

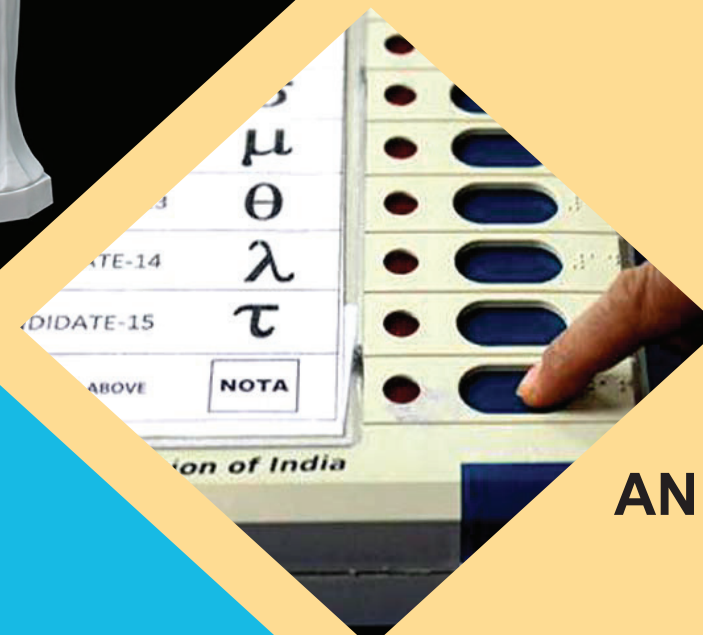


सत्यमेव जयते

भारत सरकार

GOVERNMENT OF INDIA

विधि और न्याय मंत्रालय
Ministry of Law and Justice



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वार्षिक रिपोर्ट
ANNUAL REPORT
2017-18

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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 legislation 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 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 on legal matters including interpretation of the Constitution and the laws, conveyancing and engagement of counsel 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 intestate.
5. Authorization of officers to execute contracts and assurances and of property on behalf of the President under Article 299(1) of the Constitution, 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.

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;

- 1.2 The Department is also administratively in-charge of the Income Tax Appellate 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 Solicitor Generals of India. With a view to promote studies and research in law and for improvement in legal profession, this Department sanctions grant-in-aid to certain institutions engaged in these fields like Indian Law Institute 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 one Sr. Government Advocate, two Additional Government Advocate, three Deputy Government Advocate, two Assistant Government Advocate, 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 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 Railway Board. 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 from the Army Purchase Organisation under the Ministry of Defence. In addition, some posts of different levels such as Deputy Legal Adviser and Assistant Legal Adviser also exist in the Ministry of Defence, Ministry of Labour, Ministry of Urban Development, SFIO, NTRO and CBI.

(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 the legal needs of the society. One such attempt made in 1956 to cater 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 Parliament. This service has given Governors to States, Secretary General to both the Houses of 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) manning the Department of Legal Affairs and Legislative Department being the principal legal organ of the Government of India have risen to the challenges and performed at optimum levels. The digital revolution has changed the dynamics of information sharing and the economy has created new areas of wealth creation. This necessitates the ILS officers to update the legal skill and acumen to cater to emerging legal needs. 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 play a pivotal role in both advisory as well as in drafting work.

3. ADVICE 'A' SECTION

Advice 'A' Section has received 3760 references during year 2017 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. 53 matters relating to RTI Application pertaining to the Advice A & B Sections were also dealt with.
4. 166 references relating to conveyancing including a number of international agreements were also dealt with.
5. During the aforesaid period, 88 Cabinet Notes and 95 references relating to State Bills and Ordinances were received for examination.

4. ADVICE 'B' SECTION

Advice 'B' Section has received 3896 references during year 2017 from various Ministries/ Departments of the Government of India pertaining to vetting of Documents and Legal opinions/ advice on various Legal 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.

2. In addition to this, the officers of this Department also participated in 195 National/ International Meetings and Conferences.
3. Apart from tendering legal advice, this section has dealt with references and other communications received by the Hon'ble Minister(s) and Officers of this Department.
4. During the aforesaid period total 161 Cabinet Notes/Legislative Proposals, 1173 SLP/AG/ SG/ASG opinions 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. ADVICE 'C' SECTION

In the year 2017, 28 new cases on different subjects were sent for the opinion of the Learned Attorney General for India, Solicitor General of India, and Addl. Solicitor General of India. Opinions of all matters were received and have been forwarded to the respective Ministries/Departments of the Govt. of India after the approval of the Law Secretary and Hon'ble MLJ.

2. The Section has rendered general and secretarial assistance to the Officers in the Department of Legal Affairs and Legislative Department of the Ministry of Law and Justice and in location of precedent on **533** different subjects.

6. 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 such 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 8 Government Advocates and other Gazetted and Non-Gazetted staff. There are 584 Govt. Panel Counsels to assist the Law Officers.

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, Payment of fee bills of Law Officers, Panel Counsels, Computer Typist and Photocopy Machine Operators.
3. At present four 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 2017, the Central Agency Section has received 4199 new cases from various Ministries/Departments of Government of India, 327 new cases were received from NCT of Delhi and Union Territories. The major litigation pertains to Ministry of Finance, Central Excise, Income Tax, Railways, Defence, CBI etc.

7. 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 related 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: -
National Consumer Dispute Redressal Commission, Industrial Tribunal-cum-Labour Court, NCLT, NCLAT, Un-lawful activities (Prevention Tribunal), Debt Recovery Tribunal, Debt Recovery Appellate Tribunal, Immigration Appellate Committee, Appellate Tribunal for Electricity, Central Information Commission, District Consumer Form, NGT etc.
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 the advance notices pertaining to the Writ Petitions, Letters Patent Appeals (LPA), and Miscellaneous Petitions under Article 226 & 227 of the Constitution of India including matters of general natures. Section 'B' deals with the Original Revisions etc. and the Writ Petitions filed on behalf of the Union of India in the Hon'ble Delhi High Court. This Section also deals with matters related to other Courts/Tribunals as mentioned in para 1(b) above.
3. To conduct Central Govt. litigation, there is one Additional Solicitor General of India (ASG), Twenty Seven Govt. Standing Counsel (CGSC), panels of Senior Counsel 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 Govt. 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 budget of Rs.5 Crore in the B.E. for F.Y 2017-18. During the period under the report, approximately 6500 professional fee bills pertaining to the Law Officers and Govt. Counsel have been received for payment. Further, 2500 fee bills are likely to be received till 31 March 2018. Up to 11 December, 2017 approximately 4800 fee bills to the tune of Rs.4.73 Crore have been duly processed and paid to the concerned Law Officers and Counsel.
5. During the period from 1.4.2017 to 11.12.2017 Litigation (HC) Section has engaged Law Officers and Govt. Counsel in 4436 cases to conduct the litigation in Delhi High Court. Section wise details of receipt of cases and engagement of Govt. Counsel are as follow: -

LITIGATION HIGH COURT SECTIONS

SECTION	Cases received from 1/4/2017 to 11/12/2017	Cases expected from 12/12/2017 to 31/3/2018	Total
A	4015	1500	5515
B	421	120	541
Total	4436	1620	6056

LITIGATION IN CAT (Principal Bench)

- The Litigation CAT (PB) Delhi Cell looks after the Cases/Litigation work related to the Ministries and Department of UOI and nominate the Counsel from the approved panel to defend the interest of Ministries/Departments of UOI in CAT (PB), Delhi.
- During the period from 1.4.2017 to 11.12.2017, Litigation CAT (PB) Cell has engaged Govt. Counsel in 1413 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 1/4/2017 to 11/12/2017	Cases expected from 12/12/2017 to 31/3/2018	Total
CAT (PB) Cell	1413	650	2063

LITIGATION (LOWER COURT) SECTION, TIS HAZARI

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 looked after by an Assistant Legal Adviser & In charge assisted by a Superintendent (Legal)(Vacant at this moment) / Assistant (Legal).

- There is a panel of Additional Standing Government Counsels from whom the 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 618 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 8549 as on 22.12.2017.
- Fee bill received from the counsel 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 510 fee bills were received and an amount of Rs.61,62,710/- was paid towards Professional Fee bills of Counsels.

4. In order to keep pace with the development of Information Technology in the Judiciary especially at the level of District Courts / Sub-ordinate 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 Center (NIC).
5. The Assistant Legal Adviser who is also the Branch Officer of this Section has been designated as Central Public Information Officer under the Right to Information Act, 2005.

8. JUDICIAL SECTION

Conduct of Central Govt. litigation before various courts of law through Law Officers/Panel Counsel:

- a). During the said period Ten (10) new Assistant Solicitors General of India have been engaged in various High Courts/Benches of High Courts. Besides this, 34 new Panel Counsel were appointed in Supreme Court (21 Group 'A'; 7 Group 'B' and 6 Group 'C'). During the same period, following number of counsel have been engaged for various courts in the States as mentioned below:

S. No.	State/UT	Number of panel counsel engaged
1.	Bihar	66
2.	Delhi	17
3.	Himachal Pradesh	02
4.	Jammu & Kashmir	02
5.	Kerala	01
6.	Odisha	02
7.	Punjab & Haryana	11
8.	Rajasthan	37
9.	Tamil Nadu	01
10.	Tripura	39
11.	Uttarakhand	01
12.	Uttar Pradesh	70
13.	West Bengal	74
14.	Maharashtra	04
15.	Telangana	01
	TOTAL	328

Merger of Tribunals:

Through the Finance Act, 2017, 15 Tribunals, Appellate Tribunals and other Authorities have been merged to reduce them to 7 by amending respective laws. Provisions have also been made in the Finance Act, 2017 to provide Uniform Service Conditions for Chairperson, Members etc. of 19 Tribunals and Appellate Tribunals and other Authorities including 7 merged Tribunals / Appellate Tribunals.

Provisions of Part XIV of Chapter VI of the Finance Act, 2017 which provide for Merger of Tribunals and other Authorities and conditions of service of Chairperson, Members, etc. was brought into force w.e.f. 26.05.2017 vide Notification SO 1696(E) issued by the Ministry of Finance Under Section 184 of the Finance Act, 2017 the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2017 to provide Uniform Service Conditions have been notified by Ministry of Finance vide Notification GSR 514 (E) dated 01.06.2017.

Appointment/nomination of Arbitrators and Arbitration panel counsel in domestic as well International commercial disputes, involving Government/PSE on the one hand and PSE/private party on the other:

The proposal received from various Ministries/Departments/PSE etc. were attended and Arbitrators/Arbitration panel counsel were appointed. During the period, Arbitrators in **16 (sixteen)** Arbitration cases have been appointed & Arbitration Counsel have been engaged in **72 (seventy two)** Arbitration cases received.

Entering into Treaties and Agreements with foreign countries in matters of civil law:

Ministry of Law & Justice, Department of Legal Affairs, being the nodal Ministry for reciprocal arrangement with foreign countries in civil & commercial matters. In this regard, Mutual Legal Assistance Treaty in Civil & Commercial matters with **Oman** is underway.

Examination and processing of requests arising out of bilateral treaties in respect of service of summons etc. (Mutual Legal Assistance Treaties/reciprocal arrangements) and multilateral treaties (the Hague convention of 1965/1971):

M/o Law & Justice, Department of Legal Affairs is the Central Authority under Hague Convention, 1965 for service abroad of judicial & extra judicial documents in civil and commercial matters. Under this obligation, around **1700** requests were processed successfully and around **800** requests were returned due to various reasons/shortcomings, during the said time period.

RTI related work:

During the said period total 92 RTI Applications/Appeals received through post, have been processed. Besides this, 132 RTI applications have been received online during the said period out of which 100 applications have been processed.

Apart from above, work on National Litigation Policy is underway.

9. NOTARY CELL

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

224 advocates/applicants have been appointed as Notaries during the period from January, 2017 to December, 2017. So far, 13502 notaries have been appointed by the Central Government in various parts of the Country. Besides, 2249 Notary Certificates have been renewed during the period.

10. IMPLEMENTATION CELL

LAW COMMISSION REPORTS – Publication: The Implementation Cell is responsible for processing of reports of the Law Commission, laying them before the Parliament and also forward reports to the Ministries/Departments concerned for their examination/implementation as well as pursue them for expeditious action. As per the terms of reference of the 20th Law Commission of India, the Commission submits its reports in Hindi and English with sufficient number of copies for being placed on Tables of both Houses of Parliament. The Commission makes also its reports available through website or otherwise as soon as reports are submitted to the Government. Therefore, the reports of the Law Commission are not published. Till 31.12.2017 the Law Commission of India has submitted total 273 Reports out of which 270 Reports have been laid before both the Houses of the Parliament. The remaining reports will be laid in the Parliament in due course. All the reports received till 31.12.2017 had also been forwarded to the concerned Ministries/Departments for their examination/implementation or further action at their end. The Implementation Cell, in pursuance of the recommendations of the Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law & Justice, since 2005 has been continuously laying Annual statement showing the status of pending Law Commission Reports before both the Houses of the Parliament. The last of such Statement (13th Statement) was laid on the Table of both the Houses of Parliament (in Lok Sabha on 03.01.2018 and Rajya Sabha on 05.01.2018).

LEGAL EDUCATION: The Cell is responsible for further improvement in legal education. The Cell is also concerned with the administration of the following Acts :-

THE ADVOCATES ACT, 1961: The Advocates Act, 1961 (“Act”) which was enacted to amend and consolidate the law relating to legal practitioners and to provide for the constitution of Bar Councils at State level and an All India Bar. The Act recognizes only one class of persons who are entitled to practise the profession of law in India, namely, advocates, vide its section 29. Section 30 of the Act, which was not in force, has been brought into force w.e.f. 15th June, 2011 (vide Notification No. S.O. 1349(E) dated 09.06.2011)

THE ADVOCATES WELFARE FUND ACT, 2001: Social security in the form of financial assistance to junior lawyers and welfare schemes for indigent or disabled advocates has always

been a matter of concern for the legal fraternity. Certain States enacted their own legislation on the subject. The Parliament enacted “Advocates Welfare Fund Act, 2001” applicable to the Union Territories and the States which do not have their own enactments on the subject, for creation of “Advocates Welfare Fund” by the appropriate Government. This Act makes it compulsory for every advocate to affix stamps of the requisite value on every Vakalatnama filed in any court, tribunal or other authority. Sums collected by the way of sale of “Advocates’ Welfare Funds Stamps” constitute an important source of the Advocates’ Welfare Fund. Any practicing Advocate may become member of the Advocates’ Welfare Fund on payment of an application fee and annual subscription. The Fund shall vest in and be held and applied by the Trustee Committee established by the appropriate Government. The Fund shall, inter alia, be used for making ex-gratia grant to a member of the fund in case of a serious health problem, payment of a fixed amount on cessation of practice and in case of death of a member, to his nominee or legal heir, medical and educational facilities for the members and their dependents purchase of books and for common facilities for advocates.

11. RTI CELL

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

S.No.	RTI Matters	Total (01.04.2017 to 31.12.2017)
1.	Total RTI Requests	1515
2.	First Appeals before the First Appellate Authority	30
3.	Second Appeals before the Hon’ble Central Information Commission	34
4.	Total request received online	255

12. LIBRARY & RESEARCH SECTION

The Library and Research Section is a specialized research oriented unit which looks after the requirements of Legal Books/Journals/Online IP base Software’s and other research materials of the Ministry of Law and Justice. This section provides reference and legal research services to the Hon’ble MLJ, MSLJ, Law Officers and ILS Officers of Department of Legal Affairs and Legislative Department.

- During this year, Library and Research Section acquired 577 numbers of books.
- The Library and Research Section subscribes to 19 Indian law Journals, 3 Foreign Law Journals.
- The Library and Research Section has acquired/subscribed to the following Online Services/ CD ROM for retrieval of Case Laws, Judgments and Articles etc. for the use of Officers of this Ministry.

- a) AIR Comprehensive Software/Database
- b) SCC online case finder.
- c) SCC Online (IP) Services.
- d) Manupatra Online (IP) Services.
- e) Westlaw India Online (IP) Services.
- f) CLA Online (IP) Services.

13. 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 accelerating 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 14-9-2017. Hon’ble Minister for Law & Justice, Hon’ble 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 message received from Hon’ble Home Minister was also circulated in the Department and its subordinate offices. In order to make the various programmes organised in this connection effective, ‘Hindi Month’ was organised in the Department from 1.9.2017 to 30.9.2017. 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’, 6 competitions viz, ‘Hindi Essay Competition’, ‘Hindi Typing 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. 90 officers/employees participated in these

competitions. Out of which, 86 successful participants were awarded with Certificates and cash prizes amounting to Rs. 91,200/- by the Law Secretary in a prize distribution function held on 6th December, 2017. 'Hindi Day' was also celebrated in the Branch secretariats and other offices under administrative control of the Department. Various competitions were organised on this occasion and successful participants were awarded with cash prizes. Pictures depicting the prize distribution to successful participants are at **Annexure-II**.

C. Creation of check points for implementation of orders relating to the Official Language.

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.

- (1) 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.
- (2) 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. The position in this regard is being regularly monitored in the meetings of Departmental Official Language Implementation Committee to be held in every quarter.
- (3) Hindi specimen of standard drafts of letters sent frequently by various sections and all forms used in the Department are being translated into Hindi so that employees can use them without any difficulty. Entries in service books are also being made in Hindi. All rubber stamps, name plates, sign boards etc., are invariably prepared in bilingual form.
- (4) 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.
- (5) Hindi/ Hindi Stenography/ Hindi Typing Training is being imparted to the employees of the Department and its sub-ordinate offices under the Hindi Teaching Scheme. Employees are awarded personal pay/ Advance increments/ Cash Awards etc. on passing the examination after successful completion of the training as per the instructions of the Ministry of Home Affairs, Department of Official Language.
- (6) 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.

- (7) Presidential orders issued by the Department of Official Language on the recommendations contained in 9 parts of the Report of the Committee of Parliament on Official Language are being implemented in the Department and its sub-ordinate offices. The position in this regard is being regularly reviewed in the meeting of the Departmental Official Language Implementation Committee to be held in every quarter.
- (8) 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 20th December, 2017.

Details regarding the progressive use of Hindi including training aspect covering the period from 1st January, 2017 to 31st December, 2017 are given in **Annexure- III and Annexure-IV**.

14. BRANCH SECRETARIAT, KOLKATA

During 2017-2018, the Branch Secretariat, Kolkata is headed by Additional Government Advocate/ Incharge who also functions as overall In-charge. It has eight wings viz. Advice, Administration, Cash & Accounts, Hindi, Counsel Fee Bill, Litigation, CAT/Lower Court and R & I Section. In addition, this Branch Secretariat has a Library containing more than 9800 books under the supervision of Section Officer upto August, 2017 and thereafter under Assistant Legal Adviser.

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

3. The Advice Wing of this Branch Secretariat renders legal advice and Litigation Wing conducts litigation pertaining to all the Ministries including the Income Tax Department, Enforcement Directorate, 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 any other Autonomous bodies situated outside the Eastern Zone or being their headquarter i.e. Ordnance Factory Board is in Kolkata on receipt of references from concerned Departments/ Ministries.
4. During 2017-18 the Advice Wing is headed by the Additional Government Advocate. Total 1012 number of references received from various Ministries/Departments of Central Government by the Advice Wing up to December, 2017 during 2017-18. Apart from this it is expected that the total number of references for advice received and dealt with during 2017-18 (upto March 2017-18) will be around 1350 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 Advocate-on-Records 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.
6. During 2017-18, the Additional Government Advocate and three Junior Central Government Advocate act as Advocate-on-Records for and on behalf of the Union of India in the Calcutta High Court and also appear before the Court as Government Pleader. Three Assistant Legal Advisers are also posted to 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 2017-18 up to December, 2017 was 1999 and the number of cases disposed of during the said period was 1365. The number of litigation cases expected to be handled during the whole of 2017-18 will be around 2685. Similarly, the number of cases received in the Branch Secretariat, Kolkata for engagement on service matters before CAT, Calcutta Bench during 2017-18 (up to December, 2017) is 402 and it is expected that total number of such cases will be around 550 during 2017-18 (upto March, 2018). The number of cases in Courts below including arbitration cases handled during 2017-18 (up to December, 2017) is 298 and it is expected that another 90 cases (approximately) will be received during the remaining period of 2017-18 (upto March, 2017).
8. Branch Secretariat, Kolkata has Appellate Authority (Additional Government Advocate), CPIO and ACPIO to deal with the RTI matters. During 2017-18 total 13 RTI references are received till December, 2017 and duly disposed of within stipulated time.
9. During 2017-18 claims of the professional fee bills submitted by the panel counsel have been speedily processed and of the sanctioned Budget Estimates of Rs.4,00,00,000/- (Rupees

four crores only) for payment towards Professional Fees to the Counsel, an amount of Rs.2,41,92,228/-(Rupees two crore forty one lakh ninety two thousand two hundred twenty eight only) have been utilised to make payments to them till December, 2017 for the cases relating to High Court at Calcutta. The remaining amount of the budget will be paid in the next three months of 2017-18.

10. The Hindi Section is under the supervision of the Section Officer till August, 2017 and thereafter under Assistant Legal Adviser with the assistance of Junior Hindi Translator for enhancing use of Hindi as official language in this Branch Secretariat. Each Friday has been earmarked to be observed as 'Hindi Day. During April, 2017 to December, 2017 quarterly meetings of Rajbhasha Coordination Committee has been organised regularly and Hindi workshops were also organised regularly. Employees are regularly deputed for training in Hindi under training of Central Hindi Teaching Scheme. Reference matter has been prepared and distributed among Sections for doing work of regular nature in Hindi. 'HINDI DIWAS' was also celebrated in this Branch Secretariat with great enthusiasm during September 2017 during which alongwith other competitions a new competition on 'Idioms and Phrases' have also been conducted. Required reports are forwarded on regular basis in the prescribed proforma to Main Secretariat. Besides, Officers have also taken part on various events organised by other Central Government Offices in Kolkata. Till date, around 65% of the Officers/staff members have obtained the working knowledge in Hindi under the Hindi Teaching Scheme. It is expected that by the year 2019, all the members of the staff will complete such courses/training.
11. Various accounts and budget related work in the Branch Secretariat, Kolkata are being done online using various software provided by NIC and also using the portal based payment system 'PFMS' developed by NIC. All payments to employees, Government Counsels and other service providers are being made online. 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. Periodicals reports are directly 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). For procurement of Goods and stationery Government e-procurement website <https://gem.gov.in> is being used extensively. New pension cases are being processed through 'Bhavishya' online portal.
12. The Branch Secretariat, Kolkata have of Local Area Network connected with each Section/ Officer's room. Almost all the Computers in the Branch Secretariat, Kolkata now have internet connection. A leased line from 'Bharat Sanchar Nigam Limited' is being acquired for implementation of e-Office.
13. Under the supervision of Assistant Legal Adviser, the Library of this Branch Secretariat, Kolkata, containing more than 9800 books and journals, is proving its worthiness and is very helpful for use in Litigation and also adhering advice. The journals/

books are also being utilised by the Counsels while conducting cases. Online legal library 'Manupatra' and 'CDJ Law Journal' have also been subscribed by this Branch Secretariat.

14. 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.
15. The software 'LIMBS', developed by NIC, is also functional in the Branch Secretariat, Kolkata. The matters pertaining to Ministry of Law are duly updated by Litigation section. 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.
16. International Yoga Day was observed in the Branch Secretariat, Kolkata with much enthusiasm on 21st June, 2017.
17. The last audit of the Branch Secretariat, Kolkata was conducted by an Audit Party from the Office of the Director General of Audit: Central, Kolkata with effect from 13.5.2015 to 21.5.2015. Three audit objections were made during the course of periodical inspection of accounts by the Audit Party. Action has already been taken and as such two objections have been dropped by the audit Office and status of the remaining sole objection will be verified by the next audit.
18. Cleanliness Drive under 'Swachh Bharat Abhiyaan' is being continued in the Branch Secretariat, Kolkata as a regular process. A Committee headed by Assistant Legal Adviser has been constituted for supervision of cleanliness drive and weeding out of old records. 'Swachhta Pakhwada' has been observed during 1st to 15th April, 2017. Due to vacancy in the grade of Safai Karamchari an arrangement has been made with M/s Sulabh International for upkeeping cleanliness in and around Office Premises. This Branch Secretariat organised Seminars on 'Providing maximum effective Service to the stakeholders and also on 'Public Awareness on Swachhta'. This Branch Secretariat has got a cleaner and beautiful look with due constant endeavour of Officers and members of staff and is continuing process of its further betterment.

15. BRANCH SECRETARIAT, MUMBAI

The Ministry of Law & Justice, Department of Legal Affairs, Branch Secretariat, Mumbai is presently headed by the Senior Government Advocate, two Additional Govt. Advocates, two Assistant Legal Advisers and one Superintendent (Legal) and other officials. The particulars regarding functioning, duties, organization etc. said therein are wisely narrated in the following paras.

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 consisting of States of

Maharashtra, Madhya Pradesh, Rajasthan, Gujarat and Goa and the administration of the Branch Secretariat.

The Senior Govt. Advocate, at present, is the overall In-charge of the Branch Secretariat Mumbai. Two Additional Govt. Advocates, Two Assistant Legal Adviser (Adhoc) & One Superintendent (Legal) are assisting the Senior Govt. Advocate in handling the advice, litigation and administrative matters of the Branch Secretariat. The Assistant Section Officers assist the Senior Govt. Advocate in the Administration and Accounts matters.

In addition to the above, the work of the Branch Secretariat is bifurcated into separate sections for its smooth functioning, i.e. Advice Section, Misc. Original Side Litigation Section consisting of Misc. Original Side Litigation, Arbitration, Suits, Land Acquisition References, Company matters and cases pertaining to DGFT/FERA/FEMA in Original Side as well as Appellate Side and Appellate Side Litigation Section consisting of Criminal Side Matters. Each Section is headed by a senior Officer of this Branch Secretariat who is assisted by another officer.

There are two Assistants (Legal), three Assistant Section Officers (CSS), one Principal Private Secretary, five Personal Assistants, five Senior Court Clerks Grade-I, three Senior Court Clerks Grade-II and two Court Clerks, who assist the Officers in discharging their duties.

- (1) **FUNCTIONS & DUTIES:** The Ministry of Law & Justice, Department of Legal Affairs, Branch Secretariat, Mumbai renders advice to various Ministries/Departments of Government of India on receipt of the respective references by 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. This Branch Secretariat in turn is guided by the Law Secretary.
- (2) **LEGALADVICE:** The references received from various Ministries/Departments of Central Government seeking legal advice are examined at the first instance by the Superintendent (Legal) and thereafter put up to the Senior Govt. Advocate /In-charge who in turn mark the cases as per extant work allocation Order. If required, the advice matters are also referred to the Ld. Additional Solicitor General of India for his expert opinion.

As far as the current year is concerned, this Branch Secretariat has received about **2513** cases being reference seeking advice and this Branch Secretariat has almost disposed of all the cases and nothing is pending on date.

- (3) **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 Sub-ordinate 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 **1135** cases in different litigation sections. The Counsels are engaged for protecting the interest of Government of India involved in the matter through different Central Govt. Ministries/ Departments and about **696** litigation cases have been disposed of before the Hon'ble High Court.

- (4) **ADMINISTRATION:** The Senior Govt. Advocate /In-charge is the head of the Administration of the Branch Secretariat, Mumbai. He is normally assisted by DDO and Assistant Section Officers in handling the day-to-day administrative matters of the Branch Secretariat. However, a post of the Section Officer is vacant w.e.f. 27.01.2017.
- (5) **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, | : | Chairman |
| | Senior Govt. Advocate | | |
| 2. | Shri A.A.Ansari, | : | Executive Chairman |
| | Addl. Govt. Advocate | | |
| 3. | Shri Vinay Kumar Mishra, | : | Coordinator |
| | Assistant (Legal) | | |
| 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 the periodical Reports to the In-charge.

16. 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 01-04-2017 to 31-12-2017 about 884 references were received for advice and disposed off. About 350 more references for advice are expected during the remaining period of current financial year 2017-2018.
- (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 01-04-2017 to 31-12-2017 about 7777 litigation matters were received and disposed off accordingly which include receipts, fee bills and files opened regarding High Court/CAT/LC etc., and projection for the remaining period of current financial year 2017-2018 pertaining to the litigation matters 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. Retainer fee for Standing Govt. Counsel for various Districts is being paid by Branch Secretariat (actual payment was made in February 2017 for the period June 2016 to January 2017). 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.

The staff position of this Branch Secretariat is as follows:

There are 06 female employees and 11 male employees working in Branch Secretariat Chennai.

Statistics of Employees working under the following categories:

There are 08 employees falling under various categories other than General Category employees, i.e., SC – 4; ST – 1 and Ex-servicemen/OBC – 3.

17. BRANCH SECRETARIAT, BENGALURU

This Branch Secretariat has jurisdiction over the States of Karnataka, Andhra Pradesh, and Telangana and is handling the litigation and advice of various Central Government Departments/ Ministries. A 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 2017-2018 about 665 references were received for advice and all advice cases were disposed during the period upto 12.12.2017. 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 2017-18 about 8797 litigation matters, which includes nomination of counsel, counsel fee bills and general correspondence relating to litigation were received (as on 12.12.2017). The function of the Branch Secretariat in this regard includes engagement/ nomination of the Counsel and distribution of cases among the Central Government Counsel.
- (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 Solicitor 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. However, this Ministry clarifies the issue as and when raised with any doubt in this regard.

- (4) **ESTABLISHMENT OF OFFICE OF ADDITIONAL SOLICITOR GENERALS 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 with Bangalore as Headquarters.
- (5) **Audit Para:** There is no outstanding Audit para pending against Branch Secretariat, Bengaluru.

18. LAW COMMISSION OF INDIA (LCI)

The Law Commission of India is constituted every three years. The present Commission, the Twenty First Law Commission of India, was constituted on 1st September, 2015 and will continue till 31st August, 2018. The 21st Law Commission consists of a Chairman, two full-time Members, one Member-Secretary, two Ex-officio Members and three Part-time Members. The Commission consists of Law Officers of Indian Legal Service, a few consultants having experiences in legal research. A small group of secretarial staff looks after the administration.

Terms of Reference:

2. The Terms of Reference of the Twenty-first Law Commission are as follows:
- A. Review/Repeal of obsolete laws:
- i. Identify laws which are no longer needed or relevant and can be immediately repealed.
 - ii. 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.

Encouragement to students:

3. The internship programme is conducted by the Law Commission with a view to train and inculcate orientation in legal research and law reform amongst law students to have better understanding of Law in its making and establishment of the Rule of Law.

4. The Commission conducts voluntary internship programmes, viz., Summer Internship Programme, Winter Internship Programme and Mid-Term Internship Programme. While Summer and Winter Internship Programmes are aimed at providing internship to law students during semester breaks, Mid-term Internship Programme is an open ended programme, through which the interested students are given an opportunity to intern with the Commission any time during the year.

Objectives & Achievements:

5. The Law Commission of India has submitted 273 Reports so far on different subjects. The 21st Law Commission has taken up various subjects on references made by Department of Legal Affairs, Supreme Court and High Courts and submitted Twelve Reports till date including a Report on the draft National Litigation Policy 2016.
6. So far 21st Law Commission has submitted reports on The Protection of Children (Inter-Country Removal and Retention) Bill, 2016, The Criminal Law (Amendment) Bill, 2017 (Provisions dealing with Food Adulteration), Prospects of Exempting Income arising out of Maintenance Money of Minor, The Advocates Act, 1961 (Regulation of Legal Profession), Hate Speech, Amendments to Criminal Procedure Code, 1973–Provisions Relating to Bail, Transportation and House-keeping of Egg-laying hens (layers) and Broiler Chickens, Compulsory Registration of Marriages, Human DNA Profiling – A draft Bill for the Use and Regulation of DNA-Based Technology, Examination of National Litigation Policy, 2016, Assessment of Statutory Frameworks of Tribunals in India, Implementation of ‘United Nations Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment’ through Legislation
7. On 25th -26th November, 2017, the Law Commission in co-ordination with the NitiAyog organised the National Law Day function in VigyanBhawan, New Delhi. The broad theme for the Law Day Celebration 2017 was ‘Interface between three wings of State, i.e, Executive, Legislature and Judiciary towards a developing nation based on the theme of inclusiveness, development and justice to all’.
8. Some of the important projects under consideration of the Law Commission include ‘Issue relating to regularization of Betting and Gambling’, ‘Bringing BCCI under the purview of the RTI Act, ‘Proposal regarding examinations of matters relating to Uniform Civil Code’ ‘A Comprehensive Review of Criminal Justice System’, and ‘, ‘Man-made Disasters’.

19. INDIAN LAW INSTITUTE (ILI)

Introduction: ILI is a Premier Legal Research Institute founded on 27th December, 1956. The prime objective of the Institute is to promote advanced studies and research in law and to contribute substantially in reforming the administration of Justice, so as to meet the socio economic aspirations of the people through law and its instrumentalities. The Institute got the status of Deemed University in the year 2004. The Institute got its first ever accreditation with ‘A’ grade by the National Assessment and Accreditation Council (NAAC) during March, 2017 with a CGPA of 3.35 on a 4.00 point scale. The Institute is conducting Masters in Law and Doctoral courses

as well as few PG Diploma Courses in various areas of law, i.e., Alternative Dispute Resolution, Corporate Laws and Management, Cyber Law and Intellectual Property Rights Laws.

Academic Programmes: After the declaration as Deemed University in 2004, the Institute launched research oriented LL.M. programme. The admission to LL.M. programme is strictly on merit in Common Admission Test (CAT) conduct every year and Personal Interview. Presently the following programmes are conducted by the Institute:

Programme(s)	Students Enrolled in academic session 2017-18
LL.M.- 1 Year (Full Time)	28
P G Diploma Courses(Alternative Dispute Resolution, Corporate Laws and Management, Cyber Law and Intellectual Property Rights Laws)	303
Ph.D in Law	07
Total No. of Students	338

The Institute has a Ph.D. programme. There are 21 scholars enrolled as on date.

The Institute also conducts on line e learning certificate courses on IPR and Cyber Law of three months duration.

Research Publication Released: The following research publication has been released by the ILI during period of report:

- **Journal of the Indian Law Institute (JILI):** It has been publishing the quarterly journal with contains research articles on topics of current importance referred in 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:** The ILI also publishes a Newsletter every quarter. Information on all the activities of the Institute as well as nail sketches of important decisions handed out by the Supreme Court are regularly published for the benefit of members of the Institute/ legal fraternity.
- **Index to Legal Periodicals:** It has been published yearly containing indexes, periodicals (including year books and other annual publications) pertaining to law and related fields being received by the ILI Library.

Books Published:

- Legal Research Methodology
- Copyright Law in the Digital World : Challenges and Opportunities
- Environment Law and Enforcement: The Contemporary Challenges
- Emerging Competition Law

Seminar/conference/training/workshop/visits/special lectures:

- **Judicial Consultation on Bail Related Matters on January 21, 2017:**

The Law Commission of India and the Indian Law Institute jointly organised “One Day Judicial Consultation on Bail Related Matters” on January 21, 2017. The presidential address was delivered by Hon’ble Dr. Justice B.S. Chauhan, Chairperson, Law Commission of India. The opening address was delivered by Hon’ble Mr. Justice A.M. Khanwilkar, Judge, Supreme Court of India.

- **National Conference on Competition Law and Policy: Problems and Prospects on March 18-19, 2017:**

The Indian Law Institute in collaboration with the Competition Commission of India (CCI) conducted a National Conference on “Competition Law and Policy: Problems and Prospects” on March 18-19, 2017. Hon’ble Mr. Justice B.S. Chauhan, Chairperson, Law Commission of India inaugurated the conference.

- **National Conference on Intellectual Property Rights and Public Interest on April 7-8, 2017:**

The Indian Law Institute organised a two day National Conference on “Intellectual Property Rights and Public Interest” on the 7 and 8 April, 2017. The two day National Conference aimed at conglomerating the intellectual minds from across the country to discuss the emerging issues and trends in intellectual property rights vis-a-vis public interest commenced with the lighting of the lamp by the chief guests.

- **Seminar Course on Law and Violence on May 8-14, 2017:**

The Institute organised a one week seminar course on “Legal Theory: The Contexts of Justification/ De-justification for Violence in a Civilized Society” from May 8-14, 2017. The course was enlightened by Professor Upendra Baxi, Emeritus Professor of Law, University of Delhi and University of Warwick, United Kingdom.

The Indian Law Institute in collaboration with National Human Rights Commission organized the following Training Programmes during the period under consideration:

- One-Day Training Programme for the “Juvenile Homes, Old Age Homes & Health Sector” held on 23rd January, 2017

- One Day Training Programme for Media Personnel and Govt. Public Relation Officers held on 22nd February, 2017
- Two Days Training Programme for Prison Officers held on March 20-21, 2017
- Two Days Training Programme for Judicial Officers held on March 25-26, 2017

Training Programme for Judicial Officers from Myanmar on July 22-29, 2017:

A training programme was jointly organised by the Indian Law Institute and Ministry of External Affairs, Govt. of India, for 23 Judicial Officers from Myanmar during July 22-29, 2017, on various aspects of Indian Laws such as Comparative Constitutional Law, Intellectual Property Rights, Cyber Law, Refugee Law and International Criminal Law. Ambassador of Myanmar His Excellency U Maung Wai and Law Secretary to the Govt. of India, Mr. Suresh Chandra, were among the dignitaries who delivered on the topics in the programme.

Forecast of Activities (FROM 15.12.2017 TO 31.03.2018):

Publication: The following research documents are 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 – 2017
- Index to Legal Periodicals – 2017

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:

- The Institute shall organize a one/two day training programme in collaboration with National Human Rights Commission for Prison Officials/ Media Personnel and Judicial Officers during the remaining period of financial year 2017-18.

- Some more Special Lectures/ Interaction with ILI faculty members / students have been planned.

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. EASE OF DOING BUSINESS - ‘ENFORCING CONTRACTS’

Steps taken towards Ease of Doing Business - ‘Enforcing Contracts’:

Commercial and financial markets have a big role to promote a country’s economic standing in the comity of nations. For such economic activities to prosper, simple framework of rules that encourage investors and promote business activities is a pre-requisite. Therefore, the Government and associated institutions are giving high priority to frame business facilitating laws and regulations with a view to make India one of the preferred destinations for investment and business. Several such measures have been taken by the Government to make business regulations simpler, transparent, expeditious and effective which is helping India in becoming one of the preferred destinations for the investors, the world over. It is relevant to mention that the Ministry of Law & Justice is performing threefold role in improving the India’s ranking in Doing Business Report namely, (i) Legislative, i.e. enacting laws such as Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 and amendments carried out in 2015 to the Arbitration and Conciliation Act, 1996 with a view to make the resolution of commercial disputes more expeditious and effective. This is also with a view to boost the confidence of investors by assuring that their investments are safe and there is a legal system in place which will expeditiously come for their rescue, in such eventualities; (ii) Administrative i.e. guiding and rendering legal assistance to the other Ministries/Departments of the Government to act in conformity of the settled principles of Rule of Law; and (iii) Advocacy, which involves interacting with the stakeholders at the right time and in the right manner, failing which the various initiatives taken for Ease of Doing Business would not yield the desired results.

22. STRENGTHENING OF ARBITRATION MECHANISM

Steps taken for Strengthening of Arbitration Mechanism:

The Central Government had amended the Arbitration and Conciliation Act, 1996, by the Arbitration and Conciliation (Amendment) Act, 2015, inter-alia, in order to make arbitration process user friendly, cost effective and expeditious. However, some practical difficulties in applicability of the amendment Act have been brought to notice of the Department of Legal Affairs. Further, it was felt that there is a need to strengthen institutional Arbitration mechanism in the country. In this regard, a High Level Committee under the Chairmanship of Justice B. N. Srikrishna, Retired Judge, Supreme Court of India, was constituted by the Central Government to review the institutionalization of arbitration mechanisms in India and submit a Report on suggested Reforms. The Report can be accessed on the weblink <http://legal-affairs.gov.in/sectiondivision/report-high-level-committee-review-institutionalisation-arbitration-mechanism-india>. The Committee submitted its Report on 30th July, 2017 and recommended some amendments in the Act. The Department of Legal Affairs is keen to take substantive steps on the recommendation of the Committee.

Further taking into the consideration the other recommendations of the High Level Committee, a Bill namely “The New Delhi International Arbitration Centre Bill”, since introduced in the Lok Sabha on 5th Jan. 2018, is proposed for introduction in the Winter Session of Parliament 2018. The Bill seeks to establish the Centre as an Arbitral Institution of National Importance and to promote Institutional Arbitration. These reforms to further simplify the complexity of law and encourage quick resolution of disputes will definitely promote and encourage the business investment scenario in the country.

23. INCOME-TAX APPELLATE TRIBUNAL, 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 28 cities throughout the country out of which only 96 Members are in position and accordingly there are 30 posts of Members vacant as on date. The Tribunal is presently headed by the President assisted by nine (9) Vice - Presidents. At present, six (6) post of Vice-Presidents and twenty four (24) Members are vacant.

As regards shortage of Registry Officers, Senior Private Secretaries and Private Secretaries, it is submitted that all seven sanctioned posts of Deputy Registrars, are presently lying vacant and out of the 38 sanctioned posts of Assistant Registrars, 30 posts are lying vacant. Further, out of the 2 sanctioned posts of Hindi Officer, all are presently lying vacant, out of the 126 sanctioned posts of Senior Private Secretaries, 32 posts are vacant and out of the 47 sanctioned posts of Private Secretaries, 25 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	1
3	Office Supdt.	1
4	Hindi Translator	11
5	Librarian	1
6	Head Clerk	0
7	U.D.C.	46
8	Steno Grade D	4
9	L.D.C.	72
10	Staff Car Driver	18
11	Multi Tasking Staff	102
	Total	258

- (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 2017, the Pendency of the appeals was **91538** and as on 1st January, 2018 the number of appeals pending in the Income-Tax Appellate Tribunal stands at **91657**.

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	48328	48385	92386
2017-2018 Up to 31.12.2017	36384	37678	91643

- (7) **EFFORTS FOR REDUCTION OF PENDENCY:** Necessary instructions 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 bring 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. Further, vide Finance (No.66) Act 2015 an amendment in Income Tax Act 1961 was made that the appeal involving assessed income upto Rs.15 lakhs can be heard by Single Member Bench and accordingly the same has been implemented.

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

Month	Total Pendency
January,2017	13978
February,2017	13875
March,2017	13844
April,2017	13712
May,2017	13794
June,2017	13530
July,2017	13494
August,2017	12412
September,2017	12315
October,2017	12117
November,2017	12139
December,2017	8379

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

Month	Total Pendency
January,2017	336
February,2017	355
March,2017	379
April,2017	411
May,2017	411
June,2017	396
July,2017	408
August,2017	414
September,2017	448
October,2017	436
November,2017	442
December,2017	449

There are 63 sanctioned Benches of the I.T.A.T. wherein the required strength of the Members is 126 and presently have 96 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 migrated to NIC Cloud Data Centre.
 - (b) **ITAT Official Website:** As an extension of 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. Also, ITAT has made the website and application bilingual. ITAT is also sharing the ITAT Online data with the National Judicial Reference System (NJRS) project, for which certain provisions were made in the Web Application.
 - (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.

- (e) **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) **Launching of E-Filing:** 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. E-filing module and mobile application are likely to be rolled out in coming months.
- (b) **E-Courts:** During the last year, E-courts were setup at ITAT Rajkot, Jabalpur and also at Guwahati Bench. Bench proceeding were conducted at ITAT Rajkot, Jabalpur Bench and Guwahati Bench connecting to ITAT Ahmedabad, Delhi and Kolkata Benches respectively. Total 1273 appeals were disposed of at ITAT, Ahmedabad, 34 appeals were disposed of at ITAT, Delhi and 146 appeals were disposed at ITAT, Kolkata Benches (upto 31.12.2017) through E-court.

Presently, one more Bench is under process for development of E-Court at Ranchi Bench.

Following is the status of Bench/es functioning through E-Court:

Sr. No.	Functioning Bench(es)
1	New Delhi, Zonal Office
2	Ahmedabad, Zonal Office
3	Kolkata, Zonal Office
4	Jabalpur Bench
5	Rajkot Bench
6	Guwahati Bench

Development of E-court in respect of following Benches are under process:

Sr. No.	Under Process Bench(es)
1	Mumbai, Head Office
2	Mumbai President's Chamber
3	Bangalore, Zonal Office
4	Chennai, Zonal Office
5	Chandigarh, Zonal Office
6	Lucknow Zonal Office
7	Hyderabad Zonal Office
8	Pune Benches
9	Jodhpur Bench
10	Jaipur Benches
11	Ranchi Bench

Lucknow – Video Conference equipment was shifted to Rajkot as equipment of Rajkot was not working properly.

(11) ESTABLISHMENT OF SURAT BENCH :

Ministry of Law & Justice has approved the proposal of ITAT for establishment of one Bench at Surat by transferring one of five Benches from ITAT, Kolkata to Surat. Thereafter, suitable amendment were made in the Standing order of ITAT regarding change of jurisdiction.

Presently, CCIT, Surat has provided space to ITAT for establishing ITAT Surat Bench at Aayakar Bhawan, Surat on temporary basis for few months. Inauguration of ITAT Surat Bench was done on 01.09.2017.

Meanwhile, pursuant to the advertisement published in the Newspaper for hiring of office space for accommodating ITAT, Surat Bench, the offer received from the parties under process.

(12) OWN BUILDINGS OF I.T.A.T:

Income Tax Appellate Tribunal (I.T.A.T.) purchased land at Pune, Bengaluru, Jaipur, Lucknow & Guwahati for office-cum-residential accommodation. The Govt. of Odisha has allotted a plot of land measuring 1.601 acre to I.T.A.T., Cuttack Bench for construction of office building and staff quarters at Cuttack. Further, ITAT made application for allotment of land for office premises for I.T.A.T. Kolkata Benches, Kolkata at New Town Area, Kolkata at Financial and Legal Hub developed by West Bengal Housing and Infrastructure Development Corporation Ltd.

(WBHIDCO). Further, the I.T.A.T. is trying for purchase space for the office premises for I.T.A.T. Delhi Benches through E-Auction at NBCC World Trade Centre, Nauroji Nagar, New Delhi.

(13) Details of Status of Land:

- (i) **Pune:** Architectural drawings with options have to be finalized for which meeting with Architect and CPWD Officials is being proposed shortly by I.T.A.T., Pune.
- (ii) **Bengaluru:** Construction work of building is underway. During current FY 2017-18, authorization for an amount of Rs.8 crore under the Head “Capital Outlay” towards carrying out construction work on the acquired plot of land at Survey no.51, BTM Layout, Taverekere Village, Bangalore, has been issued by the Principal Accounts Office, Ministry of Law & Justice, New Delhi in favour of Principal Accounts Office, Ministry of Urban Development, New Delhi.
- (iii) **Jaipur:** Construction of the building has been completed. Efforts are on to obtain specific authorization, transferring a sum of Rs.1.97 crore (Rs.1.15 crore for Civil work and Rs.0.82 crore for Electrical work) under the Head “Capital Outlay”, in favour of Pay & Accounts Officer, North Zone, C.P.W.D., East Block, R.K. Puram, New Delhi, to be incurred towards CPWD’s Pending Billls for construction of office building and 4 nos. of Officers’ Quarters for Income Tax Appellate Tribunal (ITAT) at G-4, Rajmahal Residency Area, C-Scheme, Jaipur.
- (iv) **Lucknow:** Rough cost Estimate for Rs.25.39 crore (which includes estimate of Rs.98,10,898/- towards construction of boundary wall) submitted by the CPWD, Lucknow has been sent to the Ministry. In turn, Ministry has conveyed concurrence for an expenditure of Rs.98,10,898/- towards construction of boundary wall. Further course of action in this regard is under process.
- (v) **Cuttack:** I.T.A.T., has acquired a land admeasuring 1.601 acre in Sector-1, CDA, Cuttack i.e. Revenue Plot No.1/09(P) of Khata No.1/1 of Mouza Subarnapur, Cuttack Sadar Rahasil, Cuttack allotted by Govt. of Odisha for constructing ITAT’s own Office Building and Staff quarters. Bhumi Poojan/ Stone laying ceremony of the said plot of land was done on 19.11.2017 in the presence of Hon’ble Chief Justice of India, Hon’ble Union Minister of Law & Justice Shri Ravi Shankarjee, Hon’ble Chief Justice of Odisha High Court and Hon’ble Justice A.K. Patnaik, Former Judge of the Hon’ble Supreme Court of India.

An amount of Rs.11,63,88,000/- has been authorised by the Ministry vide letter dated 11.08.2017 in favour of Principal Accounts Office, Ministry of Urban Development, to be incurred towards carrying out construction work of own office-cum-residential complex at CDA, Sector-I, Cuttack.
- (vi) **Guwahati:** Taken over land of Central Inland Water Transport Corporation Ltd. (CIWTC) @ Rs.4.03 crore at Fancy Bazar, Guwahati, under the Head “Capital Outlay” during the FY 2016-17 and the matter regarding valuation of the super-structure of land parcel in the State of Assam sector to be handed over to Ministry of Law & Justice, is under process.

- (vii) **Kolkata:** Earnest Money for Rs.25 lakhs towards application for allotment of land for office premises of ITAT, Kolkata at Financial & legal Hub developed by West Bengal Housing Infrastructure Development Corporation Ltd. (WBHIDCO) has been paid by the Ministry and CPWD's certificate to the effect that no Central Govt. land is in custody of CPWD in new Town area and the cost of the land seems to be reasonable since the dealing is between Central Govt. and State Govt, has been forwarded to the Ministry for finalization.
- (viii) **Panaji:** The concerned authorities of the Govt. of Goa were requested for allotment of suitable land of 2000 sq.mtrs in Pato Complex or other suitable area in Panaji for construction of own premises for ITAT, Panaji Bench. However, no confirmation has been received so far in this regard from the State Government.
- (ix) **Jodhpur:** Jodhpur Bench of ITAT has taken up the matter with the Jodhpur Development Authority; Rajasthan Govt., Secretariat, Jaipur; the Collector, Jodhpur requesting to make suitable land available for ITAT, Jodhpur Bench. HO vide UO dated 17.04.2017 has requested Jodhpur ITAT to proceed in the matter and report back. Consequential action in the matter is awaited.

(14) 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.

(15) 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 patron. Officers and staff contribute 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.

(16) RIGHT TO INFORMATION ACT, 2005:

It is being implemented by the Income Tax Appellate Tribunal.

(17) IMPLEMENTATION OF OFFICIAL LANGUAGE POLICY:

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.

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 No. of officials under Hindi Teaching Scheme., Department of official language, Government of India.

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.

Every endeavor 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.

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.

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.

An Annual Journal ‘Srijan’ is published for Income Tax Appellate Tribunal, Head Office, Mumbai. It contains photos of the Hindi Pakhwada Programme, Hindi Workshop, besides articles, stories, poems and travelogue etc. written by Members, Officers and employees of ITAT.

(18) IMPLEMENTATION OF INSTRUCTIONS REGARDING REPRESENTATION IN SERVICES OF HANDICAPPED, SCHEDULED 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 2017-2018 and the statistics relating to representation of these categories in services of the Income-Tax Appellate Tribunal is at **ANNEXURE -V**.

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. The Vigilance Unit is headed by Chief Vigilance Officer who is appointed with the concurrence of Central Vigilance Commission. The Vigilance Unit is presently headed by Dr. Rajiv Mani, Joint Secretary and 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 anti-corruption 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 30th October, 2017 to 4th November, 2017. The pledge taking function was organized at 11.00 a.m. on 30.10.2017 and Law Secretary administered the Pledge to all the officers and staff of both the Departments at Shastri Bhawan. The main focus during Vigilance Awareness Week was “My Vision – Corruption Free India”. Further, a lecture session on this theme was organized by the Department wherein Dr. RJR Kasibhatla, Deputy Legal Adviser was the Speaker. The session was attended by Law Secretary along with employees of the Department of Legal Affairs and Legislative Department.

25. GENDER ISSUES

The Complaints Committee under Section 4 of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 has been set up by the Department vide Order dated 10th March, 2017, to look into the complaints on sexual harassment from employees of both the departments i.e. Department of Legal Affairs and Legislative Department. The Complaints Committee shall be deemed to be the inquiring authority appointed by the disciplinary authority for the purpose of CCS (CCA) Rules, 1965. The report of the Complaints Committee should be treated as enquiry report. It will examine the complaints made against sexual harassment by women employee(s) and, if necessary, conduct an enquiry. On completion of the same, the Committee will submit its findings to the Joint Secretary (Admn.1), D/o Legal Affairs for further necessary action. The Committee is presently headed by Ms. Zoya Hadke, Joint Secretary and Legal Adviser.

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 01.01.2018 is enclosed at **Annexures - VI**.

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

26. SWACHH BHARAT ABHIYAN

In accordance with the directions of the Govt. the period from 1st April to 15th April, 2017 has been observed as Swachhta Pakhwara in the Department of Legal Affairs and its Branch Secretariats located at Kolkata, Mumbai, Chennai and Bengaluru as well as the offices of the ITAT in the Country.

Shri Ravi Shankar Prasad Hon'ble Minister of Law & Justice & IT gave message on the observance of Swachhta Pakhwara by Department of Legal Affairs as part of the Swachhta Bharat Mission. The Period from 15th Sept, 2017 to 2nd Oct, 2017 was also observed as SWACHHTA HE SEWA in the Department including the Branch Secretariats. Budget Provision has been earmarked for Swachhta related activities. Posters and banners are displayed in the Main Secretariat, Branch Secretariates, Law Commission, so that message of cleanliness spreads throughout. Weeding of old files & cleaning of sections and rooms are done regularly and all divisional heads are directed to carry out the cleanliness activities regularly. Cleaning and binding of old library books and records in the Record room of the Department is done. Pictures depicting the Swachh Bharat Abhiyan in Department of Legal Affairs are at **Annexure-VIII**.

27. CELEBRATION OF INTERNATIONAL YOGA DAY 2017

International Yoga Day 2017 was celebrated in Department of Legal Affairs, Main Secretariat and all the Branch Secretariats i.e. Kolkata, Chennai, Mumbai and Bengaluru. In Department of Legal Affairs three Yoga trainers were called from Olivia Club, Vasundhara, Ghaziabad for Yoga demonstration and a talk on benefits of Yoga. Law Secretary along with other officers/officials of Department of Legal Affairs participated in celebration of Yoga Day and performed all the Yoga/Asanas demonstrated by the trainers.

In Branch Secretariat, Chennai, faculty of Krishnamachari Yoga Mandiram, Chennai was called on 20th and 21st June, 2017 for two hour Yoga session. A Yoga Instructor was engaged for imparting Yoga training to prepare the Officers and Staff of Branch Secretariat, Bengaluru from 07.06.2017 to 20.06.2017 for the Mass Yoga Demonstration on 3rd International Yoga Day 2017 on 21.06.2017. In Branch Secretariat, Kolkata, all the Staff including Officers participated in a mass Yoga session under the leadership of the Incharge, Branch Secretariat.

In the Demonstration organized at the Main Secretariat in Shastri Bhawan, Law Secretary read out the message of Hon'ble Prime Minister for celebration of third Yoga Day. He also emphasized on the need of Yoga to keep everybody fit, increasing their productivity by efficient discharge of their official as well as day to day functions. He also elaborated on the Swachh Bharat Mission of the Hon'ble Prime Minister which we have to follow in letter and spirit so that we contribute our share toward making India clean. Pictures depicting the celebration of International Yoga Day are at **Annexure-IX**.

28. CONSTITUTION DAY

26th Nov. 2017 was celebrated as 'Constitution Day'. The Celebration consisted of reading out of 'Preamble' to the Constitution of India.



THE 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, economic 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 unity 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.

29. INITIATIVES TAKEN UNDER ‘MINIMUM GOVERNMENT AND MAXIMUM GOVERNANCE

I. Simplification of official procedure:-

Admn.IV Section is cadre controlling authority for the employees belonging to 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.

II. Digital India - Following initiatives have been taken under the Digital India Program.

a. LIMBS (Legal Information and Management Briefing System)

LIMBS is an easy to access, web-based tool for comprehensive, regulatory and proactive 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.

The application provides facility of Unique Document Locker to upload court cases specific documents such as reply filed, affidavit submitted, scanned copy of judgment etc. E-document vault allows user to enter the important judgment. SMS alerts are used to sensitize the users over important issues. LIMBS Advocate Module is to help advocates to organise, update court cases they are dealing with at one single place. LIMBS Arbitration Module is for timely monitoring of entire life cycle of Arbitration cases. Its simple user interface brings all the stakeholders viz. claimant, respondent, arbitrator, user and Nodal officer on a single platform to deal with arbitration cases in a time bound manner.

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

b. 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

c. 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.

III. Reduction of Decision making level - In some cases like sanction of leave etc. power has been delegated.

IV. On-line processing of Pension cases – Pension cases are dealt online.

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. 01.01.2017 to 31.12.2017.

Sl. No.	Name & Designation	Country Name	Purpose of visit and duration.
1.	Shri Ravi Shankar Prasad, Hon'ble Minister of Law & Justice	Nassau, (The Bahamas)	To attend the Triennial Commonwealth Law Ministers' Meeting, from 16 th to 19 th October, 2017.
2.	Shri P.P.Choudhary, Hon'ble Minister of State (Law & Justice)	Tashkent (Uzbekistan)	To attend the 5 th Meeting of the Ministers' of Justice of the Member States of the Shanghai Cooperation Organization from 19 th to 21 st October, 2017.

3.	Shri Suresh Chandra, Law Secretary	St. Petersburg (Russia)	To attend the VIIth St. Petersburg International Legal Forum, from 16 th to 20 th May, 2017.
		Tashkent (Uzbekistan)	To attend the working group of Expert meeting of the Shanghai Cooperation Organization (SCO) Members, Ministries of Justice, from 10 th to 11 th August, 2017.
		Nassau (The Bahamas)	To attend the Triennial Commonwealth Law Ministers' Meeting, from 16 th to 19 th October, 2017.
4.	Shri P.S. Narasimha, Ld. Additional Solicitor General of India	Ottawa, (Canada)	To attend Sixth Indo-Canadian Legal Forum Meeting from 15 th to 18 th October, 2017.
5.	Ms. Pinky Anand, Ld. Additional Solicitor General of India	St. Petersburg (Russia)	To attend the 15 th Session of the Prosecutor General's Office of the Shanghai Corporation Organization (SCO) from 28 th to 30 th November, 2017.
6.	Shri A.Nadkarni, Ld. Additional Solicitor General of India	St. Petersburg (Russia)	To attend the 15 th Session of the Prosecutor General's Office of the Shanghai Corporation Organization (SCO) from 28 th to 30 th November, 2017.
7.	Dr. Anju Rathi Rana, Joint Secretary & Legal Adviser	Tashkent (Uzbekistan)	To attend the 5 th Meeting of the Ministers' of Justice of the Member States of the Shanghai Cooperation Organization from 18 th to 21 st October, 2017.
		St. Petersburg (Russia)	To attend the 15 th Session of the Prosecutor General's Office of the Shanghai Corporation Organization (SCO) from 28 th to 30 th November, 2017.
8.	Shri R.K.Srivastava, Deputy Legal Adviser	Seoul (Republic of South Korea)	To attend the 6 th UNCITRAL, Regional Centre for Asia and the Pacific ADR Conference, Regional Capacity building Workshop and Regional roundtable events, from 7 th to 9 th November, 2017.

9.	Dr. R.J.R. Kasibhatla, Deputy Legal Adviser	The Hague, (Netherlands)	To attend the hearing and preparatory meeting for arbitration matter of Tenoch Holdings Ltd. Vs. Republic of India, from 21 st to 29 th January, 2017.
		Kobe, (Japan)	To attend the 17 th Meeting of the Regional Comprehensive Economic Partnership Trade Negotiating Committee and related meetings, from 26 th February to 3 rd March, 2017.
		Manila (Philippines)	To attend the 18 th Meeting of the Regional Comprehensive Economic Partnership Trade Negotiating Committee (RCEP TNC 18) and related meetings, from 6 th May to 12 th May, 2017.
		Manila (Philippines)	To attend the RCEP Working Group on Investment (WGI) Inter-sessional meeting, from 12 th to 17 th September, 2017.
		Incheon (Republic of South Korea)	To attend the 20 th RCEP Working Group on Investment (WGI) meeting, from 18 th to 26 th October, 2017.
10.	Shri O.P.Bagri, Deputy Legal Adviser	Milan (Italy)	To attend the Court proceedings in the matter of re-trial of Agusta Westland (VVIP/VIP Helicopter procurement case) from 6 th to 7 th June, 2017.
11.	Shri O.Venkateswarlu, Deputy Legal Adviser	St. Petersburg (Russia)	To attend the VIIth St. Petersburg International Legal Forum, from 16 th to 20 th May, 2017.
12.	Mrs. Kusum Lata Singh, Assistant Legal Adviser	Colombo (Sri-Lanka)	To attend 7 th round of Indo-Sri-Lanka Economic Technical Cooperation Agreement (ETCA) Negotiations, from 18 th to 20 th December, 2017.
13.	Dr. R.S.Shrinet, Assistant Legal Adviser	Minsk (Belarus)	To attend the 4 th round of negotiations on the India- Belarus Bilateral Investment Treaty (BIT), from 15 th to 16 th June, 2017.
14.	Shri Neeraj Rawat, Assistant Legal Adviser	Vienna (Austria)	To attend three day Congress entitled “Modernizing International Trade Law to Support Innovation and Sustainable Development” hosted by the United Nations Commission on International Trade Law (UNCITRAL), from 4 th to 6 th July, 2017.

15.	Shri Krishan Mohan Arya, Assistant Legal Adviser,	Bangkok, Thailand	To attend the two days Seminar of the UNCITRAL, RCAP, from 4 th to 5 th September, 2017.
16.	Shri Arpit Anant Mishra, Assistant Legal Adviser	Warsaw (Poland)	To attend the negotiations in Mutual Legal Assistance Treaty in Criminal Matters between India and Poland, from 7 th to 8 th September, 2017.
17.	Shri Hemant Kumar, Assistant Legal Adviser	Abu-Dhabi (UAE)	To attend the First round of negotiations on Bilateral Investment Treaty (BIT) between India and UAE, from 25 th to 27 th September, 2017.
		Ankara (Turkey) and Bern (Switzerland)	To attend two negotiations (i) the first round of Negotiations on Bilateral Investment Treaty (BIT) between India and Turkey, from 8 th to 10 th November, 2017 and (ii) 2 nd round of Negotiations on Bilateral Investment Treaty (BIT) between India and Switzerland, from 13 th to 14 th November, 2017.
18.	Ms. Arti Chopra, Assistant Legal Adviser	Vienna (Austria)	To attend the Sixty Seventh Session of UNCITRAL Working Group-II (Dispute Settlement) meeting, from 2 nd to 6 th October, 2017.
19.	Shri Navin Kumar Rajak, Section Officer	Bangkok, (Thailand)	To attend the two days Seminar of the UNCITRAL, RCAP, from 4 th to 5 th September, 2017.

CHAPTER - II

LEGISLATIVE DEPARTMENT

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

1. FUNCTIONS

1.1 The Legislative Department, being a service-oriented Department of the Government of India, is concerned with the following matters, namely :-

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

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

Sahitya Prakashan brings out various publications of legal literature in Hindi. It also holds exhibitions in various States for giving wide publicity to legal literatures available in Hindi and to promote their sales.

2. ORGANISATIONAL SET UP

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

3. LEGISLATION

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

- (2) Legislative Department not only performs functions as a servicing Department for drafting the legislation initiated by the administrative Ministries and Departments but also initiates legislative proposals in respect of the matters with which it is administratively concerned.
- (3) Legislative Department drafts the Finance Bill to give effect to the financial proposals of the Central Government every year. This exercise is undertaken in the Legislative Department on the budget proposals being brought before it by the Ministry of Finance. For the purposes of convenience, the various subjects on which Bills are drafted in the Legislative Department at the behest of administrative Ministries/ Departments may be broadly categorised as under:-
 - (a) Constitutional amendments;
 - (b) Economic and corporate laws;
 - (c) Civil Procedure and other social welfare legislation;
 - (d) Repeal of obsolete laws; and
 - (e) Miscellaneous laws
4. During the period from 1st January 2017 to 31st December, 2017, this Department has examined **100** Notes for the Cabinet/new legislative proposals in consultation with different Ministries/Departments for drafting Bills/Ordinances for introduction in the Houses of the Parliament. A total number of **55** legislative Bills were forwarded to Parliament for introduction during this period.

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

S. No.	Short Title
1	The Payment of Wages (Amendment) Bill, 2017
2	The Finance Bill, 2017
3	The Specified Bank Notes (Cessation of Liabilities) Bill, 2017
4	The Indian Institutes of Management Bill, 2017
5	The Repealing and Amending Bill, 2017
6	The Constitution (Scheduled Castes) Orders (Amendment) Bill, 2017
7	The Inter-State River Water Disputes (Amendment) Bill, 2017
8	The Footwear Design and Development Institute Bill, 2017
9	The Collection of Statistics (Amendment) Bill, 2017
10	The Appropriation (Railways) Bill, 2017
11	The Appropriation (Railways) No.2 Bill, 2017
12	The Appropriation Bill, 2017
13	The Appropriation (No.2) Bill, 2017
14	The Indian Institutes of Information and Technology (Amendment) Bill, 2017
15	The Central Goods and Services Tax Bill, 2017
16	The Integrated Goods and Services Tax Bill, 2017
17	The Union Territory Goods and Services Tax Bill, 2017
18	The Goods and Services Tax (Compensation to States) Bill, 2017
19	The Taxation Laws (Amendment) Bill, 2017
20	The Constitution (One Hundred and Twenty-third) Amendment Bill, 2017
21	The National Commission for Backward Classes (Repeal) Bill, 2017
22	The National Bank for Agriculture and Rural Development (Amendment) Bill, 2017
23	The Indian Institutes of Information Technology (Public-Private Partnership) Bill, 2017
24	The Right of Children to Free and Compulsory Education (Amendment) Bill, 2017
25	The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017

26	The Ancient Monuments and Archaeological Sites and Remains (Amendment) Bill, 2017.
27	The Indian Institute of Petroleum and Energy Bill, 2017
28	The State Banks (Repeal and Amendment) Bill, 2017
29	The Banking Regulation (Amendment) Bill, 2017
30	The Central Road Fund (Amendment) Bill, 2017
31	The Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 2017
32	The Central Goods and Services Tax (Extension to Jammu and Kashmir) Bill, 2017
33	The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Bill, 2017
34	The Punjab Municipal Corporation Law (Extension to Chandigarh) Amendment Bill, 2017
35	The Appropriation (No.3) Bill, 2017
36	The Appropriation (No.4) Bill, 2017
37	The National Sports University Bill, 2017
38	The Code on Wages Bill, 2017
39	The Financial Resolution and Deposit Insurance Bill, 2017
40	The Repealing and Amending (Second) Bill, 2017
41	The Right of Children to Free and Compulsory Education (Second Amendment) Bill, 2017
42	The National Council for Teacher Education (Amendment) Bill, 2017
43	The Dentists (Amendment) Bill, 2017.
44	The Payment of Gratuity (Amendment) Bill, 2017
45	The Indian Forest (Amendment) Bill, 2017
46	The Representation of the People (Amendment) Bill, 2017
47	The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2017
48	The Specific Relief (Amendment) Bill, 2017
49	The Muslim Women (Protection of Rights on Marriage) Bill, 2017
50	The Appropriation (No.5) Bill, 2017

51	The National Capital Territory of Delhi Laws (Special Provisions) Second (Amendment) Bill, 2017
52	The Goods and Services Tax (Compensation to States) Amendment Bill, 2017
53	The Insolvency and Bankruptcy Code (Amendment) Bill, 2017
54	The Indian Medical Commission Bill, 2017
55	The Negotiable Instruments (Amendment) Bill, 2017

5. Out of the Bills which were pending before Parliament and those introduced during the period from 01-01-2017 to 31-12-2017, 33 Bills have been enacted into Acts. The list of the Acts enacted during this period is as follows:-

Sl. No.	Short Title
1	The Payment of Wages (Amendment) Act, 2017 (1 of 2017)
2	The Specified Bank Notes (Cessation of Liabilities) Act, 2017 (2 of 2017)
3	The Enemy Property (Amendment and Validation) Act, 2017 (3 of 2017)
4	The Appropriation Act, 2017 (4 of 2017)
5	The Appropriation (No.2) Act, 2017 (5 of 2017)
6	The Maternity Benefit (Amendment) Act, 2017 (6 of 2017)
7	The Finance Act, 2017 (7 of 2017)
8	The Appropriation (Railways) Act, 2017 (8 of 2017)
9	The Appropriation (Railways) No.2 Act, 2017 (9 of 2017)
10	The Mental Healthcare Act, 2017 (10 of 2017)
11	The Employee's Compensation (Amendment) Act, 2017 (11 of 2017)
12	The Central Goods and Services Tax Act, 2017 (12 of 2017)
13	The Integrated Goods and Services Tax Act, 2017 (13 of 2017)
14	The Union Territory Goods and Services Tax Act, 2017 (14 of 2017)
15	The Goods and Services Tax (Compensation to States) Act, 2017 (15 of 2017)
16	The Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 (16 of 2017)
17	The Constitution (Scheduled Castes) Orders (Amendment) Act, 2017 (17 of 2017)
18	The Taxation Laws (Amendment) Act, 2017 (18 of 2017)

19	The National Institutes of Technology, Science Education and Research (Amendment) Act, 2017 (19 of 2017)
20	The Footwear Design and Development Institute Act, 2017 (20 of 2017)
21	The Collection of Statistics (Amendment) Act, 2017 (21 of 2017)
22	The Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017 (22 of 2017)
23	The Indian Institutes of Information Technology (Public-Private Partnership) Act, 2017 (23 of 2017)
24	The Right of Children to Free and Compulsory Education (Amendment) Act, 2017 (24 of 2017)
25	The Indian Institutes of Information Technology (Amendment) Act, 2017 (25 of 2017)
26	The Central Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017 (26 of 2017)
27	The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017 (27 of 2017)
28	The Appropriation (No.3) Act, 2017 (28 of 2017)
29	The Appropriation (No.4) Act, 2017 (29 of 2017)
30	The Banking Regulation (Amendment) Act, 2017 (30 of 2017)
31	The Punjab Municipal Corporation Law (Extension to Chandigarh) Amendment Act, 2017 (Act No.31 of 2017)
32	The National Capital Territory of Delhi Laws (Special Provisions) Second (Amendment) Act, 2017 (32 of 2017)
33	The Indian Institutes of Management Act, 2017 (33 of 2017)

6. ORDINANCES

The Legislative Department drafted 7 Ordinances which were promulgated by the President under article 123 of the Constitution during the period 1st January, 2017 to 31st December, 2017:

Sl. No.	Short Title
1	The Banking Regulation (Amendment) Ordinance, 2017 (1 of 2017)
2	The Punjab Municipal Corporation Law (Extension to Chandigarh) Amendment Ordinance, 2017 (2 of 2017)

3	The Central Goods and Services Tax (Extension to Jammu and Kashmir) Ordinance, 2017 (3 of 2017)
4	The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Ordinance, 2017 (4 of 2017)
5	The Goods and Services Tax (Compensation to States) Amendment Ordinance, 2017 (5 of 2017)
6	The Indian Forest (Amendment) Ordinance, 2017 (6 of 2017)
7	The Insolvency and Bankruptcy (Amendment) Ordinance, 2017 (7 of 2017)

7. REGULATIONS

Six regulations have been issued under article 240 of the Constitution:

Sl. No.	Short Title
1	The Lakshadweep Panchayats (Amendment) Regulation, 2017 (1 of 2017)
2	The Andaman and Nicobar Islands Entertainment Tax Repeal Regulation, 2017 (2 of 2017)
3	The Dadra and Nagar Haveli Value Added Tax (Amendment) Regulation, 2017 (3 of 2017)
4	The Daman and Diu Value Added Tax (Amendment) Regulation, 2017 (4 of 2017)
5	The Andaman and Nicobar Islands (Municipal) Amendment Regulation, 2017 (5 of 2017)
6	The Andaman and Nicobar Islands Value Added Tax Regulation, 2017 (6 of 2017)

8. CONSTITUTION ORDER

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

Sl. No.	Short Title
1	The Constitution (Application to Jammu and Kashmir) Amendment Order, 2017

9. SUBORDINATE LEGISLATION

During the period from 1st January, 2017 to 31st December, 2017, the number of statutory rules, regulations, orders and notifications scrutinized and vetted by this Department was 3474.

10. REPEAL OF OBSOLETE LAWS

The Repealing and Amending Bill, 2017 was introduced in Lok Sabha on 09/02/2017, proposing to repeal 105 obsolete and redundant Acts, which was passed by the both House of the Parliament and yet to be received from the Parliament for assent of the President.

The Repealing and Amending (Second) Bill, 2017 was introduced in Lok Sabha on 11/08/2017, proposing to repeal 140 obsolete and redundant Acts which was passed by the both House of the Parliament and yet to be received from the Parliament for assent of the President.

11. FUNCTIONS OF THE ELECTION COMMISSION

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

- (2) Election Commission is a permanent constitutional body. Initially, the Election Commission had only a Chief Election Commissioner. At present, it consists of Chief Election Commissioner and two Election Commissioners. For the first time, two additional Election Commissioners were appointed on 16th October, 1989 but they had a short tenure till 1st January, 1990. Later, on 1st October, 1993, two additional Election Commissioners were appointed. Since then, the multi-member Election Commission has been in operation.
- (3) The Chief Election Commissioner and Election Commissioners are appointed by the President of India. As per the Chief Election Commissioner and Other Election Commissioners (Conditions of Service) Act, 1991 (11 of 1991), they have tenure of six years, or up to the age of 65 years, whichever is earlier. They enjoy the same status and receive salary and perks as are available to Judges of the Supreme Court of India. The Chief Election Commissioner can be removed from office only in the like manner and on the like grounds as a Judge of the Supreme Court.
- (4) Political parties are registered with the Election Commission in terms of section 29A of the Representation of the People Act, 1951 (43 of 1951). The Election Commission ensures inner party democracy in their functioning by insisting upon them to hold organisational elections at periodic intervals. Political parties registered with the Commission are granted recognition at the State and National levels on the basis of their poll performance at general elections according to criteria specified by it.
- (5) The Election Commission has its independent Secretariat for the work relating to the smooth conduct of elections to Parliament and State Legislatures. Legislative Department is entrusted with the functions as the nodal Department for providing Governmental sanctions.
- (6) In the year 1950, in the matters of election expenses, it was decided by the Central Government in consultation with the State Governments that the expenditure incurred

in relation to the preparation of electoral roll to the Assembly constituencies would be shared on 50:50 basis between the Central Government and State Governments. Further, the expenditure on account of conduct of elections to the House of the People and the State Legislative Assembly would be borne by the Central Government and the concerned State Government and if the election to the House of the People and the State Legislative Assembly are held simultaneously, then, the expenditure would be shared on 50:50 basis between Central and concerned State Government. The initial expenditure will be borne by the respective State Governments and on submission of the audited report, the Central Government's share will be reimbursed.

12. ELECTION LAWS AND ELECTORAL REFORMS

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

- (i) The Representation of the People Act, 1950,
 - (ii) The Representation of the People Act, 1951,
 - (iii) The Presidential and Vice-Presidential Elections Act, 1952,
 - (iv) The Delimitation Act, 2002,
 - (v) The Andhra Pradesh Legislative Council Act, 2005,
 - (vi) The Tamil Nadu Legislative Council Act, 2010.
- (2) The electoral system of our country, which is also called the first-past-the-post system of elections, has completed sixty eight years. We have covered the journey of these sixty-eight years after India became Republic with glory and exemplary successes in all the fields. This has been the result of the relentless toil and continuous struggle of the millions who have shaped the present and future of this great country with their sweat and blood. Undoubtedly, this journey has not been an easy sail and we have witnessed much turbulence and turmoil during this period. During this period, the political scenario and the electoral process of the country have undergone continuous epoch-making changes. With each election, the complexities of the electoral process and the election management have been increasing. Every single ballot has proved extremely valuable. In such a scenario, allegations and counter-allegations are invariably made. Some inroads by corrupt and criminal elements has posed a challenging task for the conduct of free and fair elections.
 - (3) The aforesaid scenario, which has been continuously changing, has necessitated reforms of electoral laws on several occasions. In the light of the experience gained during elections, recommendations of the Election Commission, the proposals from different sources including political parties, eminent men in public life and the deliberations in the Legislatures and various public bodies, the successive Governments have taken a number

of measures, from time to time, to bring about electoral reforms; though need to effect a comprehensive package of electoral reforms cannot be gainsaid.

- (4) On the 16th January, 2013 the issue of electoral reforms in its entirety was referred to the Law Commission of India by the Hon'ble Minister of Law and Justice for its consideration, after taking into consideration the reports of various committees in the past, views of the Election Commission and other stakeholders, and to suggest comprehensive measures for changes in the law. After consideration of these entire things, Law Commission of India submitted its 244th and 255th Report on 'Electoral Reforms' in 2014 and 2015 respectively. At present, the 244th and 255th Law Commission Reports are under consideration of the Government.

13. ELECTRONIC VOTING MACHINE

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

- (2) First time use of EVMs occurred in a bye-election in Kerala in May, 1982. However, the absence of a specific law prescribing its use led to the Supreme Court striking down that election. Subsequently, in 1989, the Parliament amended the Representation of the People Act, 1951 to create a provision for the use of EVMs in the elections. A general consensus on its introduction could be reached only in 1998 and these were used in 25 legislative assembly constituencies spread across three states of Madhya Pradesh, Rajasthan and Delhi. Its use was further expanded in 1999 to 45 parliamentary constituencies and later, in February 2000, to 45 assembly constituencies of the Haryana assembly elections. In the state assembly elections, held in May 2001, in the states of Tamil Nadu, Kerala, Pondicherry and West Bengal, the EVMs were used in all the assembly constituencies. Since then, for every state assembly elections, the Commission used the EVMs. In 2004, in the general elections to the Lok Sabha, the EVMs (more than one million) were used in all 543 parliamentary constituencies in the country. EVMs have been used in all elections since 2004.
- (3) The design and application of EVMs in the elections are considered a significant achievement in global democracy. It has brought more transparency, swiftness, and acceptability in the system. It has also helped in creating a vast pool of election officials well versed in its use. In its evolution, the Commission has issued series of instructions, frequently asked questions, and technical guidelines. A number of judicial pronouncements has also helped in making the EVMs an integral component of our electoral system.

14. EVOLVEMENT AND DISPOSAL OF EVMs FORMATION OF TECHNICAL EXPERT COMMITTEE

ECI-EVMs were endorsed by a technical experts subcommittee appointed by the Government of India at the initiative of the Goswami Committee on Electoral Reforms in 1990. This Committee was headed by Prof. S. Sampath, then Chairman RAC, Defense Research and Development Organization, with Prof. P.V. Indiresan, then with IIT, Delhi and Dr. C. Rao Kasarbada, the then Director, Electronics Research and Development Center, Trivandrum as members. The Commission has been consulting a group of technical experts on all EVM related technical issues. In November, 2010, the Commission has expanded its Technical Expert Committee by including two more experts.

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

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

- (3) Further, the approval for procurement of EVMs/VVPAT units in the three financial years has been accorded as under:

Sl.No.	Financial Year	EVM				VVPAT		EVM (BU & CU) & VVPAT
		BU Qty	Basic Cost @ Rs.7700/-	CU Qty	Basic Cost @ Rs.9300/-	VVPAT Qty	Basic Cost @ Rs.16000/-	Total Basic Cost
1	2	3	4=(3x7700)	5	6=(5x9300)	7	8=(7x16000)	9 =(4+6+8)
1	2016-17	550000	4235000000	545000	5068500000	443000	7088000000	16391500000
2	2017-18	410000	3157000000	314000	2920200000	510000	8160000000	14237200000
3	2018-19	435306	3351856200	71716	666958800	662066	10593056000	14611871000
	2016-19	1395306	10743856200	930716	8655658800	1615066	25841056000	45240571000

15. STATUS FOR THE PROGRESS OF ELECTIONS PHOTO IDENTITY CARDS (EPIC)

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

- (2) It has been the endeavor of the Election Commission to achieve the target of 100% coverage under the EPIC scheme, as far as practicable, in a time-bound manner. No standard time period is defined by the Commission for issue of EPIC. However, constant efforts are being made to issue EPIC to all such persons whose names have already been enrolled in the electoral roll:-
- Special photography campaigns are organized to make EPIC of all voters.
 - Photographs of electors in the cases where these are not available in the electoral database are collected/taken by conducting a special drive from time to time.

- (iii) Booth Level Officers are appointed by the Commission to collect photographs and make EPIC of all voters;
- (iv) 25th January has been declared as the National Voters' Day so as to ensure hassle free enrolment and issue of EPIC to all newly registered electors.
- (3) Latest data (2017) in respect of coverage of EPIC in States/UTs, available in the Commission is given below:-

STATEMENT SHOWING THE STATUS OF EPIC, 2017

S. No.	Name of the State	EPIC %
1	Andhra Pradesh	100.00
2	Arunachal Pradesh	99.60
3	Assam	96.21
4	Bihar	100.00
5	Chhattisgarh	97.97
6	Goa	99.71
7	Gujarat	100.00
8	Haryana	100.00
9	Himachal Pradesh	100.00
10	Jammu & Kashmir	92.91
11	Jharkhand	99.79
12	Karnataka	100.00
13	Kerala	100.00
14	Madhya Pradesh	100.00
15	Maharashtra	95.81
16	Manipur	100.00
17	Meghalaya	100.00
18	Mizoram	100.00
19	Nagaland	98.20
20	Orissa	98.15
21	Punjab	100.00

22	Rajasthan	99.13
23	Sikkim	100.00
24	Tamil Nadu	99.91
25	Telangana#	100.00
26	Tripura	100.00
27	Uttarakhand	100.00
28	Uttar Pradesh	99.98
29	West Bengal	100.00
30	Andaman & Nicobar Islands	98.88
31	Chandigarh	100.00
32	Dadra and Nagar Haveli	100.00
33	Daman and Diu	100.00
34	National Capital Territory of Delhi	100.00
35	Lakshadweep	100.00
36	Puducherry	100.00
	ALL India	99.28

#Data of 2015 in Telangana

16. VOTER VERIFIABLE PAPER AUDIT TRAIL (VVPAT)

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

- (2) The Government of India notified the amended Conduct of Elections Rules, 1961 on 14th August, 2013, enabling the Commission to use VVPAT with EVMs. The Commission used VVPAT with EVMs first time in bye-election from 51-Noksen (ST) Assembly Constituency of Nagaland. Thereafter, VVPAT units were used in selected constituencies in every

election to Legislative Assembly and 8 Parliamentary Constituencies in General Election to the House of the People-2014. The Election Commission has used VVPAT units in all constituencies in the assembly elections recently held in Gujarat and Himachal Pradesh in November- December 2017.

- (3) The Commission has placed orders for supply of 16.15 Lakh VVPAT units on the manufacturers namely; M/s. Bharat Electronics Limited, Bangalore and M/s. Electronics Corporation of India Limited, Hyderabad for use in all constituencies in General Election, 2019.

17. FACTS OF VVPAT

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

18. COURT CASES INVOLVING ELECTION LAWS

Legislative Department, being administratively in-charge of election laws has also to handle various court cases involving validity of election and election laws. In the beginning of the year 2017, there were 245 cases pending in the Supreme Court and different High Courts on election related matter. During the said year, 30 fresh cases were received, in which para-wise comments, counter affidavits and appropriate instructions, respectively, have been conveyed to the concerned Government Counsel. During said period 8 cases have been disposed of. Now, there are about 267 cases pending before the Supreme Court and various High Courts. All cases are being effectively monitored.

19. CONDUCT OF PARLIAMENTARY WORK

During the year 2017-18, the Legislative Department, which has been allocated the job of coordination/conduct of Parliamentary business of the Ministry of Law and Justice, handled the following work:-

S.No.	Item of Business	Figures for the Ministry of Law and Justice.
1.	Lok Sabha Questions	207
2.	Rajya Sabha Questions.	169
3.	Private Members' Bill in Lok Sabha.	34
4.	Private Members' Bills in Rajya Sabha	8
5.	Private Members' Resolutions	2
6.	Calling Attention Notices in Rajya Sabha.	2

7.	Short Duration Discussion in Lok Sabha.	1
8.	Matter raised during Zero Hour	13
9.	Matter raised under Rule 377 in Lok Sabha.	6
10.	Special Mention in Rajya Sabha.	8

20. CONSULTATIVE COMMITTEE:

The Consultative Committee of Members of Parliament attached to the Ministry of Law and Justice was constituted on the 16th September, 2009 with 15 Members under the Chairmanship of Hon'ble Minister of Law and Justice. During the year 2017, two meetings of the Consultative Committee attached to this Ministry were held on 30th March, 2017 and 16th November 2017.

21. THE REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL, 2017:-

As per the existing provisions of section 20A of the Representation of the People Act, 1951 and rules made there under, a Non-Resident Indian (NRI) who wishes to cast his vote has to be present in his constituency at the time of election and that the said provisions do not allow for the mode of external voting which is in vogue in some other countries. A proposal for introduction of voting by proxy for overseas electors has been approved by the Cabinet in its meeting held on 2nd August, 2017. A Bill in this regard has been introduced in Lok Sabha on 18th December, 2017.

22. LEGISLATION UNDER CONCURRENT LIST

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

- (a) marriage and divorce, infants and minors, adoption, wills, intestate and succession, joint family and partition;
- (b) transfer of property other than agricultural land (excluding benami transactions, registration of deeds and documents);
- (c) contracts, but not including those relating to agricultural land;
- (d) actionable wrongs;
- (e) trusts and trustees, administrators-General and Official Trustees;
- (f) evidence and oaths;
- (g) civil procedure including limitation and arbitration.
- (h) charitable and religious endowments and religious institutions.

23. REPORTS OF THE LAW COMMISSION OF INDIA

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

24. JOINT PARLIAMENTARY COMMITTEE ON OFFICE OF PROFIT

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

- (2) A Joint Committee of the Parliament was constituted to examine the constitutional and legal provisions relating to offices of profit during the 16th Lok Sabha. So far, views of the Department on 12 issues have been provided to the Committee. Besides, this Department has provided the Committee, evidence relating to 2 cases during the period of report.

25. THE SPECIFIC RELIEF (AMENDMENT) BILL, 2017

As part of the Government's endeavour to ease doing business, a Bill, namely, *the Specific Relief (Amendment) Bill, 2017* has been introduced in the Lok Sabha on 22nd December, 2017. The proposal relates to making specific performance a rule than exception, among other proposals.

26. THE MUSLIM WOMEN (PROTECTION OF RIGHTS ON MARRIAGE) BILL, 2017

Consequent to the judgement of the Hon'ble Supreme Court of India in the matter of *Shayara Bano Vs Union of India and others*, a Bill namely, Muslim Women (Protection of Rights on Marriage) Bill, 2017, was introduced in the Lok Sabha and passed by it on 28th December, 2017. The Bill envisages certain rights of Muslim women on marriage. The Bill is pending for consideration of the Rajya Sabha.

27. PETITIONS AND OTHER COURT CASES RELATING TO PERSONAL LAWS AND OTHER SUBJECTS

The Legislative Department, being in-charge of personal laws and matters relating to List III-Concurrent List of the Seventh Schedule to the Constitution, such as, the Contract Act, 1872, the Evidence Act, 1872, the Indian Trust Act, 1882, the Transfer of Property Act, 1882, the Partition Act, 1893, the Code of Civil procedure, 1908, the Limitation Act, 1963, etc.; and also relating to office of profit, handled various petitions and other court cases in the Supreme Court and different High Courts. During the period from 1st January, 2017 to 31st December, 2017, fourteen (14) fresh cases have been received. Parawise comments, counter affidavits have been prepared and conveyed to the Government Counsel.

28. LEGISLATIVE PROPOSALS FOR STATES

Legislative proposals from various States relating to the subjects falling under concurrent list of the Constitution and allocated to this Department, which, by virtue of the provisions of clause (2) of article 254 of the Constitution, require assent of the President, are scrutinised in the Department. During the period from 1st January, 2017 to 31st December, 2017, 80 references relating to State Bills/Ordinances have been scrutinised and provided views to the Ministry of Home Affairs.

29. INSTITUTE OF LEGISLATIVE DRAFTING AND RESEARCH (ILDR)

Legislative drafting is a specialised job which involves drafting skills and expertise. Apart from in depth knowledge of laws and their regular updation, continuous and sustainable efforts are required to enhance the skills of legislative drafting. The Officers of the Central Government, State Governments and Union territory Administrations dealing with legislative proposals and the students of law need training and orientation to develop the aptitude and the skills in legislative drafting.

- (2) In January, 1989, with a view to increase the availability of trained officers to deal with legislative proposals as also trained Legislative Counsel in the country, the Institute of Legislative Drafting and Research (ILDR) was established as a Wing of the Legislative Department, Ministry of Law and Justice. Till now more than 700 officers from Central Government, State Governments and Union territory Administrations have been benefitted with the various training programmes conducted by the ILDR.
- (3) Since its inception, the ILDR has been imparting theoretical as well as practical training in Legislative drafting to Officers of the Central Government, State Governments and Union territory Administrations, and the students of law. At present Secretary, Legislative Department Dr. G. Narayana Raju, is the course Director of ILDR, who also functions as the controlling officer of the Institute.
- (4) The ILDR conducts the following courses, namely:-
 - (i) Basic Course in Legislative Drafting for the Law Officers of the State Governments and Union territory Administrations;
 - (ii) Appreciation Course in Legislative Drafting for the officers of the Central Government dealing with legislative proposals;
 - (iii) Voluntary Internship Scheme for students of law. This Scheme is intended to motivate students in creating interest in legislative drafting skills and secure knowledge about the nature and working of the Legislative Department.
- (5) The following activities have been performed by ILDR during the period 2017-2018 -
 - (i) Twenty-Ninth Basic Course in Legislative Drafting from 4th July, 2017 to 29th September, 2017;

- (ii) Twentieth Appreciation Course in Legislative Drafting from 6th February, 2017 to 20th February, 2017 .
 - (iii) Imparted training to the trainees of Thirty Second International Training Programme in Legislative Drafting course conducted by the Bureau of Parliamentary Studies and Training, Lok Sabha Secretariat from 27th February, 2017 to 3rd March, 2017.
 - (iv) Voluntary Internship programme to students of law which is open throughout the year.
- (6) During the year 2017-2018, 19 trainees were benefitted by the Basic Course and 49 officers got the training in Appreciation Course. More than 54 students were given opportunities to undergo the Voluntary Internship Scheme.
- (7) ILDR has been awarded ISO 9001:2008 Certification on the basis of evaluation of the working of Quality Management System.

30. E-GOVERNANCE INITIATIVES

- (i) Open Source Content Management Framework: As part of the Digital India Programme, the Legislative Department has accepted to adopt and migrate to the said Open Source Content Management Framework (CMF) through the National Informatics Centre (NIC) so as to make the Department's website more citizen friendly which are in the process is in the final stages of completion and hosting. The Open Source Content Management Framework is being adopted with the objective of improving the Government Department's websites so as to enable migrate to a dynamic portal automatically, making available certain special features like Mobile Friendliness, Text Speech Enablement, Language Translation/Transliteration, Payment Gateway Enablement and Visitor Analytic Dashboard, etc. The CMF website has been soft launched on 15th May, 2017, and presently the CMF Team of NIC is pursuing procuring of Standard Testing Quality Certification (STQC) Certificate for the same.
- (ii) Implementation of e-Office: Implementation of e-Office, as part of good governance and being an important part of the Mission Mode Projects of the Government, is under active consideration of the Department. It has been decided to implement e-Office Premium in the Legislative Department, provided by National Informatics Centre (NIC)/ National Informatics Centre Services Incorporated (NICS). E-Office Premium is a standard product and is a re-useable one which is amenable to replication across the Ministries/Departments of the Government. The project will be implemented with the assistance of NICS. The Legislative Department has received the proposal from NICS to implement e-Office. Necessary administrative approval on the said proposal has been obtained and presently the same is being processed for obtaining financial approval. Once financial approval is received, steps will be taken in coordination with NIC and NICS to start implementation of the project in the Department in a phased manner as per the schedule provided by NICS in its proposal.
- (iii) Migration of internet protocol from IPv4 to IPv6: Necessary steps have been taken by the Legislative Department in coordination with NIC Cell for conversion of the internet protocol of the computer systems installed in the Department from IPv4 to IPv6. NIC Cell

examined the matter and has conveyed that all network routers in this Department's LAN have been made IPv6 compatible by replacing all non-manageable Hubs by Manageable Switches. On receipt of the preparedness report from the Network Administrator, NIC Head Quarters, NIC Cell will undertake pilot test network regarding IPv6 migration.

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

31. RTI APPLICATIONS

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

- (2) Keeping in view, the various provisions of RTI Act, 2005, the applications received from the applicants are thoroughly examined and the available information collected from the concerned administrative units of the Legislative Department is provided to the applicants. Also, the applications which contain the subject matter pertaining to other Ministries/ Departments of the Central Government are promptly transferred to the concerned Ministries/Departments in consonance with the relevant provisions of the said Act. Further, in case of first appeals, the same are independently examined by the Appellate Authority and disposed of within the prescribed time limit. During 2017-18 (1st April, 2017 to 31st December, 2017) Five hundred ninety nine (599) applications seeking information under the said Act were received, which were promptly attended to by giving due reply to the applicants as per the provisions of the RTI Act, 2005 and the rules made thereunder. Fifty eight (58) first appeals preferred before the Appellate Authority which were duly disposed of on merits during the period of 1st April, 2017 to 31st December, 2017. As per the trends of inflow of applications, it is expected that some 300 more applications are expected during the remaining three months of 2017-2018. On account of handling of RTI applications, this Department has earned Rs.3915/- towards application fee and photo copying charges till December, 2017.

32. CORRECTION SECTION

(1) Maintenance of Central and State Codes

The Correction Section is responsible for maintenance and updation of the Central legislations, the Constitution of India and Orders issued thereunder, Manual of Election Laws, Central Ordinances, Regulations, President's Acts and compilation of State Acts for the use of officers in the Ministry of Law and Justice. The amendments made by the amending Acts passed by Parliament during the Budget Session, Monsoon Session and Winter Session 2017, have been incorporated in the master copies of India Code Volumes. This is an ongoing exercise. Out of the twenty-nine States, this Section has received the State Acts from twelve States for the year 2017, namely, Andhra Pradesh, Assam, Goa, Kerala, Maharashtra, Punjab, Tamil Nadu, Uttar Pradesh, Telangana, Delhi, Jammu and Kashmir and West Bengal. This Section maintains master copies of the India Code, which contains unrepealed Central Acts for reference by the Ministers-in-charge, officers in the Ministry of Law and Justice (Department of Legal Affairs and Legislative Department) and the Law Officers of the Government of India. These are valuable reference books and are also used for publishing the revised editions of Acts of Parliament by the Central Government. The Central Acts from 1947 to 2016 have been updated in the master copies of the India Code and also uploaded in the official website of this Department upto the year 2017. Updation of Central Acts prior to 1947 is under process. Index to Central Acts both Alphabetical and Chronological (Chronological table) have also been made available on the official website of Legislative Department under the heading Legislative References at www.lawmin.nic.in

- (2) During the year 2017, Correction Section has downloaded Gazette copies of thirty-three Acts of Parliament (including Ordinances, Appropriation Acts and Finance Act) and one Constitutional Amendment Act from the official website i.e. www.egazette.nic.in. Out of the above, 13 are Principal Acts, 13 are Amendment Acts and 7 are Ordinances promulgated by the President of India.

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

1. The Specified Bank Notes (Cessation of Liabilities) Act, 2017 (2 of 2017)
2. The Mental Healthcare Act, 2017 (10 of 2017)
3. The Central Goods and Services Tax Act, 2017 (12 of 2017)
4. The Integrated Goods and Services Tax Act, 2017 (13 of 2017)
5. The Union Territory Goods and Services Tax Act, 2017 (14 of 2017)
6. The Goods and Services Tax(Compensation to States) Act, 2017 (15 of 2017)
7. The Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 (16 of 2017)

8. The Footwear Design and Development Institute Act, 2017 (20 of 2017)
9. The Admiralty (Jurisdiction and Settlement of Maritime Claims) Act (22 of 2017)
10. The Indian Institutes of Information Technology (Public-Private Partnership) Act, 2017 (23 of 2017)
11. The Central Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017 (26 of 2017)
12. The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017 (27 of 2017)
13. The Indian Institutes of Management Act, 2017 (33 of 2017)

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

1. The Payment of Wages (Amendment) Act, 2017 (1 of 2017)
2. The Enemy Property (Amendment and Validation) Act, 2017 (3 of 2017)
3. The Maternity Benefit (Amendment) Act, 2017 (6 of 2017)
4. The Employee's Compensation (Amendment) Act, 2017 (11 of 2017)
5. The Constitution (Scheduled Castes) Orders (Amendment) Act, 2017 (17 of 2017)
6. The Taxation Laws (Amendment) Act, 2017 (18 of 2017)
7. The National Institutes of Technology, Science Education and Research Amendment Act, 2017 (19 of 2017)
8. The Collection of Statistics (Amendment) Act, 2017 (21 of 2017)
9. The Right of Children to free and Compulsory Education (Amendment) Act, 2017 (24 of 2017)
10. The Indian Institutes of Information Technology (Amendment) Act, 2017 (25 of 2017)
11. The Banking Regulation (Amendment) 2017 (30 of 2017)
12. The Punjab Municipal Corporation Law (Extension to Chandigarh) (Amendment) Act, 2017(31 of 2017)
13. The National Capital Territory of Delhi Laws (Special Provisions) Second (Amendment) Act, 2017 (32 of 2017)

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

1. The Banking Regulation (Amendment) Ordinance, 2017.
2. The Punjab Municipal Corporation Law (Extension to Chandigarh) Ordinance, 2017.
3. The Central Goods and Services Tax (Extension to Jammu and Kashmir) Ordinance, 2017.
4. The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Ordinance, 2017
5. The Goods and Services Tax (Compensation to States) Amendment Ordinance, 2017.
6. The Indian Forest (Amendment) Ordinance, 2017.
7. The Insolvency and Bankruptcy Code (Amendment) Ordinance, 2017.

- (3) Based on the above mentioned Acts of Parliament, the amendments have been carried out in the Master copies of the principal Acts. During the year 2017, the Acts which have been brought into force by the respective administrative Ministries, date of enforcement and their Notification Numbers have been entered at the relevant places of Master copies of the respective Acts. Correction Section has uploaded all Principal Acts and all amendment Acts including Finance Act of 2017 in the India Code portal and official website of this Department.

33. GAZETTE NOTIFICATION

According to Ministry of Urban Development, (PSP Division) O.M. dated 25 February, 2016 all the Gazette Notifications and Acts of Parliament for the year 2016-17 shall be e-published by uploading on the official website i.e. www.egazette.nic.in. The Gazette copies of the same have been downloaded, arranged and entered in the respective folders.

34. STATE ACTS

During the year 2017, total 259 State Acts and 69 Ordinances were received from different States. All Acts and Ordinances have been entered in the relevant registers and folders.

35. PRINTING SECTION

The Printing Sections of the Legislative Department, namely, the Printing I and Printing II, undertake the processing of legislation for printing at various stages. These two Sections handle the work relating to the editing of manuscripts of the Bills (including preparation of contents and annexures, wherever required), Ordinances, Regulations, Adaptation Orders, Orders issued under the Constitution of India, Delimitation Orders and other statutory instruments before sending them to Press. Proofs of the Bills, etc., are checked at multiple stages and after approval, the same are sent to Legislative I Section, which forwards them to Lok Sabha/Rajya Sabha Secretariats for printing

of 'To be introduced in Lok Sabha/Rajya Sabha' stage copies. The Bills, which are required to be introduced at a short notice are also got printed by the Printing Sections on behalf of the Lok Sabha and Rajya Sabha Secretariats. Subsequently, the printed copies of the Bills are examined at various stages, namely, 'To be/As introduced' stage, 'As passed by Lok Sabha/Rajya Sabha' stage, 'As passed by Both the Houses' stage, 'Assent Copy' stage, 'Signature Copy' stage and at last, after assent of the President, the Act is checked and processed for publication in the Official Gazette. Immediately thereafter, the Act is prepared and edited again for publishing the same as A-4 stage copy for public sale. Proofs of the A-4 size copies of the Acts are again scrutinised and approved before returning to the Government Press for final printing and the printed copies of the Acts are checked for errata and released for sale.

- (2) Besides, the editing and proof-checking of various other publications like the Constitution of India, Manual of Election Laws, India Code, Acts of Parliament, updated diglot editions of the Central Acts, etc., are also undertaken by the Printing Sections, as per departmental requirements.
- (3) During the period from 1st January, 2017 to 31st December, 2017, the following tasks were undertaken by the Printing I and Printing II Sections:-
 - (a) edited manuscripts, checked the proofs and scrutinised 89 Bills, 7 Ordinances, 6 Regulations and 33 Gazettes;
 - (b) checked 183 Acts of computer printout of India Code;
 - (c) checked proof, read printed copies of 17 Diglot modified editions of Central Acts.

36. GENERAL STATUTORY RULES AND ORDERS (GSRO) SECTION

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

- (2) The subordinate legislations, namely, consisting of general statutory rules and orders, notifications, etc., under an enactment is prepared and issued by the Ministry or Department which is administratively concerned with the Act, after vetted by the Legislative Department. Pursuant to the recommendations of the Parliamentary Committee on Subordinate Legislation, a scheme for maintaining subordinate legislation up-to date and making the same available expeditiously to the public was formulated. The administrative Ministries are required under the said scheme, to maintain folders, containing up-to date copies of rules, orders and notifications issued by them.
- (3) The Rajya Sabha Committee on subordinate Legislation in its 135th Report has recommended that Ministries, as part of their e-governance initiative may, put all legislation on their websites, preferably bilingually. The Committee has further recommended that the Ministry of Communication and Information Technology would develop standard application software with an internet interface for use in all Ministries, which would provide a searchable database of subordinate legislation linked to the principal Acts, administered by the respective Ministry.

- (4) The General Statutory Rules and Orders (GSRO) Section maintains alphabetical registers of General Statutory Rules and Orders (GSRO) issued by the various Ministries/Departments published in the Gazette of India and also compiles them in book form for official use. Entries of various notifications have been made in the alphabetical registers relating to Part-II, Section 3, Sub-sections (i) and (ii) of various Ordinary and Extraordinary Notifications upto the month of December, 2015.
- (5) The General Statutory Rules and Orders (GSRO) Section has during the year 2017 sorted out the Gazette notifications relating to subordinate legislation issued by various Ministries/Departments under Part-II, Section 3, Sub-sections (i) and (ii), both pertaining to Ordinary and Extraordinary notifications upto the month of December, 2015 and bounded in book forms.
- (6) The Gazette notifications issued by various Ministries/Departments under Part-II, Section 4 and Part-III, Section 4 both pertaining to Ordinary and Extraordinary notifications for the period upto 2016 have been sorted out and under process for the book forms.
- (7) During the year 2017, the General Statutory Rules and Orders (GSRO) Section has received notifications upto the month of May, 2015.

37. INTEGRATED FINANCE AND BUDGET AND ACCOUNTS SECTION (IFD)

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

- (2) IF&B&A Section is also responsible for the work relating to provisional release of funds to the States/Union territories (having Legislatures) on account of Election related expenditure.

38. PUBLICATION SECTION

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

- (2) Manuscript of the Constitution of India (English version) incorporating the latest amendments is compiled, scrutinised and vetted for being published.
- (3) Manuscript for publication of the Manual of Election Laws (two volumes) is under process.
- (4) Manuscripts (English version) of thirteen Acts duly incorporating the up to date amendments have been prepared and forwarded to Official Languages Wing for necessary action. Publication of certain Central Acts are under process at different stages of printing, which is as follows:-

1.	Lokpal and Lokayuktas Act, 2013 (Act No. 1 of 2014)	Reading of IInd Proof
2.	Electricity Act, 2003 (Act No. 36 of 2003)	IInd Proof called
3.	Indian Penal Code (Act No. 45 of 1865)	IInd proof called
4.	Juvenile Justice (Care and Protection of Children Act, 2015 (Act No. 2 of 2016)	IInd Proof called
5.	Passport Act, 1967 (Act No. 15 of 1967)	Ist Proof called
6.	The Prevention of Corruption Act, 1988 (Act No.49 of 1988)	Ist Proof called
7.	The Arms Act, 1959 (Act No. 54 of 1959)	Ist Proof called
8.	The Right to Free and Compulsory Education Act, 2009 (Act No. 35 of 2009)	IIIrd Proof called
9.	The Protection of Children from Sexual Offences Act, 2012 (Act No. 32 of 2012)	IInd Proof called

39. THE OFFICIAL LANGUAGE SECTION

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

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

- (i) During the period from 1 January, 2017 to 31 December, 2017 the Legislative Department has taken the following steps to implement the Official Language Policy in all its manifestations:-

As per the provisions of the Official Language Rules 1976, at present, more than 89%, 81% and 64.5% letters to regions 'A', 'B' and 'C' are being sent in Hindi respectively. Constant efforts are being made to achieve the targets stipulated in the Annual Programme issued by the Department of Official Language, Ministry of Home Affairs. The replies to the letters, applications, representations etc. received in Hindi are being sent invariably in Hindi. The same received in English are also being answered in Hindi as per Official Language Policy. All the Resolutions, General Orders, Rules, Notifications, Administrative Reports, other Reports, Contracts, Notices and the Documents laid before Parliament are prepared and issued bilingually as per sub-section(3) of section 3 of the Official Language Act, 1963.

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

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

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

(4) Meetings of the Official Language Implementation Committee:

An Official Language Implementation Committee has been constituted in this Department under the Chairmanship of Joint Secretary and Legislative Counsel (OL Wing). The meeting of this Committee is held once in every three months regularly to assess the progressive use of Hindi for official purposes. The agenda and minutes of these meetings are sent to the Department of Official Language, Ministry of Home Affairs. The minutes are also circulated to all the officers and Sections of the Department for compliance. Quarterly meetings of the Official Language Implementation Committee were held during the year on 27th **March, 2017 (I)**, 27th **June, 2017 (II)**, 28th **September, 2017 (III)** and 28th **December, 2017 (IV)** respectively. This Committee provides effective means to identify problems and suggests the solutions with regard to the progressive use of Hindi. In the meetings of this Committee, the Annual Programme issued by the Department of Official Language, Ministry of Home Affairs for transacting the official work of the Union in Hindi, is also discussed and every effort is made to achieve the prescribed targets therein. The orders, circulars, directives, notifications, resolutions, recommendations etc., regarding the implementation of Official Language Policy of the Union of India are also discussed in these meetings.

(5) The Hindi Advisory Committee of the Ministry.

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

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

(6) Hindi Training:

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

(7) Hindi Fortnight:

A 'Hindi Fortnight' from **11th September to 25th September, 2017** was organized in this Department. Various Hindi competitions were held during this period and a large number of officers and employees participated in these competitions. Out of these, two competitions were organized exclusively for non-Hindi speaking personnel. There were first, second, third and consolation prizes of Rs.3500/-, Rs.2500/- Rs.2000/- and Rs.700/- respectively. Amount of Rs.81,600/- is sanctioned to be given to the winners of these competitions.

(8) Incentive Schemes for working in Hindi:

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

(9) Committee of Parliament on Official Language.

The Committee of Parliament on Official language was set up in 1976 to monitor and give suggestions for the progressive use of Official Language Hindi in Central Government

Ministries/ Departments and their offices. As far as Legislative Department is concerned, orders issued by the Department of Official Language, based on the recommendations of this Committee are being implemented.

40. OFFICIAL LANGUAGES WING

(1) FUNCTIONS

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

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

- (xiii) Publication of diglot editions of Central Acts (with legislative history) and popularisation thereof;
- (xiv) Preparation and maintenance of India Code in Hindi (Bharat Sanhita) and also in diglot form; and
- (xv) Publication of regional language versions of the Constitution of India and their release.

(2) LEGAL GLOSSARY

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

(3) CONSTITUTION OF INDIA

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

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

(4) BHARAT SANHITA

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

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

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

During the period under report, authoritative texts of about 38 Acts in Hindi have been published in the Official Gazette under section 5 (1)(a) of the Official Languages Acts, 1963. Now the total number of such Acts since 1963 have gone up to 2417.

(6) PUBLICATION OF DIGLOT EDITIONS OF CENTRAL ACTS

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

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

Sub-section (2) of section 5 of the Official Languages Act, 1963 requires that all Bills to be introduced or amendments thereto moved in either House of the Parliament shall be accompanied by Hindi translation of the same. During the period under report, the Hindi translation of 57 Bills, simultaneously with their English texts, was supplied to the Houses of Parliament. Besides this, Hindi translation of 10 Ordinances and 10 Notes for the Cabinet and 40 Acts were also prepared.

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

Sub-section (3) of section 3 of the Official Languages Act, 1963 lays down the foundation for bilingual working of the Central Government. Under clause (1) of that sub-section, all resolutions, general orders, rules, notifications etc., issued or made by the Central Government must be both in Hindi and English languages. During the period under report, 9182 pages of such statutory rules/notifications etc., were prepared for different Departments of the Central Government.

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

Clause (b) of sub-section (1) of section 5 of the Official Languages Act, 1963 requires that translation in Hindi published under the authority of the President in the Official Gazette of any Order, Rule, Regulation or Bye-law issued under the constitution or under any Central Act shall be deemed to be the authoritative text thereof in Hindi. Some Rules, Regulations, Orders etc., are at different stages of translation. During the period under report, 3562 pages of Recruitment Rules were translated.

(10) MAINTENANCE OF CENTRAL ACTS, ETC.

The Correction Section of the Official Languages Wing is maintaining and updating the Central legislations kept as master copies in the form of India Code, India Code (Diglot) as well as Bharat Sanhita. It also keeps Constitution of India and important manuals including Manual of Election Law up-to date for reference by the officers in this Wing. This Section is responsible for carrying out the amendments made by the amending Acts passed by the Parliament in the aforesaid master copies of Central legislation.

Besides, manuscripts of Hindi Central Acts for publication in Diglot form, O.L. Wing have also prepared copies of 12 diglot editions. Manuscripts of Constitution of India A-4 size and the pocket edition (Hindi) was prepared by Correction Section of Official Languages Wing during the above mentioned period.

In addition to above, this Section supplied –

- (a) Information regarding publication of E-Gazette copies of Central Acts (Diglot edition) was sent to various State Governments for translation into various regional languages; and
- (b) E-Gazette copies of Hindi version of Central Acts was sent to Hindi speaking States for republication in their State Gazettes.
- (c) Work relating to publication is mainly undertaken by this Section.
- (d) This Section also assists the Regional Languages Unit of O.L. Wing in connection with preparation of translation of Central Acts in Regional Languages. This year 18 proposal were received from Regional Languages Unit (Leg.II Section) on different matter.

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

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

The Printing Section of the Official Languages Wing is also performing the duties of the publication Section. During the period under report, 26 Acts were authenticated and 10 Ordinances were got published by this Section.

(12) PREPARATION AND PUBLICATION OF STANDARD LEGAL DOCUMENTS

Section 3 (3)(iii) of the Official Languages Act, 1963 requires that both Hindi and English Languages are to be used for agreements, contracts, leases, bonds, tenders etc., issued by or on behalf of the Central Government or any Ministry, Department or office thereof. In order to comply with the requirement of the said Act, the Official Languages Wing has prepared Hindi version of the documents in eight volumes for various Ministries and Departments of the Central Government with a view to achieve uniformity in their translation. During the period under report, the Hindi version of 2760 pages of Parliament Questions Answers/Assurances of this Ministry was also prepared.

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

The Official Languages Wing, Regional Languages Unit is constantly doing the work of translation of Central Acts into Hindi as enshrined in the Eighth Schedule to the Constitution of India. So

far as the regional languages are concerned, this work is being done with the co-operation of respective State Governments.

The Official Languages Wing has also published the authoritative texts of Central Acts in regional languages as envisaged under section 2 of the Authoritative Texts (Central Laws) Act, 1973 (50 of 1973). During the period under report, translation of 30 Central Acts have been approved by the Working Group (Regional Languages) and 8 Central Acts in Regional Languages and 26 Central Acts in Hindi have been authenticated as authoritative texts by the President of India. Besides the Authoritative texts of the Constitution of India in addition to Hindi has been brought out in 15 other Regional Languages that is, Assamese, Bengali, Gujarati, Kannada, Malayalam, Marathi, Oriya, Punjabi, Sanskrit, Tamil, Telgu, Urdu, Sindhi, Nepali and Konkani.

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

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

(15) WORK RELATING TO THE HINDI SALAHKAR SAMITI

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

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

(16) GRANTS IN AID TO VOLUNTARY ORGANISATIONS

There is a scheme for the promotion of Official Languages of the Union and States for propagation and development of Hindi and other Indian languages in the field of law. Under the scheme, Voluntary Organisations and institutions are provided with financial aid. Since 1985, the Official Languages Wing has been implementing this scheme to give financial assistance to those voluntary organisations which are engaged in the activities for development and propagation of literature in the field of law and other regional languages which could be in the form of proposed commentaries, treatises, books on legal subjects, law journals, law compendium and other publications as are conducive to enrichment, propagation and development of Hindi and other regional languages of the State.

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

Official Languages Wing has hosted a website on 3-12-2001 and its Universal Resource Locator is <http://lawmin.nic.in/olwing>. Apart from this, the important Acts of Parliament in various regional languages have also been hosted under the respective languages on the home page of the O.L. Wing. In order to facilitate printing of various Bills, Notifications, Orders, Recruitment Rules etc. the O.L. Wing has started using the Unicode fonts and provides soft copies of the Hindi Texts.

The Constitution of India, I.P.C., Cr. P.C. and the Manual of Election Laws have already been hosted on the net. This website has been further enriched by putting a list of Acts and a list of Rules & Regulations. Updated Central Acts from 1947 to 2016 have also been uploaded on the web site in PDF format for the benefit of legal fraternity and general public as well as the law students.

During the period under report, Bill Section, Translation-I Section, Translation-II Section, Legislative-I, Legislative-II Section, Printing Section, Correction Section, Administration Section, Cash Section and Library of O.L. Wing were fully computerized. The Camera Ready copies of almost all the Bills were prepared during the period under report. For ease of working, the O.L. Wing has started using Mangal font which has universal functionality in Hindi Language.

A list of names, addresses, e-mail address and contact number of all the Group 'A' officers of the O.L. Wing has also been hosted on the home page of O.L. Wing.

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

41. VIDHI SAHITYA PRAKASHAN

In the year 1958, the Committee of Parliament on Official Languages recommended that arrangements be made to bring out authorised translation of important judgements of the Supreme Court of India and the High Courts and this work could be entrusted to a Central Office under the supervision of Law Department. Thereafter, on the recommendations of the Hindi Advisory Committee, a "Journal Wing" was set up in the Legislative Department in the year 1968 with the object of promoting the use of Hindi in the legal field which was subsequently redesignated as "VIDHI SAHITYA PRAKASHAN".

- (2) Initially, after translating in Hindi and making headnotes thereof monthly publication of all the reportable judgements of the Supreme Court of India, as marked 'REPORTABLE' was started in April, 1968 and it was designated as "Uchchatama Nyayalaya Nirnaya Patrika". Another monthly publication containing judgements of the High Courts was started in January, 1969 and it was designated as "Uchcha Nyayalaya Nirnaya Patrika". In the year 1987 "Uchcha Nyayalaya Nirnaya Patrika" was bifurcated into two Nirnaya Patrikas i.e. "Uchcha Nyayalaya Civil Nirnaya Patrika" and "Uchcha Nyayalaya Dandik Nirnaya Patrika". Later on since 1990, due to ever-increasing volume of Supreme Court's reportable judgements as well as dearth of requisite editorial staff in the Vidhi Sahitya Prakashan, only important selected reportable judgements of the Supreme Court, are being published in Hindi in the "Uchchatama Nyayalaya Nirnaya Patrika". The "Uchcha Nyayalaya Civil Nirnaya Patrika" and "Uchcha Nyayalaya Dandik Nirnaya Patrika" respectively are publishing only important selected judgements in civil and criminal matters of all High Courts of the country in Hindi.
- (3) Apart from the publication of the above three Patrikas, the Vidhi Sahitya Prakashan is also responsible of the following works, namely :—
- (a) Publication of text books in Hindi in the field of law for use in the academic and other circles as reference books;
 - (b) translation and publication of legal classics in Hindi ;
 - (c) awarding of various prizes for the best publications in Hindi in the field of law;
 - (d) sale of Hindi publications of the Vidhi Sahitya Prakashan and diglot editions etc. of the Official Languages Wing of the Legislative Department; and
 - (e) holding of conferences, seminars and book exhibitions at different places in India, particularly in Hindi speaking States for popularisation and improvement of legal literature in Hindi.
- (4) In addition to above, standard law books in Hindi written by eminent authors are also being published by the Vidhi Sahitya Prakashan for the use of law students, law teachers, lawyers and judicial officers. In order to give incentive to authors writing law books originally in Hindi, the prizes and certificates respectively are awarded annually for best publications in Hindi in the field of law.
- (5) Seminars in law colleges, High Courts, District Courts etc. of the State Governments of the Hindi as well as non-Hindi speaking States are held from time to time for propagation and development of Hindi in the field of law. Vidhi Sahitya Prakashan also holds exhibitions of its own publications, including diglot (Hindi-English) editions of the Central Acts of the Official Languages Wing in different Hindi and non-Hindi speaking States and looks after the sale of these publications.
- (6) A quarterly journal entitled 'Vidhi Sahitya Samachar' is also being published which contains detailed information regarding various activities in the field of law and publications of the

Vidhi Sahitya Prakashan. A 'Publication List' containing priced publications available with Vidhi Sahitya Prakashan is also made available to the customers from time to time.

The details of progress made during the year 2017 are given below :-

- (7) **Publication of Nirnaya Patrika :** During the period under report, at the editing/translation stage the 'Uchchatama Nyayalaya Nirnaya Patrika' has been updated upto October-December, 2017 'Uchcha Nyayalaya Civil Nirnaya Patrika' has been updated upto October-December, 2017 and 'Uchcha Nyayalaya Dandik Nirnaya Patrika' has been updated October-December, 2017. Patrikas have been uploaded on the website of Ministry of Law & Justice <http://lawmin.nic.in/vsp/vsp.htm>. and the same are available on line.

During the year 2017 the number of the subscribers of the Patrikas are as under :

Name of the Patrika	No. of subscribers
Uchchatama Nyayalaya Nirnaya Patrika	108
Uchcha Nayayalaya Civil Nirnaya Patrika	88
Uchcha Nyayalaya Dandik Nirnaya Patrika	87

- (8) **Award of Prizes :** Under the Scheme for writing, translating and publication of law books in Hindi and awarding prizes to such books written or published in Hindi for use as text books or reference books, the award to the tune of Rs. 5,00,000/- (Rupees Five lakh only), [the 1st prize for Rs. 50,000/- (Rupees fifty thousand only), the 2nd prize for Rs. 30,000/- (Rupees thirty thousand only) and 3rd prize for Rs. 20,000/- (Rupees twenty thousand only)] are awarded annually for the best publication in Hindi in the five principal branches of law. Ten best law books written in Hindi have been awarded prize in the year 2017 amounting to Rs. 2,50,000/- , under the Scheme.
- (9) **Publication of Books :** Book Unit is entrusted with the work for writing law books in Hindi, revision of the books and publish them. The book "Nirnay Lekhan" written by Justice Bhagwati Prasad Beri and "Dand Prakriya Sanhita" written by Justice Mahavir Singh are at the revision stage . Thirty four standard law books in Hindi have been published by Vidhi Sahitya Prakashan.
- (10) **Seminars, exhibitions and sale of books, etc. :** In the sequence of holding seminars and books exhibitions, in the year 2017, exhibitions of books have been organised in Word Book Fair, New Delhi, Delhi High Court, Delhi; District Courts of Kangra and Dharamshala, Himachal Pradesh; Hyderabad City Civil Court; and Karnataka High Court at Bengaluru. During the period from 1st January, 2017 to 30 November, 2017, the total sale figure of Vidhi Sahitya Prakashan is Rs. 14,74,585/- (Rupees Fourteen Lakh Seventy Four Thousand and Five Hundred Eighty Five Only).

42. DEPUTATION/DELEGATION ABROAD: LEGISLATIVE DEPARTMENT

Dr. G. Narayana Raju, Secretary, Legislative Department visited Teshkent Uzbekistan from 18th October, 2017 to 21st October, 2017 to attend the fifth meeting of the Ministries of Justice of Member of States of Shanghai Cooperation Organisation.

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

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

A Statement showing the total number of employees in the Department (Main), Official Languages Wing and Vidhi Sahitya Prakashan and number of employees belonging to the Scheduled Castes, Scheduled Tribes, Other Backward Classes, Ex-servicemen and Physically handicapped persons and the female employees amongst them as on 01.01.2018 is enclosed (Annexure-XI and Annexure-XII).

44. SWACHHTA ACTION PLAN:

Under the Swachhta Action Plan Legislative Department has constructed one lady toilet through CPWD at 4th Floor, 'A' Wing, Shastri Bhavan, New Delhi for the use of physically challenged ladies.

45. PUBLIC GRIEVANCES

During the period from 1st January, 2017 to 31st December, 2017 Legislative Department received 669 public grievances on CPGRAMS portal. Further 220 public grievances were pending before 1st January, 2017. During the said period 691 grievances have been disposed off and action is being taken for disposed of remaining grievances on priority basis.

46. DEPARTMENT ACCOUNTING ORGANISATION

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

- (2) As per Rule 70 of GFRs 2017, the Secretary of a Ministry/Department who is the Chief Accounting Authority of the Ministry/Department shall: –
 - (i) Be responsible and accountable for financial management of his Ministry or Department.

- (ii) Ensure that the public funds appropriated to the Ministry are used for the purpose for which they were meant.
 - (iii) Be responsible for the effective, efficient, economical and transparent use of the resources of the Ministry in achieving the stated project objectives of that Ministry, whilst complying with performance standards.
 - (iv) Appear before the Committee on Public Accounts and any other Parliamentary Committee for examination.
 - (v) Review and monitor regularly the performance of the programs and projects assigned to his Ministry to determine whether stated objectives are achieved.
 - (vi) Be responsible for preparation of expenditure and other statements relating to his Ministry as required by regulations, guidelines or directives issued by Ministry of Finance.
 - (vii) Shall ensure that his Ministry maintains full and proper records of financial transactions and adopts systems and procedures that will at all time afford internal controls.
 - (viii) Shall ensure that his Ministry follows the Government procurement procedure for execution of works, as well as for procurement of services and supplies and implements it in a fair, equitable, transparent, competitive and cost-effective manner.
 - (ix) Shall take effective and appropriate steps to ensure his Ministry:-
 - (a) Collects all moneys due to the Government and
 - (b) Avoids unauthorized, irregular and wasteful expenditure.
- (3) As per Para 1.2.2 of Civil Accounts Manual, the Chief Controller of Accounts for and on behalf of the Chief Accounting Authority is responsible for :-
- (a) Arranging all payments through the Pay and Accounts Offices/Principal Accounts Office except where the Drawing and Disbursing Officers are authorized to make certain types of payments.
 - (b) Compilation and consolidation of accounts of the Ministry/ Department and their submission in the form prescribed, to the Controller General of Accounts; preparation of Annual Appropriation Accounts for the Demands for Grants of his Ministry/Department, getting them duly audited and submitting them to the CGA, duly signed by the Chief Accounting Authority.
 - (c) Arranging internal inspection of payment and accounts records maintained by the various subordinate formations and Pay and Accounts Offices of the Department and inspection of records pertaining to transaction of Government Ministries/ Departments, maintained in Public Sector Banks.

- (4) The Chief Controller of Accounts, Ministry of Law and Justice, Supreme Court of India performs his duties with the assistance of two Pr. Accounts Officers and four Pay and Accounts Officers amongst other staff.
- (5) The Ministry of Law and Justice, Supreme Court has 51 DDOs including 32 CDDOs and 19 NCDDOs. The non-cheque drawing DDOs submit bills to the Pay and Accounts Office under pre-check system of payment. The PAO-wise detail of the CDDOs and NCDDOs is as under:

S.No.	PAO	D.D.O.	
		CDDOs	NCDDOs
1	PAO (EO)	4	3
2	PAO (LA)	29	11
3	PAO (SCI)	0	1
4	PAO (LD)	0	4

- (6) As per Para 1.2.3 of Civil Accounts Manual, Principal Accounts Office in New Delhi functions under a Principal Accounts Officer who is responsible for :-
- Consolidation of the accounts of the Ministry/Department in the manner prescribed by CGA;
 - Preparation of Annual Appropriation Accounts of the Demands for Grants controlled by that Ministry/Department, submission of Statement of Central Transactions and material for the Finance Account of the Union Government(Civil) to the Controller General of Accounts;
 - Payment of loans and grants to State Government through Reserve Bank of India, and wherever this office has a drawing account payment therefrom to Union Territory Government/ Administrations;
 - Preparation of manuals keeping in view the objective of management accounting system if any, and for rendition of technical advice to Pay and Accounts Offices, maintaining necessary liaison with CGA's Office and to effect overall coordination and control in accounting matters;
 - Maintaining Appropriation Audit Registers for the Ministry/ Department as a whole to watch the progress of expenditure under the various Grants operated on by the Ministry/Department;

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

- (7) As per provisions contained in Civil Accounts Manual, Pay & Accounts offices make payments pertaining to respective Ministries/ Departments and in certain cases payments will be made by the departmental Drawing and Disbursing Officers (DDOs) authorized to draw funds, by means of cheques drawn on the offices/branches of accredited bank that may be authorized for handling the receipts and payments of the Ministry/Department. These payments will be accounted for in separate scrolls to be rendered to the Pay and Accounts Offices of Ministry/Department concerned. Each Pay and Accounts Office or Drawing and Disbursing Officer authorized to make payments by cheques, will draw only on the particular branch/branches of the accredited bank with which the Pay and Accounts Office or the Drawing and Disbursing Officer as the case may be, is placed in account. All receipts of the Ministry/Department are also be finally accounted for in the books of the Pay and Accounts Office. The Pay and Accounts office is the basic Unit of Departmentalized Accounting Organization. Its main function include:-
- Pre-check and payment of all bills, including those of loans and grants-in-aid, submitted by Non-Cheque Drawing DDOs.
 - Accurate and timely payments in conformity with prescribed rules and regulations.
 - Timely realization of receipts.
 - Issue of quarterly letter of credit to Cheque Drawing DDOs and post check of their Vouchers/bills.
 - Compilation of monthly accounts of receipts and expenditures made by them incorporating there with the accounts of the cheque Drawing DDOs.
 - Maintenance of GPF accounts other than merged DDO and authorization of retirement benefits.
 - Maintenance of all DDR Heads.
 - Efficient service delivery to the Ministry/Department by the banking system by way of e-payment.
 - Adherence to the prescribed Accounting Standards, rules and principles.
 - Timely, accurate, comprehensive, relevant and useful financial reporting.
- (8) **The specific approval of the CGA, Ministry of Finance would have to be obtained in connection with any proposal for creation (or re-organization) of a new Pay & Accounts Office or for adding to the list of cheque drawing DDOs included in the Scheme of Departmentalization of Accounts of a Ministry/Department.**
- (9) The overall responsibilities of Departmental Accounting Organization in respect of Ministry of Law and Justice, Supreme Court of India are:-
- Consolidation of monthly accounts of Ministry and its submission to the CGA.

- Annual Appropriation Accounts.
- Statement of Central Transactions.
- Preparation of “Accounts at a Glance”.
- Union Finance accounts which are submitted to the CGA, Ministry of Finance and Principal Director of Audit.
- Payments of grants-in-aid to State Government /Grantee Institutions/Autonomous Bodies etc.
- Rendering technical advice to all PAOs and Ministry; if necessary in consultation with other organization like DOPT, Ministry of Finance and CGA etc.
- Preparation of Receipt Budget.
- Preparation of Pension Budget.
- Procuring and supplying of cheque books for and on behalf of PAOs/Cheque drawing DDOs and Personal Deposit Account Holder.
- Maintaining necessary liaison with Controller General of Accounts office and to effect overall co-ordination and control in accounting matters and accredited Bank.
- Verify and reconcile all receipts and payments made on behalf of Ministry of Law and Justice through the accredited Bank.
- Maintaining accounts with Reserve Bank of India relating to Ministry of Law and Justice, Supreme Court of India and reconciling the cash balances.
- Ensuring prompt payments.
- Speedy settlement of Pension/Provident fund and other retirement benefits.
- Internal Audit of the Ministry, subordinate and attached offices under Ministry of Law and Justice and its Grantee institutions, etc.
- Making available accounting information to all concerned authorities.
- Budget co-ordination works of Ministry of Law and Justice, Supreme Court of India.
- Monitoring of New Pension Scheme and pension revision cases of Pre-2006 and Pre -1990 retirees.
- Computerization of Accounts and e-payment.
- Administrative and co-ordination function of the accounting organization.
- Universal Roll out of Public Financial Management System (PFMS) for Central Sector Scheme.
- Universal Roll out of Non-Tax Receipt Portal(NTRP) as per M/o Finance guidelines.

- (10) Accounting information and data are also provided to the Ministry to facilitate effective budgetary and financial control. Monthly and progressive expenditure figures under various subheads of the grant of the Ministry of Law and Justice, Supreme Court of India are furnished to Budget Section. Progress of expenditure against budget provisions are also submitted monthly to Secretary, Addl. Secretary & Financial Adviser as well as Heads of Divisions of the Ministry controlling the grant for purposes of better monitoring of expenditure.
- (11) The Accounting organization also maintains accounts of long-term advances such as House Building Advance and Motor Car Advance and GPF accounts of employees of the Ministry.
- (12) The verification and authorization of pensionary entitlement of officers and staff members is done by the Office of the Chief Controller of Accounts on the basis of service particulars and pension papers furnished by Heads of Offices. All retirement benefits and payments like gratuity, cash equivalent to leave salary as well as payments under Central Government Employees Group Insurance Scheme; General Provident Fund etc. are released by CCA's office on receipt of relevant information / bills from DDOs.
- (13) **INTERNAL AUDIT WING** - The Internal Audit Wing carries out audit of accounts of various offices of the Ministry to ensure that rules, regulations and procedures prescribed by the government are adhered to by these offices in their day to day functioning.
- (i) Internal Auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It basically aims at helping the organization to accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes. It is also an effective tool for providing objective assurance and advice that adds values, influence change that enhances governance, assist risk management and control processes and improve accountability for results. It also provides valuable information to rectify the procedural mistakes and deficiencies and, thus, acts as an aid to the management. The periodicity of audit of a unit is regulated by its nature and volume of work and quantum of funds.
- (ii) There are 51 Auditee units / DDOs under various departments of Ministry of Law & Justice and Supreme Court of India excluding autonomous bodies and other grantee institutions and specific schemes under the Ministry. In the Financial Year 2016-17, eighteen (18) units of Ministry of Law & Justice have been audited. The audit of more units/DDOs could not be conducted because there is no sanctioned post/permanent manpower for the Internal Audit Wing, Principal Accounts Office of this ministry. The audit work is being managed by officers and staffs posted in different Pay & Accounts Offices and Principal Accounts Office along with two Consultants engaged from the empanelled list of retired officers/officials being maintained by the O/o Controller General of Accounts.

Achievements:- There were a total of 323 outstanding audit paras in respect of Ministry of Law & justice till the financial year 2015-16. Thereafter, several reminders and circulars were sent to the concerned Offices/Departments, 171 paras were dropped by the Internal Audit Wing. Further in FY 2016-17, 18 offices under Ministry of Law & Justice were audited and a total of 265 paras were raised. Based on the reply/compliance received from different units/offices 73 paras were dropped out of 265 newly raised paras. Current status of outstanding internal audit paras are appended below:-

F.Y	Number of outstanding paras	Number of paras dropped	Number of paras remaining
Till 2015-16	323	171	152
2016-17	265	73	192
	588	244	344

Some of the major findings made by the Internal Audit wing during the 2016-17 are mentioned below:-

DDO, National Judicial Academy, Bhopal	Non-Realization of receivable dues of the Academy amounting to Rs.2,51,000/- on account of Registration Fee, Boarding & Lodging Charges as on 31 st March, 2016.
DDO, Law Commission of India	<p>Details of overpayments of Rs.781.00 Lakh made to M/S Hindustan Times on account of hiring of H.T. House Building, K.G. Marg, New Delhi by M/o Law & Justice for official use are as under:-</p> <p>(a) Amt. of Rs.1,22,57,862/- was paid to M/S Hindustan Times on account of Rent for vacant Building for the period from 1/11/2009 to 19/4/2010 .</p> <p>(b) Amt. of Rs.1,89,000/- was paid to M/S Hindustan Times on account of furnishing charges of the Building for the period from 1/11/2009 to 19/4/2010.</p> <p>(c) (i) Amt. of Rs.55,12,500/- was paid to M/S Hindustan Times on account of Air-conditioning & Electro mechanical charges for vacant Building for the period from 1/11/2009 to 31/3/2010.</p> <p>(ii) Amt. of Rs.15,75,000/- was paid to M/S Hindustan Times on account of Electricity charges for common area of the vacant Building for the period from 1/11/2009 to 31/3/2010 as the premises was under furnishing.</p> <p>(d) Amt. of Rs.5,85,81,162/-paid to M/S Hindustan Times on hiring of excess space of 2566 Sq. Ft. from Oct.,2012 to March,2016 .</p>

DDO, Department of Legal Affairs	<p>Ministry of Law & Justice, New Delhi decided during October, 2009 to provide Department of Legal Affairs an alternate space at two floors (14th and 15th) in Hindustan Times Building (HT) at Kasturba Gandhi Marg, New Delhi, bearing carpet area of 15750 sq.ft. at each floor.</p> <p>(a) In order to make proper utilization of space, the Ministry again decided during August, 2012 to shift CAS and LCI vice versa i.e. CAS in ILI building and Law Commission of India (LCI) on 14th floor of HT building and ATFE on 15th floor of HT Building Subsequently, CAS had vacated the HT building in Sept, 2012 and ATFE has shifted in April, 2013 on 15th floor of HT building. Due to the delay in shifting by ATFE the space allotted to ATFE was lying unutilized from October 2012 to March 2013 and a huge payment of Rs.3,30,47,532/- as rent, infrastructure, maintenance charge etc. was made to the Lessor. Further, as mentioned in the agreement, 15th floor of HT building was consisting of carpet area of 15750 Sq.ft. and was allocated to ATFE.</p> <p>(b) ATFE had actually occupied the total area of 12,000 Sq.ft. consisting of the space for office of Chairperson, Members and officers, court rooms, record rooms, conference hall, lifts, corridors etc. Thus, the Department paid a huge amount of Rs.4,72,10,760/- as rent etc. for the area which was either not in use by the ATFE or lying vacant.</p>
DDO, National Judicial Academy, Bhopal	Irregular payment of Service Tax by NJA to M/s Baaz Security Services, Bhopal to the tune of Rs.28.61 lakh and non-realization there of resulted in to loss to Govt.
DDO,ITAT, Mumbai	The amount of Rs. 64,82,543/- has been paid to NICSI as 100% advance payment ` for re-structuring and development of ITAT online project (official website, web-application, judicial information portal and e-filing portal and execution through NICSI) without seeking the concurrence of Financial Advisor of the Ministry of Law & Justice, which is not in conformity with the provisions of Rule-159 of GFR-2005
DDO, Deptt. of Justice, New Delhi	Purchase of Lap-Top without obtaining the concurrence of AS&FA and approval of Administrative Secretary which is in contravention of instructions issued by MOF, Deptt. of Expenditure , vide their OM No. 8(25)2012-EII(A) dated 19 th Sept., 2014
DDO, Deptt. of Justice, New Delhi	Expenditure incurred in regard to purchase of stationery items i.e. Photostat paper & irregular purchase of goods from NCCF amounting to Rs.5,21,385/.
DDO,ITAT, Mumbai	Deficient procurement procedure adopted for purchase of various items of stores viz Bags Mementoes and Printing of Souvenir and other jobs costing Rs.3,00,038/-, Rs.2,13,124/- and Rs. 2,52,450/- respectively on the occasion of Platinum Jubilee Celebration of ITAT in violation of provision of GFR-2005
DDO, Department of Legal Affairs	Irregular purchase of stationery items from NCCF and other Cooperative Stores on or after 1 st April, 2015 amounting to Rs.8,17,239/- due to not following the directions of DOPT.

DDO, Legislative Deptt, New Delhi	Deficiency in procurement of furniture items amounting Rs. 3,69,139/- on piece meal basis to avoid the Sanction of higher Competent Financial Authority in violation of Rule 148 of GFR-2005.
DDO, Legislative Deptt, New Delhi	Deficient Procurement of computer accessories amounting Rs 3,89,178/- due to splitting up into small quantities to avoid the necessity of obtaining the sanction of higher authority resulted in violation of Rule 148 of GFR-2005.
DDO, ITAT, Jaipur	Purchase of furniture items of stores from M/s Kendriya Bhandar Jaipur amounting to Rs. 17.57 lakh on single quotation basis in contravention of the instructions issued by DOPT vide their OM dated 19-02-2015 and provisions of GFR-2005.
DDO, ITAT, Jaipur	Deficient purchase procedure adopted by the ITAT Jaipur for procurement of goods viz LED signboard (01 piece), SS logo (04 pieces) and 3 wooden logo (03 pieces) from M/s Kendriya Bhandar, Jaipur for use in newly constructed Office-cum-residential premises of ITAT, Jaipur bench, Jaipur amounting Rs. 2,16,632/-
DDO, Official Language Wing, MLJ, New Delhi	Deficient procedure adopted in procurement of Air Mail paper (40 gsm) amounting to Rs. 4,26,794/-
DDO, Deptt. of Justice, MLJ, New Delhi	Contingent advances were drawn by the officers for departmental purposes & also drawn & paid to IIIrd parties, but the adjustment/detailed bills have not yet been submitted by the officials/officers/IIIrd parties concerned resulting into non-adjustment of the Advances amounting to Rs. 22,06,578/-.
DDO, Law Commission of India	Amt. of Rs. 63,950/- & Rs. 1,29,887/- was paid to Hon'ble Justice Sh. Shiv Kumar Sharma, Member, LCI, New Delhi during 2010-11 and 2011-12 for visit to Mumbai (Home town) and Hyderabad respectively. Hon'ble Justice booked the Air Ticket through Pvt. Travel Agency, which was not regularised & also rejected by MOF, Deptt. of Expenditure & DOPT. The LTC Advances have not yet been recovered.
DDO, National Legal Services Authority (NALSA), M/o Law & Justice, New Delhi	Outstanding Utilization Certificate worth Rs. 134.00 Crores against Grant-in-Aids released to services authorities & NGOs. State Legal Grantee Institutions or Organisations under various Schemes.
DDO, Deptt. of Justice, M/o Law & Justice, New Delhi	Non-receipt of Utilization Certificate worth Rs. 842 Crores for Grant-in-Aids released to Grantee Institutions or Organisations under various Schemes.
DDO, Deptt. of Legal Affairs, M/o Law & Justice, New Delhi	Blockage of funds due to non-utilisation of Grants-in-Aid amounting to Rs. 1.00 Crore released during the year 1999-2000 to Supreme Court Bar Association (SCBA) and loss of interest to the tune of Rs. 1.56 Crore.

DDO, Deptt. of Legal Affairs, M/o Law & Justice, New Delhi	Blockage of funds due to non-utilisation of Grants-in-Aid amounting to Rs.1.50 Crore released to Bar council of Delhi (BCD) and loss of interest amounting to Rs.1.75 Crore..
DDO, Official Language Wing, M/o Law & Justice, New Delhi	Outstanding Utilization Certificates (UCs) amounting to Rs.4,00,500/- against the Grants-in-Aid released to various Voluntary Organizations

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

(15) **New Initiatives**

(i) **Public Financial Management System:** Public Financial Management System (PFMS) initially started as a Plan scheme named CPSMS of the Planning Commission in 2008-09 as a pilot in four States of Madhya Pradesh, Bihar, Punjab and Mizoram for four Flagship schemes e.g. MGNREGS, NRHM, SSA and PMGSY. After the initial phase of establishing a network across Ministries / Departments, it has been decided to undertake National rollout of CPSMS (PFMS) to link the financial networks of Central, State Governments and the agencies of State Governments. The scheme was included in 12th Plan initiative of erstwhile Planning Commission and Ministry of Finance.

The mandate given to PFMS by Cabinet decision is to provide:

- A financial management platform for all plan schemes, a database of all recipient agencies, integration with core banking solution of banks handling plan funds, integration with State Treasuries and efficient and effective tracking of fund flow to the lowest level of implementation for plan scheme of the Government.
- To provide information across all plan schemes/ implementation agencies in the country on fund utilization leading to better monitoring, review and decision support system to enhance public accountability in the implementation of plan schemes.
- To result in effectiveness and economy in Public Finance Management through better cash management for Government transparency in public expenditure and real-time information on resource availability and utilization across schemes. The roll-out will also result in improved programme administration and management, reduction of float in the system, direct payment to beneficiaries and greater transparency and accountability in the use of public funds. The proposed system will be an important tool for improving governance.

Modules to implement the Mandate

Modules developed /under development by PFMS for stakeholders as per the Union Cabinet above mandate are as under:

- I. Fund Flow Monitoring
 - (a) Agency registration
 - (b) Expenditure management and fund utilisation through PFMS EAT module
 - (c) Accounting Module for registered agencies
 - (d) Treasury Interface
 - (e) PFMS-PRI fund flow and utilization interface
 - (f) Mechanism for State Governments towards fund tracking for State schemes
 - (g) Monitoring of Externally Aided Projects (EAP):
- II. Direct Benefit Transfer DBT modules
 - (a) PAO to beneficiaries
 - (b) Agency to beneficiaries
 - (c) State treasuries to beneficiaries
- III. Interfaces for Banking
 - (a) CBS
 - (b) India Post
 - (c) RBI
 - (d) NABARD & Cooperative Banks

Modules to implement Enhanced mandate:

- IV. PAO Computerization-Online payments, receipts and accounting of Govt. of India
 - (a) Programme Division module
 - (b) DDO module
 - (c) PAO module
 - (d) Pension module
 - (e) GPF & HR module
 - (f) Receipts including GSTN

- (g) Annual Financial Statements
- (h) Cash Flow Management (i) interface with non-civil ministries

V. Non – Tax Receipt Portal

Other Departmental Initiatives:

To leverage the capabilities of PFMS, several other departments have approached PFMS for developing utilities for their departmental needs as follows:

- VI. Interface for MHA (Foreigners Division) Monitoring of Agencies receiving fund under FCRA
- VII. CBDDT PAN Validation
- VIII. GSTN bank account validation

Implementation Strategy

An action Plan has been prepared and approved by Ministry of Finance for phased implementation of Public Financial Management System.

Improved Financial Management through:

- Just in Time (JIT) release of funds
- Monitoring of use of funds including ultimate utilization

Strategy:

- Universal rollout of PFMS which inter alia includes
- Mandatory registration of all Implementing Agencies (IA) on PFMS and
- Mandatory use of Expenditure Advance & Transfer (EAT) Module of PFMS by all IAs

I. Implementation Strategy for Central Sector (CS) schemes/transactions

- ◆ Activities to be completed
- ◆ Mandatory registration and use of EAT module by IAs
- ◆ Mapping of all relevant information of Schemes
- ◆ Uploading of budget of each scheme on PFMS
- ◆ Identify implementation hierarchy of each Scheme
- ◆ Integration of Systems Interface of specific Schemes with PFMS e.g. NREGASoft, AwasSoft
- ◆ Deployment and Training of Trainers

II. Implementation Strategy for Central Assistance to State Plan (CASP)

- ◆ Activities to be undertaken by states
- ◆ State Treasury Integration with PFMS
- ◆ Registration of all SIAs on PFMS (1st level & below)
- ◆ Mapping of State Schemes with corresponding central schemes
- ◆ Configuration of State Schemes on PFMS
 - Configuring State Scheme Components
 - Identify and configure hierarchy of each state scheme
- ◆ Integration of PFMS with Scheme specific software application
- ◆ Deployment and training of Trainers
- ◆ Continuous support for implementation

Out of four (04) Pay & Accounts Offices viz. PAO(LA), PAO(LD), PAO(EO) & PAO(SCI) under Ministry of Law & Justice and Supreme Court of India, roll out of payment and accounting module of Public Financial Management System (PFMS) in three (03) Pay & Accounts Offices viz. PAO(LA), PAO(LD) & PAO(EO) has been successfully implemented in 2016-17 except PAO(SCI).

Status of EIS / CDDO / NTRP Module in Ministry of Law & Justice:-

1. Implementation of CDDO Module for electronic payments by CDDOs						
Ministry/ Department	Total No. of CDDOs	No. of CDDOs on board PFMS	Remaining No. of CDDOs	Month-wise plan for bringing on board PFMS		
				Jan 18	Feb 18	Mar 18
M/o Law & Justice	33	3	30	12	10	8

2. Employee Information System (EIS) Module						
Ministry/ Department	Total No. of DDOs	No. of DDOs on board PFMS	Remaining No. of DDOs	Month-wise No. of DDOs to be onboarded		
				Jan 18	Feb 18	Mar 18
M/o Law & Justice	52*	20	32	8	8	10

3. Non Tax Receipts Portal (NTRP) Module						
Ministry/ Department	Total No. of PAOs	No. of PAOs on board PFMS	Remaining No. of PAOs	Month-wise No. of PAOs to be onboarded		
				Jan 18	Feb 18	Mar 18
M/o Law & Justice	4**	-	4	4	-	-

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

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

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

- iii. **Government e-payment Gateway (GePG)**

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

Highlights of e-payment and GePG System

High Security Standards and System Logs of Transactions.

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

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

Salient Features of Appropriation Accounts 2016-17

(in crores)

MAJOR HEAD	Budget Estimates	Final Estimates	Expenditure	Excess(+) Saving (-)
Grant No. 56	126.81	126.14	106.45	-19.69
2052-Secretariat General Services				
2014-Administration of Justice	516.19	518.52	489.56	-28.96
2015-Election	3649.29	2374.64	2371.34	-3.30
2020-Collection of Taxes on Income & Expenditure	73.48	87.19	79.28	-7.91
2070-Other Administrative Services	21.21	23.56	21.19	-2.37
2552-North Eastern Areas	90.00	3.58	-	-3.58
3601-Grants-in-Aid to State Governments.	460.01	465.74	465.72	-0.02

3602-Grants-in-Aid for UT Governments	75.00	75.00	75.00	-
4070-Capital Outlay on Other Administrative Services	88.01	11.32	7.72	-3.60
<i>Amount surrendered during the year</i>				-1414.33
Total	5100.00	3685.69	3616.26	-1483.76
Appropriation No.57-Supreme Court of India MH-2014 Administration of Justice (Charged)	189.88	242.00	234.75	-7.25*

*Amount surrendered during the year

(Source: Appropriation Accounts 2016-17)

CHAPTER-III

DEPARTMENT OF JUSTICE

1. ORGANISATION AND FUNCTIONS

The Department of Justice forms part of the Ministry of Law and Justice. It is headed by Minister, Law & Justice, followed by Minister of State (Law & Justice). The Secretariat is headed by Secretary (Justice). The organizational setup includes four Joint Secretaries, seven Directors/Deputy Secretaries and nine Under Secretaries. The Sanctioned Strength of the Department of Justice is 96 out of which 36 posts are lying vacant. Out of 60 present incumbents only 07 women officer/officials are working in this Department. The functions of the Department of Justice include the appointment, resignation and removal of the Chief Justice of India, Judges of the Supreme Court of India and Chief Justices and Judges of the High Courts and their service matters. In addition, the Department implements important schemes for infrastructure development of subordinate courts, as also the computerization of courts. The Organizational Chart of the Department of Justice is at **Annexure-XIII**.

- 1.1. As per the Government of India (Allocation of Business Rules-1961 as amended from time to time), the subjects handled by the Department of Justice, inter-alia, include the following:
- i. Appointment, resignation and removal of the Chief Justice of India and Judges of the Supreme Court of India; their salaries, rights in respect of leave of absence (including leave allowance), pensions and travelling allowances.
 - ii. Appointment, resignation and removal etc. of Chief Justice and Judges of High Courts in States, their salaries, rights in respect of leave of absence (including leave allowances), pensions and travelling allowances;
 - iii. Appointment of Judicial Commissioners and Judicial Officers in Union Territories;
 - iv. Constitution and organization (excluding jurisdiction and powers) of the Supreme Court (but including contempt of such Court) and the fees taken therein.
 - v. Constitution and organization of the High Courts and the Courts of Judicial Commissioners except provisions as to officers and servants of these courts.
 - vi. Administration of justice and constitution and organization of courts in the Union Territories and fees taken in such courts.
 - vii. Courts fees and Stamp duties in the Union Territories.
 - viii. Creation of All India Judicial Service.
 - ix. Conditions of service of District Judges and other Members of Higher Judicial Service of Union Territories.

- x. Extension of the Jurisdiction of a High Court to a Union Territory or exclusion of a Union Territory from the Jurisdiction of a High Court.
- xi. Legal Aid to the poor.
- xii. Administration of Justice
- xiii. Access to Justice Delivery and Legal Reforms.

2. APPOINTMENT OF JUDGES

2.1. SUPREME COURT OF INDIA:

The Judge strength of the Supreme Court (including the Chief Justice of India) is 31. As on 31.12.2017, 25 Judges are in position, leaving 6 vacancies of Judges to be filled. During the period from 1.1.2017 to 31.12.2017, 5 Judges were appointed in the Supreme Court. Shri Justice J.S. Khehar was appointed as Chief Justice of India on 04.01.2017 and he retired on 27.08.2017 on attaining the age of superannuation. Shri Justice Dipak Misra has assumed the office of the Chief Justice of India with effect from 28.08.2017.

2.2. HIGH COURT OF INDIA:

As on 31.12.2017 against the sanctioned strength of the High Court Judges of 1079, 683 Judges are in position, leaving 396 vacancies of Judges to be filled. During the period from 1.1.2017 to 31.12.2017, 81 vacancies occurred in High Courts due to superannuation, elevation to Supreme Court, resignation, etc. During aforesaid period, 115 fresh appointments of Judges in High Courts and 31 Additional Judges have been made Permanent. In addition, the tenure of 05 Additional Judges of the High Courts was also extended.

2.3. SUPPLEMENTING EXISTING MEMORANDUM OF PROCEDURE (MOP)

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

The Government of India after due deliberations, proposed changes in the draft MoP’s which were sent to the Hon’ble Chief Justice of India vide letter dated 22.3.2016. The effort of the Government is to supplement the existing MoP by making the appointment process transparent, fair, and accountable within the parameters set by various pronouncements of the Supreme Court and at the same time ensuring the independence of Judiciary. The effort of the Government is to ensure that only good and meritorious candidates are appointed. The response of the Chief Justice of India was received on 25.5.2016 and 01.07.2016. The Supreme Court Collegium has agreed with some of the suggestions made in the revised MoP while it has not accepted some other provisions. The views of Government were conveyed to the Chief Justice of India on 3-8-2016. The MoPs as finalized by SCC has been received vide letter dated 13.03.2017.

Meanwhile, the Supreme Court in a recent Judgment dated 4.7.2017 in *suo-motu* contempt proceedings against a Judge of Calcutta High Court wherein the Supreme Court has inter-alia highlighted the need to revisit the process of selection and appointment of Judges to the Constitutional Courts. The Department of Justice has taken up the matter with the Supreme Court conveying the stand of the Government on the issue vide letter dated 11.07.2017 of Secretary (Justice) to Secretary General, Supreme Court of India. The MoP is under finalization by the Government in consultation with the Supreme Court Collegium.

3. NATIONAL JUDICIAL ACADEMY

- 3.1 The National Judicial Academy (NJA), Bhopal, is an autonomous body established in 1993 (w.e.f. 17.08.1993) under the Societies Registration Act, 1860. This independent body functions with its office at the Supreme Court of India and its campus at Bhopal, Madhya Pradesh. This is an Apex body which imparts judicial training to Judges/Judicial officers of the country and provide facilities for training of ministerial officers working in the Supreme Court, study of court management and administration of justice in the States/Union Territories, organization of conferences, seminars, lectures and research in matters relating to court management and administration. The core objectives of the said society have been to foster development of National judiciary in the country and strengthen administration of justice, judicial education, research and policy formulation.
- 3.2 The Hon'ble Chief Justice of India (CJI) is the Chairman of the General Body of NJA as well as the Chairman of the Governing Council, the Executive Committee and the Academic Council of NJA. The affairs of the Academy are managed by a Governing Council. The Academy is fully funded by the Government of India. It has a Director as the Principal Executive Officer. NJA academic staff positions include, in addition to the Director, one post of Additional Director (Research), 3 posts of Professor, 6 posts of Assistant Professor, 6 posts of Research Fellow and 6 positions of Law Associates. NJA administrative officers and staff include, in addition to the Director, posts of Registrar, Additional Registrar, Chief Accounts Officer, Maintenance Engineer and other managerial and functional positions.
- 3.3 A provision of Rs.1000.00 lakh has been kept under "Grant-in-Aid General" (Non-Plan) for NJA under Budget Estimates for the FY 2017-18. Out of this, a sum of Rs.1000.00 lakh has since been released to NJA in three instalments. A provision of Rs.600.00 lakh has been kept for "Grant-in-Aid for Creation of Capital Assets" (Non-Plan) for the FY 2017-18. Out of this, an amount of Rs.300 lakh has been released for construction of 20 residential flats for the staff of NJA by NBCC (India) Limited, a Government of India Enterprise while the release of the second instalment of Rs.300 lakh is under process.
- 3.4 During the current academic year, the Academy has approved the 90 Training programmes for judicial officers. The programmes inter alia also include refresher courses for CBI officers/Special Courts, conference on judicial ethics and accountability, workshops for judges of SAARC countries, national seminars on working of the Juvenile Justice Boards in India, refresher courses for Family/POCSO/Human Rights/SC/ST (PoA) courts, workshops on Counter Terrorism, etc.

4. FAMILY COURTS

- 4.1 The Family Courts Act, 1984 provides for establishment of Family Courts by the State Governments in consultation with the High Courts with a view to promote conciliation and secure speedy settlement of disputes relating to marriage and family affairs and for matters connected therewith. Under Section 3(1) (a) of the Family Courts Act, it is mandatory for the State Governments to set up a Family Court for every area in the State comprising a city or a town whose population exceeds one million. In other areas of the States, the Family Courts may be set up if the State Governments deem it necessary.
- 4.2 The main objectives and reasons for setting up of Family Courts are:
- (i) To create a Specialized Court which will exclusively deal with family matters so that such a court has the necessary expertise to deal with these cases expeditiously. Thus, expertise and expeditious disposal are two main factors for establishing such a court;
 - (ii) To institute a mechanism for conciliation of the disputes relating to family;
 - (iii) To provide an inexpensive remedy; and
 - (iv) To have flexibility and an informal atmosphere, in the conduct of proceedings.
- 4.3 A scheme of Central financial assistance was started in the year 2002-03 for setting up of Family Courts. As per the scheme, Central Government provided 50% of the cost of construction of the building of Family Court and residential accommodation of the Judge subject to a ceiling of Rs.10.00 lakh as a one-time grant as Plan support and Rs.5 lakh annually as the recurring cost under Non-Plan. The State Government was required to provide matching share. A grant of Rs.11.50 crore has been released to the State Governments till the year 2012-13. The component providing for grant for construction of building of Family Court and residential accommodation of the Judges has been subsumed in the Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary.

5. 14TH FINANCE COMMISSION IN THE JUSTICE SECTOR

- 5.1 The Department of Justice submitted a Memorandum for consideration of the 14th Finance Commission guided by the need to ensure easy access to court services, and enhancing public confidence in the court system. The Memorandum proposed a total financial requirement of Rs.9749 crore for reduction of pendency through establishment of additional courts (Rs.858.82 crore), Fast Track Courts (Rs.4144.11 crore), Family Courts (Rs.541.06 crore), Re-designing existing court complexes to become more litigant friendly (Rs.1400.00 crore), Augmenting technical support for ICT enabled courts (Rs.479.68 crore), Scanning and Digitization of Case Records of High Courts and District Courts (Rs.752.50 crore), Enhancing Access to justice (Rs.947.55 crore), Training and capacity building of Judges, public prosecutors mediators, lawyers: Refresher, ongoing (Rs.550.00 crore) and Establishment of State Judicial Academies in Manipur, Meghalaya and Tripura (Rs.75.00 crore).

- 5.2 Recommendation of the 14th Finance Commission - The 14th Finance Commission while taking note of the exhaustive nature of the proposal had endorsed the same and urged the State Governments to use the additional fiscal space provided by the Commission in the tax devolution to meet such requirements to strengthen the judicial systems in States.

6. E-COURTS MISSION MODE PROJECT

6.1 Introduction:

With a vision to put in place a justice delivery system that possesses better efficiency, accessibility, affordability, more transparency and set timeliness, the Department of Justice is implementing the eCourts Mission Mode Project (MMP), under the guidance of eCommittee, Supreme Court of India. Initiated back in 2010, the Phase-I of eCourts MMP while accomplishing its set targets and timelines with a good success rate; concluded its first phase at a total cost of Rs.639.144 crores.

6.2 Financials & Timelines:

eCourts MMP is one of the National e-Governance projects of Department of Justice running in its Phase II implementation. Commenced in August, 2015 the Phase II of eCourts MMP is set to conclude in 2019. Under Phase II [2015-2019] of the project with an outlay of Rs. 1,670 crores, a sum of Rs. 921 crores has been released till 31.12.2017 by the Department of Justice.

6.3 ICT Enablement of District & Subordinate Courts:

With its objective to provide designated services to litigants, lawyers and Judiciary through universal computerization, the Department of Justice has completed ICT enablement of 16,089 district & subordinate courts under the eCourts MMP. Key features include provisioning of basic digital infrastructure for ICT enablement consisting of various modules, such as computer hardware, computerization of DSLAs/ TLCs, Local Area Network (LAN), internet connectivity and installation of standard application software at each court complex, trainings at SJAs, installation of kiosks, change management, etc.

Video Conferencing facility has been operationalised between 488 court complexes & 342 corresponding jails. Work is in progress for establishing the same at 2768 Court Complexes & 958 Jails. Additional features of the Project include delivery of the services; inter alia, case registration, cause-lists, daily case status, and final order/judgment. Integration of eCourts with Prisons, Police and Forensics under Interoperable Criminal Justice System (ICJS) is envisaged.

6.4 National Judicial Data Grid (NJDG):

National Judicial Data Grid (NJDG) for District & Subordinate Courts is created as an online platform under the Project provides information relating to judicial proceedings/ decisions of 16,089 computerized district and subordinate courts of the country. Currently litigants can access case status information in respect of over 8.86 crore cases and more than 5.24 crore orders / judgments pertaining to these computerized courts. The portal also

provides online information to litigants such as details of case registration, cause list, case status, daily orders, and final judgments. Approximately 3000 Court Complexes replicate live data of filing, registration, scrutiny, objections, case status, cause list, judgement and orders on real time basis.

High Court NJDG is also made operational. High Courts have joined the National Judicial Data Grid (NJDG) through web services wherein data of 39 benches of 23 High Courts are live.

6.5 Services under eCourts project:

a. SMS Push:

For the benefit of litigants and lawyers, the facility of providing case information service(s) through SMS has been implemented and the process of disseminating system-generated SMSs is operational.

b. SMS Pull:

The SMS pull facility under eCourts Project was inaugurated on 22nd September, 2017. The case details can be obtained under SMS pull facility by sending unique CNR number (Case Number Record) to 9766899899 through SMS.

c. Email:

Automated mailing has been made operational for all the District & Taluka Courts in the Country. At present more than 1 lakh mails are being sent daily. Cause lists, judgements, case status etc. can be received in the litigants' mailbox on registration of email address with the respective courts under the eCourts Project through emailing service.

d. Web:

Litigant centric information can be obtained through the website of the eCourts portal by accessing using the URL: <https://ecourts.gov.in>.

e. Mobile App:

E Courts mobile app with the facility of QR Code has also been launched for use of litigants and lawyers. Services under different captions viz. Search by CNR, Case Status, Cause List and My Cases are available on this app. With availability on both Play Store and App Store, the total downloads have crossed 4.43 Lakhs till 31.12.2018.

f. Judicial Service Centers:

Judicial Service Centers (JSC) have been established at all computerized courts to serve as a single window for filing petitions and applications by litigants/ lawyers, and for obtaining information on ongoing cases and copies of orders and judgments etc.

g. Kiosks:

Information Kiosks have been setup at all computerized court complexes for disseminating judicial information related to cause lists and other case related information to the lawyers and litigants.

6.6 Case Information System:

A new and more user-friendly version of Case Information Software (CIS 2.0) has been developed and deployed at all the computerized District and Subordinate Courts. QR Code facility is made operational in the software. Every outgoing document from the software will now bear a QR Code. On the basis of printed QR Code, one can check current status of the case. CIS NC 3.0 advance version is ready for deployment. It has been tested and now the final version is planned to be released shortly. Electronic Process generation transmission and tracking of service portal will be launched after deployment of CIS NC 3.0 and after hardware requirements are met.

High Courts are also migrating to Case Information Software. Till 31st January 2018, 11 High Courts have adopted and gone live to Case Information System National Core version 1.0.

6.7 E-Filing Facility:

E-filing facility for District and Subordinate Courts of Delhi was inaugurated by Dr. Alok Srivastava, Secretary, Department of Justice during the CPC Conference on 3rd December, 2017. The facility is in the process of launching for Delhi District Courts. This facility will then be replicated immediately for all the District Courts after hardware installation is complete.

6.8 Change Management:

An e-Book on Case Management through CIS 2.0 under eCourts Project was prepared for use of Judicial Officers and Court staff to understand about CIS 2.0, which is the backbone software of eCourts Project. A Management Manual was also made ready to provide assistance to the Judicial Management on how to use various tools provided in the CIS 2.0. Videos and Manuals on NJDG, e-filing, and CIS as training and awareness tools have also been prepared for litigants, advocates, staff and Judicial Officers and can be accessed at ecourts.gov.in.

Acknowledging the need of international exposure to good judicial practices for the judiciary, the Department of Justice, under the Change Management Exercise of eCourts MMP, initiated a step to equip the Judicial Officers and keep them in-tune with global best practices and standards by organizing a training program of Judicial Officers at University of California, Berkeley. A total of 28 judicial officers from across the country underwent a two weeks Residential Training Program at University of California, Berkeley.

An executive management education program for 36 Project Coordinators of eCourts Project of the High Courts on Project Management (eCourts Mission Mode Project) was

conducted for a week during October, 2017 at Indian Institute of Management, Bangalore. The participants have been trained about Reinvention in Government, Project Management Techniques and Processes, Project Financial Management and Controls, Public Procurement and Contract Management, GFR: Issues of Compliance, Service Quality and Internal Client Satisfaction and Managing Vendors. The ecommittee has also taken up the work of process reengineering with the help of High Courts.

6.9 Tri-partite Memorandum of Understanding:

Tri-partite Memoranda of Understanding have been signed between Department of Justice, 30 State Governments/ UTs and their respective High Courts to ensure maintenance of assets and sustainability after the end of project period.

7. NATIONAL MISSION FOR JUSTICE DELIVERY AND LEGAL REFORMS

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

Lack of adequate number of judges to handle the large number of cases pending in courts is often cited to be one of the main reasons for delays. The problem of shortage of judges is being addressed through a two pronged strategy. Firstly, by filling up the large number of existing vacancies in the judiciary and secondly, increasing the sanctioned strength of judges. It would be pertinent to note that as per the Constitutional framework the selection and appointment of judges in subordinate courts is the responsibility of State Governments and High Courts.

In the case of *Imtiyaz Ahmed versus State of Uttar Pradesh* and others, the Supreme Court asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts to clear the backlog of cases. The criteria of judge-population ratio for determining the adequacy of the Judge Strength in the country has been reviewed by the Law Commission in its 245th Report (2014) prepared on the direction of the Supreme Court in this case. In 245th report, the Law Commission has observed that filing of cases per capita varies substantially across geographic units as filings are associated with economic and social conditions of the population. As such the Law Commission did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. The Law Commission found that in the absence of complete and scientific approach to data collection across various High Courts in the country, the “*Rate of Disposal*” method to calculate the number of additional judges required to clear the backlog of cases as well as to ensure that new backlog is not created, is more pragmatic and useful. In May, 2014, the Supreme Court asked the State Government and the High Courts

to file their response to the recommendations made by the Law Commission. In August 2014, the Supreme Court asked the National Court Management System Committee (NCMS) to examine the recommendations made by the Law Commission and to furnish their recommendations in this regard. NCMS submitted its report to the Supreme Court in March, 2016. It has, *inter alia*, observed that in the long term, the judge strength of the subordinate courts will have to be assessed by a scientific method to determine the total number of “*Judicial Hours*” required for disposing of the case load of each court. In the interim, this Committee has proposed a “*weighted*” disposal approach - disposal weighted by the nature and complexity of cases in local conditions. In the Order dated 02.01.2017, the Hon’ble Supreme Court has directed Union of India to forward a copy of interim report submitted by the Chairperson, NCMS Committee to all High Courts and State Governments to enable them to take follow up action to determine the required Judges Strength of district judiciary based on the NCMS report.

On account of the concerted efforts made by all stakeholders there has been a gradual increase in the sanctioned strength of the subordinate judiciary over the past few years. It has increased from 17,715 at the end of 2012 to 22,619 as on 31.12.2017. In case of the High Courts, the Chief Justice of India gave an “*in principle*” concurrence in April, 2014 to the joint recommendation of the Chief Ministers and Chief Justices Conference held in April, 2013 to increase the sanctioned strength of High Courts by 25 per cent. Several States have already accepted this proposal, as a result of which the sanctioned strength of High Courts has increased from 906 judges in 2014 to 1079 judges in December, 2017. The judge-population ratio in the country, taking into account sanctioned strength of judges at all levels now stands at about 19.61 judges per one million of the population.

However, it is noted that despite the gradual increase in the sanctioned strength, there still remain a large number of vacancies in subordinate courts. As of 31st December, 2017, there were 5,924 vacancies in the posts of judicial officers, representing about 26 per cent of the sanctioned strength. In case of the High Courts, 1079 posts, of the sanctioned strength, as of December, 2017. In the Conference of Chief Justices held on 22nd and 23rd April, 2016 it was, *inter-alia*, resolved that the Chief Justices shall take effective steps in coordination with the State Governments to ensure an increase in the cadre strength of the district judiciary commensurate with the needs of their states and in compliance with the judgments of the Supreme Court.

7.1 Advisory Council of the National Mission for Justice Delivery and Legal Reforms

The National Mission has an Advisory Council to guide it and oversee implementation of its Action Plan, which is headed by the Hon’ble Minister of Law and Justice. The Advisory Council has representation of Department-related Parliamentary Standing Committee on Personnel, Public Grievance, Law and Justice, Attorney General of India, Solicitor General of India, Law Commission of India, Supreme Court of India, National Judicial Academy, Bar Council of India, two States (Andhra Pradesh and Jammu & Kashmir), Department of Legal Affairs, Legislative Department, Ministry of Home Affairs, and an expert (Shri Madhav Menon). The Advisory Council is mandated to meet once in every six months and to advice on the goals, objectives and strategies of the National Mission. The Advisory Council has so far met ten times since inception. The last Meeting was held on 18th October, 2016 which reviewed the progress on various initiatives taken by the Mission and *inter-*

alia deliberated upon the issues relating to reforms in criminal justice system, manpower planning for subordinate judiciary, streamlining of court processes, judicial database for policy formulation *etc.*

7.2 Centrally Sponsored Scheme (CSS) for development of infrastructure facilities for the judiciary

Development of Infrastructural Facilities for Judiciary in the States is the prime responsibility of the State Governments concerned. However, to augment the resources of the State Governments, a Centrally Sponsored Scheme (CSS) for development of infrastructure facilities for the judiciary was launched by the Central Government in the year 1993-94. The scheme, as it stands now, covers construction of court buildings and residential quarters for Judges / Judicial Officers of District and Subordinate Courts. Infrastructure development for the subordinate judiciary is a major thrust area of the National Mission for Justice Delivery and Legal Reforms. Accordingly, the funding pattern of the scheme was revised from 50:50 to 75:25 (90:10 for North Eastern States) under modified scheme from the year 2011-12 onwards. With the enhanced devolution of funds to the States on the recommendations of the 14th Finance Commission, the fund sharing pattern of the Scheme has again been revised from 75:25 to 60:40 (Centre: State) (90:10 for the 8 North-Eastern and 3 Himalayan States) with effect from 2015-16. There is no requirement of funds sharing with Union Territories. Since inception of the Scheme, the Central Government has provided financial assistance amounting to Rs.6009 crore to State Governments / Union Territories. Out of this, an amount of Rs.2565 crore has been provided since 2014-15 till 22.01.2018 (42.66%), which includes Rs. 530 crore in 2017-18.

As per information collected from High Courts as of December 31, 2017, there were 17,814 court halls / court rooms available for District and Subordinate Courts in the country. In addition, 2,950 court halls / court rooms were under construction. Comparing these figures with the working strength of 16,695 judges / judicial officers reported by High Courts as of December, 2017, adequate court rooms / court halls are available for the current strength of judicial manpower. 2,429 Court Halls and 4,172 Residential Accommodation were constructed since 2014 till 31.12.2017, out of this 518 court halls have been constructed in the year 2017. Focus is now to match the availability of court rooms / court halls with the sanctioned strength of judicial officers / judges in District and Subordinate Courts. Considerable progress has also been made with regard to availability of residential units for judicial officers in District and Subordinate Courts. As of December, 2017, 13,658 residential units were available for Subordinate Courts and 1,633 residential units were under construction.

The Expenditure Finance Committee approved the continuation of Centrally Sponsored Scheme (CSS) for on-going under construction projects in August, 2017. In November, 2017, the Union Cabinet also approved continuation of the Scheme upto 31st March, 2020 with an outlay of Rs. 3,320 crore to be implemented in Mission Mode through the National Mission for Justice Delivery and Legal Reforms. The Cabinet also directed to set up an *on-line monitoring system* with *geo-tagging* enabling data collection on progress, completion of court halls and residential units under construction, including for future projects as

well as better asset management; and to formulate *norms and specification of court halls and residential units* to be constructed under Scheme for implementation throughout the country for future.

7.3 Gram Nyayalayas

The Gram Nyayalayas Act, 2008 came into force with effect from 2nd October, 2009. The Act provides for establishment of Gram Nyayalayas at intermediate Panchayat level for the purpose of providing access to justice to the citizens at their doorstep. A copy of the Act has been placed on the website of Department of Justice. In terms of Section 3(1) of the Gram Nyayalayas Act, State Governments, after consultation with the High Court concerned, may, by notification, establish one or two more Gram Nyayalayas for every Panchayat at intermediate level or a group of contiguous Panchayats at intermediate level in a district or where there is no Panchayat at intermediate level in any State, for a group of contiguous group Panchayats. As per the information available, 321 Gram Nyayalayas have been notified by 11 States, out of which 207 Gram Nyayalayas are functional. Details are given below:

Sl. No.	State	Notified	Functional
1	M P	89	89
2	Rajasthan	45	45
3	Karnataka	2	0
4	Orissa	16	13
5	Maharashtra	23	23
6	Jharkhand	6	0
7	Goa	2	0
8	Punjab	2	1
9	Haryana	2	2
10	UP	104	4
11	Kerala	30	30
	Total	321	207

To encourage the states, the financial assistance is provided for non-recurring expenses for setting up of Gram Nyayalayas, and for meeting the cost of recurring expenditure towards running these Gram Nyayalayas for the first three years. The recurring and non-recurring assistance is subject to financial ceilings as provided in the guidelines of the scheme. The Central Government is providing assistance to states for Gram Nyayalayas which include Rs. 18.00 lakh per Gram Nyayalaya towards cost of establishing the Gram Nyayalaya as a

one-time assistance (Rs. 10 lakh for office building, Rs. 5 lakh for vehicle and Rs. 3 lakh for furnishing the office) and Rs. 3.20 lakh per Gram Nyayalaya per annum as recurring expenditure for a period of three years. A sum of Rs. 52.60 crore has been sanctioned to States so far which include Rs. 8.00 crore in 2017-18.

7.4 Pendency in Courts

As per information available 55,459 cases were pending in Supreme Court as on 22.12.2017. As per National Judicial Data Grid (NJDG), 34.27 lakh cases were pending in High Courts (excluding the High Courts of Allahabad and Jammu and Kashmir), and 2.61 crore cases were pending in the District and Subordinate Courts in the States, excluding the States of Arunachal Pradesh, Nagaland and Union Territories of Lakshadweep and Puducherry, as on 1.1.2018.

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

7.5 Scheme for Action Research and Studies on Judicial Reforms

A Plan Scheme for Action Research and Studies on Judicial Reforms was formulated by the Department of Justice in September, 2013 with necessary approval of Standing Finance Committee. The objective of the Scheme is to promote action research and studies in the field of Judicial Reforms. The objective is wide enough to include each and every aspect of legal and judicial matters of justice delivery in order to cover the broader object of the National Mission for Justice Delivery and Legal Reforms, viz. the objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and improving capacities.

The financial assistance upto Rs. 25 lakh is provided to the eligible implementing agencies for the projects/activities in the fields of Justice Delivery, Legal Research and Judicial Reforms. In exceptional cases, where the scope of the Project is sufficiently wide, sample size is large and Project is for longer duration, the Project Sanctioning Committee (PSC) chaired by Secretary (Justice) may relax this ceiling. The eligible implementing agencies

are Indian Institute of Public Administration, Administrative Staff College of India, Indian Institute/s of Management, Indian Law Institute, National Law Universities, National Council of Applied Economic Research, National Judicial Academy, State Judicial Academies and other reputed institution working in the field of justice delivery, Legal research and judicial reforms.

So far, out of 24 projects approved by Project Sanctioning Committee, Final Reports have been received in ten projects.

7.6 Enforcing Contracts under World Bank's Ease of Doing Business Ranking

The World Bank publishes “Doing Business Report” every year and ranks countries on Ease of Doing Business. It considers work done on Doing Business from April to March every year. Doing Business Report 2018 has ranked India at 100th position out of the 190 economies. 10 Performance Indicators have been used to measure world economies. Department of Justice, M/o Law & Justice is nodal department for improving “Enforcing Contracts” parameter. The enforcing contracts indicator measures the time and cost for resolving a commercial dispute through a local first-instance court, and the quality of judicial processes index, evaluating whether each economy has adopted a series of good practices that promote quality and efficiency in the court system.

As per the 2018 Report, estimated total time taken for completion of a case in a district court is 1445 days(in 2017 report it was 1420 days). Out of this, 45 days are taken for filing and service phase; 1095 days are taken for trial and judgment phase and 305 days taken for execution of judgment. The cost estimates (which includes Court fee, attorney fee and enforcement fee) for India stood at 31 % in 2018 and the cost estimates of the OECD countries is 21.5%.

India's Quality of Judicial Process Index has improved from the overall score; of 7.5/18 to 9/18 in World Bank Report 2018 and improved from the 172th rank in 2017 to 164th rank in 2018. The ranking is done for only District Commercial Courts i.e. 11 Delhi District Courts and 60 Bombay Civil Courts.

Task Force for implementation of “Enforcing Contracts”: A Task Force has been constituted under the Chairmanship of Secretary (Justice) on 23rd December, 2016 with representatives from Department of Industrial Promotion and Policy, Department of Legal Affairs, Legislative Department, High Courts of Delhi and Bombay and State Governments of Delhi and Maharashtra to monitor the reforms for “Enforcing Contracts”. So far 5 meetings of the Task Force have been held on 05.01.2017, 18.04.2017, 04.08.2017, 20.11.2017 and 29.12.2017.

The Government has taken various initiatives to register the jump of 8 places in the Enforcing Contract Parameter and is in course to ensure that necessary reforms are undertaken to ensure that India's ranking in this parameter comes within the top 50 by next year. The Steps to be taken by the Government to improve facilitate enforcement of contracts.

- (i) NJDG is a comprehensive database of cases pending in the District and Subordinate Courts and select High Courts- monitoring tool to identify, manage and reduce pendency of cases. Facility allows the following reports to be generated:
 - (a) Clearance Rate Report;
 - (b) Age of pending cases report; and
 - (c) Single case progress report.
- (ii) Electronic case management tools are in place and available for lawyers and judges and relevant links are available on eCourts portal. Allows lawyers to a. *Access laws, regulations and case-law*; b. *Access forms to be submitted to the court*; c. *Receive notifications*; d. *Track the status of a given case*; and e. *Access court orders and decisions on a given case*.
- (iii) Electronic Court Management tools to judges for better and efficient justice delivery process. The system allows the judges to a. *Access laws, regulations and case-law*; b. *Send notifications to lawyers*; c. *Track status of a case in judge's docket. The judge can view the cause list and its entire history on his docket before the hearing*; d. *View and manage case documents*; e. *Semi automatic generation of court orders*; and f. *View court orders and judgments in a particular case*.
- (iv) e-Filing software was launched in the country on 3rd December, 2017 and that the facility would be active for the entire country by 31st March, 2018.
- (v) A mobile application is being developed which will be provided to the process servers for electronically registering the proof of service of process. It will come with a GPS locator.

8. ACCESS TO JUSTICE FOR THE MARGINALISED

Department of Justice had collaborated with United Nations Development Programme (UNDP) in 2009 to commence a decade long project titled - **Access to Justice for Marginalized People**. The core focus of the project included:

- a) strengthening access to justice for the marginalized- particularly women, scheduled castes, scheduled tribes and minorities;
- b) improving institutional capacities of key justice service providers to enable them to effectively serve the poor and disadvantaged; and
- c) directly empowering the poor and disadvantaged men and women to seek and demand justice services.

The project was implemented over two phases – 2009-2012 and 2013-2017 in eight states including Bihar, Maharashtra, Chhattisgarh, Madhya Pradesh, Jharkhand, Rajasthan, Uttar Pradesh and Odisha. The Project ended on 31 December 2017 with the conclusion of its second phase.

8.1 Projects implemented during 2017

- a) **Law School Based Legal Aid Clinics:** Law school based Legal Aid Clinics in Odisha and Maharashtra were run by National Law School, Odisha and Tata Institute of Social Sciences respectively, under their Clinical Legal Education Program. A total of six legal aid clinics were set up and operated by students and faculty of the two institutions. These included two campus based clinics in the premises of TISS and NLUO and four clinics outside the campus. (Out of which, three clinics were situated at Brahmagiri, Dompada and Jankia blocks of Puri, Cuttack and Khurda districts respectively and one at Mankhurd ward at Mumbai (suburban) in Maharashtra). The above clinics conducted legal awareness programs as well as provided legal assistance to members of marginalized communities in the nature of drafting case documents, filing applications, referring cases to the district legal services authority as well as giving legal advice.

In Odisha, the clinics have successfully organized 26 structured Legal Literacy programs for marginalised communities on various themes including free legal aid, rights of undertrials, women, children, labourers and consumers, consumer rights, land rights of tribal people, right to information, right to education and social security schemes. In addition, several capacity building programs for specific target groups such as lawyers, para legal volunteers, government officials, law teachers, law students and women were also organized.

In Maharashtra, the two TISS clinics dealt with a total of 362 cases including criminal, civil, domestic violence, sexual harassment at the workplace, family law cases, PIL cases etc. Out of these, 229 (69%) were female applicants seeking advice predominantly on domestic violence and matrimonial problems. In addition, capacity building programs for social workers from various NGOs, anganwadi workers, and for protection officers of WCD were conducted.

- b) **Legal Literacy Campaign in Barabanki district, UP:** A pilot project on legal literacy in ten blocks of Barabanki district, targeting 779 gram panchayats, was completed in 2017. Under this programme, training of 517 Village Level Resource persons was conducted on social justice legislations, along with creation and dissemination of legal awareness material on these legislations and government schemes.

The awareness program targeted community level workers and social sections functionaries such as *anganwadi* workers. The legal literacy campaign was conducted using various means including showing documentary films, puppet shows, *nukkad nataks*, etc. at the gram panchayat level.

- c) **Technical Support to National Mission on Justice Delivery and Legal Reforms:** A team of four professionals provided research and advisory notes on subjects dealt with by National Mission on Justice Delivery and Legal Reforms such as on Ease of Doing Business, Enforcement of Contract. The team also reviewed proposals received under the Scheme for Action Research and Judicial Reforms and provided technical suggestions so as to ensure that the said project serves the purpose of promoting research on issues undertaken by the National Mission.

- d) **Project Evaluation:** The evaluation of the second phase of A2J project was completed by Sutra Consultants Private Limited. The report presented an encouraging analysis of the A2J project and gave certain key recommendation for next phase as follows:
- a) Build strategic institutional partnerships with Ministries- greater potential for scale up and sustainability of projects.
 - b) Strengthen partnership with NALSA, NLMA, SIRDs.
 - c) Legal Information Kiosks could be developed further to strengthen public grievance redressal and put in *tehsil* and block offices. Content could be converted to mobile application.
 - d) Partnership model of technical support could be a key intervention area for UNDP in the future.

8.2 Three New Initiatives

Following new initiatives were launched by Department of Justice on April 20, 2017

1. **Nyaya Mitra:** Under this scheme, Nyaya Mitras (NM) were to be selected and appointed in 227 districts from 16 states to reduce pendency of ten-year-old cases. As on date, 16 NMs have been appointed. Their functions include providing legal advice to the marginalized people, liaising with government departments and state legal services authority to fast track the disposal of cases, referring cases to Lok Adalat and effectively handle grievances forwarded by Department of Justice.
2. **Tele Law: Mainstreaming Legal Aid through Common Services Centers:** This initiative is being implemented by the Department of Justice in collaboration with CSC -e Governance Services Pvt Ltd and State Legal Service Authority under the aegis of National Legal Service Authority (NALSA). The scheme aims to provide legal advice to marginalized communities by panel lawyers stationed at the State Legal Service Authority through para legal volunteers. Communication between panel lawyers and beneficiaries is facilitated through video conferencing, chat and telephone available at the Common Service Centers established at the panchayat level. The programme is currently being implemented in a pilot phase in 1000 CSCs in Uttar Pradesh, Bihar. By the last week of January 2018, more than 1600 cases of marginalized communities have been registered on the tele law portal and legal advice has been rendered in a little more than 1400 cases.
3. **Pro Bono Legal Service Scheme:** The core aim of this initiative is to institutionalize the practice of volunteering pro bono legal services in India by firstly, ensuring that those who seek these services are made available quality legal assistance and secondly, the efforts those who volunteer their valuable time and service towards this public service are duly recognized. Keeping in line with these obligations and with a view to encourage pro bono legal services, Department of Justice has created a web based platform (available at www.doj.gov.in), through which lawyers can volunteer pro bono services for the under-privileged clients, who are unable to afford it and applicants from marginalized communities can also apply for legal aid and advice from the pro bono lawyers.

By the last week of January 2018 a total of 202 lawyers from different parts of the country have registered and 264 cases of marginalized applicants have been assigned to these advocates. A total of 69 lawyers have provided feedback reports on the cases assigned to them. The Department is also developing a mobile application which will facilitate connection between beneficiaries and pro bono lawyers.

9. Access to Justice, North East and Jammu and Kashmir

Title of the project/scheme	:	“Access to Justice -NE and J&K”
Duration of the project	:	April 2012 – March 2017
Total cost of the project	:	Rs. 30 Crore
Current Status of the project	:	Extension of project received for 3 years (1 st April 2017 to 31 st March 2020)
Current budget for new phase	:	Rs. 46 Crore
Project Partners	:	State Legal Services Authorities, National Literacy Mission Authority, Common Service Centre e-Governance Ltd.

9.1 Achievements

- (1) **Drafting a Policy Framework to Secure Rights of Orphan Children and Govern Orphanages in Jammu & Kashmir:** An assessment study of orphanages in Jammu and Kashmir and to draft a policy framework for governing orphanages in Jammu and Kashmir was undertaken. The recommendations were submitted to the Department of Social Welfare, J&K for further action. Stakeholder Consultation on Policy framework to secure the Rights of Orphan Children in J&K
- (2) **Convergence with National Literacy Mission Authority for Mainstreaming Legal Literacy:** Legal literacy curriculum is developed & training programmes are conducted in collaboration with NLMA through State Resource Centres of North Eastern States. The project benefitted **7 lakh** people at grass root level.
- (3) **Convergence with Common Services Center (CSC) e-Governance India Ltd in North Eastern States & J&K:** Through Common Service Centre a Handbook on legal literacy for North Eastern States & J&K is developed in local languages i.e. Assamese, Bangla, Nepali, Khasi, Garo, Manipuri, Mizo, Hindi, Urdu. Also a short film on legal awareness has been developed. With the learning material, training to 900 Village Level Entrepreneurs (VLEs) was provided. The VLEs further disseminated the legal awareness by organizing camps at panchayat level.
- (4) **Rendering human resource to SLSAs through appointment of Project Teams in the nine States:** A team of two professionals (Project Coordinator and Project Assistant) has been appointed in all the nine project states to coordinate the activities of project at the states level and support the State Legal Services Authority.

- (5) **State Conferences in North Eastern States:** Conferences were organized on “Rights of Survivors of Human Trafficking in North Eastern States: *Challenges in accessing Justice Mechanism and role of stakeholders*” in Assam & “*Community policing in North Eastern India: Benefits, Challenges and Action plan for better policing*” in Meghalaya in the month of July 2016 and ‘*Rights of Scheduled Tribes & other marginalized community in North Eastern States: Role of SLSAs and Commissions in securing their legal rights*’ in Manipur during September 2017.
- (6) **Tele-Law Scheme:** To mainstream the legal aid through Common Service Centers for marginalized persons in North Eastern States & J&K, Tele Law is being implemented to connect lawyers from any location through video conferencing and telephone in 800 CSCs to people in search of legal counselling in the remotest corners. All the Village level Entrepreneurs and PLVs were trained on tele-law scheme in North Eastern States and Jammu & Kashmir. A total of 10,272 cases are registered and 7,427 people have been able to receive legal counseling through video conference/telephone till last week of January 2018 in the project States.
- (7) **Evaluation Study conducted by National Productivity Council:** - National Productivity Council evaluated the physical and financial progress/performance of the scheme during the 12th Five Year Plan. The report recommended continuing the project in the far flung areas of North Eastern States and Jammu & Kashmir.

9.2 Key Achievements

- IEC material has been developed on various social welfare legislations in 16 local dialects for NE States & J&K.
- Tele film (6 series) has been prepared in 7 local languages for NE region focusing on social welfare legislations in context of North Eastern States & Jammu & Kashmir.
- Three State Conferences were organized in NE states on important issues like rights of scheduled tribes, human trafficking, community policing inviting all relevant stakeholders.
- A Policy Framework study has been conducted to Secure Rights of Orphan Children & Govern Orphanages in J&K with recommendations for the State Government to formulate policy on the subject.
- Sustainable convergence of legal literacy activities in NLMA’s curriculum under MoU signed between DOJ and National Literacy Mission Authority.

9.3 Approved Projects for new cycle of A2JNEJK Scheme (2017-2020)

- Training & sensitization of Headmen on Legal Literacy in Meghalaya by State Legal Services Authority, Meghalaya
- Establishing legal aid clinic for juvenile justice in Srinagar district by Central University of Kashmir

- Capacity building of POCSO stakeholders on legal rights of child victimized with rights based approach by Jawaharlal Nehru Institute of Medical Sciences (JNIMS), Porompat, Imphal East.
- Setting up of legal aid clinic in 10 subdivisions in Tripura by Tripura Legal Services Authority.
- Establishing legal aid clinic in Kashmir by State Legal Services Authority, J&K.
- Convergence of legal literacy activities through state departments of Rural Development of North Eastern States.
- Training of *Gaon Burahs* and *Gaon Buris* of Arunachal Pradesh through SLSA Arunachal Pradesh.
- *Establishing legal aid clinic in 16 educational institutions in Aizawl District: ensuring access to justice to marginalized community* by Mizoram State Legal Services Authority.

Planned Activities:

- Legal awareness programmes of SengKynthei by Meghalaya State Commission for Women (MSCW).
- Convergence of legal literacy activities through National Disaster Management Authority in North Eastern States and Jammu & Kashmir.
- Convergence of legal literacy activities through Ministry of Tribal Affairs.
- Synergy between tribal justice system and regular justice system in North Eastern States.

10. SERVICE CONDITIONS OF HIGHER JUDICIARY:

10.1. Revision of salary and allowances of Judges of Supreme Court and High Courts.

The Salaries and Allowances of High Court and Supreme Court Judges are reviewed separately on the recommendations of Hon'ble Chief Justice of India (CJI)/ Committee of Judges. The CJI/Committee of Judges has since submitted the report on revision of Salary & allowances of High Court and Supreme Court Judges w.e.f. 1.1.2016. In order to revise the salaries and allowances of High Court and Supreme Court Judges, the "High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill 2017" has been passed by Lok Sabha on 04.01.2018 and sent to Rajya Sabha on 05.01.2018. It is expected that the assent of the President to the Bill would be obtained shortly.

10.2. Second National Judicial Pay Commission (SNJPC)

The Supreme Court of India vide its order dated 09.05.2017 in Writ Petition No.643/2015 directed to appoint a Judicial Pay Commission to review the pay scales, emoluments and service conditions of the Judicial Officers of Subordinate Judiciary in India.

Accordingly, with the approval of the Cabinet, the Government has notified setting up of the Second National Judicial Pay Commission (SNJPC) on 16.11.2017 comprising the following:-

- (i) Chairman- Mr. Justice (Retd.) P.Venkatarama Reddi, former Judge of Supreme Court of India.
- (ii) Member- Mr. Justice (Retd.) R.Basant, former Judge of Kerala, HC.
- (iii) Member Secretary (to be chosen by the Commission, preferably a Judicial Officer).

The brief ToR of the SNJPC is as follows:-

- (a) To evolve the principles which should govern the structure of pay and other emoluments of Judicial Officers belonging to the subordinate Judiciary all over the country.
- (b) To examine the present structure of emoluments and conditions of service of Judicial Officers in the state and UTs.
- (c) To examine the work methods and work environment as also the variety of allowances and benefits in kind that are available to Judicial Officers.
- (d) To consider and recommend such interim relief as it considers just and proper to all categories of Judicial Officers of all the States/Union Territories.
- (e) To recommend the mechanism for setting up of a permanent mechanism to review the pay and service conditions of members of subordinate judiciary periodically.

11. MISCELLANEOUS ACTIVITIES OF THE DEPARTMENT

11.1 RIGHT TO INFORMATION ACT, 2005: Under the provisions of the Right to Information Act, 2005, Department of Justice has initiated the following actions:

- (a) A Section Officer of the Department has been designated as CAPIO to collect, transfer the applications under the RTI Act, 2005 to the Central Public Information Officers/Public Authorities concerned and to submit the quarterly returns regarding receipt and disposal of the RTI applications/appeals to the Central Information Commission.
- (b) Details of the Department's functions along with its functionaries have been placed on the RTI portal of the Department's official website (<http://doj.gov.in>) as required under section 5(1) of RTI Act, 2005 in respect of subjects being handled by them.
- (c) All Under Secretaries have been designated as Central Public Information Officers (CPIOs) under section 5(1) of RTI Act, 2005 in respect of subjects being handled by them.

- (d) All Directors/Deputy Secretary level officers have been designated as Appellate Authorities in terms of Section 19(1) of RTI Act, 2005 in respect of Under Secretaries working under them and who have been designated as CPIOs.
- (e) During the year 2017 (01.01.2017 to 31.12.2017), 600 RTI applications and 25 Appeals were received manually and 2502 RTI applications and 115 Appeals were received online in the Department and forwarded to the concerned CPIOs/Public Authorities for providing information requested for.
- (f) As per para 1.4.1 of the DOPT's guidelines issued vide their O.M. No. 1/5/2011-IR dated 15.04.2013, the Department is uploading all RTI and appeal replies on the website regularly.

11.2 Redressal of grievances

- (a) Department of Justice (DOJ) receives large number of Citizen's grievances from citizens through President's Secretariat/Vice President's Secretariat/PMO/directly from the citizens through online CPGRAMS portal. The Department has been rated as one of the 20 largest grievances receiving Departments by the Department of Administrative Reforms & Public Grievances. Besides, large number of grievances is also received through post.
- (b) Department of Justice is mandated to deal with grievances related to appointment of Judges of Supreme Court/High Courts, legal assistance / legal aid / legal awareness / eCourts / Judicial Reforms etc. Grievances related to these issues only are dealt with by Department of Justice.
- (c) Grievances related to judiciary are forwarded electronically to the Secretary General, Supreme Court of India/Registrar General of the concerned High Court for further action, as appropriate. A copy is endorsed to the grievance holder for information.
- (d) Grievances received in the Department of Justice for providing free legal aid are forwarded to Member Secretary, National Legal Service Authority (NALSA) for taking appropriate action for redressal.
- (e) As the Grievances forwarded by Department of Justice are considered and examined by the Judiciary as per their own in-house mechanism and the system/procedure to deal with grievances which is normally not shared. In such cases, Department of Justice is not in a position to inform the outcome to grievance holders.

Detailed guidelines for disposal of grievances by Department of Justice have been uploaded on website www.doj.gov.in for information/guidance of grievance holders/citizens.

11.3 EMPOWERMENT OF WOMEN

Redressal of Complaints pertaining to Sexual Harassment at Work-place: In compliance of Section 4(1) of Sexual Harassment of Women at Workplace (Prevention,

Prohibition and Redressal) Act, 2013, an internal Complaints Committee has been re-constituted for redressal by aggrieved women employees of the Department on 24.11.2015. The Committee consists of three women employees, (including one Member from an NGO) and two male employees.

11.4 SWACHH BHARAT ABHIYAN

As per policy guidelines of Government of India, *Swachh Bharat* programme has been implemented in the Department. During the year 2017 - 2018, two *Swacchta Pakhwadas* from 1.4.2017 to 15.4.2017 and from 16.10.2017 to 27.10.2017 have been observed in Department of Justice during which a number of activities i.e., beautification of lawn, plantation of trees inside campus, installation of modular furniture, extensive cleaning drive, weeding out of old records, disposal of junk/obsolete items and voluntary *Shramdaan* by officers/officials of Department of Justice etc. have been undertaken.

During the Financial Year 2017-18, Rs 17.00 lakh have been earmarked for works under *Swacchta* Action Plan such as renovation of toilets and canteen area, procurement of cleaning devices and other equipments.

11.5 IMPLEMENTATION OF E-OFFICE

In keeping with the policies of the Government for moving towards paperless office, this Department has taken the initiative to operationalise eOffice. Special steps have been taken with help of NIC to impart training to all officers/officials on e-office for smooth implementation and optimal utilization of e-office system. As a result, Department of Justice is one of the top performing Ministries/Departments of Government of India who have moved into complete e-office platform.

12. Official Language Section

Official Language Section was set up in February, 2016 in the Department of Justice. It assists the department in discharging the responsibilities of implementation of Official Language policy of Union of India, the Official Language of Act, 1963, the Official Language Rules, 1976 and the compliance of directions/instructions issued by Department of Official Language from time to time. This section is also entrusted with work of promoting the progressive use of Hindi in the Department in addition to the translation of various documents from English to Hindi and vice versa.

12.1. Collection and Review of Quarterly Progress Reports for Progressive use of Hindi:

To review the progress made in the use of Hindi, Quarterly Progress Reports for progressive use of Hindi were collected regularly from various sections of the department. They were reviewed and shortcomings found in the reports were intimated to the concerned sections and certain remedial measures were suggested. On the basis on these reports and the data submitted by the Sections, consolidated reports were prepared and sent to Department of Official Language. These reports were also reviewed in the Official Language Implementation Committee meetings of the Department.

12.2 Meetings of the Official Language Implementation Committee:

In the year 2017-18, the meetings of Departmental Official Language Implementation Committee (OLIC) were held in every quarter to review the implementation of progressive use of Hindi in the Department. Minutes of the meeting were circulated among all the members as well as officers and sections of the Department. This committee reviews the progress of Hindi in the Department and takes decisions thereon. In the meetings of this Committee, Annual Program issued by the Department Official Language, Ministry of Home Affairs for transacting the official work of the Union Government in Hindi is also discussed. In the year under reference, all four meetings of this committee were held regularly on 21-03-2017 (First), 29-06-2017 (Second), 26-09-2017 (Third) and 22-12-2017 (Fourth) respectively.

12.3. Incentive Schemes for doing work in Hindi:

There are two schemes being implemented in the department for promoting the use of Hindi. One is the scheme of noting and drafting in Hindi and the second is the scheme for giving dictation in Hindi. Under the scheme of Noting and Drafting, certificates and cash awards were given to 06 officers and employees of the Department by the Secretary (Justice) on Hindi Diwas organized in the Department on 14th September, 2017.

12.4. Organizing of Hindi Workshops:

With an object of promoting the progressive use of Hindi as an Official Language and create awareness about the Official Language Act, 1963, Rules & Regulations and usage of Hindi in Official Language and to guide and encourage the staff to work in Hindi, Hindi workshop were organized in the Department on 22-03-2017 (First), 28-06-2017 (Second), 25-09-2017 (Third) and 18&19 December, 2017 (Fourth) respectively. These workshops have helped in improving the percentage of Hindi Noting and Hindi correspondence of the Department.

12.5 Translation of various Documents of the Department into Hindi:

During the period under review, Annual Report, E-Book, Outcome Budget, Memorandum of Procedures of the appointment of Judges of Supreme Court and High Courts, appointment/transfer/promotion/leave etc letters pertaining to various Judges of various Courts, VIP reference, Cabinet Notes, Implementation Reports of the Assurances given in the Parliament Questions, various Documents pertaining to Parliamentary Standing Committee, Parliamentary Advisory Committee of the Department, Demands for Grants, NALSA, UNDP, Tele Law, PLVs and other documents of general nature which include Notifications, D.O. letters to be sent by the Hon'ble Minister, letters to be issued under the RTI Act, 2005, general orders of daily routine etc. were translated into Hindi.

12.6 Hindi *Diwas* and Hindi Fortnight:

In order to promote and encourage the implementation of Official Language in the Department, Hindi Divas was organized on 14th September, 2017. On the occasion, Hindi

Divas message of Hon'ble Minister of Home Affairs was read out in the presence of Hon'ble Secretary (Justice). In her address Hon'ble Secretary (Justice) urged the officers and officials of the Department to do their maximum work in Hindi. In addition to this, Hindi fortnight was organized in the Department from 15th September, 2017 to 30th September, 2017. During observance of Hindi Fortnight, four written competitions i.e. Hindi essay, Noting and Drafting, Hindi Typing and Hindi Dictation as well as two oral competitions i.e. poem recitation and extempore speech were organized. Total 73 officers / officials participated in these competitions. Four cash prizes (First: Rs.3000/-, Second: Rs.2000/-, Third: Rs.1500/- and Fourth: Rs.500/-) along with certificates were given away to the winners of each competition. Joint Secretary (Ad) gave away cash prizes and certificates to 24 participants in a prize distribution function organized on 17th October, 2017.

12.7 Purchase of Hindi Books:

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

13. NATIONAL LEGAL SERVICES AUTHORITY

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

In every State, a State Legal Services Authority and in every High Court, a High Court Legal Services Committee has been constituted. District Legal Services Authorities, Taluk Legal Services Committees have been constituted in the Districts and most of the Taluks to give effect to the policies and directions of the NALSA and to provide free legal services to the people and conduct Lok Adalats in the State. Supreme Court Legal Services Committee has been constituted to administer and implement the legal services programme insofar as it relates to the Supreme Court of India.

13.1 Functioning of NALSA

NALSA lays down policies, principles, guidelines and frames effective and economical schemes for the State Legal Services Authorities to implement the Legal Services Programmes throughout the country. Primarily, the State Legal Services Authorities, District Legal Services Authorities, Taluk Legal Services Committees, etc. have been asked to discharge the following main functions on regular basis:

- To Provide free and competent legal services to eligible persons covered under section 12 of the Legal Services Authorities Act, 1987;
- To organize Lok Adalats for amicable settlement of disputes and
- To organize legal awareness camps.

1. Free Legal services

The Free Legal Services include:-

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

During the period from April, 2017 to September, 2017 more than 3.15 lakhs eligible persons have been benefited through legal aid services in the country.

2. Lok Adalats

Lok Adalat is a forum where the disputes/cases pending in the court of law or at pre-litigation stage are settled amicably. Under this Act, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court. Lok Adalats are being organized by the Legal Services Authorities weekly, fortnightly or monthly on regular basis. National Lok Adalat is also conducted for settlement of cases (both pre-litigation and post-litigation) in all the courts from the Supreme Court to the Taluk Courts. Permanent Lok Adalats have also been set up in most of the States to take up and settle disputes relating to public utility services.

Details of Lok Adalats organized and number of cases disposed of in these Lok Adalats during 2014-15, 2015-16, 2016-17 and 2017-18 are as under:

(in lakh)

S.No.	Year	Lok Adalat		National Lok Adalat
		No. of Lok Adalats held in the country	No. of Cases settled Pre and post litigation	Total number of cases settled
1	2014-15	1.81	275.05	500.63
2	2015-16	1.68	152.99	196.78

3	2016-17	1.19	17.24	77.56
4	2017-18	0.56	9.59	*54.05
	Total	5.24	454.87	829.02

Note: The number of cases settled includes both pre-litigation and pending cases.

*(Upto Dec 2017)

In addition, 11571 sittings of permanent Lok Adalats were held from April to September 2017 and 60043 cases were settled and total value settlement comes to Rs.105.8crore.

3. Legal Awareness programmes

As a part of the preventive and strategic legal aid, NALSA through the State Legal Services Authorities, conduct legal literacy programmes. In some States, Legal literacy programmes are conducted every year in schools and colleges and also for empowerment of women in a routine manner, besides the rural legal literacy camps.

4. 15th All India Meet of the State Legal Services Authorities (SLSA)

NALSA organised 15th All India Meet of the State Legal Services Authorities on 18th & 19th March, 2017 at Pravasi Bharatiya Kendra, Chanakya Puri, New Delhi. The objective of holding the meet was to check out strategies for infusing more vibrancy in the legal services institutions all over India and also discussed the ways and means to enable the needy to access justice and realisation of their rights.

The following important resolutions were passed in the said Meet:

SLSAs would take necessary steps in appointing Remand Advocates in all magisterial courts and sessions courts.

A three pronged approach shall be adopted in disposing of cases in the Lok Adalat. (i) in identifying cases, (ii) in associating lawyers of the parties and (iii) in having pre Lok Adalats conciliatory sittings.

The minimum number of visits of Panel Lawyers to jail clinics should be at least four days in a week.

All SLSAs shall appoint convicts as PLVs in jails for providing legal assistance to UTPs/convicts.

Regarding publicity in jail, permanent sign boards and hoardings to be put at conspicuous place to publicize about free legal services.

All SLSAs shall make efforts to obtain separate space in all jails to run legal services clinics.

Every SLSAs/UTs shall take steps to constitute permanent lok adalats within three months. It was also resolved that trainings be also imparted to chairpersons and members in permanent Lok Adalat through State Judicial Academies.

5. Seminar on Welfare of Senior Citizens: Issues, Challenges and Way Forward

A Seminar on “*Welfare of Senior Citizens: Issues, Challenges and Way Forward*” was organised by the Haryana State Legal Services Authority at Faridabad on 15th April, 2017. The theme of the Seminar was to discuss the issues relating to neglect and mal-treatment of Senior Citizens and the relevant law, programmes and policies relating to senior citizens. A campaign for senior citizens “You are not alone” was also launched.

6. National Meet of Para Legal Volunteers

NALSA has organised National Meet of Para Legal Volunteers on 29th & 30th April, 2017 at New Delhi. Union Law Minister, Mr. Ravi Shankar Prasad, emphasized the need for digital delivery system for quick access to justice for marginalised sections of the society.

7. Legal Assistance Establishments

With a view to facilitating easier access to information with regard to the legal services, Executive Chairman, NALSA inaugurated the first Legal Assistance Establishment in Delhi State Legal Services Authority on 17th May, 2017. The Delhi SLSA has named it as ‘*Nyaya Sanyog*’.

As of now, 25 Legal Assistance Establishment Centres are established. The remaining are in progress. The Legal Assistance Establishments provide to the beneficiaries quick information about their case status pending in any of the districts, legal aid & advice, and information about various schemes of NALSA, Central/State Governments, etc.

8. Regional Conferences of State Legal Services Authorities

For the first time Executive Chairman, NALSA has conducted conference of SLSAs at regional level. The regional conferences of north-eastern, northern, western and southern regions were held at Shillong, Chandigarh, Ahmedabad and Bengaluru respectively. The next conference of eastern region has been scheduled to be held at Kolkata. For the first time, senior state government officials have attended the regional conferences with the objective of improving coordination at local levels. The broad objectives of the meets were to discuss “Evaluation & Review of the Work-Performance of SLSAs on Legal Aid, National Lok Adalats and Implementation of NALSA Schemes & identification of the areas for expansion of the SLSAs activities under the NALSA Schemes”.

9. National Seminar of “Law School Based Legal Services Clinics”

A National Seminar of “Law School Based Legal Services Clinics” was held on 30th July, 2017.

10. Observance of Legal Services Day - 2017

NALSA observed the ‘Legal Services Day’ in association with the Delhi State Legal Services Authority in New Delhi on 9th November, 2017. Hon’ble Mr. Justice Dipak Misra, Chief Justice of India & Patron-in-Chief, NALSA was the Chief Guest. The best performing DLSAs and PLVs were commended. Apart from the above, the Hon’ble Chief Guest also released training module for PLVs and a 10 day pan India outreach programme ‘Connecting to Serve’ was launched.



Hon'ble Minister of Law and Justice Shri Ravi Shankar Prasad addressing the press along with Hon'ble Minister of State, Law and Justice Shri P.P Chaudhary on three year achievements of Ministry of Law and Justice on 15th June 2017 at Jaisalmer House



Launch of Pro-Bono Legal Services by Hon'ble Minister of Law and Justice Shri Ravi Shankar Prasad on 20th April 2017 at Jaisalmer House



Hon'ble Justice M.B Lokur, Judge, Supreme Court of India and Shri Dr. Alok Srivastava, Secretary Justice chairing the eCourts Central Project Coordinators (CPC) Conference on 2nd December 2017 at Saket Court Complex



Hon'ble Minister of Law and Justice Shri Ravi Shankar Prasad , Hon'ble Minister of State, Law and Justice Shri P.P Chaudhary and Smt Snehlata Srivastava, Secretary (Justice) releasing the booklet on three year achievements of Ministry of Law and Justice on 15th June 2017 at Jaisalmer House



Hon'ble Minister of Law and Justice Shri Ravi Shankar Prasad and Hon'ble Mr. Justice Dipak Misra, Chief Justice of India & Patron-in-Chief, NALSA at the celebration of 'Legal Services Day' in New Delhi on 9th November, 2017



Hon'ble Minister of Law and Justice Shri Ravi Shankar Prasad and Hon'ble Mr. Justice JS Khehar, Chief Justice of India at the National Meet of Para Legal Volunteers on 29th & 30th April, 2017 in New Delhi.

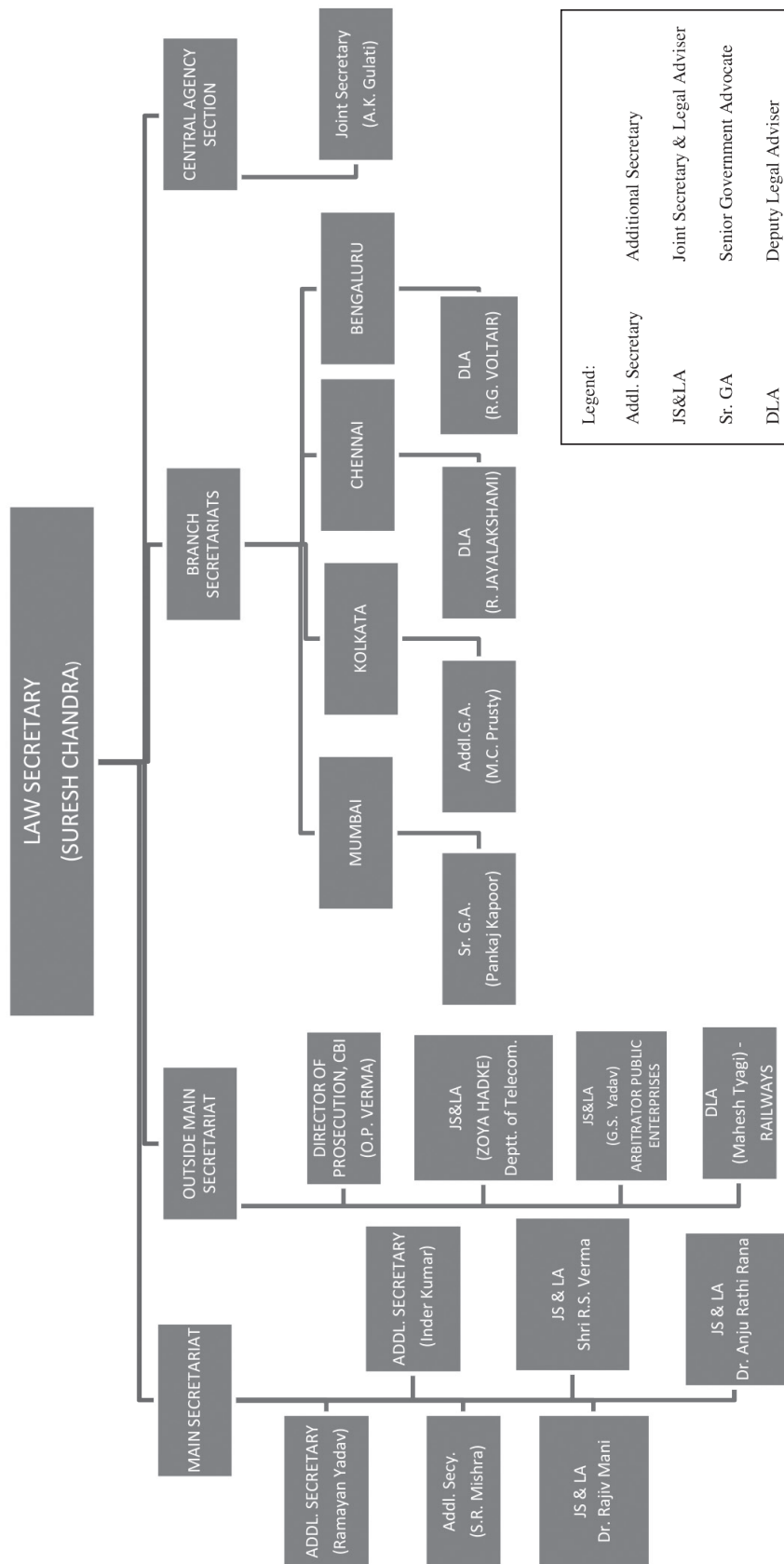


Hon'ble Prime Minister Sh. Narendra Modi, Hon'ble Chief Justice of India Justice Deepak Misra and Hon'ble Minister of Law and Justice Shri Ravi Shankar Prasad at Vigyan Bhawan on Constitution Day

ANNEXURE-I

(See chapter-1, para 2)

ORGANISATION CHART OF THE DEPARTMENT OF LEGAL AFFAIRS



ANNEXURE – II

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



ANNEXURE-III

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

Details of officers/officials Trained Under Hindi Teaching Scheme as on 31-12-2017

	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	454	425	29
	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
	74	10	64
	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
	90	33	57

ANNEXURE-IV

(See Chapter-I, Para 13 (C))

DETAILS OF THE PROGRESSIVE USE OF HINDI INCLUDING HINDI TEACHING SCHEME DURING THE PERIOD FROM

1ST JANUARY, 2017 TO 31ST DECEMBER, 2017

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	5569	4622	22006	14048	7958
7	No letter was replied to in English	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
---	---	---	3227	---	---
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	Gazetted	Non gazetted
			141	79	98
18			19		
Rubber Stamps			Name Plates		
Bilingual	In English	Bilingual	In English		
400	---	60	----		

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

ANNEXURE-V

[See Chapter-I, Para 23 (18)]

Total number of Employees of I.T.A.T. including SCs, STs, OBCs, ExS, PH upto 31.12.2017

GROUP A	No of employees	GEN	SC	ST	OBC	Ex-serv				PH			
President	1	1	-	-	-	-				-			
Vice President	3	3	-	-	-	-				-			
Accountant Member	49	25	5	3	15	-				1 (O.H.)			
Judicial Member	43	24	7	2	10	-				-			
Registrar	1	1	-	-	-	-				-			
Deputy Registrar	-	-	-	-	-	-				-			
Assistant Registrar	8	4	-	1	3	-				-			
Hindi Officer	-	-	-	-	-	-				-			
TOTAL	105	58	12	6	28	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.	94	54	14	1	25	-	-	-	-	-	-	-	-
Private Secretary	22	7	4	1	10	-	-	-	-	-	-	-	-
Supdt	5	3	1	1	-	-	-	-	-	-	-	-	-
Office Supdt.	10	8	1	-	1	-	-	-	-	-	-	-	-
Hindi Translator	6	3	1	-	2	-	-	-	-	-	-	-	-
Head Clerk	49	31	7	3	7	-	-	-	-	-	1	-	-
Senior Accountant	0	0	-	-	-	-	-	-	-	-	-	-	-
Librarian	2	2	-	-	-	-	-	-	-	-	-	-	-
Assistant	8	7	1	-	-	-	-	-	-	-	-	-	-
TOTAL	196	115	29	6	45	0	0	0	0	0	1	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	76	34	10	5	27	-	-	3	-	-	-	-	2
Steno Grade 'D'	1	1	-	-	-	-	-	-	-	-	-	-	-
Lower Division Clerk	116	59	25	8	24	-	-	1	-	-	-	2	-
Staff Car Driver	32	8	10	2	12	1	1	8	5	-	-	-	-
TOTAL	225	102	45	15	63	1	1	12	5	0	0	2	2
	No of employees	GEN	SC	ST	OBC	Ex-serv				PH			
						SC	ST	OBC	GEN	SC	ST	OBC	GEN
Multi Tasking Staff	196	91	44	19	42	0	3	8	11	1	0	3	3
TOTAL	196	91	44	19	42	0	3	8	11	1	0	3	3

ANNEXURE VI
(See Chapter I, Para 25)

STATEMENT SHOWING THE TOTAL NUMBER OF GOVERNMENT SERVANTS AND THE NUMBER OF SCHEDULED CASTES, SCHEDULED TRIBES, OTHER BACKWARD CLASSES, EX-SERVICEMENT AND PHYSICALLY HANDICAPPED AMONGST THEM AS ON THE 1ST JANUARY, 2018

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'	101	19	18.81	5	4.95	12	11.88	-	-	3	2.97
Group 'B'	237	37	15.61	5	2.10	21	8.86	3	1.26	6	2.53
Group 'C'	145	29	20.00	8	5.51	12	8.27	-	-	2	1.37
Group 'D' (excluding safaiwala)	153	46	30.06	9	5.88	24	15.68	1	.65	2	1.30
Group 'D' Safaiwala	8	8	100	-	-	-	-	-	-	-	-
TOTAL	644	139	21.58	27	4.19	69	10.71	4	.62	13	2.01

* 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).

(See Chapter I, Para 25)

STATEMENT SHOWING THE NUMBER OF RESERVED VACANCIES FILLED BY MEMBERS OF SCHEDULED CASTES AND SCHEDULED TRIBES DURING THE YEAR 2017

Department of Legal Affairs

Scheduled Castes

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

Scheduled Tribes

Group of post	Total no. of vacancies reserved	Total no. of vacancies reserved	Total no. of vacancies reserved	No. of ST candidates appointed	Short-fall	No. of SC candidates appointed against vacancies reserved for STs in the third year of carry forward	No. of ST vacancies carried forward to next year	No. of reservations lapsed after carrying forward for 3 years	No. of reservations lapsed from 1980 till the end of the year previous to the year of review	Progressive total of reservation lapsed (col. 19+20)
13	13	14	15	16	17	18	19	20	21	22
Other than Lowest rung – Group 'A' and Lowest rung of Group 'A'	-	-	-	-	-	-	-	-	-	-
Group 'B'	-	-	-	-	-	-	-	-	-	-
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.

Part II. – Posts filled by Promotion (on seniority-cum-fitness)

1	2	3	4	5	6	7	8	9	10	11	12
Group 'A'	-	-	-	-	-	-	-	-	-	-	-
(i) Other than Lowest rung											
(ii) Lowest rung of Group 'A'											
Group 'B'	-	-	-	-	-	-	-	-	-	-	-
Group 'C'	-	6	-	1	2	-	-	-	-	-	-
Group 'D' (excluding Safaiwala)	-	-	-	-	-	-	-	-	-	-	-
Group 'D' (Safaiwala)	-	-	-	-	-	-	-	-	-	-	-

	13	14	15	16	17	18	19	20	21
'A'	-	-	-	-	-	-	-	-	-
'B'	-	-	-	-	-	-	-	-	-
'C'	-	-	-	-	-	-	-	-	-
'D'	-	-	-	-	-	-	-	-	-
'D' (Sweeper)	-	-	-	-	-	-	-	-	-

Part III – Posts filled by Promotion (by selection)

1	2	3	4	5	6	7	8	9	10	11	12
Group 'A'	-	-	-	-	-	-	-	-	-	-	-
Other than Lowest rung											
(ii) Lowest rung of Group 'A'											
Group 'B'	-	-	-	-	-	-	-	-	-	-	-
Group 'C'	2	2	-	-	-	-	-	-	-	-	-
Group 'D' (excluding Safaiwala)	-	-	-	-	-	-	-	-	-	-	-
Group 'D' (Safaiwala)	-	-	-	-	-	-	-	-	-	-	-

	13	14	15	16	17	18	19	20	21
Lowest rung of Group 'A'	-	-	-	-	-	-	-	-	-
'B'	-	-	-	-	-	-	-	-	-
'C'	-	-	-	-	-	-	-	-	-
'D'	-	-	-	-	-	-	-	-	-
'D' (Sweeper)	-	-	-	-	-	-	-	-	-

ANNEXURE-VII

(See Chapter-1, Para 25)

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	101	18	105	6
GROUP B	237	80	196	62
GROUP C	145	4	225	56
GROUP D	161	15	196	11
TOTAL	644	117	722	135

ANNEXURE-VIII

(See Chapter-1, Para 26)



ANNEXURE-IX

(See Chapter-1, Para 27)





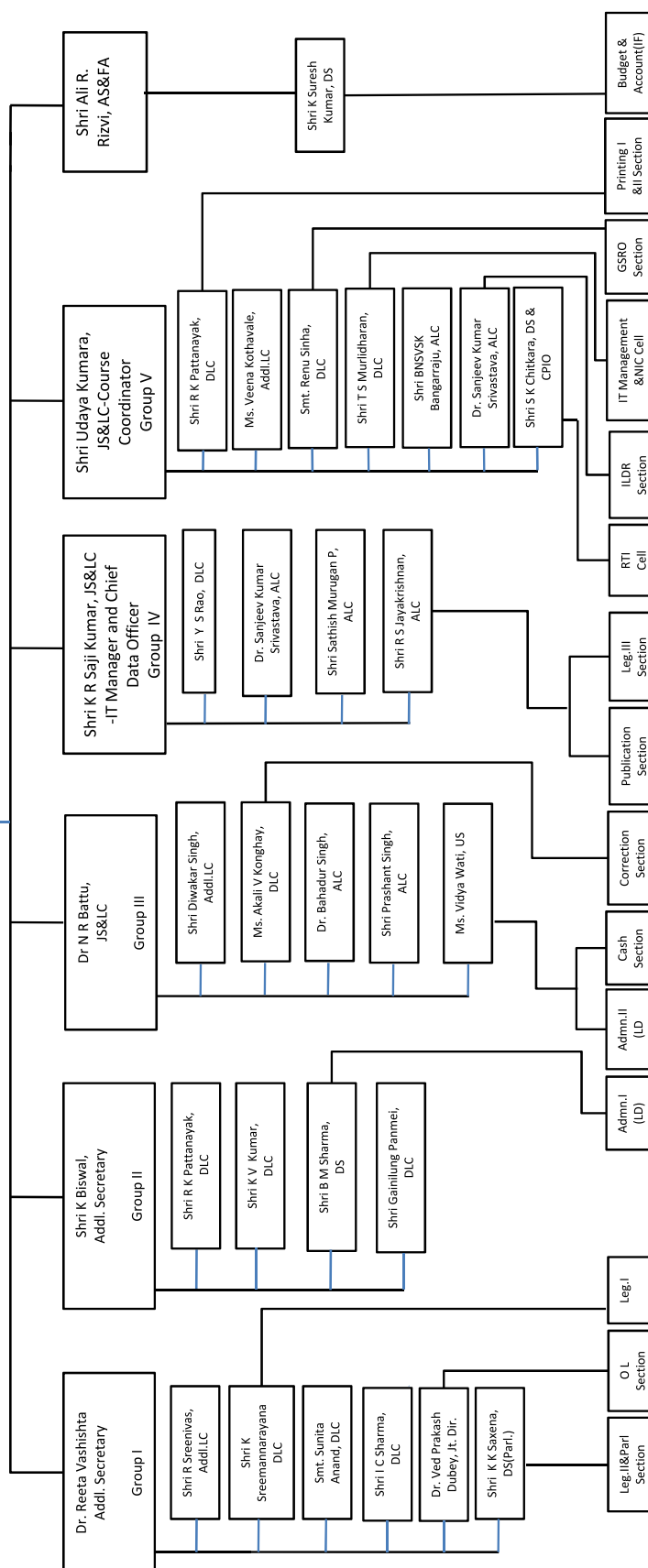
Annexure – X

[See Chapter-II, Para 2]

ORGANISATION CHART OF THE LEGISLATIVE DEPARTMENT (MAIN) (As on 01.01.2018)

SECRETARY

[Dr. G Narayana Raju]



Annexure-XI

(See Chapter- II, Para 43)

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 1st JANUARY, 2018.

Group	No. of Employees	SC	%	ST	%	OBC	%	Ex-Service-men	%	Physically Handicapped	%
A	73	9	12.3	4	5.4	13	17.8	-	-	2	2.7
B	105	19	18.1	2	1.9	15	14.3	-	-	3	2.9
C	116	36	31.0	8	6.9	14	12.1	-	-	-	-
Total	294	64	21.8	14	4.8	42	14.3	-	-	5	1.7

Annexure-XII

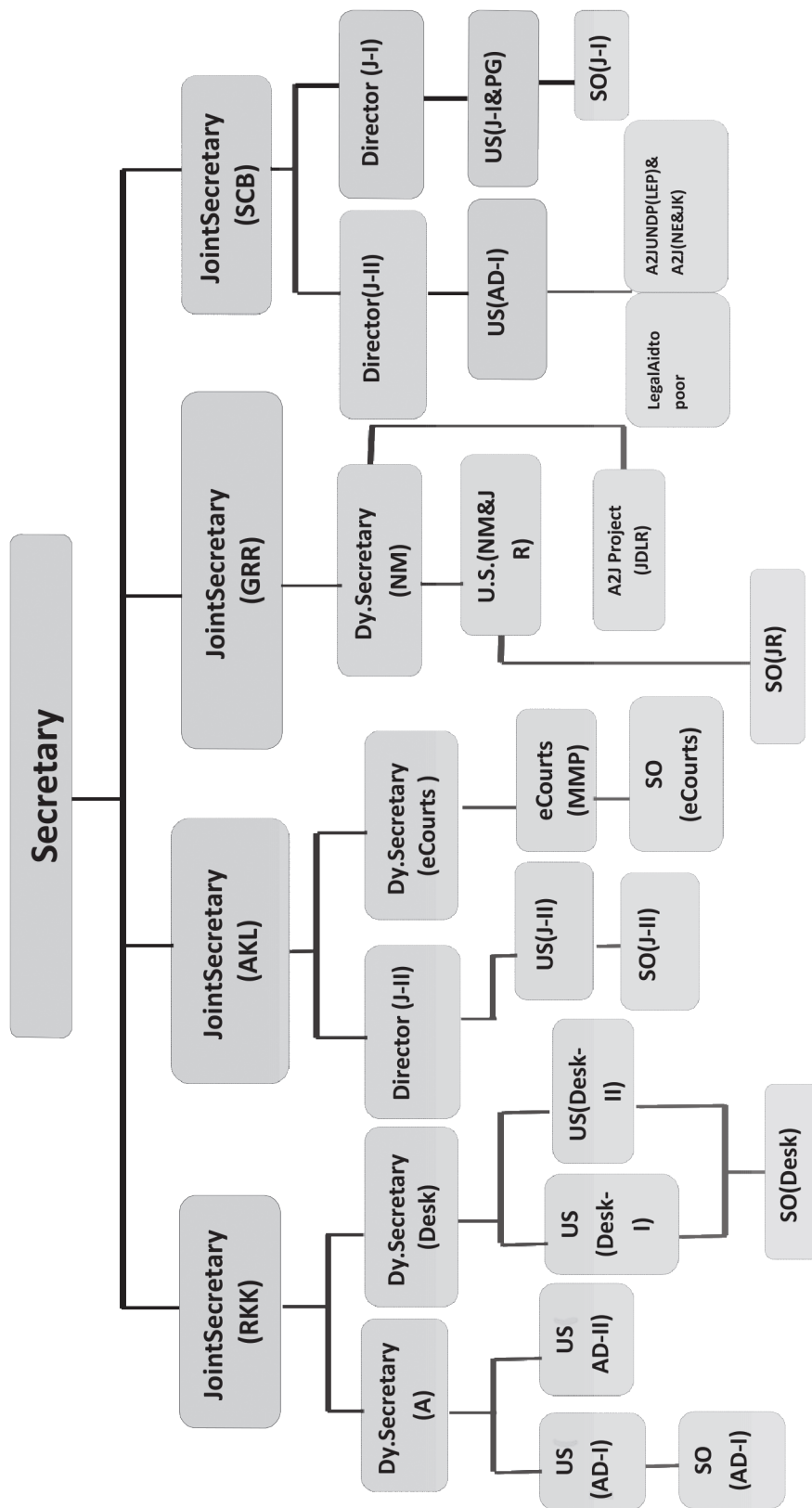
(See Chapter- II, Para 43)

**REPRESENTATION OF FEMALE EMPLOYEES IN THE LEGISLATIVE DEPARTMENT
AS ON 01-01-2018**

GROUP	Total No. of Employees	No. of Female Employees	Percentage (%)
Group 'A'	73	14	19.2
Group 'B'	105	39	37.1
Group 'C'	116	13	11.2
Total:-	294	66	22.4

Annexure-XIII

[See Chapter-III, para 1]



GRR : Shri G. R. Raghavender

SCB : Shri Subash Chandra Barmma

RKK : Shri Rajinder Kumar Kashyap

AKL : Shri Ajay Kumar Lal