainstreamed into the CSCs.
- Scale up: Trained 500 VLEs across 500 CSCs in 11 districts of Rajasthan.

**Civil Society Organisations Initiatives**

**(1) One World Foundation**

- 50 Voice based legal information Kiosks (VLEK) installed at DLSAs in Chhattisgarh and Jharkhand.
- The deployed kiosks are the readily available legal resource materials for legal information on rights and entitlements, eligibility criteria and application procedures to avail the benefits under different schemes in 4 languages Santhali, Chhattisgari, Hindi and English.
- Upto April 2015, over 50000 people accessed legal information available at kiosks till April 2015
- Ownership of kiosks taken over by NALSA and SLSAs.
- Maintenance of the Kiosks being met out of the project funds till Oct 2016.

**(2) Antodaya: Ensuring Rights of the Marginalised Communities over Forest Land -- Kalahandi, Odisha:**

- The prime objective of the initiative is to help marginalized communities recognize and access their rights vis-à-vis forest lands and resources, especially by preparing Peoples' Biodiversity Registers and thus, increasing legal awareness of the community.
- Conducted training of 120 Community Rights Volunteers.
- Target Area: 3 blocks of Kalahandi District, Odisha.

**(3) Bharat Gyan Vigyan Samiti**

- Legal awareness campaign in 55 Panchayats of five blocks, empowerment of women through legal knowledge and forming sustainable support groups in the Sehore district of Madhya Pradesh.

**(4) Aid India: "Pathways for inclusive and redistributive justice for the marginalized in Jharkhand" (March 2014- March 2016)**

- Objective is to strengthen the decentralized and inclusive justice and welfare entitlements delivery system and services for universal access to justice for the marginalized.



- Using 10 CSCs as justice facilitation hubs.
- Strengthening partnership with DLSAs for increasing access to justice.
- Legal Awareness through Community Radio.
- Target area: 190 Panchayats of Palamu, Garhwa and Latehar districts.

**Law School Based Legal Aid Clinics:**

**(1) TISS Legal Services Clinic(March 2014- March 2017)**

- One university-based LSC has been established in the TISS campus, Mumbai and a community-based clinic at a slum near TISS called M ward.
- In the last six months following progress has been made:
  - o The clinics handled total 70 cases related to property, land issues, matrimonial disputes, domestic violence, sexual harassment, bail, trials and criminal complaints.
  - o Legal Awareness Training Programmes- 39 Anganwadi Sevikas trained. Each sevika reaches out to approx 200 households. Consequently, outreach of the LSC in the community has increased.
  - o TISS LSC and Community LSC are indirectly reaching out to 15,400 families of M Ward
  - o One-day workshop on clinical legal education for law colleges of Mumbai held in July 2016.

Project period upto March 2017.

**(2) NLUO Legal Services Clinic(March 2014- March 2017)**

- Legal Aid Clinics set up in Puri, Kurda and Cuttack and One Campus based Clinic.
- Project Progress in the last six months:
  - o Legal Literacy Programs organized and trained nearly 200 participants belonging to the marginalized communities.
  - o Counselling and Extension of legal aid to fifty people from marginalized communities.
  - o Facilitating out of court dispute resolution for 20 beneficiaries.
  - o A five-day training program for lawyers was organized where 37 young lawyers belonging to the marginalized community were trained.

Project period upto March 2017.

- (3) TISS Socio Legal Cells for Juvenile Justice: Establishment of socio legal cells for juveniles in Observation Homes in Maharashtra.
  - Project is supporting TISS socio legal cells since 2014
  - Socio legal cells provide support to juveniles in conflict with law and also assist assisted the JJB.
  - A workshop to explore scale up opportunities and collaboration with SLSA and WCD was held in Mumbai on July 26, 2016.

Project ended in November 2016. Final Report awaited

### **Legal Awareness**

#### **Short Two Films on POCSO:**

- Contract with NFDC was terminated in August 2016.
- The process of finalizing a new agency underway and will be selected through RFP.
- Technical Evaluation of the bids has been completed.
- Financial bids will be opened on 30 December 2016.

#### **Action Research under Output 4**

- Study on “Making Courtrooms More Women Friendly” conducted by Partners for Law and Development. Draft report submitted to DoJ in May 2015.
  - o Report shared with Chief Justice, Delhi High Court in June 2015. Awaiting feedback
  - o Once report is accepted findings and recommendations could be shared with other High Courts and relevant Government Departments to bring about required policy changes.

### **9. ACCESS TO JUSTICE, NORTH EAST AND JAMMU AND KASHMIR (GOVERNMENT OF INDIA PROJECT)**

<b>Title of the project/scheme</b>	:	“Access to Justice -NE and J&K”
<b>Name of the sponsoring agency</b>	:	Department of Justice, Ministry of Law and Justice
<b>Duration of the project</b>	:	April 2012 – March 2017
<b>Total cost of the project</b>	:	Rs. 30 Crore



**INITIATIVES UNDER THE A2J (NE&JK) PROJECT**

(1) **Established 46 Legal Aid Clinics in two most backward district of Nagaland-Tuensang and Mon:** Nagaland State Legal Services Authority (NSLSA) has completed a project where it has successfully set up 46 Legal Aid Clinics (LACs) in the most interior and remote districts of Nagaland- Tuensang and Mon. It benefitted directly 18,323 people in both the Districts. The Specialty of this project is establishment of a sustainable model of Legal Aid Clinic in remote districts by NSLSA.

(2) **Legal Literacy Activities by State Resource Centre, J&K:** MoA was signed between DOJ and SRC Srinagar on mainstreaming legal literacy component in NLMA's Saakshar Bharat Mission curriculum on 14th January 2016. The main activities includes, Review Workshop to develop IEC(Information, Education, Communication) material in local context, training of NLMA selected Resource Persons, training of Preraks, refresher training of Resource Person, refresher training of Preraks in Jammu & Kashmir. After these convergence activities, legal literacy component will be taught under SSA programme of Government of India in all the backward districts of J&K. Till date, Workshop to review Legal literacy material and preparation of IEC for Srinagar region is completed by SRC, Srinagar.

(3) **Legal Literacy Activities by State Resource Centre, Assam:** On 21st January 2016, MoA was signed between DoJ and SRC, Assam to initiate Legal Literacy activities (Preparing IEC Material, Training of RPs/MTs/Preraks) in Assam, Sikkim and Tripura. Till date, SRC has prepared IEC material (11 Booklet, 11 Pamphlets and Poster). After preparation of IEC material on legal literacy, 30 Resource Persons and 300 Preraks were trained on 11 selected laws and entitlements.

(4) **Legal Literacy Activities by State Resource Centre, Shillong:** On 21st January 2016, MoA was signed between DoJ and SRC, Shillong to initiate Legal Literacy activities (Preparing IEC Material, Training of RPs/MTs/Preraks) for legal empowerment of marginalized community in North eastern States(Meghalaya, Nagaland and Manipur). Total 249 Preraks and 23 Resource Persons were trained on 11 important laws and entitlements. The SRC is finalizing and printing IEC material in 3 languages i.e. English, Garo and Manipuri.

(5) **Legal Literacy Activities by State Resource Centre, Arunachal Pradesh:** On 29th February 2016, MoA was signed between DoJ and SRC Arunachal Pradesh to commence Legal Literacy activities (Preparing IEC Material, Training of RPs/MTs/Preraks) for the State of Arunachal Pradesh. Total 115 Preraks and 27 Resource Persons were trained on 11 important laws and entitlements in context of Arunachal Pradesh. The SRC is finalizing and printing IEC material in English. Trainings are pending.

(6) **Legal Literacy activities by Common Service Centre(CSC) in North Eastern States and Jammu & Kashmir:** On 3rd March 2016, DoJ signed MoA with CSC in 5 North Eastern States including Assam, Arunachal Pradesh, Meghalaya, Mizoram and Tripura. The programme is focusing on training citizens on legal issue and conducting legal literacy workshops especially for

marginalized sections. It will conduct master trainings for Village Level Entrepreneurs (VLEs), who will organise legal literacy sessions and facilitate people in seeking justice through CSCs in different districts of five North Eastern States. On the same line, another MoA was signed on 23rd March 2016 between DoJ and CSC to do legal literacy activities in remote areas of Manipur, Nagaland and Sikkim as well as J&K. Till now baseline survey for North Eastern States is completed and preparation of IEC material(Movie on various important social legal issues, Handbook on legal literacy and eContent) under process. This project will benefit 1,61,320 people of North Eastern States.

(7) **Rendering human resource to SLSAs through appointment of Project Team in the nine States:** A team of two professionals (Project Coordinator and Project Assistant) is being appointed in all the nine project states to coordinate the activities of A2J(NE&JK) project at the State level and support the State Legal Services Authority. This year three more persons have been recruited for vacant Project Coordinator and Project Assistant posts, in Meghalaya( PC & PA recruited) and Manipur(only PC recruited). Except J&K(PC & PA) and Mizoram(only PC), rest posts are filled up.

(8) **Drafting a Policy Framework to Secure Rights of Orphan Children and Govern Orphanages in Jammu & Kashmir:** KFOR NGO was assigned to carry a study on rights of Orphan Children and Orphanages in Jammu & Kashmir. The study is completed and a draft of the policy framework to secure rights of Orphan Children and Govern Orphanages in J&K is submitted for review.

(9) **Review and printing of IEC materials on Legal Literacy components in other local dialects of Assam, Sikkim and Tripura:** One MoA has been signed between Department of Justice and SRC Assam to review and print IEC material on legal literacy in various local dialects of Assam, Tripura and Sikkim. The local dialects include, Bodo, Karbi, Rabha language for Assam State; Bhutia, Lepcha, Limbu language for Sikkim State; Kokborok language for Tripura State. This IEC material will benefit Scheduled Tribes and local folks who speak these languages and will intensify the legal literacy process.

(10) **State Conference on “Rights of Survivors of Trafficked persons in north eastern States: Challenges in Accessing Justice Mechanism & Role of SLSA, Panel lawyers and Civil Society Organization”:** On 29th July 2016, a conference was organized on “Rights of Survivors of Trafficked persons in north eastern States: Challenges in Accessing Justice Mechanism & Role of SLSA, Panel lawyers and Civil Society Organization”. There were total 35 participants in the conference. The participants included, representatives from Department of Justice, Department of Social Welfare, Assam State Legal Services Authority, National Commission for Protection of Child Rights (NCPCR), State Commission for Protection of Child Rights (SCPCR), State Police Officials etc. It was concluded that various agencies are working on anti human trafficking issue and there are chances of duplication of work. It was recommended that Department of Social Welfare should take responsibility to create a one stop solution where convergence of various stakeholders could be made possible.



(11) **State Conference on “Community policing in North Eastern India: Benefits, Challenges and Action plan for better policing”:** On 31st July 2016, another conference was organized on “Community policing in North Eastern India: Benefits, Challenges and Action plan for better policing” in Shillong. It was attended by 23 participants who represented Department of Justice, Department of Law, NEHU, North East Police Academy (NEPA), Department of Social Welfare, State Police Officials of North Eastern States, State Resource Centre, Common Service Centres and Civil Society Organizations. The outcome of the conference was the consensus of the primary stakeholders on accepting community policing as a strategy to achieve improved access to institutions of Government. Finally, NEPA has committed to dedicate an independent section to Community policing in the curriculum for training the Police Officials and a need was felt to document the already functioning models of community policing in North Eastern States.

(12) **State Conference on Rights of Marginalized sections including Scheduled Tribes in North Eastern States:** Role of SLSAs and Commissions in securing legal rights of ST, Women and HIV - On 29th September 2016, a conference was organized by A2J NEJ&K, Department of Justice in Imphal, Manipur. It was inaugurated by Honourable Justice Mr. N. Koteswar Singh, Executive Chairperson, Manipur State Legal Services Authority. There were total 41 participants in the conference; it included representatives from various concerned departments & commissions like Department of Law & Justice, Department of Social Welfare, Department of Education, Department of health, Tribal Affairs and Hill Department, State Women Commissions etc. It also included academicians from Government Law College, State Aids Control Society (SAC) and civil society organizations of North Eastern States.

(13) **Upcoming Programs:**

- (i) Refresher Training of Resource Persons and Preraks of Saakshar Bharat Mission, on Legal literacy.
- (ii) Printing of IEC material in Assamese, Bengali, English, Garo, Khasi, Mizo, Manipuri, Nepali, Urdu through CSCe-Governance Services India Ltd. on Legal Literacy initiatives.
- (iii) Training of 1400 Master Trainers of CSCe-Governance Services India Ltd. on Legal Literacy.
- (iv) Impact Assessment of the Legal Literacy Project through CSCe-Governance Services India Ltd. on Legal Literacy initiatives.
- (v) Printing of IEC material by State Resource Centers in English, Assamese, Nepali, Bengali, Garo, Khasi and Manipuri, Bodo, Karbi, Rabha, Bhutia, Lepcha, Limbu and Kokborok language.

## 10. MISCELLANEOUS ACTIVITIES OF THE DEPARTMENT

### (1) RIGHT TO INFORMATION ACT, 2005

Under the provisions of the Right to Information Act, 2005, Department of Justice has initiated the following actions:

- (a) A Section Officer of the Department has been designated as CAPIO to collect, transfer the applications under the RTI Act, 2005 to the Central Public Information Officers/Public Authorities concerned and to submit the quarterly returns regarding receipt and disposal of the RTI applications/appeals to the Central Information Commission.
- (b) Details of the Department's functions along with its functionaries etc, have been placed on the RTI portal of the Department's official website (<http://doj.gov.in>) as required under section 5(1) of RTI Act, 2005 in respect of subjects being handled by them.
- (c) All Under Secretaries have been designated as Central Public Information Officers (CPIOs) under section 5(1) of RTI Act, 2005 in respect of subjects being handled by them.
- (d) All Directors/Deputy Secretary level officers have been designated as Appellate Authorities in terms of Section 19(1) of RTI Act, 2005 in respect of Under Secretaries working under them and who have been designated as CPIOs.
- (e) During the year 2015 (01.01.2016 to 31.12.2016) 600 RTI applications and Appeals were received manually and 2056 RTI applications and Appeals were received online in the Department forwarded to concerned CPIOs/Public Authorities for providing information requested for.
- (f) As per para 1.4.1 of the DOPT's guidelines issued vide their O.M. No. 1/5/2011-IR dated 15.04.2013, the Department is uploading all RTI and appeal replies on the website regularly.

### (2) REDRESSAL OF GRIEVANCES

Department of Justice (DOJ) is one of the top 20 departments / ministries in the Government of India in terms of volume of complaints handled. On an average it receives 10,000 to 12,000 grievances per annum from all sources like pgportal of Department of Administrative Reforms & Public Grievances (DARPG), manually from the PMO, the President's/Vice President's Secretariats. Majority of the grievances are pertaining to delay in delivery of judgements, some grievances are relating to perceived unfair judgement by courts and some are relating to alleged corruption in courts. Such grievances related to judiciary are forwarded to the Secretary General, Supreme Court of India/Registrar General of the concerned High Courts for further action, as appropriate. If there is



any grievance relating to alleged corruption/malpractices by Judicial Officers, the petition has to be accompanied by duly sworn in affidavit alongwith verifiable facts. Request for legal aid / assistance are also received. Such grievances are forwarded to Member Secretary, National Legal Service Authority (NALSA) for taking appropriate action for redressal.

Majority of the complainants are highly satisfied with the quality of disposal of their grievances by the Department of Justice.

The grievance holders are advised to send the grievances pertaining to Supreme Court/High Courts directly to them on the below mentioned e-mails in order to expedite disposal of their grievances.

S. No.	Name of the High Court	e.mail ID
1.	Supreme Court of India	supremecourt@nic.in
2.	High Court of Allahabad	rg@allahabadhighcourt.in
3.	High Court of Tripura	thc.vigilance@gmail.com
4.	High Court of Gauhati	regv.ghc@gmail.com
5.	High Court of Kerala	rsjhc.ker@nic.in
6.	High Court of Jharkhand	admn.misc.jhcranchi@gmail.com vigilancecellscs.jhcranchi@gmail.com
7.	High Court of Uttarakhand	rg.ukhc@indiancourts.nic.in
8.	High Court of Meghalaya	rg.mglhc@indiancourts.nic.in
9.	High Court of Delhi	aojestablishment2.dhc@nic.in
10.	Bombay High Court	rgsid-bhc@nic.in
11.	Sikkim High Court	cpc-sik@nic.in
12.	Punjab & Haryana High Court	reg.vig-phc@indianjudiciary.gov.in
13.	HP High Court	arvindm@aij.gov.in
14.	High Court of Chhattisgarh	rv-hc.cg@gov.in
15.	Andhra Pradesh High Court	svsrmoorthy@gmail.com
16.	Gujarat High Court	rg-hc-guj@nic.in
17.	Rajasthan High Court	regadmn-rhc-rj@gov.in rajinder.tuteja@aij.gov.in
18.	Jammu & Kashmir High Court	myakhoon@gmail.com
19.	Karnataka High Court	grievance@hck.gov.in
20.	Patna High Court	phcgrievance-bih@gov.in
21.	Madhya Pradesh High Court	usdey15@gmail.com rggrievance@yahoo.com
22.	Madras High Court	regrvigil.tn@nic.in
23.	Manipur High Court	nd.grievance-hcm@gov.in
24.	Orissa High Court	rg.orihc@indiancourts.nic.in
25.	Calcutta High Court	cpc-cal@indianjudiciary.gov.in
26.	NALSA	nalsa-dla@nic.in

Grievance holders are advised to lodge their grievances on the Public grievance Portal [epgrams-darpg@nic.in](mailto:epgrams-darpg@nic.in) only. Detailed guidelines for disposal of grievances by Department of Justice have been uploaded on website “[doj.gov.in](http://doj.gov.in)” for information/guidance of grievance holders/citizens. Director (Public Grievances), Department of Justice, Room No. 12-B, Jaisalmer House, New Delhi can be directly contacted on phone No. 011-23072135.

### **(3) EMPOWERMENT OF WOMEN**

Redressal of Complaints pertaining to Sexual Harassment at Work-place: In compliance of Section 4(1) of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, an internal Complaints Committee has been re-constituted for redressal by aggrieved women employees of the Department on 24.11.2015. The Committee consists of three women employees, (including one Member from an NGO) and two male employees.

### **(4) SWACHH BHARAT**

On the clarion call of Hon'ble Prime Minister of India, for a Swachh Bharat Campaign, the Department of Justice initiated a number of activities. In this regard from 25th September, 2014 to 1st October, 2014 various activities such as cleaning, sprucing of campus, surroundings, corridors and weeding out of old records have been done. On 2nd October, 2014 “Swachhata Shapath” was administered to all the employees by Secretary (Justice). All officials and employees led by Secretary (Justice) carried out voluntary Shram Daan on 2nd October, 2014. Detailed Action Plan from 3rd October 2014 to 31st October 2014, 1st November 2014 to 31st October 2015 and 1st November 2015 to 31st October 2019 has been chalked out.

### **(5) IMPLEMENTATION OF E-OFFICE**

Department of Justice has also under taken the task of Digitization of its all old and current files. So far almost 1000000 pages have been digitized. Department of Justice has left no stone unturned to implement e-office in its day to day working. File Tracking System (FTS) was adopted under e-office system. During 2016-17 the Department has also started working on e-file. Special steps are being taken in consultation with NIC for imparting training to all officers/officials on e-office for smooth implementation of e-office.

As called by Hon'ble Prime Minister, the Department has also heading towards cashless transactions and digital payment system.

### **(6) FUNCTIONIONING OF THE DEPARTMENT REVIEW MEETING 21.09.2016**

A Review meeting was held on 21.09.2016 at Jaisalmer House, where Hon'ble Minister of Law & Justice and Minister of State for Law & Justice reviewed progress on the various activities of the Department. Secretary Department of Justice alongwith Senior Officers of the Department was present during the meeting and held discussions. The Minister also took around of the Jaisalmer House.











## 11. OFFICIAL LANGUAGE SECTION

Official Language Section was set up in February, 2016 in the Department of Justice. This Section is administratively responsible for the effective implementation of Official Language policy of Union of India, the Official Language of Act, 1963 and the Official Language Rules, 1976. This section is also responsible for promotion of progressive use of Hindi in the official work of the Union in addition to the translation of various documents from English to Hindi and vice versa.

### (2) Collection and Review of Quarterly Progress Reports for Progressive use of Hindi

Quarterly Progress Reports for progressive use of Hindi were collected regularly from various sections of the department and reviewed. In order to promote use of Hindi in the official work, shortcomings found in the reports were intimated to the concerned sections and certain remedial measures were suggested. On the basis on these reports a consolidated break up was prepared and data submitted by all the Sections was reviewed in the Official Language Implementation Committee meetings.

### (3) Meetings of the Official Language Implementation Committee

In the year 2016-17, Departmental Official Language Implementation Committee (OLIC) was set up in February, 2016 under the Chairmanship of Joint Secretary (Administration). Meetings of OLIC was held in every quarter and progress in the use of Official Language in the Department was made. Minutes of the meeting were circulated among all the members as well as officers and sections of the Department. This committee provides effective means to identify problems and find out the solutions for the progressive use of Hindi. In the meetings of this committee, annual Program issued by the Department Official Language, Ministry of Home Affairs for transacting the official work of the Union Government in Hindi is also discussed. In the year under reference, meeting of this committee was held on 31-03-2016 (First), 28-06-2016 (Second), 28-09-2016 (Third) and 27-12-2016 (Fourth).

### (4) Incentive Schemes for promotion of Hindi

Two Incentive Schemes of the Department of Official Language, Ministry of Home Affairs for promotion of Hindi namely a Scheme for employees for promotion of Noting and Drafting original in Hindi and Scheme for officers for Promotion of Dictation in Hindi have been introduced in the Department with effect from the year 2016-17.

### (5) Organizing of Hindi Workshops

In the year under reference, a Hindi workshop was organized in every quarter. Workshops were organized on 25-05-2016 (First), 27-09-2016 (Second) and 22-12-2016 (Third). Retired officers of the official Language cadre were invited in these Workshops to guide the staff on increasing the use of Official Language in day to day office work.

Efforts were made to eradicate difficulties of officers/officials in making use of Official Language in their official work. They were also made aware of various Rules and Regulations of the Official Language Act, 1963 and Official Language Rules, 1976. These workshops have helped in improving the percentage of Hindi Noting and Hindi correspondence in official work.



#### (6) Translation of various Documents of the Department into Hindi

During the period under review, Annual Report, E-Book, Outcome Budget, Memorandum of Procedures of the appointment of Judges of Supreme Court and High Courts, Cabinet Notes, Implementation Reports of the Assurances given in the Parliament Questions, various Documents pertaining to NALSA and several other documents of general nature which include Notifications, D.O. letters to be sent by the Hon'ble Minister, letters to be issued under the RTI Act, 2005, general orders of daily routine etc. were translated into Hindi.

#### (7) Hindi Fortnight

For the first time, a Hindi Fortnight was organized from 14-09-2016 to 29-09-2016 in the Department of Justice. On Hindi Divas messages of Hon'ble Minister of Law and Justice and Hon'ble Minister of Home Affairs were read out in the presence of Hon'ble Secretary (Justice). The Hon'ble Secretary urged the officers and officials of the Department to ensure that maximum work is done in Hindi.



During observance of Hindi Fortnight, four written competitions i.e. Hindi essay, Noting and Drafting, Hindi Typing and Hindi Dictation as well as two oral competitions i.e. poem recitation and extempore speech were organized. Total 59 officers / officials participated in these competitions. Four cash prizes (First: Rs.3000/-, Second: Rs.2000/-, Third: Rs.1500/- and Fourth: Rs.500/-) along with certificates were given away to the winners of each competition. Secretary (Justice) gave away cash prizes and certificates to 24 participants in a prize distribution function organized on 26-12-2016.





Smt. Snehlata Shrivastava, Secretary (Justice) giving away Certificate and Cash Prize in the presence of Shri Rajinder Kashyap, Joint Secretary (Administration) and Rajbhasha Adhikari, Shri A.K. Lal, Joint Secretary and Shri V.K. Tripathi, Director (Administration).



Smt. Snehlata Shrivastava, Secretary (Justice) with Officers of the Department and Prize Winners of Hindi Fortnight Competitions.



**(8) Purchase of Hindi Books**

During the year under reference a list of books written by renowned Hindi Writers and Prominent personalities was approved by competent authority and books for an amount of Rs.5000/- were purchased.

**12. NATIONAL LEGAL SERVICES AUTHORITY**

Article 39A of the Constitution of India provides for free legal aid to the poor and weaker sections of the society and ensures justice for all. Articles 14 and 22(1) of the Constitution also make it obligatory for the State to ensure equality before law and a legal system which promotes justice on the basis of equal opportunity to all. In the year 1987, the Legal Services Authorities Act was enacted by the Parliament which came into force on 9th November, 1995 to establish a nationwide uniform network for providing free and competent legal services to the weaker sections of the society on the basis of equal opportunity. The National Legal Services Authority (NALSA) has been constituted under the Legal Services Authorities Act, 1987 to monitor and evaluate implementation of legal aid programmes and to lay down policies and principles for making legal services available under the Act.

(2) In every State, a State Legal Services Authority and in every High Court, a High Court Legal Services Committee have been constituted. District Legal Services Authorities, Taluk Legal Services Committees have been constituted in the Districts and most of the Taluks to give effect to the policies and directions of the NALSA and to provide free legal services to the people and conduct Lok Adalats in the State.

(3) Supreme Court Legal Services Committee has been constituted to administer and implement the legal services programme insofar as it relates to the Supreme Court of India.

**(4) Functioning of NALSA**

NALSA lays down policies, principles, guidelines and frames effective and economical schemes for the State Legal Services Authorities to implement the Legal Services Programmes throughout the country.

Primarily, the State Legal Services Authorities, District Legal Services Authorities, Taluk Legal Services Committees, etc. have been asked to discharge the following main functions on regular basis:

- To Provide Free and Competent Legal Services to the eligible persons;
- To organize Lok Adalats for amicable settlement of disputes and
- To organize legal awareness camps in the rural areas.



## (5) FREE LEGAL SERVICES

The Free Legal Services include:

- a) Payment of court fee, process fees and all other charges payable or incurred in connection with any legal proceedings;
- b) Providing service of lawyers in legal proceedings;
- c) Obtaining and supply of certified copies of orders and other documents in legal proceedings.
- d) Preparation of appeal, paper book including printing and translation of documents in legal proceedings.

**Persons eligible for getting free legal services include:-**

- i) Women and children;
- ii) Members of SC/ST
- iii) Industrial workmen
- iv) Victims of mass disaster, violence, flood, drought, earthquake, industrial disaster.
- v) Disabled persons.
- vi) Persons in custody
- vii) Persons whose annual income does not exceed Rs. 1 lakh (in the Supreme Court Legal Services Committee the limit is Rs. 1,25,000/-).
- viii) Victims of Trafficking in Human beings or begar

During the period from April, 2016 to September, 2016 more than 2.28 lacs persons have been benefited through legal aid services in the country. Out of them, about 19762 persons belonged to the Scheduled Castes, about 12558 Scheduled Tribes, about 49672 were women and about 7208 were children.

## (6) LOK ADALATS

Lok Adalat is one of the Alternative Disputes Resolution Mechanisms. It is a forum where the disputes/cases pending in the court of law or at pre-litigation stage are settled/compromised amicably. The Lok Adalat has been given statutory status under the Legal Services Authorities Act, 1987. Under this Act, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court.

- (a) Lok Adalats are being organized by the Legal Services Authorities/Committees for settlement of cases pending before courts u/s 19 of the Legal Services Authorities Act, 1987 and also for matters at pre-litigative stage, under the guidance of NALSA. The following types of matters are being taken up in the Lok Adalats:

1. Matrimonial/Family disputes
  2. Criminal Compoundable Offence cases
  3. Land Acquisition Cases.
  4. Labour Disputes
  5. Workmen's compensation
  6. Bank Recovery cases (Nationalised, Multinational & Private Banks)
  7. Pension cases
  8. Housing Board and slum clearance cases & Housing Finance cases
  9. Consumer Grievance cases
  10. Electricity matters
  11. Telephone Bills disputes
  12. Municipal matters including House Tax cases etc.
- (b) Chapter VI-A has been inserted in the Legal Services Authorities Act, 1987 in the year 2002, with a view to provide **compulsory pre-litigative mechanism** for conciliation and settlement of disputes relating to '**Public Utility Services**'.

States of Andhra Pradesh, Assam, Chhattisgarh, Goa, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Mizoram, Orissa, Punjab, Rajasthan, Sikkim, Tripura, Uttar Pradesh, Uttarakhand and U.T. of Chandigarh have established Permanent Lok Adalats for public utility services under Chapter VI-A.

## (7) NATIONAL LOK ADALATS

Apart from regular Lok Adalats, Monthly National Lok Adalats are being held on a specific subject matter every month all over the country.

Cases disposed in various Lok Adalats during the period April, 2016 to September, 2016 are as under:

### (i) National Lok Adalat (Monthly):

Monthly National Lok Adalats were organized on various subject matters and 87.09 lacs were settled both at pre-litigation and pending cases and settlement amount was Rs. 7213.61.

### (ii) Regular Lok Adalats:

56934 Lok Adalats were organized and 11.20 lacs cases were disposed of. In about 29554 Motor Vehicle Accident Claim cases, compensation to the tune of Rs. 435.19 crore was paid.



(iii) **Permanent Lok Adalats:**

10146 sitting were held and 41913 cases were settled in the Permanent Lok Adalats and total value settlement comes to Rs.78.95 crore.

(iv) **Cases settled through Mediation:**

40851 number of cases settled through Mediation.

**(8) LEGAL AWARENESS PROGRAMMES**

As a part of the preventive and strategic legal aid, NALSA through the State Legal Services Authorities, conduct legal literacy programmes. In some States, Legal Literacy Programmes are conducted every year in schools and colleges and also for empowerment of women in a routine manner, besides the rural legal literacy camps. NALSA undertook special legal awareness programmes on MGNREGA, Rights of Senior Citizens and Women's Welfare Programmes. A special scheme for settlement of grievances relating to MGNREGA through Lok Adalat also was implemented by NALSA.

**(9) VICTIM COMPENSATION**

Section 357-A was introduced in the Code of Criminal Procedure (Cr. P.C.) by way of an amendment in the year 2009.

Section 357-A has provided that every State Government in co-ordination with the Central Government shall prepare a scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation. Accordingly, all States and UTs have framed the schemes wherein compensation can be awarded to all victims including victims of acid attack, sexual violence etc. The compensation is awarded by the District Legal Services Authorities and the amount is disbursed by the State Legal Services Authorities in most of the States.

During the period April, 2016 to September, 2016, 5602 applications were received by the Legal Services Authorities and 3653 application were settled and the settlement amount was awarded to the tune of Rs.44.34 crores.

**(10) All India Meet of the State Legal Services Authorities held at Hyderabad, Telangana on 9-10 April, 2016.**

The 14th All India Meet of the State Legal Services Authorities was organized at Hyderabad, Telangana on 9-10 April, 2016. The Meet was inaugurated by Hon'ble Mr. Justice T.S. Thakur, Chief Justice of India & Patron-in-Chief, NALSA in the august presence of Sri K. Chandrashekar Rao, Hon'ble Chief Minister, State of Telangana, Sri D.V. Sadananda Gowda, Hon'ble Minister of Law & Justice, Hon'ble Mr. Justice Anil R. Dave, Judge, Supreme Court of India & Executive Chairman, NALSA, Hon'ble Mr. Justice N.V. Ramana, Judge, Supreme Court of India, Hon'ble Mr. Justice Dalip B. Bhosale, Acting Chief Justice, High Court of Judicature at Hyderabad, Hon'ble Mr. Justice G. Chandraiah, Executive Chairman, Telangana State Legal Services Authority and Hon'ble Mr. Justice Ramesh Ranganathan, Executive Chairman, A.P. State Legal Services Authority.

In the Inaugural Session, Hon'ble Chief Minister of Telangana reiterated his Government's commitment to adopt ADR Resolution Mechanisms including Lok Adalats and to provide all necessary support to the Legal Services Authorities in its functioning.

Hon'ble Mr. Justice T.S. Thakur, Chief Justice of India & Patron-in-Chief, NALSA highlighted the importance of Lok Adalats in providing expeditious justice and thereby mitigating the burden on the courts. His Lordship also highlighted the fact that the Lok Adalats in pre-litigation matters have been preventing almost about two crores cases every year from further clogging the justice delivery system.

In the sessions that followed, the main emphasis of the Hon'ble Executive Chairman, NALSA was on enhancing the quality of all kinds of legal services provided by the Legal Services Institutions. The key outcomes of the Meet may be listed as follows:

- a) A resolution by all State Legal Services Authorities (SLSAs) to immediately take steps for amendment in the Regulations, to fix the fee payable to the Panel Lawyers at a rate not lower than that approved by the Central Authority;
- b) To evolve a mechanism for closer monitoring of the progress for each legal aided case, guidance to the panel lawyers wherever required and suitable action for non-performance;
- c) Regular training of panel lawyers for each district;
- d) To establish legal services clinics in all the jails and ensure adequate frequency of visits by lawyers (preferably everyday);
- e) To give adequate publicity to jail clinics and to facilitate jail inmates by panel lawyers/para- legal volunteers;
- f) To create a mechanism to ensure that the figures of disposal of pending cases in Lok Adalats verifiably correspond to reduction of pendency of such cases in the courts;
- g) To strictly adhere to the definition of pre-litigation matters in the context of Lok Adalats, as adopted in the 13th All India Meet;
- h) To follow up with the State Governments to revise their Victim Compensation Schemes and to keep the victim compensation fund at disposal of SLSAs/DLSAs to ensure timely disbursal of the awarded amount.

#### **(11) Implementation of NALSA's Schemes.**

Consequent upon the launch of seven new schemes of legal services in 2015, a minimum plan of action for one year was prepared and sent to all SLSAs. According to the plan, SLSAs have in coordination with the District Authorities of the concerned departments, conducted the following activities:



- a) Identification of Districts that are relevant and most in need of strategic intervention in case of each individual scheme;
- b) Constitution of teams of PLVs and panel lawyers, district officials (working or retired) and NGOs to ensure convergence of NALSA scheme with schemes and policies of the Government;
- c) Preparing data base of the Government Schemes on subject matter of each of the Schemes of NALSA;
- d) Conducting awareness programmes for various stakeholders in respect of each scheme.

**(12) Regional Meets of State Legal Services Authorities.**

Three Regional Meets of State Legal Services Authorities on “Effective Implementation of Legal Services Programmes: Challenges and Way Forward” have been conducted so far i.e.

- (i) For North Eastern States including Sikkim held on 18th & 19th June, 2016 at Agartala;
- (ii) For Southern States held on 23-24 July, 2016 at Puducherry;
- (iii) For Eastern States including Uttar Pradesh and Uttarakhand held on 3-4 September, 2016 held at Bilaspur, Chhattisgarh.

The broad objectives of the Meets were:

- a) To understand and build consensus on priorities of State Legal Services Authorities in the Region;
- b) *To discuss ways of enhancing the visibility of legal services institutions and their work;*
- c) To find effective ways of full and proper utilisation of grants, by expanding the range and enhancing quality of legal services;
- d) To identify area specific challenges and find a way forward.

After discussions, the broad common suggestions made to all State Legal Services Authorities are as follows:

- a) The respective High Courts were requested to fill up all the sanctioned posts of Member Secretaries and District Secretaries and in the meanwhile, Judicial Officers looking after the work of Secretaries be granted half day exemption from judicial work and proportionate exemption from units;
- b) To prepare an advance training calendar for panel lawyers and to conduct the training programmes through master trainers;
- c) To maintain effective coordination with the jail authorities and to train some of the long term convicts in all the jails as PLVs and to ensure that all the under trial prisoners in all the jails are contacted by the PLVs to ascertain their need of legal assistance. The PLVs should maintain the relevant records and pass it on to the jail visiting lawyers;

- d) To employ all possible methods of enhancing visibility of legal services institutions and their work including print and electronic media, putting up of hoardings, social media, bulk SMS etc;
- e) To estimate and project likely expenses on each of the legal services and to first utilise the carried forward amounts available with them;
- f) To promptly submit the utilisation certificates for each of the previous year's carried forward grants;
- g) To develop website for all DLSAs so that they could be eventually linked with the online portal being developed by NALSA for filing online applications, forwarding of grievances and reporting of statistics.

**(13) Special Talk by Hon'ble Chief Justice of India through All India Radio.**

A special talk with Hon'ble Chief Justice of India & Patron-in-Chief, NALSA on the topic "Empowerment through Legal Aid" was broadcast on the channels of Akashwani through the country on 18th July, 2016 on the eve of International Justice Day.

**(14) Remand Advocates**

In order to ensure that all the under trial prisoners get representation from the day first of remand itself, all the SLSAs were advised to appoint one Remand Advocate for each of the criminal courts, to represent the unrepresented accused in custody, oppose remand, move bail applications and miscellaneous application etc and to undertake such other action as may be necessary to effectively represent the accused at the stage of remand. Accordingly, most of the SLSAs have designated one panel lawyer for each Magistrates Court and Sessions Court wherever remand proceedings are conducted.

**(15) Interaction with Jail Inmates**

Officers of NALSA visited jails namely Central Jail (Tripura), Yerawada (Pune), Jagdalpur (Chhattisgarh) Dimapur (Nagaland) and have interacted with inmates both under trials and convicts and also with the DLSA officers, Para Legal Volunteers, Panel Lawyers and gave necessary directions for improving the system of representation of the inmates in courts. It was discovered that at many places, the inmates were not being produced before the Courts regularly for remand, either physically or through video conferencing. Some of them did not know the status of their appeals in the higher courts. Consequently, a Standard Operating Procedure (SOP) for legal representation of persons in custody was prepared and sent to all SLSAs for implementation.

**(16) Under trial Review Committees.**

Hon'ble Supreme Court of India in W.P.(C) No.406/2013 has passed directions for release of under trial prisoners who have served half of the sentence giving the benefit of Section 436 A of the Cr. P.C. The Under Trial Review Committees have been set up in all the districts chaired by the District Judge



of the concerned district and the District Legal Services Authorities have been assisting the under trial prisoners for providing benefit of Section 436 A of Cr. P.C. During the period from April, 2016 to September, 2016, 1034 such cases were identified by the DLSA Secretaries, out of which 432 UTPs were recommended by the UTRCs for release and 167 of them have been released.

**(17) Standard Operating Procedure for Redressal of Complaints/Public Grievances**

With a view to streamlining the procedure and ensuring timely and effective redressal of grievances/complaints made by the general public, an SOP was developed and was sent to all SLSAs for implementation. The SLSAs are following the procedure which has resulted in zero pendency of grievances pertaining to Legal Services Authorities registered at Central Public Grievance Redress and Monitoring System (CPGRAMS) Portal. Later on, an online Web Portal for this purpose has also been launched.

**(18) Legal Services to Sex Workers.**

Officers of NALSA interacted with the sex workers and CBOs working with them at Pune and Sangli (Maharashtra) which led to establishing linkages between the sex workers and organisations working for them with the District Legal Services Authorities, police authorities and legal services institutions in the said two districts.

**(19) National Workshop on Rehabilitation of Missing and Trafficked Children Phase-I on 22nd & 23rd August, 2016.**

The National Legal Services Authority in association with Delhi State Legal Services Authority and Bachpan Bachao Andolan through the All India Child Rights Cell organised a National Workshop on Rehabilitation of Missing and Trafficked Children Phase-I on 22nd & 23rd August, 2016. The Workshop was inaugurated by the Hon'ble Chief Justice of India & Patron-in-Chief, National Legal Services Authority (NALSA) in the presence Hon'ble Mr. Justice Anil R. Dave, Judge, Supreme Court of India & Executive Chairman, NALSA, Hon'ble Ms. Justice G. Rohini, Chief Justice, High Court of Delhi & Patron-in-Chief, Delhi State Legal Services Authority (DSLSA), Hon'ble Ms. Justice Indira Banerjee, Judge, High Court of Delhi & Executive Chairman, DSLSA and Nobel Peace Laureate Shri. Kailash Satyarthi.

Discussions were held with various stakeholders in the technical sessions on the next day regarding repatriation and rehabilitation of missing and trafficked children. This led to development of draft Standard Operating Procedure (SOP) with a view to facilitating easier and quicker identification of the Children's native home and drawing up the plan for repatriation and rehabilitation by the CWCs. The said draft SOP has been sent to all SLSAs for implementation.

**(20) Initiative for Protection of Water Resources.**

State Legal Services Authorities have been issued advisory to take up the issue of 'Protection of Water Resources' as a part of preventive and strategic level awareness programmes. In this regard a detailed concept note has been sent to all State Legal Services Authorities.

**(21) Training Modules**

Two training modules have been developed by the Training Modules Committee of NALSA (i) Training Module for Legal Services Lawyers Part-II; (ii) Training Module for Legal Services Lawyers and Probation Officers attached to the Juvenile Justice Boards under the Juvenile Justice (Care and Protection of Children) Act, 2015.

A four day Pilot Training Programme for Probation Officers and Legal Services Lawyers attached to JJBs was conducted at Maharashtra Judicial Academy, Thane from 27-30 August, 2016. After the publication of the JJ Rules, 2016, suitable amendments have been made in the Module and the Module has been released on 9th November, 2016 along with the Training Module for Legal Services Lawyers Part-II.

**(22) Consultative Meet of Member Secretaries, SLSAs held on 30th September, 2016 at India International Centre, New Delhi.**

National Legal Services Authority organised Consultative Meet of the Member Secretaries, State Legal Services Authorities on 30th September, 2016 at India International Centre, New Delhi to discuss various issues arising in the implementation of Legal Services Programmes.

**(23) Hon'ble Executive Chairman, NALSA interactive session on Doordarshan.**

Hon'ble Executive Chairman, NALSA along with Shri Prakash Jha, Director & Producer of M/s. Prakash Jha Productions appeared on the National Television (Doordarshan) and gave a brief description of the activities conducted by NALSA and SLSAs for ensuring prompt and qualitative legal services to the marginalised sections of the society.

**(24) Launch of Web Portal of NALSA.**

A new Web Portal has been developed by NALSA along with a Portal for filing online applications and another Portal for web based monitoring of grievances. The same was launched by the Hon'ble Chief Justice of India and the Hon'ble Law Minister on 1st October, 2016 at a function held at DRDO Bhawan, New Delhi. NALSA is also working to develop a Portal for online uploading of statistical information by SLSAs and DLSAs.

**(25) Release of Theme Song of NALSA.**

A decision was taken in the Central Authority Meet held on 09.04.2016 to get a documentary, a theme song and 15 short capsules produced by M/s. Prakash Jha Productions. The Theme Song depicting NALSA's commitment to provide access to justice to all the marginalised communities all over the country was released by the Hon'ble Chief Justice of India and Hon'ble Union Law Minister on 1.10.2016. Five capsules of short duration showing legal services provided to various sections along with a Sanklap Song has been released on the Legal Services Day on 9th November, 2016.



**(26) Documentary of NALSA.**

M/s. Prakash Jha Productions have also produced a documentary depicting the working of Legal Services Authorities and highlighting some of the cases where fairly by the Legal Services Authorities have helped individuals from the marginalised sections claim their entitlements and realise their rights. The documentary, the theme song and the real stories capsules are being planned to be published through Doordarshan, local cable TV Channels, Mobile Vans and other mods.

**(27) National Consultation on Challenges in Mediation and Way Forward held on 01.10.2016 at New Delhi.**

A National Consultation on Challenges in Mediation and Way Forward was organised on 01.10.2016 at Dr. D.S. Kothari Auditorium, New Delhi. The said Workshop was attended by the Hon'ble Executive Chairpersons of SLSAs, Chairmen and Members of the Mediation Committee of the High Courts, 2-3 Mediators/Trainers from each High Court. The main objectives of the workshop were to promote coordination between the Legal Services Institutions and the Mediation Committees for management of the mediation activities and to ensure adequate provisions for funds required for the same.

**(28) Two New Schemes of NALSA.**

**(i) NALSA (Legal Services to Victims of Acid Attacks) Scheme, 2016:**

In the matter of Laxmi v. Union of India, W.P.(C) No.129/2006, the Hon'ble Supreme Court of India vide order dated 10.04.2015, directed that the Member Secretaries of the State Legal Services Authorities (SLSAs) shall take up the issue with the State Government so that the orders passed by the Court were complied with and a minimum of Rs.3,00,000/- was made available to each victim of acid attack. The Member Secretaries, SLSAs were also directed by the Hon'ble Supreme Court of India to give wide and adequate publicity in the State/Union Territory to the Victim Compensation Scheme so that each acid attack victim could take the benefit of the Victim Compensation Scheme.

In this connection, NALSA has prepared a Scheme, NALSA (Legal Services to Victims of Acid Attacks) Scheme, 2016 to facilitate the victims of acid attacks has been launched on 9th November, 2016.

**(ii) NALSA (Legal Services to Senior Citizens) Scheme, 2016:**

A scheme has been prepared for legal services to senior citizens, which has been released on 09.11.2016.

(29) National Initiative towards Strengthening Arbitration and Enforcement in India on 21-23 October, 2016 at New Delhi.

The National Legal Services Authority along with National Institution for Transforming India (NITI Aayog), Govt. of India and Ministry of Law & Justice organised a Global Conference on “National Initiative towards Strengthening Arbitration in India” in Delhi from 21st to 23rd October, 2016. Hon’ble Patron-in-Chief, NALSA was the Chief Patron of the said Global Conference.

The said Conference was inaugurated by the Hon’ble President of India on 21st October, 2016 and the Valedictory Session on 23rd October, 2016 was addressed by the Hon’ble Prime Minister of India. The technical sessions on 22nd & 23rd were held in the form of panel discussions.

(30) Observance of Legal Services Day – 2016

National Legal Services Authority observed the ‘Legal Services Day’ in association with the Delhi State Legal Services Authority on 9th November, 2016 at Vigyan Bhawan, New Delhi. Hon’ble Mr. Justice T.S. Thakur, Chief Justice of India & Patron-in-Chief, NALSA was the Chief Guest. A commendation ceremony was held wherein the contributions of the best District Legal Services Authorities and best Para Legal Volunteers in six different zones and also, the National Best in both categories were recognized. Apart from the above, the Hon’ble Chief Guest also released:

- a) An Anthem (Sankalp Song) for legal services functionaries
- b) Five Real Stories of Access to Justice by Legal Services Authorities
- c) NALSA (Legal Services to Victims of Acid Attacks) Scheme, 2016
- d) NALSA (Legal Services to Senior Citizens) Scheme, 2016
- e) Training Module for Legal Services Lawyers Part-2
- f) Training Module for Probation Officers and Legal Services Lawyers attached to the Juvenile Justice Boards (Samvedan);
- g) Vidhik Seva Vigyapti – A Quarterly Legal Services Bulletin Issue No.1 & 2



# ANNEXURE – XII

[See Chapter-III, Para 1]

