

THIRTY- EIGHTH REPORT

ESTIMATES COMMITTEE

(1985-86)

(EIGHTH LOK SABHA)

MINISTRY OF LAW & JUSTICE

(DEPARTMENT OF JUSTICE)

Action taken by Government on the Recommendations

Contained in the Thirty-First Report of
Estimates Committee (Eighth Lok
Sabha)



Presented to Lok Sabha on 12 March 1987

**LOK SABHA SECRETARIAT
NEW DELHI**

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ESTIMATES COMMITTEE
(1986-87)

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**Elected on 24th July, 1986 *vice* Smt. Krishna Sahi, ceased to be member of the Committee on her appointment as Minister of State on 12.5.1986.

***Elected on 28th November, 1986 *vice* Sh. Chintamani Panigrahi ceased to be member of the Committee on his appointment as Minister of State on 22.10.1986.

**STUDY GROUP ON ACTION TAKEN REPORTS OF
ESTIMATES COMMITTEE
(1986-87)**

1. Smt. Chandra Tripathi—*Chairman*
2. Prof. Madhu Dandavate—*Convener*
3. Shri G. L. Dogra
4. Shri Ajay Mushran
5. Shri Satyendra Narain Sinha
6. Shri Manoranjan Bhakta
7. Shri Jai Prakash Agarwal
8. Shri Ram Pyare Panika
9. Shri C. Madhav Reddy

INTRODUCTION

1, the Chairman of Estimates Committee having been authorised by the Committee to submit the Report on their behalf present this 38th Report on Action Taken by Government on the recommendations contained in the 31st Report of Estimates Committee (8th Lok Sabha) on the Ministry of Law & Justice (Department of Justice)—Pendency of cases in Supreme Court and High Courts.

2. The Thirty-First Report was presented to Lok Sabha on 17th April, 1986. Government furnished their replies indicating action taken on the recommendations contained in that Report by 7th January, 1987. The draft Report was adopted by the Committee on 9th January, 1987.

3. The Report has been divided into the following Chapters.

(i) Report

(ii) Recommendations that have been accepted by Government.

(iii) Recommendations which the Committee do not desire to pursue in view of Government's replies.

(iv) Recommendations in respect of which replies of Government have not been accepted by the Committee.

(v) Recommendations in respect of which replies of Government are awaited.

4. An analysis of action taken by Government on the recommendations contained in the thirty-first Report of Estimates Committee is given in Appendix. It would be observed therefrom that out of 29 recommendations made in the Report 12 recommendations i.e. about 41.4 per cent have been accepted by Government and the Committee do not desire to pursue 5 recommendations i.e. about 17.2 per cent in view of the Government replies. Replies of Government in respect of 4 recommendations i.e. about 13.8 per cent have not been accepted by the Committee. Replies of Government in respect of 8 recommendations i.e. about 27.6 per cent are still awaited.

NEW DELHI
March 2, 1987
Phalguna 11, 1909(Saka)

CHANDRA TRIPATHI
Chairman
Estimates Committee

CHAPTER I

REPORT

1.1 This Report of the Estimates Committee deals with Action Taken by Government on the recommendations contained in their Thirty-First Report (8th Lok Sabha) on Pendency of cases in Supreme Court and High Courts presented to Lok Sabha on 17th April, 1986.

1.2 Action Taken Notes have been received in respect of all the recommendations contained in the Report. These Notes have been categorised as follows :

- (i) Recommendations/Observations which have been accepted by the Government :

Sl. Nos. 3, 4, 5, 8, 13, 14, 15, 16, 17, 20, 23, 29

(Total 12 Chapter II)

- (ii) Recommendations/Observations which the Committee do not desire to pursue in view of Government's Replies :

Sl. Nos. 9, 10, 12, 21, 25

(Total 5 Chapter III)

- (iii) Recommendations/Observations in respect of which Government's replies have not been accepted by the Committee :

Sl. Nos. 1, 2, 11, 19

(Total 4 Chapter IV)

- (iv) Recommendations/Observations in respect of which final replies are still awaited :

Sl. Nos. 6, 7, 18, 22, 24, 26, 27, 28

(Total 8 Chapter V)

1.3 The Committee will now deal with action taken by Government on some of the recommendations.

Action on Reports dealing with elimination of arrears in Courts

(Recommendation Sl. No. 1, Para 1.10)

1.4 The Committee had noted that the Report of Inter-Departmental Committee which was constituted in 1979 to examine the recommendation made

in the 79th Report of Law Commission, received in 1980, was sent for taking appropriate action in two batches to State Governments/High Courts, one in May, 1981 and the second in April, 1982. The Committee had thus formed an impression that Ministry of Law and Justice had not taken seriously a view of the observation of the Law Commission that a report dealing with arrears and delay could bear fruit only if prompt action was taken thereon and that such report had to be distinguished from other reports dealing with review of a particular enactment. The Committee had therefore desired the Department of Justice to continue to impress upon other Ministries/Department of the Government of India to streamline the Acts/Laws administered by them to provide speedy justice to the people affected thereby.

1.5 In their action taken reply the Ministry of Law and Justice have stated :—

“The 79th Report of the Law Commission on ‘Delay and Arrears in High Courts and other Appellate Courts’ was received by the Government in May, 1979. It was incumbent on the part of the Government to lay the report on the Table of the Parliament. Accordingly, it was laid on the Table of the Rajya Sabha on 28.1.80 and Lok Sabha on 29.1.80. Thereafter, the report was sent to State Governments and High Courts on 1.3.80 and 4.3.80 respectively, for appropriate action as the recommendations are mainly addressed to them.”

1.6 As a follow-up action, an Inter-Departmental Committee comprising the officers of the Legislative Department, Department of Legal Affairs and Department of Justice (at the level of Joint Secretary) was constituted to examine the recommendations and formulate concrete proposals. The Committee serviced by the Department of Legal Affairs gave its report on 18th November, 1980. The Committee stated that the recommendations of the Law Commission were of a general character which were more by way of guidelines to the presiding officers of the courts and did not call for any legislative or administrative action on the part of the Government except very few recommendations where legislative or administrative action was required by the Central or State Governments.

1.7 The Department of Legal Affairs who serviced the Committee sent the recommendations of the Law Commission contained in the 79th Report alongwith the comments of the Committee for the views of the State Governments/High Courts in May, 1981. The Department of Legal Affairs, thereafter, transmitted the views/comments of the State Governments and High Court for follow up action in December, 1981 to this Department.....

1.8 The Department of Justice had thus given due attention to these recommendations by requesting the State Governments/High Courts and Central Ministries concerned, for their implementation, from time to time.

1.9 Noting that there was undue delay in taking action on the report of inter-departmental Committee constituted to examine the recommendations contained in the 79th Report of Law Commission dealing with arrears and delay in Courts, the Committee had formed an impression that Ministry of Law and Justice had not taken seriously the observations made by the Law Commission that a report dealing with arrears and delays could bear fruit only if prompt action was taken thereon and that such a report had to be dealt with entirely on different footing as compared with other reports dealing with review of a particular enactment. The Committee are not at all convinced by the reply of the Ministry that Department of Justice had given due attention to these recommendations by requesting the State Governments/High Courts and Central Ministries concerned for their implementation from time to time. The Committee are constrained to observe that the inter-departmental Committee, which was constituted in 1979 gave its report in November, 1980 i.e. after a lapse of almost one year and the recommendation of the Law Commission alongwith the comments of inter-departmental Committee were sent to State Governments/High Courts for their views after a lapse of another 6 months. The Committee are of the opinion that the undue delay taken in finalisation of inter-departmental committee report and in its subsequent communication to State Governments/High Courts was due to laxity shown by the Ministry of Law in vigorously pursuing the matter with them. The Committee urge that the Ministry of Law and Justice should give utmost importance to the implementation of recommendations contained in such reports and ensure that there should not be any undue delay in taking action on them in future.

Strengthening of Monitoring Cell

(Recommendation Sl. No. 2, Para 1.11)

1.10 The Committee had observed that Ministry of Law and Justice was not serious in making any objective assessment of the impact of implementing recommendations of various Committees/Commissions set up in the past for examining the problems of mounting arrears in Supreme Court and High Courts. Attaching great importance to the assessment of the impact of the action taken on the reports of various committees and Commissions on the Pendency of Cases in High Courts/Supreme Court, the Committee had recommended the setting up of a proper monitoring cell with adequate manpower headed by a senior officer in the Ministry for pursuing with the State Governments/High Courts the progress of implementation of the recommendations contained in these reports, for analysing the feedback and for identifying the problems and bottlenecks for taking effective steps promptly so as to correct the procedural deficiencies, if any, found in the monitoring system.

1.11 The Ministry of Law and Justice have in their Action Taken reply stated that the Joint Conference of Chief Justice, Chief Ministers and Law Ministers of States held on 31st August—1st September, 1985 had in its resolution listed out

the factors of increase in work/arrears. These were awareness of the rights on the part of the citizens, enactment of numerous laws etc. Since the effect of all these was cumulative, it was difficult to numerically assess the impact of the implementation of the recommendations contained in the Report..... The views of the Estimates Committee had been brought to the notice of High Courts/State Governments and they had been requested specifically to intimate the action taken by them on each of the recommendations and the impact on the arrears. The information would be monitored effectively as desired.

1.12 The Committee had in their recommendation laid stress over the need for assessment of the impact of the implementation of the recommendations made by various Committee/Commissions over the pendency of cases in Supreme Court and High Courts and in that context had recommended the setting up of a proper monitoring cell in the Ministry for collecting information for effective follow up action and for removing any bottlenecks. The Committee are unhappy over the silence of the Ministry about the desirability of setting up of an effective monitoring cell as recommended by the Committee. This clearly indicates that there is no change in the attitude of the Ministry. The Committee reiterate their earlier recommendation and urge that an effective monitoring cell with adequate manpower headed by the senior officer be immediately set up in the Ministry to ensure follow up action required and for assessing the impact of the reports of the Committees/Commissions set up to deal with the problem of mounting arrears of cases in the Superior Appellate Courts.

Jaswant Singh Commission

(Recommendation Sl. No. 5, Para 2.12).

1.13 The Committee had noted that Justice Jaswant Singh Commission set up to examine the question of "setting up of benches of High Courts and on the general question of having Benches" submitted its report in April, 1985 and it was under consideration of the Cabinet. The Committee had desired for taking an early decision on the recommendations contained in the Report and for taking concrete action to set up more Benches at the earliest.

1.14 In their action taken reply the Ministry of Law & Justice have stated :—

“...The Commission submitted its report in four parts on 30th April, 1985. The Commission, however, could not report on the question of Benches of Gauhati and Karnataka High Court. The report of the Commission (in four parts) would be placed in Parliament. The Government have considered the report of the Commission.

The specific recommendations made in the report pertaining to the High Courts of Allahabad, Madhya Pradesh and Madras have to be

considered by the concerned State Governments. Accordingly, the Governments of Uttar Pradesh, Madhya Pradesh and Tamil Nadu would be requested to consider the Commission's recommendations and send their views and comments to the Central Government.

The general recommendations made in the report on the question of having benches away from the principal seats and the principles and criteria to be followed in this regard will be forwarded to all State Governments. The Government of Karnataka would be requested to consider its proposal for the establishment of a bench of the Karnataka High Court in the light of these principles, and send its recommendations to the Central Government."

1.15 The Committee note that the report of Jaswant Singh Commission has since been considered by the Government. The Committee desire that Ministry of Law & Justice should sent at the earliest the Commission's recommendations to all the State Governments simultaneously for their views and necessary action.

Appointment of Judges

(Recommendation Sl. No. 11, Para No. 3.14)

1.16 The Committee had observed that the huge disparity between the number of sanctioned strength and the number of Judges in position was due to unduly long time taken in filling up of the vacancies. The Committee had therefore desired that as recommended by the Law Commission, necessary formalities for the appointment of the judges to fill up the vacancies should be completed by the date on which they occurred so that the position regarding piling accumulation of arrears might not worsen further.

1.17 The Ministry of Law & Justice in their Action Taken Reply have stated :—

"The appointments of Judges of the High Courts are made after consultation with the Chief Justice of the High Court, the Chief Minister and the Governor of the State, and the Chief Justice of India. The process of consultation, thus, takes time. The Government is taking all possible steps to fill the vacancies as expeditiously as possible.

The need for taking advance action has been stressed on the Chief Justice who have been requested that they should initiate the proposals 6 months in advance of the anticipated occurrence of vacancies in High Courts, and the Chief Ministers were to finalise their recommendations in consultation with the Governors and send them to the Union Law Minister within one month of receipt of proposals from the Chief Justices.

Issuance of fresh instructions laying down strict time schedule is under consideration.

The Government have taken note of the observations of the Committee regarding appointment of judges in the High Courts and Supreme Court."

1.18 Observing that unduly long time was taken to fill up the vacant posts of Judges of High Courts, the Committee had recommended that necessary formalities for the appointment of Judges should be completed well in advance of the occurrence of a vacancy. The reply of the Ministry that the Government was taking all possible steps to fill the vacancies expeditiously is vague and inadequate as the Committee would have appreciated to be informed about specific steps taken in the matter. Even after a lapse of considerable time, the Ministry was still considering about the issuance of fresh instruction laying down strict time schedule for filling of a vacancy. The Committee urge that the Ministry should give the urgent attention to the matter it deserves and issue the instructions laying down strict time schedule without any further delay. The Committee reiterate their earlier recommendation for stream lining the machinery and procedures for ensuring filling up of the vacancy on the day it occurs and expect that strict adherence to the time schedule in the appointment of Judges, in consultation with the appropriate authorities, will be observed in future.

Ad Hoc Judges

(Recommendation Sl. No. 19, Para No. 4.24)

1.19 In paragraph 4.24 of the Report the Committee had noted that the proposals received from some of the States regarding appointment of High Court Judges under Article 224A of Constitution had not been agreed to by the Union Government despite the accumulation of huge arrears in those courts. The Committee had therefore recommended for involving the provisions of Article 224A for appointment of retired Judges liberally. The Committee had also noted that Ministry of Law & Justice had not been monitoring the impact of appointment of ad hoc Judges on the actual clearance of arrears of pending cases, despite the fact that ad hoc judges had been assigned to dispose of specific number of cases during their fixed tenures. The Committee had therefore desired that the monitoring Cell in the Ministry should have been adequately strengthened to get regular statistics regarding the number of cases actually disposed of by the ad hoc judges for making periodical review and real assessment of the efficacy of the procedure for appointment of retired judges under Article 224A.

1.20 The Ministry of Law and Justice have in their Action Taken reply stated :—

"The Government is of the view that appointment of retired judges in the

High Courts under Article 224A of the Constitution may be restored to only after the existing vacancies of judges in the High Courts have been filled in and the strength of the High Courts has been suitably increased. On the basis of review of workload, increase in strength of Judges in several High Courts has already been agreed to, and the Chief Justices and Chief Minister have been requested to send proposals for filling up these newly agreed posts as well. The observations of the Estimates Committee regarding strengthening of the Monitoring Cell of the Department of Justice to enable it to gather statistics about the number of cases actually disposed of by the retired judges (who are appointed as adhoc judges of High Courts) and assess the efficacy of this procedure in the matter of clearance of arrears, have been noted."

1.21 Noting that filling of existing vacancies of judges in the High Courts was taking unduly long time due to complex procedure for selection of judges, the Committee had recommended that provisions of Article 224A of the Constitution should be invoked more frequently for utilisation of the services of retired judges for clearing the arrears. The reply of the Ministry that Government was of the view that appointment of retired judges might be resorted to only after the existing vacancies of judges in High Courts had been filled, forces the Committee to come to the conclusion that Government are not responsive to any constructive proposal for reducing the arrears in High Courts. The Committee reiterate their recommendation that services of retired judges should be utilised until the existing vacancies are filled up wherever in practical terms this is likely to take long time resulting in increase in pendency of cases.

1.22 In their recommendation the Committee had emphasised the need for monitoring the impact of appointment of ad hoc judges in different High Courts over the actual clearance of arrears as the ad hoc judges had been assigned to dispose of specific number of cases during their fixed tenure. The reply given by the Ministry that the observation of the Committee regarding the strengthening of the monitoring cell had been noted, indicates that the matter has not been given the serious attention it deserved. The Committee reiterate their earlier recommendation that there should be adequate machinery to take stock of and exercise regular checks on the cases actually disposed of by the ad hoc judges and to assess the impact of appointment of ad hoc judges on reducing the arrears of cases in Superior Courts.

Implementation of recommendations

1.23 The Committee would like to emphasis that they attach the greatest importance to the implementation of the recommendations accepted by the Government. They would, therefore, urge that Government should ensure expeditious implementation of the recommendations accepted by them. In case where it is not

possible to implement the recommendation in letter and spirit for any reason the matter should be reported to the Committee in time with reasons for non-implementation.

1.24 The Committee also desire that final replies in respect of the recommendations contained in Chapter V of this report may be furnished to the Committee within a period of 3 months.

CHAPER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY GOVERNMENT

(Recommendation Sl. No. 3, Para 1.12)

Since the Law Commission has been asked to go into this matter again, the Committee hope that action taken on the recommendations made by various Committees/Commissions in the past and the results of the implementation thereof would be of great help to the Commission in recommending solutions to tackle the problem effectively.

Action Taken

The views of the Committee have been duly brought to the notice of the Law Commission who have been entrusted with a study of the Judicial Reforms and make recommendations.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 4, Para 2.11)

The Constitution of India provides that there shall be a High Court for each State and that Parliament may by law establish a common High Court for two or more States or for two or more States and a Union Territory. In pursuance of this provision there are at present 18 High Courts for 22 States and 9 Union Territories. Out of them only 5 High Courts, namely, the High Courts of Allahabad, Madhya Pradesh, Patna, Rajasthan and Bombay have 8 permanent Benches at other places in the respective States. Bombay and Madhya Pradesh High Courts have two permanent Benches each while Allahabad, Patna and Rajasthan have one Bench each. From the available statistics the Committee find that in almost all the High Courts there is heavy accumulation of pending cases that have piled up over the years. At least, in 5 High Courts the magnitude of pendency has crossed over the figure of one lakh which is not only alarming but distressing. The position in Allahabad High Court particularly is a record of its own as more than 2,42,000 cases were pending there as on 30.6.1985. The Committee are distressed to note that very little has been done by the Government to tackle this problem which by now has assumed serious proportions. What is worse is that each year there is increase in the pendency. Except for Karnataka where the pendency decreased from 96,764 as on

31.12.1984 to 91,510 as on 30.6.1985 and Bombay where the pendency went down by about 1,000 in the same period, the pendency has increased by more than 13,000 in Allahabad, nearly 7,000 in Andhra Pradesh, 5000 in Calcutta, 6,000 in Delhi, 14,000 in Kerala and a little less than 26,000 in Madras High Courts. No doubt the Government has been appointing Committees and Commissions periodically to go into this matter which have been making various recommendations. The fact that there has been no improvement in the situation makes the Committee to believe that either there has been tardy implementation of the recommendations of these Committees/Commission or the root of the disease has not yet been diagnosed. The Committee are firmly of the view that if the present trend of accumulation of arrears is not arrested, the situation will completely go out of control and shake the very roots of rule of law in the country whose survival depends upon the speedy administration of justice. Therefore, to meet the situation as it stands at present some drastic steps are necessary. The Committee feel that as a first step it is necessary to ensure that disposal of cases in each High Court keeps pace with the number of cases instituted each year. The second step needed is to clear the arrears. In the opinion of the Committee there is need for having more High Courts and if that is done, there would at least be no addition to the pendency of cases.

Action Taken

In the Conference of Chief Justices held in February, 1985, the Law Minister asked the Chief Justices to review the strength of their High Courts on the basis that no civil case should be pending for more than two years and no criminal case for more than one year after its filing. Having regard to the workload in the High Courts, an assessment was made of the requirement of Judges (permanent Judges and Additional Judges) in the High Courts for the purpose of disposing of the institutions and clearing the arrears. It was found that the Judge strength of all the High Courts, except Sikkim High Court, needed to be augmented in order to achieve the aforesaid objective.

Decision to create the requisite number of new posts of Judges/Additional Judges in 3 High Courts, namely, Himachal Pradesh, Gauhati and Punjab & Haryana High Courts, had already been taken. The Chief Ministers and Chief Justices concerned with the remaining 14 High Courts were addressed by the Union Minister of State for Law and Justice in June-July, 1985 with the request to consider the creation of the requisite number of new posts of Judges/Additional Judges in High Courts in order to achieve the aforesaid objective. The Chief Ministers and Chief Justices had, of course, to take into consideration such relevant aspects like the availability of accommodation for the courts and of residential accommodation for the Judges, the feasibility of filling up early the vacancies that would arise by raising the strength, etc. Proposals for creation of new posts have since been received from most of the State Governments and it

has been decided in principle to create 83 new posts from the dates they are filled in. Of these, six new posts have since been formally created. As on 4.9.1986 decision exists for the formal creation of 77 posts of Judges/Additional Judges in 15 High Courts. Proposals for creation of four more new posts has been received from Delhi High Court and the same is under consideration. Proposals for creation of more posts are awaited from the concerned State Governments in respect of High Courts of Allahabad, Madras, Orissa and Patna, but as has been stated earlier, several other factors may be coming in the way of Chief Ministers in recommending creation of more posts.

Regarding the need for having more High Courts in the country, it may be stated that at present Gauhati High Court is common to all the North-Eastern States and Union Territories. A proposal that all the States in the North-East region viz. Assam, Manipur, Tripura, Meghalaya, Nagaland and Mizoram may have separate High Courts, and a permanent Bench of one of High Courts may be established in Arunachal Pradesh is being considered by the Government. The Punjab and Haryana High Court is common to the States of Punjab and Haryana and the Union Territory of Chandigarh, after Chandigarh is transferred to Punjab, the formation of a separate High Court for Haryana has been agreed to in principle. After these proposals have been given effect to, all the States in the country will have separate High Courts. The jurisdiction of some of these High Courts will continue to extend to certain Union Territories. Of Union Territories in the country as present, Delhi is having a separate High Court and the principal seal of Punjab & Haryana High Court is located in the Union Territory of Chandigarh. A permanent Bench of the Bombay High Court is functioning at Panaji in the Union Territory of Goa, Daman & Diu. A Circuit Bench of Calcutta High Court visits Port Blair in the Andaman & Nicobar Islands. It may be neither necessary nor feasible to have separate High Courts for the Union Territories of Dadar & Nagar Haveli, Lakshadweep and Pondicherry.

It appears that the Estimates Committee have in mind recommending more judges in High Courts rather than more High Courts in the country for checking increase in arrears. Having more judges in High Courts will be more effective than having more High Courts from the point of view of clearing arrears, since some of the High Courts for the north-east States and Sikkim will not have adequate work-load. However, the position regarding both aspects has been explained above.

[Department of Justice U.O. No. 40/16/85-Jus (M) dated the 14th October, 1986].

(Recommendation Sl. No. 5, Para 2.12)

The Committee understand that Justice Jaswant Singh Commission which went into the question of "setting up of Benches of High Courts and on the gene-

ral question of having Benches" has submitted its report in April, 1985 and its report is still under consideration of the Cabinet. The Committee feel that a very early decision should be taken on the recommendations contained in the report of Justice Jaswant Singh Commission and concrete action taken to set up more Benches at the earliest.

Action Taken

Government appointed a 3—member Commission under the Chairmanship of Shri Jaswant Singh, retired Judge of the Supreme Court, in September, 1981 to consider all aspects arising out of the demand for the constitution of a Bench of the Allahabad High Court for the Western Districts of Uttar Pradesh and the various aspects of the recommendations made by the Government of Uttar Pradesh. The terms of reference of the Commission were enlarged in December, 1983 and it was asked to report also on all aspects of the general question of having Benches of High Courts away from their principal seats and on the broad principles and criteria to be followed in this regard as well as on the specific proposals referred to the Government of India by the concerned State Governments for establishment of permanent Benches of the High Courts of Gauhati, Karnataka, Madhya Pradesh and Madras. The Commission submitted its report in four parts on 30th April, 1985. The Commission, however, could not report on the question of Benches of Gauhati and Karnataka High Court. The report of the Commission (in four parts) would be placed in Parliament.

The Government have considered the report of the Commission.

The specific recommendations made in the report pertaining to the High Courts of Allahabad, Madhya Pradesh and Madras have to be considered by the concerned State Governments. Accordingly, the Governments of Uttar Pradesh, Madhya Pradesh and Tamil Nadu would be requested to consider the Commission's recommendations and send their views and comments to the Central Government.

The general recommendations made in the report on the question of having benches away from the principal seats and the principles and criteria to be followed in this regard will be forwarded to all State Governments. The Government of Karnataka would be requested to consider its proposal for the establishment of a bench of the Karnataka High Court in the light of these principles, and send its recommendations to the Central Government.

[Department of Justice U.O. No. 40/16/85-Jus (M) dated the 14th October, 1986].

(Recommendation Sl. No. 8, Para 3.11)

The Committee note that the strength of the Judges of the Supreme Court,

is at present 17 (excluding the Chief Justice of India). This number is now sought to be increased by 8 judges by the Supreme Court (Number of Judges) Amendment Bill, 1985. This Bill was introduced in Lok Sabha on 19.8.1985 on the recommendations of the Chief Justice of India. It was passed by the Lok Sabha on 22.8.1985 and is now pending in Rajya Sabha. The Committee also note that there is no fixed criteria for determining the Judges strength of the Supreme Court. As stated by the Chief Justice of India, the proposed increase of 8 Judges would ensure that the current rate of disposal matches the current rate of fresh institution of cases. The Committee are not aware whether in fixing the strength of the Judges, notice has also been taken of the fact that frequently Supreme Court Judges are required to preside over one or the other Committee/Commission appointed by the Government and during that period their normal work is disrupted. The Committee, joining with the Chief Justice of India, hope that the desired results would follow after the augmentation of strength of Judges in Supreme Court. The Committee also feel that the Department of Law and Justice should have impressed upon the Department of Parliamentary Affairs to arrange priority of legislative business in such a way that the Supreme Court (Number of Judges) Amendment Bill was enacted into law soon after it was passed by Lok Sabha.

Action Taken

While recommending the increase in the sanctioned strength of Judges in the Supreme Court from 18 to 26 inclusive of the Chief Justice of India, the former Chief Justices envisaged the following pattern of sittings for expeditious disposal of cases and to ensure that the present rate of disposal matches the current rate of institution of cases :

	<i>No. of Judges</i>
(i) One Constitution Bench	5
(ii) A Bench for Labour and Service cases	3
(iii) A Bench for Tax, Excise and Customs cases	3
(iv) Two Benches of 3 Judges each for Civil cases and Election appeals	6
(v) A Bench for Criminal cases	3
(vi) Two Benches of 3 Judges each for admissions	6
	<hr/> 26 <hr/>

A Bill to amend the Supreme Court (Number of Judges) Act of 1956, for giving effect to the proposal of the Chief Justice of India, was passed by Lok Sabha on 22.8.1985. The Minister for Law and Justice thereafter addressed the Minister for Parliamentary Affairs thrice, requesting him to arrange early consideration of the Bill by the Rajya Sabha. The Bill was passed by the Rajya Sabha on 23.4.1986 and assented to by the President on 9.5.1986. Accordingly the sanctioned strength of Judges in Supreme Court is now 26 Judges, including the Chief Justice of India.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 13, Para 3.16)

The Commission hope that in view of the proposed increase in the strength of the Judges of the Supreme Court, Bill for which as passed by Lok Sabha is already with Rajya Sabha, Government have already drawn out a plan to fill up the newly created vacancies without any loss of time.

Action Taken

The matter regarding filling up the vacancies of Judges in the Supreme Court is under active consideration of the Government in consultation with the Chief Justice of India.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 14, Para 4.9)

The Constitution of India lays down that every Judge of the Supreme Court shall be appointed by the President by warrant under his hand and seal after consultation with such of the Judges of the Supreme Court and of the High Courts in the States as the President may deem necessary for the purpose and shall hold office until he attains the age of sixty-five years : Provided that in the case of appointment of a Judge other than the Chief Justice the Chief Justice of India should always be consulted. Similarly in regard to judges of High Courts, the Constitution provides that every Judge of a High Court shall be appointed by the President by warrant under his hand and seal after consultation with the Chief Justice of India, the Governor of the State and in case of appointment of the Judge other than the Chief Justice, the Chief Justice of the High Court.

Action Taken

The above observation of the Committee describes the constitutional consultations to be done in the matter of appointment of Judges of the Supreme

Court and the High Courts. No action is required on this observation which is based on the provisions of Articles 124(1) and 217(1) of the Constitution of India.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 15, Para 4.10)

The Committee were informed that in the past several methods of selection of Judges were considered but the present Constitutional scheme and the method of appointment of Judges has been found to be basically sound.

Action Taken

This observation does not call for any action to be taken by the Government.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 16, Para 4.11)

The Committee however note that the actual appointment of judges of Supreme Court/High Courts has been taking unduly long time. For example in the Supreme Court where agencies involved for consultation are comparatively less, the names for vacancies occurring on 15.11.80 and 16.1.1981, were approved and notified only on 9.3.1983 i.e. after a period of more than two years. In case of High Courts the position is even worse e.g. in Madras High Court the vacancy which occurred on 29.12.1981 was filled only on 12.11.1985 i.e. after a period of almost four years. The position in other High Courts is no better.

Action Taken

The Government has taken note of the above observations of the Committee regarding appointment of Judges in the Supreme Court and High Courts.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 17, Para 4.12)

The Committee recommended that the matter be considered at the appropriate highest level (viz., Chief Justice of India, Chief Justices of High Courts, Chief Ministers and Law Ministers) in order to simplify the procedural formalities. The procedure be so streamlined that the selection and the appointment of the Supreme Court/High Court Judges is synchronized with the actual occurrence of the vacancies.

Action Taken

The matter of filling up the vacancies of Judges in High Courts and Supreme Court has been considered. With the procedural improvements envisaged, it is hoped that appointments would be made as soon as the vacancies occur.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 20, Para 4.33)

The Committee note that there were 60 vacancies (as on 3.2.1986) of judges in various High Courts lying unfilled. In addition Government had sanctioned 83 additional posts on different dates from October, 1982 to January, 1986 but these posts were also lying vacant. The Committee were informed that a working norm of 650 main cases per Judge per year or average actual disposal during the preceding three years whichever was higher was the basis adopted for determining strength of ad hoc judges. The Committee note that apart from the sanctioned strength of Judges which some High Courts have lesser number than the required; a major factor contributing to accumulation of arrears was unduly long delays in filling up the vacancies of Judges. The Committee further note that the most important reasons for long delays in filling the vacancies of Judges, Permanent or additional, in High Courts was due to delay taking place in the process of consultation and time taken by concerned authorities in sending the proposals to the Ministry of Law and Justice and also in their actual acceptance of appointment. The Committee cannot but deprecate the lackadaisical attitude and scant respect being shown to the whole process of administration of Justice by the concerned authorities. Had the 143 vacancies been filled in time, then according to the norms laid down, it would have resulted in reduction of pending cases by about 92,950 per year. The Committee recommend that Ministry of Law and Justice should hold discussions with all concerned at the highest level and lay down strict time schedules for various stages right from intimation about the vacancy and inviting names for filling it up (which should be at least six months in advance of occurrence of the vacancy), sending of proposal by the State Government (which should be at least three months in advance of the occurrence of the vacancy) consideration of the proposal and notifying the appointment (which should be latest by the end of the first week after occurrence of the vacancy) so that the vacancies in High Courts are filled up within one week of occurrence of the vacancies. The Committee are of the firm view that unless the present process of consultation which looks so simple by plain reading of article 127 and 217 of the Constitution, but which has been made very complex and time consuming for finalising the names of Judges for appointment is reoriented with rigid period laid down for completion of various stages things are not likely to improve. In case of failure of the State Government to send the proposals within the fixed time schedule, the President should

have the power to make the appointment on the advice of the Central Government. The Committee recommend that the Ministry of Law and Justice should arrange the matter being seriously discussed at the highest level of the Union Government in association with other agencies involved so that the seriousness of this matter which it deserves, is brought home to all concerned for evolving a process of consultation that eliminates the present delays effectively.

Action Taken

The need for taking advance action had already been stressed on the Chief Justices who had been requested that they should initiate the proposals 6 months in advance of the anticipated occurrence of vacancies in High Courts and the Chief Ministers were to finalise their recommendations in consultation with the Governors and send them to the Union Law Minister within one month of receipt of proposals from the Chief Justices. Issuance of fresh instructions laying down strict time schedule is also under consideration.

[Department of Justice U.O.No. 40/16/85-Jus (M) dated the 14th October, 1986].

(Recommendation Sl. No. 23, Para 6.5)

There is no denying the fact that the conditions of service of the Judges of the Supreme Court/High Courts are not attractive enough to attract talented persons with long experience in legal field to accept judgeship. In this regard the Committee note the statement made and published in a number of newspapers by the Chairman of the recently appointed Law Commission that the list of people saying "no" to offers of High Court Judgeship was far more than those saying "Yes". The Committee are of the considered view that the salaries and conditions of service of the higher Judiciary should be commensurate with the dignity of the august offices occupied by them. The Committee recommend that the salaries and conditions of service of the judges of the Supreme Court and High Courts should be reviewed keeping all aspects in view so that these do not act as deterrent to attract the best available talent in the country. The Committee also recommend that to relieve the judges of the work-load the services of the Research Assistants/Officers having specialised knowledge of law may be made available to them to assist the judges in the discharge of their onerous duties. The Committee need hardly stress that there should be uniformity in the rules governing the conditions of service etc. of the judges in various High Courts and in order to achieve this the Ministry of Law and Justice should frame model rules and impress the need for uniformity of such rules in the Joint Conference of Chief Justices, Chief Ministers and Law Ministers of States.

Action Taken

The salaries of the Judges of the Supreme Court and High Courts have been considerably increased with effect from 1.4.1986 by the Constitution (54th) Amendment Bill, 1986 which has been passed by both the Houses of Parliament on 14. 8. 1986. Substantial improvements have also been made in their service conditions by the High Courts and Supreme Court Judges (Conditions of Service) Amendment Act, 1986 (Act No.38 of 1986). The rules framed under the Acts governing the condition of service of Judges of the Supreme Court and High Courts are also being amended to further improve their travelling allowances and other conditions of service.

The proposal for providing the services of Research Assistant/Officer having specialised knowledge of law to assist the Judges in the discharge of their onerous duties has been brought to the notice of all State Governments/Union Territory Administrations for their consideration. In respect of the Supreme Court there is already a proposal under consideration for creation of a post of Law Assistant for the Chief Justice of India. After a decision is taken in this regard, the question of providing Research Assistants/Officers/Law Assistants to the Judges of the Supreme Court will be considered by the Government.

The following rules framed under the High Court Judges (Conditions of Service) Act, 1954 and the Supreme Court Judges (Conditions of Service) Act, 1958 are applicable uniformly to the Judges.

- (i) The High Court Judges Rules, 1956.
- (ii) The Supreme Court Judges Rules, 1959.
- (iii) The High Court Judges (Travelling Allowance) Rules, 1956.
- (iv) The Supreme Court Judges (Travelling Allowance) Rules, 1956.

[Department of Justice U.O.No.40/16/85—Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 29, Para 7. 30)

The Committee are surprised to note that review of the number of Court holidays/working days being observed in superior Courts had not been considered necessary for the last almost 27 years. They were informed that it was only in 1959 that some study was last conducted and instructions issued that the number of working days of High Courts may not fall below 210. The Committee need hardly stress that the position of pendency has since acquired gigantic proportions and multi-pronged attack is required to be made to liquidate the arrears. The Committee feel that in the present day context an immediate review of the number of working days of the Supreme Court and High Courts

may be undertaken in consultation with all concerned and to bring about uniformity in this regard in various High Courts, the number of working days may be incorporated in the statute.

Action Taken

The observations of the Estimates Committee were brought to the notice of the Chief Justice of India for his comments. The Chief Justice of India informed that the Supreme Court was already having 220 working days (including Saturdays) as against 210 working days suggested by the Home Ministry in 1959. However, having regard to the pendency of cases, the Supreme Court has decided to add 2 more working days and to fix the number of working days at 222. The Chief Justices of High Courts have also been requested to review the number of working days, in the light of the decision taken by the Supreme Court.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

CHAPTER III

RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF GOVERNMENT'S REPLIES

(Recommendation Sl. No. 9, Para 3.12)

The Committee also take note that the Law Commission and recommended that the permanent strength of each High Court should be fixed had reviewed keeping in view the average institution during the preceding three years. The Committee, however, recommend that the permanent strength of Judges of the Supreme Court/High Courts should in the normal course be re-fixed after a five-yearly review of average number of cases instituted and disposed of. Action should also be taken simultaneously to review the strength of supporting staff and providing other facilities to the Judges.

Action Taken

The strength of permanent Judges required in a High Court is calculated on the basis of average institution of main cases during the last 3 years, using the norm of disposal of 650 main cases per year per Judge or the actual average disposal per year per Judge whichever is higher. The strength of Additional Judges is calculated with reference to the number of main cases pending for over 2 years, using the same yardstick. This exercise is usually undertaken every year after receipt of data from High Courts, and a statement showing the required strength of Judges/Additional Judges in each High Court is prepared. For refixing the Judge strength of High Courts, at times proposals are initiated by the concerned State Governments, while generally concerned State Governments are addressed by the Central Government to consider the necessity of augmenting the Judges strength of their High Courts. Such reviews are done as and when the need for increasing the Judge strength is felt by the State or Central Government. As the expenditure on High Courts is met out of the Consolidated Fund of the concerned State, the Judge strength of a particular High Court could be increased only with prior consent of the concerned State Government.

The recommendation that the permanent strength of Judges of the High Court should in the normal course be re-fixed after a five-yearly review of average cases instituted and disposed of may not be realistic because the fixation of strength of Judges should be a matter of constant review. Moreover, certain State Governments may come up for increasing the Judge strength of the concerned High Courts before completion of the 5-year period and it may not be

advisable to defer consideration of the proposal till the completion of the prescribed 3-year period. Present practice may, therefore continue as increase in Judges strength of High Courts is agreed to whenever necessitated by workload, and such flexibility in approach is desirable.

Perhaps, what the Estimates Committee have in view is that the judge strength of a High Court should be reviewed on the basis of average institutions during the preceding five years, instead of preceding three years as at present. If this be so it is felt that it would be more realistic to assess the requirement of Judges on the basis of data relating to a recent period (like preceding 3 years) rather than a longer period (like preceding 5 years).

In so far as the Supreme Court is concerned. Article 124(1) of the Constitution of India provides that "there shall be a Supreme Court of India consisting of the Chief Justice of India and until Parliament, by law, prescribes a large number, of not more than 7 other Judges". The Parliament enacted the Supreme Court (Number of Judges) Act, 1956 which raised the strength of Judges of the Supreme Court from 7 to 11, besides the Chief Justice of India. This Act was amended in 1960 to increase the strength to 13, and Again in 1977 to increase it to 17 (excluding the CJI). The Chief Justice of India proposed in February, 1985 having regard to the increase in institution of cases in the Supreme Court over the last few years, that the strength of the Supreme Court should be increased from 18 to 26; he stated that by doing so, the disposals would match the institutions in the Supreme Court. The Act has been recently amended to raise the strength of Judges to 26 (inclusive of the CJI). As in the case of judge-strength of the High Courts, the requirement of Judge in the Supreme Court is a matter to be reviewed as and when the need is felt in consultation with the CJI, and it may not be feasible or desirable to fix any periodicity of such reviews.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 10, Para No. 3.13)

The Committee note that for years together the Supreme Court did not have the full complement of Judges as per sanctioned strength and the position improved only in 1985 when it had the full strength of 17 Judges. However, as on 1.2.1986 out of the sanctioned strength of 17 Judges, only 14 were in position. Since the filling up of vacancies in the Supreme Court is done by the Central Government in consultation with Chief Justice of India, the Committee feel that appointment of Judges to fill the vacancies in the Supreme Court had not been receiving the urgent consideration it deserved and Government cannot escape the responsibility for a situation where a large number of cases have piled up in the Supreme Court during these years, the vacancies of judges being a contributory factor for that. In fact now a Bill is pending before

Rajya Sabha for increasing the strength of Supreme Court Judges to 25 excluding the Chief Justice to cope up with the increased work. The Law Commission in its 79th Report had suggested certain measures to fill up the vacancies in High Courts immediately they arose. On the same lines proposals for filling up vacancies which were to arise on retirement of Judges of Supreme Court could have been initiated six months in advance of the occurrence of the vacancy and appointment of a new incumbent effected from the day following the occurrence of vacancy.

Action Taken

The Government has taken note of the above observations of the Committee regarding appointment of Judges in the Supreme Court.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 12, Para 3.15)

This aspect of the matter, if allowed to continue, could be interpreted as deliberate denial of speedy and less costly justice to the litigants. Therefore, in Committee's opinion, ways and means have to be found out to replace the present procedure for appointment of Judges if it results in inordinate delay in their selection as appointment.

Action Taken

The Government is of the view that the existing method of appointment of Judges of the High Courts and Supreme Court is basically sound and does not require any substantive change. The Government is, however, taking all possible steps to fill up the vacancies as expeditiously as possible.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 21, Para 5.8)

The Committee are perturbed to note that number of cases pending in Supreme Court has risen from 36,293 as on 31 December, 1980 to 1,66,319 as on 31 December, 1985 i.e. by 458 per cent. The number of cases pending in all High Courts which was 6,68,516 at the end of 1980 has risen to the astronomical figure of 13,23,717 as on 30 June, 1985 i.e. by 198 per cent. The Committee further note that the number of cases pending in the Supreme Court for over a period of 15 years was more than hundred. The Committee also note that in the High Courts out of a total of 13,23,719 cases pending as on 30.6.1985, 2,32,492 cases were pending for more than 5 years and 32,844 were pending for more than ten years.

Action Taken

The Registries of the Supreme Court and High Courts have intimated the following steps taken to reduce pendency :

Supreme Court

- (i) Priority is given to certain matters;
- (ii) Miscellaneous matters are fixed daily;
- (iii) Writ petitions with identical questions are grouped together and batches running from 50 to 100 matters are listed together for hearing;
- (iv) Other matters involving identical questions are also identified from time to time and put together and efforts are made to see that such groups are disposed of early;
- (v) The Supreme Court Rules were revised in 1966 providing for printing of records under its own supervision. As that was also taking quite sometime, the Court, of late, has started wherever possible, dispensing with the preparation of records, and hearing the appeals on Special Leave Paper-Book itself, after the parties have filed their counter affidavits and affidavits in reply;
- (vi) To save the court's time, the Honble the Chief Justice of India is taking mentioning after Court's hours, which were previously taking at least about one hour;
- (vii) In Criminal Appeals, Counsel for the Appellant is required to file cyclostyled record to save time in getting it printed, so that the matters could be heard early;
- (viii) The Supreme Court Rules have been amended empowering the Hon'ble Judge in Chambers and the Registrar to dispose off certain types of matters, which were previously being listed in the Court. This has been to save the Court's time.
- (ix) Specialized benches are constituted to list particular type of matters relating to that branch of law, in which the Hon'ble Judges constituting the specialized Bench are experts. This enables the Specialized Bench to dispose off such matters expeditiously.

HIGH COURTS

- (a) Cases involving common questions are being grouped.
- (b) Matters fixed for hearing by giving short returnable date.
- (c) Dispensing with printing of records.
- (d) Expediting and giving priority to matters under certain Acts.

[Department of Justice U.O.No. 40/16)85/-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 25, Para No. 7.12)

Benefits of installation of Computers, Data Processors and other modern electronic equipments for disposal of cases in Courts cannot be over emphasised. However, installation of the modern equipments would require more funds by State Governments and the Committee are not sure whether all the States would be in a position to meet this burden from their own resources. The Committee, therefore, recommended that the Ministry of Law and Justice should consider the feasibility of giving capital grants in deserving cases of States for installation of modern office equipment including data processors/computers in the High Courts. Committee desire that a beginning be made in this regard by providing financial assistance by the Central Government for installation of Computers etc. in High Courts having very high pendency of cases and computers may be similarly installed in other High Courts within a limited time frame.

Action Taken

Pursuant to the suggestion of the Chief Justice of India for strengthening court management and administration, Telex Machines have been installed in various High Courts for immediate communication of orders passed by the Supreme Court and other information from the Supreme Court to the High Courts and *vice versa*.

As regards introduction of computers, Chief Justice of India has constituted a Task Force for considering the appropriate methodology by which computer technology could be introduced in court management and administration. As soon as the Task Force submits its report, the same will be examined by the Government for introduction of a computer in the Supreme Court. The report of the task force will also be sent to the State Governments for their guidance in the matter of introduction of computers in their High Courts. Meanwhile the State Governments/High Courts have been addressed to report the details of proposals, if any, for installation of computers and other modern equipments in the High Courts.

Department of Justice U.O.No. 40/16/85-Jus(M) dated the 14th October, 1986].

CHAPTER IV

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE

(Recommendation Sl. No. 1, Para No. 1.10)

The Committee note that several Committees and Commissions have been set up in the past to examine the problem of mounting arrears of cases in the Supreme Court and High Courts. The Committee further note that the Report of one such Committee viz. Inter-Departmental Committee which was constituted in 1979 to examine the recommendation made in the 79th report of the Law Commission, received in 1980, was sent for taking appropriate action in two batches to State Governments/High Courts, one in May, 1981 and the second in April, 1982. This leads the Committee to the inescapable conclusion that Ministry have not taken any serious view of the observation of the Law Commission that a report dealing with arrears and delay could bear fruit only if prompt action was taken thereon and that such report had to be distinguished from other reports dealing with review of a particular enactment. It was also the responsibility of the Department of Justice to have continued to impress upon other Ministries/Departments of the Government of India to streamline the Acts/Laws administered by them in accordance with the recommendations of the Law Commission, 1979 on delay and arrears in High Courts so as to provide speedy justice to the people affected thereby.

Action Taken

The 79th Report of the Law Commission on 'Delay and Arrears in High Courts and other Appellate Courts' was received by the Government in May, 1979. It was incumbent on the part of the Government to lay the report on the Table of the Parliament. Accordingly, it was laid on the Table of the Rajya Sabha on 28.1.80 and Lok Sabha on 29.1.80. Thereafter, the report was sent to State Governments and High Courts on 1.3.80 and 4.3.80 respectively, for appropriate action as the recommendations are mainly addressed to them.

As a follow-up action, an Inter-Departmental Committee comprising the officers of the Legislative Department, Department of Legal Affairs and Department of Justice (at the level of Joint Secretary) was constituted to examine the recommendations and formulate concrete proposals. The Committee serviced by the Department of Legal Affairs gave its report on 18th November, 1980. The Committee stated that the recommendations of the Law Commission were

of a general character which were more by way of guidelines to the presiding officers of the courts and did not call for any legislative or administrative action on the part of the Government except very few recommendations where legislative or administrative action was required by the Central or State Governments.

The Department of Legal Affairs who serviced the Committee sent the recommendations of the Law Commission contained in the 79th report along-with the comments of the Committee for the views of the State Governments/High Courts in May, 1981. The Department of Legal Affairs, thereafter, transmitted the views/ comments of the State Governments and High Courts for follow up action in December, 1981 to this Department. The Department of Justice after examining the report of the Inter-Departmental Committee and the correspondence from the State Governments/High Courts classified for ready reference of the State Governments and High Courts, the 107 recommendations as under :

	<i>Total No. of recommendations</i>
(i) Advisory	46
(ii) Action to be taken by High Courts by issuing administrative circulars/instructions, amendment of High Court Rules	44
(iii) Administrative Action by State Governments	4
(iv) Legislative Action by State Governments	1
(v) Guidance of Central Government	5
(vi) Administrative Action by Central Government	2
(vii) Legislative Action by Central Government	2
(viii) No action	3
	<hr/> 107 <hr/>

The High Courts and State Governments have accordingly been requested to initiate action to amend the requisite rules for preparation of records, and court procedures and issue of administrative circulars to give effect to the recommendations contained in the report.

The administrative action on the part of State and Central Government related to increase of courts, sanctioned strength, providing of more accommodation and prosecutors, issue of appropriate instructions for the acceptance of court notices and proper conduct of litigation in courts.

Legislative changes were required in the State Civil Courts Acts increasing the pecuniary appellate jurisdiction amendment of Civil Procedure Code (recording of reasons while dismissing appeals, acceptance of court notice), Indian Divorce Act, 1869 (Amendment of Section 17 to do away with the confirmation of Divorce Decree) and amendment of Income Tax Act and other Acts relating to Direct Taxes.

While forwarding the recommendations to them on 10.6.82 as classified above, the State Governments and High Courts were requested to intimate the action taken by them by 31.8.82 and send further information by 31.10.82, in case of delay. Some of the State Governments and High Courts replied that they had agreed with the recommendations and had given effect to them. Their replies have been annexed (Annexure). Other State Governments High Courts replied that the matter was being examined by them in consultation with each other. They have been reminded from time to time. The matter was also discussed in the Conference of Law Ministers of States held in June, 1982 and again in the Joint Conference of Chief Justices, Chief Ministers and Law Ministers of States held on 31st August—1st September, 1985 to expedite the implementation of these recommendations.

The State Civil Courts Acts have been amended in several States to increase the pecuniary appellate jurisdiction. In so far as Central Government is concerned, the policy decision to amend the Indian Divorce Act, 1869; the Civil Procedure Code and Acts relating to Income Tax and other Direct Taxes could not be taken so far and the matter is engaging the attention.

The Department of Justice had thus given due attention to these recommendations by requesting the State Governments/High Courts and Central Ministries concerned, for their implementation, from time to time.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

**REPLIES OF HIGH COURTS/STATE GOVERNMENTS REGARDING RECOMMENDATIONS
CONTAINED IN 79TH REPORT OF THE LAW COMMISSION ON DELAY AND ARREARS
IN HIGH COURTS AND OTHER APPELLATE COURTS**

	HIGH COURTS	STATE GOVERNMENTS
1. Andhra Pradesh	Agreed with the recommendations.	The recommendations have been implemented.
2. Assam	Views of Justice B. L. Hansaria, Judge agreeing with the recommendations have been received.	The State-Government have amended the State Civil Courts Act.
3. Bihar	The implementation would necessitate framing of new rules with additions and deletions. It would also require scrutiny by a Judges sub-Committee and as such would take some time.	—
4. Gujarat	The matter is under consideration.	The recommendations have been implemented including the amendment of State Civil Court Acts.
5. Haryana	—	The recommendations have been implemented including the amendment of State Civil Court Acts.
6. Himachal Pradesh	—	—do—
7. Jammu & Kashmir	The matter is under consideration.	—

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| 8. Karnataka | Agreed with the recommendations. | Agreed with the recommendations. |
| 9. Kerala | Agreed with the recommendations and are being followed. | Agreed with the recommendations and the State Civil Court Acts was amended rising the pecuniary jurisdiction. |
| 10. Madhya Pradesh | Agreed with the recommendations. | —do— |
| 11. Maharashtra | Agreed with the recommendations and have been implemented by issue of circulars etc. | Agreed with the recommendations and have been implemented including the amendment of State Civil Courts Act. |
| 12. Manipur | — | — |
| 13. Meghalaya | — | Agreed with the recommendations and have been given effect to. |
| 14. Nagaland | — | Agreed with the recommendations and instructions issued for follow up action. |
| 15. Orissa | Agreed with the recommendations. | Implemented the recommendations including the amendment of State Civil Courts Act. |
| 16. Punjab | — | Implemented the recommendations including the amendment to State Civil Courts Act. |
| 17. Rajasthan | — | — |
| 18. Sikkim | There is no problem of arrears. | |

HIGH COURTS		STATE GOVERNMENTS
19. Tamil Nadu	Agreed with the recommendations.	Agreed with the recommendations.
20. Tripura	—	—
21. Uttar Pradesh	Agreed with the recommendations.	Agreed with the recommendations.
22. Calcutta	—	The State Government has amended the State Civil Courts Act increasing the pecuniary jurisdiction.
23. Delhi	The matter is under consideration.	

(Recommendation Sl. No. 2, Para 1.11)

The reply of the Ministry that it was not possible to quantify the impact of the action taken on the reports of these Committees/Commissions over the pendency of cases in High Courts/Supreme Court on the plea that pendency was due to "several complex factors", gives the inevitable impression that the Ministry has not been serious in making any objective assessment of the impact of implementing recommendations of various Committees/Commissions on the pendency of cases in Superior Appellate Courts. The Committee cannot but deprecate this lassitude on the part of the Ministry. The Committee are firmly of the view that the Department of Justice must play a positive role and deal with this serious and cancerous problem of mounting arrears in Superior Appellate Courts effectively if Government are serious that people should not lose faith in the administration of justice in the country. The Committee recommends that a proper monitoring cell with adequate manpower headed by a senior officer be set up in the Ministry forthwith to pursue with the State Governments/High Courts the progress of implementation of the recommendations contained in the reports on arrears in Superior Appellate Courts, analyse the feedback, identify the problems and bottlenecks and take effective steps promptly to correct the procedural deficiencies, if any, in the system of monitoring the information regarding implementation of recommendations as well as any other bottlenecks.

Action Taken

The Joint Conference of Chief Justices, Chief Ministers and Law Ministers of States held on 31st August—1st September, 1985 had in its resolution listed out the factors of increase in work/arrears. These are awareness of the rights on the part of the citizens, enactment of numerous laws, creating new rights and obligations, industrial development in the country and increase in trade and commerce and emergence of socio-economic measures (legislative and administrative) touching the life of the citizens at all levels. The co-operation of the bar and effective functioning of the courts is also needed for the speedy disposal of cases. Since the effect of all these is cumulative, it would be difficult to numerically assess the impact of the implementation of the recommendations contained in the report. While stating that it is difficult to quantify the impact, some of the above factors neutralising the implementation of the recommendations contained in the report have also been kept in view. The position has also to be understood in the set up provided by the Constitution in as much as the High Courts function independently and are not subject to the administrative control of the Executive or the Supreme Court. The Department of Justice have, therefore, been persuading the High Courts/State Governments for effective steps to tackle the problem of arrears. The views of the Estimates Committee have been brought to the notice of High Courts/State Governments and they have been requested specifically to intimate the action

taken by them on each of the recommendations and the impact on the arrears. The information would be monitored effectively as desired.

[Department of Justice U.O.No.40/16/85—Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 11, Para 3.14)

As regards vacancies in High Courts, the Committee note that although the sanctioned strength of the High Courts during the year 1985 was 424, the number of the Judges in position was only 370. As on 1.1.1986 there were sixty vacancies of Judges in High Courts. This disparity between the sanctioned strength and the number of Judges in position is apparently due to the fact that vacancies have not been filled up as soon as they occurred. What is more distressing is that on an average it takes about one to two years in filling the vacancies and in some cases even as long as 4 years. The Law Commission has already opined that delay in filling the vacancies is one of the major contributing factor responsible for the piling accumulation of arrears and therefore the Commission had recommended that when a vacancy was expected to arise due to the retirement of Judges, steps for filling up the vacancy should be initiated six months in advance. The date on which such vacancy will arise in the normal course is always known to the Chief Justice of the respective High Court/Supreme Court and also to others concerned. The Commission had recommended that it should be ensured that the necessary formalities for the appointment of the Judges to fill up the vacancy were completed by the date on which vacancy occurs. The Committee regret to note that in spite of this specific recommendation of the Law Commission made as early as 1979 the position has been allowed to worsen further in as much as the vacancies in Supreme Court/High Courts have not been filled up for as long as two to four years. The facts reveal that the recommendation has remained almost a dead letter. No wonder then if in action or delayed action on the part of the concerned authorities responsible for processing and appointment of Judges has contributed to the enormous increase in the accumulation of arrears.

Action Taken

The appointments of Judges of the High Courts are made after consultation with the Chief Justice of the High Court, the Chief Minister and the Governor of the State, and the Chief Justice of India. The process of consultation, thus, takes time. The Government is taking all possible steps to fill the vacancies as expeditiously as possible.

The need for taking advance action has been stressed on the Chief Justices who have been requested that they should initiate the proposals 6 months in advance of the anticipated occurrence of vacancies in High Courts, and the

Chief Ministers were to finalise their recommendations in consultation with the Governors and send them to the Union Law Minister within one month of receipt of proposals from the Chief Justices. Issuance of fresh instructions laying down strict time schedule is under consideration.

The Government have taken note of the observations of the Committee regarding appointment of Judges in the High Courts and Supreme Court.

[Department of Justice U.O.No. 40/16/85—Jus (M) dated the 14th October, 1986].

(Recommendation Sl. No. 19, Para 4.24)

The Committee note that one of the steps recommended by the Law Commission in its 79th Report for clearing arrears in High Courts was appointment of retired judges under article 224A of the Constitution from amongst those who had a reputation of efficiency and quick disposal and who had retired within a period of three years. The Department of Law and Justice had accordingly written in 1980 to the Chief Ministers of States and Chief Justices of High Courts in which there was heavy pendency of civil cases over five years to consider appointment of High Court judges under Article 224A of the Constitution. The Committee are distressed to note that the proposals received in pursuance of this communication in the later half of 1984 for appointment of retired judges in the High Courts of Allahabad and Patna and for Delhi and Calcutta High Courts in 1985 have not yet been agreed by the Union Government despite the accumulation of huge arrears in these Courts. The Committee are also surprised that although ad hoc judges have been assigned to dispose of specific number of cases during their fixed tenure yet the Ministry of Law and Justice have not been monitoring the impact of appointment of ad hoc judges in different High Courts on the actual clearance of arrears. Such an assessment is very necessary if previous experience about appointment of ad hoc judges in High Courts under article 224A of the Constitution is to be any guide in future. The Committee recommend that the provisions of Article 224A of the Constitution be invoked more frequently for utilising the services of retired judges as recommended by the Law Commission for clearing the arrears. The Committee also emphasise that the Monitoring Cell in the Ministry of Law and Justice should be adequately strengthened to enable it to be in touch with the High Courts where judges have been appointed under article 224A and get regularly statistics as to the number of cases actually disposed of by the ad hoc judges. The information so collected should be periodically reviewed and areal assessment made of the efficacy of the procedure for appointment of retired judges under Article 224A.

Action Taken

The Government is of the view that appointment of retired Judges in the High Courts under Article 224A of the Constitution may be restored to only

after the existing vacancies of judges in the High Courts have been filled in and the strength of the High Courts has been suitably increased. On the basis of review of workload, increase in strength of Judges in several High Courts has already been agreed to, and the Chief Justices and Chief Ministers have been requested to send proposals for filling up these newly agreed posts as well.

The observations of the Estimates Committee regarding strengthening of the Monitoring Cell of the Department of Justice to enable it to gather statistics about the number of cases actually disposed of by the retired Judges (who are appointed as ad-hoc Judges of High Courts) and assess the efficacy of this procedure in the matter of clearance of arrears, have been noted.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

CHAPTER V

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH FINAL REPLIES OF GOVERNMENT ARE STILL AWAITED

(Recommendation Sl. No. 6, Para 2.13)

The Committee also feel that in case delay in setting up benches is unavoidable due to procedural or financial considerations, arrangements for Circuit Benches of High Courts at suitable place be made at least to tackle the institution of current cases and thereby arrest cases falling in arrears.

Action Taken

With reference to the observations of the Committee in para 2.13, it may be stated that in setting up of permanent Benches of High Courts, the general recommendations made in the Jaswant Singh Commission report for establishment of permanent Benches would be relevant for establishment of Circuit Benches as well. The State Governments themselves could approve the setting up of Circuit Benches where considered necessary by the Chief Justice of the High Courts concerned in terms of the provisions of the Acts under which those High Courts have been formed. The Government of India's approval is required for the establishment of permanent benches.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 7, Para 2.18)

To enable Higher Appellate Courts to clear cases expeditiously and within the minimum time, it is necessary that there should be no constraint in the matter of adequate staff in the High Court/Supreme Court. While the Chief Justice of the Supreme Court has been empowered to increase the staff, the High Courts have not been vested with the power to increase their staff strength and they have to look up to the State Governments in the matter. The Committee have noted that in certain cases the State Governments have not been able to increase the strength of the staff to be commensurate with the increase in the cases instituted in the High Court. In the case of the Union Territory of Andaman & Nicobar Islands, the Central Government have themselves turned down the request for additional staff on the ground that there is a ban on creation of new posts. The Committee desire that the Ministry of Law and Justice should undertake a survey to find out what is the shortage of staff

in various High Courts and what are the financial implications thereof. The Committee would also like the Ministry of Law and Justice to consider the feasibility and advisability of making a special grant to such States as have not been able to meet the demands made by their High Courts for augmentation of their staff strengths. The Committee also desire that the ban on recruitment of staff should not apply to the supporting staff needed for the higher judiciary and Central Government should make a relaxation in this regard.

Action Taken

The State Governments have already been requested to delegate financial powers, similar to those of the Chief Justice of India, to the Chief Justice of the respective High Courts.

The proposal for creation of the post of Judicial Magistrate in the Andaman & Nicobar Islands is under re-consideration of the Government. Certain information sought from the Union Territory Administration is awaited.

The State Governments/Union Territory Administrations have been requested to intimate whether any review/proposal concerning the increase in the staff strength in High Courts is pending, including the financial implications, and whether justified/adequate staff have been provided in the High Courts. The requisite details have not been received so far.

Regarding possibility of making a grant for creation of the posts in High Courts, the Government is not in a position to make a commitment at this stage, due to tight budgetary position.

The creation of posts, wherever necessary, has been/is being considered in relaxation of the ban orders.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 18, Para 4.16)

The Committee have been informed that the Chief Justice of India has suggested that the appointment of ad hoc Judges in the Supreme Court could be considered later after the new vacancies have been filled up. The Committee note that provisions of Article 128 of the Constitution regarding appointment of retired Judges in the Supreme Court were invoked during the period between 1955 to 1973 only, when 8 Judges were appointed as ad hoc judges under this Article after their retirement. The Committee are surprised to find that although the number of cases pending in the Supreme Court has gone up from 36,293 in December, 1980 to 1,66,319 in December, 1985 i.e. by more than 458 per cent, yet Government have not been able to impress upon the Supreme Court the necessity to appoint retired judges after 1973, the Committee are of the view that had the provisions of Article 128 been involved after 1973 apart from

taking other action the state of arrear's would not have been as dismal as it is today. The Committee recommend that after appointment of additional judges with the increase in the strength of the Supreme Court, the position regarding pendency of the case should be reviewed and if the position shows a little improvement provision of Article 128 of the Constitution for utilising the experience and expertise of the retired Judges for clearing the existing arrears be invoked rather liberally till the disposal of cases becomes equal to the institution and the pendency is completely eliminated. In the light of guidelines laid down by the Law Commission, in case any difficulty is experienced in the selection and appointment of retired judges, the names of judges who have retired recently and had the reputation for efficiently and quick disposal may be considered and appointments made at the earliest.

Action Taken

The authorised sanctioned strength of the Supreme Court has been increased from 18 to 26 (including the Chief Justice of India) by enacting the Supreme Court (Number of Judges) Amendment Act, 1986 with effect from 9.5.1986. The Government feels that appointment of retired Judges under Article 128 of the Constitution could be considered only after the existing vacancies in the Supreme Court have been filled up.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 22, Para 5.9)

The Committee are pained to note that the problem of pendency of cases has acquired diabolical proportions in the Supreme Court as well as in the High Courts despite various steps claimed to have been taken by the Government to reduce the arrears in superior Courts. The Committee were informed that Government proposed to set up a Judicial Reforms Commission which would go into various facts of the problems of arrears in courts. The Committee, however, learn that Government have since referred the matter of Judicial Reforms to the Law Commission which would *inter alia* go into the matter of elimination of delay, speedy clearance of arrears and reduction of cost so as to secure quick and economic disposal of cases without affecting the cardinal principle of justice. The Committee hope that the Law Commission will be able to give its report as early as possible. The Committee will await with interest the report of the Law Commission and action taken by Government on its recommendations for removal of pendency in Supreme Court and High Courts.

Action Taken

The recommendations of the Committee have been brought to the notice of the Law Commission who have been entrusted with the study of Judicial Reforms.

[Department of Justice U.O. No. 40/16/85-Jus(M) dated the 14th October, 1986].

(Recommendation Sl. No. 24, Para 7.7)

The Committee note that specialised tribunals such as Administrative Tribunals, Tax Tribunals, and Industrial Tribunals would certainly help in substantially relieving the burden of High Courts and results in expeditious disposal of cases. The Committee accordingly recommend that similar specialised tribunals in the fields not already covered be set up.

Action Taken

The recommendations of the Committee have been brought to the notice of the Law Commission as this is one of the terms of reference with regard to study of judicial reforms.

[Department of Justice U.O. No. 40/16/85-Jus (M) dated the 14th October, 1986].

(Recommendation Sl. No. 26, Para 7.15)

The Committee are of the view that too many appeals are being filed in High Courts and Supreme Court which increase the burden of the Courts manifold. The Committee, therefore, desire that a serious thought be given for reduction in number of appeals. The Committee learn that this procedural reform which was proposed to be referred to a judicial Reforms Commission has since been assigned to the Law Commission. The Committee are sure that the matter will be gone into in depth and expeditiously by the Law Commission. The Committee hope that the Government would take prompt and positive action on the recommendations of the Commission as soon as the same are received and apprise the Committee of the action taken in due course.

Action Taken

The recommendations of the Committee have been brought to the notice of the Law Commission and expeditious action would be taken on receipt of the recommendation.

[Department of Justice U.O. No. 40/16/85-Jus (M) dated the 14th October, 1986].

(Recommendation Sl. No. 27, Para 7.22)

The ordinary original civil jurisdiction of some of the High Courts is an accident of history. It takes away considerable time of the superior appellate courts in processing the cases originally filed before them. The Committee note that the 79th Report of the Law Commission and the report of inter-Departmental Committee of the officers of the Legislative Department, the Department of Legal Affairs and Department of Justice of the Ministry of Law and Justice expressed divergent views on the original jurisdiction of the High Courts. The mere fact that the Ministry of Law and Justice had communicated these views to the State Governments for their consideration does not solve the problem by itself. The work-load of the High Courts with original jurisdiction

requires to be reduced in order to enable them to attend to the arrears of cases. The Committee feel that this matter may again be referred to the present Law Commission for an indepth study and recommendation so that a final view is taken on this question once and for all.

Action Taken

The recommendations of the Committee have been brought to the notice of the Law Commission. In this connection it may be stated that the recommendations of the Informal Committee of three Chief Justices constituted by the Central Government in February, 1984 to examine the problem of arrears in High Courts and suggest remedial measures, are also being examined. The State Governments would also be requested to consider changes in their respective legislation, as may be necessary.

[Department of Justice U.O. No. 40/16/85-Jus (M) dated the 14th October, 1986]

(Recommendation Sl. No. 28, Para 7.26)

The Committee agree with the view of the representative of the Ministry that the Supreme Court and High Courts Judges who are legal luminaries should have frequent seminars and conferences to exchange views on common problems and legal points of mutual interests. The Committee, however, feel that since the type of work in the registries of different High Courts is of similar nature, the Ministry of Law and Justice should have training programmes for officers and staff of the registries of Supreme Court and High Courts arranged for the more efficient functioning of the registries.

Action Taken

The Government is already considering a proposal to set up an Academy Institute for the training of judicial officers. In pursuance of this suggestion of the Estimates Committee on the need for arranging training programmes for officers and staff of the registries of the Supreme Court and the High Courts, the State Governments have been addressed to give their views in the matter. The Registry of the Supreme Court has also been requested to indicate whether the National Academy/Institute to be set up for the Training of Judicial Officers would be able to undertake the training of staff and officers of the Registries of the Supreme Court and High Courts also or whether Government need to arrange a separate training programme for them. Final decision in this regard will be taken on receipt of replies of the Supreme Court, High Courts and the State Governments which are awaited.

[Department of Justice U.O. No. 40/16/85-Jus (M) dated the 14th October, 1986].

NEW DELHI

March 2, 1987

Phalgun 11, 1987

CHANDRA TIRPATHI

Chairman

Estimates Committee.

APPENDIX

(vide Introduction)

*Analysis of action taken by Government of the 31st Report of
Estimates Committee (8th Lok Sabha)*

I	Total number of recommendations	29
II	Recommendations which have been accepted by Government (Sl. Nos. 3, 4, 5, 8, 13, 14, 15, 16, 17, 20, 23, 29)	12
	Percentage to total	41.4%
III	Recommendations which the Committee do not desire to pursue in view of Government's replies (Sl. Nos. 9, 10, 12, 21, 25)	5
	Percentage to total	17.2%
IV	Recommendations in respect of which replies of Government have not been accepted by the Committee (Sl. Nos. 1, 2, 11, 19)	4
	Percentage to total	13.8%
V	Recommendations in respect of which final replies of Government are still awaited (Sl. Nos. 6, 7, 18, 22, 24, 26, 27, 28)	8
	Percentage to total	27.6%

**LIST OF AUTHORISED AGENTS FOR THE SALE OF LOK SABHA
SECRETARIAT PUBLICATIONS—1986**

Sl. No.	Name of Agent	Sl. No.	Name of Agent
ANDHRA PRADESH		UTTAR PRADESH	
1.	M/s. Vijay Book Agency, 11-1-477, Mylargadda, Secunderabad-500361.	12.	Law Publishers, Sardar Patel Marg, P.B. No. 77, Allahabad, U. P.
BIHAR		WEST BENGAL	
2.	M/s. Crown Book Depot., Upper Bazar, Ranchi (Bihar).	13.	Mrs. Manimala, Buys & Sells, 123, Bow Bazar Street, Calcutta-1.
GUJARAT		DELHI	
3.	The New Order Book Company, Ellis Bridge, Ahmedabad-380006. (T. No. 79065)	14.	M/s. Jain Book Agency, C-9, Connaught Place, New Delhi (T. No. 351663 & 350806)
MADHYA PRADESH		15.	M/s. J. M. Jaina & Brothers, P. Box 1020, Mori Gate, Delhi- 110006 (T. No. 2915064 & 230936)
4.	Modern Book House, Shiv Vilas Palace, Indore City. (T. No. 35289)	16.	M/s. Oxford Book & Stationery Co., Scindia House, Connaught Place, New Delhi-110001 (T. No. 3315308 & 45896).
MAHARASHTRA		17.	M/s. Bookwell, 2/72, Sant Niran- kari Colony, Kingsway Camp, Delhi-110009 (T. No. 7112309)
5.	M/s. Sunderdas Gian Chand 601, Girgaum Road, Near Princes Street, Bombay-400002,	18.	M/s. Rajendra Book Agency, IV-DR59, Lajpat Nagar; Old Double Storey, New Delhi-110024 (T. No. 6412362 & 6412131).
6.	The International Book Service, Deccan Gymkhana, Poona-4	19.	M/s. Ashok Book Agency, BH-82, Poorvi Shalimar Bagh, Delhi-110033
7.	The Current Book House, Maruti Lane, Raghunath Dadaji Street, Bombay-400001.	20.	M/s. Venus Enterprises, B-2/85, Phase-II; Ashok Vihar, Delhi.
8.	M/s. Usha Book Depot Law Book Seller and Publisher, Agents Govt. Publications, 585 Chira Bazar Khan House, Bombay- 400002.	21.	M/s. Central New Agency Pvt. Ltd., 23/90, Connaught Circus, New Delhi-110001 (T. No. 344448 322705, 344478 & 344508).
9.	M & J Services, Publisher, Repre- sentative Accounts & Law Book Sellers, Mohan Kunj, Ground Floor 68, Jyotiba Fuele Road, Nalgaum Dadar, Bombay-400014.	22.	M/s. Amrit Book Co., N-21, Connaught Circus, New Delhi.
10.	Subscribers Subscription Services India, 21, Raghunath Dadaji Street, 2nd Floor, Bombay-400001.	23.	M/s. Books India Corporation Publishers Importers & Exporters L-27, Shastri Nagar, Delhi-110052 (T. No. 269631 & 714465)
TAMIL NADU		24.	M/s. Sangam Book Depot, 4378/4B, Murari Lal Street, Ansari Road, Darya Ganj, New Delhi-110002.
11.	M/s. M. M. Subscription Agencies 14th Maurali Street, (1st floor) Mahalingapuram, Nungambakkam Madras-600034 (T. No. 476558)		