

Interim Report

Report of the Study
on
Staffing Pattern for the
High Court of Delhi

Sponsored by
High Court of Delhi

Prepared by
Indian Institute of Public Administration,
New Delhi

Project Directors
Prof. R.K. Sachdeva
Prof. S.S. Singh
Prof. Pranab Banerji

Consultant
R.K. Moitra

Research Assistance
Priya Srivastava

Acknowledgements

The study group thanks the High Court of Delhi for sponsoring the study and providing the necessary support for the conduct of the study. We are particularly grateful to Hon'ble Mr. Justice Swatanter Kumar and to Hon'ble Mr. Justice Madan B. Lokur, the Registrar General, Registrar (Admin.) and a number of senior officers and staff for their unstinting support, cooperation and suggestions.

We thank the High Court of Karnataka, especially Hon'ble Mr. Justice S.R. Bannurmath, the Registrar General and the OSD Computerisation for allowing us to examine the working of the High Court and for providing us with all the information we had requested, and more.

The study group has immensely benefited from the guidance it received from Hon'ble Mr. Justice G.C. Bharuka. The E-Committee was a source of great encouragement and support and the help received from Shri. Ramesh Abhisekh (IAS) was valuable.

Inputs and/or assistance were also received from other organisations like the Institute for Secretarial Training and Management (ISTM), the National Human Rights Commission (NHRC) office, the Judicial Academy in Bangalore and the National Judicial Academy, Bhopal. We are also grateful to a number of individuals with whom we were able to discuss certain aspects of the study before finalisation. The support from the Consultant Mr. Moitra was precious. Research assistance from Priya and assistance for word-processing and report finalization from Seema, Abhinav and Surendra Pal is gratefully acknowledged.

CONTENTS

S.No	Chapter	Page No.
1	Introduction	4
2.	Case Adminsitration :Filing To Listing_	8
3.	Case Adminsitration : Pendency	12
4.	Case Adminsitration : Records & Supporting Sections	17
5	Court Adminsitration	20
6	Staffing Pattern	31
7	Miscellaneous	39
8	Summary of Recommendations	41
9	Appendix-A	44
10	Appendix-B	49
11	Appendix-C	54
12	Appendix -D	60
13	Appendix - E	61
14	Annexure – 1	62

**Report of the Study on Staffing pattern for the
High Court of Delhi**

Chapter 1

INTRODUCTION

- 1.1. Background
- 1.2. Objectives of the Study
- 1.3. Scope
- 1.4. Methodology

1.1 Background

“If there is one sector which has kept away from the reforms process, it is the administration of justice”.¹

By 2005, however, a number of initiatives are already underway to improve the administration of justice in the country. These initiatives include, inter alia, the improvement of administrative processes in the dispensation of justice. A number of recent studies have highlighted the importance of administrative reforms in justice delivery and have suggested ways to achieve greater efficiency in the functioning of courts. These studies include the 124th Report of the Law Commission (1988), Report of the Indian Institute of Management, Bangalore,² the Report of the Malimath Committee on Criminal Justice Reforms (2003) and the Report of the E-Committee on the ‘Implementation of Information and Communication Technology in Indian Judiciary’ (2005). The Asian Development Bank has mooted technical assistance for the preparation of an Administration of Justice Project (2004) involving a substantial grant of \$750,000³. Based on the recommendations of the E-Committee, the Chief Justice of India and the Prime Minister recently unveiled an ambitious National Policy and Action Plan for Implementation of ICT in Indian Courts, involving an expenditure of Rs. 854 crore. A number of states have introduced the use of ICT in various degrees with concomitant administrative changes.

The concern with the improvement of administration of justice is not limited to India. The World Bank has, in recent years, focused attention on this area and conducted studies on ‘Court Performance around the World’⁴. Several studies have been conducted on judicial sector reforms in developing countries, which have also focused on administrative aspects.⁵ A number of developing

¹ RN Malhotra Memorial Lecture by the Union Minister of Law at India International centre, New Delhi, Feb 14, 2001.

² Report of IIM Bangalore was commissioned by the First National Judicial Pay Commission (1996-99)

³ Nearly \$ 19 m for the project.

⁴ Dakolias, Maria “Court Performance around the World: A Comparative Perspective”, World Bank, 1999.

⁵ For example, Buscaglia E. and Maria Dakolias ‘Judicial Reform in Latin American Courts’

countries have introduced improved systems of case management either on their own or through international assistance.⁶

The Chief Justices' Conference (held on 04-05 September, 2004) resolved *inter alia*, to study the Staffing Pattern, recruitments and the requirement of additional staff for the courts. It also endorsed the establishment of an Information Technology and Judicial Reform Cell in the Supreme Court of India. This was followed by the Conference of Chief Ministers of the States and the Chief Justices of the High Courts (September 18, 2004), which *inter alia* resolved that:

1. "The available talent and expertise in information technology can be harnessed for modernizing the justice delivery system. The Central Government, therefore, will take the leadership role to ensure, (a) full computerization of courts up to the district level, in a phased manner, (b) use of latest available technologies, including video conferencing and digital signatures, (c) creation of database of pending cases for generating live statistics, (d) prepare a viable strategic IT Action Plan for clearance of arrears, and, (e) secure a litigant friendly availability of information through internet, websites of all High Courts and Facilitation Centres in or around court buildings.
2. To actively foster professional management of the justice delivery system in court administration and in respect of interface with litigants and lawyers. Recognizing the need for professionalism, it is further resolved that court management, database management and knowledge management must be encouraged.
3. Confidence building measures among all stakeholders in the justice delivery system is the need of the hour and to promote these measures, the Court system should publish Annual Reports of achievements and use of resources."

As a follow-up of the Chief Justices' Conference (September 04-05, 2005) the High Court of Delhi approached the Indian Institute of Public Administration to undertake the study on the staffing pattern, recruitment and staff requirements for the Delhi High Court.

1.2 Objectives of the Study

Based on discussions with Hon'ble Justice Swatanter Kumar, the following objectives and scope of the study were finalized:

-To study the existing administrative processes of the Court

⁶ For example, USAID help for Egyptian Courts.

- To redesign administrative processes, supported by Information Technology Tools, for better efficiency and improved service to Judges, advocates and litigants.
- To propose new staffing pattern to suit the redesigned administrative processes.
- To determine IT infrastructure requirements to implement the new work system.
- To suggest measures for securing transparency in appointments.
- To determine training needs of staff for redeployment in the new work environment.

1.3 Scope of the Study

The aim of the Study is to bring about tangible improvement in the working of the staff in various branches and sections of the Delhi High Court.

To achieve this it will be necessary to examine the recruitment methods and suggest suitable measures to bring about greater transparency and improve the quality of appointments.

Second, the consultants will study the existing staffing pattern and suggest ways, based on better utilization of IT or otherwise, for optimum utilization of existing staff and also identify additional staffing requirements.

Third, the consultants will suggest improvements in administrative procedures to enhance service efficiency and explore ways for improvement of processes through more effective utilization of IT.

Finally, the consultants will assess training needs of the staff and propose a training plan for improving staff effectiveness and performance.

1.4 Methodology

The fundamental approach of the study team has been to situate its study and its recommendations in the context of the reform efforts already underway. This means that the study team looked at the question of staffing pattern in the context of the recommendations of the E-Committee and other developments like computerization which have already been initiated or are likely to start soon. Keeping this in mind, it was felt that work-study approach is inappropriate before process re-engineering and computerization take place. Hence, the study examines both the administrative and staffing aspects of the functioning of the High Court. However, it does not expect that the vision proposed by the E-Committee will take place without a transition phase. The study highlights the administrative changes necessary in the transition phase. The study relied on structured and unstructured discussions with officials and the staff of the registry. The team visited the various sections and had discussions with the concerned staff. They also examined various files, registers and obtained computer print-outs to examine the administrative processes and the work-load of various sections. A structured schedule was also given to the Registry and responses

from a number of sections were received and examined. The team also visited the High Court of Karnataka to study its processes so as to obtain a comparative perspective. The team also interacted with and/or obtained material from other agencies like the E-Committee, Institute of Secretariat Training & Management (ISTM), NHRC and others.

Chapter 2

CASE ADMINISTRATION : FILING TO LISTING

- 2.1 Filing
- 2.2 Scrutiny
- 2.3 Listing
- 2.4 Observations & Suggestions

The administration of justice is often divided into two areas: the administration of courts and the administration of cases. *Case administration*, often called case management, refers to the processing of cases and covers the stage from filing to disposition. *Court administration* covers the administrative functions of the courts, including administrative offices, personnel, finance and accounts, information systems, statistics, maintenance of records and courts.

The significance of proper case administration for the quality of justice has received a great deal of attention both nationally and worldwide. Improving case administration involves (a) reforms in the trial procedures and (b) reforms in case management. The first area is beyond the terms of reference of the study and has been exhaustively dealt with by a number of committees and expert groups. This study concentrates on the administrative structures and processes involved in case management in the Delhi High Court.

2.1 Filing The case flow originates with filing of a fresh case. In the Delhi High Court the filing section is also effectively the front office of the court as it receives other petitions also. All fresh cases are received here and a filing number is allotted after preliminary scrutiny with reference to the petitioner's, respondent's and advocate's names, telephone number; copies of lower court judgment (if any), gist of case; FIR number, along with place of registration and the name of police station. In case any deficiency is noticed, the petitioner is asked to rectify the defects immediately. The filing is completed with the computer entry of the names of petitioner, respondent and advocate; the case type; amount of court fee and the nature of the petition. A filing number is automatically generated and given to the petitioner. The details of the case are kept in hard copy form in the case file, which is sent for detailed scrutiny in the same section. On a typical day (26.9.2005) the following numbers of fresh cases were filed:

	Type	Number
1.	Appellate side (urgent)	328
2.	Appellate side (ordinary)	34
3.	Original side	65
	Total	427

Enquiries in the section revealed that on an average about 400 fresh cases are filed daily whereas this number can increase substantially after vacations. There are two counters for receiving fresh cases.

2.2 Scrutiny The cases are thereafter scrutinized in the same (filing) section with reference to set of guidelines/check-list, one for each type of case. The files are scrutinized manually by the concerned scrutiny assistant whose number is indicated at the time of filing. The numbers indicate that there are usually nine scrutiny assistants. The assistants use one checklist for each fresh case and note down the defects on the checklist and return the file along with the checklist to the petitioner. Usually a very large proportion of cases (50 to 70 percent) are rejected at the scrutiny stage. The cases that are found in order are then marked for listing after an entry is made on the file indicating the court in which it is to be put up based on the roster.

2.3 Listing The task of listing the cases is done by the listing branch through the use of computers. The fresh cases however are not allotted automatically but rather the process involves the approval of the senior officers after the preliminary allocation has been entered in the filing section based on the roster. Once the allocation has been made the listing section enters the information and generates the case number and include the urgent fresh cases into the daily cause list. A typical daily cause list has about 11 to 12 hundred matters listed. The number of fresh matters usually ranges between two to three hundred. The stencils of daily cause list is prepared and about 1200 copies (as reported) prepared for distribution. Parchas are also received from courts to include cases for next day and subsequent dates. Cases for the pronouncement of judgments are also listed on receipt of a note from PS to Hon'ble Judges. The cause lists should be put on the web-site but unfortunately these are not always available on the Delhi High Court Site: (check on 9.12.05 showed no availability beyond 1.12.05 on the web-site). The listing sections have about 10 or 12 terminals. The fresh case files are sent to respective branches from where they are placed before the courts as per the cause list.

2.4 Observations & Suggestions

The initial process involved up to the listing of a case are extremely important as it (a) economizes on subsequent effort and (b) can improve case flow and management. Significant benefits can accrue from streamlining the process.

(1) Currently, the entire operation is done by the two sections of listing and filing under the overall supervision of a Joint Registrar, who also looks after the statistics section. The division also has a Deputy Registrar, an Assistant Registrar and three Administrative Officers. Organizationally, it is somewhat uncommon to have only one officer reporting to a senior officer. The problem is not unique to this division and is a result of the fact that there are 11 Joint Registrars, 12 Deputy Registrars and 16 Assistant Registrars, which implies that the 'span of control' in many cases will be only one at higher levels. This can be

compared with the Karnataka High Court, which has 6 Deputy Registrars, 26 Assistant Registrars and no Joint Registrar.

(2) The filing section, as noted earlier, operates effectively as the front office of the Court. Besides receiving fresh cases and caveats, it also receives all papers relating to a case and also receives applications for certified and uncertified copies or orders and judgments and also issues the same. The volume of work relating to certified and uncertified copies is heavy. The following based on entries on 26.9.05 illustrates this data cover 26th & 27th of September, 2005.

Applications	Copies ready for Delivery	Copies Delivered
282	188	392

It may be useful if the two functions of filing and certified copies are separated into two sections, with the filing section dealing with fresh writs, appeals, review, bail petitions, all miscellaneous petitions and Caveats and interim applications only. The process from acceptance to issuance of certified and uncertified copies could be streamlined as a separate process.

(3) The entries made at the time of filing cases are minimal and the software serves little more than the function of replacing the registers earlier needed at the time of filing. For better case flow management, it is important that the full details of the case are entered into the computer at the initial stage and the software allows subsequent additions to case data to include the different 'events' and IAs that are subsequently filed. This would be the first step towards the implementation of the vision that E-Committee has formulated. It will allow the tracking of each case and the data can be used by the higher authorities to chalk out appropriate management strategies to reduce pendency, etc. For this to happen the filing section and the software should be strengthened to allow for the detailed entry of case particulars. The Karnataka court has a two-stage filing system. The first stage interfaces with the public and receives fresh cases, IAs and caveats. In the second stage party details, lower court details, suit schedules, fee details etc. are entered and also caveats are matched automatically. They also prepare 'order sheets' or computer generated summary of the case. In short, in addition to the hard copy, a summary case file is ready in the soft form which can be updated, used to generate reports etc and can be used for case management. To do this it would require a larger number of persons, specially typists, to prepare the digitized summary case file which shall subsequently provide the platform for an easy transformation to digitized case flows.

(4) The process up to listing though mostly automated is broken by the introduction of manual processes at the stages of scrutiny and allocation. Given the roster of judges, the allocation process can easily be automated removing discretion and delay. The scrutiny sheets can also be computerized and the

concerned assistant may use an on-screen check-list for scrutiny. The Karnataka High Court also does manual scrutiny but the data is entered in computers and a computer-generated list is put up daily for the public indicating which cases have not been found to be in order and for what reasons. It is possible to implement, after a more detailed examination, the second stage of filing after the scrutiny process so as to save on unnecessary entries at the filing stage.

(5) The assistants of this branch have been entrusted with the task of looking after listing of cases in respect of division benches and single benches. Out of which 6 assistants have been put on physical checking of Division benches and single benches cases. Two assistants each of whom have been assigned to the statistical branch, preparation of legal matter list and one assistant for preparation of list of Registrar. Seven are working on computer for listing of cases.

Important cases for next day could be entered in the PS to Hon'ble Judges computer so that the list can be generated automatically by the listing branch for placing the cases on the next date and there may not be any chance of getting of the cases out of sight. Similarly the note for the pronouncement of the judgment should be entered in the PS 's Computer which could be generated by the listing branch to include the matter on the next date or on the dates as per the direction of the courts. It is also felt that manual entry in the register should be dispensed with and instead the matter should be entered in computer at the initial stage from where it starts. Further increase of staff could be reviewed as and when the number of Judges are increased. Till that period status quo may be allowed to be maintained.

Chapter 3

CASE ADMINISTRATION : PENDENCY

- 3.1 Branches
- 3.2 Maintenance
- 3.3 Inputs
- 3.4 Outputs
- 3.5 Observations & Suggestions

The progress of cases from the listing stage to final disposal is essentially a judicial process in which the role of the registry is to maintain and update case files as fresh documents are received, issue notices and get the case books ready for presentation before the Hon'ble courts. This is the responsibility of the various judicial branches.

3.1 Branches The concerned branches are Civil I to III, Criminal I & II, Criminal Miscellaneous (Main), Writ I-IV, Copy (A?), Dispatch & PS Agency. These branches are supervised by 11 Administrative Officers who report to (one?) Assistant Registrar. The higher levels are the Deputy Registrar, Joint Registrar (Appellate, Criminal & Writs) and the Registrar (Admn.-Judicial). Other similar branches dealing with the original side and company affairs have been placed under the Registrar (Original & Record Room). The Branches Original I-III, Copy (O) & Inspection (O) are supervised by four AOJs, who report to 3 ARs and one DR. The Branches Company I & II have (four?) AOJs who report to AR (Company), who in turn reports directly to the Registrar (Original & Record Room), with no intervening layers of DR and JR.

3.2 Maintenance Record keeping and updation is a major task of these sections. The entire set of operations is done manually and the workload is heavy and the working conditions poor. Frequent and large movement of cases and documents imposes additional burden and responsibility on the staff. Entries are made manually and the file is checked for its completeness each time the file is sent out or received. The dealing assistants in some of these sections work in teams of two and lots of hundred cases are assigned to the assistants. When fresh cases are received, the tasks of the assistants include the numbering of pages, indexing and preparation of the files. On receipt of the cases from the courts, the assistant enters the details of the case file date-wise in register so that the same can be taken out one day in advance of the stated date for listing. The pending cases are stacked in open racks and sometimes even lie on the floor due to inadequate storage space. Sometimes the files are heavy and laden with dust and may be placed on the highest rack causing great inconvenience especially to the lady assistants.

3.3 Inputs As the case progresses after registration, the process of filing IAs begins and continues till the dispensation of the case. A large number and variety of documents are received and the tasks of the pendency branches is the registration of receipt (mostly through the filing branches), scrutiny of the documents, inclusion of the documents in the case files and initiating the necessary follow up actions subsequent to the receipt of the document(s). These include the documents from diverse sources and of varied types like written replies, lower court documents, commissioner's report, written evidences, fixed deposit receipts etc. Inputs include the direction from the Supreme Court and the request from other High Courts. The entire process of the case file maintenance and updation is done manually in the branches. Computerized entries are only made at the time of filing of documents in the filing section. There are no computers in the branches where the incoming documents are stored as a part of the case files.

3.3 Outputs A closely related set of activities pertains to outflows of documents from the various branches. These are equally large and varied in nature and add to the workload of the pending branches. These outflows begin with the issue of summons and notices in the pre-hearing stage to the issue of decrees and supply of certified copies after the pronouncement of the judgment. The report of the E-committee summarizes the process as follows:

“During the ad judicatory process, the domestic judicial system governed by the procedural Codes and the rules of practice emphasizes creation, maintenance and communication of documents of various natures, which are hundreds in number containing basic and processed information, which are generated during filing of the cases till their disposal. The information contained in such documents are mostly repetitive or derivatives of original data. A good part of human and material resources is consumed in, generating and maintaining these, what we can term as, 'output documents'. These documents in the judicial world have been classified as forms, warrants, summons, notices, statements, reports and the registers.

Each of these output documents has a format prescribed either by the statutory provisions or the administrative instructions issued by the respective High Courts. The C.P.C. contain these forms in Appendix B,C,D, E,F,G and H. The total number of such forms are 135. Similarly, civil rules of practice contain 50-60 forms. The C. P.C. has, under its Second Schedule, prescribed 56 forms. The criminal rules of practice additionally provide 15-20 forms. Further, the C.P.C provides a very extensive form for maintaining Register of civil suits. Apart from this, the rules of practice and procedure framed by the High Courts mandates maintenance of registers of various description numbering about 80”.⁷

In the absence of computers in the branches, the various orders are typed out by a typist using on ordinary typewriter.

⁷ Report of the E-Committee May 2005

A particularly voluminous activity involves the issue of certified copies. On an average, there are about 300 requests for supply of certified copies daily (as reported). The copy (O) section has furnished the following details of the number of certified copies issued by it:

“Total no. of copies of judgments/orders supplied to parties during the last 3 years:-

Years	Copies supplied
2003	12114
2004	9696
2005	11958
Total	33768”

The copies are also issued by other branches.

The various branches prepare the notices, directions etc and submit to the competent authority for signature. These are given to the dispatch section for outward transmission. The section manually enters the details of the outward flow in registers and the usual mode of dispatch is by registered post. Urgent and immediate orders of the court and letters/orders, which are to be sent to various government departments locally, are sent by special messengers. Approximately 500 letters are dispatched on a typical day. There are seven peons in this section and six of them are engaged for local delivery whereas the remaining is on a post-office duty. After issue of letters, the concerned files are returned to the relevant sections.

3.5 Observation & Suggestions.

1. The maintenance and updation of case files has been left almost exclusively to the dealing assistants with little cross-checking and almost no tracking/monitoring. The filing section has computers and makes a computer entry when a document is filed pertaining to a case. But documents are also received and outflow documents emanate from the dispatch section where the entries are entirely in registers. For meaningful tracking of cases it is necessary that entries of all inflows are made and records of these entries are available in digitized form for easy cross-checking and monitoring, this would require the availability of at least one (net-worked) computer in each branch and in the dispatch section and modification of software to allow for the inclusion of the inflow and outflow records. The software should also include information relating to the status of the case. Although theoretically the case-status can be searched in the court's web site, but practically the information provided in it is of little use. It only lists a few IAs that have been filed but generally does not furnish information about the status of the case. The computer screens showing case

status of Delhi & Karnataka High Courts is attached for comparison. If full and updated information of inputs & status is available the demand for scrutiny of files may also reduce.

2. In the absence of digitized tracking and cross checking mechanism a number of deficiencies have crept-in. It was noticed that FDRs/ Cheques which were deposited as court money in connection with the bail petition, the case file has been kept pending even after the bail petition is allowed. It was also noticed that in cases of Grant of Bail (Appeal) against the order of the Trial Court, High Court sometimes grants bail to the accused party, but after the bail is granted and release of the accused, no action may have been taken for listing the case in the court for years. In the absence of a tracking system, cases remain unattended for years together. To allow the mechanism to develop, the branches must be provided with computers and, as an initial step, the entries in registers should be supplemented by entries in the computer data base.

3. Much of the work done in the branches is repetitive and structured. The output documents have prescribed formats and require entries which are repetitions of the original case data. For instance the grant of bail is in a structured format and the data relating to the parties, the details of FIR and police station and address are available. Instead of manual entries, these types of documents can be quickly and automatically generated by the concerned branches and the documents forwarded, after necessary signatures, to the dispatch section. In the absence of computers in the branches, these are hand-written or typed consuming a lot of time and needless duplicating effort. It can also reduce the movement of files and lower the risk of misplacement of files and/or papers.

4. The most important task common to all the branches is the issue of certified copies. There is good reason to have a separate process for the issue of certified copies as has been done in the Karnataka High Court. In Karnataka a separate section receives application, including fee for supply of certified copies and generates receipts for the cash received for the purpose. Requests are passed on over the intra-net to a separate scanning and copying section, which generates the list for checking. The actual task of scanning and copying has been outsourced to a private company, which has leased its equipment, and staff who work under the supervision of the High Court registry. All scanning, maintaining of digitized records of judgments and printing of the records is done in this section. These are passed on after putting official seals, for issue. The process is fast and has been able to cope with the large demand for certified copies and was able to reduce the backlog of requests. The Delhi High Court may adopt this model or it may put scanners in each branch with the responsibility of printing and issue being centralized.

5. The working condition in the branches is not-conducive and fairly unsystematic. The High court may take the help of professional consultants for the choice of furniture and design of office space. Filing cabinets, smaller chairs, fixed workstations so that position is not changed frequently; proper ventilation and dust free environment are urgent needs. But also necessary is the fixing of

responsibility to the dealing assistant after providing training and access to computers in the branches. The dealing assistants should be given file management training and the details of the rack/shelf should be fed into the computer so that even in the absence of the dealing hand, the file can be retrieved easily. Similarly file movements should be computerized so that the dealing hand or any other concerned official will be able to find the location of the file immediately. At present, locating files is often a time consuming and sometimes a tedious process. As stated earlier, the details of the case such as the status of notice-serving process, fee status, reply and rejoinders status should be available in the computer so that all the noting that the dealing hands make before each listing is not required and either the court officials can provide the information to the judges or the dealing assistant can take a print-out and attach it to the files.

Chapter-4

CASE ADMINISTRATION : RECORDS & SUPPORTING SECTIONS

- 4.1 Records
- 4.2 Translation Cell
- 4.3 Library
- 4.4 Observations & Suggestions

4.1 Records

The Records Sections preserve the case files after disposition. The High Court has three record sections, two of them being in the Court premises and one in the Karkarduma District Court. Records prior to 1986 are stored in Karkarduma. Two record sections within the court premises, both situated in the basement, store cases since 1986 of appellate and original sides separately. Each section is looked after by one AOJ who directly report to the Joint Registrar (Record Room), who in turn reports to the Registrar (Record Room – Original).

Case files, after disposition, are sent to the Record rooms where the files are accepted after checking every page and document. If found in order, the file details are entered into a register manually. In case of any deficiency, the file is sent back to the relevant section for rectification. In case the records are called for, the sections issue the files, after necessary entry into a register, on the basis of the requisition received.

The sections simply store records but hardly maintain them. The record rooms are dark, dusty and unhygienic. Files in bundles of fifty are stored in racks and there are over two lakh such records in the court premises, besides about 1.5 lakh are in Karkarduma. Storage space is inadequate and many files simply remain on the floor. The location of the files is therefore often known only to the attendants there.

4.2 Translation Cell

Translation Cell is under the administrative Control of Establishments-II. This cell provides translation of documents from Hindi to English and Urdu to Hindi/English vice versa. A total of 2000 words per Sr. Translator and 1600 words per JR. Translator have been fixed as per day quota.

4.3 Library

Library is facing the three main problems.

1. Space
2. Security
3. Staff

As per fifth law of Library Science "Library is a growing organization." Collection of Judges Library is growing year by year. Therefore, library requires more space. Existing branch and offices i.e. Office of Joint Registrar (E) and Court of the Registrar (O) may be shifted from the library.

As per security point of view there is no security of books in the Court rooms because restorers are not attached with court. Therefore, they are not concerned about the security of books. These are permanently issued in the court and the court staff are not bothered about the books issued in the name of respective Hon'ble Judges. In the central library, advocates and visitors, those dealing with the branches and offices, visit frequently in the library. Therefore these branches and offices may be shifted from the library and restorer must be attached with court rooms.

As per staff point of view library already facing the scarcity of staff especially efficient staff, for the maintenance of library. Library required mainly these types of staff.

1. Professional
2. Semi Professional
3. Clerical
4. Class IV officials i.e. frash and attendants

At present library have 5 Professional staff A.R. (Liby.) +4 Assistant Librarian. The post of librarian is still vacant. In the clerical staff we required computer-knowing persons. They urgently required class IV officials i.e., Library frash and Library Attendants for proper maintenance of Library.

At present library have the collection of 107048 in Accession Register and 28084 in stock register (Bare Acts, Rules and Manual etc.). As per number of books library requires 5 Assistant Librarians, 10 Library Attendants, 10 Library Farash, 2 Sr. Assistant Librarian and 5 clerks and manpower of staff may be increased as per increase in the number of books in future.

4.4 Observations & Suggestions

1. The records section needs a policy directive relating to retention and maintenance. All files and documents are considered to be of a permanent nature. The Karnataka High Court, for instance, has a policy of dividing each case file into A, B and C files for record keeping. The A-file consisting of the

petition, objection, evidence and judgment is considered to be of permanent nature. The B-file comprising miscellaneous and IAs and the C-File consisting of Vakalatnamas, notices, summons etc are preserved only for certain periods.

2. The records section has very little provision for maintenance. Since it is impossible to see each file, there is every likelihood that the files may be affected by `silverfish' etc. Adequate cleaning, fumigation, dusting and use of preservatives (naphthalene bricks etc.) is absent. There is also need for indexing and computerization of records. The racks and shelves need to be clearly marked so that retrieval is easy and can be done even when the attendant is absent. The High Court may take the help of the National Archives of India, the nodal authority of the government for maintenance of old records, for evolving procedures for preservation and maintenance. .

Chapter 5

COURT ADMINISTRATION

- 5.1 Establishment I
- 5.2 Establishment II
- 5.3 Gazette I & II Sections
- 5.4 Accounts
- 5.5 Cash Branch
- 5.6 Examination Sections
- 5.7 Planning and Protocol
- 5.8 Facilitation Centre
- 5.9 General-I
- 5.10 General-II
- 5.11 Observations & Suggestions

5.1 Establishment I

This Section consists of 10 employees (Sr. Judicial Assistant-I, Judicial Assistant I, Jr. Judicial. Asst.5, and Group D-3)

The section deals with the following matters:-

1. Appointments of all Gazetted posts of the High Court. All service matters related to Gazetted Officers of the High Court, and sub-ordinate courts.
2. Staff grievances
3. Creation and continuance of posts of District Courts and the High Court.
4. Draft rules of District Courts
5. Appointment of Gazetted Officers of subordinate courts
6. Cases of Loss of Judicial Records / documents. Cases are referred to by the High Court.
7. Initiation of criminal proceeding under section 340 of CRPC against filing of false affidavit.
8. Motor accident claim of the High Court.
9. Litigated cases of high court staff
10. Receipt and dispatch work of all sections except judicial/criminal section.
11. Appointment of retired/serving judges to commissions/committees

According to the Recruitment Rules the method of recruitment for most Gazetted Officers is by promotion from feeder cadre in various categories. In certain categories of cases, departmental examinations are also conducted among the employees of the feeder cadre. In case suitable number of persons are not available then direct recruitment is also to be resorted.

For direct recruitment, advertisements are given in the leading newspapers and recruitment made after conducting examinations and interviews. But requisition to employment exchange, which is mandatory for Government, are not given.

The system of recruitment/appointment/promotion in the High Court are different from that of Govt. Depts.. All cases are placed before the judges committee for consideration. After approval by that committee, the same is submitted to the Hon'ble Chief Justice who approves the appointment and finally orders are issued. It is noticed that even for appointment to a Group-D post, Viz. peon or so, the case is submitted to the honorable Chief Justice for his approval. Litigated cases arising out of service matters of the staff of the High Court are also placed before the judges committee for directions. It is observed that in certain cases Group-D employees have been recruited without calling nominations from Employment Exchange.

In regard to initiation of criminal proceedings for filing false affidavits, it may be stated that on the orders/directions of the honorable High Court action is taken to file such a case to the subordinate courts. This is done through a Counsel. Sometime High court also orders entrusting such cases to CBI for enquiry for which action is taken accordingly by this section.

Nominations of judges to various committees/commissions are also processed and sent to Govt. Departments after obtaining the orders of honorable Chief Justice.

This section receives all dak/letters/files intended for all officers and sections , except judicial cases. Receipts are diarised in this section and sent to the concerned officers/sections for necessary action. This section also deals with dispatch work of all the sections that are to be sent outside – dasti and by post (except the letters of judicial/criminal sections)

This section does not either maintain personal files or service books of the staff members of high courts. These are maintained in Accounts Branch. No SC/ST/OBC/PH reservations rosters have been maintained in this section which is mandatory.

5.2 Establishment II

The staff strength of establishment –II Section is 8 (Sr. J.A.-3, Jr, J.A.-2, J.A., and 2 Group D staff)

This section deals with all matters related to class III & IV staff of the High Court. The staff strength of class III and class IV are nearly 800 in number.

The management pool of Stenographers, Court Masters and Readers are also under the control of this section. Receipt and dispatch of this section are also being done in this section.

Reservation roster for SC/ST/OBC are not being maintained.

The Service Books and personal Files of the above employees are being dealt with by Accounts Branch and not by this section.

5.3 Gazette-I&II Sections

These sections deal with administrative matters of Gazetted officers of Delhi Higher Judicial Service and Delhi Judicial Service which are subordinate to the High Court.

Lt. Governor, Delhi is the appointing authority of all judges of subordinate courts. He appoints these judges in consultation with the Chief Justice of Delhi High Court.

Examination for Delhi Judicial Services for appointment as Metropolitan Magistrates, Addl. District Judges etc. are conducted before appointment. Delhi Higher Judicial Services have two sources of induction:

1. Direct recruitment-through advertisement
2. Promotion from Metropolitan Magistrates.

Apart from above functions, these sections also deal with various matters in respect of Delhi Judicial Services, retirement of Judicial officers of lower court, fixation of pay and various service matters.

5.4 Accounts

This branch consists of 11 staff members and 1 AO and deals with the following matters:

1. Preparation of salary bills of 1200 employees of the High Court
2. Preparation of salary bills of 27 judges of the High Court.
3. Preparation of other kinds of bills of Hon'ble Judges and staff viz..TA, (Domestic & Foreign Tour), LTS, Medical Reimbursement
4. GPF of 400 group-D employees
5. Grant of various advances.
6. Grant of increments to all its employees.

Service books and personal files of staff are also maintained here. Although leave is being dealt with in Estt.I & II branches but after the leave is sanctioned by the competent authority entries are made in service books by accounts branch. This is not a correct procedure. Certain personal matters are also dealt with in the personal files of the individual, which are maintained in this section.

5.5 Cash Branch

This branch consists of 11 staff members and 1AO. The main functions are:

1. Preparation of budget and expenditure statement
2. Fixation of pay etc. of all employees of High Court
3. Pension cases of all employees
4. Long and short term advances including GPF
5. SPA ("Shauri Petty Account") i.e. payment of diet money to witness/claimants as per the orders of Court.
6. Income Tax returns
7. Payment of contingency bills
8. Court Deposits.

In so far as preparation of budget is concerned, this section prepares Annual Budget and submits Annual Expenditure statement to the Hon'ble Chief Justice for approval. It is learnt that the total budget for the viz. 2004-05 of this court was Rs. 28.08 crore, out of which an amount of Rs. 27.43 crore were spent. The remaining amount was surrendered. The main heads of expenditure are salary and office expenses. *It is proposed that the budget should incorporate quarterly and monthly targets. A computerized system should generate a monthly report on actual expenditure and deviations from the budget. This report should become the basis of periodic monitoring and review of budget/expenditures.*

5.6 Examination Section

This section consist of the following staff

Senior Judicial Asst-4

Junior Judicial Asst-2

Judicial Asst-1

Group D-1

This section deals with the case of direct recruitment of Delhi Higher Judicial Service examination, and Delhi Judicial Service Examination as and when vacancy arises. The examination is conducted through advertisements. A judges' committee constituted for the purpose looks after the work relating to examination and selection etc. Promotion from Judicial Service Officers to the grade of Higher Judicial Services Grades are also dealt with by this section. Judges' committee is the competent authority to take all appropriate decision. Reservation roster for the reserve category candidates have not however been followed and maintained by this section in respect of these services.

5.7 Planning and Protocol

These sections consist of following staffs:

Senior Judicial Asst	4
Judicial Asst	9
Junior Judicial Asst	11

The main functions of these two sections are to attend to all kind of work/services in Judge's residences. These sections are to make arrangements for the social function and its related work viz.. arranging police and security, hospitality etc. These sections are also to make arrangements for the medical treatment of the Hon'ble judges and their family members in the hospitals etc. They are to deal with the medical bills of the Judges. They are also to make advance arrangements for the railway/air tickets of the Judges as well as their family members who visit various places. Arrangements for the LTC of the Judges and their family members by making reservations and also arrangements at the destination point are made. These are done in consultation with the State Governments and the state Police Authorities. The sections are also to make arrangements for meetings and seminars, at Delhi High Court building. In fact all kinds of hospitality are looked after by these sections.

These sections also provide services to the Retired Judges viz.. arrangements for the medical treatment, reservation in railways and air, payment of their bills of electricity, renewal of the passport and arranging of the visa for going abroad.

These sections have been provided with 7 cars to attend to the works of the Judges. JR and DR who are Chief Protocol Officer and Deputy Chief protocol Officer are not provided with the cars. The section has got insufficient number of computers. The staff is not trained in protocol.

5.8 Facilitation Centre

The staff strength of this section is as follows.

Judicial Asst-5

Court Attendant (Peon)-1

The staff of this center functions in two shifts, viz.

Two people are kept on duty between 9 a.m. to 4 p.m., three people are out on duty between 10 a.m to 5 p.m.

There are 5 counters in this center. Each counter receives 300-400 visitors daily on an average. Passes to the litigants are issued on production of an authorization letter in the prescribed proforma after it has been counter signed by the advocate concerned. The proforma consists of name of the litigant, his father's name, address, case no, and the court no to which the case has been posted on that date. Apart from that the visitors also come to meet the offices for personal/official works who are sent to the concerned officer only after taking permission on telephone. It is observed that no record is maintained for the visitor who is permitted to meet the officer concerned on taking permission on telephone. It is seen that there is no computer in this section.

5.9 General-I

This section looks after the work relating to construction of buildings viz.. Lawyers chambers, medical unit, minor repair of existing building. Interaction with PWD as the construction work is carried out by PWD.

At present this section is handling the following projects viz..

1. Lawyers chambers block which has been completed
2. 12 Court rooms block within the existing High Court Building, guest house with all facilities have been constructed and final hand over is awaited.
3. Medical unit—this project is under process. The other projects are staff duty room, administrative block and 84 lawyers chambers block.
4. Multilevel car parking block-opposite Delhi High Court.

This section also deals with telephones of the High Court, including its payment of bills,. Preparation and printing of telephone directory, calendar of holidays. Allotment of chamber to Lawyers, general pool quarters to employees of High Court, store purchase, various requirement of Judge's room. Requirement of pantry in Judge's chamber, security, housekeeping jobs. Committees of Hon'ble Judges have been constituted for consideration of most of the matters of this section.

5.10 General-II

This section deals with the cases relating to

1. Construction of buildings for District Court/Lower Courts
2. CGHS scheme of Govt. of India, Delhi Govt. Health Scheme
3. Empanelment of Oath Commissioners, Notary public
4. Liveries to officers and group-D employees of High Court.
5. Purchase of vehicles
6. Service of notices to other courts including foreign courts through High Court
7. Payment of water and electricity bills of High Court
8. Yearly vacation of Courts

There are a number of Hon'ble Judge's Committees whose approval are obtained in respect of most of the cases.

It is learnt that acquisition of land for construction of record room is under consideration since 20 lakh files are expected to be stored in the record room in the near future.

One building at Rohini for District Court is almost complete and likely to be handed over. Dwarka District Court building is likely to be completed by March 2006. In regard to building at Saket, it is still in process.

There are 9 Districts in Delhi and as such 9 District court are to be setup. There is also a project named Law Institute, which is also under consideration. Sometime foreign delegates come to visit High Court and District Courts.

Political clearance in this regard are obtained from MEA and permission is accorded.

For liveries Govt. orders are followed.

5.11 Observations & Suggestions

(1) Court Administration is an area that has not even begun to be addressed in India⁸. Even in the United States, where it is now recognized as a theoretical and practical discipline, the attention began to be focused on Court administration with the publication of the ground breaking text 'Managing the Courts' in 1971. Several works now address the question whether or not standard managerial approaches can be applied effectively to courts in spite of their uniqueness and complexity. For instance, David Saari's book examines the applicability of the four major schools of management thought—the bureaucratic school, the human relations school, the systems school and the contingency school—to the problem of court management. In India the bureaucratic design dominates the court organizations and the focus is on hierarchical structures and clearly defined administrative functions. Successful application of information technology in the organization, however, relies on the systems approach and a focus on administrative processes.

The organization design is based on clear definition of the tasks to be performed by each functionary, section and branch, and a hierarchical structure of the organization—the well-known organizational pyramid. The task definitions and the hierarchical structure of the Delhi High Court need a fresh look. The structure, as earlier mentioned, is somewhat top-heavy. At the lower level each section is expected to have clearly defined tasks and should be headed by a section officer—in this case, the AOJ who reports to an AR who usually looks after about 3-5 sections. More than one AR should report to a DR and so on. As on 5.8.2005 the High Court had 34 AOJs, 16 ARs, 12 DRs, 11 JRs and 6 Registrars making the reporting structure somewhat cumbersome. In most cases AOJs report to ARs, but sometimes they report directly to the DR or even the JR. Further, the task assigned to the ARs and the different sections are not clearly spelt out in a written form. The sections need to have clearly defined tasks and sanctioned strength of personnel of various categories. Both these seem to be absent. The strength of the sections must be based on some clearly defined criteria. In the absence of all this, there is considerable ad hocism and constant crisis management in the administration.

(2) From an administrative point of view, the primary task of the courts is to provide the 'service' of justice to the public. As a service provider, the court's operations must be progressively user-friendly. For this it is necessary to have a facilitation center, which interfaces with the public and provides necessary information. This is also the first step in what has now come to be known as 'process re-engineering'. The current facilitation center is little more than the

⁸ Notable exception being the work of Justice G.C.Bharuka

reception. It was observed by the study team that lawyers often enter the sections to obtain even simple information, which sometimes causes disturbance to the staff working. The facilitation center, to function effectively, must link-up with the branches to provide information to all stake-holders and quick implementation of computerization programmes would go a long way in making this facilitation center the effective public face of the court. Ideally, the center should respond to queries over the counter, through e-mails or over the phone.

(3) There is a movement towards setting performance standards in the service industry. Even government departments have begun the process with the adoption of citizens' charters. The court needs to take a policy decision in this matter. Nevertheless, the court should have at least an annual appraisal of its performance and the first step towards this is the publication of an annual report, which may include the financial and physical performance and provide basic information about the registry. One of the major hurdles towards the development of the discipline of 'court administration' in India is the complete absence of data and information in the public domain regarding administration in Indian courts. The spirit of the Right to Information Act requires that more information is suo motu put in the public domain by all wings of the state.

(4) Court reforms and modernization is essentially an on-going process. The courts, like any other modern organizations, need the services of trained administrators/managers. This requirement can be tackled either by hiring professional managers/administrators, possibly on deputation/contract, or by training existing managers in modern management methods. The latter requires the development of training design and material, which will adapt managerial insights to suit the unique requirements of court administration. As a preliminary step for the pure administrative functions, services of an administrative officer reporting to the CJ or an empowered committee of judges could be considered.

(5) It may also be mentioned here that under the New Public Management paradigm, public agencies across the world are contracting out non-core functions. It is for each organization to decide on what is essential or core and what can be contracted out. The process helps in using limited resources to optimal use for the delivery of core services.

(6) The brief outline of the administrative sections highlights variety of tasks that need to be performed by these sections. The tasks can broadly be classified as pertaining to (a) personnel management (b) financial management (c) protocol and support service management (d) housekeeping (e) developmental activities and (f) supervisory functions over the lower courts.

The supervisory functions are now performed by a number of branches like Gazette I and II; Vigilance, Examination, Litigation and Rules and the Subordinate Courts cell which deals with service matters and litigation pertaining to the staff of District and Subordinate Courts. These three branches are under the general control of three Registrars—viz., Registrar (Admn. -Judicial), Registrar (Vigilance) and Registrar (Admn.). The tasks assigned to the Deputy Registrar (Gazette-I & II) include "appointment/promotion of officers of the Delhi Higher Judicial Service and Delhi Judicial Service", while the Deputy Registrar

(Vigilance, Examination and Rules) has the task of "Examination for recruitment of Officers" to the two judicial services mentioned above. There are other such examples of 'role diffusion'. There is also scope for re-organization of the 'General' section, which includes both house-keeping and developmental works ranging from building construction to computerization.

There is also scope for re-assignment of functions from one section to another. For example, personal files and service books of the employees are usually maintained by the Establishment Branch and not by the Accounts Branch. The establishment branch makes entries and issues orders on various personnel matters involving pay fixation, confirmation, promotion, annual increments etc. Annual Service Verification could be done in consultation with the Accounts branch. Service Books are required to be signed annually by the staff and it is best handled by the establishment branch.

(7) Design, development and implementation of IT applications is a collaborative effort of the IT professionals as developers and the court functionaries as users. At present National Informatics Centre (NIC) operates a Cell in the High Court, which has developed various applications for implementation in the court. These applications have many loose ends as pointed out in the respective sections of this report. It does not provide a seamless integrated organization-wide system. NIC is in the process of upgrading these applications with latest hardware and software technologies – while the primary responsibility of design and development of IT applications may lie with the professional body like the NIC, its successful implementation and utilization is highly dependent on the active involvement of the end-users in the court functions during the entire life cycle of the IT application. The applications have to be designed according to the specific functional requirements of the end-users. Once the application comes into operation, it has to handle the court's information, which has to be regularly entered and updated. It was observed during the study that some of the important information displayed on the court website was outdated by months. No one in the court felt responsible for this and it was generally considered as a lapse on the part of the NIC. It is not appropriate that the NIC or any IT professional body can be made responsible to ensure the correctness of court information.

It is proposed that a IT co-ordination and control cell may be set up in the High Court for effective co-ordination between the court and the NIC. The cell may be headed by an officer, who may not be an IT professional, but has adequate interest and understanding of IT based systems. The cell should be responsible for organizing communication between the IT professionals of the NIC and officers of the court for articulating the court's requirements during the design and development of new IT applications and modification of existing applications from time to time. The cell would also be responsible to ensure timely and accurate entry of information in the IT systems and their updation from time to time. The cell would maintain a schedule of all information entry and updation and monitor the adherence to this schedule.

(8) The study of various Establishment & Administration branches reflects that there is inadequate transparency in the system of functioning. As a result proper procedure in this regard could not be followed. This is due to the absence of definite rule, which could guide in achieving goal properly. The Delhi High Court Establishment (Appointment and Conditions of Service) Rules 1972, which is the only rule to be followed, also has some deficiencies on various counts. The existing Recruitment Rules, which are part of the above Rule, do not fulfill the criteria, which generally forms a part of the standard recruitment rules. There is no mention about composition of DPC, Screening Committee, Selection Committee, Marriage disqualifications etc. and few more. There is also defect of eligibility criteria in the existing Recruitment Rule. These need to be looked into. The Recruitment Rules should be framed in such a way so that there is no lacuna, which may cause injustice to the employees. Due to deficiencies in recruitment rules, the recruitments made in the past appear to be not made in accordance with the normal and conventional procedure. In regard to departmental promotions also, proper methods have not been adopted and followed,

It is observed that although the reservations in posts of junior judicial services are applicable but the same has not been followed strictly. As a result it is not clear as to whether all the points of roster have been filled properly or not. It is also seen that the old vacancy based roster is being followed which has been replaced by the Supreme Court by its judgment dated 2.7.1997. In fact, a new post-based roster has been adopted in place of vacancy based roster at other places. It is 200 and 13 point rosters, which are applicable to SC, ST and OBCs. It is also learnt that none of the staff knows as to how the reservation roster is to be prepared/ operated. There is also no computer. Long notes are typed from typewriter.

(9) It is learnt that entries in PBR register is still in vogue in the Accounts section, which is carried out manually.

It is also noticed that this section deals with those cases which should be dealt with in Establishment Division viz. completion of pension papers, fixation of pay etc.

Apart from that, the Cash Branch also deals with receiving of cheques from the litigants on court deposits and converts them into FDRs. In fact, it is noticed that the court orders regarding court deposits in various cases are usually dealt with by Cr./Judicial/Civil Sections. These sections send the concerned files with cheques/ DDs to cash branch after getting orders of court. The cash branch takes further action to convert the cheques/ DD towards fixed deposits. FDRs are also sent along with the case file to the concerned branch. This system is perhaps not proper. The FDR should be retained and monitored by the cash branch and need not be placed in the case file.

(10) As the examination branch, which holds examinations of Delhi Higher Judicial Service and Delhi Judicial Service Examinations and various other examination for direct recruitment of High Court Staff is a confidential section, its various papers could not be studied. However on preliminary discussions it is observed that there are a number of lacuna in examinations viz. non-compliance of orders, preparation of question papers, scrutiny and assessment of answer sheet, preparation of panel etc. It was said that it is approved by judge's committee. There is no doubt that the Hon'ble judge's Committee generally approves cases, but the question arises as to whether that Committee had time to verify the veracity of all examination related papers. . However, to come to a tangible improvement in the present system it is suggested that an independent recruitment agency similar to that of the UPSC/Delhi Subordinate Service Selection Board may be setup for all Delhi High Court examinations including Delhi Higher Judicial Services and Judicial Services Officers and various staff of Delhi High Court . All recommendations of this board be subjected to the approval of the Hon'ble Chief Justice of Delhi High Court. The terms of reference of the Commission/Board could be framed in such a way that there should not be any room for deficiencies. A suggested frame work of scheme of examination is attached at Appendix-A & B.. Similar type of scheme will have to be evolved in respect of other posts.

Chapter –6

STAFFING PATTERN

- 6.1 Staff Strength
- 6.2 Direct Recruitment
- 6.3 Promotion
- 6.4 Conversion of Temporary Posts into Permanent ones
- 6.5 Confirmation
- 6.6 Suitability of person within the zone of consideration

6.1 Staff Strength

The strength and distribution of the staff in any organization is correlated with the work-load, skill requirements, technology and organizational design.

The High Court of Delhi had the sanctioned/approved strength of 1246 staff and officers (excluding Hon'ble Judges) as on 2-8-2005. Of these, the number of permanent posts was 1211 and the remaining 35 were temporary. This can be compared to the strength of staff of the Karnataka High Court, which has 1366 permanent and 271 temporary posts, with 113 of the total posts lying vacant. According to the Annual Report (2004-05) of the Ministry of Law and Justice, the institution of fresh cases in the two high courts were as follows:

Institution of cases	Delhi High Court	Karnataka High Court
Civil	19,298	87,965
Criminal	8,670	7,878
Total	27,968	95,843

The relation between the number of judges and the staff is not very different between the two High Courts. Karnataka has a sanctioned strength of 40 judges whereas the number for Delhi is 33. The ratio of permanent staff posts to the sanctioned strength of judges works out to 36.7 for Delhi and 34.2 for Karnataka. If the temporary posts are included and the vacancies ignored, the ratios become 37.8 for Delhi and 40.9 for Karnataka.

At the time of establishment of Delhi High Court the total number of sanctioned permanent posts was 951, which now stands at 1211 showing an increase of 27.3 percent. At the time of establishment, the number of total posts was 1110 as the number of temporary posts was large. The total number has increased to 1246 showing a modest increase of 12.3 percent. Though a case can be made out for enhancing the staff strength based on a historical view, it is difficult to justify the same from a comparative perspective. As far as permanent posts are concerned, the largest increase has taken place in the following categories:

	A	B	
Court Attendant	138	263	+125
Room Attendant	56	67	+11
Chauffer	37	54	+17
Total			+153

A=At the time of establishment B= As on 5.8.2005

Whereas the increase in the case of Judicial Assistants has been modest

	A	B	
JJA	125	140	+15
JA	126	131	+5
SJA	113	136	+23
Total			43

A= At the time of establishment B= As on 5.8.2005

If the pressure of increasing number of cases has had a significant effect on increasing the staff strength, this is only partially reflected by the change in the Staffing Pattern because the maximum increase has taken place in Group D:

Category	Permanent Posts		Temporary Post	
	A	B	A	B
Group A	131	148	10	6
Group B	201	229	25	1
Group C	261	387	36	1
Group D	288	446	88	16

A=At the time of establishment B= As on 5.8.2005

The Staff distribution of the Delhi High Court is compared with that of the Karnataka High Court,:

Category	Permanent Posts		Total Posts	
	Delhi	Karnataka	Delhi	Karnataka
Group A	148	22	154	50
Group B	229	100	230	169
Group C	387	767	388	935
Group D	446	477	462	483

The tables show that Delhi has expanded the employment of Group D staff to such an extent that there is imbalance with the number in Group D exceeding the strength of Group C for both the permanent and total posts. The large number of Group A staff in comparison to Karnataka and relative to Groups B and C, also indicates an imbalance in the Staffing Pattern.

In the government, norms for various types of staff have been recommended. For instance, the `Scale for entitlement of Group D staff for sections in the Ministries/Departments/Attached Offices of the Government of India is "One peon and one Daftry (interchangeable) for every 16 members of staff working in the Sections including Section Officer/Desk Officer but excluding Group D Staff". This norm is for sections other than cash, Central Registry and Parliament Section, in which cases the requirements have to be assessed after study of actual workload. The entitlement of Group D staff for ministers and officers above the rank of SO/DO is governed by relevant OMs of the Departments of Finance and of Personnel. Since the work of the courts differs from the government, the same norms may not be applicable and the courts should modify the norms based on work-studies. Nevertheless, the norms cannot be too far removed from the government norms and the Court may decide to adjust the government norms to suits its requirements without work-studies taking into account the ground realities.

Responses from Branches regarding Additional Staff Requirement

Branch/Section	Additional Number required
Accounts Branch	2
Company I & II	3
Criminal Branch	-
Despatch	1 or 2
Establishment I & II	Nil
Gazette I & II	-
General I & II	2 trained staff
Listing	50 percent increase (i.e.9)
Library	32 (full strength requirement)
Stationary & Computer	3
Reception	1
Cash & Budget	3
Civil II	2
Civil III	3
Crl Misc (M)	2
Filing	-
Inspection	2
Translation	Nil
Vigilance	-
Writ	14
Total (excluding library)	48

As can be seen from the responses of the different branches, the need for extra staff is minimal, except in the case of the writ branch. There is need for

relocating staff from sections, which have less workload to those that are heavily burdened. As far as the library is concerned, the staff indicated by the library is based on some ideal norm.

6.2 Direct Recruitment

The proper procedure in direct recruitment and promotions is explained below :

Before actively beginning recruiting proposal, the Court should consider the type of employees it needs. Recruitment has been regarded as the most important function of Personnel Administration, because unless the right type of people are recruited, even the best plans and control system would not do much good. Recruitment is a process of searching talented and prospective personnel.

Prior to start of recruitment in any cadre, vacancy in each cadre is required to be assessed according to the provisions contained in recruitment rules. If recruitment rule provides 50% vacancies to be filled by direct recruitment and 50% by promotion, then in that case the existing vacancies should be bi-furcated and accordingly direct recruitment resorted to in respect of the required number of vacancies. Vacancies for SC/ST, OBC and PH should also be assessed according to the reservation roster. Since the High Court does not come within the jurisdiction of UPSC/SSC, the advertisement should be given in leading newspapers and employment news and in addition to the local employment exchange. Departmental candidates can compete with outside candidates if they fulfill criteria laid down in Recruitment Rules. The advertisement should specifically contain designation of posts, classification of posts, age (minimum/maximum), time limit of closing date, scale of pay, educational qualifications and experience and scheme of examination. (An illustrative scheme in respect of Higher Judicial and Judicial Services Officers and also that of Sr. Judicial Assistants and equivalent posts is enclosed as Annexure). Similar scheme may be prepared in respect of other posts where direct recruitment is also one of the modes of appointment. A format of application form with detailed personal data of the person should be evolved and persons applying should be provided with that format. It should also be mentioned in the advertisement as to whether the selection will be made on the basis of written examination followed by interview or only interview/written test. Some fee should be levied for applying for the post. SC/ST candidates should be exempted from payment of fees. They should also be paid TA on shortest route in case the applicant comes from out station for test/interview. Number of vacancies reserved for SC/ST and OBCs and general candidates should be mentioned in the advertisement. The scheme of examination should also be specified in the advertisement. The last date of submitting the application should be mentioned in the advertisement.

On receipt of the applications, the demand draft sent by candidates should be detached from application by noting the DD no. on the application. Thereafter

the applications should be segregated into categories of SC/ST/OBC/ PH and General candidates. In the meantime a Screening Committee should be constituted who will go through each and every application with reference to advertisement. However, based on the verification of facts in the application and on the strength of testimonials, data processing of particulars of every applicant should be made. In the meantime action on holding of written examination/interview should be initiated. Question papers should be set by senior officers/specialized experts who enjoy high integrity. Examination center should also be identified simultaneously. The eligible candidates should be informed by sending admit cards indicating therein post, date, time and venue of examination etc. The paper of examination should be got evaluated by a senior officer/professor etc. as deemed fit by the organization and results published in website as well as in the employment news. The successful candidates should also be informed by written communication asking them to appear before the interview board on a specified date, time and venue. The Selection Committee constituted for the purpose should hold meetings separately for general as well as reserve category candidates. Selection Committee for reserve category candidates should be represented by a reserve category member. In case of reserve category candidates, if necessary, criteria fixed for qualifying marks could be relaxed if requisite number of SC/ST candidates does not qualify in the examination. However, if a reserve category candidate becomes successful without availing any relaxation, he should be treated as a general candidate and should not be put on reserve category roster point. The Selection Committee will assess the performance of the candidates on the basis of rating list prepared by them at the time of interview and on taking marks of written examination. The method of determining merit should be evolved. The Selection Committee will prepare the panels of merit of general candidates and reserve category candidates and then merge both the lists together on the basis of marks obtained. This list will also have to be accepted by the Appointing Authority at the first instance.

After approval of appointing authority, the panel should be published on web-site and the candidates informed individually. They should also be offered the appointment by indicating various terms and asking their willingness to accept the offer. On getting willingness, the candidate should be sent for medical examination and they should also be asked to fill up Character and Antecedents verification form which should immediately be sent to the concerned police authorities. On medical examination the Appointing Authority may allow the candidate to join his post on ad-hoc basis subject to the condition that final appointment will depend on receipt of police verification report. A few more candidates should be placed in the panel who would be retained in the waiting list. Their names should not be published. In case any candidate does not join, the incumbent from waiting list could be offered the appointment. The panel will be valid for one year.

At the time of joining, the candidate is to take oath of allegiance, submit details of his family position, home town declaration etc. on the prescribed format. In the meantime, in case adverse reports are received from the police,

the services of the concerned official should be terminated with immediate effect and complaint made to police. In case the medical examination report unfits the candidate, his case should be referred to a Board of Doctors for second opinion.

It is learnt that the above drill had not been followed properly while resorting to direct recruitment in past. It is also observed that even reservation policy of Govt. has not been followed. In fact there is no roster which is being maintained in proper form. In earlier examinations no rating list was prepared after the examination and interview. SC/ST member was not associated in the Selection process. It is also learnt that final authority vests with the judge's Committee. The responsibility of the office cannot be shifted to the Honorable judges before whom the various cases are placed for final approval.

The existing delegation of power also does not cover all fields. It is defective to the extent that it does not contain various aspects viz. activity area, scope of power and responsibility, extent to power, empowered authority etc. Only the Registrar General has been delegated with certain powers on restricted activity.

6.3 Promotion

In making promotions, it should be ensured that suitability of the candidates for promotion is considered in an objective and impartial manner. For this purpose, DPC should be formed which should have a member from SC or ST. The DPC so constituted shall judge the suitability of officers. The Chairman of the DPC should be an officer of a sufficiently high level and one of the members of the DPC should be an officer from a Deptt. not connected with the one in which promotions are considered. The other Member(s) should be an officer of the Department. familiar with the work of the persons whose suitability is to be assessed. The officer of another Deptt. appointed as a member of the DPC should also be of an appropriate level keeping in view the level of the other members of the DPC.

Prior to considering promotion of employees in any grade/cadre the vacancy should be assessed at the first instance with reference to the provisions contained in recruitment rule/ establishment register/ incumbent register, reservation roster and seniority list. These vacancies are also to be assessed according to the mode of promotion as per recruitment rules viz:

1. Departmental Examination
2. Seniority-cum-fitness (non-selection method)
3. Selection-cum-seniority/selection by merit.

In regard to the departmental examination, the eligibility criteria of an employee should be taken into account as per the scheme of the examination, which may contain the period of service in feeder cadre , debarment in promotion on departmental punishment etc. In case of seniority-cum-fitness and selection-cum-merit, the field of choice of eligible officers in

feeder cadre should be with reference to the number of vacancies proposed to be filled in the year. These are as follows:-

No. of vacancies	No. of officers to be considered
1	5
2	8
3	10
4 of more	twice the number of vacancies+4

The representation of SC/ST candidates should be taken into consideration prior to resorting to promotion cases so as to determine that there is no shortfall in percentage of these categories of employees. In case of necessity the zone of consideration may be extended to 5 times of the vacancies. However, if element of direct recruitment in a grade exceeds 75%, then there will not be any reservation of SC/STs in promotion.

In case of selection-cum-seniority and selection by merit, a bench mark grade will have to be determined for each category of post, having regard to the level of posts to which promotion are to be made, as well as the nature and importance of the duties attached to the post,

Promotion cases are to be placed before the DPC as per the provisions contained in recruitment rules. DPC should be informed with the relevant data with ACR Dossier, seniority list, list of officers who are under consideration zone, vigilance clearances and bench marking points in respect of cases of seniority cum fitness and selection –cum- merit. In this regard various procedures and instructions may be followed. The DPC should be represented by a member from reserve category. It is also learnt that the final authority of selection vests with the judges' Committee. The Hon'ble Judge's Committee does not have much time to scrutinize all the relevant facts that has determined the selection of the candidates.

Reservation in Services should be followed keeping in view various orders and instructions issued by the DoP&T on the basis of judgment of Supreme Court. Guidelines are indicated in the annexure.

6.4 Conversion of Temporary Post into Permanent ones

The conversion of temporary posts into permanent ones are regulated by various instructions and orders of Govt. of India issued from time to time. According to the existing instructions, 90% of temporary non-plan posts, which are in existence for more than 3 years and are likely, to continue indefinitely may be converted into permanent ones. The eligible employees are then declared permanent after considering their suitability in accordance with the Rules.

6.5 Confirmation

It is noticed that in Delhi High Court a very large number of employees in the "C" category had been confirmed on a single date. The reasons for such orders are not clear. Generally confirmation should have been made in the existing grade as soon as permanent vacancies are available which has not been done. According to the rules, confirmation will be made only once in service period of an official which will be in the entry grade. An employee who has successfully completed the period of probation may be considered for confirmation against a permanent post. In case an employee is transferred/promoted to another post before his confirmation, he should be confirmed in the existing grade. Once an employee is confirmed in lower grade, he need not be confirmed in another higher grade again.

Before confirming an employee the competent authority should satisfy

- (a) That the person concerned is educationally qualified unless the same has been specifically relaxed or he is a person whose education and qualification was relaxed at the time of initial stage of his recruitment.
- (b) That the person satisfies the condition of age limit as per Recruitment Rules at the time of his initial appointment unless he has been exempted in this regard.
- (c) That he has been examined by appropriate medical authority and found fit wherever necessary.
- (d) That he is qualified for confirmation under the relevant Recruitment Rules and passed pre entry test, if any, before confirmation.

6.6 Suitability of person within the zone of consideration

- (I) Suitability of a person within the zone of consideration should be determined by a DPC. Both confirmation and denial in confirmation involve assessment of work done by an officer which could be judged by DPC
- (II) Before confirming a person, integrity clearance should always be obtained from vigilance unit.
- (III) In case of confirmation, the DPC should not determine the relative merit of officers but it should assess the officers as "fit" or "not yet fit" for confirmation in their term on the basis of their performance in the post as assessed with reference to their record of service.

A person appointed against a permanent post as a direct recruit with definite conditions of probation is to be confirmed in the grade with effect from the date on which he successfully completes the period of probation. The decision as to whether he should be confirmed or his probation be extended should be done immediately on completion of probation period.

Chapter 7

MISCELLANEOUS

- 7.1 Judges's Committee
- 7.2 Delegation of Powers
- 7.3 Receipts and Issue Section
- 7.4 Right to Information Act

7.1 Judges's Committee

While conducting studies in various branches it was stated that there are a number of judge's Committees who look after various matters. Although complete information was not available, it is understood that there are 20-25 judges committee, which are engaged in taking decisions regarding administrative matters. These committees are appointed by the Hon'ble Chief Justice to help him in Court Management. These Committees look into matters such as maintenance of cars, liveries, appointment of oath commissioners, computerization, direct recruitment, promotions etc. On any given day there may be meetings of 2-3 committees. Clearly, considerable amount of valuable time of the Hon'ble judges is spent on administrative matters, which may not always be important enough to engage their attention. It is suggested that the functions and working of the judges committees be examined so as to reduce the administrative workload of the Hon'ble judges by separating the important from the routine. The judges committees can only function effectively if there is adequate preparation before the meetings and proper monitoring/follow-up subsequently.

It is also learnt that representation of an employee in respect of discrepancies in a seniority list or such matters are placed before the Hon'ble judge's Committee/CJ and in case the grievances are not disposed of /cleared in time, it causes suffering to the employee concerned. Apart from delay it is observed that in case the legitimate claim of the employee is denied, he may file a petition in the court impleading the judge's Committee/CJ which will not be a healthy affair.

In view of above it would be proper if this type of cases are disposed of at the RG's level so that embarrassment of Hon'ble judges could be avoided and the case could be decided early.

7.2 Delegation of Powers

The existing delegation of powers also do not cover all fields. It is defective to the extent that it does not contain various aspects viz. activity area, scope of power and responsibility, extent to power, empowered authority etc. Only the Registrar General has been delegated with certain powers on restricted activity.

7.3 Receipts and Issue Section

As already stated earlier, various kinds of miscellaneous letters/papers (except cases which are received in filing section) are received in Estt. I & II sections. They are also to dispatch various miscellaneous types of letters (except those issued from judicial dispatch section) by post and by special messenger. Since the same type of works are being handled by three sections it is suggested that a new section with the nomenclature of "Receipt & Issue (R&I)" may be created by inducting the persons who are already handling such work in Estt. I, II & Dispatch (judicial) sections. This section should be headed by an Administrative Officer/AR. All receipts/letters/references (except cases which are received in filing section) will be received in this section and are to be diariesed and sent to the concerned sections through a "Challan Register". Similarly all dispatch work (except supply of certified copies/orders) will also be entertained in these sections. Computer should be utilized for the purpose.

7.4 Right to Information Act, 2005

Implementation of the provisions contained in Right to Information Act is mandatory to all the organizations as it is a statute passed by the Parliament.

It is learnt that action in this regard has not been taken by the High Court to implement the various provisions contained in the Act. It has been stated that there is a Reception and Facilitation Center, which is concerned with the matter. But unless a Public Information Officer and an Asstt. Public Information Officer are appointed and various information in respect of the High Court are displayed in the website of the High Court, the purpose of the Act will not be achieved.

It is therefore suggested to take immediate appropriate action to implement the Act if necessary after obtaining the orders of the Hon'ble Chief Justice. It is suggested that a cell in this regard be created.

Chapter 8

SUMMARY OF RECOMMENDATIONS

To sum up, the following recommendations are made for smooth functioning of the Delhi High Court:-

1. Detailed entry of the case details be done in software in filing section itself at the time of filing of cases. Apart from that, order sheet and computer generated summary of the case should also be placed in the files.
2. Manual scrutiny sheet in the filing section should be discontinued and instead checklist should be evolved on the screen of the computer and a print out given to the Listing Unit. It could be done after more detailed examination so as to serve as second stage of filing and develop litigant friendly approach after detailed scrutiny and entry in computer.
3. Digitized Tracking and crosschecking of cases in each section should be adopted to facilitate follow-up action of cases by respective sections. For this every section should be provided with computer. Wherever manual entries are done it should be replaced by entries in computers.
4. Separate process to issue of certified copies of orders /judgments may be adopted in consonance of the Karnataka High court.
5. Working condition of the sections, which are unhealthy and unsystematic, should be improved by replacement of old furniture and designing of the office space. This could be done with the help of professional consultants.
6. Staff should be given management and computer training and access to computer branches. The details of files, racks being handled by a Dealing Assistant are to be entered in the computer.
7. Records management requires policy directive regarding retention, weeding and maintenance of records. The procedure adopted by the Karnataka High Court could be the guideline here. For preservation and maintenance, advice of National Archives of India may be taken to avoid any damage to the records by insects.
8. Recruitment, promotion etc should be made according to the Recruitment Rules and various orders on the subject. Regulations, Recruitment Rules, various establishment rules and registers, reservation rosters, Delegation of Powers, training in office /personnel management and in computers are required.
9. Establishment of independent agency similar to Delhi Sub-ordinate Service Examination Board for holding all examination of the High Court be considered. This will be under the overall control of High Court. For adaptation of procedure etc. specimen copy of notice and examination scheme are enclosed with the report at Appendix- A&B.
10. Each section should be allocated specific business /subjects to be dealt with by them. Re-distribution of business is required in this connection. The sanctioned strength of each section should be identified. Dealing Assistant should be rotated in sections every after 3 years or if necessary even after shorter period.

11. Service books and personal files are the charge of establishment section. These are to be handled by them and not by any other section.
12. For administrative functions viz preparation of Regulations, recruitment rules, scheme of examinations, reservation rosters, delegation of powers etc, the services of an administrative consultant(s) could be hired, who could report to Chief Justice or empowered committee of judges.
13. Facilitation center should be provided with the computers, which should be connected with all the branches of the High court so as to enable them to provide more information to all stakeholders.
14. Citizens' charters should be adopted.
15. Right to information under Right to Information Act be adopted and required information should be displayed on the website of the court.
16. Annual report of the court should be published.
17. An IT coordination and control cell should be set up for effective coordination between the Court and the NIC.
18. Creation of a Receipt and Issue section be considered.
19. Function of the judges committees may be reviewed by delegating powers to the lower rung.
20. The employees should be provided. Proper training in respect of personal management office procedure and reservation rosters. For this, the High Court may approach Institute of Secretarial Training & Management or other Private Institute who conducts such training.
21. Use of PBR Register may be discontinued and its entry should be done in the Computer.

22. TRAINING

The employees should be provided training in respect of-

- (a) I.T matters for which services of NIC or some private institute could be utilized for such training
- (b) Proper training to be conducted in respect of

1. Personnel Management
2. Office Procedures
3. Financial Management

The High Court may consider entrusting the above job to some outside agency /consultant such as the Institute for Secretarial Training and Management (ISTM), IIPA or any other suitable institutions.

23. General Suggestions

The following suggestions are made to bring a tangible improvement:-

- Preparation of Rules/Regulations.
- Preparation of proper Recruitment Rules
- Following of procedure for creation of posts, continuance of posts and confirmation of posts, Maintenance of various Establishment Registers
- Following of proper promotion/recruitment procedure
- Preparation of Reservations Roster for SC/ST/OBC/PH
- Proper Delegation of powers

Appendix-A

Public Service commission, Delhi High Court

NOTICE FOR RECRUITMENT OF JUDICIAL OFFICERS

Public Service Commission Delhi High Court will hold on---a combined competitive examination for preliminary Examination and Main Examination followed by interview, for selection of candidates for appointment in the grade of Higher Judicial and Judicial Services Officers of Delhi, subject to the availability of vacancies and a panel will also be prepared for future vacancies. The details of posts are as follows: -

1. The grade in which recruitment will be made are:-
 - (a) Additional District Judges
 - (b) Metropolitan Magistrates
 - (c)
2. Pay scales in these grades are:
 - (a) Rs.
 - (b) Rs.
3. Number of vacancies.....
4. Number of reserved vacancies....., SC.....,ST.....,OBC.... and PH.....
5. Age limit as on.....with admissible Relaxation of age for SC,ST,OBC& PH category and Departmental candidates as admissible.
6. Essential educational qualifications including Hindi of High School Standard.....
7. Essential Experience.....
8. Fee payable & mode of payment.....
9. Last date for receipt of application in the prescribed form.....
10. Other conditions-(1) The candidate should be a citizen of India etc..... (2) Physical standard.
11. A scheme of examination is enclosed as at Appendix-A.

Public Service Commission
Delhi High Court

**Scheme of Examination For Delhi Higher Judicial Service and Delhi
Judicial Service Officers.**

Section I

There will be competitive examinations for recruitment to the grades of Delhi Higher Judicial Services and Delhi Judicial Services Officers of Govt. of Delhi. Persons selected will be appointed as :-

- (i) Additional District India; Delhi
- (ii) Metropolitan Magistrates, Delhi.

The examination will comprise of the following three stages:-

- (i) Delhi Higher Judicial Services and Delhi Judicial Services (Preliminary) examinations (objective type) for selection of candidates for main examination;
- (ii) Delhi Higher Judicial Services and Delhi Judicial Services (Main) examination (written) for selection of candidates for Interview;
- (iii) Delhi Higher Judicial Services and Delhi Judicial Services Interview for selection of candidates for the above mentioned posts.

The preliminary examination will consist of an objective type (multiple choice question) and carry a maximum of 400 marks. This examination is meant to serve as a Screening test only, and the marks obtained in this preliminary examination by the candidates who are declared qualified for admission to the main examination will not be counted for determining their final order of merit. The number of candidates to be admitted to the main examination from amongst the successful candidates from the preliminary examination, who will be about 10 to 12 times the total approximate number of vacancies to be filled during the year by these posts. Only those candidates who are declared by the Commission to have qualified in the preliminary examination will be eligible for admission to the main examination provided they are otherwise eligible for admission to the main examination.

The main examination will consist of a written examination which will consist of 3 papers of conventional essay type in subject sets out in this regard.

Candidates obtains such maximum qualifying marks in the written part of the main examination as may be fixed by the Commission at their discretion, shall be summoned by the Commission for an interview for a personality test.

Marks thus obtained by the candidates in the main examination (written part as well as interview) will determine the final ranking.

Section II

A-Preliminary Examination

The Preliminary examination will consist of two parts; viz

	Subject	Marks	Number of questions	Duration
	Paper-I			
1	General studies, intelligence and awareness.	General 200 General	200	One & half hrs.
	Paper-II			
2	English language & aptitude	Numerical 200	200	One & half hrs.

Note: (i) the both question paper will be objective type (multiple choice question). (ii) the question papers will be set both in English and Hindi (except English language paper. (iii) the course contents of syllabi for all subject will be of degree level except numerical aptitude which will be of High School Standard.

B-Main Examination

The written (main) examination will consist of the following paper:-

	Subject	Marks	Duration
	Paper-I		
1	English	200	3 hrs.
	Paper-II		
2	Essay & precise writing	200	3hrs.
	Paper-III		
	Law		
	Part-A		

Jurisprudence	300	3 hrs.
Constitutional Law of India, International Law, Law of Crimes, Civil Procedure Code, Law of Evidence, Specific Relief Act.		

Part-B

Law of Torts	300	3 hrs.
Law of Contracts & Mercantile Law, Sale of Goods Act., Transfer of Property Act, Personal Laws, Succession Act.		

Candidates will have to answer all the question papers in English. Candidates must write the papers in their own hand. In no circumstance they will be allowed to take the help of a scale to write the answers for them. Credit will be given for orderly, effective and exact expression combined with due economy of words in all subjects of the examination. Candidates should use only international form of Indian numerals (i.e.1,2,3,,4etc.). Candidates will also not be allowed to use calculator, Mobil in Examination.

Section –III

Interview/Test

Those candidates who qualify in the main examination will be called for interview/personality test.

The candidates will be interviewed by a Board who will have before them a record of his career. The object of interview is to assess the personal suitability of the candidate for a career in Public Service of Judicature by a Board of competent and unbiased observers. In broad terms this is really an assessment of not only his intellectual qualities but also social traits.

Section-IV

Detailed syllabus for

(a) Preliminary Examination

(b) Main Examination—(to be indicated by High Court)

(c) Dates, Time, Place of Examination.

(d) Last date of submission of application in the prescribed format
is.....(to be enclosed).

Appendix-B

Public Service Commission

Delhi High Court

NOTICE FOR RECRUITMENT OF VARIOUS GROUP-C POSTS IN DELHI HIGH COURT.

Public Service Commission, Delhi High Court will hold on---a combined competitive examination for preliminary Examination and Main Examination followed by interview, for selection of candidates for appointment to the following Groups C categories of posts in Delhi High Court:-

1. Category of posts.

- 1) Sr. Judicial Assistant
- 2) Sr. Judicial Translator
- 3) Librarian
- 4) Court Master
- 5) Reader

2. Number of Vacancies are ---which includes SC.....,ST....,OBC.....,PH....

3. Scale of pay of the posts are-

- | | |
|----------------------------|-----|
| 1) Sr. Judicial Assistant | Rs. |
| 2) Sr. Judicial Translator | Rs. |
| 3) Librarian | Rs. |
| 4) Court Master | Rs. |
| 5) Reader | Rs. |

4. Age as on the date of publication of this notice.....years. Age limit will be admissible with usual relaxation of age for SC.....,ST....,OBC.....,PH.... And for Departmental candidates in respect of above posts.

5. Essential Educational Qualification for posts at 1,4 & 5 are graduate (first class) from a recognized University; for post at 2-graduate (first class) with Hindi/ Punjabi/ Urdu, or any of the regional languages; for post at 3-degree (first class) in Library Science. In addition M.S. Office in Computer operation is also essential.

6. Experience for

- | | |
|----------------------------|-------|
| 1) Sr. Judicial Assistant | yrs . |
| 2) Sr. Judicial Translator | yrs |
| 3) Librarian | yrs |
| 4) Court Master | yes |
| 5) Reader | yes |

7. Fee payable and mode of payment- Rs..... through demand draft in favour of Last date of sending application..... SC & ST candidates are exempted from payment of fee.

8. Other conditions.....(i) the candidate should be a citizen of India.....and Physically fit for the post

9. A scheme of the examination is enclosed at Appendix -B

Public Service Commission Delhi High Court

Scheme of Examination For Sr. Judicial Assistant, Sr. Judicial Translator, Librarian, Court Master and Reader.

Section I

There will be a competitive examinations for recruitment to the grades of Sr. Judicial Assistant, Sr. Judicial Translator, Librarian, Court Master, Reader in Delhi High Court.

The examination will comprise of the following three stages:-

1. Sr. Judicial Asstt., Sr. Judicial Translator, Librarian, Court Master and Reader Services (Preliminary) examinations (objective type) for selection of candidates for main examination.
2. Sr. Judicial Asstt., Sr. Judicial Translator, Librarian, Court Master and Reader (Main) examination (written) for selection of candidates for Interview.
3. Sr. Judicial Asstt., Sr. Judicial Translator, Librarian, Court Master and Reader Interview for selection of candidates for the above mentioned posts.

The preliminary examination will consist of an objective type (multiple choice question) and carry a maximum of 200 marks with two papers. This examination is meant to serve as a Screening test only, and the marks obtained in this preliminary examinations by the candidates who are declared qualified for admission to the main examination will not be counted for determining their final order of merit. The number of candidates to be admitted with the main examination from amongst the successful candidates from the preliminary examination, who will be about 10 to 12 times the total approximate number of vacancies to be filled during the year by these posts. Only those candidates who are declared by the Commission to have qualified in the preliminary examination will be eligible for admission to the main examination provided they are otherwise eligible for admission to the main examination.

The main examination will consist of a written examination which will consist of 2 papers with 300 marks of conventional essay type in subject set out in this regard.

Candidates who obtain such maximum qualifying marks in the written part of the main examinations as may be fixed by the Commission at their discretion, shall be summoned by the Commission for an interview for a personality test.

Marks thus obtained by the candidates in the main examination (written part as well as interview) will determine the final ranking.

A-Preliminary Examination

	Subject		Marks	Number of question	Duration
1	General studies, intelligence and awareness.	General General	100	100	One & half hrs.
2	English language & aptitude	Numerical	100	100	One & half hrs.

Note: (i) the both question paper will be of objective type (multiple choice question). (ii) the question papers will be set both in English and Hindi (except English language paper. (iii) the course contents of syllabi for all subjects will be of degree level except numerical aptitude which will be of High School Standard.

B-Main Examination

The written (main) examination will consist of the following paper:-

	Subject	Marks	Duration
1	English & letter writing	100	One & half hrs.
2	Essay & precise writing	100	One & half hrs. Those who have applied for the post of the Judicial Translation should write in Hindi or any of the regional languages in report of letter, essay and précis writing.

Candidates will have the option to answer all the question papers in Hindi or English except in case of English paper. Candidates must write the papers in their own hand. In no circumstance they will be allowed to take the help of a scale to write the answers for them. Credit will be given for orderly, effective and exact expression combined with due economy of words in all subjects of the examination. Candidates should use only international form of Indian numerals

(i.e. 1,2,3,,4 etc.). Candidates will also not be allowed to use calculator, Mobil in Examination.

Section –III

Interview/Test

The candidates will be interviewed by a Board who will have before them a record of his career. The object of interview is to assess the personal suitability of the candidate for a career in Public Service by a Board of competent and unbiased observers. In broad terms this is really an assessment of not only his intellectual qualities but also social traits.

Section-IV

Detailed syllabus for

(a) Preliminary Examination

(b) Main Examination—to be indicated by Delhi High Court.

© Dates, Time, Place of Examination etc.

(e) Last date of sending application in the prescribed format is (to be enclosed).

Appendix-C

Public Service Commission

Delhi High Court

Reservation in Services in respect of Scheduled Castes, Scheduled Tribes and Other Backward Classes.

Caste Certification and Verification

Where a person claims to be a SC or ST by birth, it should be verified by:-

- a) The claimant and his parents belong to community claimed.
- b) That community stands in the Presidential orders of a particular place
- c) The person belong to the Scheduled community of a particular area/place.
- d) The claimant (SC) should profess either Hinduism or Sikhism or Buddhism.
- e) If a person claims to be ST he may profess any religion.
- f) OBC should belong to the castes/community as notified in respect of an area but he should not belong to creamy layer.

Contents of Caste certificate

A candidate claiming to be a SC,ST or OBC will have to produce a certificate in the prescribed form from the competent authority.

The certificate should bear the Signature, Designation with Seal of officer signing the certificate.

Authorities empowered to issue certificates of verification.

There are various authorities at District and Block Level

Effect of certain events on the status of SC/STs.

(I) Case of Migration

Claim through marriage: It has no effect

Conversion and Re-conversion

Case of adaptation.

These are permissible : -

Provisional appointment on the basis of caste certificate

Reservation applies to Group 'A', 'B', 'C' and 'D'.

Reservation orders will not be applicable to certain categories of recruitment

Percentage of Reservations for SC/ST/OBCs/PH/Ex-Servicemen:

I	Direct Recruitment's	SC	ST	OBCs
(i)	Direct recruitment on All India basis(though open competition , written examination)	15%	7 1/2 % (7.50)	27%
(ii)	Other than open competition	16.67%	7 1/2 % (7.50)	25.88 %
(iii)	In case of Group C & D, normally candidates be taken local region	Percentage will depend in respect representation of these commities and Tribes in State/Uts.		
(iv)	Physically Handicapped	3 %	Orthopedically – 1% Blind – 1% Deaf & Dumb – 1% In Direct	

			recruitment only	
(v)	Ex-servicemen	1%	In direct Recruitment only	
II	Promotion			
(i)	Through limited departmental competitive examination in Gr – B, C & D posts	15%	71/2% (7.50)	
(ii)	By selection-cum-Merit – Group B, C, & D and lowest running of group – A posts	15%	71/2% (7.50)	
(iv)	Seniority – cum-Fitness Group A, B, C & D	15%	71/2% (7.50)	

There is no reservation on promotion in respect of OBCs. In case the direct recruitment quota is more than 75% in any category of posts, in that case there will be no reservation in SC & ST in promotion quota.

Relaxation, Concession and Safeguards:

- (i) Age relaxation – Maximum age relaxation in Direct recruitment for SC & ST is 5 years. For OBCs it is 3 years
- (ii) Relaxation in standards of similarity of SC/ST/OBCs. – In direct recruitment standards of similarity may be relaxed provided required number of candidates are not available and they should be found unfit.
- (iii) Relaxation in Experience – It can be relaxed if sufficient number of candidates are not available.
- (iv) Fee concession – To be given to SC/ST candidates. No fee should be charged from them.
- (v) Travelling Allowance – They should be given TA for coming to attend Examination/Interview beyond 30kms on each way.

- (vi) Age relaxation are also admissible to Physically handicapped persons and Ex-servicemen.

Separate Interview for SC/ST candidates – should be conducted on separate date.

No. of candidates called for interview - In posts filled otherwise through examination 6 to 7 candidates to be called against each reserve post.

Composition of Selection Committee/Departmental Promotion Committee – An SC/ST officer should be associated in Selection/Departmental Promotion Committee preferably from other organisation.

Forwarding of Application – Applications of SC/ST employees should be forwarded if they apply elsewhere for employment. It cannot be held up except in exceptional circumstances.

Complaints to Commission for SC/ST in Service matters – SC/ST Govt. employees can make complaint about their service matters to the Commission for which no permission is required.

Posting near native place – Group C & D employees should be posted near their native place as far as possible subject to administrative exigencies.

Appointment on transfer officers to Farashes, Chowkidars etc to the post of peon. – 25% of posts in Peon be kept reserve for filling from Farashers, Chowkidars in direct recruitment quota.

Safeguards – Safeguards on procedural matters of Reservation Roster, entitlement of SC/ST/OBCs. Liasion Officer of Ministry/Dept, National Commission for SC & ST and Parliamentary Committee on welfare of SC/ST.

Supersession in Promotion – Such cases in respect of Group A & B employees should be submitted to the Ministry. In respect of Gr C & D to be submitted to Head of Deptt. or to Secretary of the Ministry.

Roster – Post based Roster from 2.7.1997 on the basis of supreme Court judgment, before preparation of Roster – RR, Establishment Register, Incumbent List, Verification of Service Book, Reservation Points in roster, Inspection report of LO, DPC/Selection committee proceedings to be consulted.

Method of preparation of Roster

- (a) Separate roster for each mode of recruitment
- (b) Separate Roster for Temporary employee who have been working for more than 45 days.
- (c) Regional Roster

Reservation is not application to deputationists, Transfer on Deputation, Permanent absorption.

Initial operation of Roster

- (a) Method of Recruitment
- (b) No reservation in Group A except in lowest running of Group A staff
- (c) No reservation of OBCs in promotion
- (d) 200 point and 13 point "L" shape roster to be maintained.
- (e) Total reservation should in no case exceed 50% of cadre strength
- (f) There is no reservation in Promotion in case the element if direct recruitment is more than 75%.

Maintenance of Roster

- (a) 200 Point Replacement
- (b) 13 Point "L" Shape

Recruitment Procedure for filling up of reserve posts.

- (a) Advertisement

(b) Selection committee one Member from SC/ST

Procedure of filling up Reserve post in Promotion

- (i) Limited Departmental Examination
 - (a) Required number of period of service and qualifying standard
- (ii) Seniority – cum – Fitness
 - (a) 3 Separate list to be prepared
 - (b) Zone of consideration should be 5 times of number of posts available
- (iii) Seniority – cum- Merit – Reserve category employees cases are to be considered separately. Separate Bench Mark should be awarded among them.

De-reservation, carry forward and Exchange of vacancy

- (i) De-reservation in direct recruitment is not allowed.
- (ii) De-reservation in Promotion is allowed under certain conditions

Role of Liasion Officer

National Commission for SC/ST – To safeguard against exploitation of SC/ST

Appendix – D

Specimen of Delegation of powers

Function/ activity/ task	Scope of power and responsibility	Extent of power	Empowered authority	Supplementary aspect
Leave :- EL, HPL, EOL, leave not due etc.	To sanction leave	Full powers		-----
<u>Categories</u> <u>Gr.A.Officers</u>	To sanction leave	Full powers	Chief Justice in respect of RG, Registrar and Jt.Registrar	-----
Other Gr.A.Officers	- do -	- do -	RG In respect of DR and other group A Officers	-----
Gr.B Officers	To sanction leave	Full powers	RG	-----
Gr.C Officers and Gr. D Officers	To sanction leave	Full powers	Registrar	Powers in respect of Gr. C & D could be redelegated to Jt.Registrar

Appendix – E

Name of the Post	No. of Posts	Classification	Scale of Pay	Whether Selection or non-Selection	Whether benefit of added years of service admissible under rule 30 of the Central Civil Services (Pension) Rules, 1972	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Period of probation, if any	Methods of recruitment : Whether by direct recruitment or by promotion or by deputation/ transfer and percentage of the posts to be filled by various methods	In case of recruitment by promotion/ deputation/ transfer, grades from which promotion/ deputation/ transfer to be made	If a Departmental Promotion Committee exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
(10)	(11)	(12)	(13)	(14)



DELHI HIGH COURT

Case Status Information System

CW 46 / 2005 is a Batch Matter with Pet. Name : RAJIV MOHAN AGGARWAL.

CIVIL WRIT 45 of 2005

DISPOSED

SATISH MOHAN AGGARWAL & ORS.

Vs.

UOI & ORS.

Advocate (s) : CHITRA MARKANDEYA , SIDHARTH MRIDUL

Date of Disposal : Wednesday, February 02, 2005

Category : MISCELLANEOUS MATTERS PERTAINING TO OTHER ORGANIZATIONS (INCLUDING STATUTORY ORGANIZATONS, INSTITUTIONS, PSU'S ETC.)

PENDING APPLICATION (S)

CM 79 of 2005

CONNECTED MATTER (S)

No Connected Matter

Orders/Judgment

<<BACK _

Filing Counter

Filing Screen

Administrator Caveat Filing Filings Case Updates Report Enquiry Counter Close		
Court Hall	<input type="text"/>	Court Name PRL CITY CIVIL & SESSIONS JUDGE
<input checked="" type="radio"/> Civil <input type="radio"/> Criminal	Case Type O.S.	Case No 7861 Year 2002
Date Of Filing 21/11/2002	Nature DECLARATION & INJUNCTION	
Stage	Cause Of Action(Dt.) 06/11/2002	
Relief Claimed	FOR DECLARATION DECLARING THAT THE PLAINTIFFS THE SOLE ABSOLUTE OWNER IN RESPECTG OF THE SUIT SCHEDULE PROPERTY AND FOR PRAYER B. TO C OF THE	
Order/Section	Order 7 Rule 1 & 2 CPC	
Pet Name:	Last Name SAROJA BAI	First Name
Resp. Name:	MUNIYAMMA	Middle Name
No.Of Ptlfs 1	No.Of Defs 1	Jurisdic Valuation 0
No.Of Ptlf Witness	No.Of Defs Witness	Court Fee Payable: 0
		Court Fee Valuation 9425
Save Clear Close		
22/11/2002	High Court Of Karnataka, Bangalore	3:43:27 PM
Start		3:43 PM

Sample Screen

Party Detailed Entry

Litigents Information			
Filing Court Name: PRL CITY CIVIL & SESSIONS JUDGE		At: Bangalore	
<input checked="" type="radio"/> Civil <input type="radio"/> Criminal	Case Type: O.S.	Case No: 7861	Year: 2002
Party: <input checked="" type="radio"/> Plaintiff <input type="radio"/> Defendant		Party ID: AG1	
Party Name:	Last Name	First Name	Middle Name
	(SAROJA BAI)		
Fathers Name: W/O S.R.SINDHE			
Birth Date:	Age: 0	<input checked="" type="radio"/> Major <input type="radio"/> Minor	
Address: NO.44, K.E.B. LAYOUT, MUNIRAMAPPA GARDEN, GADDELHALLI, BANGALORE-094			
Advocate Name: AFSARUNNISA			
Phone No.: 0	E-Mail:	Nationality: INDIAN	
State/UT: KARNATAKA	Religion: HINDU	Caste:	
District: BANGALORE	Town:	Taluka:	
Hobli:	Village:	Hamlet:	
Save		Clear	
Close		Show List	

22/11/2002	High Court Of Karnataka, Bangalore	3:48:50 PM
------------	------------------------------------	------------

Start | Microsoft Word - Sample | 3:48 PM

Party ID AG1,AG2,..Agn -- Plaintiff
 DF1,DF2,..DFn -- Defendants

Suit Schedule Entry

Administrator Caveat Filing Filings Case Updates Report Enquiry Counter Close

Suit Schedule Details

Case Information		Schedule Information			
Item No.	<input type="text"/>	Schedule No.	Schedule Movable?	<input checked="" type="radio"/> No <input type="radio"/> Yes	<input checked="" type="radio"/> House <input type="radio"/> Site <input type="radio"/> Land
District Name	<input type="text" value="BAGALKOT"/>	Property Name	<input type="text"/>		
Taluka Name	<input type="text"/>	Town Name	<input type="text"/>	<input type="button" value="Search"/>	
Hobli Name	<input type="text"/>	Village Name	<input type="text"/>		
Ward No.	<input type="text"/>	Layout	<input type="text"/>	Stage:	<input type="text"/>
Main:	<input type="text"/>	Cross:	<input type="text"/>	Road:	<input type="text"/>
House No.	<input type="text"/>	Door No.	<input type="text"/>	Loc. Area:	<input type="text"/>
Area:	<input type="text"/>	<input type="text"/>	Measure (E-W)	<input type="text"/>	
Measure (N-S)	<input type="text"/>	Other Measure	<input type="text"/>		
East By	<input type="text"/>	West By	<input type="text"/>		
North By	<input type="text"/>	South By	<input type="text"/>		
<input type="button" value="Add Item"/>		<input type="button" value="Ok"/>			
<input type="button" value="Save"/>		<input type="button" value="Delete"/>		<input type="button" value="Clear"/>	
<input type="button" value="Close"/>					

23/11/2002 High Court Of Karnataka, Bangalore 10:

Start Microsoft Word - Sample

Enter case Type, Case No & Case Year in Case Information Screen. Required Schedule screen will appear. Non Moveable – House, Site, Land. Moveable – Vehicles. And many Items can be entered

IA Entry

Administrator Caveat Filing Filings Case Updates Report Enquiry Counter Close

IA Filing

Filing Court Name:	PRL. CITY CIVIL & SESSIONS JUDGE	At Bangalore
<input checked="" type="radio"/> Civil <input type="radio"/> Criminal	Case Type: O.S.	Case No: 7861 Year: 2002
IA Number:	1	Provision Of Law: ORDER 39 RULES 1 & 2 OF CPC
Prayer:	PRAYS TO ISSUE AN ADINTERIM ORDER OF EX-PARTE T.I. RESTRAINING THE DEFENDANTS, HER AGENTS, ETC., FROM	Fee: 10
Party Applying:	Plaintiff	Party Number: 1
Party Against:	Defendent	Party Number: 1
Notice Serve Dt:		Hearing Date:
Date Ordered:		Date OF Filing: 21/11/2002
Nature Of Order:	PENDING	
<input type="button" value="Save"/> <input type="button" value="Clear"/> <input type="button" value="Close"/>		

22/11/2002

High Court Of Karnataka, Bangalore

Start

Microsoft Word - Sample