

# **Annual Report 2021-2022**

**Government of India**

**Ministry of Law And Justice**



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## INTRODUCTION

Ministry of Law and Justice is the oldest limb of the Government of India dating back to the year 1833 when the Charter Act, 1833 was enacted by the British Parliament. The said Act vested legislative power in a single authority for the first time, namely, the Governor General in Council. By virtue of this authority and the authority vested under him under section 22 of the Indian Councils Act, 1861, the Governor General in Council enacted laws for the country from the year 1834 to year 1920. After the commencement of the Government of India Act, 1919, the legislative power was exercised by the Indian Legislature constituted thereunder. The Government of India Act, 1919 was followed by the Government of India Act, 1935. With the passing of the Indian Independence Act, 1947, India became a Dominion and the Dominion Legislature made laws from the year 1947 to year 1949 under the provisions of section 100 of the Government of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947. Under the Constitution of India which came into force on the 26<sup>th</sup> January, 1950, the legislative power has been vested in Parliament.

## COMPOSITION OF THE MINISTRY

Ministry of Law and Justice comprises of the Legislative Department, Department of Legal Affairs and Department of Justice.

The Legislative Department is concerned with drafting of principal legislation for the Central Government.

The Department of Legal Affairs is concerned with advising the various Ministries of the Central Government.

In so far as the Department of Justice is concerned, a separate Chapter (Chapter III) has been brought out covering all details.

### MISSION

To transform Government into an efficient and responsible litigant;

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

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

### OBJECTIVES

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

# **CHAPTER-I**

## **DEPARTMENT OF LEGAL AFFAIRS**

### **(VIDHI KARYA VIBHAG)**

#### **1. FUNCTIONS AND ORGANISATIONAL SET UP**

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

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

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

- (a) The Advocates Act, 1961
- (b) The Notaries Act, 1952

- (c) The Advocates' Welfare Fund Act, 2001

In addition, the Commercial Courts Act, 2015 and the New Delhi International Arbitration Centre Act, 2019 is also being administered by the Department.

- 1.2 The Department is also administratively in-charge of the Income Tax Appellate Tribunal and the Law Commission of India. The Department is also administratively concerned with all the matters relating to the Indian Legal Service. It is further connected with the appointment of Law Officers namely the Attorney General of India, the Solicitor General of India and the Additional Solicitor Generals of India. With a view to promote studies and research in law and for improvement in legal profession, this Department sanctions grant-in-aid to certain institutions engaged in these fields like Indian Law Institute.

## 2. ORGANISATIONAL SET-UP

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

### MAIN SECRETARIAT

- i. The set up at the Main Secretariat includes Law Secretary, Additional Secretaries, Joint Secretary and Legal Advisers and other Legal Advisers at various levels. The work relating to tendering of legal advice and conveyancing has been distributed amongst groups of officers. Each group is normally headed by an Additional Secretary or a Joint Secretary & Legal Adviser, who, in turn, is assisted by a number of other Legal Advisers at different levels.
- ii. The litigation work in the Supreme Court on behalf of all the Ministries/Departments of the Government of India and some administrations of the Union Territories is handled by the Central Agency Section presently headed by an officer of the rank of Additional Secretary who is assisted by Officers of Government Advocates cadre of the ILS and other supporting staff.
- iii. The litigation work in the High Court of Delhi and CAT (Principal Bench) on behalf of all the Ministries/Departments of the Government of India is processed by the Litigation (High Court) Section presently headed by a Deputy Legal Adviser.
- iv. The litigation work in the Subordinate Courts in Delhi is handled by the Litigation (Lower Court) Section presently headed by an Assistant Legal Adviser.
- v. The Department has a special cell, namely, Implementation Cell for dealing with the implementation of the recommendations of the Law Commission and the administration of the Advocates Act, 1961 and the Advocates Welfare Fund Act, 2015. It also deals with the legal profession.
- vi. There is one post of Joint Secretary & Legal Adviser each in Railway Board and Department of Telecommunications respectively. However, presently the work relating to these two organisations is being handled at Additional Secretary level. Apart from these the Officers of the Indian Legal



Service are also posted in the Ministry of Defence, Ministry of Labour, Ministry of Housing and Urban Affairs, SFIO, NTRO and CBI.

## **CREATION OF ILS**

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

## **ROLE OF ILS**

The officers of the Indian Legal Service (ILS) manning the Department of Legal Affairs and Legislative Department being the principal legal organ of the Government of India have risen to the challenges and performed at optimum levels. The digital revolution has changed the dynamics of information sharing and the economy has created new areas of wealth creation. This necessitates the ILS officers to update the legal skill and acumen to cater to emerging legal needs. They being the Principal Legal Advisers to the Government have responded effectively and speedily to the demands made upon them by the various organs of the Government and play a pivotal role in both advisory as well as in drafting work.

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

During the period from 01.01.2021 to 31.12.2021 Advice 'A' Section has received 3592 references from various Ministries/ Departments of the Government of India for vetting of Documents and Legal opinions/ Advices on various issues (including references for advice received from the office of Law Secretary, Addl. Secretaries and Joint Secretaries) which were duly attended and the opinion tendered by the officers of this Department were forwarded to the respective Ministries/ Departments, for needful action. In addition, the officers of this Department also participated in various National/ International Meetings and Conferences.

2. Apart from tendering legal advice, this section has also dealt with references and other communications received by the Hon'ble Minister and Officers of this Department.
3. 49 matters relating to RTI Application pertaining to the Advice A& B Sections were also dealt with.
4. 105 references relating to conveyancing including a number of international agreements were also dealt with.
5. During the aforesaid period, 90 Cabinet Notes and 61 references relating to State Bills and Ordinances were received for Examination.

6. Further, 12 (Twelve) Public Grievances were also dealt with by the Section.

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

Advice 'B' Section has received a total of 2802 references during the period from 01.01.2021 to 31.12.2021 from various Ministries/ Departments of the Government of India for vetting of legal Documents and Legal opinions/advice on various issues which were duly attended to by the Section.

2. During the aforesaid period total 87 Cabinet Notes/Legislative Proposals, around 1784 SLPs/ Litigation matters were received for examination/advice.
3. In addition to this, the officers of this Department have participated in 179 National/International Meetings and Conferences.
4. This section has also dealt with references and official communications received by the Hon'ble Minister(s) office and officers of this department.
5. Further, 36 Parliament Question/Assurances were also dealt with.

#### 5. **ADVICE 'C' SECTION**

During the year 2021, 18 new cases on different subjects were sent for the opinion of the Ld. Attorney General for India, Solicitor General of India and Addl. Solicitor General of India. Out of which 10 opinions were received and have been forwarded to the respective Ministries/Departments of the Govt. of India after the approval of the Law Secretary and Hon'ble MLJ.

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

#### 6. **JUDICIAL SECTION**

- 1) **Conduct of Central Govt. litigation before various courts of law through Law Officers/ Panel Counsel during the period from 01.01.2021 to 29.12.2021:**
  - a) Ld. Attorney General for India has been re-appointed for a further period of one year.
  - b) 07 new Asst. SGIs have been engaged afresh in various High Courts / Benches of High Courts across the country.
  - c) Following number of Advocates empanelled or their terms as panel counsel have been extended for the various courts / tribunals at the concerned states/UTs (figures are shown state/UT-wise):

Sl. No.	State/UT	Total Number of Advocates empanelled in various categories
1.	Himachal Pradesh	57
2.	Chandigarh	72
3.	Delhi	108
4.	Maharashtra	26
5.	Bihar	02
6.	Tamilnadu	208
7.	Kerala	141
8.	Karnataka	168
9.	Andhra Pradesh	06
10.	Telangana	01
11.	UT of J&K	01
12.	Odisha	75
13.	Rajasthan	03
	TOTAL	868

- d) Resignations of 10 panel counsel (including one Asst. SGI) have been processed.
- e) 06 complaints against Law Officers/Asst. SGI/Panel Counsel have been processed.
- f) 10 proposals were received and processed regarding separate panels of advocates for the specific representation of some particular Ministries / Departments / Boards for the approval of this Ministry.
- g) Requests / proposals are received from a number of Ministries / Departments of the Government of India for the engagement of Law Officers, panel counsel and of private Advocates to represent them in various courts in the country on normal or special terms & conditions. During the period, about 102 such proposals have been processed.

2) **Clarification on various issues viz. terms of engagement of panel counsel, issues related to fee schedule etc.**

Various issues are received from time to time regarding the terms & conditions of engagement of panel counsel, their fee schedule etc. During the said period, about 95 such clarifications have been issued.

3) **Nomination of Arbitration panel counsel in domestic as well International commercial disputes, involving Government/PSE on the one hand and PSE/private party on the other:**

Requests are received regarding engagement of Arbitration Panel Counsel to represent various Ministries / Departments in Arbitration cases. During the said period, in response to such requests, Arbitration panel counsel have been engaged in about 90 Arbitration cases.

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

M/o Law & Justice, Department of Legal Affairs is the Central Authority under Hague Convention, 1965 for service abroad of judicial & extra judicial documents in civil and commercial matters. Under this obligation, about 2000 requests have been processed.

## 7. NOTARY CELL

The administration of the Notaries Act, 1952 and the Rules, 1956 framed thereunder comes under the purview of the Notary cell. The Notary Cell deals with examination/scrutiny of the online applications received from different States/Union Territories in the country, processing of these applications and holding of interviews for appointment as notaries. This Cell conducts inquiries into the allegations of professional misconduct on the part of the Notaries. The Notary Cell also deals with RTI applications, First and Second Appeal of RTIs. The Notary Cell also handles court cases filed in various High Courts throughout India.

The Notary Cell also renews certificates of practice of notaries, issued by the Central Government every five years. For sufficient reasons, it also grants extension/change of the area of practice to the notary public, on receipt of an application for the purpose.

So far, approximately, 22454 notaries have been appointed by the Central Government in various parts of the country. About 1203 Notary Certificates have been renewed during the period under consideration.

## 8. IMPLEMENTATION CELL

**Administration of Statutes:** The Cell is concerned with the administration of the following Acts:-

- (i) The Advocates Act, 1961
- (ii) The Advocates' Welfare Fund Act, 2001.

The Bar Council of India is a statutory body established under section 4 of the Advocates Act, 1961 that regulates the legal practice and legal education in India. Its members are elected from amongst the lawyers in India and as such represents the Indian bar. It prescribes standards of professional conduct, etiquettes and exercises disciplinary jurisdiction over the bar. It also sets standards for legal education and grants recognition to universities whose degree in law will serve as a qualification for students to enroll themselves as advocates upon graduation. Rules framed by Bar Council of India under the Advocates Act, 1961 and The Advocates Welfare Fund Act, 2001 are available on the official website of the Bar Council of India i.e. [www.barcouncilofindia.org](http://www.barcouncilofindia.org).

**The Advocates' Welfare Fund Act, 2001:** Social security in the form of financial assistance to junior lawyers and welfare schemes for indigent or disabled advocates has always been a matter of concern for the legal fraternity. Certain States enacted their own legislation on the subject. The Parliament enacted "Advocates' Welfare Fund Act, 2001" applicable to the Union Territories and the States which do not have their own enactments enabling them to create "Advocates' Welfare Fund". This Act makes it compulsory for every advocate to affix stamps of the requisite value on every Vakalatnama filed in any Court, Tribunal or other Authority. Sums collected by way of sale of "Advocates' Welfare Fund Stamps" constitute an important source of the Fund. Any practicing Advocate may become member of the Fund on payment of an application fee and annual subscription. The Fund shall vest in and be held and applied by the Trustee Committee established by the appropriate Government. The Fund shall, inter alia, be used for making ex-gratia grant to a member of the fund in case of a serious health problem, payment of a fixed amount on cessation of practice and in case of death of a member, to his nominee or legal heir, medical and educational facilities for the members and their dependents, purchase of books and for common facilities for advocates.

**Law Commission Reports:** The Implementation Cell is responsible for processing of reports of the Law Commission, laying them before the Parliament and forward reports to the concerned Ministries/Departments for their examination /implementation as well as pursue them for expeditious action. Till 31.12.2021 the Law Commission of India has submitted 277 out of which 277 reports have been laid before both the Houses of the Parliament. All the reports received till 31.12.2021 have also been forwarded to the concerned Ministries/Departments for their examination/implementation or further action at their end. The Implementation Cell, in pursuance of the recommendations of the Department Related Parliamentary Standing Committee on Personnel, Public Grievance, Law & Justice, since 2005 has been continuously laying Annual statement showing the status of pending Law Commission Reports before both the Houses of the Parliament. The last of such Statement (14<sup>th</sup> Statement) was laid on the Table of both the Houses of Parliament (in Lok Sabha on 11.12.2019 and Rajya Sabha on 12.12.2019). The Commission also makes its reports available through its website i.e. [www.lawcommissionofindia.nic.in](http://www.lawcommissionofindia.nic.in).

## 9. RTI CELL

Under the provisions of the Right to Information Act, 2005 the RTI Cell acts as a nodal agency for RTI matters. The RTI Cell receives and thereafter forwards the RTI application to the concerned Central Public Information Officers/Public Authorities. It also coordinates follow-up action on Appeals/orders received from the Central Information Commission. The RTI Cell is also responsible for submission of quarterly return on RTI applications/Appeals to the CIC. The RTI Applications/Appeals received online on RTI Web Portal are also being forwarded online to the concerned CPIO/Public Authority and Appellate Authority.

2. Department of Legal Affairs has presently 12 CPIOs at the level of Under Secretary/Joint Secretary and 5 Appellate Authorities at level of Additional Secretary, Joint Secretary and equivalent Officers. The details of the RTI Applications/Appeals received from 01.01.2021 to 06.12.2021 are as follows:-

S.No.	RTI Matters	Total (01.01.2021 to 06.12.2021)	Anticipated from (07.12.2021 to 31.03.2022)
1.	RTI Requests	2160	1500
2.	First Appeals Disposed off	174	N/A
3.	Second Appeals before Hon'ble CIC	33	N/A

## 10. LIBRARY & RESEARCH SECTION

The Library and Research Section is a specialized research oriented unit which looks after requirement of Legal Books/Journals/Online Legal Services and other research materials of the Ministry of Law & Justice. This section provides reference and legal research services to the Hon'ble MLJ, Law officers and ILS officers of Department of Legal Affairs and Legislative Department.

2. During this period, Library and Research Section acquired 300 numbers of books and 348 numbers of Bare Acts.
3. The Library and Research Section subscribes to 14 Indian law Journals and 2 foreign Law journals.
4. The Library and Research Section has subscribed/renewed to the following Online Services/CD ROM for retrieval of Case Laws, Judgments and Articles etc. for the use of Officers of this Ministry:-
  - a) AIR Comprehensive Software/Database.
  - b) SCC online case finder.
  - c) SCC online (IP) Services.
  - d) Manupatra Online (IP) Services.

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

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

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

This Department was notified under Rule 10(4) of the Official Languages Rules, 1976 on 21-3-1980. All officers and employees proficient in Hindi submit drafts etc. of all communications addressed to State Governments/Union Territories and to private individuals and also to Central Government offices located in Regions "A" and "B" and of communications in reply to letters etc., received in Hindi or signed in Hindi, including appeals, representations etc., from the employees only in Hindi.



**(b) Steps taken for implementation of orders relating to the Official Language and progressive use of Hindi:**

- i. Orders for individuals under rule 8(4): Under the provisions of Official Language (Use for official purpose of the union) rule 8(4) of rule, 1976 (As amended 1987) orders in the name of officers/ employees who are proficient in Hindi were issued on 12.04.2021 to do their complete official work in Hindi.
- ii. Check Points : A review of the check points for implementation of orders relating to the Official Language was made and orders for creation of adequate number of check points in accordance with Rule 12 of the Official Languages Rules, 1976 were issued on 05-02-2020. The effectiveness of check points is being regularly monitored through the quarterly progress reports received from sections/offices.
- iii. In Sections / Units where the staff are proficient in Hindi, the use of Hindi in their day to day work is being encouraged. Work relating to grant of various types of leave is being done in Hindi. Almost all cases relating to House Building Advances, GPF Advances and Withdrawals etc. are also being processed in Hindi and orders are also being issued in Hindi.
- iv. All general orders, notifications, resolutions and administrative reports etc. are invariably issued in bilingual form. All letters received in Hindi are invariably replied to in Hindi only. Strict vigilance is maintained to ensure that there is no violation of the relevant rules in this regard. English to Hindi dictionaries have been provided to all sections of the Department for encouraging the use of Hindi in day to day official work.
- v. Hindi specimen of standard draft of letters being used frequently by various sections have been provided. All standard forms have been prepared in Hindi and English so that employees can use them without facing any difficulty. All forms used in the Department have also been translated into Hindi. Entries in service books are also being made in Hindi. All rubber stamps, name plates, sign boards etc., are invariably prepared in bilingual form.
- vi. All computers in the Department are bilingual. Facility to work in Hindi is available on the computers provided to the officers and sections of the Department.
- vii. Hindi Teaching Scheme : A time bound programme has been prepared for imparting Hindi/ Hindi Stenography/ Hindi Typing Training to the employees of the Department and its offices under the Hindi Teaching Scheme. Employees are awarded personal pay/ Advance increments/ Cash Awards etc. as per the instructions of the Ministry of Home Affairs, Department of Official Language.
- viii. OLIC Meetings:- The meetings of Official Language Implementation Committee of the Department are held regularly. Rajbhasha Adhikari of the Department is the chairman of this committee and Director (Admn.), all Deputy Secretaries and Under Secretaries and all Section Incharges and Branch Officers are members of this committee whereas Deputy Director (O.L.)/Assistant Director (O.L.) is the member secretary. In these meetings, Compliance Status of Quarterly progressive report and implementation of orders related to Official Language are reviewed. Minutes of the meetings are circulated to all concerned for follow-up action.

- ix. Organisation of Hindi Day/Hindi Month :With a view to accelerate the use of Official Language and to increase the awareness of the employees as regards the Official Language policy and the various incentive schemes for using Hindi in official work, Hindi Day was celebrated in the Department on 14-9-2021. Hon'ble Minister for Law & Justice, Minister of state for Law and Justice and Law Secretary in their messages appealed to the officers and employees of the Department to adopt Hindi in their day-to-day official work. Message received from Hon'ble Home Minister on the eve of 'Hindi Day' was also circulated in the Department and its offices. In order to make the various programmes organized in this connection effective, 'Hindi Month' was organized in the Department from 1.9.2021 to 30.9.2021. This was done with the objective of giving wider publicity to the various schemes and generating maximum output in terms of work done in Hindi. This year, during the 'Hindi Month', 6 competitions viz, 'Hindi Essay Competition', 'Hindi Typing Competition', 'Translation Competition' and 'Hindi Noting and Drafting Competition', 'Hindi dictation' (for group 'D', employees and LDC & court clerks) and 'Official work in Hindi' Competition were organized in the Department. 94 officers/employees participated in these competitions. Out of which 68 successful participants were awarded cash prizes. 'Hindi Day' was also celebrated in the Branch secretariats of the Department and benches of the Income Tax Appellate Tribunal. Various competitions were organized on this occasion and successful participants were awarded cash prizes.
- x. Inspection of Sections/Divisions :As per the instructions of Department of Official Language, Ministry of Home Affairs and in compliance of the Annual Programme Hindi Inspection is required to be carried out in sections/divisions of Department of Legal Affairs. In continuation of this with the approval of the competent authority the inspection of Admn-I and Admn-II sections were done on 08.09.2021 (FN & AN respectively)
- xi. Hindi Workshop : In compliance of the official language policy of the union and instructions issued by Department of Official Language, MHA with the objective of removing the difficulties being faced by the employees of Department of Legal Affairs in their day to day official work in Hindi, a Hindi workshop was organized on 22.09.2021. A lecture/Training was given in this workshop to officers/Assistants/UDC,s/and Court Clerks posted in Department of Legal Affairs by Shri Shriprakash Shukla, Joint Director (Retd.).
- xii. Inspection by Parliamentary Committee: Parliamentary Committee on official language carried out the official language inspection of ITAT, Delhi Bench on 09.04.2021. Rajbhasha Adhikari Dr. Anju Rathi Rana, Joint Secretary and Legal Advisor represented the ministry in this inspection programme and Deputy Director (O.L.) and Asst. Director (O.L.) also remained present during the inspection.
- xiii. Azadi ka Amrit Mahotsav :On the occasion of 'Azadi ka Amrit Mahotsav' a Hindi Essay Competition was organized on the theme on 09.11.2021 with the approval of Law Secretary. 11 employees took part in the competition and the successful participants were given cash prizes and certificates.

## 12. LITIGATION IN DELHI HIGH COURT

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



- (a) The cases dealt with and contested in Delhi High Court are generally related to: -  
Civil and Criminal Writ Petitions under Article 226 & 227 of the Constitution of India, Civil Misc. Applications, Division Bench Appeals, Company Applications, Execution Applications and Criminal Misc.
- (b) And the cases dealt with and contested in Courts other than Delhi High Court are generally related to: -  
National Consumer Dispute Redressal Commission, Industrial Tribunal-cum-Labour Court, NCLT, NCLAT, Un-lawful activities (Prevention Tribunal), Debt Recovery Tribunal, Debt Recovery Appellant Tribunal, Immigration Appellate Committee, Appellate Tribunal for Electricity, Central Information Commission, District Consumer Form, NGT etc.
2. The Litigation work is dealt with by two Sections- Litigation (HC) Section 'A' and 'B' being supervised by Assistant (Legal)/Superintendent (L). Section 'A' deals with the advance notices pertaining to the Writ Petitions, Letters Patent Appeals (LPA), and Miscellaneous Petitions under Article 226 & 227 of the Constitution of India including matters of general natures. Section 'B' deals with the Original Revisions etc. and the Writ Petitions filed on behalf of the Union of India in the Hon'ble Delhi High Court. This Section also deals with in matters related to other Courts/Tribunals as mentioned in para 1(b) above.
3. To conduct Central Govt. litigation, there is one Additional Solicitor General of India (ASG), 27 numbers of Central Govt. Standing Counsel (CGSC), panel of 07 Special Counsel, 237 Senior Counsel and 167 Govt. Pleaders (GP). In matters of public importance and also involving complicated questions of Law, one of the Law Officers namely- Attorney General of India/ Solicitor General of India/ Additional Solicitor General of India is engaged. Close liaison is being maintained with the concerned Departments and Counsels to safeguard the Govt. interests in Delhi High Court. The Deputy Legal Adviser and other Officers keep a close watch over the progress of the cases at each stage.
4. Litigation (HC) Section has been allocated budget of Rs.10Crore for the F.Y 2021-22. During the period from 01/04/2021 to 30/11/2021 this Unit has paid the payment of around 8500 professional fee bills amounting to Rs.8 Crore, in respect of ASG & Counsel. Further, fee bills to the tune of Rs.4 Crore are under payment process subject to revision of Budgetary Estimates.
5. During the period from 01/01/2021 to 30/11/2021 Litigation (HC) Section has engaged Law Officers and Govt. Counsel in 5626 cases to conduct the litigation in Delhi High Court. Section wise details of receipt of cases and estimated receipt as follow: -

### Litigation High Court Sections

<b>SECTION</b>	<b>Cases received from 01/01/2021 to 30/11/2021</b>	<b>Estimated cases for the period from 01/12/2021 to 31/03/2022</b>	<b>Total</b>
A	5169	2000	7169
B	457	170	627
Total	5626	2170	7796

#### LITIGATION AFT DELHI

6. During the period from 01/01/2021 to 30/11/2021, the Litigation AFT Section has engaged Govt. Counsel in 2490 cases to conduct the litigation in AFT Delhi. Details of receipt of cases are as follow: -

#### LITIGATION AFT DELHI

<b>Section</b>	<b>Cases received from 01/01/2021 to 30/11/2021</b>	<b>Estimated receipt of cases from 01/12/2021 to 31/03/2022</b>	<b>Total</b>
<b>AFT</b>	<b>2490</b>	<b>950</b>	<b>3440</b>

#### LITIGATION IN CAT (PRINCIPAL BRANCH)

7. The Litigation CAT (PB) Delhi Cell looks after the Cases/Litigation work related to the Ministries and Department of UOI. And nominate the Counsel from the approved panel to defend the interest of Ministries/Departments of UOI in CAT (PB), Delhi.
8. During the period from 01/01/2021 to 30/11/2021 Litigation CAT (PB) Cell has engaged Govt. Counsel in 1100 cases to conduct the litigation in CAT (PB). Details of receipt of cases are as follow: -

#### LITIGATION IN CAT (PB) DELHI

<b>Section</b>	<b>Cases received from 01/01/2021 to 30/11/2021</b>	<b>Estimated receipt of cases from 01/12/2021 to 31/03/2022</b>	<b>Total</b>
<b>CAT (PB) Cell</b>	<b>1100</b>	<b>400</b>	<b>1500</b>

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

The Litigation work in the various District Courts as well as Consumer Forum/Tribunals in Delhi/New Delhi on behalf of all Ministries/Departments of Government of India except Railways and Income- tax Department is handled by Litigation(LC) Section. The Litigation work, in the above said Courts/Tribunals are look after by an Assistant Legal Adviser & In-Charge Assisted by a Superintendent(Legal) and Assistant (Legal).

2. There is a panel of Senior Panel Counsels and Additional Central Government Counsels are nominated for contesting the Cases on behalf of Union of India, i.e. Government of India. On receipt of request

from the Administrative Ministry/Department, action is taken to engage a suitable Govt. Counsel to appear on their behalf in the Courts. During the period under report this Section engaged Counsels in 363 Cases. Close liaison is maintained with the various Department as well as Govt. Counsels at all times to safeguard the interest of the Government(Union of India) in the District Courts/Consumer Forums/Tribunals.

3. When Cases are decided by the Hon'ble Courts, the Govt. Counsels submit their fee bill in a prescribed format. The fee bills are scrutinized very carefully, having regard to the terms and condition of the appointment before certifying and making payment at the prescribed rates. The period under report this Section received 20 fee bills from Government Counsel/Senior panel Counsels. Finance year 2021-22, this Section has allocated budget of Rs. 1,30,00,000/-(One Core and Thirty lakhs). Out of this amount Rs. 4,15,955/- (Four Lakh Fifteen Thousand Nine Hundred Fifty Five) has been paid to the Government Counsels/Senior Panel Counsels for their Professional Fee Bills.
4. In order to keep pace with the development of information Technology in the Judiciary especially at the level of District Court/Subordinate Courts and also to ensure effective functioning of the Lower Court(Litigation) Section, a proposal for computerization of this Section was submitted to competent Authority along with the system-study Report conducted by the national Informatics Centre (NIC) server of District and Session Court with the Litigation (LC) Section.
5. The Assistant Legal Adviser who is also the Branch Officer of this Section has been as Central Public Information Officer under the Right to Information Act.2005.The Superintendent (Legal) who supervise the Litigation(LC) Section.

#### **14. CENTRAL AGENCY SECTION**

Central Agency Section (CAS) was set-up in the year 1950. This office is responsible for conducting litigation before Hon'ble Supreme Court of India on behalf of all Ministries / Departments of the Central Government and also on behalf of National Capital Territory of Delhi, Union Territories, the office of the Comptroller & Auditor General of India and all field offices under CAG. Special Leave Petitions and Appeals in certain matters on behalf of Union of India are filed after obtaining opinion of Law Officers on the feasibility of filing Special Leave Petitions/Appeals in the Supreme Court through Central Agency Section. An officer of the level of Additional Secretary is functioning as In-charge of this Office and has been delegated the power of Head of Department. He is assisted by 7 Government Advocates and 1 Consultant (Advocates-on-Record). There are 13 Law Officers and 815 Advocates in Government Panel Counsels. The Central Agency Section functions from the Supreme Court Compound, New Delhi.

#### **The functions of the Central Agency Section are as under:**

- References of the Ministries/ Departments of Government of India received through the Department of Legal Affairs, Ministry of Law and Justice to obtain the opinion of Ld. Attorney General, Ld. Solicitor General and Ld. Additional Solicitor Generals.
- Engagement of Law Officers / approved Panel Counsels for various cases.
- Conduct and supervision of litigation on behalf of Union of India/ NCT of Delhi, C & AG and Union Territories in the Supreme Court of India.

- Supervision of Records, payment of fee bills of Law Officers, Panel Counsels, Computer Typists and Photocopy Machine Operators.
- 2. Government Advocates in the Central Agency Section require the qualification of Advocate-on-Record of the Supreme Court. They appear before the Supreme Court in matters pertaining to the Union of India, NCT of Delhi, C&AG and Union Territories as per the Supreme Court Rules.
- 3. As per computerized record of Central Agency Section during the period from 01.04.2020 to 31.03.2021, it has received 3001 new cases from various Ministries/Departments of Government of India, NCT of Delhi, CAG and Union Territories in which the Union of India or Union Territories are either petitioner or respondent.
- 4. For implementation of paperless functioning, the Central Agency Section has initiated the digitization project for digitizing all case records. As on 06.12.2021, around 1360 files comprising 402918 pages have been digitized. From January 2000 all the cases prepared for filing in the Supreme Court are in digitized form.

## 15. LAW COMMISSION OF INDIA

The Law Commission of India is constituted normally every three years with definite terms of reference to work for Law Reforms. The 22<sup>nd</sup> Law Commission has been constituted vide notification dated 21.02.2020 but the Chairman and Members are yet to be appointed. The Commission is aided in its work on the legal side by the Law Officers of Indian Legal Service and on the administrative side by the Officers of the Central Secretariat Service.

**Terms of Reference:** The Terms of Reference of the Twenty-second Law Commission consisted of the following:

- A. Review/Repeal of obsolete laws:
  - i. Identify laws which are no longer needed or relevant and can be immediately repealed.
  - ii. Identify laws which are not in harmony with the existing climate of economic liberalization and need change.
  - iii. Identify laws which otherwise require changes or amendments and to make suggestions for their amendment.
  - iv. Consider in a wider perspective the suggestions for revision/amendment given by Expert Groups in various Ministries/Departments with a view to coordinating and harmonizing them.
  - v. Consider references made to it by Ministries/Departments through the Department of Legal Affairs, Ministry of Law and Justice in respect of legislations having bearing on the working of more than one Ministry/Department.
  - vi. Suggest suitable measures for quick redressal of citizens grievances, in the field of law.

- B. Law and Poverty:
- i. Examine the Laws which affect the poor and carry out post-audit for socio-economic legislations.
  - ii. Take all such measures as may be necessary to harness law and the legal process in the service of the poor.
- C. Keep under review the system of judicial administration to ensure that it is responsive to the reasonable demands of the times and in particular to secure:
- i. Elimination of delays, speedy clearance of arrears and reduction in costs so as to secure quick and economical disposal of cases without affecting the cardinal principle that decision should be just and fair.
  - ii. Simplification of procedure to reduce and eliminate technicalities and devices for delay so that it operates not as an end in itself but as a means of achieving justice.
  - iii. Improvement of standards of all concerned with the administration of justice.
- D. Examine the existing laws in the light of Directive Principles of State Policy and to suggest ways of improvement and reform and also to suggest such legislations as might be necessary to implement the Directive Principles and to attain the objectives set out in the Preamble to the Constitution.
- E. Examine the existing laws with a view for promoting gender equality and suggesting amendments thereto.
- F. Revise the Central Acts of general importance so as to simplify them and to remove anomalies, ambiguities and inequities.
- G. Recommend to the Government measures for making the statute book up-to-date by repealing obsolete laws and enactments or parts thereof which have outlived their utility.
- H. Consider and to convey to the Government its views on any subject relating to law and judicial administration that may be specifically referred to it by the Government through Ministry of Law and Justice (Department of Legal Affairs).
- I. Consider the requests for providing research to any foreign countries as may be referred to it by the Government through Ministry of Law and Justice (Department of Legal Affairs).
- J. Examine the impact of globalization on food security, unemployment and recommend measures for the protection of the interests of the marginalized.

**Encouragement to students:**

The Commission conducts voluntary internship programmes, viz., Summer Internship Programme and Winter Internship Programme. The internship programme is conducted by the Law Commission with a view to train and inculcate orientation in legal research and law reform amongst law students to have better understanding of Law in its making and establishment of the Rule of Law.

## **Objectives & Achievements:**

Various Law Commissions have submitted 277 Reports so far on different subjects.

## **Follow-Up:**

The Reports of the Law Commission are laid in Parliament from time to time by the Department of Legal Affairs, Ministry of Law and Justice and forwarded to the concerned administrative Departments/Ministries for implementation. They are acted upon by concerned Departments/ Ministries depending on the Government's decision. Invariably, the Reports are cited in Courts, Parliamentary Standing Committees, in academic and public discourses.

## **16. NEW DELHI INTERNATIONAL ARBITRATION CENTRE (NDIAC)**

### **Steps taken for strengthening the Arbitration Mechanism:**

In order to strengthen institutional Arbitration mechanism in the country, a High Level Committee (HLC) under the Chairmanship of Justice B.N. Srikrishna, former Judge, Supreme Court of India, was constituted by the Central Government to promote and strengthen institutionalization of arbitration mechanisms in India. The Committee submitted its Report on 30<sup>th</sup> July 2017. Taking into consideration, inter alia, the recommendations of the High Level Committee (HLC), the Arbitration and Conciliation (Amendment) Act 2019 and the New Delhi International Arbitration Centre Act 2019 have been enacted.

The Arbitration and Conciliation (Amendment) Act, 2019 provides for establishment of the Arbitration Council of India (ACI) which will frame, review and update norms to ensure satisfactory levels of arbitration and will also frame policies governing the grading of arbitral institution. ACI will lay down norms to bring uniformity of standards among the arbitral institutions in the country. The amendment further minimizes the court intervention in arbitration matters by providing that parties may approach the Supreme Court and High Courts designated and ACI graded arbitral institutions for the purpose of appointment of arbitrators under section 11 of the Arbitration and Conciliation Act, 1996. Presently necessary steps for establishment of Arbitration Council of India is underway.

The New Delhi International Arbitration Centre Act, 2019 provides for establishment of an institution of National Importance, namely the New Delhi International Arbitration Centre for creating an independent and autonomous regime for institutional arbitration. It is proposed to develop the NDIAC as a preferred seat for domestic and international commercial arbitration.

The New Delhi International Arbitration Centre shall, inter alia, provide facilities and administrative assistance for conciliation, mediation and arbitral proceeding, maintain panels of accredited arbitrators, conciliators and mediators both at national and International level or specialists such as surveyors and investigators; provide facilities and administrative assistance for conciliation, mediation and arbitral proceedings; promote research and study, providing teaching and training, and organizing conferences and seminars in arbitration, conciliation, mediation and other alternative dispute resolution matters.

Presently, necessary steps for establishment of the New Delhi International Arbitration Centre are underway.



## Steps taken for strengthening and promoting Mediation as ADR Mechanism:

With the objective of promoting, encouraging and facilitating mediation, especially institutional mediation for resolution of civil and commercial disputes, enforcing mediation settlement agreements, providing for a body for registration of mediators, encouraging community mediation and making online mediation as an acceptable and cost effective process and for matters connected therewith or incidental thereto, a comprehensive standalone law on Mediation has been introduced during the winter session of the Parliament on 20.12.2021.

Mediation as is known is more informal and facilitates negotiations between the disputant parties which may culminate in a settlement. Thus, mediation, in contrast to arbitration, helps people and businesses in conflict to preserve their relationships, as the settlement arrived at in the process is on voluntary and consensual basis and at times private. The Bill has been referred for examination and report, to the Parliamentary standing Committee on 20.12.2021.

## 17. THE COMMERCIAL COURT ACT, 2015

Commercial and financial markets have a big role to promote a country's economic standing in the comity of nations. For such economic activities to prosper, simple framework of rules that encourage investors and promote business activities is a pre-requisite. Therefore, the Government has given high priority to frame business facilitating laws and rules *inter-alia* with a view to make India one of the preferred destinations for investment and business. In this context, the Government had earlier enacted the Commercial Courts Act, 2015.

Carrying the agenda forward and to continue with the economic reforms in the country, the Central Government has taken several steps to boost the investment and business friendly atmosphere in the country and facilitate quick resolution of disputes with least interference of the courts. In this endeavor, the Central Government has amended the Commercial Courts, Act, 2015 in 2018. The Amendments have facilitated the fast tracking of Commercial disputes by reducing the specified value of a commercial dispute to Rs. 3 lakh from the earlier Rs. 1.00 Crore and establishment of Commercial Courts at District Judge level in the jurisdiction of High Courts enjoining Ordinary Original Civil Jurisdiction. And to ease the load on the judicial system, a necessary "Pre-Institution Mediation and Settlement" (PIMS) (an ADR Mechanism) which provides for certain cases being referred for Mediation at the first instance for its settlement has been introduced. The mediation is to be conducted under the aegis of the State Legal Services Authority and District Legal Services Authority as provided under the National Legal Services Authorities Act, 1987. On failure to resolve dispute through PIMS mechanism, the claimant can approach the courts for resolution of their commercial dispute. The amended Act also provides for establishment of Commercial Appellate Court at District level in such territories wherein the High Courts do not enjoy ordinary original civil jurisdiction and the commercial dispute case at the first instance is decided by a Court subordinate to that of District Judge.

State wise data (High Courts) on establishment of Commercial Courts of different levels as on 30.06.2021 is at **Annexure II**.

## 18. INDIAN LAW INSTITUTE (ILI)

**Introduction:** ILI is a premier Legal Research Institute established on 27<sup>th</sup> December, 1956. The objective of the Institute is to promote advanced studies and research in law and to contribute substantially in reforming the administration of Justice, so as to meet the socio economic aspirations of the people through law and its instrumentalities. The Institute got the status of Deemed University in the year 2004. The Institute got its first ever accreditation with 'A' grade by the National Assessment and Accreditation Council (NAAC) during March, 2017 with a CGPA of 3.35 on a 4.00 point scale. The Institute is conducting Masters in Law and Doctoral courses as well as PG Diploma Courses in various areas of law, i.e., Alternative Dispute Resolution, Corporate Laws and Management, Cyber Law and Intellectual Property Rights Laws.

**Academic Programmes:** After the conferring of Deemed University status upon it in the year 2004, the institute launched research oriented LL.M. programme. The admission in LL.M programme is strictly on merit in Common Admission Test (CAT) conducting every year and Interview. Presently the following programmes are conducted by the Institute:

Programme(s)	Students Enrolled in academic session 2021-22
LL.M.- 1 Year (Full Time)	41
PG Diploma Courses( Alternative Dispute Resolution, Corporate Laws and Management, Cyber Law and Intellectual Property Rights Laws)	235
No. of seats in Ph.D in Law	38*
Total No. of Students	314

\* 10 students are yet to be enrolled.

The Institute has a Ph.D. programme. There are 28 scholars enrolled as on date.

E Learning courses of three months duration on “**Cyber Law**” (39<sup>th</sup> batch) and “**Intellectual Property Rights and IT in the Internet Age**” (50<sup>th</sup> batch) was completed on October 19, 2021.

64 students were enrolled for the 40<sup>th</sup> batch of online certificate course in Cyber Law and 59 students were enrolled for the 51<sup>st</sup> batch of online certificate course in IPR.

**Activities of the Institute:** Web Series of Lectures/ Conferences/ Talk/ Seminars conducted by the Indian Law Institute

- Webinar on ‘PIL-The Vitalizing of Indian Constitution to empower average citizens’ on January 15, 2021
- Webinar on ‘Women Prisoners: World’s First Focus on Women Prisoners’ on January 17, 2021
- Webinar on “Innovator Genius: V.R. Krishna Iyer and the Cautious Protagonist – P.N. Bhagwati” on January 19, 2021



**Azadika Amrit Mahotsav:** Celebration of 75<sup>th</sup> Anniversary of India's Independence: Talk on March 12<sup>th</sup>, 2021

As a part of the initiative of 'Azadi ka Amrit Mahotsav' with its theme of celebration of the 75<sup>th</sup> Anniversary of independence, events have been held across the country and the Indian Law Institute organised the following events:

- (i) A Talk on March 12, 2021 on the subject of "Historic significance of the Dandi March" and "the call by Mahatma Gandhi to the people of India to boycott the Indian Salt Act of 1882" as a part of celebration to Commemorate the "Azadi ka Amrit Mahotsav" on account of celebration of 75<sup>th</sup> Anniversary of India's Independence.
- (ii) Conference on commemorating the Indian independence movement on 16<sup>th</sup> April, 2021.
- (iii) Virtual Talk on "Thinking Constitutional Principles and Constitutional Cultures" on September 25, 2021.
- (iv) Virtual Talk on "The Limits of Liberty: Rights and Duties in the Indian Constitution" on September 30, 2021.
- (v) Virtual Talk on "Human Rights in the Brazilian Supreme Court Achievements and Challenges" on October 05, 2021.
- (vi) Virtual Talk on "Access to Justice : Sensitising Law Students to the Unmet Justice Needs of the Society" on October 11, 2021.
- (vii) Virtual Talk on "Environmental Rule of Law and Protection of the Environment" on October 20, 2021.
- (viii) Virtual Talk on "Gender Equality and Labour Laws in India" on October 26, 2021
- (ix) Virtual Talk on "National Unity Day & Contemporary Imperatives for Legal Research in India" on October 31, 2021.
- (x) Virtual Talk on "The Rights of the Indigenous and the Relationship with the Rights of Nature in the Inter-American Court of Human Rights" on November 3, 2021.
- (xi) Virtual Talk on "Indian Constitution : Living Document" on November 26, 2021

Indian Law Institute in joint collaboration with the Ministry of Law and Justice, Government of India, organized week-long series of lectures from August 9, 2021 till August 13, 2021 and again from November 8, 2021 to November 14, 2021 to mark the celebration of Aazadi Ka Amrit Mahotsav, the initiative launched by the Government of India to celebrate the completion of 75 glorious years of Indian independence.

To revisit the workings of the magnificent constitution of our nation, a virtual talk was held on August 19, 2021 on the theme, "Progressive Unfolding of the Indian Constitution" as a part of the same project.

Webinar on "Judicial Activism, Fundamental Rights and the Brazilian Supreme Court House Decisions during COVID-19" on September 7, 2021 by Prof. (Dr.) Deilton Ribiero BRASIL.

Webinar on “Law, Literature and Life on September 9, 2021 by Prof. (Dr.) R. Venkata Rao.

The Institute also developed audio-visual documentary clipping of 30 minutes covering “an overview of Constitution of India and Fundamental Duties” to commemorate 70<sup>th</sup> Anniversary of the Constitution of India as per the directive of the Ministry of Law and Justice. These audio visuals were placed on the websites of the Institute as well as Department of Legal Affairs and is available for free download by schools and colleges for screening it to their respective students.

**Visits:** Hon’ble Union Minister of Law and Justice, Mr. Kiren Rijiju visited Indian Law Institute on September 17, 2021 and interacted with the faculty members and the administration to discuss about reforms in legal education and role of institutions imparting legal education in facilitating access to justice to the marginalized groups.

Hon’ble Minister of State for Law and Justice, Prof. S.P. Singh Baghel visited Indian Law Institute on October 8, 2021.

Hon’ble Minister of State for Education, Smt. Annpurna Devi visited Indian Law Institute on November 11, 2021.

**Book Release:** The Institute released the following Books:

- “Clinical and Continuing Legal Education: A roadmap for India” -edited by Prof. (Dr.) S. Sivakumar, Dr. Prakash Sharma & Abhishek Kumar Pandey
- “Rethinking Law and Violence” - edited by Prof. Dr. Jyoti Dogra Sood and Dr.LatikaVashist.
- “Dispelling Rhetorics: Law of Divorce and Gender Inequality in Islam” - edited by Prof. Dr. Manoj Kumar Sinha and Prof. Dr. Furqan Ahmed.
- A function for the release of the book “Law of Sedition in India and Freedom of Expression” was organized at the Indian Law Institute on September 24, 2021 at 4:00 pm.

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

- Journal of the Indian Law Institute (JILI) – Published quarterly containing research articles on contemporary legal issues of National/International Importance.
- ILI Newsletter – Published quarterly referring various activities undertaken by the Institute during the year and forthcoming activities.
- Index to Legal Periodicals – Published yearly and contains indexes, periodicals (including year books and other annual publications) pertaining to law and related fields being received (either by subscription or exchange or complementary) by the ILI Library.
- Annual Survey of Indian Law –Published yearly and is a very prestigious publication of the Institute and contains Annual Survey of Indian Law including latest trends in every branch of law of importance.
- 1 Book titled Human Rights of Vulnerable Groups: National and International Perspectives by Prof.

(Dr.) Manoj Kumar Sinha and Arya A. Kumar

- ILI Law Review (Summer) & (Winter)

#### **Forecast of Activities:**

#### **Forthcoming Publications:**

- ❖ Journal of Indian Law Institute(JILI) Vol 63 ( July-September,2021)
- ❖ ILI Newsletter Vol XXIII, Issue III, (July -September,2021)
- ❖ Annual Survey of Indian Law – 2020.
- ❖ Index to Legal Periodicals – 2020.
- \* Due to pandemic situation, the above quarterly and annual Report / Journal are yet to be published.

Looking to current pandemic situation, the Institute will engage academicians in online intellectual activities and all classes will be conducted through virtual platform only. The Institute will continue to organize series of Webinars in the remaining period of this financial year in line with the directions of the Ministry of Human Resource and Development, Government of India and the University Grants Commission.

#### **Azadi ka Amrit Mahotsav: Celebration of 75<sup>th</sup> Anniversary of India's Independence:**

As a part of the initiative of 'Azadi ka Amrit Mahotsav' with its theme of celebration of the elixir of independence, the Institute will continue to organize various events commemorating the Indian independence movement in joint collaboration with the Ministry of Law and Justice, Government of India during the remaining part of the current financial year.

#### **Seminar/Conference/Training Programme/Workshop:**

The Institute shall organize series of Training Programmes in collaboration with National Human Rights Commission for Police Officers, Prison Officials, Media Personnel and Judicial Officers during the remaining period of financial year 2021-22.

#### **19. BRANCH SECRETARIAT, KOLKATA**

During 2021-2022, the Branch Secretariat, Kolkata is headed by Additional Government Advocate who is functioning as In-charge. The Branch Secretariat, Kolkata is functioning from 2<sup>nd</sup> & 3<sup>rd</sup> Floor, Middle Building, 11, Strand Road, Kolkata-700001. It has eight wings viz. Advice, Litigation, CAT/Lower Court, Administration, Cash & Accounts, Hindi, Counsel Fee Bill, and R & I Section. In addition, this Branch Secretariat has a Library containing more than 10800 books.

2. The Litigation Wing of the Branch Secretariat, Kolkata looks after the entire litigation matters pertaining to the High Court at Calcutta both in the Original as well as Appellate Side. The Branch Secretariat is looking after litigation of the Union of India before Hon'ble High Court at Calcutta including its Circuit Benches at Port Blair and Jalpaiguri and also various Tribunals, District Forums, State Commissions and Lower Courts covering 12 States and one Union Territory. The Branch Secretariat

also looks after the service matters relating to Central Government employees before the Central Administrative Tribunal, Calcutta Bench as well as the other benches at Cuttack, Guwahati, Patna and Circuit Benches at Andaman & Nicobar Islands. The Branch Secretariat, Kolkata also engage Government Panel Counsel to appear/oppose the matter for and on behalf of the Ministries/Departments before CGIT, Arbitration, NGT, NCLT, NGT, CESTAT, State Consumer Commissions and DRAT, DRT, District Consumer Forums, Lower Courts etc. This Branch Secretariat also engage Counsel in Arbitration matters before the Ld. Arbitrators on receipt of specific requests from concerned Ministries/Departments.

3. The Advice Wing of this Branch Secretariat renders legal advice upon the references received from various Ministries/Departments and also conducts litigation pertaining to all the Central Government Ministries/Departments including the Income Tax Department, FERA/FEMA, Ministry of Defence, Ministry of Home, Ministry of External Affairs and all other Ministries/Departments having their offices at West Bengal, Assam, Nagaland, Manipur, Arunachal Pradesh, Meghalaya, Bihar, Jharkhand, Orissa, Tripura, Mizoram and Sikkim and Union Territory of Andaman and Nicobar Islands and other Central Government Office situated outside the Eastern Zone but cause of action arise in Kolkata or being their headquarter in Kolkata (e.g. Ordnance Factory Board).
4. During 2021-2022, the Advice Wing is headed by the Additional Government Advocate. During January, 2021 to 6<sup>th</sup> December, 2021 a total number of 815 references were received for legal advice and dealt with by the Branch Secretariat, Kolkata. All the advices were rendered within the prescribed period and it is estimated that approximately 250 references will be received during 7<sup>th</sup> December, 2021 to 31<sup>st</sup> March, 2022.
5. In litigation wing, Government Advocates act as Advocate-on-Records In Original Side and is notified as Government Pleader within the meaning of Order-XXVII Rule 8B(a) of the Code of Civil Procedure, 1908 and get the matter heard/argued or through panel Counsel engaged for this purpose. Ld. Additional Solicitor General of Calcutta High Court appeared in important matters assisted by Panel Counsel so engaged by Branch Secretariat.
6. During January, 2021 to 6<sup>th</sup> December, 2021 2690 number of references received at this Branch Secretariat, Kolkata relating to High Court at Calcutta from and on behalf of different Ministries/Departments and Autonomous body etc. and 2184 cases disposed as per the information received from the Counsels/Departments and website of the Calcutta High Court. It is estimated that approx. 870 references will be received and approx. 400 number of cases will be disposed of during 7<sup>th</sup> December, 2021 to 31<sup>st</sup> March, 2022. The total 55 number of references received during January, 2021 to 6<sup>th</sup> December, 2021 regarding National Company Law Tribunal, Kolkata Bench and it is estimated that approx. 25 references will be received during 7<sup>th</sup> December, 2021 to 31<sup>st</sup> March, 2022.
7. During January, 2021 to 6<sup>th</sup> December, 2021 a total number of 619 cases received in the Branch Secretariat, Kolkata for engagement of Counsels on service matters before Hon'ble CAT, Kolkata and Port Blair Bench and it is estimated that approx. 200 references will be received during 7<sup>th</sup> December, 2021 to 31<sup>st</sup> March, 2022. The number of cases in Courts below including arbitration cases handled during January, 2021 to 6<sup>th</sup> December, 2021 was 147. It is estimated that approx. 50

references will be received during 7<sup>th</sup> December, 2021 to 31<sup>st</sup> March, 2022. Also, Officers of this Branch Secretariat had conferences with Departmental Officers and engaged Counsels for smooth conduct of the Litigation and early disposal of matters.

8. Branch Secretariat, Kolkata has Appellate Authority (Additional Government Advocate), CPIO and ACPIO to deal with the RTI matters. During 2021-2022 total 29 RTI references and 4 appeals were received till 6<sup>th</sup> December, 2021 and duly disposed off within stipulated time.
9. During 2021-2022 claims of the professional fee bills submitted by the panel counsel have been speedily processed and of the sanctioned Revised Estimates of Rs.2,00,00,000/- for payment towards Professional Fees to the Counsel and Retainership Fee for Standing Counsel for West Bengal State. An amount of Rs.1,74,90,943/- have been utilised to make payments to them till 6<sup>th</sup> December, 2021. The remaining amount of the budget will be paid in the next three months of 2021-2022.
10. The Hindi Section of this Branch Secretariat is striving for effective use of Hindi as official language. During January, 2021 to 6<sup>th</sup> December, 2021 all quarterly meetings of Rajbhasha Coordination Committee have been organised regularly following the COVID protocol and Hindi workshops were also organised regularly following the COVID protocol. Most of the employees had obtained working knowledge in Hindi under Hindi Teaching Scheme. Reference matter has been prepared and distributed among Sections for doing work of regular nature in Hindi. 'HINDI PAKHWADA' was also observed in this Branch Secretariat with great enthusiasm during September 2021 following the COVID protocol. During 'HINDI PAKHWADA' six competitions were organised and the winners were granted prizes. Required reports are being forwarded on regular basis in the prescribed proforma to Main Secretariat. Various stamps, the Statement regarding Earned Leave, Half Pay Leave and Commuted Leave of the Branch Secretariat, Kolkata have already been made 'bi-lingual'.
11. Various budget and accounts related work in the Branch Secretariat, Kolkata are being done online using various software provided by NIC and also using the portalbasedpayment system 'PFMS' developed by NIC. All payments to employees, Government Counsels and other service providers are being made online through PFMS portal. Further, the tax deducted at source is being intimated to the Income Tax Department online in electronic format 24G every month. Subsequently quarterly return of TDS are also been prepared in electronic format 24Q and 26Q and submitted to the Income Tax Department through TIN facility centre through CDs. New format in respect of GST-TDS is deducted and a return is filed to the GST Authority. Periodical reports are directly submitted to Pay & Accounts Office online. Licence Fee for Office Accommodation is being paid through PFMS portal. For procurement of Goods, Stationeries and other Services, Government e-procurement website <https://gem.gov.in> is being used extensively. New pension cases are being processed through 'Bhavishya' online portal.
12. The Library of this Branch Secretariat, Kolkata, containing more than 10800 books and journals, is proving its worthiness and is very helpful for use in Litigation and also adhering advice as well to Government Ministries/Departments. Online legal library 'Manupatra' and 'SCC Online' have also been subscribed by this Branch Secretariat.



13. The last audit of the Branch Secretariat, Kolkata was conducted by an Audit Party from the Office of the Director General of Audit: Central, Kolkata with effect from 01.04.2016 to 31.03.2018. Six audit objections were made during the course of periodical inspection of accounts by the Audit Party. Action has already been taken and intimated to the Audit to drop the paras of audit objection.
14. The software 'LIMBS', developed by NIC, is also functional in the Branch Secretariat, Kolkata. The matters pertaining to Ministry of Law duly updated by Litigation section in the said portal. Instructions had already been given to Panel Counsel to create login ID in LIMBS portal so that they can upload the Orders of the Court and claim fee bills through LIMBS.
15. Azadi Ka Amrit Mahotsav has been observed in the Branch Secretariat, Kolkata with great enthusiasm from 8<sup>th</sup> November, 2021 to 14<sup>th</sup> November, 2021. Various programmes were organised during said programme to commemorate the 75<sup>th</sup> year of Indian Independence like plantation of tree, holding of workshop with panel advocates, display of photographs of The First Constitution Assembly of India, display of posters and banners etc. Besides, during the period from 08.11.2021 to 14.11.2021 all the Official communication of this Branch Secretariat had been printed with the Hindi and English logos of Azadi Ka Amrit Mahotsav at the top.
16. The Preamble of the Constitution of India was read by All the Officers and employees of the Branch Secretariat, Kolkata on the occasion of the Constitution Day on 26<sup>th</sup> November, 2021. All of the employees have downloaded the Certificate regarding reading of the Preamble from the concerned website.
17. Cleanliness Drive under 'Swachhta Abhiyaan' is being continued in the Branch Secretariat, Kolkata as a regular process. During Swachhta Pakhwada from 16.10.2021 to 31.10.2021 all the Sections in the Branch Secretariat, Kolkata have reviewed the files as per the Record Retention Schedule issued by the Department of Administrative Reforms and Public Grievances for weeding out or otherwise retain the reviewed files thereby cleaning up the office. 11191 files have been reviewed during said period. A pledge was undertaken by all the Officers and staff on 18.10.2021 who also actively participated in the Swachhta Pakhwada. This Branch Secretariat has got a cleaner and beautiful look due to constant endeavour of Officers and members of staff and is under continuing process of its further betterment.

## **20. BRANCH SECRETARIAT, BENGALURU**

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

**ADVICE:** The Branch Secretariat renders legal advice to all the Central Government Departments and offices located in the States of Karnataka, Andhra Pradesh and Telangana. 530 references were received during period from 01.01.2021 to 30.11.2021 for advice and about 200 advice cases are expected for the remaining period upto 31.03.2020. The advice work includes scrutiny and vetting of pleadings i.e., statement of objections, counter affidavits to be filed before the High Courts i.e., High court of Karnataka, Bengaluru, Benches of High Court of Karnataka at Dharwad and Kalaburagi and the High Court for the State of Telangana at Hyderabad and High Court of Andhra Pradesh at Amaravathi, respectively, reply statement

filed before Central Administrative Tribunals at Bengaluru and Hyderabad, written statement, counter affidavits, counter statements, versions filed before District Courts, Subordinate Courts and various other Tribunals.

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

**LITIGATION:** The Branch Secretariat supervises the entire litigation of the Central Government Departments and offices in the High court of Karnataka, Bengaluru, Circuit Benches of High Court of Karnataka at Dharwad & Kalaburagi and High Court for the State of Telangana at Hyderabad and High Court of Andhra Pradesh at Amaravathi, Subordinate Courts located at Bengaluru city and most of the districts of Karnataka, Telangana and Andhra Pradesh, and CAT in these States. This Branch Secretariat also looks after the work of Government litigation in the District Consumer Dispute Redressal Fora, the State Consumer Redressal Commissions of the States, Central Govt. Industrial Tribunal and Debt Recovery Tribunal. 3340 litigation matters, which include nomination of counsel, counsel fee bills and general correspondence relating to litigation, were received during the period from 01.01.2021 to 30.11.2021 and about 1250 litigation matters are expected for the remaining period upto 31.03.2022. The function of the Branch Secretariat in this regard includes engagement/ nomination of the Counsel and distribution of cases among the Central Government Counsel.

**COUNSEL'S FEE BILLS:** This Branch Secretariat itself processes counsel fee bills and pays the fees directly from its centralized funds to the Assistant Solicitor General of India and Central Government Counsel in the High Court of Karnataka, Bengaluru. 325 fee bills were received during the from 01.01.2021 to 30.11.2021 and about 150 fee bills are expected for the remaining period upto 31.03.2022. So far as the Circuit Benches of High Court of Karnataka at Dharwad and Gulbarga are concerned, the counsel fee bill is borne by the Department concerned on whose behalf the Counsel conducts the cases and not by the Branch Secretariat, Bengaluru. The Departments concerned pay the fee for Central Government panel Counsel in CAT, District and subordinate Courts. Hence this Branch Secretariat is not certifying counsel fee bills. However, this Ministry clarify as and when requests are received.

**Observance of Hindi Month:** The Hindi Month was celebrated in Branch Secretariat, Department of Legal Affairs, Bengaluru by conducting various competitions for the officers and staff. All participated actively with enthusiasm in 5 competitions which were held by taking the assistance of the Assistant Director of the Hindi Teaching Scheme, Ministry of Home Affairs, Bengaluru who judged the competitions and delivered speech on the valedictory function and distributed prizes to the winners.

**Vigilance Awareness Week:** Observance of the Vigilance Awareness Week every year is a part of the multi-pronged approach by CVC to sensitise the public on Prevention of and the fight against Corruption in this Country.

Branch Secretariat, Department of Legal Affairs, Bengaluru had observed the Vigilance Awareness Week, 2021 from 26<sup>th</sup> October, 2021 to 1<sup>st</sup> November, 2021. The INTEGRITY PLEDGE was administered by Shri. B. Nanda Kumar, Assistant Legal Adviser & In-Charge in his chamber at 11 AM on 26<sup>th</sup> October, 2021. All the officials/Officers attended the event and took the oath of the Integrity Pledge, by observing the norms of social distancing and other safety measures stipulated for the COVID-19 pandemic.

Also, posters under public Interest Disclosure & Protection of Informer Resolution, 2004 (PIDPI) of Central Vigilance Commission, New Delhi on corruption were prepared by Branch Secretariat, Bengaluru and displayed inside the office and inside the Kendriya Sadan Office Complex, Bengaluru for wider publicity.

### **SPECIAL CAMPAIGN FOR WEEDING-OUT OF OLD FILES**

Branch Secretariat, Bengaluru review, identify, list the old files and more than 7000 files weeded out under special campaign.

### **NATIONAL CYBER SECURITY AWARENESS MONTH**

The month of October, 2021 was celebrated as National Cyber Security Awareness Month. A poster emphasizing the importance of use of official NIC email ID for official work, installing KAVACH application, not to share official password and OTP with anybody and not to leave the computer unlocked was prepared and displayed by Branch Secretariat.

### **OBSERVANCE OF NATIONAL UNITY DAY**

Branch Secretariat, Department of Legal Affairs, Bengaluru had observed the National Unity Day by observing the norms of social distancing and other safety measures stipulated for the COVID-19 pandemic.

The PLEDGE was administered by Shri. B. Nanda Kumar, Assistant Legal Adviser & In-Charge in his chamber on 29<sup>th</sup> October, 2020. All the officials/Officers attended the event and took the oath of the National Unity Pledge.

### **OBSERVANCE OF CONSTITUTION DAY**

The 26<sup>th</sup> of November, 2021 which is being to be celebrated as the Constitutional Day and all the officers & staff gathered in the chamber of the Assistant Legal Adviser & In-Charge by observing the norms of social distancing and other safety measures stipulated for the COVID-19 pandemic and read the Preamble of the Constitution of India.

### **AZADI KA AMRIT MOHOTSAV**

To celebrate the 75<sup>th</sup> Year of Independence (Azadi ka Amrit Mahotsav), a Senior Panel Counsel was invited to deliver a lecture on “India’s Independence and Judiciary” to the officer’s and staff of Branch Secretariat, Bengaluru. Posters both in English & Hindi with the slogan “Sabka Saath, Sabka Vikas, Sabka Vishwas, Sabka Prayas” has been prepared by the Branch Secretariat and has been displayed inside the office premises and the Kendriya Sadan office complex at prominent locations for maximum visibility and publicity.

## **21. BRANCH SECRETARIAT, CHENNAI**

Deputy Legal Adviser heads the Branch Secretariat at Chennai.

**ADVICE:** The Branch Secretariat renders legal advice to all Central Government Offices located in the States of Tamil Nadu, Kerala and the Union Territory of Puducherry.

Around 608 references have been received for advice and disposed of and an estimated 150 references are likely to be received for the period 1<sup>st</sup> January 2022 to 31<sup>st</sup> March 2022.



**LITIGATION:** The Branch Secretariat, Chennai looks after the entire litigation work of Central Government (except cases relating to Railways, Income-Tax, Central Excise and Customs, etc.) in the High Court of Madras, Madurai Bench of Madras High Court and High Court of Kerala. It also looks after the Central Government litigation work in the City Civil Courts, Presidency Courts of Small Causes, Subordinate Courts, Tribunals, Consumer Fora, etc. in Tamil Nadu and Kerala. Besides, the Branch Secretariat, Chennai has also been entrusted with the work of Central Government litigation before the Madras Bench of Central Administrative Tribunal at Chennai and Ernakulam Bench of Central Administrative Tribunal in Kerala. During the given period about 5265 litigation matters were received and disposed of accordingly which include receipts, fee bills and files opened regarding High Court/CAT/LC etc.

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

**COUNSEL FEE BILLS:** The Branch Secretariat itself makes payment of professional fees directly from its funds to the Additional Solicitor General of India, Assistant Solicitor General, Senior Panel Counsel and the Central Government Standing Counsel in respect of cases before the Madras High Court and Madurai Bench of Madras High Court. During the relevant period i.e. 1<sup>st</sup> January 2021 to 15<sup>th</sup> December 2021, around 2609 fee bills pertaining to High Court, CAT and Lower Court were processed and an amount of Rs. 3,65,08,687/- were paid to Counsels including payment towards Retainer Fees.

Fee Bills preferred by the Central Government Counsel for appearance before the Central Administrative Tribunal and Subordinate Courts are scrutinized / certified and sent to the Departments concerned for payment.

#### **Observation of 7<sup>th</sup> International Day of Yoga on 21<sup>st</sup> June, 2021**

In view of the prevailing covid-19 pandemic situation, all officers/officials were encouraged to participate in the 'International Day of Yoga' celebration alongwith their family on 21.06.2021 from their respective place of stay to avail multiple health benefits.

#### **Observance of 'Hindi Month' in September 2021**

In accordance with directives of Department of Official Language, Main Secretariat, Hindi Month was observed in September 2021. In order to encourage usage of Hindi in day-to-day official work, various competitions were conducted under the guidance of Deputy Director, Hindi Teaching Scheme, Chennai. All officers/officials of Branch Secretariat participated enthusiastically in these competitions and other related activities. During the prize distribution function, the Deputy Legal Adviser/In-charge, Branch Secretariat and the Deputy Director, Hindi Teaching Scheme provided valuable suggestions to improve usage of Hindi in day-to-day official work.

### **Observation of ‘Azadi ka Amrit Mahotsav’**

The official logo of the ‘Azadi ka Amrit Mahotsav’, (bilingual – Hindi and English) has been placed in various locations of the office premises; and also in files bearing official correspondences.

### **Observance of ‘Vigilance Awareness Week’**

As per CVC guidelines, ‘Vigilance Awareness Week’ with the theme ‘Independent India @ 75 Self Reliance with Integrity’ was observed in this Branch Secretariat as per the guidelines of Central Vigilance Commission from 26<sup>th</sup> October to 1<sup>st</sup> November, 2021.

‘Integrity pledge’ was administered to all officials of this Branch Secretariat by the Deputy Legal Adviser/ In-charge on 26<sup>th</sup> October, 2021.

### **‘Swachha Bharat’ Mission**

The Deputy Legal Adviser & Incharge of this Branch Secretariat has been periodically monitoring and inspecting cleanliness activities of the office. In view of the prevailing covid-19 pandemic situation, necessary priority has been accorded towards cleanliness of office premises, hand sanitization, wearing masks, social distancing etc.

### **Retainer Fees**

Out of its allotted funds, the Branch Secretariat has been entrusted with the job of making payment of Retainer Fee to Standing Government Counsel of district & subordinate courts in Tamil Nadu.

### **Implementation of e-office**

This office had already initiated correspondence with NIC, Chennai and BSNL, Chennai for provision of necessary pre-requisites towards implementation of

e-office in this Branch Secretariat. E-payment of all bills including fee bills are being made and directly credited to concerned Counsel. Further, necessary modifications have been incorporated in the ‘Litcase’ software under the guidance of concerned NIC personnel, so that information/data related to Fee Bill receipts and their disposal are duly updated.

### **RTI receipts**

During the period, i.e. from 1<sup>st</sup> January, 2021 to 15<sup>th</sup> December 2021, 66 RTI applications (including online, transfer from other Public authorities and physical) and 2 RTI appeals were received and disposed off within the prescribed time limit.

## **22. BRANCH SECRETARIAT, MUMBAI**

### **ORGANISATION:**

Branch Secretariats at Mumbai is presently being headed by Additional Government Advocate. As far as the work handled by Mumbai Branch Secretariat is concerned, it includes tendering of legal advice, handling

of litigation work pertaining to Bombay High Court, litigation pertaining to other subordinate courts which falls under the territorial jurisdiction of entire Western Region consisting of States of Maharashtra, Madhya Pradesh, Rajasthan, Gujarat, Goa and Union Territories of Daman & Diu and Dadar Nagar Haveli also the administration of the Branch Secretariat.

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

### **FUNCTIONS & DUTIES:**

The Ministry of Law & Justice, Department of Legal Affairs, Branch Secretariat, Mumbai renders advice to various Ministries/Departments of Government of India on receipt of the respective references by it on different kinds of legal matters and attends to the litigation work of the Central Government in Bombay High Court, C.A.T., National Company Law Tribunal other Tribunals and before all the Subordinate Courts of entire Western Region. The entire work is performed by its Officers under the guidance of the Additional Government Advocate/In-charge of this Branch Secretariat. This Branch Secretariat is always guided by the Hon'ble Law Secretary.

### **LEGAL ADVICE:**

The references received from various Ministries/Departments of Central Government seeking legal advice are examined at the first instance by the Superintendent (Legal) and thereafter put up to the Additional Government Advocate/In-charge who in turn mark the cases as per extant work allocation Order. If required, the advice matters are also referred to the Ld. Additional Solicitor General of India for his expert opinion.

As far as the current year is concerned, this Branch Secretariat has received about 2992 cases being reference seeking advice and this Branch Secretariat has disposed all 2992 cases.

### **LITIGATION:**

The litigation of this Branch Secretariat is looked after by the Additional Government Advocate/Incharge and other officers who help in discharging the duties and in handling the litigation matters filed in Bombay High Court either filed by the Government of India or against it. So also, the litigation pertaining to Subordinate Courts is handled by the Branch Secretariat. Wherever necessary the litigation is handled through the Advocates/Counsel appointed/empanelled on the Panel of Government of India for Bombay High Court on its Ordinary Original Civil Jurisdiction, Appellate Jurisdiction & Criminal Jurisdiction and through other Counsel empanelled on different Panels appearing before the different Courts of law.

As far as the current year is concerned, this Branch Secretariat has received about 1797 cases in different litigation sections. The Counsel are engaged for protecting the interest of Government of India involved in the matter through different Central Government Ministries/Departments and about 1316 litigation cases have been disposed of before the Hon'ble High Court and 481 cases are pending.

## ADMINISTRATION:

The Additional Government Advocate/In-charge is the head of the Administration of the Branch Secretariat, Mumbai. He is normally assisted by DDO, Section Officer and Assistant Section Officers in handling the day-to-day administrative matters of the Branch Secretariat.

## OFFICIAL LANGUAGE:

The Additional Govt. Advocate & In-charge of this Branch Secretariat also works in the capacity of “Vibhagiya Rajbhasha Adhikari” and other officers nominated by him work for promotion and maximum usage of Official Language in the Branch Secretariat. A “Rajbhasha Samiti” is constituted in this Branch Secretariat. The Committee is submitting the periodical Reports to the In-charge.

**Right to Information Act, 2005:** The Addl. Govt. Advocate has been designated as Appellate Authority, Assistant Legal Advisor as the CPIO and one Superintendent as CAPIO.

This year this Branch Secretariat received 29 numbers of application and 08 appeals. All these RTI applications & appeals are disposed within prescribed limit time.

**Disposal of Pending matters:** Under Special campaign for weeding-out of old files this Branch Secretariat disposed 8133 number of redundant files.

**Awareness Program on Sexual Harassment of Women at Workplace:** A workshop on Awareness Program on Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 was organized by the Mumbai Branch Secretariat on 09.12.2021. Mrs. Neeta Masurkar, Sr. Panel Counsel Group-I presided over the said workshop which was attended by all the officers and staff.

**Azadi ka Amrit Mahotsav:** Complying with the directives of Government of India, Ministry of Culture, the Branch Secretariat, Mumbai celebrated Azadi ka Amrit Mahotsav. The Ministry of Law & Justice was assigned to hold iconic/impactful events as part of Azadi ka Amrit Mahotsav from 8<sup>th</sup> November, 2021 to 14<sup>th</sup> November, 2021. Accordingly, this Branch Secretariat held various events and activities during the said period viz. Reading of Preamble of Constitution and Group Discussion, Lecture on Fundamental Rights and Duties, Importance of RTI Act, Discussion on Litigation of High Court & Subordinate Courts and Seminar/Workshop on access to Justice/Legal aid to the downtrodden people.

## 23. PARTICIPATION IN SHANGHAI COOPERATION ORGANISATION (SCO) RELATED ACTIVITIES

The Shanghai Cooperation Organisation (SCO) is a permanent Inter-Governmental Multilateral Organisation, established on 15<sup>th</sup> Jun, 2001 in Shanghai, China by the Leaders of China, Kyrgyzstan, Kazakhstan, Russia, Tajikistan & Uzbekistan. India and Pakistan joined SCO as full-fledged member in the historic meeting of the Heads of State Council of the SCO during 8-9 June, 2017 at Astana.

The SCO's main goals are as follows: strengthening mutual trust and neighborliness among the member states; promoting their effective cooperation in politics, trade, the economy, research, technology and culture, as well as in education, energy, transport, tourism, environmental protection, and other areas; making joint efforts to maintain and ensure peace, security and stability in the region; and moving towards the establishment

of a democratic, fair and rational new international political and economic order.

There are four Observers States of SCO viz. Afghanistan, Belarus, Iran and Mongolia. In addition, the SCO has six dialogue partners namely, Azerbaijan, Armenia, Cambodia, Nepal, Turkey and Sri Lanka.

The Department of Legal Affairs, at various levels has been participating in the Sessions of the Minister of Justice of the SCO in the recent past.

The **Eighth Meeting of Ministers of Justice** of the Shanghai Cooperation Organisation (SCO) Member States was hosted by India on **6<sup>th</sup> August, 2021** and attended by Shri Kiren Rijju, Hon'ble Minister of Law & Justice and Prof. S.P. Singh Baghel, Hon'ble Minister of State of Law & Justice. The Ministers of (Law and) Justice of India, Kazakhstan, China, Kyrgyz Republic, Pakistan, Russian Federation, Tajikistan and Uzbekistan participated in the meeting.

As part of various forum of discussion within the multilateral framework of the SCO, the meeting of the Prosecutors General of SCO Member States is held every year by rotation. The Forum is, inter-alia, utilised by the SCO Member States to discuss and exchange experiences in the Prosecutors Office of the SCO Member States, modern practice and effective mechanism for countering and combating corruption. In the past, after becoming full-fledged member, India has participated in the 15<sup>th</sup> – 18<sup>th</sup> meeting of the Prosecutors General during 2017-2019.

**The Nineteenth Meeting of Prosecutors General of the Shanghai Cooperation Organisation (SCO)** Member States was hosted by Department of Legal Affairs, Ministry of Law & Justice, Government of India and presided by Shri Tushar Mehta, Ld. Solicitor General of India on **29<sup>th</sup> October, 2021**.

The relevant photographs are placed at **Annexure-A**.

#### **24. INCOME-TAX APPELLATE TRIBUNAL (ITAT)**

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

**Bench Strength:** As constituted presently, the Tribunal consists of 63 Benches. For 63 Benches spread over 30 stations (including 02 Circuit Benches) throughout the country, present sanctioned strength of Members is 126 including one (01) President and ten (10) Zonal Vice-Presidents.

**Powers and Functions:** The Income-tax Appellate Tribunal, constituted under the Income-tax Act, deals with second appeals in all matters of direct taxes, including appeals against the revisionary orders of Administrative Commissioners as well as orders denying registration under Section 12A or under Section 80G of the Income-tax Act 1961, etc. The Appellate Tribunal also deals with second appeals in all matters of the Black Money (Undisclosed foreign income and assets) and imposition of Tax Act, 2015 including any revisionary order passed by the Principal Commissioner/Commissioner under the Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015.

The powers and functions of the Appellate Tribunal are exercised and discharged by the Benches constituted



by the President of the Tribunal from amongst the Members thereof. Generally, a Bench consists of one Judicial Member and one Accountant Member. However, in appropriate cases, at the discretion of the President, a Bench may consist of more than two Members. The President or any other Member of Tribunal authorised in this behalf by the Central Government may, sitting singly, dispose of any case which has been allotted to the Bench of which he is a Member and which pertains to an assessee whose total income as computed by the Assessing Officer in that case does not exceed fifty (50) lakhs rupees and the President may, for the disposal of any particular case, constitute a Special Bench consisting of three or more Members, one of whom shall necessarily be a Judicial Member and one Accountant Member, subject to the provisions of the Income-tax Act, 1961.

### **Procedure and Rules:**

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

The Appellate Tribunal has, accordingly, framed its own rules called the Income-tax (Appellate Tribunal) Rules, 1963. The said Rules are best suited for the expeditious disposal of all matters pending before the Appellate Tribunal.

The Appellate Tribunal functions as the final fact finding authority not only in the matters concerning Income-tax but also in all matters of taxation such as Wealth-tax, Gift-tax, etc. The Appellate Tribunal is manned by efficient personnel discharging their functions to the best of their ability and balancing the scale of justice evenly between the tax payer and the Revenue, without fear or favour.

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

### **Pendency of Appeals:**

At the beginning of year 2021 i.e. 01.01.2021, the Pendency of the appeals was 79754 and as on 31<sup>st</sup>December, 2021 the number of appeals pending in the Income-tax Appellate Tribunal stands at 54315.

It may be seen from the following table that the commitment to reduce pendency is showing encouraging results:

<b>Year (April to March)</b>	<b>Institution</b>	<b>Disposal</b>	<b>Pendency at the end of year</b>
2014-2015	45089	30494	103238
2015-2016	39743	51010	91971
2016-2017	48800	48385	92386
2017-2018	50222	49791	92817
2018-2019	51154	51766	92205
2019-2020	45842	50031	88016
2020-2021	9515	30971	66560
2021-2022 (April, 2021 to December,2021)	12122	24367	54315

### **Efforts for reduction of pendency:**

Necessary instructions have already been issued to all the Benches to scrutinize and identify cases which are covered by decisions of I.T.A.T., High Courts, and the Supreme Court and post them on priority basis. This includes group and small matters. The members of the Bar have also been requested to bring all such covered cases to the notice of I.T.A.T., for out of turn posting. Besides, appeals dealing with Search & Seizure matters and appeals against Order passed under Section 263 by the administrative Commissioners are also given priority in their disposal. Similarly, appeals against the denial of registration to charitable institutions under Section 12A and denial of recognition under Section 80 G are also given priority. Appeals of Senior Citizens are also taken up for priority hearing, wherever the Tribunal is so approached. Further, as per amendment made in Income Tax Act 1961 by Finance Act 2015 now the appeal involving assessed income upto Rs. 50 lakhs can be heard by Single Member Bench. The said amendment has had further in speedy disposal of cases. The pendency figure of Single Member Cases is as under:-

Month	Total Pendency
January,2021	12068
February,2021	9844
March,2021	8699
April,2021	7518
May,2021	7187
June,2021	6739
July,2021	6352
August,2021	6089
September,2021	5911
October,2021	5516
November,2021	5276
December, 2021	5221



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

Month	Total Pendency
January,2021	283
February,2021	272
March,2021	236
April,2021	227
May,2021	225
June,2021	233
July,2021	231
August,2021	229
September,2021	221
October,2021	223
November,2021	238
December, 2021	229

Out of 126 sanctioned post of Members, required for running 63 Benches of the ITAT, only 90 posts of Members are filled up. Out of 90, 21 Members have joined the Tribunal recently in December, 2021. Despite the constraints of vacancies in the tribunal and the situation imposed by Covid-19 pandemic, the Tribunal made serious and honest attempts to continue with dispensing impartial, easy and speedy justice to the tax litigants. For this purpose, the Tribunal started hearing of cases through Video Conferencing. The Court Room hearing by way of Video Conferencing were devised and carried out by the existing staff of the ITAT and no outside expert agency was utilized. The system of virtual court hearing has yielded satisfactory results. As a part of ‘AzadiKaAmritMahotsav (AKAM)’, for one week i.e. from 08.11.2021 to 12.11.2021, 75 Benches of the Tribunal functioned, and 1454 cases were heard.

#### **Digitization:**

The process of Digitization started in the Income Tax Appellate Tribunal in early 2000 and in recent years, this process has gained great momentum with several innovative projects being implemented in day-to-day activities of the Tribunal. Over the years, various projects have been undertaken and implemented by the Tribunal to live up to its motto “NishpakshSulabhSatvarNyay”. The details of such projects are as under:-

- (a) **ITAT Online Project:** This project was the first initiative to automate the process of judicial administration in the Tribunal starting from receipt and registration of appeals and applications till disposal and uploading of Tribunal orders. This project was commissioned and implemented in all Benches of the Tribunal in a phased manner. ITAT Online is a web-based application which can be accessed from anywhere and anytime. As of now, all Benches of ITAT have been connected to the ITAT Online database and activities like registration, data updation, Tribunal order uploading, etc., are being carried out through the web application. Web-cum-Database Server of this project has been setup in National Informatics Centre Cloud Server.

- (b) **ITAT Official Website:** As an extension of the ITAT Online Project, Official Website of Income Tax Appellate Tribunal was redeveloped in 2016 and commissioned to deliver judicial and general information to the public. The Official website has been redesigned to make it more users friendly, informative, responsive, updated and compliant with the Government of India's Guidelines for Websites. Dynamic information like Cause Lists, Constitution, Case Status, Order Search, Pronouncement Search, etc. have been provided to cater to the judicial information needs of the litigants before the Tribunal. This apart, static information like Holiday Lists, Tenders and Auctions, Notice Board, Right to Information, etc. have been made accessible to the litigants in particular, and public in general. This website is widely used and appreciated.
- (c) **Digital Display Boards:** As an innovative and eco-friendly step, physical notice boards have been replaced by digital notice boards at ITAT, Delhi Benches. Cause Lists, Constitutions, Friday lists, etc. are being digitally displayed in the digital notice boards.
- (d) **Launching of Mobile Application:** Android version of ITAT Judicial Information Portal has been developed and released for the benefit of appellants, respondents as well as their counsels. Owing to its simplicity and ease of use, the app has been very useful.
- (e) **Budget and Expenditure Monitoring System:** For monitoring and consolidating the budget availability and expenditure position efficiently and accurately in real-time basis, ITAT has implemented an online application namely Budget Man, developed by in-house talent, This application has enabled the Head Office to generate periodical budgetary statements on click of a button.
- (f) **CCTV Cameras:** As per the directions of the Hon'ble Supreme Court of India, and guidelines of Department of Legal Affairs, Ministry of Law & Justice, CCTV Cameras with audio and video recording facility have been installed in court rooms and other important entry points of various Benches of the Income Tax Appellate Tribunal. Currently, CCTV Cameras have been installed and operational at 26 Benches of ITAT. CCTV Cameras are working in good condition and recording are regularly done and reports have been received from these Benches. Procurement / installation is in progress at 04 more Benches.
- (g) **E-Court:** E-Court Project is aimed at connecting of non-functional benches with functional benches and conducting of judicial proceedings through video conferencing. E-Court infrastructure has been setup at all Benches of the Income Tax Appellate Tribunal. Hearings at ITAT Rajkot, Guwahati, Ranchi and Patna Benches are conducted through E-Courts.
- (h) **Infrastructure Up-gradation:** ITAT has always been conscious that better computerization needs better infrastructure. The Members of ITAT have also been equipped with latest IT hardware and Dictation Software to assist in dictation of orders.

### Recent Achievements in Year 2021

- (a) **Launching of ई-द्वार- (ITAT E-Filing Portal):** ITAT the E-Filing Portal of Income Tax Appellate Tribunal, has been launched for enabling the appellants to file their appeals, cross objections and applications from their doorsteps. The portal has been developed in accordance with the revised forms of Memorandum of appeal/cross objection. Since it's launch, more than 600 appeals, cross

objections and applications have been filed by the appellants ई-द्वार through before various benches of the Income Tax Appellate Tribunal.

- (b) **Publishing of Daily Orders:** As a major step in promoting transparency in judicial administration, ITAT has started publishing of the daily orders passed by various Benches of the Tribunal on the official website. All the Members have started signing the daily order sheets generated by the JudiSIS software (an in-house internal judicial application). These daily orders appear in the case details page on ITAT Judicial Information Portal.
- (c) **Paperless Courts:** Under the guidance of the Hon'ble President, ITAT, as a pilot project, the trial run of court proceedings in paperless environment has been successfully conducted and the President's Court Room at ITAT, Delhi has been upgraded as Paperless Court.
- (d) **API linkage with LIMBS:** For the purpose of minimising manual data entry, LIMBS portal has been integrated through APIs with various Courts/Tribunal. Recently, the LIMBS portal has been linked with ITAT which shall facilitate seamless data transfer between the applications, and shall help in auto updation of records on the LIMBS portal pertaining to cases in ITAT.

#### **Other Important Events and Activities In Year 2021**

- (a) The National conference of ITAT 2021 was organised on 27<sup>th</sup> and 28<sup>th</sup> Feb, 2021 at Kevadia District, Narmada, Gujrat.
- (b) As part of celebrations of "Azadi ka Amrit Mahotsav (AKAM)", various iconic/ impactful event viz. Essay Competition & Quiz Competition about freedom struggle, webinar for Bar Association, DRs and staff of all Benches of ITAT on pillars of 'AKAM', inter personal discussion of Zonal Vice-Presidents on 'Freedom Struggle, Ideas at 75, Actions at 75 and Resolves at '75' of Zonal Vice-Presidents, singing/recitation of Patriotic songs/poems, singing of National Anthem - were organized in all the benches of ITAT. Further, for one week i.e. from 18.11.2021 to 22.11.2021, 75 Benches of the Tribunal functioned.
- (c) "Swachhta Pakhwada" was organized at all the Benches of Income Tax Appellate Tribunal as per the guidelines of Ministry of Drinking Water and Sanitization, Government of India. "Swachhta Pledge" was administered to all officers and staff of ITAT on 02.10.2021.
- (d) 'Rashtriya Ekta Diwas', the National Unity Day was observed in all Benches of the ITAT on 31.10.2021.
- (e) 'Samvidhan Diwas', the Constitution Day was celebrated in all Benches of the ITAT on 26.11.2021.
- (f) One-day awareness programme on prevention of Sexual Harassment of women at work place was conducted on 09.12.2021 at all Benches of ITAT.

#### **The Premises of Benches of ITAT**

At the following stations, the ITAT is functioning from its own building:-

- (i) JAIPUR

- (ii) BANGALORE
- (iii) CUTTACK

At the following stations, pieces of land have been purchased by the ITAT for construction of office-cum-residential buildings:-

- (i) PUNE
- (ii) LUCKNOW
- (iii) GUWAHATI
- (iv) KOLKATA
- (v) AHMEDABAD

**Details of Status of Land Building:-**

- (i) Pune: A proposal for construction of Training Centre, Guest House and Staff Quarters at Akurdi has been approved and estimate of expenditure on Construction and preliminary drawings and lay out has been received from CPWD, Mumbai.
- (ii) Lucknow: The construction of office-cum-residence building of ITAT, Lucknow is in full swing and is likely to be completed by March, 2022.
- (iii) Guwahati: I.T.A.T., purchased 1 Bigha, 3 Katha, 1 Lessa at Fancy Bazar, Uzanbazar, Guwahati from Central Inland Water Transport Corporation (CIWTC), A Govt. of India Undertaking Organization, under Ministry of Shipping for a consideration amount of Rs. 4,03,00,000/-. The matter of delivery of possession of the property is being pursued with the Ministry of Shipping.
- (iv) Kolkata: The WBHIDCO Ltd. has allotted 1.25 Acres of leasehold land vide letter dated 19.09.2019 at Financial & legal Hub developed by West Bengal Housing Infrastructure Development Corporation Ltd. (WBHIDCO)] at a cost of Rs. 16.25 Crore. A Preliminary Estimate for Rs. 66.39 crore has been received from CPWD, Kolkata for construction of office building & residential complex at ITAT, Kolkata.
- (v) Ahmedabad: The Ministry accorded permission and approval for the purchase of land at ITAT, Ahmedabad. Accordingly, a land admeasuring 11,559 sqmts has been allotted for construction of office building/Staff Quarters for ITAT, Ahmedabad Benches, Ahmedabad land at FP No. 60, TP No. 694 of Joje Sola, Tal. Ghatlodiya at cost of Rs. 76,46,16,869/- by the state Government of Gujarat and transferred/entered in Govt. land records in the name of ITAT, Ahmedabad. Estimate from CPWD, Ahmedabad, is awaited for construction of office building of ITAT, Ahmedabad.
- (vi) Delhi: In addition to the above, the construction of office building of the ITAT, Delhi Benches, New Delhi by the NBCC India Ltd. in Tower 'B' at World Trade Centre, Nauroji Nagar, New Delhi is in full swing and the same is likely to be completed by December, 2022.
- (vii) Raipur: An Office space admeasuring 8730 sq.ft area in the newly constructed GPOA Building at

Naya Raipur (Atal Nagar), Chhattisgarh has been allotted to the ITAT, Raipur Bench, Raipur by the Ministry of Housing and Urban Affairs, New Delhi. The partition work of the newly allotted office space is complete and the possession of the office accommodation has been handed over to ITAT. The office space is being furnished through purchase of furniture and fixture through GeM.

### **Benevolent Fund:**

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

### **Right to Information Act, 2005:**

RTI Act 2005 has already been implemented by the Income Tax Appellate Tribunal. All the 28 stations (63 Benches) of ITAT are registered on the website of CIC, Delhi. 25 Stations have submitted RTI Annual Returns for the year 2020-21.

### **Implementation of Official Language Policy:**

In accordance with the provisions of the Official Language Act, 1963, every endeavor is being made to ensure the progressive use of Hindi in the Benches of the ITAT.

With a view of keeping a constant monitoring on the implementation of the official language policy prescribed by Department of official language, Government of India and to provide guidance, as and when required, Official Language Implementation Committees (OLICs) have been constituted at all the Benches of Income-tax Appellate Tribunal.

Progress in achieving the targets set for Hindi correspondence and implementation of Official Language Policies is monitored by the Official Language Implementation Committee (OLIC) of the concerned Bench and periodical reports, forwarded by the Benches regarding progressive use of Hindi, are regularly scrutinized at ITAT Head Office at Mumbai. Training in Hindi/Hindi Typing/Hindi Stenography is offered by nominating sufficient number of officials under Hindi Teaching Scheme, of the Department of official language, Government of India.

Hindi workshops are also held in all the Benches for proper implementation of the Official Language policy and to encourage use of Hindi and to remove the hesitation of officers / employees to work in Hindi.

Sufficient funds are provided to purchase Hindi Books at all the Benches. All offices of Income Tax Appellate Tribunal were instructed to make expenditure towards purchase of Hindi Books (i.e. 50% of total library grant) as per the Official Language policy and in accordance with the targets fixed by the Department of Official Language, Government of India.

With a view to create awareness in regard to the use of Hindi in official work as well as to accelerate the pace of its progressive use, Hindi Day & Hindi Fortnight have been organized at all benches.

An Annual Magazine ‘Srijan’ is published at Income Tax Appellate Tribunal, Mumbai. It contains photos of

the Hindi Pakhwada Programmes, Hindi Workshops, besides articles, stories, poems and travelogues, etc. written by Members, Officers and employees of various Benches of ITAT.

The first sub-committee of Hon'ble Parliamentary Committee on Official Language inspected the status of progressive use of Hindi in Income Tax Appellate Tribunal, Delhi Bench, New Delhi on 09.04.2021.

### **IMPLEMENTATION OF INSTRUCTIONS REGARDING REPRESENTATIVE IN SERVICES OF HANDICAPPED, SCHEDULED CASTES & SCHEDULED TRIBES, AND EX-SERVICEMEN ETC.**

The Government of India's instructions regarding the concessions in appointments to the disabled persons, Scheduled Castes and Scheduled Tribes and Ex-Serviceman etc., were duly implemented during the period under consideration. The statistics relating to representation of these categories in services of the Income-tax Appellate Tribunal are at **Annexure III**.

**25.** Statements showing the total number of government servants, number of Scheduled Castes, the Scheduled Tribes, Other Backward classes, Ex-Servicemen and physically handicapped amongst them in the Department of Legal Affairs and Legislative Department as on 01.01.2022 is at **Annexure - IV**.

### **26. LEGAL INFORMATION AND MANAGEMENT BRIEFING SYSTEM (LIMBS)**

**Background of LIMBS:** The Legal Information Management and Briefing System (LIMBS) is a web based application for monitoring of all court cases where Union of India is one of the parties. LIMBS initially came in operation in Feb, 2016 and since then the application is working under the supervision of Department of Legal Affairs, Ministry of Law and Justice (as Nodal Ministry). It is an innovative and easy to access online tool which is available 24x7 to all the stakeholders' viz., Government Officers/officials, Nodal officers, higher officials of Ministries, Department of Legal Affairs and Advocates.

LIMBS Ver.2 is an upgraded version of LIMBS and was launched in the year 2020 in collaboration with NIC. It is a dashboard based system for the user Ministries/Departments on which they can see their cases at a glance. This version is backed with the use of Open Source technologies using Coordinator framework of PHP to enhance the security and improve the efficiency of the system. With the concerted efforts of Ministries/Departments, the application has captured 7.87 lakh court cases (including archive cases) through 15948 registered users, thereby creating a single-unified database of litigations pertaining to Union of India. The application has captured details of 3281 courts and 20627 advocates.

As the application is implemented in all Ministries/Department of Govt. of India, Department of Legal Affairs, keeping in view of a huge user base, has extended its support for smooth adoption of application by all concerned. In this direction, over 200+ training session during 2020-2021 have been conducted which covers Officers/Officials of various Ministries/Department and of all hierarchy to ensure the dissemination of its feature for compliance and effective utilization of the portal.

Leaning towards a more automated system and to minimize the manual data entry process, efforts are being made to integrate LIMBS with various Courts and Tribunals through APIs for seamless data transfer and update. In this regard, Hon'ble Supreme Courts, High Courts & District Courts and 17 Tribunals have been



approached. Department of Legal Affairs in cooperation with NIC and respective Court/Tribunal Authorities has successfully integrated LIMBS with the following Courts and Tribunals :

**Courts on e-Courts platform i.e.**

- High Courts (except Delhi High Court)
- District & Session Courts

**Tribunals :**

- Central Administrative Tribunal (CAT) & its Benches
- Appellate Tribunal for Electricity (APTEL)
- National Green Tribunal (NGT)
- National Company Law Tribunal (NCLT),
- National Company Law Appellate Tribunal (NCLAT)
- Income Tax Appellate Tribunal (ITAT)
- Telecom Disputes Settlement and Appellate Tribunal (TDSAT)

Integration of LIMBS with Hon'ble Supreme Court and other Tribunals is under progress.

**Some of the Salient Features of LIMBS Ver. 2:**

- **Dashboard:** Dashboard based platform with advanced data analytics and visualization through Graph, charts, diagrams etc. for effective monitoring. Users can view their ministry's progress viz., total no. of cases entered, pending cases, disposed of cases, cases pending for compliance, important cases, contempt cases, counsel wise top 10 cases, subject wise pending cases etc.
- **Integration with Courts:** Direct integration with websites of various Courts/Tribunals through APIs for minimizing errors of Manual entry of cases.
- Facility of CNR number (unique 16-digit number generated in every case in e-Courts website) has been added. Now, users can search their cases using CNR number.
- **Advice module:** has been introduced to facilitate the process of seeking advice/opinion by Ministries/ Departments in various legal matters. This utility has been developed to bring all the stakeholders viz., Ministries, Department of Legal Affairs & Central Agency Section on single platform. Further, the module will facilitate the stakeholders in filing of SLPs which is a time bound process.
- **Integration with e-Office :** The portal has been integrated with e-Office for cross platform monitoring in the matters of obtaining Legal Opinion or filing of SLPs.
- **SMS Alerts :** The platform is also equipped with the facility of pushing SMS notifications to Users/ Nodal Officers/Other Concerned Officers of the Ministries/Departments in matters such as Important Cases, Cases having large financial implications, Filing of SLPs etc.



- **Arbitration Module:** LIMBS has provided a separate module for entering data on Arbitration Cases.
- **AMRCD Cases:** Separate tab has been provided for entry of Administrative Mechanism for Resolution of Commercial Disputes (AMRCD) cases. MIS Reports are also available for AMRCD cases.
- Advocate module for supervision of cases and facility for raising of fee bills by Law Officers, Panel Counsels and advocates has been provided through LIMBS portal.
- **Data Entry of new case and Case Updation-** Now, users through different fields can update last hearing dates, next hearing dates and can upload relevant documents relating to a case using Compliance Entry under My Court Cases tab. Also, users can edit or add basic detail of cases viz., CNR no, advocate name & mobile no, brief history etc. using Case list from Updation tab.
- **Add Progress and Transfer of Cases** - Users can add day-to-day progress of the cases and can transfer cases to other users of same ministry/department or nodal officers of other ministries.
- **Important Cases** - Nodal Officer has the facility to mark cases as 'important' after taking approval from the Secretary. Also, users can view important cases of their ministry/department under Important Cases tab.
- **MIS Reports** - Users can view statistical reports or summary reports viz., Case Status wise Summary, Case Category wise Summary, Financial Implication wise Summary, Court wise Summary, Decided Cases Summary, Total Report, Total Member list, Dispute Referred Cases, Disputes Not Referred Cases, Total Arbitration Cases, Total Raised bills, Total Nodal Officers list, Total User list, etc.
- **Nodal Officer and Local Admins** have been provided rights to manage users and case status under their control. They can activate new users of his Ministry/Departments/Sub- departments/ Autonomous Organizations/CPSEs, etc, can change user profile, reset password, edit username etc.
- LIMBS has also been implemented in Litigation (High Court) Section.

## 27. GENDER ISSUES

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

The representation of female employees in the Department of Legal Affairs (Including Legislative Department) and ITAT is given at **Annexure-V**.

## 28. VIGILANCE ACTIVITIES

The Vigilance Unit in the Ministry of Law and Justice caters to Department of Legal Affairs (including Income Tax Appellate Tribunal) and Legislative Department. The Vigilance Unit is headed by Chief Vigilance Officer of the rank of Joint Secretary who is appointed with the concurrence of Central Vigilance Commission. Vigilance Unit is presently headed by Shri R.S. Verma, Additional Secretary. The overall responsibility of vigilance activities of both of these Departments rests with the Chief Vigilance Officer. The Chief Vigilance Officer is the nodal point in the vigilance unit set up for these Departments and is entrusted with the following:

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

Preventive vigilance continues to receive priority attention with emphasis on identification of areas sensitive or prone to malpractices and temptation. The guidelines/instructions issued from time to time by the Department of Personnel & Training and Central Vigilance Commission in this regard are followed. Vigilance Awareness Week was observed in the week starting from 22.10.2021 to 26.10.2021.

## 29. CELEBRATION OF INTERNATIONAL YOGA DAY 2021

In view of the prevailing covid-19 pandemic situation, International Yoga Day was celebrated in non-congregated way by encouraged the employees to perform Yoga at respective home of participants and avail the multiple mental and physical health benefits.

## 30. CONSTITUTION DAY

Hon'ble Minister for Law & Justice, Shri Kiren Rijiju has inaugurated the “**Online Course on the Indian Constitution**” on **25<sup>th</sup> November, 2021**, on the eve of ‘Constitution Day’. The online course on Indian Constitution is offered by Department of Legal Affairs, Ministry of Law & Justice in collaboration with National Academy of Legal Studies & Research (NALSAR) University of Law, Hyderabad. This course is

launched with the aim to create awareness among citizens about the Indian Constitution. The relevant photographs are placed at 'ANNEXURE-B'.

The registration of this course is free. Candidates may register for the online course on the website <https://legallaffairs.nalsar.ac.in>. On completion of the course, a certificate of participation will be automatically generated. Candidates who want to obtain a certificate of merit or certificate of appreciation will have to go through an online assessment at a token of Rs. 100/-. This certificate is purely optional.

26<sup>th</sup> Nov, 2021 was celebrated as 'Constitution Day' in the Department of Legal Affairs at the Main Secretariat, Branch Secretariats at Kolkata, Chennai, Mumbai, Bengaluru, Office of the ITAT and by the Bar Council of India. The Celebration consisted of reading out of 'Preamble' to the Constitution of India by observing the norms of social distancing and other safety measures stipulated for the COVID-19 pandemic.



## THE CONSTITUTION OF INDIA

### PREAMBLE

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity;

and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION

**31. DETAILS OF FOREIGN VISITS UNDERTAKEN BY THE OFFICERS OF THE DEPARTMENT OF LEGAL AFFAIRS W.E.F. 01-01-2021 TO TILL DATE:**

S. No.	Name & Designation	Country Name	Purpose of visit and duration.
1.	Shri Sohan Kumar Sharma	Male, Maldives	3 <sup>rd</sup> High Level Meeting on launching the Regional Network of PVE practitioners of South Asia (SAN-PVE) on 1 <sup>st</sup> and 2 <sup>nd</sup> December, 2021.

**32. STATUS OF AUDIT OBSERVATIONS**

Audit Para No. 12.1 of Report No. 6 of 2020 reg. Grant for construction of Auditorium not used since January 2000.

Sl. No.	Year	No. of Paras/PA reports on which ATNs have been submitted to PAC after vetting by Audit	Details of the Paras/PA reports on which ATNs are pending.		
			No. of ATNs not sent by the Ministry even for the first time	No. of ATNs sent but returned with observations and Audit is awaiting their resubmission by the Ministry	No. of ATNs which have been finally vetted by audit but have not been submitted by the Ministry to PAC
12.1	Report No. 6 of 2020 reg. Grant for construction of Auditorium not used since January 2000.	0	0	1	1

## CHAPTER - II

### LEGISLATIVE DEPARTMENT

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

#### 1. FUNCTIONS

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

- (i) Scrutiny of Notes for the Cabinet in relation to all legislative proposals from drafting angle;
- (ii) Drafting and scrutiny of all Government Bills including Constitution (Amendment) Bills, translation of all the Bills into Hindi and forwarding of both English and Hindi versions of the Bills to the Lok Sabha or Rajya Sabha Secretariat for introduction in Parliament; drafting of official amendments to the Bills; scrutiny of non-official amendments and rendering assistance to administrative Ministries/ Departments to decide the acceptability or otherwise of non-official amendments;
- (iii) Rendering assistance to Parliament and its Joint/Standing Committees at all stages through which a Bill passes before enactment. This includes scrutiny of, and assistance in preparation of reports and revised Bills for the Committees;
- (iv) Drafting of Ordinances to be promulgated by the President;
- (v) Drafting of legislation to be enacted as President's Acts in respect of States under President's rule;
- (vi) Drafting of Regulations to be made by the President;
- (vii) Drafting of Constitution Orders, i.e. Orders required to be issued under the Constitution;
- (viii) Scrutiny and vetting of all statutory rules, regulations, orders, notifications, resolutions, schemes, etc., and their translation into Hindi;
- (ix) Scrutiny of State legislation in the concurrent field, which requires assent of the President under article 254 of the Constitution;
- (x) Scrutiny of legislation to be enacted by the Union territory Legislatures;
- (xi) Elections to Parliament, the Legislatures of States and Union territories and Offices of the President and Vice-President;
- (xii) Apportionment of expenditure on elections between the Union and the States/Union territories having Legislatures;
- (xiii) Election Commission of India and electoral reforms;
- (xiv) Administration of the Representation of the People Act, 1950; the Representation of the People

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

## 2. ORGANISATIONAL SET UP

The organisational set-up of the Legislative Department includes the Secretary, Additional Secretary, Joint Secretary and Legislative Counsel, Additional Legislative Counsel, Deputy Legislative Counsel and Assistant Legislative Counsel and other supporting staff. The works relating to legislative drafting in the case of principal legislation and to scrutinising and vetting of subordinate legislation have been distributed among various Legislative Groups. Each Legislative Group is headed by a Joint Secretary and Legislative Counsel

or Additional Secretary, who in turn is assisted by a number of Legislative Counsels at different levels. The Secretary of the Legislative Department acts as the Chief Parliamentary Counsel and the Additional Secretary is in charge of all subordinate legislation. The Organisational Chart of the Legislative Department is at **Annexure-VI**.

### 3. LEGISLATION

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

- (2) Legislative Department not only performs functions as a servicing Department for drafting the legislation initiated by the administrative Ministries and Departments but also initiates legislative proposals in respect of the matters with which it is administratively concerned.
- (3) Legislative Department drafts the Finance Bill to give effect to the financial proposals of the Central Government every year. This exercise is undertaken in the Legislative Department on the budget proposals being brought before it by the Ministry of Finance. For the purpose of convenience, the various subjects on which Bills are drafted in the Legislative Department at the behest of administrative Ministries/ Departments can be broadly categorised as under:-
  - (a) Constitutional amendments;
  - (b) Economic and corporate laws;
  - (c) Civil Procedure and other social welfare legislation;
  - (d) Repeal of obsolete laws; and
  - (e) Miscellaneous laws.
- (4) During the period from 1<sup>st</sup> January, 2021 to 31<sup>st</sup> December, 2021, this Department has examined 84 Notes for the Cabinet/new legislative proposals in consultation with different Ministries/Departments for drafting Bills/Ordinances for introduction in the Houses of the Parliament. 50 Legislative Bills were forwarded to Parliament for introduction during this period. The list of Bills forwarded to Parliament during this period is as follow:-

Bills forwarded to Parliament for introduction during 01.01.2021 to 31.12.2021

Sl. No.	Titles
1.	The Finance Bill, 2021
2.	The Jammu and Kashmir Reorganisation (Amendment) Bill, 2021
3.	The Arbitration and Conciliation (Amendment) Bill, 2021
4.	The National Capital Territory of Delhi Laws (Special Provisions) Second (Amendment) Bill, 2021
5.	The Constitution (Scheduled Castes) Order (Amendment) Bill, 2021
6.	The Tribunals Reforms (Rationalisation and Conditions of Service) Bill, 2021



7.	The Government of National Capital Territory of Delhi (Amendment) Bill, 2021
8.	The Mines and Minerals (Development and Regulation) Amendment Bill, 2021
9.	The National Institute of Pharmaceutical Education and Research (Amendment) Bill, 2021
10.	The Juvenile Justice (Care and Protection of Children) Amendment Bill, 2021
11.	The Marine Aids to Navigation Bill, 2021
12.	The Insurance (Amendment) Bill, 2021
13.	The Appropriation (No.2) Bill, 2021
14.	The Appropriation Bill, 2021
15.	The Jammu and Kashmir Appropriation Bill, 2021
16.	The Jammu and Kashmir Appropriation (No.2) Bill, 2021
17.	The Puducherry Appropriation Bill, 2021
18.	The Puducherry Appropriation (Vote on Account) Bill, 2021
19.	The National Bank for Financing Infrastructure and Development Bill, 2021
20.	The Airports Economic Regulatory Authority of India (Amendment) Bill, 2021
21.	The Inland Vessels Bill, 2021
22.	The Essential Defence Services Bill, 2021
23.	The Insolvency and Bankruptcy Code (Amendment) Bill, 2021
24.	The Appropriation (No.3) Bill, 2021
25.	The Appropriation (No.4) Bill, 2021
26.	The Coconut Development Board (Amendment) Bill, 2021
27.	The Commission for Air Quality Management in National Capital Region and Adjoining Areas Bill, 2021
28.	The Deposit insurance and Credit Guarantee Corporation (Amendment) Bill, 2021
29.	The General Insurance Business (Nationalisation) Amendment Bill, 2021
30.	The Limited Liability Partnership (Amendment) Bill, 2021
31.	The Tribunals Reforms Bill, 2021
32.	The Constitution (Scheduled Tribes) Order (Amendment) Bill, 2021
33.	The Central Universities (Amendment) Bill, 2021
34.	The Taxation Laws (Amendment) Bill, 2021
35.	The National Commission for Homoeopathy (Amendment) Bill, 2021
36.	The National Commission for Indian System of Medicine (Amendment) Bill, 2021
37.	The Constitution (One Hundred and Twenty-seventh Amendment) Bill, 2021
38.	The Farm Laws Repeal Bill, 2021
39.	The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill,

	2021
40.	The Central Vigilance Commission (Amendment) Bill, 2021
41.	The Delhi Special Police Establishment (Amendment) Bill, 2021
42.	The Narcotic Drugs and Psychotropic Substances (Amendment) Bill, 2021
43.	The Appropriation (No.5) Bill, 2021
44.	The Biological Diversity (Amendment) Bill, 2021
45.	The Wild Life (Protection) Amendment Bill, 2021
46.	The National Anti-Doping Bill, 2021
47.	The Chartered Accountants, Cost and Works Accountants and Company Secretaries (Amendment) Bill, 2021
48.	The Mediation Bill, 2021
49.	The Election Laws (Amendment) Bill, 2021
50.	The Prohibition of Child Marriage (Amendment) Bill, 2021

- (5) Out of the Bills which were pending before Parliament and those introduced during the period from 1<sup>st</sup> January, 2021 to 31<sup>st</sup> December, 2021, 50 Bills have been enacted into Acts including 1 Constitutional Amendment Act. The list of the Acts enacted during this period is as follow:-

Sl. No.	Title of the Act
1.	The Major Port Authorities Bill, 2020 (Act No. 1 of 2021)
2.	The Jammu and Kashmir Re-organisation (Amendment) Bill, 2021(Act No. 2 of 2021)
3.	The Arbitration and Conciliation (Amendment) Bill, 2021 (Act No. 3 of 2021)
4.	The National Capital Territory of Delhi Laws (Special Provisions) Second (Amendment) Bill, 2021(Act No. 4 of 2021)
5.	The Appropriation Bill, 2021(Act No. 5 of 2021)
6.	The Insurance (Amendment) Bill, 2021 (Act No. 6 of 2021)
7.	The Appropriation (No.2) Bill, 2021(Act No. 7 of 2021)
8.	The Medical Termination of Pregnancy (Amendment) Bill, 2021(Act No. 8 of 2021)
9.	The Jammu and Kashmir Appropriation (No.2) Bill, 2021(Act No. 9 of 2021)
10.	The Puducherry Appropriation (Vote on Account) Bill, 2021(Act No. 10 of 2021)
11.	The Puducherry Appropriation Bill, 2021(Act No. 11 of 2021)
12.	The Jammu and Kashmir Appropriation Bill, 2021(Act No. 12 of 2021)
13.	The Finance Bill, 2021(Act No. 13 of 2021)
14.	The National Commission for Allied and Healthcare Professions Bill, 2021(Act No. 14 of 2021)
15.	The National Capital Territory of Delhi (Amendment) Bill, 2021(Act No. 15 of 2021)

16.	The Mines and Mineral (Development and Regulation) Amendment Bill, 2021(Act No. 16 of 2021)
17.	The National Bank for Financing Infrastructure and Development Bill, 2021(Act No. 17 of 2021)
18.	The Constitution (Scheduled Castes) Order (Amendment) Bill, 2021(Act No. 18 of 2021)
19.	The National Institutes of Food Technology, Entrepreneurship and Management Bill, 2021(Act No. 19 of 2021)
20.	The Marine Aids to Navigation Bill, 2021(Act No. 20 of 2021)
21.	The Factoring Regulation (Amendment) Bill, 2021 (Act No. 21 of 2021)
22.	The Coconut Development Board (Amendment) Bill, 2021 (Act No. 22 of 2021)
23.	The Juvenile Justice (Care and Protection of Children) Amendment Bill, 2021(Act No. 23 of 2021)
24.	The Inland Vessels Bill, 2021(Act No. 24 of 2021)
25.	The Essential Defence Services Bill, 2021 (Act No. 25 of 2021)
26.	The Insolvency and Bankruptcy Code (Amendment) Bill, 2021(Act No. 26 of 2021)
27.	The Central Universities (Amendment) Bill, 2021 (Act No. 27 of 2021)
28.	The Airport Economic Regulatory Authority of India (Amendment) Bill, 2021(Act No. 28 of 2021)
29.	The Commission for Air Quality Management in National Capital Region and Adjoining Areas Bill, 2021 (Act No. 29 of 2021)
30.	The Deposit insurance and Credit Guarantee Corporation (Amendment)Bill,2021(Act No. 30 of 2021)
31.	The Limited Liability Partnership (Amendment) Bill, 2021(Act No. 31 of 2021)
32.	The Constitution (Scheduled Tribes) Order (Amendment) Bill, 2021(Act No. 32 of 2021)
33.	The Tribunals Reforms Bill, 2021 (Act No. 33 of 2021)
34.	The Taxation Laws (Amendment) Bill, 2021 (Act No. 34 of 2021)
35.	The Appropriation (No.3) Bill, 2021 (Act No. 35 of 2021)
36.	The Appropriation (No.4) Bill, 2021 (Act No. 36 of 2021)
37.	The General Insurance Business (Nationalisation) Amendment Bill, 2021(Act No. 37 of 2021)
38.	The Constitution (One Hundred and Twenty-seventh Amendment) Bill, 2021 (As the Constitution 105 <sup>th</sup> Amendment Act, 2021)
39.	The National Commission for Indian System of Medicine (Amendment) Bill, 2021 (Act No. 38 of 2021)
40.	The National Commission for Homoeopathy (Amendment) Bill, 2021 (Act No. 39 of 2021)
41.	The Farm Laws Repeal Bill, 2021 (Act No. 40 of 2021)
42.	The Dam Safety Bill, 2021 (Act No. 41 of 2021)
43.	The Assisted Reproductive (Regulation) Bill, 2021(Act No. 42 of 2021)
44.	The National Institute of Pharmaceutical Education and Research (Amendment) Bill, 2021(Act No. 43 of 2021)

45.	The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021 (Act No. 44 of 2021)
46.	The Delhi Special Police Establishment (Amendment) Bill, 2021 (Act No. 45 of 2021)
47.	The Central Vigilance Commission (Amendment) Bill, 2021 (Act No.46 of 2021)
48.	The Surrogacy (Regulation) Bill, 2021 (Act No. 47 of 2021)
49.	The Narcotic Drugs and Psychotropic Substances (Amendment) Bill, 2021 (Act No. 48 of 2021)
50.	The Election Laws (Amendment) Bill, 2021 (Act No. 49 of 2021)

6. Total 10 Ordinances have been promulgated by the President under article 123 of the Constitution during the aforesaid period: -

Sl. No.	Title of the Ordinance
1.	The Jammu and Kashmir Re-organisation (Amendment) Ordinance, 2021(1 of 2021).
2.	The Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance, 2021 (2 of 2021)
3.	The Insolvency and Bankruptcy Code (Amendment) Ordinance, 2021 (3 of 2021)
4.	The Commission for Air Quality Management in National Capital Region and Adjoining Areas Ordinance, 2021(4 of 2021)
5.	The Indian Medicine Central Council (Amendment) Ordinance, 2021 (5 of 2021)
6.	The Homoeopathy Central Council (Amendment) Ordinance, 2021 (6 of 2021)
7.	The Essential Defence Services Ordinance, 2021 (7 of 2021)
8.	The Narcotic Drugs and Psychotropic Substances (Amendment) Ordinance, 2021 (8 of 2021)
9.	The Central Vigilance Commission (Amendment) Ordinance, 2021 (9 of 2021)
10.	The Delhi Special Police Establishment (Amendment) Ordinance, 2021 (10 of 2021)

#### 4. SUBORDINATE LEGISLATION

During the period from 1<sup>st</sup> January, 2021 to 31<sup>st</sup> December, 2021, the number of statutory rules, regulations, orders and notifications scrutinised and vetted by this Department was 2034.

#### 5. LEGISLATIVE II SECTION

##### ELECTION LAWS AND ELECTORAL REFORMS

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

- (i) The Representation of the People Act, 1950,

- (ii) The Representation of the People Act, 1951,
  - (iii) The Presidential and Vice-Presidential Elections Act, 1952,
  - (iv) The Delimitation Act, 2002.
2. The electoral system of our country, which is also called the first-past-the-post system of elections, has completed seventy years. We have covered the journey of these seventy years after India became Republic with glory and exemplary successes in all the fields. This has been the result of the relentless toil and continuous struggle of the millions who have shaped the present and future of this great country with their sweat and blood. Undoubtedly, this journey has not been an easy sail and we have witnessed much turbulence and turmoil during this period. During this period, the political scenario and the electoral process of the country have undergone continuous epoch-making changes. With each election, the complexities of the electoral process and the election management have been increasing. Every single ballot has proved extremely valuable. In such a scenario, allegations and counter-allegations are invariably made. Some inroads by corrupt and criminal elements has posed a challenging task for the conduct of free and fair elections.
  3. The aforesaid scenario, which has been continuously changing, has necessitated reforms of electoral laws on several occasions. In the light of the experience gained during elections, recommendations of the Election Commission, the proposals from different sources including political parties, eminent men in public life and the deliberations in the Legislatures and various public bodies, the successive Governments have taken a number of measures, from time to time, to bring about electoral reforms; though need to effect a comprehensive package of electoral reforms cannot be gainsaid.
  4. The Election Laws (Amendment) Act, 2021 has been enacted by the Parliament. The said Act envisages the following :-
    - (a) Linking of Electoral Roll with Aadhaar System will curb the menace of multiple enrolment of the same person in different places;
    - (b) Multiple qualifying dates for enrolment in the electoral roll will expand the voter base and consequently greater participation of eligible voters in the electoral process;
    - (c) Making the statutes gender neutral in line with the avowed policy of gender equality and inclusiveness *vis-à-vis* conduct of our elections; and
    - (d) Streamlining the process of conduct of elections with reference to requisitioning of premises for certain purposes etc.

## **6. COURT CASES INVOLVING ELECTION LAWS**

Legislative Department, being administratively in-charge of various election laws has also to handle various court cases involving validity of election laws. In the beginning of the year 2021, there were 194 cases pending in the Supreme Court and different High Courts on election related matter. During the said year, 27 fresh cases were received, in which para-wise comments, counter affidavits and appropriate instructions, as the case may be, have been conveyed to the concerned Government Counsels. A special exercise to re

examine the status of the pending cases with the section was carried out and now as per the fresh count, 88 additional cases have been disposed of making total disposed cases in the section as 326. Now there are about 133 cases pending before the Supreme Court and various High Courts. All cases are being effectively monitored.

## 7. CONDUCT OF PARLIAMENTARY WORK (PERTAINING TO ELECTION LAWS)

During the year 2021-22, the Legislative Department, which has been allocated the job of coordination/ conduct of Parliamentary business of the Ministry of Law and Justice, handled the following work:-

Sl. No.	Item of Business	Figures for the Ministry of Law and Justice.
1.	Lok Sabha Questions	198
2.	Rajya Sabha Questions.	131
3.	Private Members' Bill in Lok Sabha.	4
4.	Private Members' Bills in Rajya Sabha	7
5.	Private Members' Resolutions	3
6.	Calling Attention Notices in Lok Sabha.	0
7.	Calling Attention Notices in Rajya Sabha.	0
8.	Short Duration Discussion in Lok Sabha.	0
9.	Matter raised during Zero Hour	15
10.	Matter raised under Rule 377 in Lok Sabha.	16
11.	Special Mention in Rajya Sabha.	3

## 8. ELECTION COMMISSION OF INDIA

The Election Commission of India has undertaken numerous initiatives over the past years to ensure free, fair, participative, inclusive, transparent, ethical and safe elections for all voters. Following are a few highlights. The Election Commission of India (ECI) has led the way in the path to democracy during the last over 68 years by conducting 17 General Elections to the Lok Sabha and more than 390 elections to the State Legislative Assemblies besides elections to the offices of the President and Vice-President of India. A thriving and vibrant electoral democracy has been India's distinct and durable identity at the global stage long before it asserted itself as economic, nuclear or IT major on the global map.

The functions, responsibilities, structure and power of the ECI are enlisted in the Articles 324 to 329 of Part XV of the Constitution of India, which also extends the mandate of the Commission to hold elections to the Lower House of Parliament, Upper House (using Proportional Representation) and State Legislative Assemblies at regular periodic intervals. Article 324 of the Constitution of India bestows electoral powers, duties and functions on the ECI, while Section 14 of the Representation of the Peoples Act, 1951 provides for conduct of the elections to constitute a new Lok Sabha before the expiry of its current term. In keeping with the Constitutional and Legal Provisions, the ECI has been meticulously managing the entire election





process - planning, preparing, conducting, counting and declaring the results; since the first General Elections to the first Lok Sabha in 1951-52 till date.

While elections constitute the bedrock of democracy, it is the voters who are its very heart and soul. ECI's constant endeavour is to extend facilitation to all voters and enhance their participation in elections. To this end, ECI has made considerable strides in extending better facilities at Polling Stations, training and capacity building of election staff and better voting experience on election day.

Over the past few years, many initiatives and innovative measures have been adopted to extend special facilitation to women, PwD and senior citizens which include AMF, ramps, wheelchair & volunteer assistance, priority voting, all women managed polling stations, all PwD managed polling stations, and the more recent amendments by which postal ballot facility has been made available to senior citizens 80+, PwD and those who are covid affected/quarantined. All this, with one goal in mind "No Voter to be left behind".

## 9. FUNCTIONS OF THE ELECTION COMMISSION

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

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



- (3) The Chief Election Commissioner and Election Commissioners are appointed by the President of India. As per the Chief Election Commissioner and Other Election Commissioners (Conditions of Service) Act, 1991 (11 of 1991), they have tenure of six years, or up to the age of 65 years, whichever is earlier. They enjoy the same status and receive salary and perks as are available to Judges of the Supreme Court of India. The Chief Election Commissioner can be removed from office only in the like manner and on the like grounds as a Judge of the Supreme Court.
- (4) Political parties are registered with the Election Commission in terms of section 29A of the Representation of the People Act, 1951 (43 of 1951). The Election Commission ensures inner party democracy in their functioning by insisting upon them to hold organisational elections at periodic intervals. Political parties registered with the Commission are granted recognition at the State and National levels on the basis of their poll performance at general elections according to criteria specified by it.
- (5) The Election Commission has its independent Secretariat for the work relating to the smooth conduct of elections to Parliament and State Legislatures. Legislative Department is entrusted with the functions as the nodal Department for providing Governmental sanctions.
- (6) In the year 1950, in the matters of election expenses, it was decided by the Central Government in consultation with the State Governments that the expenditure incurred in relation to the preparation of electoral roll to the Assembly constituencies would be shared on 50:50 basis between the Central Government and the State Governments. Further, the expenditure on account of conduct of elections to the House of the People and the State Legislative Assembly would be borne by the Central Government and the concerned State Government and if the election to the House of the People and the State Legislative Assembly are held simultaneously, then, the expenditure would be shared on 50:50 basis between Central and concerned State Government. The initial expenditure will be borne by the respective State Governments and on submission of the audited report, the Central Government's share will be reimbursed.

## 10. ELECTORAL ROLL DATA -2022 (DRAFT ROLL)

The following table consists of the draft electoral roll data 2022.

S. No.	Name of State/UT	Electors in Draft 2022				Total number of images in the Photo Roll	PER <sup>s</sup> (%)	Total Number of EPIC issued	EPIC <sup>#</sup> (%)
		Male	Female	Third Gender	Total				
1	Andhra Pradesh	19953184	20466182	4041	40423407	40423407	100	40415322	99.98
2	Arunachal Pradesh	397357	408948		806305	806305	100	806305	100
3	Assam	11825381	11577452		23402833	23302201	99.57	23302201	99.57
4	Bihar	39579912	35759104	2700	75341716	75341716	100	75341716	100
5	Chhattisgarh	9672437	9671952		19344389	19307635	99.81	19307635	99.81

6	Goa	555276	584998		1140274	1140274	100	1140160	99.99
7	Gujarat	24560982	22795249		47356231	47356231	100	47356231	100
8	Haryana	10141818	8859593		19001411	19001411	100	19001411	100
9	Himachal Pradesh	2687533	2627249		5314782	5314782	100	5314782	100
10	Jharkhand*	12304529	11526201		23830730	23830730	100	23830730	100
11	Karnataka	26164016	25747075		51911091	51911091	100	51909066	100
12	Kerala	13272098	14150863	275	27423236	27423236	100	27423236	100
13	Madhya Pradesh	27541682	25550723	1324	53093729	53093729	100	53093729	100
14	Maharashtra	46849525	42789093	2573	89641191	89560514	99.91	88780636	99.04
15	Manipur	955657	1012655	164	1968476	1968476	100	1936980	98.4
16	Meghalaya	1005613	1030295	1	2035909	2035909	100	2035909	100
17	Mizoram	388195	410032		798227	798227	100	798227	100
18	Nagaland	617618	615543		1233161	1233161	100	1230078	99.75
19	Odisha	16535379	15838991	3013	32377383	32254349	99.62	32267300	99.66
20	Punjab	11015475	9902354	670	20918499	20918499	100	20918499	100
21	Rajasthan	25812560	23707493		49520053	49520053	100	49520053	100
22	Sikkim	223297	216831	3	440131	440131	100	440131	100
23	Tamil Nadu	30917667	31969522	7342	62894531	62894531	100	62894531	100
24	Telangana	15257690	15097292	1683	30356665	30356665	100	30353629	99.99
25	Tripura	1357594	1327020		2684614	2684614	100	2684614	100
26	Uttarakhand	4087018	3758732	251	7846001	7846001	100	7846001	100
27	Uttar Pradesh	79248011	67887454	7833	147143298	147143298	100	147143298	100
28	West Bengal	37331657	35900073	1537	73233267	73233267	100	73233267	100
29	A & N Islands	162009	146492	11	308512	308450	99.98	307988	99.83
30	Chandigarh	330766	299558		630324	630324	100	630324	100
31	Dadar & Nagar Haveli @	195915	181620		377535	377535	100	377535	100
32	Jammu & Kashmir *	4037993	3739951		7777944	7529828	96.81	7228043	92.93
33	Ladakh	87172	85740		172912	172912	100	169817	98.21
34	Lakshadweep	28123	27400		55523	55523	100	55523	100
35	NCT of Delhi	8088031	6707518		14795549	14795549	100	14795549	100
36	Puducherry	469083	528043	118	997244	997244	100	997244	100
	TOTAL	483658253	452905291	33539	936597083	935478370	99.88	933255538	99.64

\* Data of year 2019 since no summary revision 2020 and 2021 held in Jammu & Kashmir

\$ PER – Photo Electoral Roll

# EPIC – Electoral Photo Identity Card

&Data of year 2019 since no summary revision, 2020 held in Jammu & Kashmir and Jharkhand (Column 5 to 8)

@ Merger in Data of year 2020 = Dadra and Nagar Haveli 250453 + Daman & Diu 116267 = Total Number of Electors 366720(Column 5 to 8)

## 11. ASSURED MINIMUM FACILITIES (AMF) AT POLLING STATIONS

The Commission issued instructions to the Chief Electoral Officers to ensure that every Polling Station needs to be on ground floor and, shall have good access road leading to Polling station building and is equipped with Assured Minimum Facilities (AMF) like drinking water, waiting shed, toilet with water facility, adequate arrangements for lighting, ramp of appropriate gradient for the PwD electors and a standard voting compartment etc. This will be further supplemented with Covid-19 mitigation measures like sanitizers, thermal scanner, soap etc., as notified from time to time.



## 12. FACILITATION FOR WOMEN

With the objective to reaching out to Women Voters, 'All-Women Managed Polling Stations' is an initiative committed towards gender equality and greater participation of women in the electoral process. These booths which are set up in each constituency comprise of all woman staff including security. Initiatives like a separate queue for women at polling stations, priority voting for pregnant women, targeted intervention based on identification of polling stations with low female voter turnout have been undertaken over the years and have contributed very effectively to improving female voter turnout.





### 13. FACILITATION FOR PERSONS WITH DISABILITIES (PWDS) AND SENIOR CITIZENS

All polling stations are located at ground floor and sturdy ramps with proper gradient is provided for the convenience of differently able electors with wheelchairs. Further, in order to provide targeted and need-based facilitation to differently-abled voters, Commission has directed that all Persons with Disabilities and Senior Citizens in an Assembly Constituency are identified and tagged to their respective Polling Stations and necessary disability-specific arrangements made for their smooth and convenient voting experience on poll day. Identified PwD and Senior Citizens electors will be assisted by volunteers appointed by RO/DEO. Special facilitation will be made for PwD and Senior Citizens electors at Polling Stations. Commission has directed CEOs that there should be proper transport facility for PwD electors and Senior Citizens electors in each and every polling station on the day of poll. PwD electors and Senior Citizen electors will be provided free pass for using public transport on poll day.




### 14. ABSENTEE BALLOT


For elections during Covid-19, ECI's notifications under Section 60(c) of the RP Act, 1951, instructions were sent to issue postal ballot to electors above the age of 80 years, persons with disabilities and electors in quarantine due to Covid-19. By a notification dated 22.10.2019 and 19.06.2020 of the Ministry of Law & Justice, Rule 27A of the Conduct of Elections Rules, 1961 were amended on the recommendation of ECI to enable "absentee voters" to vote by postal ballot. The definition of Absentee Voters was expanded to accommodate Covid-19 patients. "Absentee Voter" has now been defined in clause (aa) of Rule-27A of the Conduct of Elections Rules, 1961, and includes person who is employed in essential services, senior citizens, persons with disability and Covid-19 suspect or affected persons certified by the competent authority.

### Optional Postal Ballot Facility


Option of Postal Ballot facility has been extended to the electors of following categories:




Electors, who are marked as Persons with Disabilities (PwD)



Electors above the age of 80 years



Electors employed in notified Essential services



Electors who are COVID - 19 positive/ suspect and in quarantine (home/ institutional)

## बिहार विधानसभा आम निर्वाचन 2020

कोई मतदाता न छूटे




80 वर्ष सँ बेसी उमरिक मतदाता लोकनिकें भेटनि पोस्टल बैलटक (डाक मतपत्र) सुबिधा भोट देबै उमंग सँ..

पोस्टल बैलटक सुबिधा PwD मतदातासभक लेल उपलब्ध अछि



**अधिक जनतब हेतु 1950 पर कॉल करी..  
मुख्य निर्वाचन पदाधिकारी, बिहार**



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## 15. ENROLMENT OF YOUNG VOTERS

The Election Laws (Amendment) Act, 2021 also seeks to designate April 1, July 1 and October 1 as qualifying dates in addition to the existing January 1 for the enrolment of 18-year-olds as voters. Earlier, only those who turned 18 on or before January 1 of every year were allowed to register as voters.

## 16. SYSTEMATIC VOTERS' EDUCATION AND ELECTORAL PARTICIPATION (SVEEP)

Working on the premise of 'No Voter to be Left Behind', Election Commission of India strives relentlessly to ensure participative, inclusive, inducement free and accessible elections in the world's largest democracy through the Systematic Voters' Education and Electoral Participation (SVEEP). This translates to reaching



out to voters through novel initiatives like Electoral Literacy Clubs, Web Radio Hello Voters, Nationwide celebrations of National Voters' Day, and mass mobilization of voters. In view of current situation of the pandemic, special outreach activities are being implemented to enhance voter awareness and publicize the mandatory safety protocols during elections. Contactless and digital mediums for all outreach activities i.e., Television, Print, Digital Media and other media vehicles are being utilized as a part of overall 360-degree communication towards voter education, motivation and facilitation.

Some other new initiatives including EPIC kit to the newly registered voters, a pocket size Voters' guide to every household, polling booth being the focal point of communication and Minimum level of SVEEP activities at every booth. All Chief Electoral Officers (CEOs)/DEOs have been directed to hand over/deliver/courier this EPIC SVEEP kit to newly registered electors, which contains a personalized letter to the elector along with a voter guide and voters' pledge. Furthermore, with Booth being the focal point for SVEEP strategy, the Commission has directed the states to strengthen Booth Level Action Plans and to conduct Minimum level of SVEEP activities to inform and educate all voters. This includes explanatory information displays regarding EVM, VVPAT, Voter Registration, Ethical Voting & IT Apps at all polling stations and crowded locations in the assembly constituency. Polling stations would be given a festive look through minimum level of décor. Low voter turnout Polling Stations have been identified with reasons for low turnout analysed and targeted interventions planned in accordance to meet the objective of 'No Voter to be Left Behind'. Voter Facilitation Centers will be active in the States to facilitate voters. Besides this, Voter Helpline Number 1950 and Voter Helpline App would also cater to voter's queries. An SMS facility is available on 1950 to enable electors to verify their names on the Electoral Roll. Subsequent to Hon'ble Supreme Court's order, criminal antecedents of the contesting candidates are to be made available to the voters. In this regard, a dedicated multimedia campaign is proposed to generate awareness amongst the voters to encourage informed and ethical voting. Further, keeping in view the possibility of advent of Covid wave, SVEEP activities are planned to inform and educate voters towards Covid Safe elections and covid appropriate behaviour during elections.










## 17. COVID-19 GUIDELINES AND COVID-SAFE ELECTIONS

The unprecedented onslaught of Covid 19 had devastating effect on elections all over the world. ECI faced the tough predicament of how to reach the right balance of exercising the right to vote and preserving the health of citizens. In order to respect the mandate under the Constitution of India, ECI decided to conduct elections and framed guidelines for precautions during Covid-19. These guidelines and instructions for Covid-19 related precautions for elections issued by ECI on August 21, 2020 covered every aspect of elections. These included general instructions, instructions for voting machines, training of electoral staff, for candidate nominations, polling station arrangements, election materials and Covid-19 kit for polling stations and strong rooms, postal ballot, for campaigning and counting of votes.

On the recommendation of ECI, Union Health Ministry issued orders on 8<sup>th</sup> February 2021 that all election officials and employees were to be treated as frontline workers and be vaccinated for Covid-19. The Commission prepared the schedules for holding General Election after taking into consideration all relevant aspects like climatic conditions, academic calendar, board examination, major festivals, prevailing law and order situation in the State, availability of Central Armed Police Forces, time needed for movement, transportation and timely deployment of forces and in-depth assessment of other relevant ground realities. In view of Covid-19, Commission has decided to extend the poll timing by 1 hour in all assembly constituencies.

### Post COVID Landmark Initiatives

-  Implementation of Commission's revised guidelines in view of the COVID-19 situation regarding Assured Minimum Facilities (AMF) at all Polling Stations
-  Earmarking circle for 15 -20 persons of 2 yards (6 feet) for standing in queue
-  Electors whose temperature is above normal after second testing to vote at the last hour of poll with strict Covid -19 preventive measures
-  Number of electors in each polling station reduced from 1500 to 1000 to ensure social distancing and ease of voting for elderly and vulnerable electors
-  Hand gloves provided to the voter, for signing on the voter register and pressing button of EVM for voting.
-  Non-compliance of Instructions – Anybody violating instructions on COVID -19 measures will be liable to proceeded against as per the provisions of Section 51 to 60 of the Disaster Management Act, 2005, besides legal action under Section 188 of the IPC, and other legal provisions as applicable
-  Polling I increased for one more hour so that COVID- 19 patients who are quarantined will be allowed to cast their vote at the last hour of the poll day at their respective Polling Stations, under the supervision of health authorities, strictly following COVID-19 related preventive measures.





## 18. USE OF INFORMATION TECHNOLOGY (ICT)

The Commission has enhanced usage of IT Application, to usher in greater citizen participation and transparency. These include IT applications like: CVIGIL Application for filing Model Code of Conduct Violation cases by citizen provides time-stamped evidentiary proof of the Model Code of Conduct / Expenditure Violation by empowering every citizen to click a photo or video using his or her smartphone. The application is based on GIS technology and the unique feature of auto location provides fairly correct information which can be relied upon by flying squads to navigate to the right spot of incidence and take prompt action. This app prioritizes the speedy and effective action by authorities and promises status report within 100 minutes. The Application is available on both the Google Play Store and Apple AppStore.



Citizen could avail and access various services such as apply for voter id card, apply online for corrections in voter's card, view details of Polling booth, Assembly Constituency and Parliamentary constituency, and get the contact details of Booth Level officer, Electoral Registration Officer among other services using **Voter Helpline App**.

The application is available on both the Google Play & Apple Store.

**'Know Your Candidate' App will also be available for electors to check the details of each candidate as given in their affidavits like qualification, work experience, assets including criminal antecedent so the candidates, if any.**

Other applications include **Suvidha portal** which provides various facilities to candidates/political parties for online nominations, filing for Permissions including candidate online nomination and affidavit filing and candidate Permissions module which allows candidates and political parties or any representatives of the candidate to apply online for the permission for meetings, rallies, loudspeakers, temporary offices, and others through Suvidha Portal.

In view of Covid-19, the Commission has directed that allocation of public spaces for meetings, rallies must be done using the Suvidha app as far as practicable. The application will be available during elections for Candidates /Political Parties / Agents to download and use to track the nomination and permission status from the Google Play store. Candidate Affidavit Portal provides complete list of Contesting Candidates with their profile, nomination status and the affidavits will be available for public view. Electronically Transmitted Postal Ballot System (ETPBS) for Service Voters will transmit blank Postal Ballot through Electronic means to the Service Voters. Service voters can then send their vote through speed post. PwD app is a tool to facilitate Persons with Disabilities. The PwD elector scan use this app to request for marking them as PwD, apply for new registration, migration, correction in EPIC details, request for wheel chair etc. It utilises the Accessibility features of mobile phones for voters with blindness and hearing disabilities. The PwD app is available on the Google Play Store and Apple App store. Other apps include voter turnout app and ENCORE counting app and results website of ECI.

## **19. ELECTION REFORMS**

### **19.1 Linking of EPIC and Aadhaar databases**

The newly passed Election Laws (Amendment) Act, 2021 amends both The Representation of the People Acts of 1950 and 1951. One of its main provisions creates a legal framework to link electoral roll data with Aadhaar, the unique identification number. It is meant to strike out bogus voters, dead voters, foreigners who are wrongfully included as voters and also those who are enrolled in more than one constituency. The new rules can empowers the electoral registration officers to ask a person applying for a new EPIC to furnish his or her Aadhaar number for the purpose of establishing identity. They can also seek Aadhaar numbers from registered voters to check for duplication.

### **19.2 Enhancement in candidate limit on expenses**

On the recommendation of ECI, vide Notification dated Jan 6, 2022, Ministry of Law and Justice has increased the limits on candidate expenses. As per revised limits, pertinent to these five elections, the limit on candidate expenditure for the states of Punjab, Uttarakhand and Uttar Pradesh assembly elections will now be Rs 40 lakhs and for Goa and Manipur it shall be Rs 28 lakhs.

## **20. CANDIDATES WITH CRIMINAL CASES**

Candidates with criminal antecedents are required to publishing formation in this regard in newspapers and through Television channels on three occasions during the campaign period. A political party that sets up candidates with criminal antecedents is also required to publish information about criminal background of its candidates, both on its website and also in newspapers and Television channels on three occasions. Commission vide its letter No. 3/4/2019/SDR/Vol.IV dated 16<sup>th</sup> September, 2020 has directed that the period specified will be decided with three blocks in the following manner, so that electors have sufficient time to know about the background of such candidates:

- a. Within first 4 days of withdrawal.
- b. Between next 5<sup>th</sup>- 8<sup>th</sup> days.
- c. From 9<sup>th</sup> day till the last day of campaign (the second day prior to date of poll)

This information will also be available on an App titled, 'know your candidates'.

This is in pursuance of The Hon'ble Supreme Court Order dated 13.02.2020 in Contempt Petition (C)No. 2192 of 2018 in WP(C) No. 536 of 2011. It is mandatory for political parties (at the Central and State election level) to upload on their website detailed information regarding individuals with pending criminal cases (including the nature of the offences, and relevant particulars such as whether charges have been framed, the concerned Court, the case number etc.) who have been selected as candidates, along with the reasons for such selection, as also as to why other individuals without criminal antecedents could not be selected as candidates. The reasons as to selection shall be with reference to the qualifications, achievements and merit of the candidate concerned, and not mere "winn ability" at the polls. This information shall also be published in:

- (a) One local vernacular newspaper and one national newspaper;
- (b) On the official social media platforms of the political party, including Facebook & Twitter. These details shall be published within 48 hours of the selection of the candidate and not prior to two weeks before the first date of filing of nominations.



## 21. ELECTRONIC VOTING MACHINE (EVM) AND VOTER VERIFIABLE PAPER AUDIT TRAIL (VVPAT)

- (1) Voting system in India has gone through multiple changes. During the first two General Elections to the Lok Sabha in 1952 and 1957, each candidate was allotted a separate ballot box pasted with the symbol of the candidate. The names and symbols of the candidates were not printed on the ballot paper and voters had to drop a pre-printed ballot paper in the ballot box of the candidate of their choice. This system ignited fears of tampering, booth capturing, and manipulation in the minds of the various stakeholders and was soon replaced. In 1960-61, a marking system on the ballot paper was introduced during the mid-term elections to the Legislative Assemblies in Kerala and Odisha and this system continued till the 1999 Lok Sabha elections.
- (2) In 1977, Election Commission of India thought about possibility of using an electronic gadget in voting process. In 1979, a proto-type was developed and its operation was demonstrated by the ECI before the representatives of political parties on 6th August, 1980. The innovative use of advancements in modern electronics for voting in the country provides for a fulsome endorsement of the creativity, inventiveness and pioneering acumen of the Indian society at large and serves to enhance the image and prestige of the country in the international arena.
- (3) First use of EVMs occurred in a bye-election in Kerala in May 1982. However, the absence of a specific law prescribing its use led to the Supreme Court striking down that election. Consequently, the law was amended by the Parliament in December 1988 and a new Section 61A was included in



the Representation of the People Act 1951, thereby empowering the ECI to use EVM. The amendment came into force on 15<sup>th</sup> March, 1989.

- (4) In 2004, the EVMs were used in all 543 PCs for the elections to the Lok Sabha. A new technologically advanced voting system completely replaced the erstwhile voting method of using ballot papers. Since 2000, India has witnessed 132 State Assembly Elections and 4 General Elections to the Lok Sabha (2004, 2009, 2014 and 2019) where votes were cast and recorded using the EVMs.

### **21.1 Technical Expert Committee**

ECI-EVMs were endorsed by a technical experts sub-committee appointed by the Government of India at the initiative of the Goswami Committee on Electoral Reforms in 1990. This committee was headed by Professor S. Sampath, Chairman Technical Advisory Committee, Defence Research & Development Organization (DRDO), Ministry of Defence, Professor P.V. Indiresan of the IIT Delhi and Dr. Rao C. Kasarabada, Director, Electronic Research & Development Centre (ERDC), Trivandrum. The Commission constituted the Second Technical Expert Committee in December, 2005 comprising Prof. P.V. Indiresan, Prof. D.T. Shahani of IIT Delhi and Prof. A.K. Agarwala of IIT Delhi to get the upgraded EVMs (Post 2006 EVMs) evaluated before finally accepting these machines for actual use in elections. The Commission has been consulting a group of Technical Experts on all EVM related technical issues. In November 2010, the Commission expanded its Technical Expert Committee by including two more experts, namely, Prof. D.K. Sharma from Department of Electrical Engineering, IIT Bombay and Prof. Rajat Moona from Department of Computer Science and Engineering, IT of Kanpur (now, Director IIT Bhilai). Currently, the TEC is headed by Prof. D.T. Shahani of IIT Delhi.

### **21.2 Procurement of EVMs and VVPATs for the next General Election to Lok Sabha**

In July 2020, the Commission sent the proposal to Ministry of Law & Justice for procurement of 10.42 Lakh BUS, 6.97 Lakh CUs and 6.46 Lakh VVPATS to meet requirement of the next General elections to Lok Sabha 2024. In March 2021, the Government of India had conveyed the sanction of Rs. 2971.54 Crore for the same on 19<sup>th</sup> March 2021. M/s. Bharat Electronics Limited and M/s. Electronics Corporation of India Limited have been entrusted with the production of the said order of EVMs and VVPATs. These machines belong to the M3 Model and come with highly advanced safety and security features.

## **22. LEGISLATIVE III SECTION**

### **LEGISLATION IN CONCURRENT LIST**

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

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

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

### **23. REPORTS OF THE LAW COMMISSION OF INDIA**

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

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

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

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

The Legislative Department, being in-charge of personal laws and matters relating to List III- Concurrent List of the Seventh Schedule to the Constitution, such as, the Contract Act, 1872, the Evidence Act, 1872, the Indian Trust Act, 1882, the Transfer of Property Act, 1882, the Partition Act, 1893, the Code of Civil procedure, 1908, the Limitation Act, 1963, etc., including office of profit, handled various petitions and other court cases in the Supreme Court and various High Courts. During the period from 1<sup>st</sup> January, 2021 to 31<sup>st</sup> December, 2021, 60 fresh cases have been received. Para wise comments, counter affidavits and appropriate instructions, as the case may be, have been prepared and conveyed to the Government Counsel.

### **26. STATE LEGISLATIVE PROPOSALS**

Legislative proposals relating to the subjects allocated to this Department sponsored by the State Governments, which, by virtue of the provisions of clause (2) of article 254 of the Constitution, require assent of the President, are scrutinised in the Department. During the period from 1<sup>st</sup> January, 2021 to 31<sup>st</sup> December, 2021, 47 references relating to State Bills/Ordinances have been scrutinised.

### **27. CONDUCT OF PARLIAMENTARY WORK (PERTAINING TO PERSONAL LAWS)**

During the year 2021, Legislative III Section has handled Parliament Questions, both starred and unstarred and other references in respect of the subjects allocated to the Section. The numbers of Parliamentary reference are as under:

<b>Sl. No.</b>	<b>Item of business</b>	<b>Figures</b>
1.	Lok Sabha Questions	19
2.	Rajya Sabha Questions	20
3.	Private Member Bills	2
4.	Matter of Public Importance	4

Besides the above, briefs relating to Private Members' Bill and Resolutions were also prepared in the Department. Further, replies to the Parliament Questions were also transmitted electronically in addition to forwarding their hard copies.

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

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

2. In January, 1989, with a view to increase the availability of trained officers to deal with legislative proposals as also trained Legislative Counsel in the country, the Institute of Legislative Drafting and Research (ILDR) was established as a Wing of the Legislative Department, Ministry of Law and Justice.
3. The ILDR conducts one Basic Course and one Appreciation Course in Legislative Drafting every year which are as follows:
  - (i) The Basic Course is of three months' duration and meant for the middle level officers of the State Governments/Union territories.
  - (ii) The Appreciation Course is of fifteen days' duration for middle level officers of Central Government Ministries/Departments/Attached/Subordinate Offices and Central Public Sector Undertakings.
  - (iii) Voluntary Internship Scheme for students of law. This scheme is intended to motivate students in creating interest in legislative drafting skills and secure knowledge about the nature and working of the Legislative Department. The Voluntary Internship Scheme has been devised for Law students who are studying in Third Year of Three Year LLB Course or Fourth or Fifth year of Five year LLB course, from four to six weeks. The said scheme has been started from the year 2013. Due to the Covid-19 pandemic and social distancing norms the Voluntary Internship Scheme has been temporarily suspended.
  - (iv) So far, the ILDR has conducted 23 Appreciation Courses and 31 Basic Courses on Legislative Drafting. A total of 344 officers of State Governments handling legislative proposals have been trained through Basic Course and 386 officers from the Central Government Ministries / Departments associated with legislative proposals have been benefitted through Appreciation Course. Further,



304 students from various Universities and Colleges have been benefitted by the Voluntary Internship Scheme.

4. An online Capsule course on legislative drafting was organised for three days from 23<sup>rd</sup> June, 2021 to 25<sup>th</sup> June, 2021 for middle level officers of Central Government Ministries/Departments/Attached/Subordinate Offices and 29 participants attended the course.
5. One month online training in legislative drafting was organised from 8<sup>th</sup> November, 2021 to 10<sup>th</sup> December, 2021 for all the officers of State Government/State Legislative Assemblies and 40 participants were benefitted by the training.

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

### **(i) Content Management Framework (CMF based official website):**

The Legislative Department has launched its Content Management Framework (CMF) based official website. The said CMF based website of the Department has been issued with 'Certified Quality Website' (CQW) Certificate after due verification by the Standardisation Testing and Quality Certification Directorate, Ministry of Electronics and Information Technology. The said Open Source Content Management Framework developed by National Informatics Centre (NIC) is Guidelines for Indian Government Websites (GIGW) compliant.

### **(ii) Implementation of e-Office Lite:**

Implementation of e-Office (Lite) for tracking purposes, as part of good governance and being an important Mission Mode Projects of the Government, has been made operational in the Legislative Department.

### **(iii) Cyber Security Instructions to thwart any possible cyber attack in the Legislative Department:**

Compliance of E-Governance Policy under Information Technology in coordination with National Informatics Centre to counter cyber threats are done periodically. The Cyber Security Instructions as provided by the Government from time to time to sensitise the officers and staff of the Legislative Department on the continuing threat of data pilferage, hacking and similar cyber attacks by non-State entities have also been circulated for strict adherence in order to thwart any possible cyber attack and secure the Department's website.

## **30. RIGHT TO INFORMATION (RTI) APPLICATIONS**

Consequent upon the enactment of the Right to Information Act, 2005 (22 of 2005), the Legislative Department constituted a Right to Information Cell with effect from the 12<sup>th</sup> August, 2005 with one Appellate Officer, one Central Public Information Officer and one Central Assistant Public Information Officer. At present Shri Udaya Kumara, Joint Secretary, Shri P.C. Meena, Deputy Secretary and Shri Ved Prakash, Section Officer are functioning as the Appellate Authority, Central Public Information Officer and the Central Assistant Public Information Officer respectively. This Department has launched a separate webpage under the caption "*Right to Information*" on the Department's official website and maximum information pertaining to this Department have been disseminated therein in consonance with the provisions of the Right to Information Act, 2005 so as to ensure the object of proactive disclosure of information envisaged under the said Act.

Further, contact e-mail addresses have been created in coordination with the NIC Cell for Appellate Authority and Central Public Information Officer of this Department, so as to make this Department's official website more user friendly for the public to utilize the provisions of the said Act. The contact e-mail address of the Appellate Authority is [aa-rti-legis@nic.in](mailto:aa-rti-legis@nic.in) and that of the Central Public Information Officer is [cpio-rti-legis@nic.in](mailto:cpio-rti-legis@nic.in).

Keeping in view, the various provisions of RTI Act, 2005, the applications received from the applicants are thoroughly examined and the available information collected from the concerned administrative units of the Legislative Department is provided to the applicants. Also, the applications which contain the subject matter pertaining to other Ministries/Departments of the Central Government are promptly transferred to the concerned Ministries/Departments in the center in consonance with the relevant provision of the said Act. Further, in case of First appeals, the same are independently examined by the Appellate Authority and disposed off within the prescribed time limit. During the year (1<sup>st</sup> January, 2021 to 31<sup>st</sup> December, 2021) One thousand two hundred eighty six (1286) applications seeking information under the said Act were received, which were promptly attended to by giving due reply to the applicants as per the provisions of the Right to Information Act, 2005 and the rules made thereunder. Eighty-five (85) first appeals were preferred before the Appellate Authority out of which 85 (Eighty-five) cases were duly disposed-off on merits during the period of 1<sup>st</sup> January, 2021 to 31<sup>st</sup> December, 2021. On account of handling of RTI cases this Department has earned Rs. 2944 /- towards application fee and copying charges till December, 2021.

### **31. CORRECTION SECTION**

#### **MAINTENANCE OF CENTRAL AND STATE CODES**

The Correction Section is responsible for maintenance and updation of the Central legislations, the Constitution of India and Orders issued thereunder, Manual of Election Laws, Central Ordinances, Regulations, President's Acts and compilation of State Acts for the use of officers in the Ministry of Law and Justice. This Section maintains master copies of the India Code, which contains unrepealed Central Acts and acts as a reference for the Minister-in-charge, officers in the Ministry of Law and Justice (Department of Legal Affairs and Legislative Department) and the Law Officers of the Government of India. These are valuable reference books and are also used for publishing the revised editions of Acts by the Central Government. The work of updating of Central Acts is an ongoing process and the enforced Central Acts of year 2021 have been updated in the master copy of the India Code.

During the said period, this Section has uploaded 10 Central Ordinances on the official website of the Department. A List of Central Acts arranged, both alphabetically and chronologically, has also been uploaded on the official website of Legislative Department at [www.legislative.gov.in](http://www.legislative.gov.in) under the heading 'Documents'.

In year 2021, the Section has downloaded Gazette copies of fifty Acts of Parliament (including one Finance Act and nine Appropriation Acts) and one Constitution (One Hundred and Fifth Amendment) Act, 2021 and ten Central Ordinances from the official website of the Directorate of Printing, Department of Publication at <http://www.egazette.nic.in>. The Section has prepared a folder of Central Acts passed by the Parliament in year 2021 and incorporated amendments of 27 amending Acts in the master copies of the principal Acts. The details of Acts, Ordinances and Regulations downloaded are as follows:

## Central Acts:

### A. Principal Acts downloaded in the year 2021 (excluding Appropriation Acts and Finance Act):

1. The Major Port Authorities, 2021 (1 of 2021).
2. The National Commission for Allied and Healthcare Professionals Act, 2021 (14 of 2021).
3. The National Bank for Financing Infrastructure and Developments Act, 2021 (17 of 2021).
4. The National Institutes of Food Technology, Entrepreneurship and Management Act, 2021 (19 of 2021).
5. The Marine Aids to Navigation Act, 2021 (20 of 2021).
6. The Inland Vessels Act, 2021 (24 of 2021).
7. The Essentials Defence Services Act, 2021 (25 of 2021).
8. The Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 (29 of 2021).
9. The Tribunal Reforms Act, 2021 (33 of 2021).

\* The Constitution (One Hundred and Fifth Amendment) Act, 2021.

10. The Farm Laws Repeal Act, 2021 (40 of 2021).
11. The Dam Safety Act, 2021 (41 of 2021).
12. The Surrogacy (Regulation) Act, 2021 (47 of 2021).

### B. Amendment Acts downloaded in year 2021:

1. The Jammu and Kashmir Reorganisation (Amendment) Act, 2021 ( 2 of 2021).
2. The Arbitration and Conciliation (Amendment) Act, 2021 (3 of 2021).
3. The National Capital Territory of Delhi Laws (Special Provision) Second (Amendment) Act, 2021 (4 of 2021).
4. The Insurance (Amendment) Act, 2021 (6 of 2021).
5. The Medical Termination of Pregnancy (Amendment) Act, 2021 (8 of 2021).
6. The Government of National Capital Territory of Delhi (Amendment) Act, 2021 (15 of 2021).
7. The Mines and Minerals (Development and Regulation) Amendment Act, 2021 (16 of 2021).
8. The Constitution (Scheduled Castes) Order (Amendment) Act, 2021 (18 of 2021).
9. The Factoring Regulation (Amendment) Act, 2021 (21 of 2021).

10. The Coconut Development Board (Amendment) Act, 2021 (22 of 2021).
11. The Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 (23 of 2021).
12. The Insolvency and Bankruptcy Code (Amendment) Act, 2021 (26 of 2021).
13. The Central Universities (Amendment) Act, 2021 (27 of 2021).
14. The Airports Economic Regulatory Authority of India (Amendment) Act, 2021 (28 of 2021).
15. The Deposit Insurance and Credit Guarantee Corporation (Amendment) Act, 2021 (30 of 2021).
16. The Limited Liability Partnership (Amendment) Act, 2021 (31 of 2021).
17. The Constitution (Scheduled Tribes) Order (Amendment) Act, 2021 (32 of 2021).
18. The Taxation Laws (Amendment) Act, 2021 (34 of 2021).
19. The General Insurance Business (Nationalisation) Amendment Act, 2021 (37 of 2021).
20. The National Commission for Indian System of Medicine (Amendment) Act, 2021 (38 of 2021).
21. The National Commission for Homoeopathy (Amendment) Act, 2021 (39 of 2021).
22. The National Institute of Pharmaceutical Education and Research (Amendment) Act, 2021 (43 of 2021).
23. The High Court and Supreme Court Judge (Salaries and Conditions of Service) Amendment Act, 2021 (44 of 2021).
24. The Delhi Special Police Establishment (Amendment) Act, 2021 (45 of 2021).
25. The Central Vigilance Commission (Amendment) Act, 2021 (46 of 2021).
26. The Narcotics Drugs and Psychotropic Substances (Amendment) Act, 2021 (48 of 2021).
27. The Elections Laws (Amendment) Act, 2021 (49 of 2021).

**C. Ordinances downloaded in year 2021:**

1. The Jammu and Kashmir Reorganisation (Amendment) Ordinance, 2021.
2. The Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance, 2021.
3. The Insolvency and Bankruptcy Code (Amendment) Ordinance, 2021.
4. The Commission for Air Quality Management in National Capital Region and Adjoining Areas Ordinance, 2021.
5. The Indian Medicine Central Council (Amendment) Ordinance, 2021.
6. The Homoeopathy Central Council (Amendment) Ordinance, 2021.

7. The Essential Defence Services Ordinance, 2021.
8. The Narcotic Drugs and Psychotropic Substances (Amendment) Ordinance, 2021.
9. The Central Vigilance Commission (Amendment) Ordinance, 2021.
10. The Delhi Special Police Establishment (Amendment) Ordinance, 2021.

Based on the enforcement of the amending Acts of Parliament, the amendments have been carried out in the master copies of the principal Acts. During the year 2021, the Acts which have been brought into force by the respective administrative Ministries, date of enforcement and their notification numbers have been entered at the relevant places of master copies of the Acts.

#### **State Acts :**

During the year 2021, the Section has received a total of 72 State Acts and 66 Ordinances from 8 States, namely Kerala, Uttar Pradesh, Maharashtra, West Bengal, Assam, Andhra Pradesh, Tamil Nadu and Telangana. All Acts and Ordinances have been kept in folders and entries made in the registers.

### **32. INDIA CODE UPDATION UNIT**

Each year number of legislations (both principal Acts and amending Acts) are passed by the legislature and it is difficult for judiciary, lawyers as well as citizens to refer relevant and up-to-date Acts when required. This can be solved by building up an exhaustive repository of all the Acts and Amendments in one place which is open to all. A need has been felt for the development of building up Central repository of all the Acts and their subordinate legislations (made from time to time) at one place which are easily accessible to all stakeholders with a view to make such laws available in up-to-date form when required by public, lawyers, judges, etc., and to avoid private publishers from exploiting the general public with enormous prices by claiming published updated laws as their copyrighted work. In fact, this is the most vital reason to make India Code available over Internet. Keeping all these aspects in view, India Code Information System (ICIS), a one stop digital repository of all the Central and State Legislations including their respective subordinate legislations has been developed with the help of NIC under the guidance of Ministry of Law and Justice (Legislative Department). It is an important step in ensuing legal empowerment of all citizens as well as the object of **ONE NATION – ONE PLATFORM**.

#### **SALIENT FEATURES**

The main object of this system is to provide a one stop repository of all the Acts and Legislations in India in the latest and updated format as and when required by the general public, lawyers, judges and all other interested parties. With the help of this system, not only the procedures of locating the relevant precedents and amendments will be highly simplified but retrieving any Central or State Act of one's interest in an up-to-date form will be made User-Friendly and accessible at push of few buttons. A mobile application has also been developed through which such information could be accessible on mobile from anywhere. This system will promote public knowledge on all laws made in India. It will also help as effective information management to support the work of the administrative authorities and provision of ready access to it by the public in digital form.

This repository shall consist of all the Central Acts and State Acts. It is a central database repository which shall contain all laws made in India. As and when any new Acts, amendments to existing Acts are passed and subordinate legislations are made, respective authority has been provided with the facility to upload on central repository.

Under ICIS, [indiacode.nic.in](http://indiacode.nic.in) website has been developed which consist of all Central as well as State Acts along with their Subordinate Legislations. All Central Acts and State Acts will provide details relating to Sections, Schedules, Short titles, Enactment Dates and also very significant Foot-Notes in every Act. Search facility has been made available on the following fields:

1. Act Year
2. Act Number
3. Enactment Date
4. Short Title
5. Ministry
6. Department

A Free Text Search is also available.

## **MAJOR E-GOVERNMENT INITIATIVES**

With the help of this system, any member of the public can have access to the existing enactments and also the procedures of locating the relevant precedents and amendments being simplified for retrieving any Central Act and State Act including any subordinate legislation made thereunder. The up to date legislative documents will be made extremely User-Friendly and accessible at push of few buttons.

As an on ongoing process of updating and uploading of Central Acts on the New India Code website, Central Acts from the years 1838 to 2021 have been updated and uploaded and repealed Acts from 1834 to 1955 have also been uploaded. As far as updating and uploading of subordinate legislations are concerned, all the administrative Ministries and Departments in the Government of India have been requested to make available the updated versions and many Ministries/Departments have completed uploading of their subordinate legislations.

The ICIS is a major e-Government initiative containing all existing Central and State Acts of country having largest democracy at one place, therefore, available Acts are referred nationally as well as internationally by law makers, Judiciary, Academicians, Law Students, etc. Thus, web portal is accessed globally. The ICIS prevents the monopoly of private publishers who may claim copy rights of their publication for the citizen for their own laws.

### **33. PRINTING SECTION**

The Printing Sections of the Legislative Department, namely, the Printing I and Printing II, undertake the processing of legislation for printing at various stages. These two Sections handle the work relating to the editing of manuscripts of the Bills (including preparation of contents and annexures, wherever required), Ordinances, Regulations, Adaptation Orders, Orders issued under the Constitution of India, Delimitation



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

2. Besides the editing and proof-checking of various other publications like the Constitution of India, India Code, Acts of Parliament, the Printing Sections have also undertaken the updating of the modified editions of the Central Acts as per the requirements of this Department.
3. During the period from 1<sup>st</sup> January, 2021 to 31<sup>st</sup> December, 2021 the Printing I and Printing II Sections have performed the following tasks, namely:
  - (a) Edited manuscripts, checked the proofs and scrutinised copies of 89 Bills, 49 Gazettes, 10 Ordinances; and
  - (b) 49 A-4 Acts have been prepared.
4. During the lockdown period, staff of Printing Sections have attended office, to accomplish the urgent and time-bound legislative work.

#### **34. GENERAL STATUTORY RULES AND ORDERS (GSRO) SECTION**

1. G.S.R.O. Section is a reference Section which maintains rules, orders, etc., made under the Acts included in the India Code. As per the work allocation of this Department, the works assigned to G.S.R.O. Section are –
  - (i) to compile General Statutory Rules and Orders made under Acts included in the India Code;
  - (ii) to prepare and finalise the manuscripts of notifications issued under respective Central Acts to be brought out by respective administrative Ministries/Departments as Part-II, a companion publication to Part-I in respect of modified editions brought out by the Publication Section of this Department.
2. The subordinate legislations, namely, general statutory rules and orders, notifications, etc., under an enactment are prepared and issued by the Ministry or Department which is administratively concerned with the Act, after being vetted by the Legislative Department. Pursuant to the recommendations of the Parliamentary Committee on Subordinate Legislation, a scheme for maintaining subordinate legislation up-to-date and making the same available expeditiously to the public was formulated. The administrative Ministries are required under the said scheme, to maintain folders, containing

up-to-date copies of rules, orders and notifications issued by them.

3. The General Statutory Rules and Orders (GSRO) Section has during the year 2021-22 sorted out the Gazette notifications relating to subordinate legislation issued by various Ministries/Departments under Part-II, Section 3, Sub-sections (i) and (ii), both pertaining to Ordinary and Extraordinary. Entries of various notifications have been made in the alphabetical registers along with corrections relating to Part-II, Section 3, Sub-sections (i) and (ii) of various Ordinary and Extraordinary.
4. The GSRO Section also performed other miscellaneous work as per directions relating to uploading of Central Acts and subordinate legislations in the eSamiksha, quarterly report as well as consolidated report on subordinate legislation, RTI Applications/Appeals, Parliament Questions and Reports, etc.

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

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

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

### **36. PUBLICATION SECTION**

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

2. During the year 2021, the Publication Section compiled, scrutinized and vetted the Constitution of India (English version) incorporating the latest amendments including the Constitution (105<sup>th</sup> Amendment) Act, 2021 along with the foot notes for being published (in Pocket Size, diglot edition) by this Department. The updated copy of the Constitution of India (English version) is made available on the official website of this Department. The proof of the Constitution of India was also examined and finalized for being published by the Lok Sabha Secretariat. The new edition of the Constitution of India in diglot form was published by this Department and released by the Hon'ble Minister of Law and Justice on 25<sup>th</sup> November, 2021.

3. The Manuscripts (English version) of certain Central Acts duly incorporating upto date amendments have been prepared and forwarded to Official Languages Wing for publication.

### **37. THE OFFICIAL LANGUAGE SECTION**

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

#### **(1) Implementation of the Constitutional and other provisions of the Official Language Policy.**

During the period from 01<sup>st</sup> January, 2021 to 31<sup>st</sup> December, 2021 the Legislative Department has taken the following steps to implement the Official Language Policy in all its manifestations:-

As per the provisions of the Official Language Rules 1976, at present, more than 84.36%, 79.31% and 71.25% letters to regions 'A', 'B' and 'C' are being sent in Hindi respectively. Constant efforts are being made to achieve the targets stipulated in the Annual Programme issued by the Department of Official Language, Ministry of Home Affairs. The replies to the letters, applications, representations, etc., received in Hindi are being sent invariably in Hindi. The same received in English are also being answered in Hindi as per the Official Language Policy. All the Resolutions, General Orders, Rules, Notifications, Administrative Reports, other Reports, Contracts, Notices and the Documents to be laid before the Parliament are prepared and issued bilingually as per sub-section (3) of section 3 of the Official Language Act, 1963 .

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

#### **(2) The Quarterly Progress Reports for the Progressive Use of Official Language Hindi:**

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

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

An Official Language Implementation Committee has been constituted in this Department under the Chairmanship of Joint Secretary and Legislative Counsel (O.L. Wing). The meeting of this Committee is held once in every three months regularly to assess the progressive use of Hindi for official purposes. The agenda and minutes of these meetings are sent to the Department of Official Language, Ministry of Home Affairs. The minutes are also circulated to all the officers and Sections of the Department for compliance. The first, second, third and fourth meetings of this committee were held on 26.03.2021, 30.06.2021,

30.09.2021 and 31.12.2021 respectively. This Committee provides effective means to identify problems and suggests the solutions with regard to the progressive use of Hindi. In the meetings of this Committee, the Annual Programme issued by the Department of Official Language, Ministry of Home Affairs for transacting the official work of the Union in Hindi, is also discussed and every effort is made to achieve the prescribed targets therein. The orders, circulars, directives, notifications, resolutions, recommendations, etc., regarding the implementation of Official Language Policy of the Union of India are also discussed in these meetings.

**(4) The Hindi Advisory Committee of the Ministry.**

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

**(5) Hindi Training:**

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

**(6) Hindi Fortnight:**

A 'Hindi Fortnight' from **14<sup>th</sup> September to 28<sup>th</sup> September, 2021** was organized in this Department. Various Hindi competitions were held during this period and a large number of officers and employees participated in these competitions. Out of these, two competitions were organized exclusively for non-Hindi speaking personnel. Handsome amounts of prizes were given to the winners of these competitions and a total amount of Rs.88,300/- was distributed as a prize money.

**(7) Incentive Schemes for working in Hindi:**

There are three incentive schemes in operation in this Department for the progressive use of Hindi, as directed by Department of Official Language. During the year 2020-21, eight employees were awarded prizes under the incentive scheme for noting/drafting done originally in Hindi. One employee each was awarded prizes under the incentive scheme for stenography and typing in Hindi in addition to English. One officer was awarded prize for giving dictation in Hindi. Apart from these schemes, officers & employees are granted cash prizes and advance increments on passing the Hindi Training Courses of Hindi Language, Hindi shorthand and Hindi typing conducted by the Hindi Teaching Scheme.

## **(8) Committee of Parliament on Official Language.**

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

## **38. OFFICIAL LANGUAGES WING**

### **(1) FUNCTIONS**

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

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

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

## **(2) LEGAL GLOSSARY**

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

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

Recently, on 25<sup>th</sup> November, 2021 the Hon'ble Minister of Law and Justice launched the 2021 edition of the Constitution in diglot form containing all amendments till date.

Besides, the authoritative text of the Constitution of India in Hindi (the Official Language of the Union), the authoritative texts of the Constitution of India have been brought out in 16 other regional languages, namely, Assamese, Bengali, Gujarati, Kannada, Malayalam, Marathi, Manipuri, Oriya, Punjabi, Sanskrit, Tamil, Telugu, Urdu, Sindhi, Nepali and Konkani. Recently Competent Authority has also been pleased to approve the publication of Constitution of India in Manipuri Language Diglot form (English-Manipuri) and Dogri language Diglot form (English-Dogri).

## **(4) BHARAT SANHITA**

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

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

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

During the period under report, authoritative texts of about 28 Acts in Hindi have been published in the Official Gazette under section 5 (1) (a) of the Official Languages Acts, 1963. Now the total number of such Acts since 1963 have gone up to 2535.



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

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

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

Sub-section (2) of section 5 of the Official Languages Act, 1963 requires that all Bills to be introduced or amendments thereto moved in either House of the Parliament shall be accompanied by Hindi translation of the same. During the period under report, the Hindi translation of 62 Bills, simultaneously with their English texts, was supplied to the Houses of Parliament. Besides this, Hindi translation of 10 Ordinances and 01 Notes for the Cabinet and 39 Acts were also prepared.

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

Sub-section (3) of section 3 of the Official Languages Act, 1963 lays down the foundation for bilingual working of the Central Government. Under clause (1) of that sub-section, all resolutions, general orders, rules, notifications etc., issued or made by the Central Government must be both in Hindi and English languages. During the period under report, 9797 pages of such statutory rules/notifications, etc., were prepared for different Departments of the Central Government.

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

Clause (b) of sub-section (1) of section 5 of the Official Languages Act, 1963 requires that translation in Hindi published under the authority of the President in the Official Gazette of any Order, Rule, Regulation or Bye-law issued under the constitution or under any Central Act shall be deemed to be the authoritative text thereof in Hindi. Some Rules, Regulations, Orders etc., are at different stages of translation. During the period under report, 3072 pages of Recruitment Rules were translated.

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

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

Besides, manuscripts of Hindi Text of the Central Acts proposed to be published in Diglot form prepared by O.L. Wing and during the year, manuscript of two diglot Acts are prepared.

In addition to above, this Section supplied –

- (a) Supplied information regarding publication of e-Gazette copies of the Central Acts to various State Governments for translation into their respective Regional Languages;

- (b) Supplied e-Gazette copies of Hindi version of the Central Acts to Hindi speaking States for re-publication in their State Gazettes;
- (c) Undertakes the work relating to publication; and
- (d) Assists the Regional Languages unit of the Wing in connection with preparation of translation of the Central Acts in Regional Languages and also assisted said Unit in conducting the Working Group (Regional Languages) meeting for deciding and approving the words to be included in glossary in respective regional languages.

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

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

The Printing Section of the Official Languages Wing is also performing the duties of the Publication Section. During the period under report, 28 Acts were authenticated and 10 Ordinances were got published by this Section.

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

Section 3 (3)(iii) of the Official Languages Act, 1963 requires that both Hindi and English Languages are to be used for agreements, contracts, leases, bonds, tenders, etc., issued by or on behalf of the Central Government or any Ministry, Department or office thereof. In order to comply with the requirement of the said Act, the Official Languages Wing has prepared Hindi version of the documents in eight volumes for various Ministries and Departments of the Central Government with a view to achieve uniformity in their translation. During the period under report, the Hindi version of 2536 pages of Parliament Questions-Answers/Assurances of this Ministry was also prepared.

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

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

The Official Languages Wing has also published the authoritative texts of the Central Acts in regional languages as envisaged under section 2 of the Authoritative Texts (Central Laws) Act, 1973 (50 of 1973). During the period under report, translation of 47 Central Acts have been approved by the Working Group (Regional

Languages) and 75 Central Acts in Regional Languages including Hindi have been authenticated as authoritative texts by the President of India. The work relating to preparation of Tri-lingual (English-Regional Language-Hindi) Legal Glossary has been completed in seven Regional Languages i.e., Bengali, Gujarati, Marathi, Punjabi, Tamil, Telugu and Urdu Languages and the same has been made available on the Department's official website. Besides the Authoritative texts of the Constitution of India in addition to Hindi has been brought out in 15 other Regional Languages that is, Assamese, Bengali, Gujarati, Kannada, Malayalam, Marathi, Odiya, Punjabi, Sanskrit, Tamil, Telgu, Urdu, Sindhi, Nepali and Konkani. The Competent Authority has also been pleased to approve the publication of the Constitution of India in Dogri Language Diglot form (English-Dogri).

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

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

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

The Twelfth Hindi Salahkar Samiti of this Ministry was constituted vide Resolution No.E.4(1)/2014-O.L.Wing (LD) dated 14<sup>th</sup> May, 2015 for three years and further its tenure was extended with effect from 14<sup>th</sup> May, 2018 for one year or remaining tenure of 16<sup>th</sup> Lok Sabha. The process of reconstituting the Hindi Salahkar Samiti is underway. The functions of the Samiti are normally to advise the Central Government on matters relating to:-

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

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

There is a scheme for the promotion of Official Languages of the Union and States for propagation and development of Hindi and other Indian languages in the field of law. Under the scheme, Voluntary Organisations and institutions are provided with financial aid. Since 1985, the Official Languages Wing has been implementing

this scheme to give financial assistance to those voluntary organisations which are engaged in the activities for development and propagation of literature in the field of law and other regional languages which could be in the form of proposed commentaries, treatises, books on legal subjects, law journals, law compendium and other publications as are conducive to enrichment, propagation and development of Hindi and other regional languages of the State. A High Powered Committee has been constituted w.e.f. 25<sup>th</sup> April, 2019 for three years under the Chairmanship of Justice Dr. Satish Chandra (Retd.) Judge of High Court of Allahabad, and the other members of the Committee are Smt. Kumud L. Das, Advocate, Supreme Court of India, New Delhi, Prof. (Dr.) Subash Chandra Gupta, Professor and Head-Deptt. of Law, HNB Garhwal University, Dr. BGR, Campus, Pauri Garhwal and Joint Secretary and Legislative Counsel of Official Languages Wing as Member -Secretary. A meeting of the High Powered Committee for giving financial assistance to Voluntary Organisation working in the field of law was convened on 3<sup>rd</sup> March, 2021 under the Chairmanship of Justice Dr. Satish Chandra (Retd.) but no Voluntary Organisations was found suitable for grant for the financial year 2020-2021.

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

The material and information pertaining to Official Languages Wing has been hosted on the website with <http://legislative.gov.in> as URL. Apart from this, the important Acts of Parliament in various regional languages have also been hosted under the respective languages on the home page of the O.L. Wing. In order to facilitate printing of various Bills, Notifications, Orders, Recruitment Rules etc. the O.L. Wing has started using the Unicode fonts and provides soft copies of the Hindi Texts.

The Constitution of India, I.P.C., Cr. P.C., the Manual of Election Laws and Income tax Act have already been hosted on the net. This website has been further enriched by listing central enactment from the Year 1838 to 2018, Principle as well as amending along with 10 important legislations have also been uploaded on the website in PDF format for the benefit of legal fraternity and general public as well as the law students.

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

A list of Names, Addresses, e-mail address and Contact Numbers of all the Group 'A' officers of the O. L. Wing in English and Hindi has also been hosted on the home page of O. L. Wing.

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

### **39. VIDHI SAHITYA PRAKASHAN**

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

Initially, after translating in Hindi and making head notes thereof monthly publication of all the reportable judgements of the Supreme Court of India, as marked 'REPORTABLE' was started in April, 1968 and it was designated as "Uchchatama Nyayalaya Nirnaya Patrika". Another monthly publication containing judgements of the High Courts was started in January, 1969 and it was designated as "Uchcha Nayayalaya Nirnaya Patrika". In the year 1987 "Uchcha Nayayalaya Nirnaya Patrika" was bifurcated into two Nirnaya Patrikas i.e. "Uchcha Nyayalaya Civil Nirnaya Patrika" and "Uchcha Nyayalaya Dandik Nirnaya Patrika". Later on, due to ever-increasing volume of Supreme Court's reportable judgements as well as dearth of requisite editorial staff in the Vidhi Saahitya Prakashan, the "Uchchatama Nyayalaya Nirnaya Patrika" has been publishing in Hindi only important selected reportable judgements of the Supreme Court since 1990. The "Uchcha Nyayalaya Civil Nirnaya Patrika" and "Uchcha Nyayalaya Dandik Nirnaya Patrika" respectively are publishing in Hindi only important selected judgements in civil and criminal matters of all High Courts of the country.

Apart from the publication of the above three Patrikas, the Vidhi Sahitya Prakashan is also responsible of the following works, namely:—

- (a) Publication of text books in Hindi in the field of law for use in the academic and other circles as reference books;
- (b) Translation and publication of legal classics in Hindi;
- (c) Awarding of various prizes for the best publications in Hindi in the field of law;
- (d) Sale of Hindi publications of the Vidhi Sahitya Prakashan and diglot editions etc. of the Official Languages Wing of the Legislative Department; and
- (e) Holding of conferences, seminars and book exhibitions at different places in India, particularly in Hindi speaking States for popularisation and improvement of legal literature in Hindi.

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

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

**Award of Prizes:** Apart from the publication of the three Law Patirikas (Journals) and law books, the Vidhi Sahitya Prakashan awards the prizes, under the Scheme for writing, translating and publication of law books in Hindi and awarding prizes to such books written or published in Hindi for use as text books or reference books to the tune of Rs. 5,00,000/- (Rupees Five lakh only), [the 1<sup>st</sup> prize for Rs. 50,000/- (Rupees fifty thousand only), the 2<sup>nd</sup> prize for Rs. 30,000/- (Rupees thirty thousand only) and 3<sup>rd</sup> prize for Rs. 20,000/- (Rupees twenty thousand only). The awards are provided to the authors for the best Law books published in Hindi by private publishers every year. Books of Dand Vidhi (Sadharn Siddhant) written



by Dr. Ram Chander Nigam, Bhartiye Dand Sanhitake Vinirdisht Apradh (Second Editon), Prashasnik Vidhi (Fourth Edition) written by K. C. Joshi, Sanvida Vidhi (Third Edition) written Dr. R. C. Chaturvedi are going to be revisional process and printing. Book of Vidhai Praroopan written by Sh. Ashvani Kumar Upadhyay is available for sales in the year of 2021. Thirty Five standard law books in Hindi have been published for use as reference books so far.

**Digitization:** The process of digitization of Three Law Journals i.e. ‘Uchchatama Nyayalaya Nirnaya, ‘Uchcha Nyayalaya Civil Nirnaya Patrika’ and ‘Uchcha Nyayalaya Dandik Nirnaya Patrika’ have been standardized with International Standard Serial Number (ISSN) obtained. Under the e-governance/ digitization process, Vidhi Sahitya Prakashan has uploaded three Journals i.e. ‘Uchchatama Nyayalaya Nirnaya, ‘Uchcha Nyayalaya Civil Nirnaya Patrika’ and ‘Uchcha Nyayalaya Dandik Nirnaya Patrika’ in PDF format (since 2012) at <http://legislative.gov.in/vidhi-sahitya> for common men, advocates, judges, litigants, professors of Law & law students.

**Organising of Seminars/exhibitions/Conference and sale of Law Books Constitution of India, Central Acts in Diglot (Hindi-English), Legal Glossary, Manual of Election Law, India Code, etc.:** The Central Acts and Law Publications are available for online selling on <https://bharatkosh.gov.in/Product> on digital payment basis i.e. credit card, debit card and net banking etc. and the link is available on main Legislative Department front page. It is a part of ‘Ease of Doing Business’. Judges, Advocates, Law Students, Teachers of Law etc. are purchasing law books and law patrikas off-line from sale counter of Vidhi Sahitya Prakashan. Book exhibition-cum-sales counter has been organised by the Business Section District Court Varanasi, District Court of Faizabad and High Court of Allahabad from 9<sup>th</sup> September to 14<sup>th</sup> September during the year 2021. Under the scheme of promotion, propagation and spread of legal knowledge in Hindi, Vidhi Sahitya Prakashan has distributed the India Code free of cost of Law Universities/Colleges, Libraries, Judges Libraries and over and above Law Students.

During the period from 1<sup>st</sup> January, 2021 to 30<sup>th</sup> November, 2021 the total sale figure of Vidhi Sahitya Prakashan is Rs. 20,68,647/- (Rupees Twenty Lakhs Sixty Eight Thousand and Six Hundred Forty Seven only).

**Editorial Board/Evaluation Committee:** There are two Committees viz. Editorial Board and Evaluation Committee in Vidhi Sahitya Prakashan and the members of these two Committees are nominated by Hon’ble Minister of Law & Justice. Editorial Board looks after the improvements/standard of the three law journals, advise further development, support to increase the circulation of law journals in District Courts, High Courts, Law Universities/Colleges and Law professionals, etc. Evaluation Committee selects the best law books written in Hindi and published by Private Publishers. Organization of both Committees i.e. Evaluation Committee and Editorial Board are going in process.

**E-Books** – In addition to physical publication of, under the e-governance/digitization process, VSP publishes routine patrikas/legal literature in Hindi/standard, law books in Hindi written by eminent authors on e-payment basis for wider publicity, easier access, no space cost and additional revenue generation. The norms will be followed as per official secret Acts. This process will help for smooth access for future reference.

The department through its website and publication in news papers through DAVP invites authors in the field of law to write authoritative law books on important law subjects viz. Cyber Law, Intellectual Property Rights Law, Alternative Disputes Resolutions Law, Human Rights, Domestic Violence, Right to Information etc. in Hindi. And in this respect Law Colleges have been approached and so many Professors have expressed their willingness to write books on these topics and in this regard process is being done and initiatives will be undertaken on this respect.

With regard to awarding prizes to best law books written or published in Hindi in each year through Website of the department, PTI and through publication in news papers which is done by DAVP a wide publicity will be made inviting authors to participate in the scheme.

With regard to a 7 year strategy from 2017-18 to 2023-24 to convert long term vision into implementable policy and with a mid term review, it is proposed that VSP, will work towards popularizing legal literature in Hindi by its website and by approaching District & High Courts and various Law Universities & Law Colleges and will work towards proposed E-Books (all the three patrikas online in form of E-Books) beside publishing its three patrikas.

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

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

A Statement showing the total number of employees in the Department (Main), Official Languages Wing and Vidhi Sahitya Prakashan and number of employees belonging to the Scheduled Castes, Scheduled Tribes, Other Backward Classes, Ex-servicemen and Physically handicapped persons and the female employees amongst them as on 31.12.2021 is enclosed (**Annexure-VII** and **Annexure-VIII**).

#### **41. CELEBRATION OF SWACHHATA PAKHAWADA AND OTHER ACTIVITIES:**

This Department has organised celebration of Swachhata Pakhawada, 2021 as per Swachhata Calendar, Ministry of Jal Shakti, Department of Drinking Water and Sanitation and International Women's Day and celebration of Run for Unity/Rashtriya Ekta Diwas and also celebrating Azadi ka Amrut Mahotsav from time to time etc. were conducted following by Covid-19 behavior and keeping in view of all safety and SOP guidelines issued by Ministry of Home Affairs and Ministry of Health and Family Welfare (**Annexure-IX**).

#### **42. PUBLIC GRIEVANCES**

During the period from 1<sup>st</sup> January, 2021 to 31<sup>st</sup> December, 2021 Legislative Department received 1644 public grievances on CPGRAMS portal. Further 223 public grievances were pending before 1<sup>st</sup> January, 2021. During the said period 1544 grievances have been disposed off and action is being taken for disposal of remaining grievances on priority basis.

### 43. DEPARTMENT ACCOUNTING ORGANISATION

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

2. As per Rule 70 of GFRs 2017, the Secretary of a Ministry/Department who is the Chief Accounting Authority of the Ministry/Department shall:-
  - (i) Be responsible and accountable for financial management of his Ministry or Department.
  - (ii) Ensure that the public funds appropriated to the Ministry are used for the purpose for which they were meant.
  - (iii) Be responsible for the effective, efficient, economical and transparent use of the resources of the Ministry in achieving the stated project objectives of that Ministry, whilst complying with performance standards.
  - (iv) Appear before the Committee on Public Accounts and any other Parliamentary Committee for examination.
  - (v) Review and monitor regularly the performance of the programs and projects assigned to his Ministry to determine whether stated objectives are achieved.
  - (vi) Be responsible for preparation of expenditure and other statements relating to his Ministry as required by regulations, guidelines or directives issued by Ministry of Finance.
  - (vii) Shall ensure that his Ministry maintains full and proper records of financial transactions and adopts systems and procedures that will at all time afford internal controls.
  - (viii) Shall ensure that his Ministry follows the Government procurement procedure for execution of works, as well as for procurement of services and supplies and implements it in a fair, equitable, transparent, competitive and cost-effective manner.
  - (ix) Shall take effective and appropriate steps to ensure his Ministry:-
    - (a) Collects all moneys due to the Government and
    - (b) Avoids unauthorized, irregular and wasteful expenditure.
3. As per Para 1.2.2 of Civil Accounts Manual, the Chief Controller of Accounts for and on behalf of the Chief Accounting Authority is responsible for :-
  - (a) Arranging all payments through the Pay and Accounts Offices/Principal Accounts Office except where the Drawing and Disbursing Officers are authorized to make certain types of payments.
  - (b) Compilation and consolidation of accounts of the Ministry/ Department and their submission in the form prescribed, to the Controller General of Accounts; preparation of Annual Appropriation Accounts for the Demands for Grants of his Ministry/Department, getting them duly audited and submitting them to the CGA, duly signed by the Chief Accounting Authority.

- (c) Arranging internal inspection of payment and accounts records maintained by various subordinate formations and Pay and Accounts Offices of the Department and inspection of records pertaining to transaction of Government Ministries/Departments, maintained in Public Sector Banks.
4. The Chief Controller of Accounts, Ministry of Law and Justice, Supreme Court of India performs its duties with the assistance of two Pr. Accounts Officers and four Pay and Accounts Officers amongst other staff.
5. The Ministry of Law and Justice, Supreme Court has 51 DDOs including 32 CDDOs and 19 NCDDOs. The non-cheque drawing DDOs submit bills to the Pay and Accounts Office under pre-check system of payment. The PAO-wise detail of the CDDOs and NCDDOs is as under:

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

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

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

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

7. As per provisions contained in Civil Accounts Manual, Pay & Accounts offices make payments pertaining to respective Ministries/ Departments and in certain cases payments will be made by the departmental

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

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

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

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

- Consolidation of monthly accounts of Ministry and its submission to the CGA.
- Annual Appropriation Accounts.
- Statement of Central Transactions.
- Preparation of “Accounts at a Glance”.
- Union Finance accounts which are submitted to the CGA, Ministry of Finance and Principal Director of Audit.
- Payments of grants-in-aid to State Government /Grantee Institutions/Autonomous Bodies, etc.



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

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

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

12. The verification and authorization of pensionary entitlement of officers and staff members is done by the Office of the Chief Controller of Accounts on the basis of service particulars and pension papers furnished by Heads of Offices. All retirement benefits and payments like gratuity, cash equivalent to leave salary as well as payments under Central Government Employees Group Insurance Scheme; General Provident Fund

etc. are released by CCA 's office on receipt of relevant information / bills from DDOs.

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

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

There are 51 Auditee units / DDOs under various departments of Ministry of Law & Justice and Supreme Court of India excluding autonomous bodies and other grantee institutions and specific schemes under the Ministry. In the Financial Year 2021-22, **no audit activities have been carried out due to COVID-19 Pandemic and delayed approval of comprehensive annual audit plan.**

**Achievements:-** Apart from conducting audit as per comprehensive annual audit plan, periodically reminders and circulars have been sent to the concerned Offices/Departments. Till date 233 paras pertaining to the period till 2015-16; 193 pertaining to the year 2016-17, 46 paras pertaining to period 2017-18, 63 paras pertaining to period 2018-19 and 28 paras pertaining to period 2019-20 have been settled by the Internal Audit Wing. No audit was conducted during F.Y 2020-21 in the wake of COVID-19 pandemic. However, the Current status of outstanding internal audit paras are appended below:–

F.Y.	Number of outstanding paras	Number of paras dropped	Number of paras remaining
Till 2015-16	323	233	90
2016-17	251	193	58
2017-18	60	46	14
2018-19	138	63	75
2019-20	115	28	87
	<b>887</b>	<b>563</b>	<b>324</b>

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

## 15. New Initiatives:-

### i. Public Financial Management System

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

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

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

#### **Modules to implement the Mandate**

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

#### I. Fund Flow Monitoring

- (a) Agency registration
- (b) Expenditure management and fund utilisation through PFMS EAT module
- (c) Accounting Module for registered agencies
- (d) Treasury Interface
- (e) PFMS-PRI fund flow and utilization interface
- (f) Mechanism for State Governments towards fund tracking for State schemes
- (g) Monitoring of Externally Aided Projects (EAP):

#### II. Direct Benefit Transfer DBT modules

- (a) PAO to beneficiaries
- (b) Agency to beneficiaries

- (c) State treasuries to beneficiaries

III. Interfaces for Banking

- (a) CBS
- (b) India Post
- (c) RBI
- (d) NABARD & Cooperative Banks

**Modules to implement Enhanced mandate:**

IV. PAO Computerization-Online payments, receipts and accounting of Govt. of India

- (a) Programme Division module
- (b) DDO module
- (c) PAO module
- (d) Pension module
- (e) GPF & HR module
- (f) Receipts including GSTN
- (g) Annual Financial Statements
- (h) Cash Flow Management
- (i) interface with non-civil ministries

V. Non-Tax Receipt Portal

**Other Departmental Initiatives:-**

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

VI. Interface for MHA (Foreigners Division) Monitoring of Agencies receiving fund under FCRA

VII. CBDT PAN Validation

VIII. GSTN bank account validation

**Implementation Strategy:-**

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

**Improved Financial Management through:**

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

**Strategy:**

- Universal rollout of PFMS which *inter alia* includes

- Mandatory registration of all Implementing Agencies (IA) on PFMS and
- Mandatory use of Expenditure Advance & Transfer (EAT) Module of PFMS by all IAs

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

Activities to be completed

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

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

Activities to be undertaken by states

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

**Out of four (04) Pay & Accounts Offices viz. PAO(LA), PAO(LD), PAO(EO) & PAO(SCI) under Ministry of Law & Justice and Supreme Court of India, roll out of payment and accounting module of Public Financial Management System (PFMS) in three (03) Pay & Accounts Offices viz. PAO(LA), PAO(LD) & PAO(EO) has been successfully implemented in 2020-21 except PAO(SCI), which is still working on COMPACT as permitted by the CGA.**



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

<b>1. Implementation of CDDO Module for electronic payments by CDDOs</b>				
Ministry/ Department	Total No. of CDDOs	No. of CDDOs on board PFMS	Remaining No. of CDDOs	Month-wise plan for bringing on board PFMS
				March 22
M/o Law & Justice	32	31	1	1

<b>2. Employee Information System (EIS) Module</b>				
Ministry/ Department	Total No. of DDOs	No. of DDOs on board PFMS	Remaining No. of DDOs	Month-wise No. of DDOs to be onboarded
				March 2021
M/o Law & Justice	51	46	5*	3**

\* In two (02) DDOs EIS is not required at present.

\*\* Matter has been taken up with O/o CGA3.

<b>3. Non Tax Receipts Portal (NTRP) Module</b>			
Ministry/Department	Total No. of PAOs	No. of PAOs on board PFMS	Remaining No. of PAOs
M/o Law & Justice	4	4	nil

## Salient Features of Appropriation Accounts 2020-21

(Rs. in crores)

<b>MAJOR HEAD</b>	<b>Budget Estimates</b>	<b>Final Estimates</b>	<b>Expenditure</b>	<b>Excess(+) Saving (-)</b>
<b><u>Grant No. 63</u></b>				
2052-Secretariat General Services	147.43	131.06	115.60	-15.46
2014-Administration of Justice	442.87	389.18	380.80	-8.38
2015-Election	487.00	73.45	71.15	-2.30
2020-Collection of Taxes on Income & Expenditure	122.90	112.70	95.81	-16.89
2070-Other Administrative Services	14.80	9.91	9.70	-0.21
2552-North Eastern Areas	105.00	5.00	0	-5.00
3601-Grants-in-Aid to State Governments.	780.00	707.00	706.81	-0.19
3602-Grants-in-Aid for UT Governments	50.00	51.65	51.65	0
4070-Capital Outlay on Other Administrative Services	200.00	286.00	286.00	0
Amount surrendered during the year	-680.05			
<b>Total</b>	<b>2350.00</b>	<b>2446.00</b>	<b>1717.52</b>	<b>-728.48</b>
<b><u>Appropriation No.65- Supreme Court of India</u></b>				
MH-2014 Administration of Justice (Charged)	308.61	328.00	327.99	-0.0001

(Source : Appropriation Accounts 2020-21)

## CHAPTER-III

### DEPARTMENT OF JUSTICE

#### 1. ORGANISATION AND FUNCTIONS:

Department of Justice forms part of the Ministry of Law and Justice. It is headed by Minister, Law & Justice. The Secretariat is headed by Secretary (Justice). The organizational setup includes one Additional Secretary, three Joint Secretaries, seven Directors/Deputy Secretaries and eleven Under Secretaries. The sanctioned strength of the Department of Justice is 101, out of which, 44 posts are lying vacant. Out of 57 present incumbents, only 09 women officers/officials are working in this Department. The Organisational Chart of the Department of Justice is at **Annexure-X**.

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

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

## **2. APPOINTMENTS AND TRANSFER OF JUDGES**

### **2.1 SUPREME COURT OF INDIA:**

As on 31.12.2021, against the sanctioned strength of 34 Judges in the Supreme Court, 33 Judges (including Chief Justice of India) are in position, leaving 01 vacancy to be filled. At present, 04 women Judges are functioning in the Supreme Court of India. During the period 01.01.2021 to 31.12.2021, 09 Judges were appointed in the Supreme Court.

### **2.2 HIGH COURT:**

- (i) As on 31.12.2021, the Sanctioned Strength of Judges in the High Courts is 1098 against which 688 Judges are working and 410 vacancies of Judges are there in the High Courts. At present, 158 recommendations for the post of Judges have been received from various High Court Collegiums and are under processing with the Government and the Supreme Court Collegium. Recommendations against remaining 252 posts are yet to be received from High Court Collegiums.
- (ii) During the period 01.01.2021 to 31.12.2021, 120 fresh Judges were appointed in the High Courts and 63 Additional Judges were appointed as Permanent Judges. Further, appointment of 11 Chief Justices of High Courts was done. 06 Chief Justices and 27 Judges of High Courts were transferred from one High Court to another. 02 Additional Judges were given a fresh term.
- (iii) The Judge strength of Tripura High Court enhanced by 01 post and of Telangana High Court by 18 posts, thus increasing the Approved Judge Strength in the Tripura High Court to 05 Judges and Telangana High Court to 42 Judges

## **3. FAST TRACK COURTS:**

Fast Track Courts (FTCs) are set up by the State Governments as per their need and resources in consultation with the High Courts concerned. 14<sup>th</sup> Finance Commission recommended 1800 FTCs for dealing cases of heinous crimes, civil cases involving senior citizens, women, children, disabled and litigants affected with HIV /AIDS and other terminal ailments; civil disputes involving land acquisition and property/rent disputes pending for more than 5 years and urged State Governments to utilize enhanced fund made available through devolution. 898 FTCs are functional in 22 States (as on 31.12.2021).

## **4. SPECIAL COURTS FOR TRIAL OF CRIMINAL CASES INVOLVING ELECTED MPS/ MLAS:**

In compliance to Hon'ble Supreme Court Judgment in Ashwini Kumar Vs UoI(WP (C) 699 of 2016)10 Special courts (02 Special Courts in Delhi, and 01 each in the State of Andhra Pradesh, Telangana, Karnataka, Tamil Nadu, Maharashtra, Madhya Pradesh, Uttar Pradesh and West Bengal) are functional for expeditious trial and disposal of criminal cases involving elected MPs/MLAs.

## **5. FAST TRACK SPECIAL COURTS:**

In pursuance of the Criminal Law (Amendment) Act, 2018, and direction of Hon'ble Supreme Court in Suo Motu Writ (Criminal) No. 1/2019 dated 25<sup>th</sup> July, 2019, Union of India started a Centrally Sponsored Scheme in October 2019 for setting up of 1023 Fast Track Special Courts (FTSCs) including 389 exclusive

POCSO (e-POCSO) courts across the country for expeditious trial and disposal of pending cases related to rape and Protection of Children from Sexual Offences (POCSO) Act, 2012. The Scheme had been initiated for a period of one year with project cost of Rs. 767.25 crore with Central share of Rs.474 crore to be incurred from Nirbhaya Fund. Based on pending cases (as on 31.03.2018) 1 FTSC was earmarked for 165 cases. However, in a State/UT where number of pending cases were less than 165 but 65 and above, 1 FTSC was provisioned. Out of 31 State/UTs eligible for the scheme where pending cases reported 65 and above, 28 have joined the scheme, (WB, Arunachal Pradesh and A&N Island are yet to join). Rs.140 Cr. was released as central share in 2019-20 and Rs.160 Cr. was released in F.Y. 2020-21. Continuation of the scheme has been approved up to March 2023 at a total outlay of Rs.1572.86 Cr. with Rs.971.70 Cr. as central share. During current FY 2021-22 an amount of Rs.62.23 Cr. is released (up to December, 2021). 700 FTSCs including 383 exclusive POCSO Courts are operational in 27 States / UT (as of 31.12.2021) which disposed more than 73,600 pending cases. States/UTs are being pursued constantly for setting up of remaining FTSCs including e-POCSO Courts and robust implementation of the scheme.

## **6. NATIONAL JUDICIAL ACADEMY:**

**6.1** The National Judicial Academy (NJA), Bhopal is an autonomous body established in 1993 under the Societies Registration Act, 1860. This independent body functions with its office at the Supreme Court of India and its campus at Bhopal, Madhya Pradesh. This is an Apex body which imparts judicial training to Judges/Judicial Officers of the country and provides facilities for training of ministerial officers working in the Supreme Court, study of court management and administration of justice in the State/Union Territories, organizing conferences, seminars, lectures and research in matters relating to court management and administration. The core objectives of the said Academy have been to foster development of national judiciary in the country and strengthen administration of justice, judicial education, research and policy formulation.

**6.2** The Hon'ble Chief Justice of India (CJI) is the Chairman of the General Body of the NJA as well as of the Governing Council and the Academic Council of NJA. The affairs of the Academy are managed by a Governing Council. The Academy is fully funded by the Government of India. It has a Director as the Principal Executive Officer. In FY 2021-22, a total of Rs.34.25 crore (RE) has been allocated to National Judicial Academy. During the year, 18 academic programmes, were conducted for judicial officers from India and abroad.

## **7. eCOURTS MISSION MODE PROJECT:**

As part of the national eGovernance Plan, the eCourt project is an integrated Mission Mode Project under implementation since 2007 for the ICT development of the Indian Judiciary based on the "National Policy and Action Plan for Implementation of Information and Communication Technology in the Indian Judiciary". The e-Court Integrated Mission Mode Project was launched with the objective of improving access to justice using technology. Under this project, 18,735 courts, across the country, have been computerised, so far with software compatibility and interoperability. So far, out of total outlay of Rs. 1670 crore, the Government has released a sum of Rs. 1620.54 crore as on 31.12.2021 to various organizations involved in the implementation of the project.

### **(a) Wide Area Network (WAN) Connectivity:**

The Wide Area Network (WAN) Project under eCourts project is aimed at connecting all District and

Subordinate court complexes, spread across the country using various technologies like OFC (Optical Fiber Cable), RF (Radio Frequency), VSAT (Very Small Aperture Terminal). For this purpose, Rs. 275.34 crore has been released to BSNL till date. So far, 2956 sites have been commissioned out of 2992 sites with 10 Mbps to 100 Mbps bandwidth speed (completing 98.7% sites). This forms the backbone for the eCourts project ensuring data connectivity in courts across the length and breadth of the country.

Many courts under the eCourts project are located in far flung areas, termed as Technically Not Feasible (TNF) sites, where terrestrial cable cannot be used. These sites are being connected using every possible alternative means like OFC (Optical Fiber Cable), RF (Radio Frequency), VSAT (Very Small Aperture Terminal), Submarine cable etc. With persistent deliberations, meetings and coordination with different stakeholders, the Department has been able to reduce the total TNF sites from 58 in 2019 to 11 in 2021. For these 11 sites also, Work Order has been issued.

**(b) Case Information System:**

Case Information Software (CIS) which forms the basis for the eCourt services is based on customized Free and Open-Source Software (FOSS) which has been developed by NIC. Currently, CIS National Core Version 3.2 is being implemented in District Courts and the CIS National Core Version 1.0 is being implemented for the High Courts.

Every single case has been provided a Unique Identification code which is called CNR number and QR Code. This has led to the development of National Judicial Data Grid (NJDG) as a new communication pipeline for judicial data transmission.

**(c) Covid-19 Software Patch:**

A new software patch and court user manual for COVID-19 management has also been developed. This tool will help in smart scheduling of cases thereby enabling judicial officers to retain urgent cases and adjourn cases not urgent on cause list. A user manual for this patch has also been issued for the ease of the stakeholders.

**(d) e-Court Services:**

As part of eCourt project, 7 platforms have been created to provide real time information on case status, cause lists, judgements etc. to lawyers/Litigants through SMS Push and Pull (2,00,000 SMS sent daily), Email (2,50,000 sent daily as on 31<sup>st</sup> December 2020), multilingual and tactile eCourts services Portal (35 lakh hits daily), JSC (Judicial Service centres) and Info Kiosks. In addition, Electronic Case Management Tools (ECMT) have been created with Mobile App for lawyers (total 70.04 lakh downloads till 1<sup>st</sup> December 2021) and JustIS app for judges (16,751 downloads till 2<sup>nd</sup> December 2021). JustIS mobile app is now available in iOS as well.

**(e) National Service and Tracking of Electronic Processes:**

National Service and Tracking of Electronic Processes (NSTEP) has been launched for technology enabled process serving and issuing of summons. A GPS enabled device is given to the Bailiff for the service of summons leading to greater transparency and speedy delivery of processes. It provides real time status update of service of summons besides tracking of geographical coordinates of the process server at the time of serving. It has currently been implemented in 26 High Courts.



**(f) National Judicial Data Grid:**

Using NJDG developed under the eCourts Project, with elastic search technology, lawyers and litigants can today access case status information of 19.76 crore cases and more than 15.99 crore orders/judgments. Access has now been provided to data of all High Courts and District Courts in the country. This is an important tool to identify, manage and reduce case pendency. Recently a feature for showing the reason for delay in disposal of the case has been added. In consonance with the National Data Sharing and Accessibility Policy (NDSAP) announced by the Government of India, Open Application Programming Interface (API) has been provided to the Central & State Government to allow easy access to the NJDG data using a departmental ID and access key. This will allow the institutional litigants to access the NJDG data for their evaluation and monitoring purposes. To track cases related to land disputes, Land Records data of 26 States have been linked with NJDG.

**(g) Virtual Courts:**

Fifteen Virtual Courts have been set up at Delhi (2), Haryana, Tamil Nadu, Karnataka, Kerala (2), Maharashtra (2), Assam, Chhattisgarh, Jammu and Kashmir (2), Uttar Pradesh and Odisha to try traffic offences. The concept is aimed at reducing the footfalls in the court by eliminating the presence of the violator or advocate in the court. Virtual court can be managed by a virtual judge (which is not a person but an algorithm) whose jurisdiction can be extended to the entire state and working hours can be 24x7. As on 03.12.2021, these courts have over 1.07 crore cases (1,07,76,889) and realised Rs. 201.96 cr. in fines. In November 2020, Delhi High Court has issued “Digital NI Act Courts-Project Implementation Guidelines” and set up 34 Digital Courts dealing with Negotiable Instruments Act cases. Besides being paperless, such Courts are environmentally friendly and have also led to saving of judicial manpower and added to the convenience of the citizens.

**(h) Video Conferencing:**

Video conferencing emerged as the mainstay of the Courts during the COVID lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. Since Covid lockdown started, the District courts heard 1,08,36,087 cases while the High Court heard 57,39,966 cases (totalling 1.65 cr) till 30.11.2021 using video conferencing only. The Supreme Court had 1,50,692 hearings till 29.10.2021 since the beginning of the lockdown period. To bring about uniformity and standardization in the conduct of VC, an overarching order was passed by the Hon’ble Supreme Court of India on 6<sup>th</sup> April 2020 which gave legal sanctity and validity to the court hearings done through VC. Further, VC rules were framed by a 5 Judge Committee which was circulated to all the HCs for adoption after local contextualization. So far, the VC rules have been adopted by 21 HCs. Additionally, under the jurisdiction of 28 High Courts, 22 District Courts have adopted the Video Conferencing rules as on 30.11.2021. One video conference equipment each has been provided to all Court Complexes including taluk level courts and additionally funds have been sanctioned for additional VC equipment for 14,443 court rooms. Funds for setting up 2506 VC Cabins have been made available. Additional 1500 VC Licenses have been acquired. VC facilities are already enabled between 3240 court complexes and corresponding 1272 jails. Mobile Vans having Video Conferencing facility has been started for the convenience of the lawyers and Litigants in Telangana and Uttarakhand.

Live Streaming of video conferencing of proceedings has been started in High Courts of Gujarat, Orissa and Karnataka thus allowing media and other interested persons to join the proceedings. Under the guidance of eCommittee, Supreme Court of India, a sub-committee was constituted for framing Model Rules for Live Streaming. The said rules have been forwarded to Computer Committee of High Courts for the feedback and suggestions.

**(i) e-Filing:**

An e-filing system (version 1.0) was rolled out for the electronic filing of legal papers. This allows the lawyers to access and upload documents related to the cases from any location 24X7 which makes coming to the court for filing of papers unnecessary. Further the details of the case entered in the eFiling application are consumed in the CIS software and hence chances of mistakes are minimized.

Draft e-Filing rules have been formulated and circulated to the High Courts for adoption. A total of 14 high Courts have adopted the model rules of e-Filing as on 30.11.2021. Additionally, under the jurisdiction of 28 High Courts, 14 District Courts have adopted the model rules of e-Filing as on 30.11.2021. An SOP has been formulated by a High-level committee comprising of judges of High Courts for providing a uniform set of guidelines for usage of e-Filing in Courts.

The new and upgraded e-filing 3.0 Portal was inaugurated in April 2021 and is accessible on <https://filing.ecourts.gov.in>. In the new version, new tab is provided which allows Advocates and litigants to record their oath with in-system video recording while uploading documents. The new version has also provided new dashboard including the options of my partners, Case Filing, Vakalatnama, pleading, e-payments, applications and portfolio. Help section provided in the new version provides tutorial videos, FAQ and user manual. It also provided option to litigant to send offer to the Advocates. The new portal also provides the option of indexing of the documents for the Advocates.

To promote e-Filing, all Central & State Government departments including the PSUs have been requested to use e filing in all commercial disputes coming up in the commercial courts. Instructions have been issued by eCommittee to all HCs to ensure that all Government litigation should be e-filed by January 2022. A similar communication has also been shared by the DoJ to all Ministries requesting to use e filing in all Government litigation by January 2022. Between March 2020 and November 2021, 1,20,241 cases were filed in High Courts and 1,90,039 were filed in District & Taluka Courts using eFiling facility.

**(j) e-Sewa Kendras:**

To make justice delivery inclusive and to mitigate handicaps caused by digital divide, 447 e-Sewa Kendras have been rolled out to provide e-filing services to lawyers and litigants. A Nyay Kaushal Centre has been started in Nagpur to provide all e-facilities.

**(k) e-Payments:**

e-Filing of cases requires facilities for ePayments of Court Fees which includes court fees, fines and penalties which are directly payable to the Consolidated Fund. e-Filing of cases requires facilities for ePayments of court fees. Online payment of court fees, fines and penalties has been initiated through <https://pay.ecourts.gov.in>. Introduction of electronic collection of court fees and other civil payments requires appropriate amendments in the existing Court Fees Act.

A total of 15 High Courts namely Allahabad, Bombay, Calcutta, Chhattisgarh, Delhi, Gauhati – Assam, Himachal Pradesh, Madhya Pradesh, Madras, Manipur, Orissa, Patna, Punjab & Haryana, Rajasthan and Sikkim have implemented ePayments in their respective jurisdictions whereas the Court Fees Act has been amended in 22 High Courts till 30.11.2021.

**(l) Judgment & Order Search Portal:**

A ‘Judgment & Order Search’ portal has been inaugurated for the convenience of stakeholders in searching judgments easily. The new portal for judgments search is set to provide a repository for Judgments and Final Orders of the High Courts. The ‘Judgment Search’ segment could be reached at <https://judgments.ecourts.gov.in>, which encapsulates the features such as search by Bench, Case Type, Case Number, Year, Petitioner/ Respondent Name, Judge Name, Act, Section, Decision: From Date, To Date and Full Text Search.

**(m) Justice Clocks:**

To make effective use of database created through National Judicial Data Grid (NJDG) and to make the information available to public, LED Display Message Sign Board System called Justice Clocks have been installed. The purpose of Justice Clock is to bring awareness to the public about justice sector, advertising the various schemes of the department and to give status of various fields to the public, thereby providing information about disposal by courts, various schemes and services offered in the court complexes and to give status of various fields to the public and other information through which the citizens can benefit.

A total of 29 Justice Clocks in 19 High Courts (Allahabad (Allahabad and Lucknow), Andhra Pradesh, Chhattisgarh, Gauhati (4 benches - Arunachal Pradesh, Mizoram, Nagaland, Assam), Calcutta, Jharkhand, Meghalaya, Manipur, Madhya Pradesh (3 benches), Orissa, Madras (2 benches), Tripura, Kerala, Sikkim, Rajasthan (2 benches), Himachal Pradesh, Uttarakhand, Delhi and Karnataka (3 benches) has already been installed. One Justice Clock is also installed at Department of Justice, Jaisalmer House.

**(n) IEC Campaign and e-Courts Outreach Activities:**

A divyang friendly website developed on S3WaaS platform has been launched exclusively for the e-Committee in 13 languages. This website disseminates the e-Courts Project related information to all stakeholders. Provision has been made for the High Courts to upload their achievements and their best practices. The e committee website has also been linked to the website of the DoJ.

Towards creating awareness and familiarization of e-Filing amongst lawyers, Webinars on e-Filing for Tamil Nadu, Goa, Maharashtra and Delhi Bar Council was organized during June 2020 which had more than 19,000 viewers. A Manual on e-Filing entitled as “Step by Step Guide for e-Filing” has been prepared and made available on the e-Filing portal, in both English and Hindi, for use of advocates and litigants. It has also been released in 11 regional languages. The e-Committee, Supreme Court of India has issued user manual for e-Courts Services Mobile Application and uploaded it on the official website of e-Committee in 14 languages namely English, Hindi, Bengali, Assamese, Gujarati, Kannada, Khasi, Malayalam, Marathi, Nepali, Odia, Punjabi, Tamil and Telugu. A Brochure in English and Hindi on “How to register for e-Filing” has been made available on the e-Filing portal for the use of lawyers. It has also been released in 12 regional languages. As part of awareness campaign, a YouTube Channel has been created in the name of e-Courts Services

where video tutorials on e-Filing have been made available for larger outreach to stakeholders. 12 self-help videos on e-Filing in 7 regional languages apart from Hindi and English was prepared and circulated for the advocates as part of awareness raising programme. To conduct awareness programme for advocates on e-Filing and ECMT tools under e-Court Services, training of trainers has already been undertaken by e-Committee of the Supreme Court at the National and State level. 25 Master Trainers have been trained in each High Court who in turn have already trained 5409 Master Trainers across the country. These, 5409 Master Trainers have in turn imparted training programme on eCourt Services and e-Filing in each district of the country for advocates in their regional languages and also identified Master Trainer Advocates.

The e-Committee of the Supreme Court of India has conducted trainings and awareness programmes on the ICT services provided under the e-Courts project, from May 2020 to November 2021. These programmes have covered nearly 3,02,614 stakeholders, including High Court Judges, Judges of the District Judiciary, Court Staff, Master Trainers among Judges/DSA, Technical Staff of High Courts, and Advocates. One member of the staff in each court of the District Judiciary has been trained totalling to around 69,750. Awareness webinars for Advocates which have generated 96,775 views.

**(o) Vision Document for Phase III:**

A draft vision document has been formulated by an ‘Expert Sub-Committee’, under the purview of the Chairman, e-Committee, Supreme Court of India, for visualising the various aspects and road map for Phase III. The said draft is majorly categorised under four building blocks which are namely, core values, Whole-of-system approach, Adoption frameworks and Governance framework. The key goals enshrined for Phase III include ensuring the installation of relevant hardware, creating the digital infrastructure and focusing on the services provided. Apart from that the draft covers various aspects such as operationalisation of phase III, change in management & adoption, procurement, monitoring & evaluation framework.

**(p) Awards and Recognition:**

As per data published on Electronic Transaction Aggregation & Analysis Layer (e-Taal) portal, e-Courts is leading among top 5 MMPs in India with total 528 Cr e-transactions in last one year.

e-Courts services has been awarded the prestigious Digital India Award 2020 instituted under the aegis of the National Portal of India for Excellence in Digital governance.

## **8. NATIONAL MISSION FOR JUSTICE DELIVERY AND LEGAL REFORMS:**

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

### **8.2 Advisory Council**

To advise on the goals, objectives and strategies of the National Mission and the Action Plan and its

implementation, an Advisory Council has been constituted under the Chairmanship of Minister of Law and Justice with wide ranging membership which include Minister of State in the Ministry of Home Affairs; Chairperson of the Department-related Parliamentary Standing Committee on Personnel, Public Grievance, Law and Justice; Minister of Law & Courts, Andhra Pradesh; Minister of Law, Justice & Parliamentary Affairs, Jammu & Kashmir; Attorney General of India; Chairperson, Law Commission of India; Secretary, Department of Legal Affairs; Secretary, Legislative Department; Solicitor General of India; Secretary-General, Supreme Court of India; Director, National Judicial Academy; and Chairman, Bar Council of India. Secretary, Department of Justice is the Convener of the Advisory Council. An Action Plan of the National Mission was formulated covering 5 strategic initiatives which are reviewed by the Advisory Council of the National Mission from time to time. The Advisory Council meets once in six months. Eleven meetings of the Advisory Council have been held so far.

### 8.3 Subordinate Judiciary

As per the Constitutional framework, the selection and appointment of judges in subordinate courts is the responsibility of the High Courts and State Governments concerned. As per information made available by the High Courts and respective State Governments, as on 08.12.2021 the sanctioned strength of Judicial Officers of District and Subordinate Courts is 24489. The number of Judicial Officers in position and vacant posts is 19292 and 5197 respectively.

### 8.4 Pendency in Courts

The status of pendency of cases in various courts in the country is given below:

Supreme Court*(as on 08.11.2021)	70,038
High Courts** (as on 08.12.2021)	56,43,252
District and Subordinate Courts** (as on 08.12.2021)	4,10,56,974

\*As per Supreme Court website

\*\*As per NJDG portal

At present, quarterly statistics relating to the total number of civil and criminal cases pending before the Supreme Court, High Courts and District & Subordinate Courts are made available by the Supreme Court. In addition, the National Judicial Data Grid (NJDG), provides data on cases pending in the District Courts and High Courts across the country. NJDG has been appreciated and acknowledged by the World Bank in the Ease of Doing Business Report, 2020 as an effective tool for generation of Case Management Reports.

A series of provisions have been introduced in procedural laws to enable the expeditious disposal of criminal and civil cases. In case of civil trials, relevant amendments to the Code of Civil Procedure (CPC) including provisions limiting the number of adjournments that may be granted to each party, allowing service of summons through email; providing for dismissal of suit where summons are not served in consequence of plaintiff's failure to pay costs; and limiting the time limit for filing of written statement by the defendant. Similarly, in the Code of Criminal Procedure (Cr.P.C.) several amendments have been made to ensure speedy disposal. These include, amendment of Section 309, Cr.P.C. to discourage unnecessary adjournments; amendment of Section 320, Cr.P.C. to rationalise the list of compoundable offences; insertion of a new Chapter XXIA



on plea bargaining; insertion of Section 436A for release of undertrial prisoners who have undergone half of the maximum imprisonment; and permitting the use of audio/video technology in criminal cases.

### **8.5 Reforms under Enforcing Contracts Indicator of World Bank's Doing Business Report:**

World Bank Report on Doing Business measures regulations that enhance business activity and those that constrain across 11 indicators. Department of Justice (DoJ) is the nodal department for the Enforcing Contract indicator. The performance of any country in "Enforcing Contracts" indicator is measured against the time taken for disposal of a commercial dispute; costs involved in resolving a commercial dispute; the quality of judicial processes and good practices followed by the commercial courts.

This department has created a Task force under the Chairmanship of Secretary, Department of Justice, with members from the Department for Promotion of Industry and Internal Trade (DPIIT), Department of Legal Affairs (DoLA), the High Court of Delhi, Bombay, Karnataka and Calcutta and the Law Departments of Delhi, Maharashtra, Karnataka and West Bengal and the e-Committee of the Supreme Court. The Task Force has held 12 meetings so far. The concerted efforts of the Government and the Indian judiciary in implementing reforms under the "Enforcing Contracts" Indicator has led to India's rank improving to 163<sup>rd</sup> rank in 2020 from 186<sup>th</sup> in 2014. This jump of 23 ranks is a result of the game-changing reforms undertaken by the government over the past 6 years.

#### **Enforcing Contracts indicator measures the following parameters:**

- a. Time estimates for commercial cases: This includes time taken during filing and service phase, trial and judgment phase, and enforcement of judgment phase.
- b. Cost estimates for commercial cases: This includes attorney fees, court fees (up to judgment only) and expert fees, and enforcement fees.
- c. Quality of Judicial Process Index: This includes court structure and proceedings, case management, court automation, and alternative dispute resolution.

#### **8.5.1. Following are some of the key reforms undertaken in Enforcing Contracts indicator in this year:**

The Department has spearheaded following steps for exclusive and focused attention to resolve commercial disputes expeditiously and strengthen the "Enforcing Contracts" regime and institutionalized these steps in collaboration with judiciary, as follows:

- i. For speedy resolution of commercial cases, the government introduced the Commercial Courts Act, 2015 (as amended in 2018) which led to establishment of "**Dedicated Commercial Courts**" at district level in Delhi and Mumbai. The specified value of commercial cases to be resolved in these commercial courts is starting from Rs 3 lakhs. These courts have exclusive jurisdiction as well as exclusive manpower. There are 22 Dedicated Commercial Courts in Delhi and 42 more have been notified; 6 Dedicated Commercial Courts in Mumbai; 8 Dedicated Commercial Courts in Bengaluru city and 1 Dedicated Commercial Court in Bengaluru Rural and 2 Dedicated Commercial Courts in Kolkata and 2 more to be set up. This structural reform introduced by the government is aimed at facilitating settlement of commercial disputes expeditiously for litigants and lawyers and at the same time instill confidence in the corporate investors.



- ii. To promote fair and unbiased adjudication of commercial matters, the government in collaboration with the judiciary is implementing eCourts project. Under this project, for enhancing judicial transparency and court automation, **“Random and Automatic Allocation”** of commercial cases has been made operational. All newly filed commercial cases in the Dedicated Commercial Courts are automatically and randomly allocated to the judges using the latest Case Information System (CIS 3.2) software.
- iii. **“Case Management Hearing or pre-trial conference facility”** under CPC Order XV-A of the Commercial Courts Act, 2015 introduced by the government has been made operational by this government for all commercial cases in Delhi, Mumbai, Bengaluru and Kolkata. It is held before the trial and narrows down contentious issues/evidentiary questions, expedites trial process and discourages any delay tactics. The aim is to speed up case disposal by streamlining the trial process, thus benefitting the litigants as well as lawyers.
- iv. To reinforce the Prime Minister’s flagship Digital India program, the initiatives under Enforcing Contracts indicator have galvanized efforts such as **“e-Filing Facility”**. e-filing has made filing of cases real time and online which means that cases can be filed by a lawyer from home or any location, any time 24x7. e-filing system is aimed at promoting paperless filing and create time and cost saving efficiencies by adopting technology-driven solution to file cases before courts in India.
- v. **“e-Summons”** is the process of issuing and serving the summons electronically through email followed by SMS alert which is generated through eCourt Services Portal is fully operational in Delhi and Mumbai Courts. This pioneering initiative of the government in consonance with the Digital India vision will save time and resources by automatically delivering the summons to parties in dispute. A Software patch for consuming database of companies registered with the Registrar of companies, Ministry of Corporate Affairs has been developed to facilitate sending of online summons in commercial disputes and is operational in the commercial courts of Bengaluru, Mumbai and Delhi.
- vi. The government introduced the Commercial Courts (Amendment) Act, 2018 that ushered in game-changing policy initiative of **“Pre-institution mediation and settlement”** of commercial cases where no urgent interim relief is contemplated and for this purpose, through subject expert mediators empanelled by the District Legal Services Authorities. The Pre-Institution of Mediation & Settlement (PIMS) Rules, 2018 (as amended in 2020) has been notified. This has led to dispute avoidance and reduced clogging of cases in commercial courts. In addition, it has boosted investors’ confidence in contract enforceability regime.
- vii. The vision of Digital India and the eCourts project is to transform the judicial system of the country by ICT enablement of courts. In order to enhance judicial productivity, both qualitatively & quantitatively, making the justice delivery system accessible, cost effective, reliable and transparent, **“Electronic Case Management Tools (ECMTs)”** has been introduced for both Judges and lawyers. Integration of Electronic Case Management Tools in one digital platform has been done which is a key reform under Enforcing Contracts in World Bank’s Ranking.
- viii. JustIS app is an essential tool for Judicial Officers and has been made available exclusively for India’s judicial officers to empower them. It gives a quick glance of the number of listed cases on the present day, undated cases, received by the Institution and by transfer in the last month, current

pending and disposed commercial matters in the current month. The e-Courts app aims to enhance judicial productivity and workflows by providing case information with speed and accuracy to lawyers and litigants.

- ix. The government has recognized that an effective and faster system of resolution of high value commercial disputes needs specialized forums for expeditious adjudication. **Special Commercial Benches in High Courts** have been set up in Delhi, Allahabad, Orissa, Jammu & Kashmir, Sikkim, Patna, Madras and Andhra Pradesh High Courts to hear high value commercial cases above Rs. 500 crores.
- x. 23 High Courts have established **Designated Special Courts for infrastructure projects**. High Court(s) of Calcutta, Karnataka, Allahabad and Madhya Pradesh High Courts have allocated specific days in a week for hearing of such matters so that these courts function as dedicated courts for infrastructure contracts on such days.
- xi. e-Committee, Supreme Court has enabled compliance of *three adjournment Rule* by creating the facility of colour banding. The colours provide information regarding the number of adjournments in a case.
- xii. Dedicated Websites for Commercial Courts have been developed for the High Courts of Bombay, Calcutta, Karnataka and Delhi.
- xiii. A three-month online certificate course on Business and Commercial Laws has been launched in collaboration with National Law University, Delhi.
- xiv. Ease of Doing Business Portal- DOJ has also launched the Enforcement of Contracts Portal which provides a comprehensive source of information on reforms being undertaken on the “Enforcing Contracts” parameters.

#### **8.6. Rule of Law Index (ROLI):**

The Rule of Law Index is developed and published by World Justice Project (WJP). ROLI 2021 covers 139 countries and ranks them based on the country-specific data collected across 8 factors and 44 sub-factors based on the four principles of “Accountable Government, Good Laws, Good Process and Access to Justice.” As per the latest report, India’s current rank in ROLI is 79 out of 139 countries assessed by the WJP. Department of Justice, as the nodal department, has been working with 29 stakeholder Ministry(s)/ Department(s) to improve India’s performance on 08 key indicators/factors and 44 sub-factors identified for the purpose under the GIRG (Global Indices for Reforms and Growth) exercise launched by NITI Aayog.

#### **8.7 Data Governance Quality Index(DGQI):**

The DGQI Evaluation Exercise is undertaken by DMEO and NITI Aayog to assess the data preparedness of different Central Ministries/Departments as part of its Data Governance Quality Index (DGQI) to monitor data preparedness and use of information technology. There have been two editions of this exercise DGQI 1.0 (conducted during year 2020) and DGQI 2.0 (conducted during year 2021). The Department of Justice was ranked at 8<sup>th</sup> place out of 24 Departments having secured a score of 2.98 out of 5 under DGQI 1.0. To achieve a score of 5.0 scores by December 2022, a Data Strategy Unit (DSU) was constituted on 5<sup>th</sup> July

2021 to steer the development and implementation of the action plan/roadmap. The Department has also formulated and issued Data Management Guidelines for DoJ with the aim of developing policies, programs and practices that would control, protect and enhance the value of datasets and information reported/collected by Department of Justice.

## **9. SCHEME FOR ACTION RESEARCH AND STUDIES ON JUDICIAL REFORMS:**

A Scheme for Action Research and Studies on Judicial Reforms was formulated by the Department of Justice in September, 2013 with necessary approval of Standing Finance Committee. The objective of the Scheme is to promote action research and studies in the field of Judicial Reforms. So far, 46 projects have been sanctioned under the Scheme out of which 38 projects have been completed.

## **10. CENTRALLY SPONSORED SCHEME (CSS) FOR DEVELOPMENT OF INFRASTRUCTURE FACILITIES FOR THE JUDICIARY:**

**10.1 Objective and Scope:** Development of Infrastructural Facilities for Judiciary in the States is the prime responsibility of the State Governments concerned. However, to augment the resources of the State Governments, a Centrally Sponsored Scheme (CSS) for development of infrastructure facilities for the judiciary was launched by the Central Government in the year 1993-94. The scheme used to cover construction of court buildings and residential quarters for Judges/Judicial Officers of District and Subordinate Courts. The Scheme has been extended for a further period of five years from 01.04.2021 to 31.03.2026. The scheme now also covers the construction of toilets, digital computer rooms and lawyers' hall in the district and subordinate courts.

**10.2** Since inception of the Scheme, the Central Government has provided financial assistance amounting to Rs. 8745.44 crore to State Governments / Union Territories. Out of this, an amount of Rs. 5301.13 crore has been provided since 2014-15 till 17.12.2021 (60.6%), which includes Rs. 593 crore in 2020-21 and Rs. 420.19 crore released during 2021-22 (as on 31.12.2021). As per information collected from High Courts as of December 31, 2021, there were 20,609 court halls / court rooms available for District and Subordinate Courts in the country. In addition, 2,856 court halls / court rooms were under construction. Comparing these figures with the working strength of 17,801 judges / judicial officers reported by High Courts as of 31 December 2021, adequate court rooms / court halls are available for the current working strength of judicial manpower. 3,624 Court Halls and 3,191 Residential Accommodation were constructed / completed since 2014-15 till 31.12.2021, out of these 108 court halls and 93 residential units have been constructed in the year 2021-22. Focus is now to match the availability of court rooms / court halls with the sanctioned strength of 24,489 judicial officers / judges in District and Subordinate Courts. Considerable progress has also been made with regard to availability of residential units for judicial officers in District and Subordinate Courts. As of December 2021, total number of 18,239 residential units were available and 1,760 residential units were under construction.

**10.3** After extension of the scheme and incorporation of new features therein, the Guidelines of the Scheme have been revised on 19 August 2021 for smooth and effective implementation of the Scheme. The revised guidelines include weightage criteria, a scientific formula, adopted from the year 2018-19 for inter-state distribution of funds under the Scheme. The criteria is based on 4 parameters, namely, (i) number of court halls left for construction with reference to sanctioned/working strength of judicial officers in the State/UT (ii) number of residential units left for construction with reference to sanctioned/working strength of judicial

officers in the State/UT (iii) working strength of judicial officers with reference to sanctioned strength of judicial officers in the State/UT, and (iv) pendency of 10 years and more old cases in subordinate judiciary. Based on such criteria the tentative allocation of funds to States/UTs is informed to the State Governments and UT Administrations in advance at the beginning of the financial year to enable them to submit their proposals accordingly. The guidelines also include provision of Flexi Fund scheme, as per which States/UTs, if they desire, can set aside the funds to meet local needs and requirements e.g. customization required with respect to local condition of weather, climate etc. or meet specific local demands.

**10.4 Nyaya Vikas Web Portal and Mobile App Version 2.0.** An on-line monitoring system has been developed with the technical assistance of National Remote Sensing Centre of ISRO. For the purpose, the web portal and mobile app named “Nyaya Vikas” was developed for monitoring of construction projects in 2018. The State Governments have nominated Nodal Officer at State level and Surveyors & Moderators for each project to enter and upload data/information relating to ongoing and completed projects. Based on the experience and observations of the Users at the Central and State level, Nyaya Vikas web portal and Mobile App has been upgraded and version 2.0 has been launched and is live from 01.04.2020. The Users in all States and Union Territories are entering data through web portal and uploading photographs through mobile app with geo-tagging. Total number of projects entered in the portal is 2107, including 1241 completed, 744 under construction and 122 proposed. 1873 projects have been geo-tagged.



*District Court Devengere, Karnataka*



*District Court Kunkuri, Chhattisgarh*



*District Court Rouse Avenue, New Delhi*



## 11. GRAM NYAYALAYAS:

**11.1** The Gram Nyayalayas Act, 2008 came into force with effect from 2<sup>nd</sup> October, 2009. The Act provides for establishment of Gram Nyayalayas at intermediate Panchayat level for the purpose of providing access to justice to the citizens at their doorstep. A copy of the Act has been placed on the website of Department of Justice. In terms of Section 3(1) of the Gram Nyayalayas Act, State Governments, after consultation with the High Court concerned, may, by notification, establish one or two more Gram Nyayalayas for every Panchayat at intermediate level or a group of contiguous Panchayats at intermediate level in a district or where there is no Panchayat at intermediate level in any State, for a group of contiguous group Panchayats. Establishment of Gram Nyayalayas is, therefore, not mandatory on the part of State Governments as per the Act. However, State Governments are requested from time to time to establish Gram Nyayalayas.

**11.2** Total number of 476 Gram Nyayalayas have been notified by 15 States, out of which 256 Gram Nyayalayas are functional. To encourage the states, the financial assistance is provided for non-recurring expenses for setting up of Gram Nyayalayas, and for meeting the cost of recurring expenditure towards running these Gram Nyayalayas for the first three years. The recurring and non-recurring assistance is subject to financial ceilings as provided in the guidelines of the scheme. The Central Government is providing assistance to states for Gram Nyayalayas which include Rs. 18.00 lakh per Gram Nyayalaya towards cost of establishing the Gram Nyayalaya as a Ministry of Law and Justice one-time assistance (Rs. 10 lakh for office building, Rs. 5 lakh for vehicle and Rs. 3 lakh for furnishing the office) and Rs. 3.20 lakh per Gram Nyayalaya per annum as recurring expenditure for a period of three years.

**11.3** The Gram Nyayalaya Scheme has been extended for five more years beyond 31.03.2021 i.e. upto 31.03.2026 with financial assistance of Rs.50.00 crores. The funds for the Gram Nyayalayas will henceforth be released only after they have been notified as well as made operational along with the appointment of Nyayadhikaris and reported on the Gram Nyayalayas Portal of the Department of Justice. A review of the performance of Gram Nyayalayas will be done after one year to assess its efficacy as an institution in providing speedy and affordable justice to the rural marginalised and decide on its future.

**11.4** As on December 17, 2021 a sum of Rs. 81.53 crore has been sanctioned to States so far which include Rs. 6.73 crore in 2021-22. Details are given below:

Sl. No	Name of the State	Gram Nyayalyas Notified	Gram Nyayalayas operational	Funds sanctioned so far (in Rs. lakh)
1	Madhya Pradesh	89	89	2456.40
2	Rajasthan	45	45	1240.98
3	Kerala	30	30	828.00
4	Maharashtra	36	23	660.80
5	Odisha	23	19	337.40
6	Uttar Pradesh	113	43	1323.20
7	Karnataka	2	2	25.20
8	Haryana	2	2	25.20
9	Punjab	9	2	25.20

10	Jharkhand	6	1	75.60
11	Goa	2	0	25.20
12	Andhra Pradesh	42	0	436.82
13	Telangana	55	0	693.00
14	Jammu & Kashmir	20	0	0
15	Ladakh	2	0	0
	<b>Total</b>	<b>476</b>	<b>256</b>	<b>8153</b>

## 12. DESIGNING INNOVATIVE SOLUTIONS FOR HOLISTIC ACCESS TO JUSTICE (DISHA)

The Preamble to the Indian Constitution recognizes Justice as one of the foremost deliverables to be secured for the people of India. Article 39A, enunciated in the Constitution of India, obligates the State to ensure Access to Justice and free legal aid to those deprived due to economic, geographical disparities etc. Access to Justice is recognized as a Fundamental Right under Article 14 and 21 of the Indian Constitution. Building upon this mandate, Department of Justice (DoJ) has created a new scheme Designing Innovative Solutions and Holistic Access to Justice (DISHA) for a period of five year 2021-2026. To prioritize citizen-centric justice delivery system by integrating access to justice with technology, DISHA has the objective: -

- To strengthen pre-litigation mechanism through **Tele-Law**;
- To develop an effective dispensation of pro bono legal services through **Nyaya Bandhu programme**;
- To facilitate disposal of pending cases in the courts through cadre of retired Judges called **Nyaya Mitra**; and
- To empower citizens through pan India **Legal Literacy and Legal Awareness programme**.

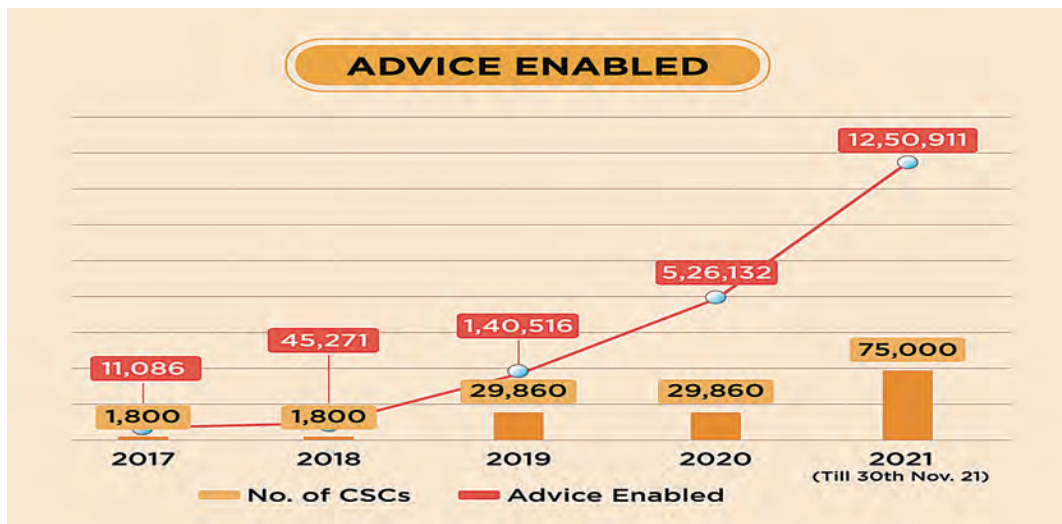
## 13. TELE-LAW: REACHING THE UNREACHED

**13.1 Tele-Law: Reaching the Unreached:** Launched in 2017, Tele-Law is an e-interface platform that aims to empower people through pre-litigation advice for rightfully claiming their entitlements and for timely redressal of their difficulties. It seeks to connect the poor and marginalized sections of society, through a dedicated pool of Panel Lawyers via video conferencing/telephonic facilities available at Common Service Centers (CSCs), which provides online Government to citizen's services through more than 4lakh network of CSCs across the country.

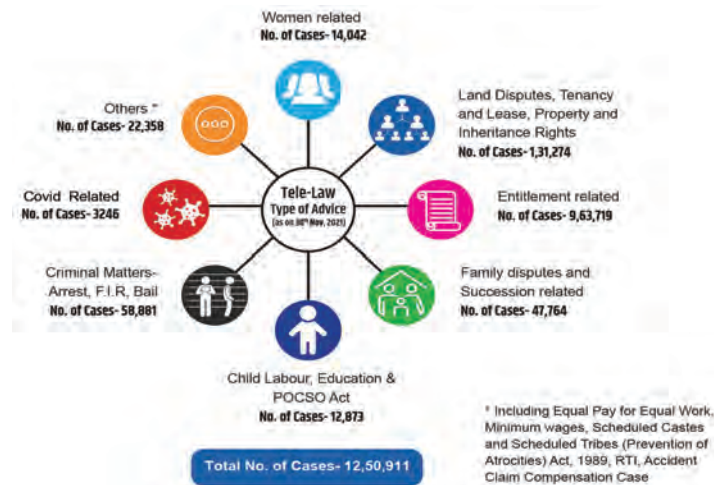
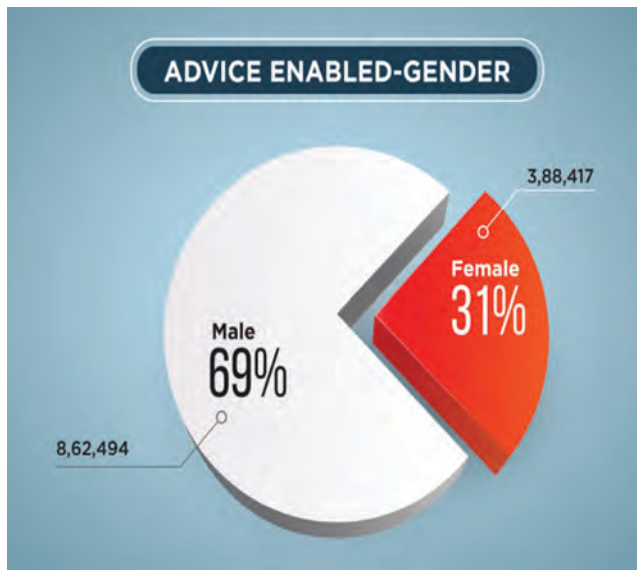
**13.2 Growth:** Initially in 2017, Tele-Law was available in 1800 CSCs in 170 districts in 11 States. Its services are expanded to cover 75,000 CSCs, in 669 districts (including 112 Aspirational Districts) across 36 States/UT in the country. Tele-Law has benefitted 12.5 lakh beneficiaries which includes 3,88,417 (Women); 3,31,822 (Scheduled Caste) 2,48,634 (Scheduled Tribe) and 1,25,0911 (OBC) beneficiaries.







### Tele-Law: Year on Year Growth 2017 –November 2021



**13.3 Voices of the Beneficiaries:** Department of Justice captures the chronicles of the beneficiaries receiving benefits in matters related to family disputes, overcoming procedural hurdles, resolution of property disputes, relief to the COVID distressed, empowering with information etc.



**13.4 Transition to Mobile App:** Citizens' Tele-Law mobile app has been launched on 13<sup>th</sup> November, 2021, which allows beneficiaries to directly connect with Panel Lawyers, through their mobile phones, free of cost. A separate Mobile App exists for Panel Lawyers. The App is available in 6 languages viz English, Hindi, Marathi, Punjabi, Tamil and Telugu. The App at present is available on Android version and can be downloaded from Google Play store. The e-tutorial to use the Mobile App is available in Hindi and English.



**13.5 Intensive People-Centric Outreach:** Joining the celebration on Azadi ka Amrit Mahotsav, intensive people-centric outreach has been undertaken to encourage and promote accessibility to pre-litigation advice. Details of the various initiatives are as under: -

**13.5.1 Tele-Law first hybrid event:** On 6<sup>th</sup> July, 2021, amidst the relaxation of COVID restrictions, Tele-Law hybrid mode event was organized wherein best-performing Tele-Law Frontline Functionaries for the year 2020-2021 were felicitated. A special Tele-Law postal cover was released in collaboration with Department of Post to mark the coverage of more than 9 lakh beneficiaries rendered with pre litigation advice. 3<sup>rd</sup> edition of the e-Booklet on Tele-Law, titled 'Voices of the Beneficiaries' was released. This event was virtually attended by more than 50,000 Frontline Functionaries across the country. A new Signboard for CSCs providing Tele-Law service, branding them as "कानूनी सलाह सहायक केंद्र", was released.





**13.5.2 EkPahal Campaign:** Region based Login Day campaign titled 'EkPahal' was conducted from 17<sup>th</sup> September to 2<sup>nd</sup> October, 2021. During this campaign, 11,140 cases were registered and advice was enabled to 7,318 beneficiaries.

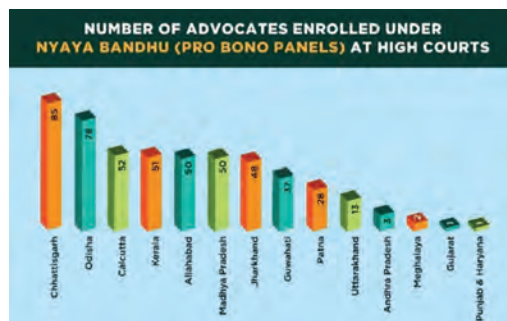


**14. NYAYA BANDHU (PRO BONO LEGAL SERVICES):** Department of Justice aims to inculcate culture for pro bono legal services and built an effective dispensation framework to deliver pro bono legal services. With the aim to create an ecosystem on Pro Bono DoJ has underlined four strategies: -

**14.1 Leveraging Technology:** Mobile Application in Android, iOS version has been developed and has been integrated with UMANG platform of MieTY. Virtual training was provided on the use of Nyaya Bandhu App. 100 Pro Bono Advocates participated in June 2021.



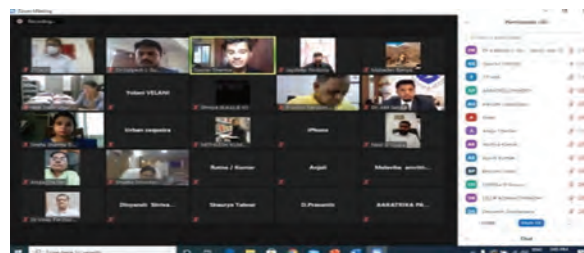
**14.2 Pro Bono Panels in High Courts** have been created with support from Registrar Generals of High Courts to provide state specific decentralized pool of Pro Bono Advocates. **14 High Courts** created Pro Bono panels at High Courts & **463 advocates** enrolled through these panels.



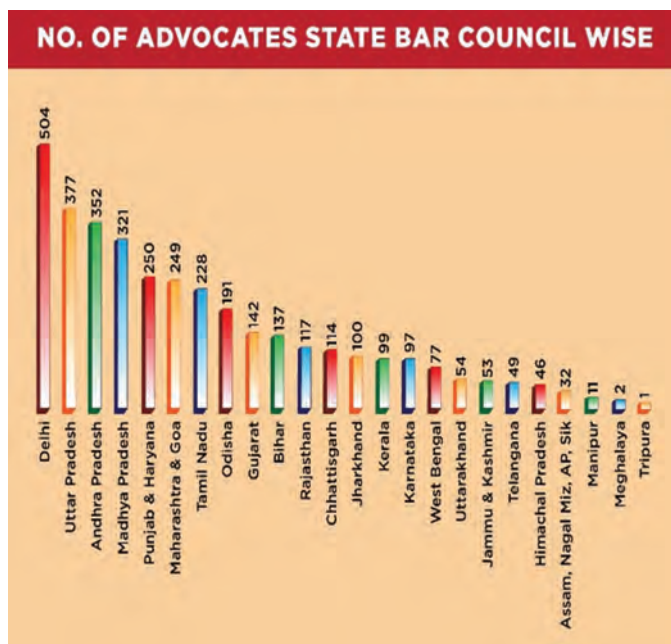
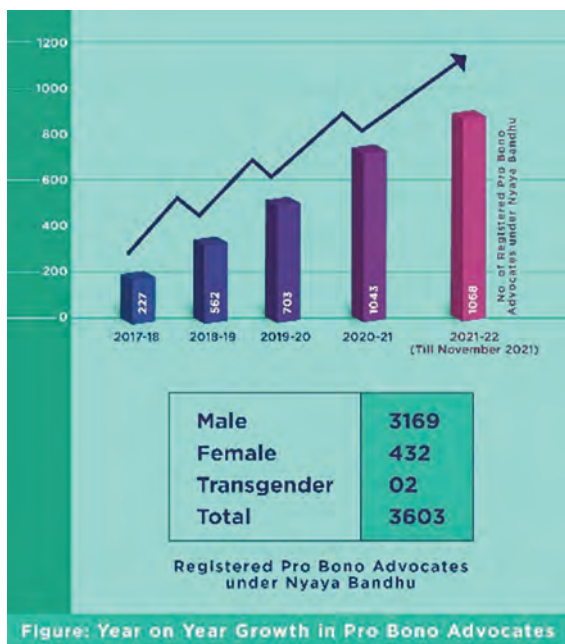
**14.3 Pro Bono Club Scheme** has been rolled out to instill in the young minds an understanding and philosophy on Pro bono and to assist the registered Pro Bono advocates in researching and legal drafting. **29 Law Schools** have agreed to be the part of the scheme.

**14.4 Fostering Alliances with Start-Ups, CSOs etc:**

In association with **Pro Bono India** -an NGO to provide an integrated platform for legal aid and awareness initiatives, DoJ undertook Students Volunteer Engagement Programme. 43 law students (from different law colleges/ universities) designated as **Pro Bono Associates** provided assistance in research to compile schemes (Central/ State); different amendments / orders/ judgments on welfare laws since 2016 onwards; updated directory of important helplines, details of District/ State Legal Service Authorities and vetted DoJ's developed IEC on legal literacy & awareness programme.



**14.5 Growth:** 3603 advocates from 24 Bar councils have joined the Nyaya Bandhu Programme. Year on Year Growth and Bar council wise representation of advocates is given below: -



## 15. PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS

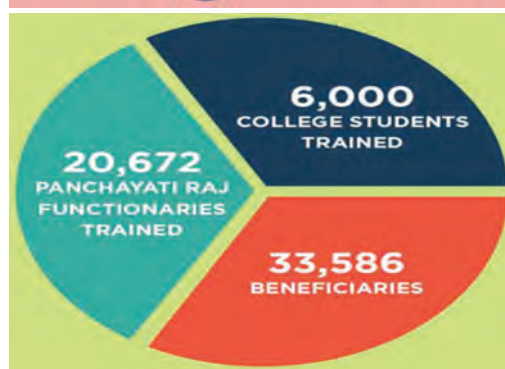
**15.1** Department of Justice has strategized a five pronged inclusive approach to address Legal Literacy and Legal awareness in the country as mentioned under:

- Forging partnerships across Ministries and allied Departments, Institutions, Schools etc;
- Facilitating capacity building of existing Grassroot/ frontline workers/ volunteers;
- Developing measurable Indicators on legal literacy and legal awareness
- Leveraging technology
- Undertaking concurrent evaluation and periodical assessment of its programmes.

**15.2** During the year, nine agencies have been engaged so far for implementation of legal literacy programmes. The achievements are as follows.

### 15.2.1 Arunachal Pradesh:

Arunachal Pradesh State Legal Services Authority (APSLSA) is implementing a project on ‘Synergy between Customary Practices of the Traditional Village Council System and Formal Laws of India’. 780 Gaon Buras/Burhis were trained and sensitized during September-November, 2021



Training conducted for Gaon Buras & Burhis in Arunachal Pradesh



### 15.2.2 Sikkim:

Legal Awareness Programme at Government College Kamrang, South Sikkim dated 18/12/2021.

Sikkim State Commission for Women (SSCW) is implementing a project on ‘Workshop/Training and Sensitization Programme on Sexual Harassment of Women at Workplace Act, 2013, Protection of Women from Domestic Violence Act 2005 and Anti-Human Trafficking. 1058 field functionaries especially Self Help Groups (SHGs) from the Dept. of Women and Child; Panchayati Raj were trained in October, 2021.



### 15.2.3 Manipur:

Department of Psychiatry, Jawaharlal Nehru Institute of Medical Sciences (JNIMS), Manipur is implementing a project proposal on “Training and Sensitization of Stakeholders against Child Sexual Abuse”. 395 participants (including media, CSOs and police officials) were trained on the implementation of POCSO Act, 2012.



## 15.3 Legal awareness through series of webinars/workshops, post COVID-19:

### 15.3.1 Webinar on Protection of Women from Domestic Violence Act, 2005:

Under the leadership of Secretary (Justice) webinar on Protection of Women from Domestic Violence Act, 2005 was successfully organised on 22<sup>nd</sup> September 2021. Speakers from MWCD, NCW, HP Police and MAJLIS addressed participants. The webinar reached out to 48,299 plus functionaries.



### 15.3.2 Webinar on Child Rights:

In collaboration with Centre for Child Rights and Juvenile Justice of National Law University, New Delhi, Department of Justice (DoJ), organised a webinar on Child Rights on the occasion of Children’s Day – 14<sup>th</sup> November 2021 and reached out to more than 17,000 functionaries.





### 15.3.3 Webinar on Fundamental Duties:

A webinar was organised on 26<sup>th</sup> November 2021 to celebrate Constitution Day and raise participants understanding on Fundamental Duties and Fundamental Rights. Eminent speakers from three National Law Universities of Delhi, Mumbai and Bengalure were invited to deliver their lectures. The webinar reached out to 24,082 participants.



### 15.3.4 Workshop on Legal Awareness at Ladakh:

Department of Justice conducted a National level Legal Awareness Workshop with District Legal Service Authority (DLSA), Leh, Ladakh on 28<sup>th</sup> October 2021. Workshop was organized to understand the region specific gaps and challenges in accessing legal aid and to explore collaboration with key stakeholders. 40 participants ensured their participation in the workshop.



### 15.4 Legal Aid Clinics:

In collaboration with Jammu and Kashmir Legal Services Authority, DoJ has completed the setting up of 50 legal aid clinics in the UT of Jammu & Kashmir and Ladakh wherein 66,000 people have been benefitted.

## 16. SECOND NATIONAL JUDICIAL PAY COMMISSION (SNJPC):

The Second National Judicial Pay Commission (SNJPC), which was constituted to review the pay structure and conditions of service of Judicial Officers in the States and UTs, submitted Part-II and Part-III of its report. Part-II of the report related to setting up of permanent mechanism for revision of pay and allowances of subordinate judiciary. In Part-III, which is a Supplementary Report, the Commission made their recommendations on premature retirement of Judicial Officers before the normal age of superannuation and also on reducing the period for restoration of commuted pension. Department of Justice finalized its views on Part-II & Part-III of the report in consultation with Department of Expenditure and Department of Pension & Pensioners' Welfare and conveyed to Supreme Court of India. SNJPC has completed its tenure, which was extended upto 30.04.2021.

## 17. AMENDMENT IN SUPREME COURT JUDGES RULES, 1959

A proposal was received from Supreme Court of India for revising the rates of post retiral benefits admissible to retired Chief Justices of India and retired Judges of Supreme Court of India. The proposal was examined in consultation with Department of Expenditure, Ministry of Finance and an amendment was made in the Supreme Court Judges Rules, 1959 vide Notification dated 18.03.2021 & 04.08.2021.

## **18. AMENDMENT IN SUPREME COURT JUDGES (SALARIES AND CONDITIONS OF SERVICE) ACT, 1958 AND HIGH COURT JUDGES (SALARIES AND CONDITIONS OF SERVICE) ACT, 1954**

An explanation clarifying the statutory provisions regarding admissibility of additional quantum of pension to retired High Court and Supreme Court Judges was inserted under Section 17B of the High Court Judges (Salaries and Conditions of Service) Act, 1954 and Section 16B of the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958.

A Bill to this effect was introduced in the Parliament and passed by both Houses of the Parliament. The Amendment Act was notified on 20.12.2021.

## **19. MEMORANDUM OF UNDERSTANDING (MOUS) SIGNED WITH OTHER COUNTRIES IN THE FIELD OF JUDICIAL CO-OPERATION**

Department of Justice has signed Memorandum of Understandings (MoUs) with eleven countries till date in the field of Judicial Co-operation as well as in the field of training and capacity building programmes for Judicial Officers.

## **20. REDRESSAL OF GRIEVANCES:**

Department of Justice (DoJ) receives large number of Citizen's grievances from citizens directly and through online CPGRAMS Portal. 10690 grievances were received from 1.1.2021 to 31.12.2021, out of which 10682 grievances were disposed off till date. The Department has been rated as one of the 20 largest grievances receiving Departments by the Department of Administrative Reforms & Public Grievances.

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

## **21. AZADI KA AMRIT MAHOTSAV**

**21.1 Pan India Login week and Tele-Law on Wheels:** Joining the country-wide celebrations of Azadi Ka Amrit Mahotsav, the Department of Justice kicked-off the week-long "Tele-Law on Wheels" campaign from 8<sup>th</sup> to 14<sup>th</sup> November, 2021, the allocated week for Ministry of Law and Justice. Dedicating this one week for ensuring Justice for All by digital legal empowerment of the needy and disadvantaged was another one in the series of Azadi ka Amrit Mahotsav events which was launched by the Hon'ble Prime Minister, Shri Narendra Modi to realize the dreams of progressive and New India and to celebrate the glorious history of our people, culture and achievements.

As part of this campaign, a series of activities were undertaken to empower people through pre-litigation advice for rightfully claiming their entitlements and for timely redressal of their difficulties. A special Login week was organized throughout the country for encouraging those in need to seek legal advice and consultation through tele-and video conferencing facilities by urging them to visit their nearest Common Service Centers(CSCs) offering Tele-Law services. These CSCs have been branded as Kanooni Salah Sahayak Kendra (कानूनी सलाह सहायक केंद्र) for this purpose.

The Tele-Law on Wheels Campaign was conducted in 16 States/UTs where in special Tele-Law branded





vans displaying the message of the campaign travelled 30–40 kilometers daily, distributing leaflets on Tele-Law, broadcasting films and radio jingles about the Tele-Law Services and helping people register their cases for Tele-Law services. 4248 awareness sessions were conducted across the country. During this week more than 52,000 people participated and advice was enabled to 17000 beneficiaries.

**21.2 Tele Law Mega Event:** A Tele Law Mega Event was held on 13<sup>th</sup> November 2021, wherein more than 65,000 people attended, both in-person and virtually. During the event, the Citizens’ Tele-Law Mobile App was launched. 126 Tele-Law Frontline Functionaries were felicitated for their hard work and effort in making Tele-Law accessible to the masses.



A host of Information, Education and Communication (IEC) material was released, in print and digital format, including a brochure with information about Tele-Law, Tele-Law movies, a new Tele-Law mascot depicted by a ‘Female Panel Lawyer holding a mobile phone’ and a new Tele-Law Logo created in-house by DoJ, taking the lead from the winning entries of online competition. Winners of the online competition for a Tele-Law logo, slogan and jingle, have also been felicitated. A virtual tour of CSCs has also been conducted during the event.







### 21.3 Pan India Legal Awareness & Outreach Campaign - NALSA

National Legal Services Authority (NALSA) also organized six-week “Pan India Legal Awareness & Outreach Campaign” from 2<sup>nd</sup> October 2021, under **Azadi Ka Amrit Mahotsav**. As a part of this campaign, Door-to-Door visits were organized reaching out to 86 cr citizens. Nearly 6 lakh Awareness Programmes were organized benefiting 26 cr citizens. More than 39,000 Legal Aid Clinics were held which assisted nearly 1.50 cr citizens. 26,460 Mobile Vans were deployed in 3.21 lakh villages which sensitized 19 cr citizens about Legal Aid services.



Marking the completion of a six-week long Pan India Legal Awareness and Outreach Campaign, the National Legal Services Authority organized a valedictory ceremony of the said Campaign at Vigyan Bhawan, New Delhi on 14<sup>th</sup> November, 2021. On the occasion of Children’s Day, NALSA launched a scheme named Legal Services for Differently Abled Children Scheme, 2021 for facilitating access to differently abled children and to extend to them the benefits of the welfare measures in order to assist them in attaining their full potential.

## **22. NATIONAL LEGAL SERVICES AUTHORITY:**

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

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

### **22.3 Functioning of NALSA:**

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

- a) To Provide Free and Competent Legal Services to the eligible persons covered under Section 12 of the Legal Services Authorities Act, 1987;
- b) To organize Lok Adalats for amicable settlement of disputes and
- c) To organize legal awareness camps in the rural areas.

### **22.4 Free Legal Services:**

The Free Legal Services include:-

- a) Payment of court fee, process fees and all other charges payable or incurred in connection with any legal proceedings;
- b) Providing service of lawyers in legal proceedings;
- c) Obtaining and supply of certified copies of orders and other documents in legal proceedings; and
- d) Preparation of appeal, paper book including printing and translation of documents in legal proceedings.
- e) During the year, total 7.11 lakh eligible persons have been benefited through legal aid services in the country.



## **22.5 Lok Adalats:**

**22.5.1** In order to facilitate alternative method of dispute resolution, NALSA conducts

Lok Adalats. It is a forum where disputes/cases pending in the court of law or at pre-litigation stage are settled/ compromised amicably. Lok Adalats have been given statutory status under the Legal Services Authorities Act, 1987. Under the said Act, the award (decision) made by the Lok Adalats is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against such an award before any court of law.

**22.5.2** There are three types of Lok Adalats namely State Lok Adalats, National Lok Adalats and Permanent Lok Adalats.

- i. State Lok Adalats are organized by the Legal Services Authorities/Committees as per the convenience/ discretion of the State/District authorities, for settlement of both pre-litigation and post-litigation cases.
- ii. National Lok Adalats are conducted quarterly for settlement of cases (both pre-litigation and post-litigation) in all the courts from the Supreme Court of India to the Taluk Courts on a single day.
- iii. Permanent Lok Adalats are permanent establishments set up in most of the Districts to provide compulsory pre-litigative mechanism for settlement of disputes related to Public Utility Services.

### **22.5.3 E-Lok Adalat:**

Each year, thousands of people through the Lok Adalats to settle their cases that are either pending or at a pre-litigation stage. However, in the scenario of pandemic when protocols of public health and social distancing were being followed, it was difficult to conduct such face-to-face settlement of disputes. As most offline services remained closed, online services became the need of the hour. In order to adapt to these challenges, the Legal Services Authorities innovatively leveraged technology and introduced E-Lok Adalats.

**22.5.4** The main objective of the E-Lok Adalats was to improve people's accessibility to this Alternative Dispute Resolution (ADR) forum during the pandemic and reduce the burden on courts by settling not only the pending cases but also cases which are at the pre-litigation stage. Another objective was to implement a cost effective and time saving mechanism of dispute resolution for the affected parties.

**22.5.5** E- Lok Adalat has been conceptualized in a way that it facilitates party interaction and the exchange of information, allowing an opportunity to effectively solve a dispute. Pre-Lok Adalat sessions are held to identify cases fit for settlement and to facilitate settlement between the parties.

**22.5.6** The first E-Lok Adalat was organized in Madhya Pradesh on 27.06.2020. Since then, 119 E-Lok Adalats have been organized in the country and a total number of 9,53,619 cases have been disposed of through the said E-Lok Adalats.

## **22.6 Legal Services Mobile Application**

The National Legal Services Authority (NALSA) launched a Legal Services Mobile Application on 8<sup>th</sup> August 2021, which can be downloaded on android mobile phones. All the services provided by Legal Services Authorities can be availed through the said mobile application. The salient features of this application are:

- i. Any citizen may apply for seeking legal assistance, legal advice and for redressal of other grievances through Mobile App.
- ii. Any citizen may track his application submitted for legal aid & advice and other grievances.
- iii. Reminder can be sent and clarifications can be sought through Mobile App.
- iv. Any victim of crime or applicant can apply for victim compensation through the Mobile App.
- v. Application for pre-institution mediation in commercial matters or application for mediation may be filed through this Mobile App.

## 22.7 Pan-India Special Campaign for creating Legal Awareness

A Pan-India Special Campaign for creating Legal Awareness was launched by NALSA through its country-wide organisational framework on 17<sup>th</sup> September 2021. The highlights of this campaign included deployment of 185 Mobile Vans and other vehicles to show-case films and documentaries on Access to Justice programme, holding of 4100 Legal Aid Clinics to give pre-litigation / legal advice to common citizens with the help of 37,000 Panel Lawyers and Para-Legal Volunteers besides holding awareness programmes at the village level on legal aid in nearly 1500 villages of 672 districts.



## 23. MISCELLANEOUS ACTIVITIES OF THE DEPARTMENT:

### 23.1 RIGHT TO INFORMATION ACT, 2005 :

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

- (a) A Section Officer of the Department has been designated as CAPIO to collect and transfer the applications under the RTI Act, 2005 to the Central Public Information Officers / Public Authorities concerned and to submit the quarterly returns, regarding receipt and disposal of the RTI applications / appeals, to the Central Information Commission .

- (b) Details of the Department's functions along with its functionaries have been placed on the RTI portal of the Department's official website (<http://doj.gov.in>) as required under section 5 (i) of RTI Act, 2005 in respect of subjects being handled by them.
- (c) The Under Secretaries / Section Officers, in accordance with subjects allocated, have been designed as Central Public Information Officers (CPIOs) under section 5 (i) of RTI Act, 2005.
- (d) All Directors / Deputy Secretary / Under Secretary Level Officers have been designated as Appellate Authorities in terms of section 19 (i) of RTI Act, 2005 in respect of Under Secretaries / Section Officers working for the allocated subjects.
- (e) During the year 2021 (01. 01. 2021) to (31. 12. 2021), 304 RTI applications and 09 Appeals were received manually and 4228 RTI Applications and 115 appeals were received online in the Department and forwarded to the concerned CPIOs / Public Authorities for providing information requested for.
- (f) As per para 1 . 4. 1 of the DOPTs guidelines issued vide their O.M. No. 1/5/2011 – IR Dated 15. 04. 2013, the Department is uploading all RTI's and Appeal's replies on the website regularly.

The details of total number of RTI applications received during 2021 are as follows:-

Matter	Online	Offline
RTI	4259	308
Appeal	115	09

### 23.2 EMPOWERMENT OF WOMEN:

Redressal of Complaints pertaining to Sexual Harassment at Workplace: In compliance of Section 4(1) of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, an Internal Complaints Committee has been re-constituted for redressal of complaints by aggrieved women employees of the Department on 24.11.2020. The Committee consists of three women employees, (including one Member from an NGO) and two male employees.

### 23.3 SWACHH BHARAT ABHIYAN:

As per policy guidelines of Government of India, *Swachh Bharat* programme has been implemented in the Department. During the year 2021-2022, '*Swachhta Pakhwada*' was observed from 01.04.2021 to 15.04.2021 and another programme namely '*Swachhta Hi Sewa*' was observed and activities like beautification of lawn, plantation of trees inside campus, extensive cleaning drive, weeding out of old records, disposal of old and obsolete items and voluntary *Shramdaan* by officers/officials of Department of Justice etc. were undertaken. During the FY 2021-22, Rs. 37 lakh was earmarked for works under *Swachhta* Action Plan for renovation of toilets and canteen area, procurement of cleaning devices and other equipment. An expenditure of Rs. 30.25 lakh has so far been incurred.



#### 23.4 Manthan - Interaction by the Hon'ble Ministers of Law & Justice with the Officers of Department of Justice on 12.10.2021 at New Delhi



#### 23.5 IMPLEMENTATION OF E-OFFICE:

In keeping with the policies of the Government for moving towards paperless office, this Department has taken the initiative to operationalize e-Office. Special steps have been taken with the help of NIC to impart training to all officers/officials on e-Office for smooth implementation and optimal utilization of eOffice system. As a result, Department of Justice is one of the top performing Ministries/Departments of Government of India who moved into complete e-Office platform. Department of Justice has already migrated to version 6.0 of eOffice as precursor to migration to version 7.0 for seamless flow of Data and information between Ministries and Departments of the Government of India

#### 24. IMPLEMENTATION OF OFFICIAL LANGUAGE POLICY:

Official Language Section has been set up in the Department. It assists in discharging the responsibilities of implementation of Official Language policy of Union of India, the Official Languages Act, 1963, the Official

Language Rules, 1976 and the compliance of directions/instructions issued by Department of Official Languages from time to time. It is also entrusted with the work of promoting the progressive use of Hindi in the Department in addition to the translation work. The progress made in the implementation of official language is monitored through Quarterly Meetings. In the year 2021-22, the meetings of Departmental Official Language Implementation Committee (OLIC) were held in every quarter to review the implementation of progressive use of Hindi in the Department. Two schemes are being implemented in the Department for promoting the use of Hindi. One relates to noting and drafting in Hindi while another is relating to dictation in Hindi. Under the scheme of Noting and Drafting, certificates and cash awards were given to 04 officers and employees on Hindi Diwas 14<sup>th</sup> September, 2021. One Hindi workshop was organized in every quarter during the year.

#### **24.1 HINDI FORTNIGHT AND HINDI DIWAS:**

In order to promote and encourage the implementation of Official Language in the Department, Hindi Diwas was organized on 14<sup>th</sup> September, 2021. On the occasion of Hindi Diwas, message of Hon'ble Minister of Home Affairs was read out in the presence of Secretary (Justice). In his address, Secretary (Justice) urged the officers and officials of the Department to do their maximum work in Hindi. In addition to this, Hindi Fortnight was organized in the Department from 1<sup>st</sup> September, 2021 to 14<sup>th</sup> September, 2021. During observance of Hindi Fortnight, three competitions i.e. Hindi Essay, Hindi Typing and Hindi Dictation were organized. Total 30 officers/officials participated in these competitions. Cash prizes (First: Rs.2500/-, Second: Rs.2000/- and Third: Rs.1500/- along with certificates were given away to the winners of each competition.

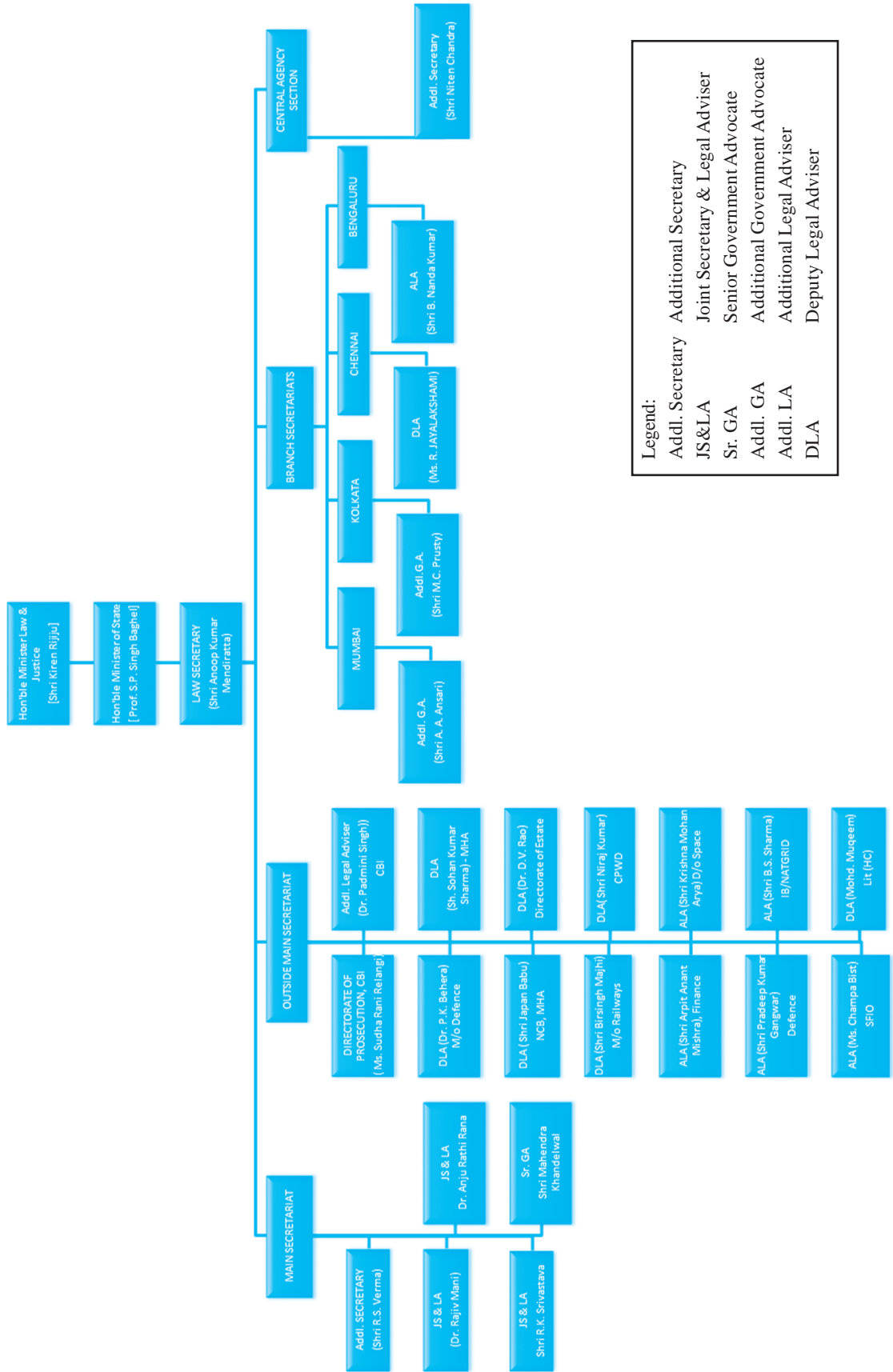
#### **25. STATUS OF CAG PARA**

There is no CAG para pending in Department of Justice.



# ANNEXURE-I

(See Chapter-1, para 2)



**Legend:**  
 Addl. Secretary    Additional Secretary  
 JS&LA            Joint Secretary & Legal Adviser  
 Sr. GA             Senior Government Advocate  
 Addl. GA          Additional Government Advocate  
 Addl. LA          Additional Legal Adviser  
 DLA                Deputy Legal Adviser

## ANNEXURE-II

[See Chapter I, Para 17]

### State wise data (High Courts) on establishment of Commercial Courts of different levels

Name of High Courts	No. of Commercial court constituted (below District		No. of Commercial Court constituted (at District Judge level)		No. of Commercial Appellate Court designated (at District Judge level)	No. of Commercial Division constituted in the High Court	No. of Commercial Appellate Division constituted in the High Court
	Designated as commercial Court but also dealing with cases other than commercial cases	Designated [Exclusively dealing with commercial cases]	Dedicated as commercial Court but also dealing with cases other than commercial cases	Designated [Exclusively dealing with commercial disputes]			
Allahabad High Court	Nil	—	Nil	13	Nil	2	2
Bombay High Court	99	—	81	4	88	Information not furnished by High Court of Bombay.	
Gauhati High Court	26	—	4	—	29	—	1 (Principal Seat)
High Court for the State of Telangana (till 31.03.2021)	—	—	2	2	Nil	1	1
High Court of Chhattisgarh	Not established			1 (at Raipur) established	Not established	Not	1
High Court of Gujarat	117	Nil	73	Nil	32	1	1
High Court of Himachal Pradesh	—	—	—	—	—	3	2
High Court of Jharkhand	0		0	3	0	0	1
High Court of Karnataka (till 31.03.2021)	—	Nil	—	10	—	—	3

High Court of Madhya Pradesh (till 31.03.2021)	4	1	4	1	2	—	3
High Court of Madras	Nil	Nil	* Designated Special Courts in Tamil Nadu looked after Commercial Cases. # Designated Special Courts in Puducherry looked after Commercial Cases.	Nil	Nil	3	3
High Court of Orissa	—	4	—	—	10	N.A.	1
High Court of Punjab & Haryana (till 31.03.2021)	235	—	125	2	—	1	1
High Court of Sikkim	Not established		4	NA	Not established.	NA	1
High Court of Tripura	—	—	9	—	—	—	1
High Court of Uttarakhand	Nil	Nil	Nil	1	1	1	1
Patna High Court (till 31.03.2021)	99	0	77	0	45	2	1
Rajasthan High Court	—	—	—	12	—	—	2
High Court of Delhi	0	0	0	22	—	6	5
High Court of Calcutta	NA	Nil	0	4	NA	1	1
High Court of Meghalaya	No Commercial Courts have been set up.		1 (East Khasi Hills Kistrict, Shillong)	Nil	Nil	Nil	1
High Court of Kerala	14				14		1

\* The Court of Principal Judge, City Civil Court, Chennai, in the remaining Judicial Districts the Principal District Courts/ District Courts are designated as Special Courts.

# The Court of Chief Judge, Puducherry has been designated as the Judge of the respective Commercial Court, in respect of all the Commercial disputes arising with the territorial Jurisdiction of Puducherry.

### ANNEXURE-III

[See Chapter I, Para 24]

**Total number of Employees of I.T.A.T. including SCs, STs, OBCs, ExS, PH upto 01.01.2022.**

GROUP A	No of employees	GEN	SC	ST	OBC	Ex-service men	PH
President	1	1	-	-	-	-	-
Vice President	8	4	-	-	4	-	-
Accountant Member	29*	16	2	1	10	-	-
Judicial Member	31*	20	6	0	5	-	-
Registrar	1	1	-	-	-	-	-
Deputy Registrar	1	1	-	-	-	-	-
Assistant Registrar	8	3	2	1	2	-	-
Hindi Officer	-	-	-	-	-	-	-
<b>TOTAL</b>	<b>79</b>	<b>46</b>	<b>10</b>	<b>2</b>	<b>21</b>	<b>-</b>	<b>-</b>

\*The position of the number of employees as on 1.12.21 since 21 new Judicial/ Accountant Members have joined ITAT & their category details are not available on record.

GROUP B	No of employees	GEN	SC	ST	OBC	Ex-servicemen				PH			
						SC	ST	OBC	GEN	SC	ST	OBC	GEN
Senior P.S.	90	54	13	2	21	-	-	-	-	-	-	-	-
Private Secretary	7	1	3	0	3	-	-	-	-	-	-	-	-
Superintendent	5	5	-	-	-	-	-	-	-	-	-	-	-
Office Suptd.	52	35	7	2	7	-	-	-	-	-	1	-	-
Hindi Translator	-	-	-	-	-	-	-	-	-	-	-	-	-
Senior Accountant	0	0	-	-	-	-	-	-	-	-	-	-	-
Librarian	2	2	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL</b>	<b>156</b>	<b>97</b>	<b>23</b>	<b>4</b>	<b>31</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>

Note: 07 post of Sr. Hindi Translator filled on Ad-hoc basis

GROUP C	No of employees	GEN	SC	ST	OBC	Ex-servicemen				PH			
						SC	ST	OBC	GEN	SC	ST	OBC	GEN
Upper Division Clerk	101	43	21	6	27	2	-	-	-	-	-	-	2
Steno Grade 'D'	01	1	-	-	-	-	-	-	-	-	-	-	-
Lower Division Clerk	96	46	15	7	25	-	-	1	-	-	-	2	-
Staff Car Driver	31	6	9	1	6	1	0	4	4	-	-	-	-
<b>TOTAL</b>	<b>229</b>	<b>96</b>	<b>45</b>	<b>14</b>	<b>58</b>	<b>3</b>	<b>0</b>	<b>5</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>

	No of employees	GEN	SC	ST	OBC	Ex-servicemen				PH			
						SC	ST	OBC	GEN	SC	ST	OBC	GEN
Multi-Tasking Staff	205	70	58	17	46	-	-	4	5	3	-	1	1
<b>TOTAL</b>	<b>205</b>	<b>70</b>	<b>58</b>	<b>17</b>	<b>46</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>5</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>1</b>



## ANNEXURE-IV

[See Chapter I, Para 25]

STATEMENT SHOWING THE TOTAL NUMBER OF GOVERNMENT SERVANTS AND THE NUMBER OF SCHEDULED CASTES, SCHEDULED TRIBES, OTHER BACKWARD CLASSES, EX-SERVICEMENT AND PHYSICALLY HANDICAPPED AMONGST THEM AS ON THE 01.01.2021.

### DEPARTMENT OF LEGAL AFFAIRS

Group	Total No. of Employees	Scheduled Castes	% of total employees	Scheduled Tribes	% of total employees	Other Backward Classes	% of total employees	Ex-service-men	% of total employees	Physically Handicapped	% of total employees
<b>Group 'A'</b>	140	36	25.71	6	4.28	14	10.00	-	-	2	1.42
<b>Group 'B'</b>	159	23	14.46	10	6.28	27	16.98	3	1.88	5	3.14
<b>Group 'C' (excluding safaiwala)</b>	253	66	26.08	13	5.13	34	13.43			1	0.39
<b>Group 'C' (safaiwala)</b>	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL</b>	552	125	22.64	29	5.25	75	13.58	3	0.54	08	1.44

\* The above statement includes information in respect of posts existing in Legislative Department, Law Commission and Central Agency Section also pertaining to cadres being controlled by this Department.

\* The above statement does not include information about posts in Income Tax Appellate Tribunal (ITAT).

**STATEMENT SHOWING THE NUMBER OF RESERVED VACANCIES FILLED BY  
MEMBERS OF SCHEDULED CASTES AND SCHEDULED TRIBES  
DURING THE YEAR 2020-21  
Department of Legal Affairs**

**Scheduled Castes**

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

## Scheduled Tribes

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

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

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

1	2	3	4	5	6	7	8	9	10	11	12
Group 'A' (i) Other than Lowest rung (ii) Lowest rung of Group 'A'	10	—	—	—	1	—	—	—	—	—	—
Group 'B'	2	—	—	—	0	—	—	—	—	—	—
Group 'C' (excluding Safaiwala)	3	—	—	—	1	—	—	—	—	—	—
Group 'C' (Safaiwala)	—	—	—	—	—	—	—	—	—	—	—

	13	14	15	16	17	18	19	20	21
'A'	—	—	—	—	—	—	—	—	—
'B'	—	—	—	—	—	—	—	—	—
'C' (excluding Safaiwala)	—	—	—	—	—	—	—	—	—
'C' (Safaiwala)	—	—	—	—	—	—	—	—	—

**Part III – Posts filled by Promotion (by selection)**

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

	13	14	15	16	17	18	19	20	21
Lowest rung of 'A'	—	—	—	—	—	—	—	—	—
'B'	—	—	—	—	—	—	—	—	—
'C' (excluding Safaiwala)	—	—	—	—	—	—	—	—	—
'C' (Safaiwala)	—	—	—	—	—	—	—	—	—

**ANNEXURE-V**

[See Chapter I, Para 27]

**REPRESENTATION OF FEMALE EMPLOYEES**

<b>GROUPS</b>	<b>DEPARTMENT OF LEGAL AFFAIRS (Including Legislative Department)</b>	
	<b>TOTAL NO. OF EMPLOYEES</b>	<b>NO. OF FEMALE EMPLOYEES</b>
GROUP A	140	40
GROUP B	159	44
GROUP C(Excluding Safaiwala)	253	17
GROUP C (Safaiwala)	-	-
<b>TOTAL</b>	<b>552</b>	<b>101</b>

<b>GROUPS</b>	<b>INCOME TAX APPELLATE TRIBUNAL</b>	
	<b>TOTAL NO. OF EMPLOYEES</b>	<b>NO. OF FEMALE EMPLOYEES</b>
GROUP A	79	9
GROUP B	156	52
GROUP C	229	55
MTS	205	10
<b>TOTAL</b>	<b>669</b>	<b>126</b>



**ANNEXURE-A**  
[See Chapter I, Para 23]



**HON'BLE MINISTER OF LAW & JUSTICE ADDRESSING DURING EIGHTH MEETING OF MINISTERS OF JUSTICE OF THE SHANGHAI COOPERATION ORGANISATION (SCO) HOSTED BY INDIA ON 6<sup>TH</sup> AUGUST, 2021**



**ANNEXURE-B**  
[See Chapter I, Para 30]



**LAUNCH OF ONLINE COURSE ON INDIAN CONSTITUTION BY HON'BLE MINISTER OF LAW & JUSTICE ON 25<sup>TH</sup> NOV 2021 AS PART OF CELEBRATIONS OF CONSTITUTION DAY**



**HON'BLE MINISTER OF LAW & JUSTICE LIGHTING LAMP ON THE OCCASION OF LAUNCH OF ONLINE COURSE ON INDIAN CONSTITUTION ON 25<sup>TH</sup> NOV 2021**

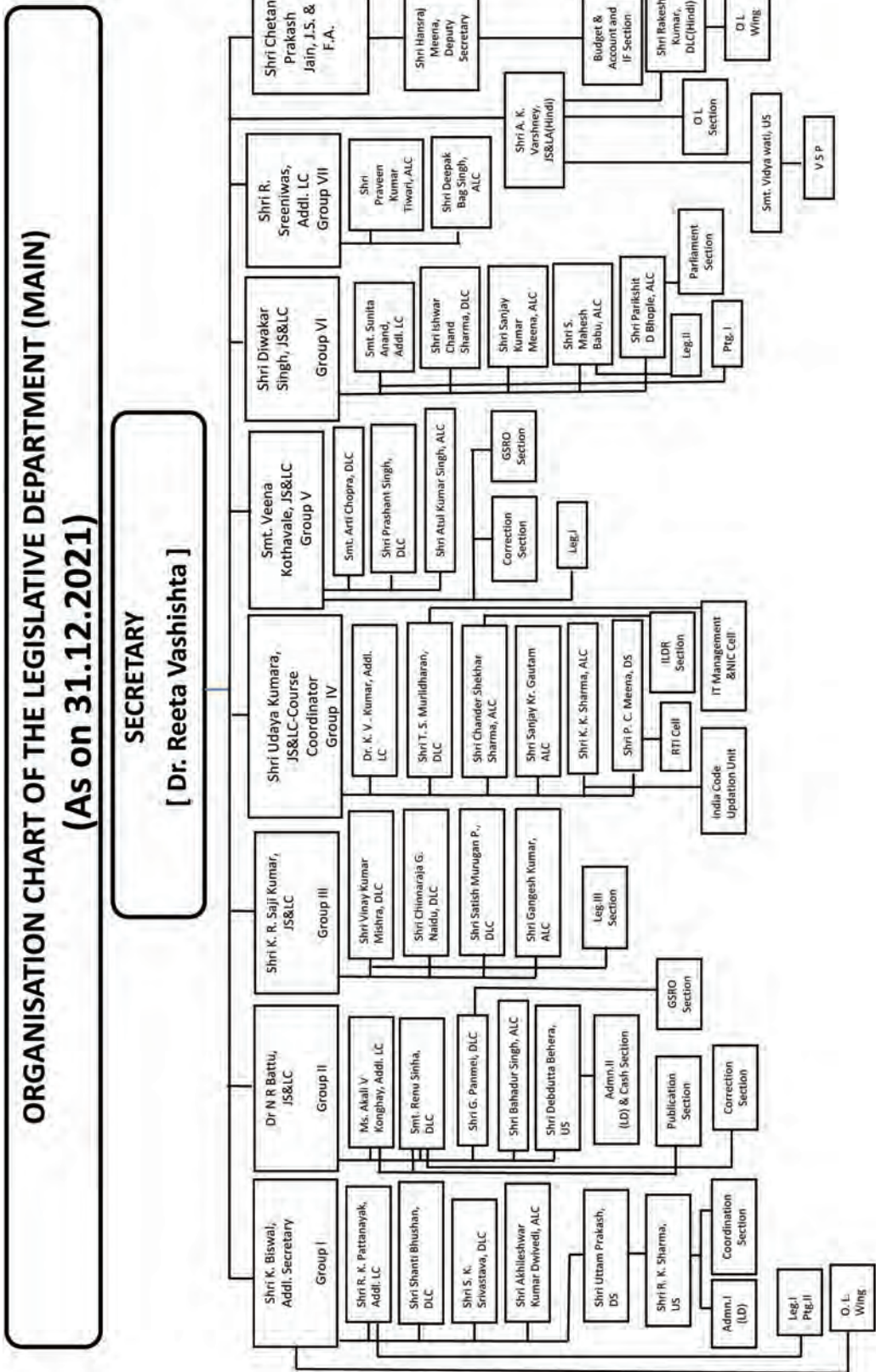


**LAUNCH OF UPDATED VERSION OF CONSTITUTION OF INDIA BY HON'BLE MINISTER OF LAW & JUSTICE**



[See Chapter 2, Para 2]

Organisation Chart of Legislative Department



## ANNEXURE-VII

(See Chapter- II, Para 40)

STATEMENT SHOWING THE TOTAL NUMBER OF GOVERNMENT SERVANTS AND THE NUMBER OF SCHEDULED CASTES, SCHEDULED TRIBES, OTHER BACKWARD CLASSES, EX-SERVICEMEN AND PHYSICALLY HANDICAPPED AMONGST THEM AS ON 31<sup>ST</sup> DECEMBER, 2021 .

<b>Group</b>	<b>No. of Employees</b>	<b>SC</b>	<b>%</b>	<b>ST</b>	<b>%</b>	<b>OBC</b>	<b>%</b>	<b>Ex-Service-men</b>	<b>%</b>	<b>Physically Handicapped</b>	<b>%</b>
<b>A</b>	88	12	13.64%	9	10.23%	20	22.73%	-	-	1	14%
<b>B</b>	87	14	16.09%	2	2.30%	14	16.09%	-	-	1	15%
<b>C</b>	116	29	25%	10	8.62%	19	16.38%	2	1.72%	-	-
<b>Total</b>	<b>291</b>	<b>55</b>	<b>18.90%</b>	<b>21</b>	<b>7.22%</b>	<b>53</b>	<b>18.21%</b>	<b>2</b>	<b>0.69%</b>	<b>2</b>	<b>0.69%</b>



## ANNEXURE-VIII

(See Chapter- II, Para 40)

### REPRESENTATION OF FEMALE EMPLOYEES IN THE LEGISLATIVE DEPARTMENT AS ON 31st DECEMBER, 2021

<b>GROUP</b>	<b>Total No. of Employees</b>	<b>No. of Female Employees</b>	<b>Percentage(%)</b>
Group 'A'	88	21	88.86%
Group 'B'	87	24	27.59%
Group 'C'	116	17	14.65%
<b>Total:-</b>	<b>291</b>	<b>62</b>	<b>21.31%</b>

## ANNEXURE-IX

(See Chapter- II, Para 41)



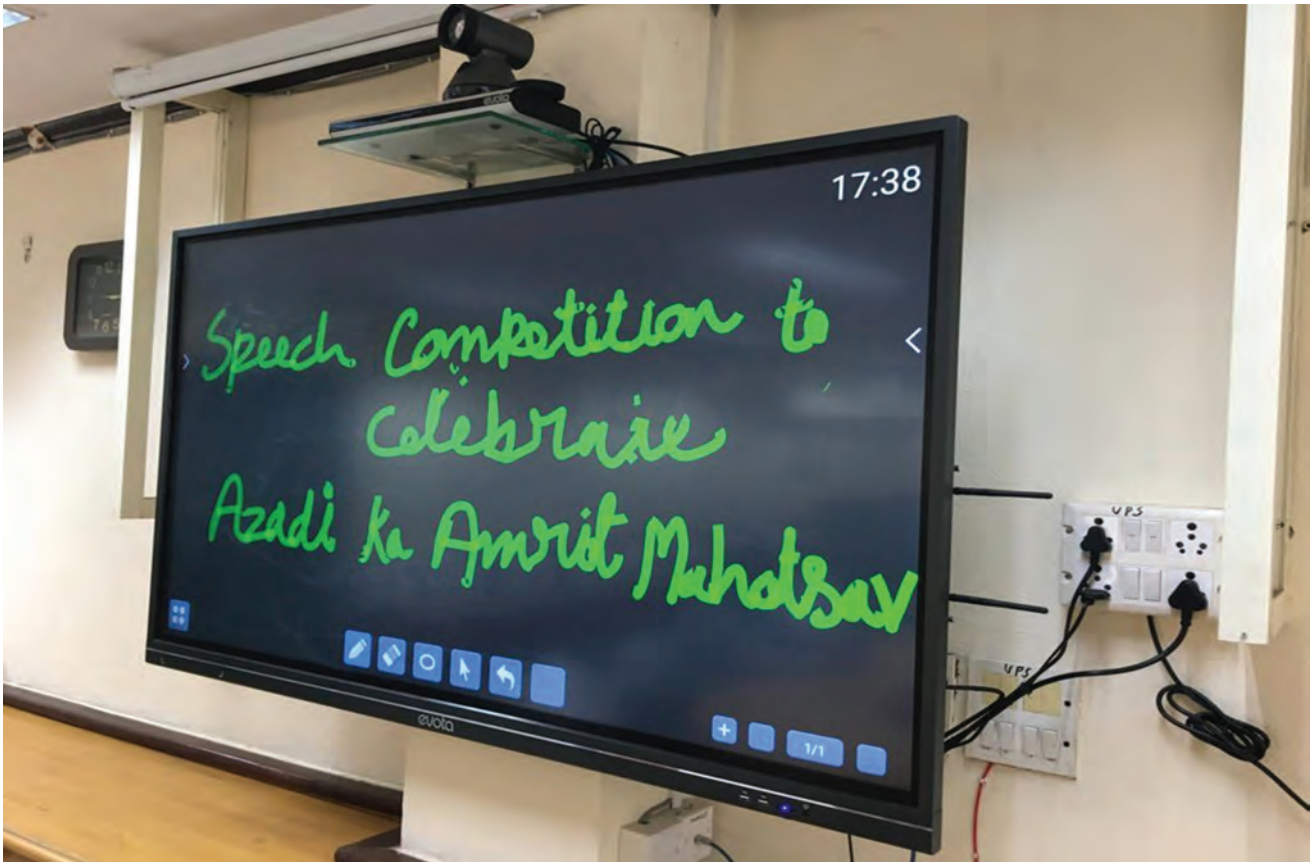
















# ANNEXURE – X

(See Chapter- III, Para- 1)  
Organisation Chart of Department of Justice

