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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. RTI CELL

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,
Senior Govt. Advocate | Chairman |
| 2. | Shri A.A. Ansari,
Addl. Govt. Advocate | Executive Chairman |
| 3. | Shri Niraj Kumar,
Coordinator | Assistant Legal Adviser |
| 4. | Shri Anup Kumar,
Executive Member | Assistant (Legal) |
| 5. | Smt. Usha V. Salian,
Executive Member | Personal Assistant |
| 6. | Smt. Vaishali Karmale,
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:

- Journal of the Indian Law Institute (Quarterly publication)
- ILI Newsletter with Case Comments and Legal Jottings (Quarterly)
- Annual Survey of Indian Law – 2016
- Index to Legal Periodicals – 2016
- 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
2016-2017 upto 01.01.201			
	35712	36145	91538

(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:-

	Name of the Officer	Phone No.
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

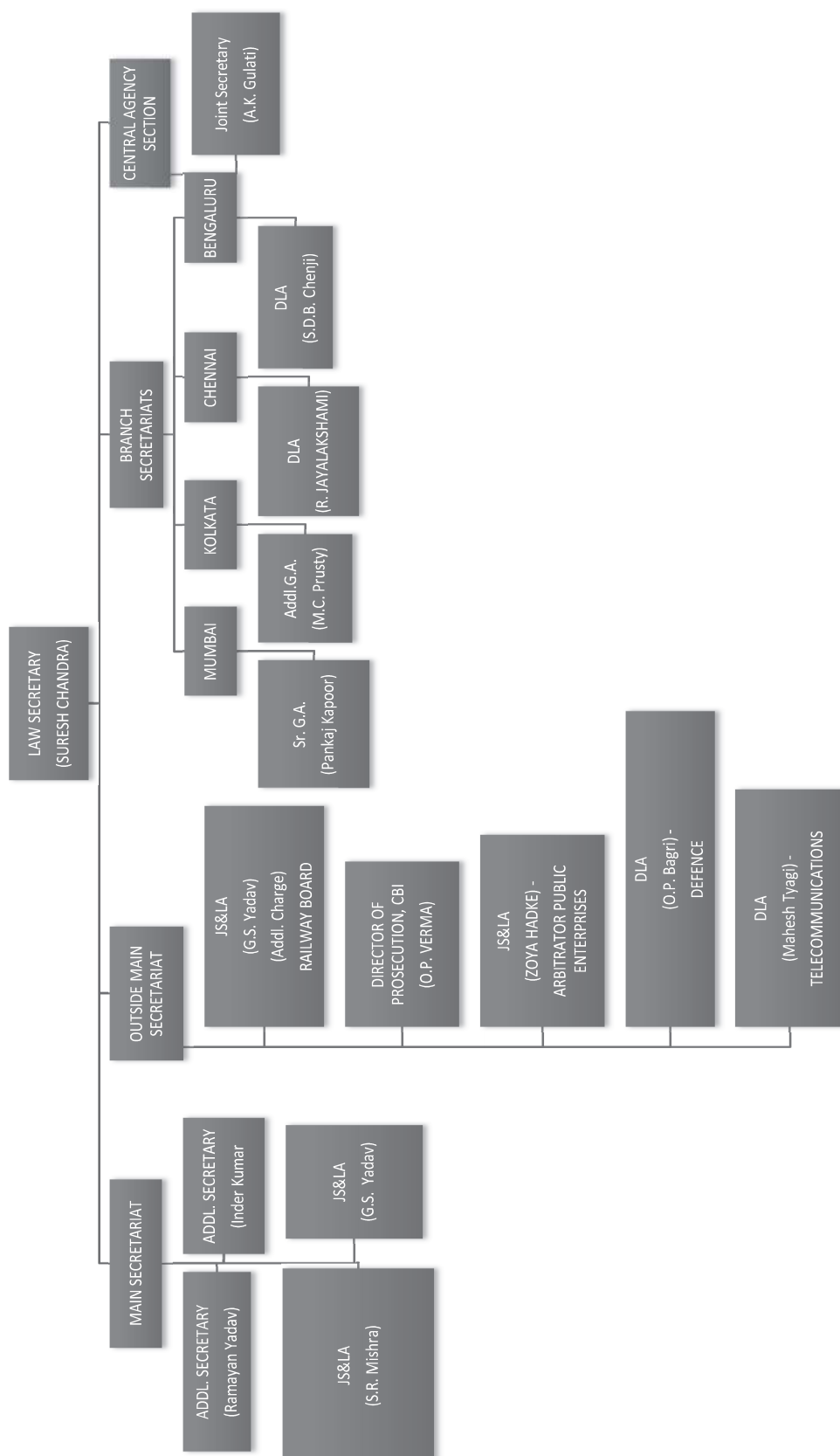
30. Details of foreign visits undertaken by the Hon'ble Minister of Law & Justice, Officers of the Department of Legal Affairs and Law Officers w.e.f. 01-01-2016 to 31.12.2016.

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 1ST JANUARY, 2016 TO 31ST 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	

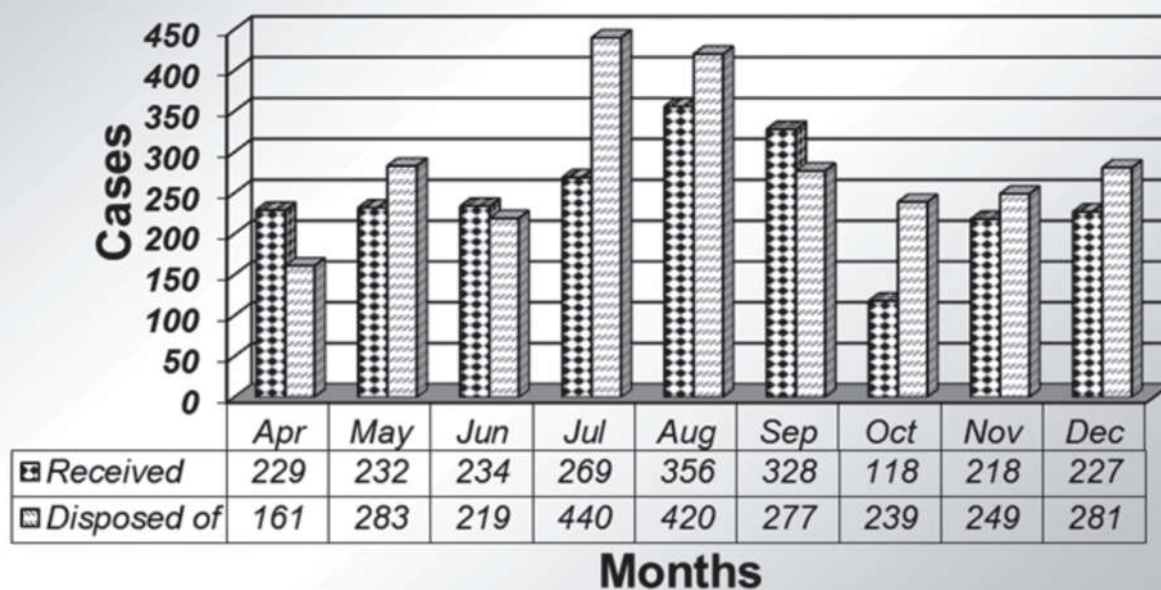
18	19
Rubber Stamps	Name Plates
Bilingual In English	Bilingual In English
All ---	All ----

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

ANNEXURE – IV

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

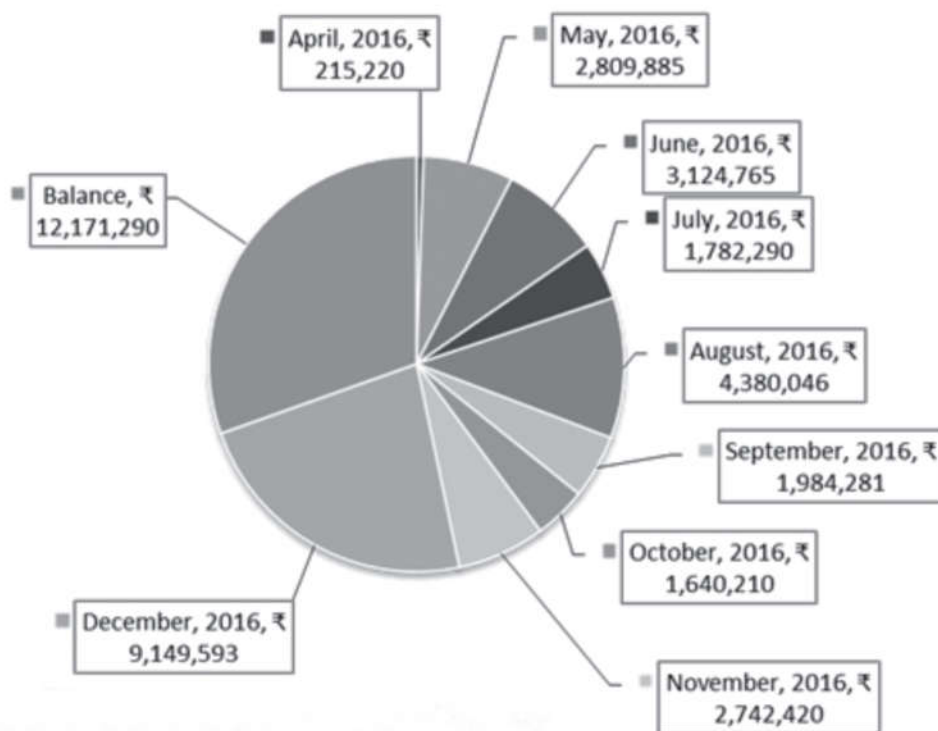
Comparative analysis of litigation handled by the Branch Secretariat, Kolkata during April, 2016 to December, 2016



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	-	-	-	-	-	-	-
TOTAL	123	70	15	6	31	0	1

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	-	-	-	-	-	-	-	-	-	-
TOTAL	163	103	23	5	32	0	0	0	0	0	0	0	0

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	-	-	-	-
TOTAL	249	106	43	17	59	1	1	12	5	0	1	2	2

	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
TOTAL	201	61	64	16	31	1	3	8	10	3	0	3	1

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 1ST 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
Group 'A'	97	18	18.55	6	6.18	12	12.37	-	-	3	3.09
Group 'B'	250	38	15.20	5	2.00	22	8.80	3	1.20	6	2.40
Group 'C'	135	13	9.62	2	1.48	16	11.85	-	-	2	1.48
Group 'D' (excluding safaiwala)	164	51	31.09	9	5.48	24	14.63	1	.60	2	1.21
Group 'D' Safaiwala	8	8	100	-	-	-	-	-	-	-	-
TOTAL	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 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 reserved vacancies for SCs in the third year of carry forward	No. of vacancies carried forward to next year	No. of reservations lapsed after carrying forward for 3 years	No. of reservations lapsed 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	-	-	-	-	-	-	-	-	-
Group 'C'	-	-	-	-	1	-	-	-	-	-	-
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 SC candidates appointed	Short-fall	No. of SC candidates appointed against reserved vacancies for STs in the third year of carry forward	No. of vacancies carried forward to next year	No. of reservations lapsed after carrying forward for 3 years	No. of reservations lapsed till the end of the year previous to the year of review	Progressive total of reservation lapsed (col. 19+20)
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 reserved	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 reserved vacancies for SCs in the third year of carry forward	No. of vacancies carried forward to next year	No. of reservations lapsed after carrying forward for 3 years	No. of reservations lapsed 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	-	-	-	-	-	-	-	-	-
Group 'C'	-	-	-	-	1	-	-	-	-	-	-
Group 'D' (excluding Safaiwala)	-	-	-	-	-	-	-	-	-	-	-
Group 'D' (Safaiwala)	-	-	-	-	-	-	-	-	-	-	-

Scheduled Tribes

Group of post	Total no. of vacancies reserved	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 reserved vacancies for STs in the third year of carry forward	No. of vacancies carried forward to next year	No. of reservations lapsed after carrying forward for 3 years	No. of reservations lapsed till the end of the year previous to the year of review	Progressive total of reservation lapsed (col. 19+20)
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
TOTAL	654	127	736	135