



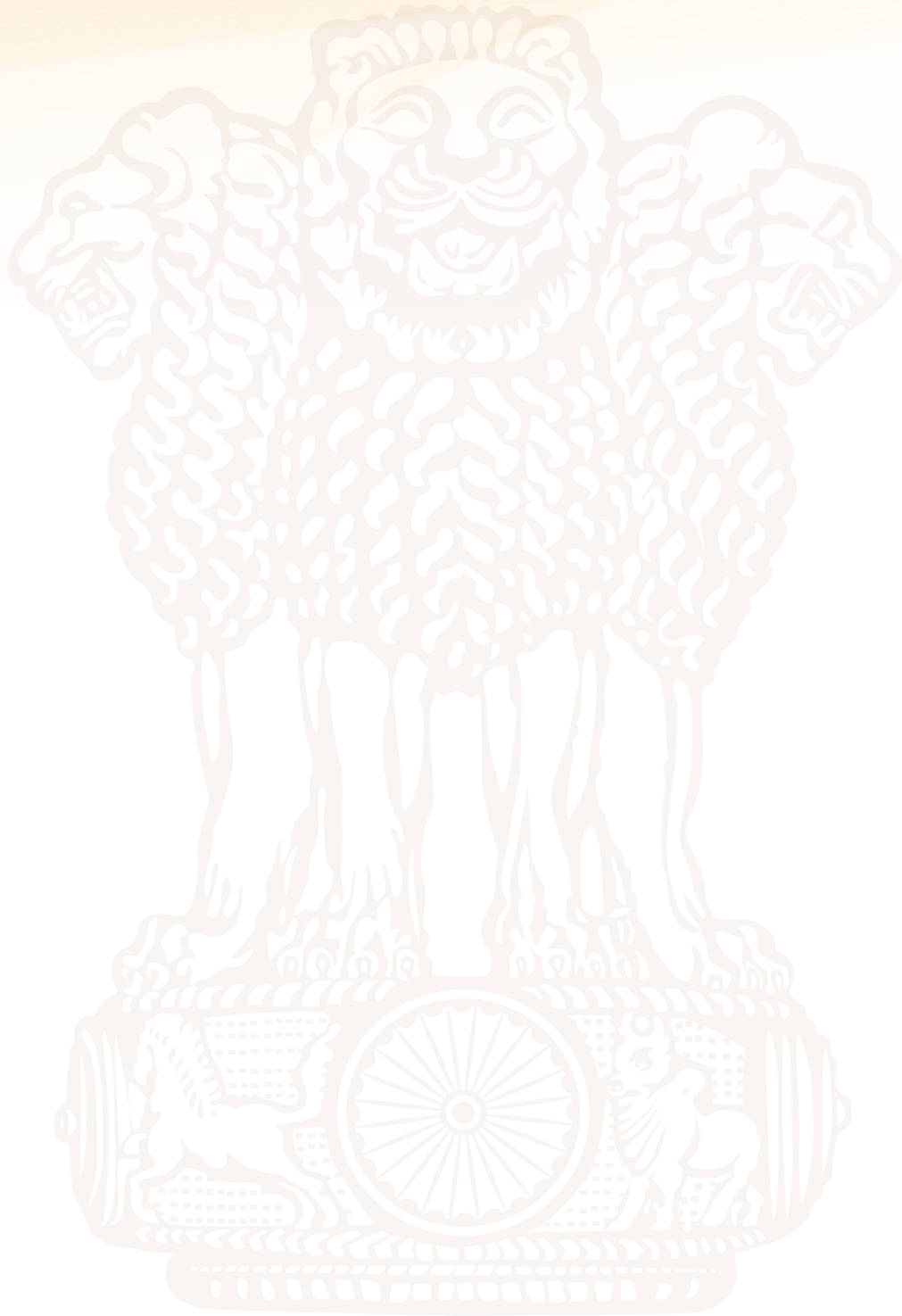
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भारत सरकार  
GOVERNMENT OF INDIA

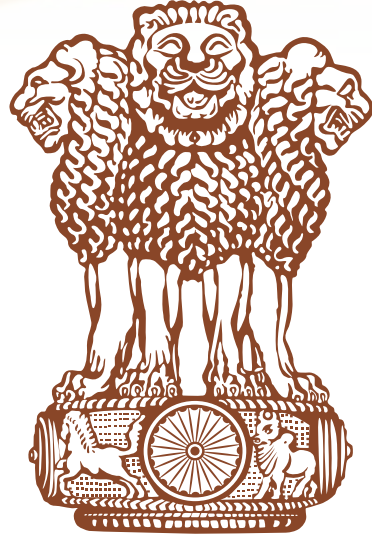
विधि और न्याय मंत्रालय  
MINISTRY OF LAW & JUSTICE

वार्षिक रिपोर्ट  
ANNUAL  
REPORT  
2022-23  
२०२३





सत्यमेव जयते



सत्यमेव जयते

# Annual Report 2022-2023

**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 covering all details.

## MISSION

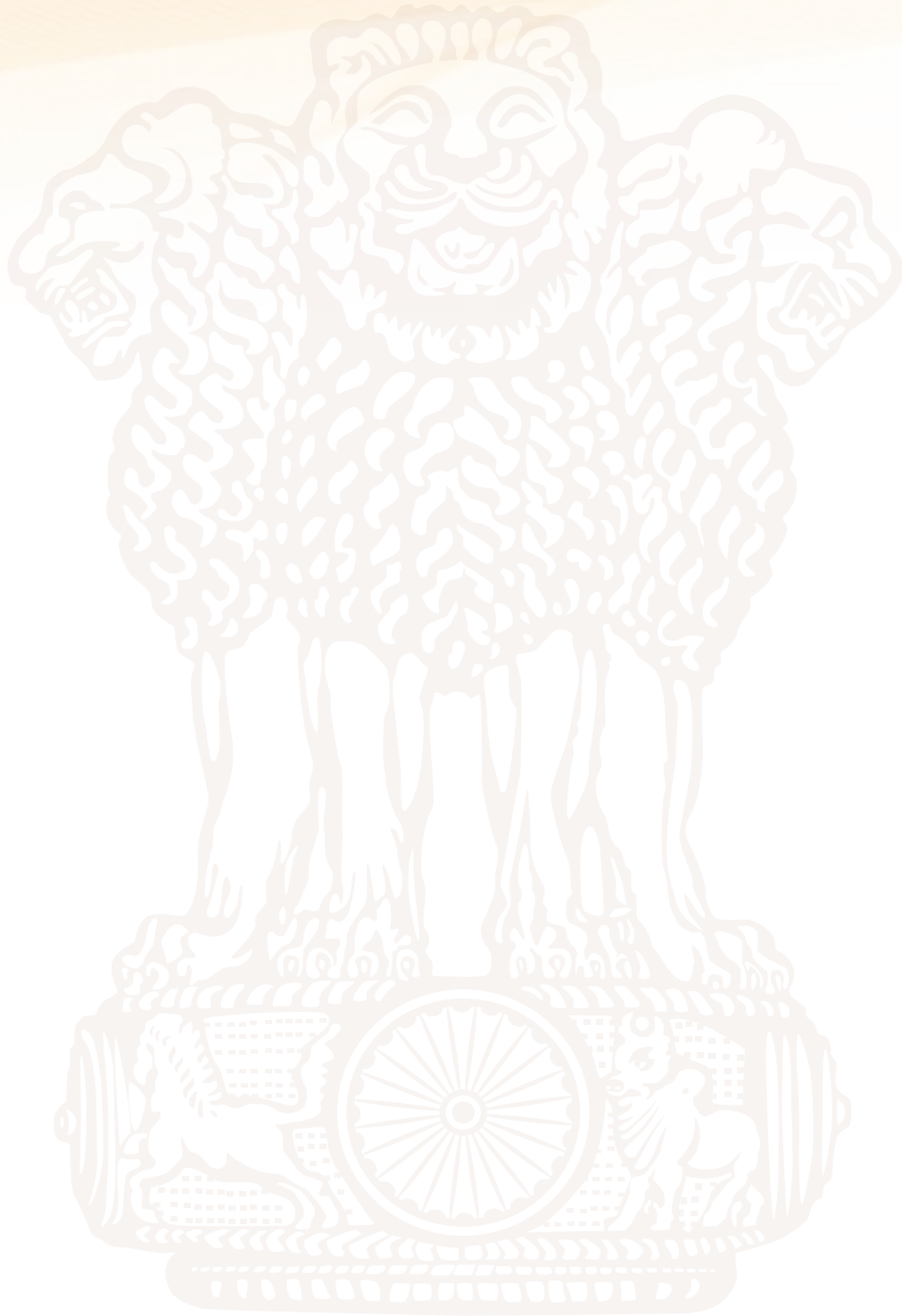
To transform Government into an efficient and responsible litigant;

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 responsible 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 to 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.



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# MESSAGE



I am happy to present you the Annual Report of 2022-23 of Ministry of Law & Justice. Ministry has moved significantly forward towards its vision inspired by our Honourable Prime Minister to build a citizen centric technology driven modern legal system. The Ministry has coordinated its efforts in tandem with all other Union Ministries and States to bring fundamental improvements in all spheres, ranging from national security, infrastructure development, welfare, human capital development, conflict management and access to justice. To this end a number of legal initiatives were implemented.

Efforts are being made to make drafting of law and legal education possible in regional languages so that law is accessible to all. Opportunities for arbitration were widened by the setting up of India International Arbitration Centre that would cater to the requirement of faster economic growth by bringing certainty in enforcement of contract. Exchange programmes for legal assistance with other countries was promoted. As we make faster progress towards our goal we are conscious that the goal is itself dynamic and keeps shifting with the rising aspirations of the citizens. We are committed to better and quicker delivery of justice to all and to that end always promote a culture of creativity and innovation.

A handwritten signature in blue ink, appearing to read 'Kiren Rijiju', is positioned above the printed name.

**Shri Kiren Rijiju**  
Hon'ble Law and Justice Minister



# Message from Minister of State



**W**ith great pleasure, I present the Annual Report of the Ministry of Law and Justice for the year 2022-23. Apart from shedding light on the important activities of the Ministry during the past year, the Report showcases the efforts in achieving the constitutional values such as providing access justice for all the citizens of the country, helping the stakeholders, particularly the common man, in getting justice through judicious conduct of litigation and also about important legislative activities undertaken by the Ministry for the welfare of people. Apart from being useful as a reference book, this report presents good information about the continuous efforts being made by the Government of India towards protecting the rights and interests of the weaker sections of the society by adapting the legal system for the socio-economic development of the country under the able leadership and guidance of Hon'ble Prime Minister Shri Narendra Modi.

**Prof. S. P. Singh Baghel**  
Hon'ble Minister of State



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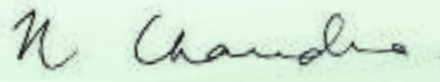
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# NOTE FROM THE LAW SECRETARY

The year 2022 was significantly eventful for the Department of Legal Affairs. The New Delhi International Arbitration Centre Act, 2019 was amended as the India International Arbitration Centre Act, 2019 to set the stage for making India a global hub for arbitration. The Mediation Bill was examined by the Rajya Sabha Committee and its Report was received by the Department. With the appointment of Members, the Law Commission of India became functional. The 9th Summit of Shanghai Cooperation Organisation (SCO) was held at the Ministerial-Level to reaffirm the commitment of Member States on international cooperation in the field of Law and Justice. The communication strategy of the Department was overhauled by induction of professional Social Media team which helped to keep the public at large abreast of happenings in the Department of Legal Affairs. The All India Conference of Law Ministers and Law Secretaries was organised in Kevadia, Gujarat which enabled strengthening the principles of cooperative federalism in governance. A unanimous resolution was passed for modernisation and simplification of Indian Legal System to make it citizen centric and business friendly. Thrust was laid on using regional language including Hindi in legislation and court proceedings. Bar Council of India took number of steps to promote legal reforms in the country including using Hindi in legal education as well as in court proceedings. Mutual Legal Assistance Treaties with Bulgaria & Iran was ratified. Negotiations continued with United Kingdom for exchange of legal services.

All these would not have been possible without modernisation and automation of internal processes. More than one crore official documents were digitized, physical file system was abandoned and replaced by forward looking system of e-Office 7.0. All Officers were given training for use of latest technology for office automation and to enhance their capacity for research and advisory services. Young Professionals were engaged to assist the Department in research and analysis of contemporary legal issues and pave the way for reforms in public policy that would make the Government citizen-centric, technology driven and future ready for broad-based general well-being of the citizens in the 'Amrit Kaal' that India is experiencing.

For the curious readers this brief note can only whet the appetite. The details in the Annual Report will help the readers fulfill their curiosity.

  
**DR. NITEN CHANDRA**



## I

**ABOUT THE DEPARTMENT OF LEGAL AFFAIRS****VISION**

To achieve excellence in legal affairs for accomplishing the goals set out in the Constitution of India.

**MISSION**

To design, develop and maintain an environment for enabling individuals, organisations and institutions in Government to meet the challenges in the fields of legal advice, litigation, legal education and research.

**OBJECTIVES**

1. To bring in legal reforms to achieve the vision and mission of the Department;
2. To facilitate the functioning of Ministries and Departments for good governance by providing appropriate legal advice and opinion;
3. To reform the Indian Legal Service to make it efficient and responsive;
4. To develop a comprehensive e-governance solution for the conduct of litigation;
5. To transform the Department of Legal Affairs through Information-Technology;
6. To reduce litigation and encourage settlement of disputes through Alternative Dispute Resolution (ADR) mechanisms;
7. To promote excellence in the legal profession;
8. To reform legal education.

**FUNCTIONS**

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. Authorisation of Officers to execute contracts and assurances of property on behalf of the President under Article 299(1) of the Constitution, and authorisation 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 of India;
9. Legal profession including the Advocates Act, 1961 (25 of 1961) and persons entitled to practice before the 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
- d) The Commercial Courts Act, 2015
- e) The India International Arbitration Centre Act, 2019

Additionally, the Income Tax Appellate Tribunal and the Law Commission of India fall under the administrative purview of the Department. The Department is also in-charge of all administrative aspects of the Indian Legal Service. This Department also handles the appointment of the Attorney General of India, the Solicitor General of India, and the Additional Solicitor General of India. This Department approves grant-in-aid to specific institutions active, such as the Indian Law Institute, in order to encourage legal education and

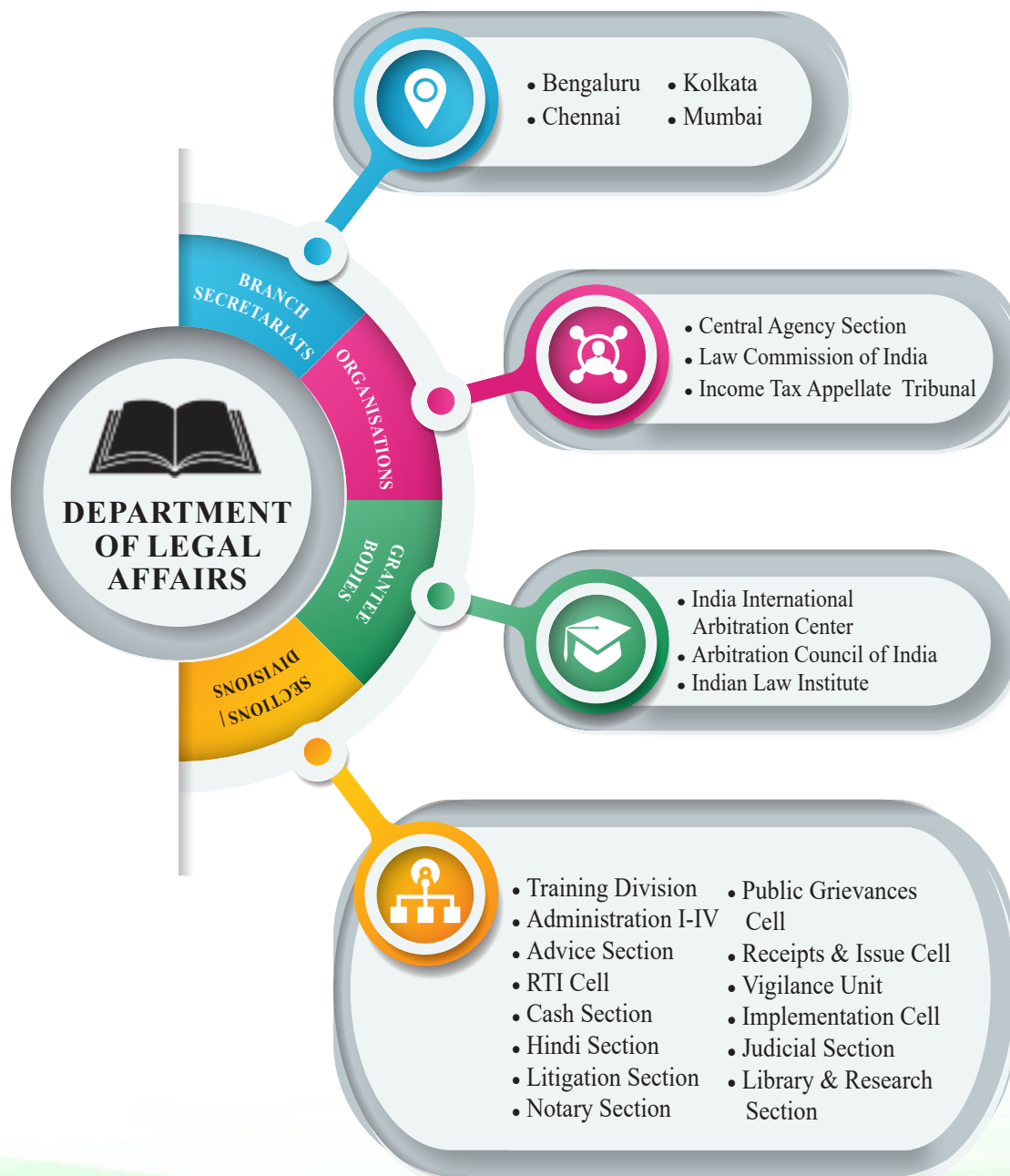
research and to advance the legal profession.

**ORGANISATIONAL SET-UP**

The Main Secretariat of the Department of Legal Affairs is located in New Delhi, and Branch Secretariats are located in Bengaluru, Chennai, Kolkata and Mumbai. The types of responsibilities performed can be roughly divided into two categories: advice work and litigation work. The organisation chart of the Department of Legal Affairs

**Figure I 1:**

Organisational setup of the Department of Legal Affairs



Affairs is as follows:-

## I. MAIN SECRETARIAT

- i. The Main Secretariat has the Law Secretary as its head, who is assisted by Additional Secretaries, Joint Secretaries, and several levels of Legal Advisers. The Department's legal advisers are organised into small groups, led by an Officer with the rank of Additional Secretary or Joint Secretary & Legal Adviser. For the various Ministries/Departments of the Indian Government assigned to their respective groups, these groups of legal advisers offer legal assistance on legal issues and conveyancing.
- ii. The work relating to the Railway Board and the Department of Telecommunications organisations is handled by an officer at the Joint Secretary level. In addition, the Officers of the Indian Legal Services are employed by SFIO, NTRO, CBI, the Ministry of Defence, the Ministry of Labour and Employment, and the Ministry of Housing and Urban Affairs.
- iii. The Central Agency Section, which is currently led by the Law Secretary and supported by Officers from the Government Advocates cadre of the ILS and other supporting staff, handles litigation at the Supreme Court on behalf of all Ministries/Departments of the Government of India as well as some administrations of the Union Territories.
- iv. The Litigation (High Court) Section, currently led by an Additional Legal Adviser, handles the litigation work in the High Court of Delhi and in CAT (Principal Bench) on behalf of all Ministries/Departments of the Government of India.
- v. The Litigation (Lower Court) Section, currently supervised by an Assistant Legal Adviser, handles the litigation work in the District Judiciary of Delhi.
- vi. The Department has established a separate cell called the 'Implementation Cell' to handle the implementation of the recommendations of the Law Commission of India and the administration of the Advocates Act, 1961 and the Advocates Welfare Fund Act, 2015. The Cell also administers the subject of 'Legal Education' as

provided under Entry 26 of List III to the Seventh Schedule of the Constitution of India.

## II. BRANCH SECRETARIATS

The Department of Legal Affairs has Branch Secretariats at Bengaluru, Chennai, Kolkata and Mumbai.

- i. **BRANCH SECRETARIAT, BENGALURU**– It has jurisdiction over the States of Karnataka and Andhra Pradesh. It is headed by an officer of the rank of an Additional Legal Adviser.
- ii. **BRANCH SECRETARIAT, CHENNAI**– It has jurisdiction over the States of Tamil Nadu, Kerala and the Union Territory of Puducherry. It is headed by an Officer of the rank of a Deputy Legal Adviser.
- iii. **BRANCH SECRETARIAT, KOLKATA**– It has jurisdiction over the States of West Bengal, Nagaland, Manipur, Arunachal Pradesh, Meghalaya, Jharkhand, Tripura, Mizoram, Sikkim, Orissa, Assam, Bihar and Andaman and Nicobar Islands. It is headed by an Officer of the rank of an Additional Government Advocate.
- iv. **BRANCH SECRETARIAT, MUMBAI**– It has jurisdiction over the entire Western Region consisting of the States of Maharashtra, Madhya Pradesh, Rajasthan, Gujarat, Goa and Union Territories of Dadra and Nagar Haveli and Daman and Diu. It is headed by an Officer of the rank of a Senior Government Advocate.

All the Branch Secretariats perform an extended function of the Main Secretariat, such as rendering legal opinion and handling litigation pertaining to the Central Government, in the respective States under their jurisdiction.



## II

### ADVICE

1. There are three Advice Sections in the Department of Legal Affairs; namely, Advice A, Advice B and Advice C. The Advice A and Advice B Sections facilitate the movement of files relating to the requests for advice received from various Ministries/Departments for legal opinion. The requests received for legal advice are placed before the concerned group heads to whom a particular Ministry/Department has been allocated to. To make functioning more convenient, the various Ministries/Departments of the Government of India are distributed between Advice A and Advice B Sections:

**Figure II 1:**  
Advice Section



**The following Ministries/Departments/Organisations are dealt by Advice 'A' Section:**

1. Ministry of Home Affairs
2. Ministry of External Affairs
3. Ministry of Personnel, Public Grievances and Pensions
4. Ministry of Defence
5. Ministry of Road Transport & Highways
6. Ministry of Labour and Employment
7. Ministry of Chemicals & Fertilizers
8. Ministry of Steel



- |  |  |
|--|--|
| 9. Ministry of Mines                                   | 19. Ministry of Shipping                             |
| 10. Department of Justice                              | 20. Ministry of Civil Aviation                       |
| 11. Ministry of Social Justice & Empowerment           | 21. Ministry of Tribal Affairs                       |
| 12. Ministry of Coal                                   | 22. Ministry of Minority Affairs                     |
| 13. Ministry of Communications                         | 23. Ministry of Petroleum & Natural Gas              |
| 14. Ministry of Skill Development and Entrepreneurship | 24. Ministry of Tourism                              |
| 15. Development of North Eastern Region                | 25. Election Commission of India                     |
| 16. Union Public Service Commission                    | 26. Central Vigilance Commission                     |
| 17. Staff Selection Commission                         | 27. Conveyancing matters including house building    |
| 18. Central Information Commission                     | advance cases of all the Ministries and Departments. |

**Figure II 2:**

Organisational setup and process

**Organisational setup and process**



**The following Ministries/Departments/Organisations are dealt by Advice 'B' Section:**

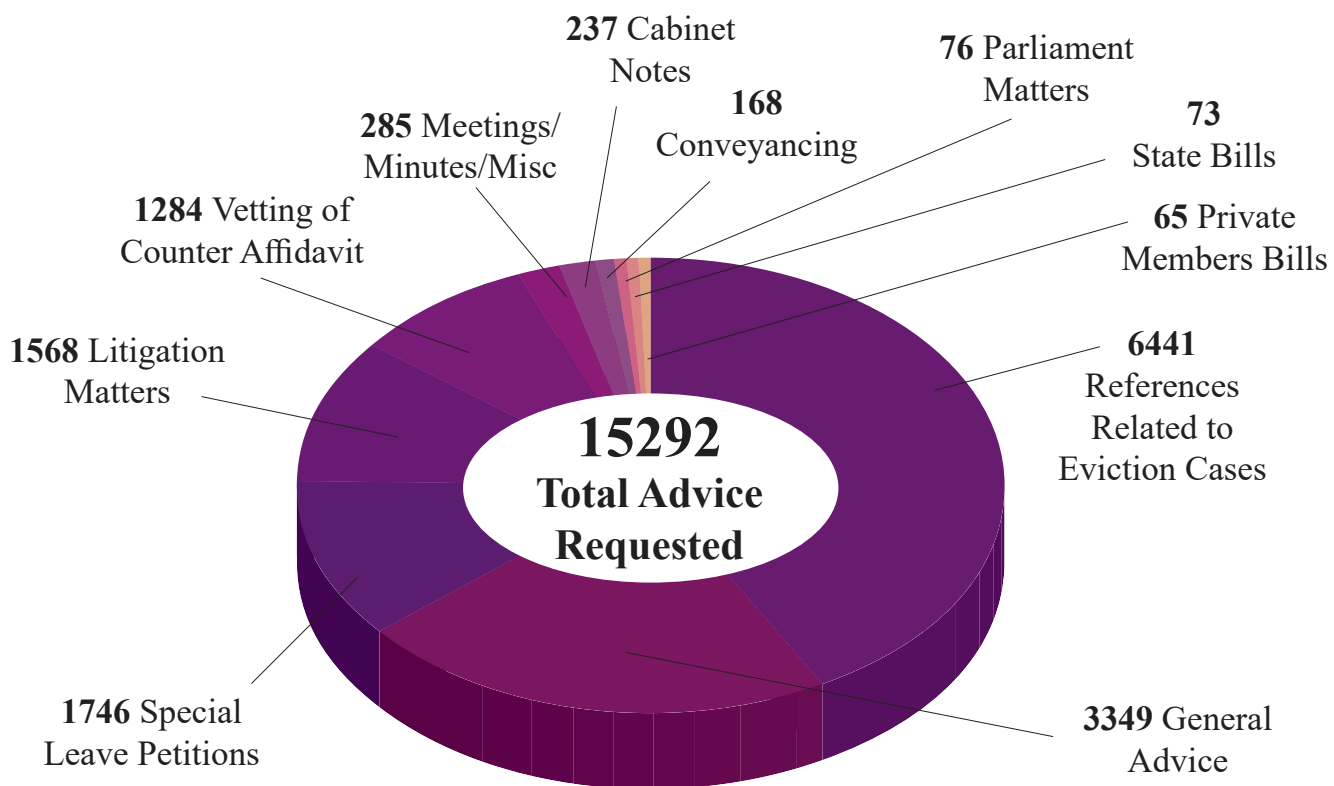
1. Ministry of Finance
2. Ministry of Corporate Affairs
3. Ministry of Heavy Industry & Public Enterprises
4. Ministry of Micro, Small & Medium Enterprises
5. Ministry of Railways
6. Ministry of Housing & Urban Affairs
7. Ministry of Commerce & Industry
8. Ministry of Parliamentary Affairs
9. Lok Sabha Secretariat
10. Rajya Sabha Secretariat
11. President Secretariat
12. Prime Minister Office
13. Cabinet Secretariat
14. Ministry of Science & Technology
15. Ministry of Jal Shakti
16. Ministry of Textiles
17. Ministry of Health and Family Welfare
18. Ministry of New and Renewable Energy
19. Department of Atomic Energy
20. Ministry of Power
21. Comptroller and Auditor General for India
22. NITI Aayog
23. Ministry of Information & Broadcasting
24. Ministry of Environment, Forests and Climate Change
25. Ministry of Agriculture
26. Ministry of Rural Development
27. Ministry of Consumer Affairs, Food & Public Distribution
28. Ministry of Education
29. Ministry of Culture
30. Ministry of Youth Affairs & Sports
31. Ministry of Food Processing Industries
32. Ministry of Statistics & Programme Implementation
33. Department of Space
34. Ministry of Panchayati Raj
35. Ministry of Women & Child Development
36. Ministry of Earth Sciences
37. Ministry of Fisheries, Animal Husbandry & Dairying
38. Ministry of Cooperation
39. Ministry of AYUSH
40. Department of Legal Affairs
41. Legislative Department
42. Ministry of Electronics & Information Technology

**1.1 REQUESTS FOR ADVICE RECEIVED IN ADVICE 'A' SECTION**

**1.1.1.** The Advice 'A' Section received 5091 references from various Ministries/Departments of the Government of India for the vetting of legal documents and for the tendering of legal opinions/advice on various issues. The Officials of this Department took part in 153 national and international conferences and meetings for advice work.

- 1.1.2. 168 references relating to examination from the angle of conveyancing, which include international agreements, were received.
- 1.1.3. 4608 SLPs/litigation issues, 89 Cabinet Notes/Legislative Proposals, and 73 references pertaining to State Bills and Ordinances were examined.
- 1.1.4. Apart from tendering legal advice, this Section dealt with references and other communications received by the Minister and Officers of this Department.
- 1.1.5. 64 RTI applications and 20 public grievances pertaining to the Advice Sections were dealt with.

**Figure II 3:**  
Subject-wise categories of advice



## 1.2 REQUESTS FOR ADVICE RECEIVED IN ADVICE 'B' SECTION

- 1.2.1. Advice B Section received 9780 requests from various Ministries/Departments of the Government of India for vetting of legal documents and legal opinion/advice on various issues.
- 1.2.2. 148 Cabinet Notes/ Legislative Proposals, and 2358 SLPs/Litigation matters were received for examination/advice.
- 1.2.3. The Officers of this Department participated in 132 national/ international meetings and conferences for advice work.
- 1.2.4. This Section also dealt with references and official communications received by the Minister's Office and Officers of this Department.
- 1.2.5. 76 Parliament Questions including assurances were processed.

## 1.3 REQUESTS FOR ADVICE RECEIVED IN ADVICE 'C' SECTION

- 1.3.1 Seven new cases on different subjects were sent for the opinion of the Attorney General for India, Solicitor General of India, and Additional Solicitor General of India through this Section, out of which five opinions were received and forwarded to the respective Ministries/Departments of the Government of India.
- 1.3.2 The Section has rendered general and secretarial assistance to the Officers in the Department of Legal Affairs and Legislative Department of the Ministry of Law and Justice and in finding precedents on different subjects.
- 1.3.3 The Section disposed of three RTI applications this year.
- 1.3.4 The files related to Law Officers from 1944 to 2022 and others related to advice of the Officers of our Department from 1991 to 2019 are being digitized. 4.59 lakh pages with 8937 files were scanned, which include files relating to Attorney General's opinions from the year 1944 to 2022 and also the opinions of the Officers of this Department from the year 1991 to 1997.
- 1.3.5 Out of 8937 scanned files in Advice C, 2061 files related to Attorney General's opinion were uploaded on e-Office portal.
- 1.3.6 The subject list of files from the year 1944 to 1997 regarding scrutiny of at least 25-year-old records were prepared and follow up action to send them to the National Archive of India was taken.



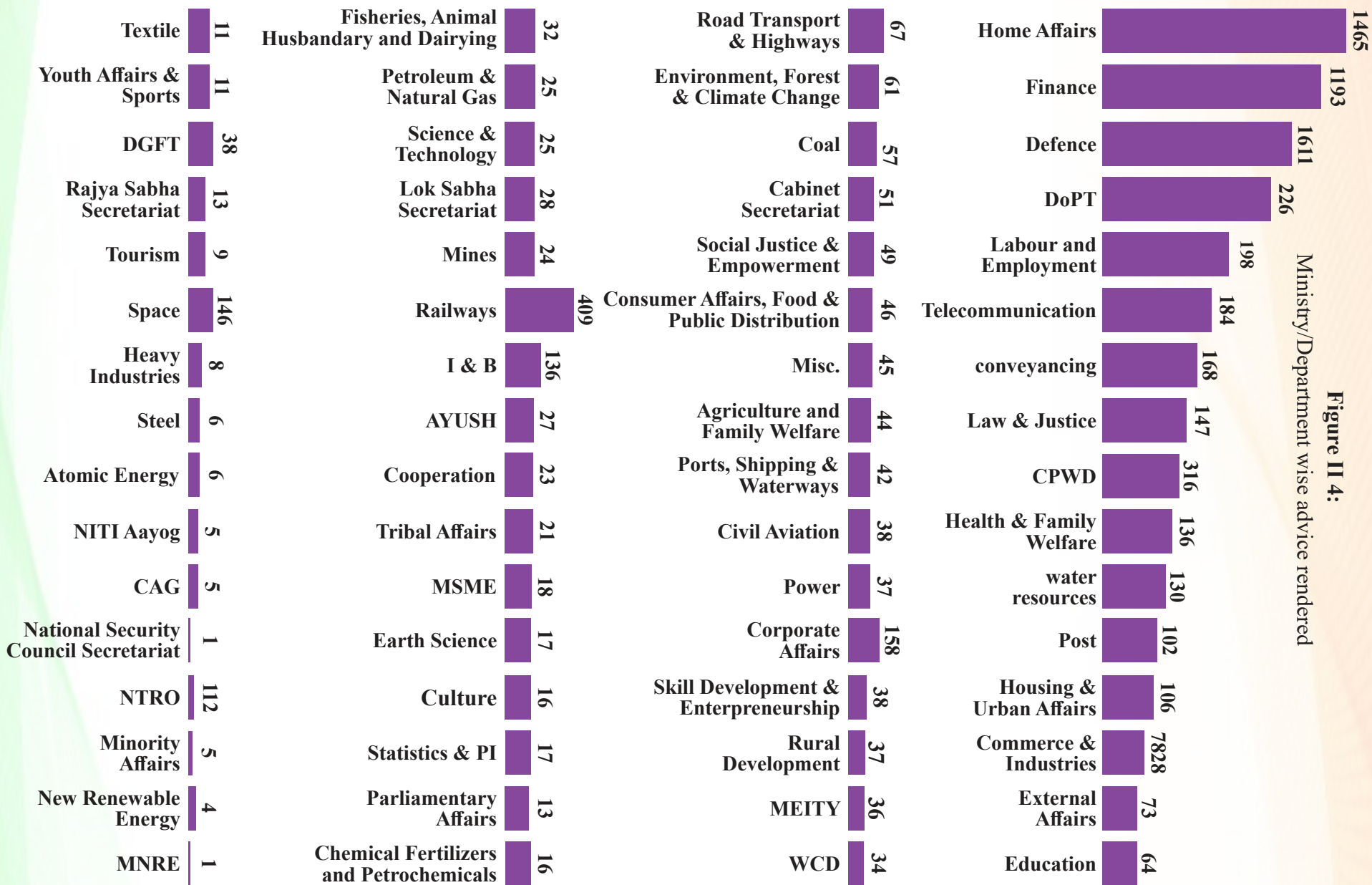


Figure II 4:  
Ministry/Department wise advice rendered



### III

## JUDICIAL WORK

The Judicial Section is responsible for the conduct of litigation of the Government of India and Union Territories before the Supreme Court, various High Courts, the Central Administrative Tribunals and the District Courts. Its functions include processing the appointments of the Attorney General for India, the Solicitor General and the Additional Solicitors General of India, Central Government Counsels in the Supreme Court, High Courts, the Central Administrative Tribunals, the District Courts and the Consumer Forums in various States for conducting litigation work on behalf of the Central Government, engaging Law Officers and other Counsels on behalf of the Ministries/Departments for conducting cases before the Supreme Court, the High Courts, the Tribunals, the Commissions of Inquiry, the District Courts, the Quasi-Judicial Authorities etc. Its functions also include formulation and settlement of their terms and conditions for conducting cases. The Judicial Section is also responsible for nomination of Arbitrators in disputes between the various Departments of the Government of India and private parties.

**Figure III 1:**  
Judicial Section



The Section is responsible for issuing statutory orders authorizing various Officers to sign and verify plaints and written statements in suits before any Court with civil jurisdiction or in writ proceedings by or against Central Government under Order XXVII, Rule 1 of the Civil Procedure Code, 1908. This Section authorizes Officers to sign contracts and agreements on behalf of the President of India under Article 299(1) of the Constitution of India.

This Section deals with the work of reciprocal arrangements with foreign countries for service of summons in civil suits, execution of decrees of Civil Courts, enforcement of maintenance orders and administration of the estates of foreigners dying intestate in India.

India acceded to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters and also to the Hague Convention on Taking of Evidence Abroad in Civil and Commercial Matters in the year 2007. The Ministry of Law and Justice is the Central Authority for both the Conventions. The Judicial Section deals with the processing of service of summons/notices received through Judicial Authorities from foreign countries under the said Convention to Indian nationals. It also deals with forwarding of summons/notices originating from Judicial Authorities of our country to the Central Authorities of foreign countries.

The activities undertaken by the Judicial Section are as follows:

**1. Conduct of Central Government litigation before various courts of law through Law Officers/Panel Counsels:**

- a) On 01.10.2022, Shri R. Venkataramani, Senior Advocate, was appointed as the new Attorney General of India.
- b) Additional Solicitors General of India for the High Court of Rajasthan and for the Allahabad High Court were re-appointed for a further term of three years. New Additional Solicitors General of India were appointed for the High Courts of Calcutta, Jharkhand, Madras and for the Southern Zone (which includes Kerala, Telangana, and Andhra Pradesh).
- c) Resignation of two Additional Solicitors General of India, i.e. one for the Supreme Court of India and other for the High Court of Calcutta was accepted.



- d) Seven new Deputy Solicitors General of India were engaged afresh before various High Courts / Benches of High Courts across the country. The terms of two Deputy Solicitors General of India were extended for a further term of three years.
- e) A number of advocates were empanelled or their terms as panel counsels were extended for the various Courts / Tribunals in the States/Union Territories.

**Table III-1:**

Number of Empanelled Counsels in States/Union Territories

S.NO	NAME OF STATE/UT	EMPANELLED COUNSELS
1.	Delhi	1388
2.	West Bengal	314
3.	Maharashtra	256
4.	Telangana	120
5.	Andhra Pradesh	42
6.	Jharkhand	14
7.	Arunachal Pradesh	09
8.	Union Territory of Andaman and Nicobar	06
9.	Karnataka	04
10.	Rajasthan	04
11.	Tamil Nadu	03
12.	Assam	03
13.	Gujarat	02
14.	Union Territory of Ladakh	01
<b>TOTAL</b>		<b>2166</b>

- f) Resignations of 30 Panel Counsels (including two Deputy Solicitors General of India) were accepted.
- g) 250 proposals were received from the Ministries/Departments regarding separate panels of Advocates and for the engagement of Law Officers, Panel Counsels and private Advocates to represent them before various Courts on normal or on special terms and conditions.



## 2. Nomination of Arbitration Panel Counsels in domestic as well as International commercial disputes, involving Government/PSE on the one hand and PSE/private party on the other:

Requests were received regarding the engagement of Arbitration Panel Counsels to represent various Ministries/Departments in arbitration cases. In response to such requests, Arbitration Panel Counsels were engaged in **248** arbitration cases.

## 3. RTI: 215 RTI applications were disposed of.

### LITIGATION AT DELHI HIGH COURT

The Litigation (HC) Section handles the litigation work at the High Court of Delhi on behalf of all the Ministries/Departments of the Government of India, except the Income Tax Department. The litigation work is dealt with by two Sections; Litigation (HC) Section 'A' and Section 'B', supervised by a Superintendent (L). Section 'A' deals with the advance notices pertaining to the Writ Petitions, Letters Patent Appeals (LPA), and Miscellaneous Petitions under Article 226 and Article 227 of the Constitution of India. Section 'B' deals with cases relating to the Original, Appellate, Revisional and Writ jurisdictions of the High Court of Delhi.

**Figure III 2**

Delhi High Court Litigation Section



There is one Additional Solicitor General of India (ASG) and a panel of Central Government Standing Counsel (CGSC), Senior Counsel and Government Pleaders (GPs) to conduct litigation on behalf of the Central Government. Close liaison is maintained between the concerned Ministry/ Department and the nominated Panel Counsels to safeguard the interests of the Government before the High Court of Delhi.

The following table represents the number of cases received in the High Court of Delhi during 2022-23 (Table III.2).

**Table III 2**

Litigation before the High Court of Delhi

Year	NO. OF CASES RECEIVED
2022 - 2023	8749

This Section deals with the payment of professional fee pertaining to Law Officers, CGSCs, Senior Counsels and Government Pleaders on the panel. The requisite information regarding budgetary allocations and expenditure details for the year F.Y.2022-23 are furnished hereunder:-

**Table III-3**

Budgetary Allocation and Expenditure Incurred in D (2022-23)

S.No.	Financial Year	Budgetary Allocation	Expenditure incurred
1.	2022-23	10 Crore	10 Crore

### **LITIGATION (LOWER COURT) SECTION, TIS – HAZARI, NEW DELHI**

The litigation work in the various District Courts as well as in the Consumer Forums/Tribunals in Delhi on behalf of all Ministries/Departments of the Government of India, except the Income Tax Department, is handled by Litigation (LC) Section. The litigation work is dealt with by an Assistant Legal Adviser and In-Charge assisted by a Superintendent (Legal) and an Assistant (Legal).

Figure III 3

Tis-Hazari, Litigation (Lower Court) Section, New Delhi



### PANEL COUNSELS ENGAGED

There is a panel of senior Counsels and Additional Central Government Counsels who are nominated for conducting cases on behalf of Union of India. On receipt of a request from the Ministry/ Department, a suitable Government Counsel is engaged to appear on their behalf before the Courts. Close liaison is maintained between the various Departments and the Government Counsels at all times to safeguard the interests of the Government before the District Courts/Consumer Forums/ Tribunals. There are 284 Panel Counsels engaged for a tenure of three years.

Table III-4

Cases before various District Courts as well as in the Consumer Forums/Tribunals in Delhi

Total Cases	Cases Disposed
920	21

### BUDGET

When cases are decided by the Courts, the Government Counsels submit fee bill in a prescribed format. This Section received 164 fee bills from Government Counsel/Senior Panel Counsels. During the financial year 2022-23, this Section was allocated a budget of ₹1,30,00,000, out of which ₹44,97,045 was utilised to settle the professional fee bills.



## LIMBS (LEGAL INFORMATION AND MANAGEMENT BRIEFING SYSTEM)

The Legal Information Management and Briefing System (LIMBS) is a web-based application for monitoring all court cases where Union of India is a party. LIMBS came into operation in February, 2016 and since then the application is working under the supervision of the Department of Legal Affairs, Ministry of Law and Justice. It is an innovative and easy to access online tool which is available 24x7 to all the stakeholders, viz., senior Government Officials, Nodal Officers and users of Ministries/Departments.

LIMBS Version 2.0 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 monitor their cases at a glance. This version uses Open Source technologies using Coordinator framework of PHP to enhance the security and improve the efficiency of the system.

LIMBS also captures arbitration cases right from internal processing of the dispute at Ministry/ Department level followed by nomination of arbitrators, and the proceedings. The Department of Legal Affairs, Cabinet Secretariat, NITI Aayog and PMO can access details of court cases on LIMBS. Central Agency Section (CAS) of the Department of Legal Affairs also identifies and enters the details of important cases filed by the Union of India (UoI) before the Supreme Court. Various research bodies such as the Indian Law Institute can also access information available on LIMBS

**Figure III 4:**

Legal Information and Management Briefing System Section





platform for research and study purpose. EAC-PM (Economic Advisory Council to the Prime Minister) was also given access to LIMBS Portal for preparation of white paper on litigation on behalf of Union of India.

To upgrade to a more automated system and to minimize the manual data entry process, efforts are being made to integrate LIMBS with various Courts and Tribunal data bases through APIs for seamless data transfer and update. In this regard, Supreme Court, High Court, District Courts and 17 Tribunals were approached. Department of Legal Affairs, in cooperation with NIC and respective Court/Tribunal Authorities, successfully integrated LIMBS with the following Courts and Tribunals:

#### **Courts/Tribunals integrated with LIMBS via API i.e.**

- High Courts
- District and Session Courts

#### **Tribunals (9):**

1. Central Administrative Tribunal (CAT)
2. Telecom Disputes Settlement and Appellate Tribunal (TDSAT)
3. Appellate Tribunal for Electricity (APTEL)
4. Customs Excise and Service Tax Appellate Tribunal (CESTAT)
5. Income Tax Appellate Tribunal (ITAT)
6. National Company Law Tribunal (NCLT)
7. National Company Law Appellate Tribunal (NCLAT)
8. National Green Tribunal (NGT)
9. Railway Claims Tribunal (RCT)

Integration of LIMBS with the Supreme Court and the remaining 4 Tribunals (AFT, NCDRC, CGIT and Appellate Tribunals under SAFEMA) is under progress.

LIMBS was implemented in 55 Ministries of Government of India, its Departments and attached offices and it brought all the stakeholders viz. users, Nodal Officers of the various Ministry/ Departments and advocates on a single platform. With the concerted efforts of Ministries/Departments, the application has captured **9.24 lakh** court cases (including disposed of cases) through **14,345**

registered users, thereby creating a unified database of litigations pertaining to Union of India. The application has captured details of **3,281** courts and **22,930** advocates.

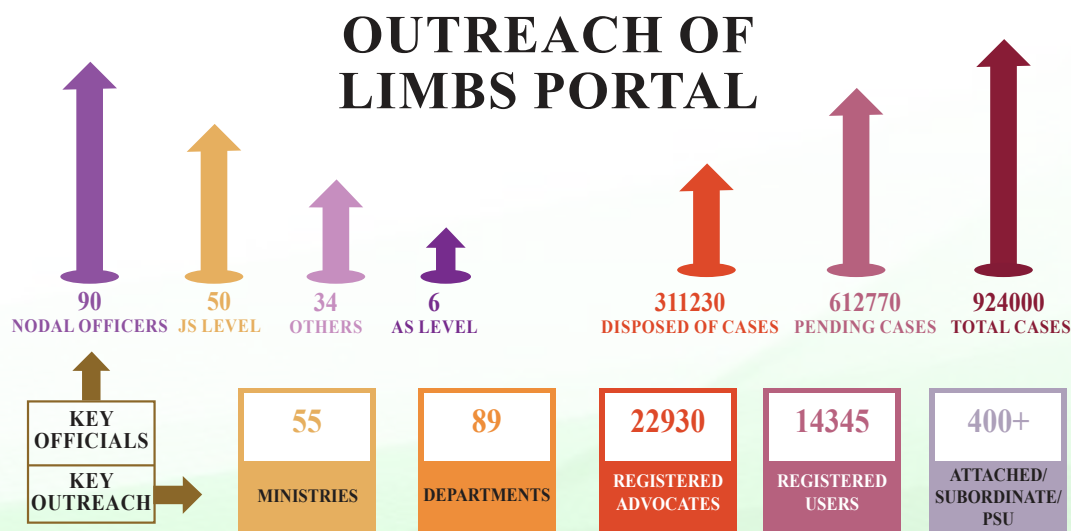
### MAIN FEATURES OF LIMBS

LIMBS is enabled with advanced data analytics. It has a separate domain to enter and monitor cases pertaining to Administrative Mechanism for Resolution of Commercial Disputes (AMRCD). Reports can also be generated under the ‘MIS Report’ tab. These features facilitate monitoring of cases, uploading of fee bills by law Officers, panel counsels and advocates. The main features of LIMBS are as follows:

- (i) **Dashboard:** On the dashboard, users can view litigation status of the concerned Ministry, viz. total number 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.
- (ii) **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 arbitration cases, total raised bills, total nodal Officers list, total user list, etc.

Figure III 5

Outreach of LIMBS Portal



- (iii) **Advanced Search:** Through this powerful utility, users can search court cases through various fields - Ministry/Department, court details, case category, financial implication, case status, party name, advocate, system date, case date, next date of hearing/judgment date and brief history.
- (iv) **Important Cases** – A Nodal Officer has the facility to mark cases as ‘Important’ after taking approval from the concerned Secretary. Users can also view important cases of concerned Ministry/Department under Important Cases tab on the dashboard.
- (v) **Nodal Officers and Local Admins** can activate newly registered users of concerned Ministry/ Departments/ sub-Departments/ autonomous organizations/ CPSEs, etc. They can change the profile of users who have retired or transferred and can delete wrongly entered or duplicate cases.
- (vi) **Data Entry of a New Case and Case Updation** - Users can enter new cases using ‘New Entry’ tab on dashboard. They can update last hearing dates and can upload relevant documents relating to a case using ‘Compliance Entry’ under ‘My Court Cases’ tab. Users can also edit or add basic detail of cases such as CNR number, advocate’s name, mobile no, brief history, etc.
- (vii) **Add Progress:** Users can add day to day progress of the cases and display its details on the web page.
- (viii) **Transfer of Cases:** Users of one Ministry/Department can transfer cases to other users of same Ministry/Department or to nodal Officers of other Ministries.
- (ix) **Arbitration Cases:** Users can enter details using ‘Case Entry’ tab and can view entered cases using the list under ‘Arbitration’ tab.
- (x) **Advocate Login:** Presently, advocates can log into their accounts and enter new cases. Advocates can update last hearing dates, next hearing dates, transfer cases by marking status ‘This is not my case’ to the concerned user, send message to respective user who is dealing with the case and can raise bill online.
- (xi) **Advice Module/ (SLP):** SLP module was developed to capture timelines of physical process to curb delays in timely filing of SLPs/Appeals.
- (xii) **Exception Cases:** The exception cases are those cases containing exceptions/errors related to courts, advocate details, case category, case status, financial implication, case date and last date of hearing. To update the exceptions/errors, a sub- module was developed.

## UPGRADATION OF LIMBS

- (i) FAB Module - On September 17, 2022, Minister of Law & Justice, Shri Kiren Rijju inaugurated the FAB Module (Form for Appearance Bill) to enable law Officers to raise bills online. This digital initiative not only saves time but also helps the smooth processing of the bills.
- (ii) Facility of CNR number (unique 16-digit number generated in every case in e-Courts website) was added. Users can search their cases using CNR number.
- (iii) Direct integration with Tribunals websites through APIs for minimizing errors of Manual entry of cases.
- (iv) Security Audit - Third party security audit of LIMBS application was completed.
- (v) Integration of LIMBS with e-Office was started. Ministry/Department user can initiate files seeking advice from LIMBS website to the Department. The Advice Sections forward uploaded advice to the corresponding Joint Secretary of the said Ministry/Department.
- (vi) Central Agency Section - In-house digitization was done.
- (vii) Regular LIMBS Workshop - LIMBS team provides training to Ministry/Department users through both, online and offline mode.

## IMPACT OF LIMBS

- (i) LIMBS acts as a catalyst to bring improvement in monitoring of court cases by Ministries/ Departments and integrates it with e-Court application to provide a complete and holistic solution. LIMBS uses a unified database, standard templates and common nomenclature to eliminate the confusion and ambiguity in dealing with court cases. SMS alerts to advocates, users and concerned Officers ensure that no case escapes attention. The MIS reports have improved the working of legal cell in various Ministries/Departments.
- (ii) LIMBS has thus revolutionized the litigation monitoring system of Union of India by introducing accountability, ownership and cohesiveness among the users across the Ministries and improving transparency through the entry of the necessary information on this web application.



## IV

## LEGAL REFORMS

**MANAGEMENT OF COMMERCIAL COURTS**

One of the key success factors in the transformation of economies is business' confidence in enforcement of contracts by the Courts. Both domestic and foreign investments which are fundamental to economic growth involve entering of parties into commercial contracts. Often, contracts result in disputes that require proper and speedy adjudication by the Courts. This facilitates faster execution of contracts and reduces business costs and enhances returns on investment.

In order to ensure that commercial contracts are enforced properly and business activities continue unimpeded, the Commercial Courts Act, 2015 was enacted and Commercial Courts were established at the District levels. Five High Courts at Bombay, Calcutta, Delhi, Himachal Pradesh and Madras exercise Original Civil Jurisdiction wherein commercial divisions have been established. The Act was amended in 2018. The specified value of the commercial disputes to be adjudicated by the Commercial Courts is ₹3 lakhs. The Act simplifies the process of settlement of dispute by introducing mechanism of Pre-Institution Mediation and Settlement (PIMS) where no interim relief is contemplated.

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 amendments also provide 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 below the Court of District Judge.

There are 758 Commercial Courts constituted below District Judge level, 494 Commercial Courts at the District Judge level, 379 Commercial Appellate Division Courts at District Judge Level. 25 Commercial Divisions and 38 Commercial Appellate Division constituted in the High Courts.

**Figure IV 1:**

Administration III



### **BAR COUNCIL OF INDIA**

The Bar Council of India is the statutory regulator of legal education and legal profession, entrusted with maintaining and improving their standards. The Bar Council of India ensures maintenance of professional standards of conduct and etiquette of advocates. It acts as the Appellate Authority in disciplinary matters relating to conduct of Advocates while the first authority in this regard is the concerned State Bar Council. The Bar Council of India, under Section 48B of the Advocates Act, 1961, has the power of general supervision and control over State Bar Councils and to issue directions for proper and efficient discharge of the functions of State Bar Councils.

The Bar Council of India also conducts the All India Bar Examination for advocates who graduated with effect from 2010 and are provisionally enrolled with their respective State Bar Councils. The examination has to be cleared by such Advocates within a period of two years of their provisional enrolment in order to obtain the Certificate of Practice.

## LEGAL EDUCATION

The Advocates Act, 1961 lays down the standards for legal education in India. It confers powers on the Bar Council of India to recognise Universities offering degrees in Law for enrolment as an Advocate. In order to strengthen the outreach of legal education in India, 23 National Law Universities have been established. The table below provides State wise private as well as Government Law Colleges and Universities in India.

Rules of Legal Education have been formulated to maintain and raise the standards of legal education of the Universities and Colleges imparting legal education.

The Rules specify minimum requirements, such as infrastructure, class rooms, minimum library requirement, qualifications of faculties, moot courts, legal aid clinic, computer facility, etc.

Compulsory clinical education through Drafting, Pleading and Conveyancing, Professional Ethics, Alternate Dispute Resolution, Moot Court and Internship, which includes pre-trial preparations, are also included in syllabus and encouraged.

Visit to police stations, courts, women cells, jail visits are important as it provides an opportunity for practical observation.

The Prime Minister of India, in his speech on 30 April, 2022 at the Joint Conference of Chief Ministers and Chief Justices of High Courts urged the inclusion of certain subjects in legal education such as blockchain technology, electronic discovery, cyber security, robotic, Artificial Intelligence and bioethics. This has been adopted by the Bar Council of India.

The syllabus and other norms are laid down by the Bar Council of India in consultation with the Universities.

Rules of Legal Education provide for imparting legal education in English or in any other regional language that allows students to appear in examinations in that chosen language.

The Bar Council of India conducts and promotes seminars and workshops by eminent jurists and publishes journals of legal interest, namely, the Indian Bar Review.

Under Section 10 of the Advocates Act, 1961, the Legal Education Committee, chaired by a former Supreme Court Judge, regulates the standards of legal education in India.



## ACTIVITIES OF BAR COUNCIL OF INDIA

### SURPRISE INSPECTION

The Bar Council of India has set up a High-Level Surprise Inspection Committee headed by a former Chief Justice of High Court. The task of the Committee is to verify and monitor the functioning of Centres of Legal Education for improving the standards of legal education and legal profession.

### REVIEW OF AIBE SYLLABUS AND PATTERN

The Bar Council of India, pursuant to the observations made by the Supreme Court of India in Bar Council of India vs. Twinkle Rahul Manganekar and Ors., set up a Committee headed by Justice Naveen Sinha, former Judge of the Supreme Court of India. The Committee is analysing the course, curriculum, pattern of Bar Examination held in various jurisdictions including UK and USA so that the syllabus and the pattern of the All India Bar Examination can be made more meaningful to test the skills and knowledge of the practitioners of law.

### INTERNSHIP OF LAW STUDENTS AND FRESH LAW GRADUATES

The Bar Council of India is devising a scheme whereby examinations are held for fresh law graduates to provide them internships under the best and noted Advocates of their respective States according to their performance.

### TRAINING PROGRAMME AND SEMINARS

The Bar Council of India conducted seminars and workshops on various topics like “Court’s Technology and Access to Justice: Changing Perspectives”, “Lawyers Contribution in Building the Society” and “Future of legal education and the scope of globalisation of legal education” in the year 2022.

### BHARATIYA BHASHA SAMITI

The Bar Council of India constituted the Bharatiya Bhasha Samiti. Its members are as follows: -

1. **Justice S. A. Bobde**,  
Former Chief Justice of India,  
President, Bharatiya Bhasha Samiti of B.C.I.
2. **Mr. Manan Kumar Mishra**, Senior Advocate,  
Chairman, Bar Council of India  
Working President, Bharatiya Bhasha Samiti



3. **Justice L. Narasimha Reddy**  
Former Chief Justice of Patna High Court  
Vice-President, Bharatiya Bhasha Samiti
4. **Sri. Chamu Krishna Shastry**  
Chairman, Bharatiya Bhasha Samiti,
5. **Prof. (Dr.) P. Ishwara Bhat,**  
Vice-Chancellor, KSLU  
Former Vice-Chancellor, NUJS Kolkata
6. **Sri Ashok Mehta,** Senior Advocate,  
High Court of Allahabad
7. **Smt. Anjali Thakur,** Advocate,  
High Court of Bombay, Nagpur  
Member, Bharatiya Bhasha Samiti of B.C.I.
8. **Prof. Satyanarayana Sharma,**  
Former Dean of Law Department and Former Principal, Ujjain
9. **Prof. Vaidhyasubramaniam,**  
Vice Chancellor, SASTRA University,
10. **Dr. N. Gopukumar**  
Joint Secretary, University Grants Commission
11. **Mr. J.P.Singh,**  
Assistant Registrar, Bharatiya Bhasha Samiti.

The objective of the Committee is to make legal education accessible in regional languages through translation of books. It has resolved that the task of providing Bharatiya Bhasha vocabulary of words and phrases, which are commonly used in local language, will be undertaken by a Sub-Committee consisting of the following-

1. **Justice L. Narasimha Reddy,**  
Former Chief Justice of Patna High Court,  
Vice-President, Bharatiya Bhasha Samiti;
2. **Mr. Chamu Krishna Shastry,**  
Chairman, Bharatiya Bhasha Samiti; and

3. **Mrs. Anjali Thakur**, Advocate.

### **ESTABLISHMENT OF INDIA INTERNATIONAL UNIVERSITY OF LEGAL EDUCATION AND RESEARCH**

The Bar Council of India Trust established the India International University of Legal Education and Research (IIULER), at Goa. The University offers integrated LL.B., LL.M, Ph.D. courses, as well as certificate and diploma courses. Special emphasis is given to research.

According to Para-17.3 of New Education Policy, 2020, legal education will be restructured to become globally competitive, adopting best practices and embracing new technologies for wider access and timely delivery of justice. The inauguration of first Academic Session of the University was held on 3rd December, 2022.

### **DISCIPLINARY MATTERS**

The Bar Council of India, pursuant to the judgment of the Supreme Court of India in Civil Appeal No. 7478/2019, heard 2370 transfer cases through Disciplinary Committees and has been able to successfully dispose 1605 cases.

### **VISION @ 2047**

The Prime Minister of India described the Vision @ 2047 as follows: -

“In this decade of ‘AMRIT KAAL’, we will ensure that all the facilities like service delivery should reach the citizen up to the last mile; for the overall development of the country unnecessary interference by the government and government processes in the lives of the people must be ended.”

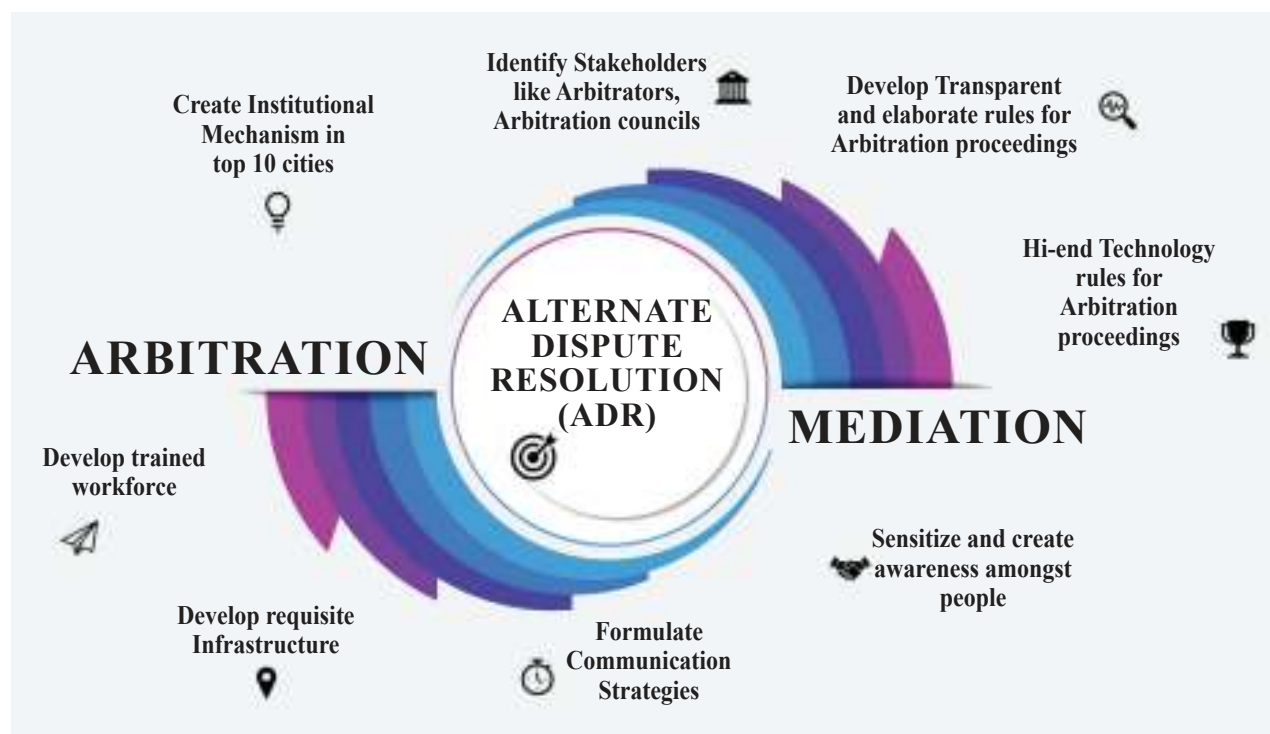
In the light of VISION @ 2047 of the Prime Minister of India, the Department of Legal Affairs has laid down the following strategies: -

1. Strengthening of Alternate Dispute Resolution (ADR) mechanisms to make India a hub of institutional arbitration.
2. Establishment of “New Delhi International Arbitration Centre” vide notification dated 13 June, 2022 and notification of rules for its functioning, as well as appointment of its Chairperson and Members. In order to lend global identity to the institution, the name was changed to “India International Arbitration Centre”.

3. Creation and development of institutional mechanism to support ADR ecosystem in all top 10 cities of India within 18 months and the expansion of the initiative to the remaining Tier 2 and Tier 3 cities within 5 years.
4. Identification of relevant stakeholders like Arbitrators, Arbitration Counsels, service providers, etc. to support the implementation plan and collaborate with the existing 35 Arbitration Institutions.
5. Development of infrastructure, trained workforce and resources through capacity building/ training and formulation of communication strategy for effective Institutional Arbitration Mechanism.
6. Creation of a “GIFT CITY” ecosystem for promoting globalisation of arbitration.
7. Introduction of high-end technology enabled processes in arbitration proceedings through use of Metaverse to facilitate virtual hearing.
8. Simplification of laws governing taxation, bail matters, under trials, civil procedure, and rules regulating the conduct of Government employees.
9. Use of digital and print media channels to generate awareness on mediation and arbitration.

**Figure IV 2:**

Highlights of Vision @ 2047





# V

## TRANSPARENCY

### RIGHT TO INFORMATION CELL

The RTI Cell coordinates all the work relating to the implementation of the Right to Information Act, 2005. It receives applications and appeals physically as well as in online mode. It forwards them to the CPIO's/ Appellate Authorities within the Department or to the other concerned public authority. The RTI Cell serves as a nodal point for applications received by the Office of the Minister of Law & Justice and the Office of the Attorney General of India. The Department of Legal Affairs, including Branch Secretariats, has 18 CPIOs and 10 First Appellate Authorities.

The Cell coordinates various matters relating to the Central Information Commission (CIC) in terms of hearing/compliance of orders. The Cell submits quarterly returns to the CIC under section 25(1) of the RTI Act, 2005.

**Figure V 1:**

Right to Information Cell





The RTI Cell works as a master division for all other Sections/Divisions for clearing any doubts related to RTI and assists them. Other functions of the RTI Cell of the Department include the following:

1. Issuing login-id/password details of the CPIOs/Appellate Authorities for online RTI portal and assisting them.
2. Dealing with the suo-motu disclosures on the website.
3. Time to time updating of information on the RTI portal of the Department's website.
4. Any other work relating to RTI Act, 2005.

**Table V-1:**  
RTI applications and disposal

RTI Application	Pending Cases	Disposed Cases	RTI First Appeal	Pending Cases	Disposed Cases	RTI Second Appeal
3322	18	3304	429	1	428	41

### **PUBLIC GRIEVANCE (PG) CELL**

PG Cell of the Department deals with public grievances received online as well as in offline mode. Online grievances are handled through the Centralized Public Grievances Redress and Monitoring System (CPGRAMS). CPGRAMS is an online platform available 24X7 to the citizens to lodge their grievances to the public authorities on any subject related to 'service delivery'.

However, issues relating to sub-judice cases or any matter concerning judgments given by any court, personal and family disputes, RTI matters, matters that impact upon territorial integrity of the country or friendly relations with other countries, and suggestions are excluded from the purview of CPGRAMS.

**Figure V 2**

Public Grievance Cell



The Division is headed by Shri Rajveer Singh Verma, Additional Secretary, and assisted by Shri Saji Gopinath, Under Secretary, Shri Upendra Nath Mishra, Section Officer and Ms Shweta Negi, Court Clerk.

**Table V 2:**

Status of Public Grievances in CPGRAMS

TOTAL CASES	DISPOSED CASES	PENDING CASES
4436	4435	1

### **VIGILANCE UNIT**

The Vigilance Unit in the Ministry of Law and Justice caters to the Department of Legal Affairs (including the Income Tax Appellate Tribunal) and the Legislative Department. The Vigilance Unit is headed by a Chief Vigilance Officer of the rank of an Additional Secretary who is appointed with the concurrence of the Central Vigilance Commission. The Vigilance Unit is presently headed by Dr. Anju Rathi Rana, Additional Secretary. The overall responsibility of vigilance activities for both the Departments rests with the Chief Vigilance Officer.

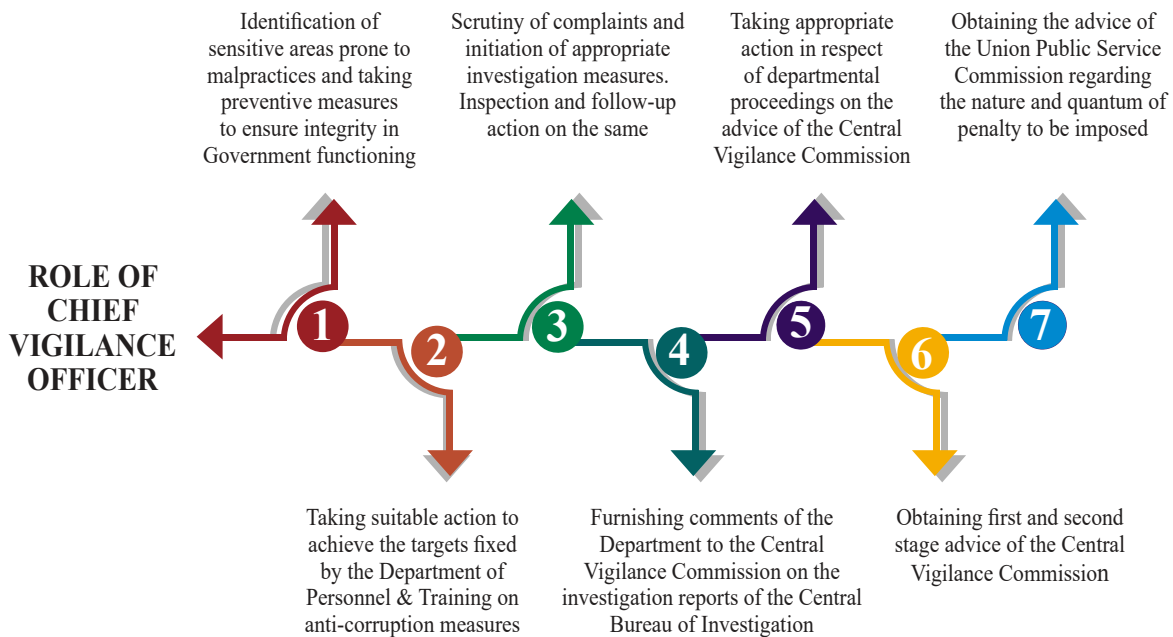
Preventive vigilance continues to receive priority attention with emphasis on the identification of areas sensitive or prone to malpractices. The guidelines/instructions issued from time to time by the Department of Personnel & Training and Central Vigilance Commission in this regard are followed.

**Figure V 3:**

Vigilance Unit



**The Chief Vigilance Officer is the nodal point in the Vigilance Unit and is entrusted with the following responsibilities:**



Vigilance Clearance certifies whether an employee is clear from vigilance angle or not. Acts like demand/ acceptance of illegal gratification, possession of disproportionate assets, instances of misappropriation, forgery or cheating, abuse of official position, other such acts are considered to be grounds for withholding Vigilance Clearance.



The Vigilance Unit issued 370 Vigilance Clearances.

Vigilance Awareness Week was observed in the week starting from 31.10.2022 to 06.11.2022. On 31 October 2022, the Law Secretary administered the Integrity Pledge to the Officers and employees of the Department of Legal Affairs as part of the Vigilance Awareness Week. Several activities were conducted to sensitise the employees of the Department. Eminent academicians from the Indian Law Institute also gave a lecture on the CVC's theme of 'Corruption free India for a developed nation' to the Department's Officials. Competitions on essay writing and poster making were also held on the aforesaid theme. The Law Secretary presented certificates and cash awards to the competition's winners on 14 December, 2022.

### **Internal Complaints Committee under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**

A Complaints Committee to investigate sexual harassment complaints made by officials of the Department of Legal Affairs and the Legislative Department has been established under section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. It examines the allegations of sexual harassment made by women employees and, if required, launches an investigation. The Complaints Committee is 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 is treated as an enquiry report. On completion of the enquiry, the Committee submits its findings to the Department of Legal Affairs for any necessary action. At present, Dr. Anju Rathi Rana, Additional Secretary, Department of Legal Affairs, is in-charge of the Complaints Committee.

Currently, there are no pending cases of sexual harassment in the Department of Legal Affairs.

On December 6, 2022, a workshop was held to create awareness of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 in Shastri Bhawan, New Delhi. Through the interactive workshop, Supreme Court Advocate, Sh. Shashank Shekhar delivered a lecture on the topic.

In addition to the workshop, the students of the Culture Society, Campus Law Centre, Delhi University performed a Nukkad Natak on Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 on 7 December, 2022 at Shastri Bhawan to create awareness and instill the values of respect and equality for all women. Students presented the audience with vibrant messages in an innovative way, showing how the problem of sexual harassment exists in workplaces, public transportation hubs, educational institutions, and other social settings, and outlining various measures that can be taken to prevent sexual harassment.



## VI

## NOTARY

The Notary Cell of the Department of Legal Affairs makes appointments of the Notaries and implements the Notaries Act, 1952 and the rules framed thereunder.

As part of the Digital India Campaign, the notary work was digitalised. This has eased the appointment process of Notaries and the functioning of administration. 23,565 Notaries have been appointed by the Central Government in different States and Union Territories.

**FUNCTIONS OF THE NOTARY CELL**

1. The Notary Cell deals with the scrutiny of the online applications received from different States/Union Territories, processing of the applications and holding of interviews for appointment as Notaries.
2. This Cell conducts inquiry into the allegations of professional misconduct on the part of the Notaries.
3. The Cell deals with RTI applications, first and second appeals.
4. The Cell handles court cases filed in various High Courts. It renews Certificates of Practice of Notaries issued by the Central Government every five years. On sufficient reasons, it also grants extension of tenure and allows change of the area of practice to the notary.

**AMENDMENTS IN THE NOTARIES RULES, 1956**

- ä The vacancies for Central Public Notaries for various States/Union Territories were enhanced. (Vide GSR No 438(E) dated 9th June, 2022)
- ä Rule 8B of the Notaries Rules, 1956 was amended for empowering the Central Government to renew the Certificates of Practice which were received within one year after the expiry of validity period. (Vide GSR No. 597(E) dated 22nd July, 2022)

**Figure VI 1:**

Notary Cell



**Table VI 1:**

Notaries appointed by the Central Government since inception

S.No.	State	NOTARIES APPOINTED SINCE INCEPTION
1.	Andhra Pradesh	543
2.	Arunachal Pradesh	00
3.	Assam	15
4.	Bihar	230
5.	Chhattisgarh	198
6.	Goa	31
7.	Gujarat	4219
8.	Haryana	1500
9.	Himachal Pradesh	464
10.	Jharkhand	82

S.No.	State	NOTARIES APPOINTED SINCE INCEPTION
11.	Karnataka	1733
12.	Kerala	1100
13.	Madhya Pradesh	266
14.	Maharashtra	4252
15.	Manipur	00
16.	Meghalaya	01
17.	Mizoram	00
18.	Nagaland	00
19.	Odisha	93
20.	Punjab	1350
21.	Rajasthan	2030
22.	Sikkim	00
23.	Tamil Nadu	1640
24.	Telangana	73
25.	Tripura	18
26.	Uttar Pradesh	2061
27.	Uttarakhand	65
28.	West Bengal	300
29.	Andaman and Nicobar Islands	00
30.	Chandigarh	129
31.	Dadra and Nagar Haveli and Daman and Diu	01
32.	Jammu and Kashmir	91
33.	Ladakh	00
34.	Lakshadweep	03
35.	National Capital Territory of Delhi	817
36.	Puducherry	260
<b>Total</b>		<b>23565</b>

## NOTARY ONLINE APPLICATION PORTAL (NOAP)

The Notary Cell of the Department conducted online interviews. An exclusive web portal namely Notary Online Application Portal (NOAP) was launched on 27.05.2022. The key features of NOAP are as follows:

1. The application form is user friendly and can be filled up with no technical assistance;
2. No physical copy of the documents is required to be forwarded to the Notary Cell, resulting in a paperless mechanism;
3. All kinds of statutory fees relating to appointment of Notaries are to be paid online (through Bharatkosh);
4. The applications are no more required to be forwarded through a District Judge;
5. Notaries can upload their annual returns through NOAP;
6. Notaries do not need to send specimen signature for renewing their license as these can be uploaded on the portal;
7. Notary applications received all over India can be tracked by Notary Cell as well as by applicants.

## NOTARY APPOINTMENT INTERVIEWS HELD THROUGH DIGITAL MODE

1. The Notary Cell of the Department conducted online interviews in the State of Himachal Pradesh where 685 candidates were interviewed for appointment of Central Government Notaries.
2. The Notary Cell of the Department conducted online interviews of 9198 candidates for appointment of Notaries for the State of Gujarat.

**Figure VI 2:**

Transformation from Physical to Paperless Governance





**Table VI 2:**

Transformation from Service Plus to NOAP

SERVICE PLUS	NOAP
OFFLINE PAYMENT OF NOTARIES FEES	ONLINE PAYMENT THROUGH BHARATKOSH
Offline interview call Letter generation	Online interview call letter generation
Physical interviews Concluded	Online interviews using Bharat VC
Complicated GUL user Hostile	User Friendly portal with advanced search
No report generation	Report generation state/ District wise
Comprehensive Portal with other services	Exclusive portal for Notary Cell in the Department website

## VII

### DIGITALISATION AND CYBER SECURITY

India's digital footprint witnessed accelerated growth rates with its outreach expanding to more than 50% of its population in less than a decade. Empowering the common citizenry. In keeping with this spirit, the Department of Legal Affairs, which was hitherto considered a paper-heavy Department has made significant progress towards becoming a paperless organization.

**Figure VII 1:**

Cyber Cell



One of the key initiatives is the Legal Information Management and Briefing System (LIMBS), which is a web-based application to monitor all court cases where the Union of India is one of the parties. This application allows for real time monitoring of all Union of India related cases, while also managing the fees for all the Law Officers, Panel Counsels and Advocates associated with those cases. Earlier, officials had to line up in Courts simply to find the status of an order, now the same is available at the click of a button.

Equally significant is the initiative to digitalize the application process for Notaries. This has directly benefitted the citizens by allowing them to apply for Notaries online. The larger intent is to transform the entire end-to-end notarization process into a digitized system that can be easily accessed and executed from the

comfort of home. This initiative is an important step towards the Government’s public-centric approach and is also in line with Vision 2047, while at the same time, enhancing the Ease of Doing Business.

Department of Legal Affairs has also made its website more comprehensive and user friendly, easier to navigate with more readable text. The website has also been enriched with detailed information along with hyperlinks to other allied and subordinate organizations and now provides seamless interoperability across different web browsers, operating systems, connection speeds, mobile browsers, etc.

The Department of Legal Affairs is also moving towards a paperless office by digitizing many documents and process flows, thereby, increasing transparency and the pace of decision-making. Creation of files, noting in files, decisions at various levels and issuing decisions as letters and notifications have all become online through e-Office 7.0.

With the ability to create files online, track files online, and speedy decision-making due to constant monitoring online, e-Office is rapidly transforming the entire way of life at Government Offices. E-Office comes equipped with high-tech features like e-File, Knowledge Management System, CAMS, e-Leave, e-Tour, Sparrow, PIMS, etc.

GeM is a completely paperless, cashless system driven e-market place enabling procurement of common-use goods and services with minimal human interface that has been completely adopted by the Department of Legal Affairs.

**Figure VII 2:**  
Features of the Cyber Security Crisis Management Plan (CCMP)





## DEPARTMENT'S INITIATIVES ON CYBER SECURITY

In parallel to enhancing the digital footprint of Department of Legal Affairs, a high level of attention has been focused towards enhancing cyber security in the Department, to safeguard the critical digital infrastructure and the data and information therein.

Given the widespread and pernicious nature of cyber based threats, all Ministries/Departments/Organizations have been mandated to significantly improve their IT and cyber security protocols. The intent is to safeguard their networks, data and organizations against any possible IT and cyber based threats and attacks.

In this regard, action plans, in line with the directions from MeitY, have been undertaken by the Department of Legal Affairs. The first step was the formulation of a Cyber Security Crisis Management Plan (CCMP). This plan included the designation of a Chief Information Security Officer (CISO), along with a Deputy CISO, to coordinate the creation and implementation of the CCMP.

The CCMP has created the impetus for a structured policy formation process within the Department of Legal Affairs to deal with such crisis. The plan involves the installation of updated versions of the software used within the Department to ensure better network and equipment security, as well as replacement of old IT equipment with modern, higher capability, and more secure models. The Department included within the purview of this plan, the external locations of the Department of Legal Affairs, to ensure uniformity in network security protocols.

Additionally, a dedicated team was identified for the constant monitoring of cyber security issues, especially, any possible breaches or lapses that might happen within the Department. Budgetary estimates was drawn up, and funds were sanctioned for implementing the CCMP, to safeguard the Department from cyberattacks. To illustrate visually, the CCMP action plan strives to provide holistic coverage for all aspects pertaining to the IT infrastructure within the Department.

## JAGAROOKTA SESSION

As part of the holistic plan to share information and create awareness about cybersecurity and cyber based threats as it pertains to Department of Legal Affairs, the Department conducted a comprehensive awareness session in November 2022 comprising presentations and lectures by experienced professionals. All senior Officers of the Department were in attendance and actively participated, along with all staff members of the Department, in the awareness session. The information presented included

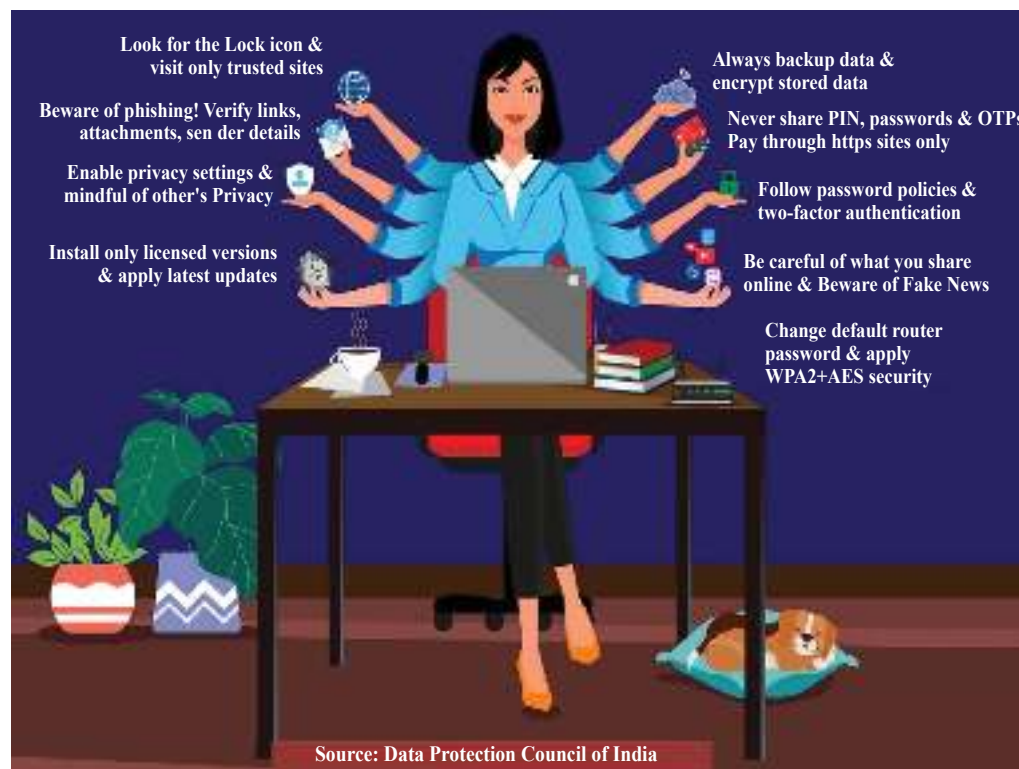




critical aspects such as Dos & Don'ts as well as the intricacies of these attacks and examples of mitigation measures. The actual event was preceded by a week-long campaign comprising quizzes and attendant publicity to generate interest and enthusiasm for the Jagarookta session. The session ultimately turned out to be a major success which also saw participation by Senior Advocates and MeitY Officers. The key success for Department was the all-round participation by all members of the Department at all levels.

**Figure VII 3:**

Do's and Don'ts to be cyber-secure



### INSTITUTIONALISING CYBER POLICY

Overall, 2022 was a salient year for the Department in the domain of cybersecurity with key action plans implemented, nodal Officers appointed, and specific budgetary measures being executed to ensure cybersecurity. This is all with the broader intent of ensuring that the Department's public services such as notarization and mediation, to name just a few, provide ease of access for the common citizen of India, in line with the Central Government's 2047 Vision. As India's growth story continues, the Department will continue to play a leading role in providing a safe, secure, trusted legal framework for cyberlaws in the sphere of online gaming and sports, data protection, online lotteries, etc.

# VIII

## BUDGET AND AUDIT

### INTEGRATED FINANCE DIVISION

Integrated Finance Division (IFD) assists the Department of Legal Affairs in budget management and control. It is headed by Smt. Ranjana Chopra, Additional Secretary & Financial Advisor. Shri Hansraj Meena, Deputy Secretary, helps in monitoring the budget and finance of the Ministry of Law & Justice including the Department of Legal Affairs. The Integrated Finance Unit tenders financial advice to the Department. The broad functions of the division include financial advice, budgeting, accounts, and internal audit in the Ministry.

### HEAD WISE EXPENDITURE STATEMENT FOR THE YEARS 2021-2022 AND 2022-2023

The statement of expenditure for the years 2021-2022 and 2022-2023 may be seen in the table given below. The major heads include the Administration of Justice, Collection of Taxes on Income and Expenditure, Secretariat General Service, other Administrative Services and Capital Outlay on Other Administrative Services along with their respective Budget Provision, Revised Estimate, Expenditure, Excess and Saving and Balance Available.

### HEAD WISE EXPENDITURE STATEMENT FOR THE YEAR 2021-2022

The highest and lowest Revised Estimate for the year 2021-2022 amounted to ₹122 crores (Capital Outlay on Other Administrative Services) and ₹7.3 crores (Other Administrative Services) respectively. The highest and lowest expenditure amounted to ₹120.79 crores (Capital Outlay on Other Administrative Services) and ₹4.27 crores (Other Administrative Services) respectively.

### HEAD WISE EXPENDITURE STATEMENT FOR THE YEAR 2022-2023

The highest and lowest Expenditure for the year 2022-2023 amounted to ₹92.37 crores (Collection of Taxes on Income and Expenditure) and ₹3.53 crores (Other Administrative Services) respectively. The highest and lowest Balance Available amounted to ₹94.29 crores (Capital Outlay on Other Administrative Services) and ₹4.17 crores (Other Administrative Services) respectively.

Table VIII 1:

Head-wise expenditure statement for the years 2021-2022 &amp; 2022-2023

HEAD WISE EXPENDITURE STATEMENT FOR THE YEARS 2021-2022 & 2022-2023 {IN CRORES(₹)}										
S.No.	CODE	MAJOR HEADS	BUDGET PROVISION		REVISED ESTIMATE		EXPENDITURE		EXCESS(+) SAVING(-)	BALANCE AVAILABLE
			2021-22	2022-23	2021-22	2022-23	2021-22	2022-23		
1	2014	Administration of Justice	60	64.6	69	-	63.82	48.10	-5.18	16.5
2	2020	Collection of Taxes on Income and Expenditure	120.8	122	119.85	-	102.09	92.37	-17.76	29.63
3	2052	Secretariat General Service	72.9	88.18	78.78	-	65.27	61.96	-13.51	26.22
4	2070	Other Administrative Services	7.3	7.7	7.3	-	4.27	3.53	-3.03	4.17

## STATUS OF AUDIT OBSERVATIONS

Table VIII 2:

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.	1	0	0	0



# IX

## ALTERNATE DISPUTE RESOLUTION

The traditional mode of dispute resolution, i.e. litigation, is a lengthy process leading to unnecessary delays in dispensation of justice as well as overburdening of Judiciary. In such a scenario, Alternate Dispute Resolution (ADR) mechanisms like arbitration, conciliation and mediation assume significance. These ADR mechanisms are less adversarial and are capable of providing a better substitute to the conventional methods of resolving disputes.

ADR mechanisms have the advantage of resolving disputes namely civil, commercial and family etc., where people are not able to start any type of negotiation and reach settlement, and also in many cases where privacy is important.

In modern times, to keep pace with the globalization of trade and commerce, several legislative measures to promote ADR mechanisms have been taken. The Department of Legal Affairs is concerned with the Arbitration and Conciliation Act, 1996, India International Arbitration Centre Act, 2019 and the Mediation Bill, 2021.

Figure IX 1:

Alternate Dispute Resolution





## INDIA INTERNATIONAL ARBITRATION CENTRE

The India International Arbitration Centre Act, 2019 provides for the establishment of an institution of national importance, namely the India International Arbitration Centre as an autonomous body for facilitating institutional arbitration. It is proposed to develop the Centre as a preferred seat for domestic and international commercial arbitration.

The Centre envisages providing world class facilities and administrative assistance for conciliation, mediation and arbitral proceedings, maintaining panel of reputed arbitrators, both at national and international level, promoting research and study, providing teaching and training and organising conferences and seminars in arbitration, conciliation, mediation and other alternative dispute resolution mechanisms.

The Centre, being an institution of national importance, owes its origin to a statute passed by the Parliament. Globally, Indian parties account for a large number of arbitration cases. The Centre will provide fair and speedy resolution of arbitration cases at affordable cost and thus promotes institutional arbitration, without entangling the parties in the uncertainties associated with ad-hoc arbitrations. The Centre is strategically located at Vasant Kunj in Delhi.

The Centre was established vide Notification dated 13th June, 2022. Further, the following Rules as required under the India International Arbitration Centre Act, 2019, were notified: -

- i. New Delhi International Arbitration Centre (Number of Posts and Recruitment of Registrar, Counsel and other Officers and employees) Rules, 2022.
- ii. New Delhi International Arbitration Centre (Terms and Conditions and the Salary and allowances payable to Chairperson and Full-time Members) Rules, 2022.
- iii. New Delhi International Arbitration Centre (Form of Annual Statement of Accounts) Rules, 2022.
- iv. New Delhi International Arbitration Centre (Travelling and other Allowances Payable to Part-time Members) Rules, 2022.

The Chamber of Arbitration under the Centre will be established to empanel experienced arbitrators of repute, at national and international level.

Justice Hemant Gupta, former Judge, Supreme Court of India was appointed as the Chairperson of the Centre.

Mr. Ganesh Chandru and Mr. Anant Vijay Palli were appointed as part-time Members of the Centre.

The Centre will have association with other contemporary international arbitral institutions for mutual

collaboration and cooperation for promoting institutional arbitration and enhancing the credibility of the Centre as a specialised arbitral institution.

The Centre shall be a game-changer in investor's perception of doing business in India, by establishing itself as a professionally managed arbitration centre.

### **ARBITRATION AND CONCILIATION ACT, 1996 AND ARBITRATION COUNCIL OF INDIA**

To keep pace with current developments in the arbitration landscape and to enable arbitration as a viable dispute resolution mechanism, the Indian arbitration law has undergone significant changes in the years 2015, 2019 and 2021. The changes are enabled to signal a paradigm shift for ensuring timely conclusion of arbitration proceedings, minimizing judicial intervention in the arbitral process and enforcement of arbitral awards. The amendments are further aimed at promoting institutional arbitration, updating the law to reflect best global practices and resolve ambiguities thereby establishing an arbitration ecosystem where arbitral institutions can flourish.

The Arbitration and Conciliation (Amendment) Act, 2019 provides for establishment of the Arbitration Council of India (Council) which will frame, review and update norms to ensure satisfactory levels of arbitration and will also frame policies governing the grading of arbitral institutions. The Council will lay down norms to bring uniformity of standards among the arbitral institutions in the country.

The establishment of the Council further minimizes court intervention in arbitration matters by providing that parties may approach the Supreme Court and High Courts designated and Council graded arbitral institutions for the purpose of appointment of arbitrators under section 11 of the Arbitration and Conciliation Act, 1996. With a view to expedite the establishment of the Council, the following Rules have been notified according to the provisions of the Amendment Act: -

- i. The Arbitration Council of India (Terms and Conditions and the salary and allowances payable to Chairperson and Members) Rules, 2022.
- ii. The Arbitration Council of India (Qualifications, Appointment and other Terms and Conditions of the Service of Chief Executive Officer) Rules, 2022.
- iii. The Arbitration Council of India (Travelling and other Allowances Payable to Part-time Members) Rules, 2022.
- iv. The Arbitration Council of India (Number of Officers and other Employees, their qualifications, appointment and other Terms and Conditions) Rules, 2022.

## MEDIATION BILL, 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 a voluntary and consensual basis.

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.

The Bill was referred for examination and report to the Department related Parliamentary Standing Committee on 20.12.2021. The Committee has submitted its report on 13.07.2022 and is under consideration of Government.

## AMRCD/ AMRD

### Administrative Mechanism for Resolution of Central Public Sector Enterprises (CPSEs) Commercial Disputes (AMRCD)

A two-level mechanism called the Administrative Mechanism for Resolution of Central Public Sector Enterprises (CPSEs) Commercial Disputes (AMRCD) was established on 22 May 2018 to settle commercial disputes between CPSEs and other government departments and organizations, with the exception of those involving the railways, income tax, customs, and exercise departments.

This mechanism was developed in cooperation with various stakeholders to replace the then PMA (Permanent Machinery of Arbitration) Mechanism, and to make it more effective and binding on the disputing parties.

#### 1. APPLICABILITY

Any disagreements or disputes regarding the interpretation and application of the terms of a commercial contract between Central Public Sector Enterprises (CPSEs)/Port Trusts and other CPSEs, as well as between CPSEs and governmental agencies or organizations (with the exception of disagreements involving the railways, income tax, customs, or exercise departments) may be brought up by either party for resolution through the AMRCD.

#### 2. STRUCTURE AND PROCEDURE

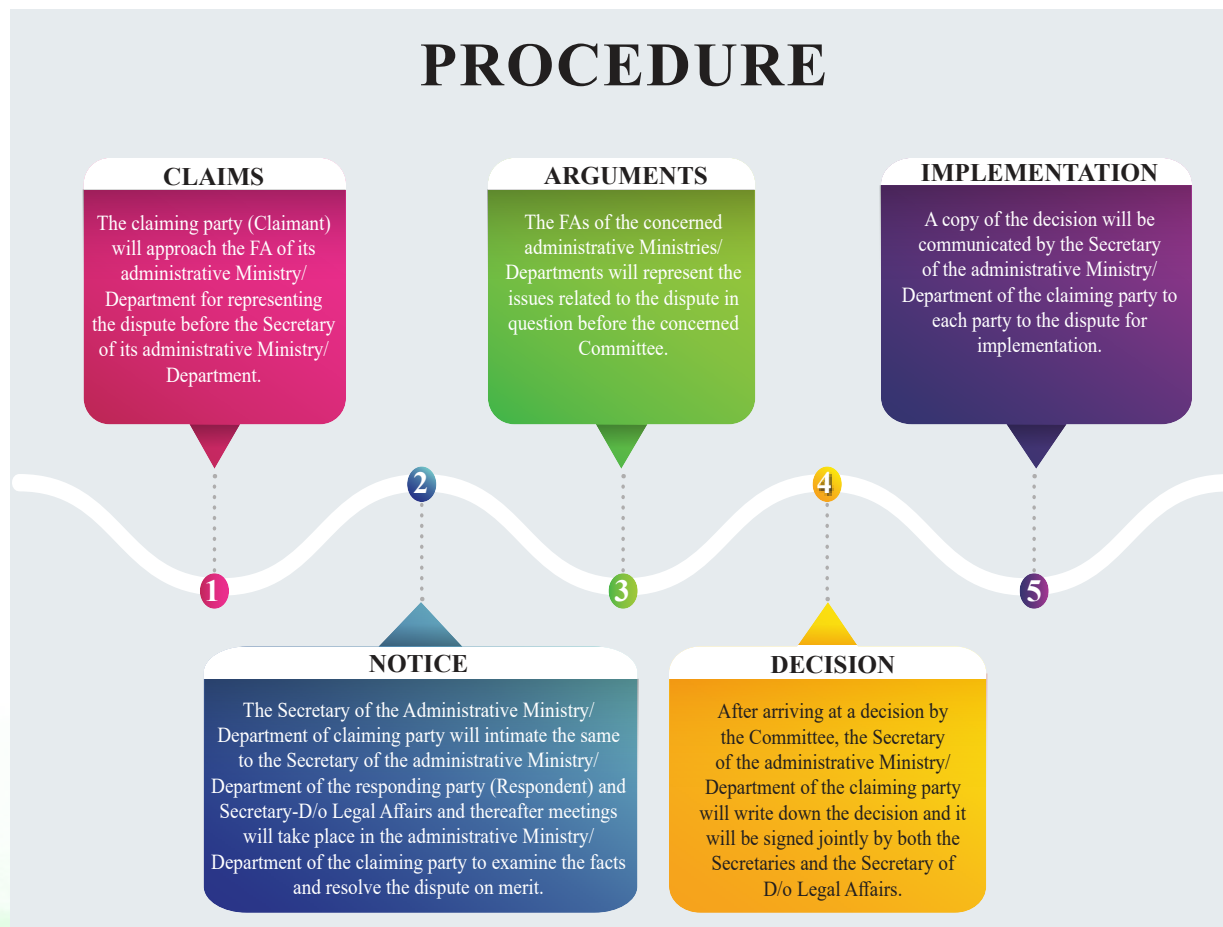
According to the approved new mechanism to resolve commercial disputes, the following structure and

procedure shall be followed by the concerned disputing parties:

- At the First level, such commercial disputes shall be referred to a Committee comprising the Secretaries of the Administrative Ministries/Departments to which the disputing CPSEs/Parties belong, and Secretary, Department of Legal Affairs, who shall be represented by their respective Financial Advisors (FAs).
- In case the two disputing parties belong to the same Ministry/Department, the above said Committee will comprise the Secretary of the administrative Ministry/Department concerned, the Secretary, Department of Legal Affairs, and the Secretary, Department of Public Enterprises. In such a case, the matter may be represented before the Committee by the FA and one Joint Secretary of that Ministry/Department.
- In case the dispute remains unresolved even after consideration by the above Committee, the same will be referred at the Second level to the Cabinet Secretary, whose decision would be final and binding on all concerned.

**Figure IX 2:**

Procedure of AMRCD





- **When one of the parties is a Department or Organization of a State government:** In cases where one party to the dispute is a Department/Organisation of a State Government (1st party), the procedure for admitting the dispute will be the same as described above. However, all meetings in connection with the resolution of the dispute will be held in the administrative Ministry/Department (Union) of other party (2nd party) irrespective of the position of the 1st party as a Claimant or Respondent. The presentation of the issues before the above Committee in this case will be done by the Financial Advisers of the concerned Administrative Ministry/Department and concerned Principal Secretary of the State Government Department/Organization.

### 3. APPEAL

Any party aggrieved with the decision of the Committee at the First Level may prefer an appeal before the Cabinet Secretary at the Second level within 15 days from the date of receipt of decision of the Committee at the First level, through its administrative Ministry/Department, whose decision will be final and binding on all concerned.

### 4. ARBITRATION CLAUSE

The CPSEs will ensure the inclusion of an arbitration clause in all the existing and future commercial contracts between CPSEs inter-se, and CPSEs, and Government Departments/Organizations.

### 5. DISPOSAL OF PENDING CASES IN PMA

All pending cases with Sole Arbitrator- PMA (Permanent Machinery of Arbitration) and Appellate Authority shall stand transferred with immediate effect to concerned administrative Ministries/Departments to be dealt in according with the AMRCD mechanism of dispute resolution. All cases in which the hearing has been completed by a Sole Arbitrator, the award will be made by that Sole Arbitrator. Appeal, if any, made against such cases will lie with the Cabinet Secretary at the Second level.

### ADMINISTRATIVE MECHANISM FOR RESOLUTION OF DISPUTES (AMRD)

In order to provide an institutionalized mechanism for the resolution of such disputes, the Administrative Mechanism for Resolution of Disputes (AMRD) was set up on 31 March 2020.

#### 1. APPLICABILITY

AMRD shall apply to any/all dispute(s), other than those related to taxation, between Central Government Ministries / Departments inter se and between Central Government Ministries / Departments and other Ministries/ Organisation(s)/ Subordinate/ Attached Offices/ Autonomous Institutions, under their administrative supervision/control.

## 2. STRUCTURE

Administrative Mechanism for Resolution of Disputes (AMRD) follows the following structure:-

- a. Disputes, other than taxation, shall be referred at the First level, to a Committee comprising the Secretaries of the Administrative Ministries/Departments to which the disputing Parties belong, and Secretary, Department of Legal Affairs.
- b. The Joint Secretaries (JSs)/Financial Advisers (FAs) (for commercial disputes) of the two concerned Administrative Ministries/ Departments may represent the issues related to the dispute in question, before the Committee.
- c. In case the two disputing parties belong to the same Ministry / Department, the above Committee may comprise of the Secretary of the Administrative Ministries/Department concerned and Secretary, Department of Legal Affairs. Secretary, Department of Public Enterprises may be invited in case the dispute pertains to a CPSE.
- d. The resolution of such disputes shall be by unanimous decision of the Committee.
- e. In case the dispute remains unresolved after consideration by the Committee, it will be referred at the Second level, to the Cabinet Secretary, whose decision will be final and binding on all concerned.

## 3. PROCEDURE

Figure IX 3:

Procedure of AMRD



#### 4. APPEAL

Any party aggrieved with the decision of the Committee at the First level may prefer an appeal before the Cabinet Secretary at the Second level within 15 days from the date of receipt of decision of the Committee at the First level, whose decision will be final and binding on all concerned.

#### AMRCD/AMRD (LIST OF SETTLED MATTERS)

57 matters were referred to the AMRCD/AMRD mechanism, out of which six matters were resolved by the First level Committee of Secretaries (CoS). The others are under process. The list of the six settled matters are as follows:

**Table IX 1:**

List of matters resolved by the First level Committee of Secretaries (CoS)

S.NO.	PARTIES	STATUS as on 31 December 2022
1.	AMRCD – Resolution of commercial disputes between Engineering Projects (India) Limited (EPIL) and Steel Authority of India Limited (SAIL)	Settled on 21.03.2022
2.	AMRCD – between HLL and EPIL	Settled on 20.05.2022
3.	AMRCD – between NHFDC and Andhra Pradesh Differently-abled and Senior Citizens Assistance Corporation (APDASCAC) and Ors.	Settled on 08.08.2022
4.	AMRCD – between TCIL and Gujarat State Police, Government of Gujarat	Settled on 24.08.2022
5.	AMRCD – Resolution of the dispute between HPCL and National Textile Corporation (NTC)	Settled on 04.11.2022
6.	AMRCD – between EPIL and MEA	Settled on 09.12.2022

# X

## HUMAN RESOURCES MANAGEMENT

### CAPACITY BUILDING

In order to keep the Officers abreast with the latest judicial and legal trends and to acquaint them with latest developments in the fields of law, legal databases, cyber security, and information technology, the Department of Legal Affairs undertakes capacity building and training programmes for its employees.

The Capacity Building Commission (CBC) facilitates the preparation of Annual Capacity Building Plans for Departments, Ministries, and Agencies. Along with Karmayogi, its digital wing, the National Program for Civil Services Capacity Building bases itself on the goals of good governance, citizen centric performance, and public accountability and provides training of the highest quality and resources to individuals, organisations and institutions

### TRAINING AND CAPACITY BUILDING ACTIVITIES:-

A one-day workshop was organized by the Department of Personnel and Training (DoPT) and Capacity Building Commission on 02.12.2022 for the preparation of an Annual Capacity Building Plan. The plan of a Ministry/Department/Agency will identify their capacity needs through the three lenses of National Priorities, Emerging Technologies, and Citizen Centricity.

### KICK-OFF MEETING

The workshop was followed by a kick-off meeting held on 19 December 2022 between the Capacity Building Commission and the Department of Legal Affairs. The vision and a 15-week plan was shared to achieve the aim of creating an Annual Capacity Building Plan. The vision of the Department of Legal Affairs is to achieve excellence in legal affairs for accomplishing the goals set out in the Constitution of India. Focus areas were identified such as legal reforms, advice to Ministries, e-Governance solutions, ADR methods, international cooperation and conduct of litigation. A training strategy will be designed and developed for all employees basing on the roles and activities of the employees and challenges faced by them.



**Figure X 1:**

Training Division and Administration I

**PREPARATION AND PLANNING:**

While preparing the Annual Capacity Building Plan, four critical areas of training (Domain, Technology, Behavioural and Functional) are identified. The training areas include litigation, LIMBS, tendering legal advice, judgment analysis, drafting of speeches, and RTI, among other things.

**TRAINING DIVISION**

The Union Public Service Commission hires Officers for the Indian Legal Service (ILS) primarily on the basis of their legal competence and prior work experience. Upon appointment, the new recruits to the Service are placed under the supervision of the senior Officers of the Department based on an internal work allocation system devised by the Department. The necessity for training is to improve professional abilities in accordance with the Department's work requirements.

A separate Training Division has been created to coordinate the creation of the training academy. Dr. Anju Rathi Rana, Additional Secretary, oversees the Training Division.

## ACTIVITIES CONDUCTED BY THE TRAINING DIVISION:

1. Training of SCC Online Portal for Assistant Legal Advisers on 18.05.2022
2. Training of SCC Online Portal for Deputy Legal Advisers and above level Officers on 08.06.2022.
3. Training of SCC Online Portal for Indian Legal Service Officers of Legislative Department, Superintendent (Legal) and Assistant (Legal) on 07.07.2022.
4. Training on Handling Parliament related matters and Questions
5. Organized Workshop on PM Gati-Shakti NMP for Training and Capacity Building of Government Officers in association with DPIIT for all the three Departments of Ministry of Law & Justice.
6. Organized Hindi Pakhwada Celebrations on 29.09.2022 at Dr. Ambedkar International Centre, New Delhi.
7. Organised All India Conference of Law Ministers and Law Secretaries at Ekta Nagar, Kewadia, Gujarat.
8. Celebrated Constitution Day on 26th November, 2022.
9. Created awareness for wider dissemination and adoption of millet based products and food through organising a special lunch programme for all the three Departments of Ministry of Law & Justice viz. Department of Legal Affairs, Department of Justice and Legislative Department on 28th December, 2022.

## ADMINISTRATION OF INDIAN LEGAL SERVICES

### BRIEF HISTORY

Ministry of Law and Justice is the oldest limb of the Government of India dating back to 1833 when the Charter Act, 1833 was enacted by the British Parliament.

After independence, Government created a cadre of specialized legal service within the Ministry of Law and Justice to serve the Government of India to cater to its need for assistance in all legal matters viz. legal advisory, legal drafting, litigation and judicial reforms.

The Union Government in exercise of the powers conferred by the proviso to Article 309 of the Constitution of India made the Rules namely “The Indian Legal Service Rules, 1957” which came into force on 1st October 1957. The said Rules constituted a service to be known as the “Indian Legal

Service” which is an All India Central Group-A Service.

Indian Legal Service render dedicated service to the nation by giving legal advice in matters to various Ministries/Departments of the Government of India and drafting bills and ordinances which are introduced in Parliament. They, being the Principal Legal Advisers to the Government, respond 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.

Apart from posting in the Main Secretariat i.e., New Delhi, the Officers of the ILS Service are posted in its Branch Secretariats at Bengaluru, Chennai, Kolkata, Mumbai, and some other important Ministries/Departments like Department of Personnel and Training, Ministry of Home Affairs, Department of Financial Services, Railways, Ministry of Labour and Employment, Ministry of Defense, NTRO, Central Public Works Department, Directorate of Estates and Central Bureau of Investigation.

## STRUCTURE OF THE INDIAN LEGAL SERVICE:

### There are four cadres within the Indian Legal Service:

- A) Legal Adviser Cadre: Officers of this Cadre are posted in the Department of Legal Affairs and render advice in the litigation matters and policy of the Government of India.
- B) Law Officer Cadre: Officers of this Cadre are being posted in the Law Commission of India and their main work is related to legal research and study on specific subjects in the field of law and justice delivery system.
- C) Government Advocate Cadre: Officers of this cadre are posted in the Central Agency Section of the Department of Legal Affairs situated within the premises of Supreme Court and four Branch Secretariats situated at Bengaluru, Chennai, Kolkata and Mumbai. Officers posted in this cadre look after the litigation work of the Central Government.
- D) Legislative Counsel Cadre: Officers of this Cadre are posted in the Legislative Department and they look after the drafting of legislations, notifications and government orders.



### **KEY CHANGES UNDER THE NEW ILS RULES, 2022:**

- A) Change in nomenclature of the existing posts to bring uniformity in all cadres.
- (IV) There is no change in the nomenclature of Government Advocate Cadre due to functional requirement.
- B) Induction of a new entry grade in the service at JTS Level to fulfil the attributes of Organised Group- A Central Service.
- C) Direct Recruitment only at entry level post of JTS level to fulfil the attributes of Organised Group- A Central Service.
- D) Minimizing eligibility criteria at entry level post to attract young talent in the service who can be trained and specialised to understand the legal requirements within the Government system.
- E) Creation of “Regular Posts” to fulfil the attributes of Organised Group-A Central Service and to ensure the availability of Officers in case any officer goes on leave, deputation etc.
- F) Increase in number of posts in ILS Cadre to meet the growing needs of legal services in all Ministries/Departments/Organisations.

### **CENTRAL SECRETARIAT SERVICE**

The Central Secretariat Service (CSS) is one of the earliest organized Services in the country. It facilitates maintaining the vital link between Parliament and the Central Secretariat, especially when it comes to handling of Parliament Questions, Assurances, Government Bills, etc.

There is also substantial contribution by CSS Officers in financial management and preparation of the budget of various Departments of the Central Government and also in monitoring the schemes funded and contributed by Government of India but executed by States and other Implementing Agencies. The CSS Officers have been handling various litigation works quite effectively and protect the interests of the Central Government.

The Service provides a set of trained personnel, who serve as carrier of the Secretariat tradition of institutional memory and bridge between the past and the present and between lower and top management of the Government. The Service provides a strong permanent bureaucratic set up at lower and middle levels of the Central Government.



**Figure X 2:**

Administration IV



### CENTRAL SECRETARIAT STENOGRAPHERS' SERVICE

The Central Secretariat Stenographers' Service (CSSS) is one of the three Services in the Central Secretariat, the other two being Central Secretariat Service (CSS) and Central Secretariat Clerical Service (CSCS). The CSSS was constituted to provide secretarial and office support to Officers in the Secretariat and its attached offices. It is a specialized service whose personnel have the technical core competency of stenographic skills.

The service conditions of the members of the Service are regulated through CSSS Rules, 2010 and Regulations made thereunder. The CSSS personnel manage and supervise personal section of Secretary/ Special Secretary/ Additional Secretary. Their duties also include facilitating meetings, e-tracking of files and important papers, coordinating parliamentary work and management system of important references.

### CENTRAL SECRETARIAT CLERICAL SERVICES

The Central Secretariat Clerical Service is one of the three Services included in the CSS. This was constituted along with CSS in 1951, but its Rules were framed later and came into force on 1 November 1962.

**The CSCS Cadre comprises the following two posts:-**

- i.** Senior Secretariat Assistants (SSA) (formerly known as Upper Division Clerk);
- ii.** Junior Secretariat Assistants (JSA) (formerly known as Lower Division Clerk)

**According to the latest Manual of Office Procedure, the duties of SSA and JSA are as under:-**

- i.** Senior Secretariat Assistants(SSA):- Deal with the subject areas allocated to the Section and also expected to deal with all matters allocated or any other work assigned to him/her from time to time.
- ii.** Junior Secretariat Assistants (JSA):-Provide miscellaneous support to the Section/Unit/Desk in carrying out day to day work like photocopying/record handling and maintenance, registration of Dak, marking/sending Receipts/files and other associated tasks or any other work assigned from time to time.

### **CENTRAL SECRETARIAT OFFICIAL LANGUAGE SERVICES**

Central Secretariat Official Language Services was constituted by the Department of Official Language, in accordance with the Government of India (Allocation of Business) Rules, 1961, to ensure compliance of the Constitutional and legal provisions regarding official language.

**Figure X 3:**

Administration II



**GENERAL CENTRAL SERVICE**

1. There are fourteen (14) Group B and Group C postings in the General Central Service cadre. It has 174 Officials/Officers in total, distributed among the various positions listed below:-

**Table X-1:**

Name of the posts and their Group

Sl.No.	Name of the Posts	Group of Post
1.	Superintendent (Legal)	Group-B
2.	Assistant (Legal)	Group-B
3.	Junior Central Government Advocate (Jr.CGA)	Group-B
4.	Librarian Grade- I	Group-B
5.	Library information Assistant/Sr.Library Information Assistant	Group-B
6.	Senior Library Attendant	Group-C
7.	Library Clerk	Group-C
8.	Sr. Court Clerk Grade – I	Group-B
9.	Sr.Court Clerk Grade – II	Group-C
10.	Court Clerk	Group-C
11.	Record Clerk	Group-C
12.	Staff Car Driver	Group-C
13.	Dispatch Rider	Group-C
14.	Senior Gestetnor Operator	Group-C

2. Superintendent (Legal), Assistant (Legal) and Jr.CGA in the GCS cadre perform the following duties:-
- Putting up precedents on matters referred to the Department for legal advice.
  - Rendering of general and secretarial assistance to the Officers of the Department of Legal Affairs in disposing of matters referred for legal advice/conduct of litigation, including submission of notes and drafts in such cases.



- c. Providing general and secretarial support to the Legal Advisers of the Department in handling matters referred for legal advice, including the preparation of notes and drafts.
- d. Undertake research and reference work, whenever necessary.
- 3. Librarian (Grade-I), Library Information Assistant, Sr.Library Attendant and Library Clerk perform the following duties:-
  - a. Provide research materials/books as required by the Officers of the Legislative Department and Legal Affairs, as well as the chamber libraries of the Minister of Law and Justice and Minister of State, Law and Justice.
  - b. Facilitate research and reference work, wherever necessary.
- 4. Court Clerk, Sr.Court Clerk Grade-I and Sr.Court Clerk Grade-II perform the following duties:-
  - a. Typing of documents on computer.
  - b. Diarizing, indexing and maintaining records.
  - c. Managing regular court related works such as marking cause lists, filing papers in the registry, procuring court fee stamps and maintaining the records thereof.
  - d. To attend the court proceedings.
  - e. To assist the Law Officers and Counsels in locating references in the law books/journals.
- 5. Further; Record Clerk, Despatch Rider and Staff Car Driver perform the miscellaneous work of the Ministry.

### CONSULTANTS

Twenty three consultants were hired by the Department of Legal Affairs for fulfilling specialized tasks.

### YOUNG PROFESSIONALS

Department of Legal Affairs hired 29 Young Professionals from the legal field to provide professional expertise on specific spheres of law. Young Professionals work as an in-house talent pool and undertake research and analysis work on special projects of the Department.



### INTERNSHIP PROGRAMME

The Department organizes Internship Programme for young law students. The purpose of this Programme is to acquaint young law students with the functions of the Department. During the internship, the students are trained in research and referencing work, rendering advice on various legal issues and litigation matters pertaining to various fields of law. Indian law students who have completed their LL.B. programme at any accredited law college or University as well as those who are pursuing their second and third year of a three-year degree programme or their third, fourth or fifth year of a five-year degree programme are eligible for applying for the internship programme. The duration of the internship is generally for a month, beginning on the first of each month.

### APPOINTMENT AND PROMOTIONS DURING THE YEAR 2022

**HAG Level** - Two Joint Secretaries were promoted to the rank of Additional Secretaries.

**SAG Level** – 2 (Two) Joint Secretaries & Legal Advisers were appointed at the SAG level through direct recruitment; 1 (One) Additional Law Officer was promoted as Joint Secretary and Legal Adviser (JS & LA); and 2 (Two) Additional Government Advocates were promoted as Senior Government Advocates.

**NFSG Level** – 1 (One) Additional Government Advocate was appointed through direct recruitment and 10 (Ten) Deputy Legal Advisers were promoted as Additional Legal Adviser.

**JAG Level** – 7 (Seven) Assistant Legal Advisers were promoted as Deputy Legal Advisers.

### GENDER PARITY

The Government has introduced programmes/schemes aimed at reducing gender gap and has allocated funds dedicated to this goal. Through this effort the Government is continuously promoting gender parity/equality with a focus on alleviating gender gap in all sectors and at all levels of governance.

#### Representation of Women employees:

The representation of women employees in the Department of Legal Affairs (including Legislative Department) is given below.

**Table X-2:**

Number of Women Employees

GROUPS	TOTAL EMPLOYEES	WOMEN EMPLOYEES
GROUP A	132	37
GROUP B	164	40
GROUP C	243	18
<b>TOTAL</b>	<b>539</b>	<b>95</b>

### REPRESENTATION OF SC, ST, OBC, AND DIVYANGJANS IN DEPARTMENT OF LEGAL AFFAIRS

The following table depicts the total number of Government servants and the number of Scheduled Castes, Scheduled Tribes, Other Backward Classes, Ex-service-men and Persons with Disabilities amongst them.

**Table X-3:**

Number of Employees and Percentage under different categories

Group	Total No. of Employees	Sched-uled Castes	% of total employees	Sched-uled Tribes	% of total employees	Other Back-ward Classes	% of total employees	Ex-ser-vice-men	% of total employees	Persons with Disabili-ties	% of total employees
Group 'A'	132	31	23.48%	5	3.79%	14	10.61%	0	0%	2	1.52%
Group 'B'	164	20	12.20%	8	4.88%	38	23.17%	3	1.83%	7	4.27%
Group 'C'	243	68	27.98%	12	4.93%	37	15.04%	0	0%	4	1.63%
<b>TOTAL</b>	<b>539</b>	<b>119</b>	<b>22.08%</b>	<b>25</b>	<b>4.64%</b>	<b>89</b>	<b>16.51%</b>	<b>3</b>	<b>0.56%</b>	<b>13 *</b>	<b>2.41%</b>

The above table includes information with respect to the posts existing in Legislative Department, Law Commission and Central Agency Section.

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

## XI

## OFFICIAL LANGUAGE UNIT

## ABOUT

The Official Language Unit aims to promote the usage of Hindi language in the Department of Legal Affairs. The Unit undertakes translation of official documents, preparation and research for publication on different media in Hindi.

Figure XI 1:

Official Language Unit



## WHO'S WHO

The Official Language Unit is headed by Shri Rajveer Singh Verma, Additional Secretary & Rajbhasha Adhikari. It is managed by Mrs. Savita Singh, Deputy Director and Shri Shamsher Singh, Assistant Director along with Senior Translation Officers and Junior Translation Officers namely Shri Jetharam Godara, Ms. Madhuleena Ghosh and Ms. Indu, Shri Surya Pal Yadav respectively.

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

The Department of Legal Affairs has taken the 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.

1. **Orders for individuals under Rule 8(4):** Under Rule 8(4) of the Official Languages (Use for Official Purpose of the Union) Rules, 1976 (as amended, 1987), latest orders in the name of Officers/employees who are proficient in Hindi were issued on 02.12.2022 to do their complete official work in Hindi.
2. **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 18.11.2022. The effectiveness of check points is regularly monitored through quarterly progress reports received from sections/offices.
3. **Steps to promote usage of Hindi:** In Sections / Units where the staff are proficient in Hindi, the use of Hindi in their day-to-day work is encouraged. Work relating to grant of various types of leave is being done in Hindi. Most 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.
4. **Promotion of Bilingual form:** 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. It is strictly ensured 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.
5. **Standard draft of Hindi Specimen:** Hindi specimen of standard drafts of all letters used frequently by various sections are provided. All standard forms were prepared in Hindi and English so that employees can use them without facing any difficulty. All forms used in the Department were translated to Hindi. Entries in service books are also made in Hindi. All rubber stamps, name plates, sign boards etc., are prepared in bilingual form.
6. **Bilingual Computers:** All computers in the Department are bilingual. Facility to work in Hindi is available



on the computers which have been provided to the Officers and Sections of the Department.

7. **Hindi Teaching Scheme:** A time bound programme was 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 Department of Official Language, Ministry of Home Affairs.
8. **Official Language Implementation Committee Meetings:** The meetings of Official Language Implementation Committee of the Department are held regularly. Additional Secretary (Rajbhasha Adhikari) of the Department is the Chairman of this Committee and Director (Admn.), all Deputy Secretaries, Under Secretaries and all Section Incharge and Branch Officers are members of this Committee. The 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.
9. **Hindi Workshop:** In compliance with the Official Language Policy of the Union and the instructions issued by Department of Official Language, Ministry of Home Affairs, 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 27.09.2022. A lecture/training was given in this workshop to the Officers/Assistants/UDCs/Court Clerks posted in Department of Legal Affairs by Shri Shriprakash Shukla, Joint Director (Retd.).
10. **Organisation of Hindi Pakhwada:** To promote the use of Hindi and to increase the awareness among the employees as regards the Official Language Policy and the various incentive schemes for using Hindi in official work, 'Hindi Pakhwada' was organised by the Department from 14.09.2022 to 29.09.2022. This year, during the 'Hindi Pakhwada', five competitions, namely, Hindi Essay Competition, Hindi Typing Competition, Translation Competition, Hindi Noting and Drafting Competition and Hindi Dictation (for Group 'C' employees and LDC and Court Clerks) were organised by the Department. 83 Officers/employees

participated in these competitions, out of which 68 successful participants were awarded cash prizes. Hindi Pakhwada was also celebrated in the Branch Secretariats of the Department and Benches of the Income Tax Appellate Tribunal.

**11. Closing Ceremony of Hindi Pakhwada:** A prize distribution function was organized on the closing ceremony of Hindi Pakhwada on 29.09.2022 at Dr. B.R. Ambedkar International Centre, New Delhi. Cash prizes and certificates were awarded to the winners of various competitions organized in the Department of Legal Affairs, in which Officers/employees of the Ministry participated. The awards/certificates were distributed by the Minister of Law and Justice.

**Figure XI 2:**

Minister of Law & Justice, Shri. Kiren Rijju, distributing a certificate to the winner in a Hindi Competition



## XII

## INCOME TAX APPELLATE TRIBUNAL

## INTRODUCTION

ITAT is one of the oldest Tribunals, set up under section 252 of the Income-Tax Act, 1961 to hear second appeals in all matters of Direct Taxes and Appeals against the revision orders of Administrative Commissioners as well as orders denying registration under Section 12A or under Section 80G of the Income-Tax Act, 1961. It functions as the final fact-finding authority in the matters concerning income-tax, wealth-tax, gift-tax. The orders passed by the ITAT are final; an appeal lies to the High Court only if a substantial question of law arises for determination.

ZO – Zonal Office; HQ - Headquarters

**Figure XII-1:**

Presence of ITAT



**Table XII-1:**

Presence of ITAT

<b>PRESENCE OF ITAT</b>			
1.	<b>Agra</b>	16.	<b>Jodhpur</b>
2.	<b>Ahmedabad (ZO)</b>	17.	<b>Kolkata (ZO)</b>
3.	<b>Allahabad</b>	18.	<b>Lucknow (ZO)</b>
4.	<b>Amritsar</b>	19.	<b>Mumbai (HQ &amp; ZO)</b>
5.	<b>Bengaluru (ZO)</b>	20.	<b>Nagpur</b>
6.	<b>Chandigarh (ZO)</b>	21.	<b>Panaji</b>
7.	<b>Chennai (ZO)</b>	22.	<b>Patna</b>
8.	<b>Cochin</b>	23.	<b>Pune (ZO)</b>
9.	<b>Cuttack</b>	24.	<b>Raipur</b>
10.	<b>Delhi (ZO)</b>	25.	<b>Rajkot</b>
11.	<b>Guwahati</b>	26.	<b>Ranchi</b>
12.	<b>Hyderabad (ZO)</b>	27.	<b>Visakhapatnam</b>
13.	<b>Indore</b>	28.	<b>Surat</b>
14.	<b>Jabalpur</b>	29.	<b>Varanasi (Circuit Bench)</b>
15.	<b>Jaipur</b>	30.	<b>Dehradun (Circuit Bench)</b>

## COMPOSITION

The Income Tax Appellate Tribunal is a quasi-judicial body headed by a President and assisted by Zonal Vice-Presidents, and Members (both Accountant Members and Judicial Members). The powers and functions of ITAT are exercised and discharged by the Benches constituted by the President of the Tribunal from amongst the Members thereof, which ordinarily consists of one Judicial Member and one Accountant Member.



Table XII-2:

Administrative structure of ITAT

PRESIDENT	
Head Office (Mumbai)	Zones ( 10 Zones in various parts of the country)
Registrar	Vice President
Deputy Registrar	Members (AMs & JMs)
Assistant Registrar	Deputy Registrar
	Assistant Registrar
	<b>Benches ( At 30 Stations)</b>
	Members (AMs & JMs)
	Assistant Registrar

**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, the present sanctioned strength of Members is 126 including one (01) President and ten (10) Zonal Vice-Presidents. The present position of sanctioned, filled up and vacant post is as under:

Table XII-3:

ITAT Bench Strength

S.No.	Posts	Sanctioned	Filled up	Vacant
1	President	01	00	01\$
2	Vice-President	10	06	04
3	Accountant Member	63	38	25
4	Judicial Member	63	45	18
	<b>TOTAL</b>	<b>126*</b>	<b>83**</b>	<b>43***</b>

\*including 01 President and 10 Vice Presidents

\*\*including 06 Vice Presidents

\*\*\*including 01 President and 04 Vice Presidents

\$ Shri. G.S.Pannu, Vice-President, is (In-charge) President, ITAT

## POWERS AND FUNCTIONS

The Income-Tax Appellate Tribunal, constituted under the Income-Tax Act, 1961, 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 Act. 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.

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 on 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 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.

## PENDENCY OF APPEALS

Necessary instructions were 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 were also 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 and Seizure matters and appeals against Order passed under section 263 by the Administrative Commissioners are prioritised. Similarly, appeals against the denial of registration to charitable institutions under section 12A and denial of recognition under Section 80G are also prioritised. Appeals of senior citizens are also taken up for priority hearing. Further, according to amendments made in Income Tax Act, 1961 by Finance Act, 2015, appeals involving assessed income upto ₹50 lakh can be heard by a single member Bench.

The bar graph shows the result of efforts taken by ITAT to effectively reduce the pending number of cases from 2018 to 2022.

**Table XII 4:**

Zone-wise Location of Benches

ZONE-WISE LOCATION OF BENCHES		
Zone	Station	No. of Benches
<b>Ahmedabad</b>	Ahmedabad	4
	Indore	1
	Rajkot	1
	Surat	1
<b>Bengaluru</b>	Bengaluru	3
	Cochin	1
<b>Chandigarh</b>	Chandigarh	2
	Amritsar	1
	Jaipur	2
<b>Chennai</b>	Jodhpur	1
	Chennai	4
<b>Delhi</b>	Delhi	9
	Agra	1
<b>Hyderabad</b>	Dehradun	<b>Circuit Bench</b>
	Hyderabad	2
	Viskhapatnam	1
	Kolkata	4
<b>Kolkata</b>	Kolkata	4
	Cuttack	1
	Guwahati	1
	Patna	1
	Ranchi	1
<b>Lucknow</b>	Lucknow	2
	Jabalpur	1
	Allahabad	1
<b>Mumbai</b>	Varanasi	<b>Circuit Bench</b>
	Mumbai	11
<b>Pune</b>	Pune	3
	Nagpur	1
	Panaji	1
	Raipur	1

## DIGITIZATION

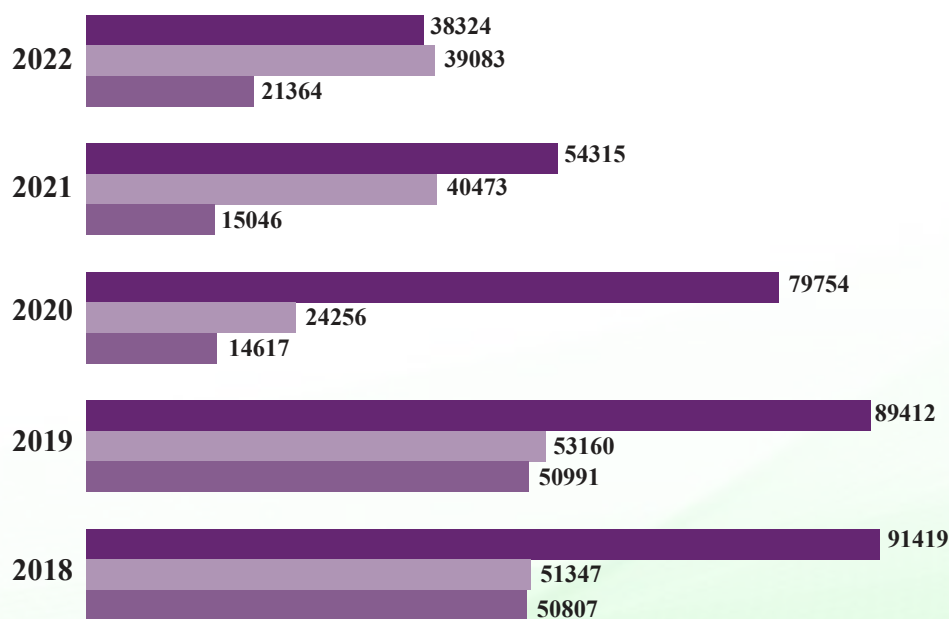
Initiated in early 2000s, digitization has taken great momentum in living up to the motto of “Nishpaksh Sulabh Satvar Nyay.” Various efforts have been detailed as follows:

### 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 up to the 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. Now all Benches of ITAT have been connected to the ITAT Online database and activities like registration, data updation, Tribunal order uploading, etc., are carried out through the web application. Web-cum-Database Server of this project has been set up in National Informatics Centre Cloud Server.

**Figure XII-2:**  
Pendency of ITAT cases

### Graphical Representation of Decreasing Number of Pending Cases





**b. ITAT Official Website**

As an extension of the ITAT Online Project, Official Website of Income Tax Appellate Tribunal was redeveloped in 2016 and equipped to deliver judicial and general information to the public. The Official Website was redesigned to make it more user 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 have been provided to cater to the judicial information needs of the litigants. Besides, static information like Holiday Lists, Tenders and Auctions, Notice Boards, Right to Information are accessible to the litigants in particular, and to the public in general. This website is widely used and appreciated.

**c. Digital Display Boards**

As an innovative and eco-friendly step, physical notice boards were replaced with digital notice boards at ITAT, Delhi, Mumbai, Chennai and Raipur Benches. Cause Lists, Constitutions, Friday lists, etc. are digitally displayed on the digital notice boards.

**d. Lunching of Mobile Application**

Android version of ITAT Judicial Information Portal was developed and released for the benefit of appellants, respondents as well as their counsels. Owing to its simplicity and ease of use, the portal is convenient.

**e. JudiSIS Application**

JudiSIS is an internal desktop application developed in-house for managing various day-to-day judicial activities. JudiSIS enables internal users to manage cause lists, hearings, prepare notices, generate periodical statements, send email communications, update case status and publicise daily order-sheets on website.

**f. Budget and Expenditure Monitoring System**

For monitoring and consolidating the budget availability and expenditure position efficiently and accurately in real-time, ITAT implemented an online application namely BudgetMan, developed via the in-house talent pool. This application enabled the Head Office to generate periodical budgetary statements at the click of a button.

### **g. CCTV Cameras**

According to the directions of the Supreme Court of India, and the guidelines of the Department of Legal Affairs, Ministry of Law & Justice, CCTV Cameras with audio and video recording facility were installed in court rooms and other important entry points of various Benches of the Income Tax Appellate Tribunal. Currently, CCTV Cameras were installed and are operational at 26 Benches of ITAT. CCTV Cameras are working in good condition and recording is regularly done and reports have been received from these Benches. Procurement and installation are in progress at four more Benches.

### **h. E-Court**

E-Court Project is aimed at connecting non-functional benches with functional benches and conducting judicial proceedings through video conferencing. E-Court infrastructure has been set up at all Benches of the Income Tax Appellate Tribunal. Hearings at ITAT Rajkot, Guwahati, Ranchi and Patna Benches are conducted through E-Courts.

### **i. Infrastructure Up-gradation**

Better computerization needs better infrastructure. Accordingly, ITAT is replacing old and obsolete computers, printers and other equipment with the latest ones in a phased manner. All members of ITAT have already been provided with laptops for their official use. The Members of ITAT are equipped with dictation Software to assist in the dictation of orders. Optic fiber-based high-speed internet connectivity is provided to every Bench to meet the bandwidth requirements of various projects and applications.

### **j. Centralization**

Work towards centralization of non-judicial functions of subordinate Benches at the Zonal Headquarters is in progress. This is done for Optimal Utilization of Human Resources of ITAT. Centralization has already commenced in Delhi and Bangalore Zonal Headquarters by taking over the work of Agra and Cochin Benches respectively w.e.f. 1st November, 2022.

ACHIEVEMENTS IN 2022

Figure XII-3:

Achievements of ITAT in 2022

**LAUNCHING OF bZ&}kj (ITAT E-FILING PORTAL)**

bZ&}kj, the E-Filing Portal of Income Tax Appellate Tribunal, was launched for enabling the appellants to file their appeals, cross objections and applications from their doorsteps. Since its launch, more than 600 appeals, cross objections and applications have been filed by the appellants through bZ&}kj before various Benches of the Income Tax Appellate Tribunal.

**PAPERLESS COURT**

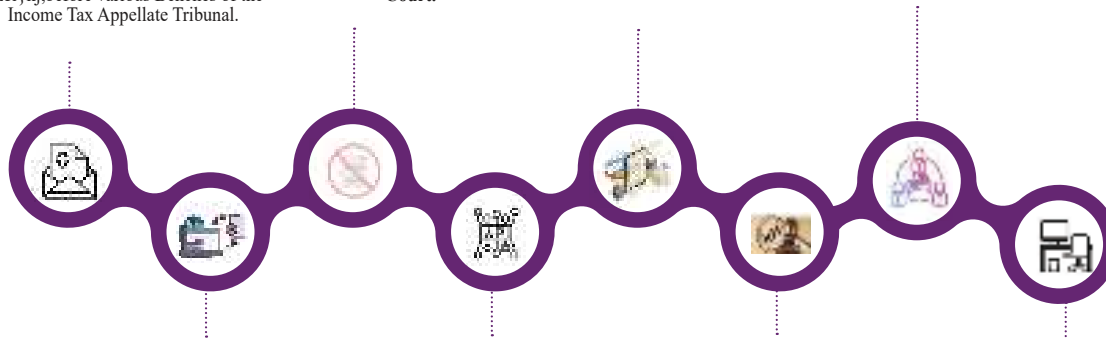
ITAT, as a pilot project, the trial run of court proceedings in paperless environment has been successfully conducted and the President's Court Room at ITAT, Delhi has been upgraded as Paperless Court.

**ITAT MEMBERS' E-LIBRARY PORTAL**

This portal provides access to digital libraries of the Supreme Court, various High Courts to the Members of the ITAT. This portal also provides seamless access to several tax portals.

**ELECTRONIC COMMUNICATION OF HEARING NOTICES, ETC.**

ITAT commenced electronic Communication of Acknowledgement of Filing of Appeals, Hearing Notices, Defect Notices, etc. to the parties.



**PUBLISHING OF DAILY ORDERS**

As a major step in promoting transparency in judicial administration, ITAT has started publishing 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.

**API LINKAGE WITH LIMBS**

For the purpose of minimising manual data entry, LIMBS portal has been integrated through APIs with various Courts/Tribunal. The LIMBS portal has been linked with ITAT facilitating seamless data transfer across applications, and shall help in auto update of records on the LIMBS portal pertaining to cases in ITAT.

**RTI ONLINE PORTAL**

All Public Authorities of ITAT have been on-boarded on the RTI Online Portal (<https://rtionline.gov.in>) enabling the applicants to file their request for information and receive the response online.

**IMPLEMENTATION OF EOFFICE**

By the courtesy of Department of Legal Affairs, E-Office software has been implemented in ITAT for forwarding various proposals to Department of Legal Affairs electronically.

# XIII

## LAW COMMISSION OF INDIA

### BACKGROUND

Law Commission of India is constituted every three years by a notification of the Department of Legal Affairs, Ministry of Law and Justice, Government of India with definite Terms of Reference to carry out research in the field of law. The Commission makes recommendations to the Government according to its mandate.

The 22nd Law Commission was constituted vide Notification dated 21.02.2020 for a period of three years. The Central Government appointed Justice Ritu Raj Awasthi, Retired Chief Justice, Karnataka High Court as the Chairperson of the 22nd Law Commission along with three Full-time Members and two Part-Time Members.

The full time members of the Commission are: Justice K.T. Sankaran, Retired Judge of the Kerala High Court, (Prof.) Dr. Anand Paliwal, Professor Mohanlal Sukhadia University, Udaipur and (Prof.) Dr. D.P. Verma, Former Head and Dean, Law School, BHU and Former Additional Director, National Judicial Academy, Bhopal.

The Part-Time Members of the Commission are: Shri M. Karunanithi, Advocate, and (Prof.) Dr. Raka Arya, Professor of Political Science at National Law Institute University, Bhopal. The Commission also comprises of two ex-officio Members, namely, the Law Secretary and the Legislative Secretary, and one Member Secretary. The Commission is assisted by Law Officers of Indian Legal Service. Besides, Officers of CSS and CSSS deal with the administration.

### VISION

Making recommendations for reforming the laws for fostering justice in society and promoting good governance under the rule of law.

### ROLE

The task of the Law Commission of India, inter alia, include review of obsolete laws, to examine the laws which affect the poor and carry out post-audit for socio-economic legislations, to 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 elimination of delays, speedy clearance of arrears and reduce costs so as to secure quick and economic disposal



of cases, to examine the existing laws in the light of Directive Principles of State Policy and to suggest ways for improvement, 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, to examine the existing laws with a view to promote gender equality and suggest amendments thereto, to revise the Central Acts of general importance so as to simplify them and to remove anomalies, ambiguities and inequities, to examine the impact of globalization on food security, unemployment and recommend measures for the protection of the interests of the marginalized.

### FUNCTIONS OF THE LAW COMMISSION

**The Law Commission works on projects based on:**

- (a) References received from the Central Government and/or from Supreme Court of India and High Courts.
- (b) Suo motu Cognizance: Keeping in view the importance of the subject matter, the Commission may initiate study on specific subjects.

### METHODOLOGY ADOPTED BY THE COMMISSION

On receipt of references for examination, priorities are decided, and preparatory work is assigned to the Members of the Commission. Depending upon the nature and scope of the topic, research methodologies for collection of data and views are formulated keeping the scope of the proposal for reform in mind.

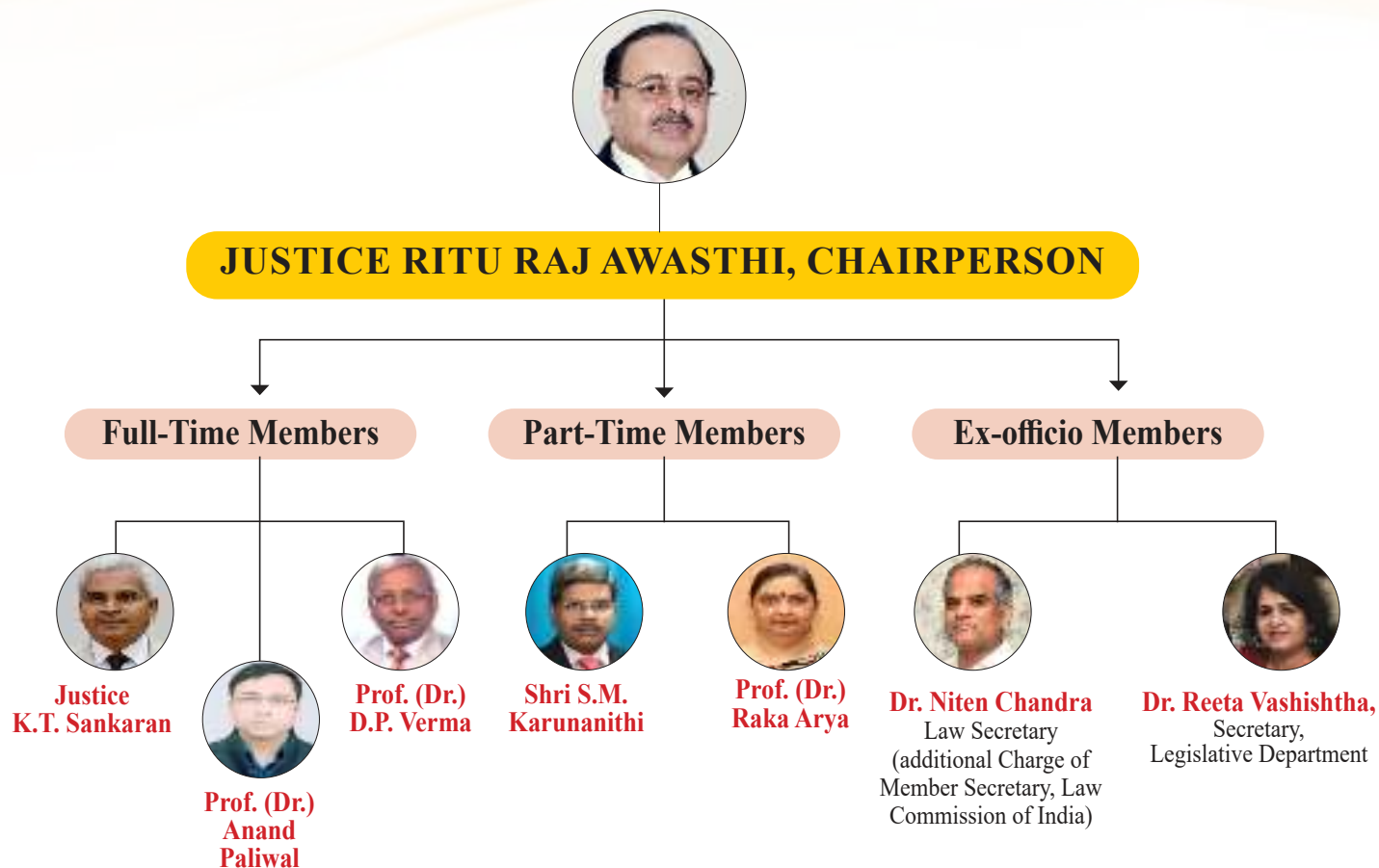
Discussion at Commission meetings during this period helps not only in articulating the issues and focusing on the research, but also in evolving a consensus among the Members of the Commission. A working paper outlining the problem and suggesting matters deserving consideration emerges out of this preparatory work in the Commission.

The success of the Commission's work in law reforms is dependent upon its capacity to consult the widest section of the people and collect data, views/suggestions, and inputs from the public and concerned interest groups.

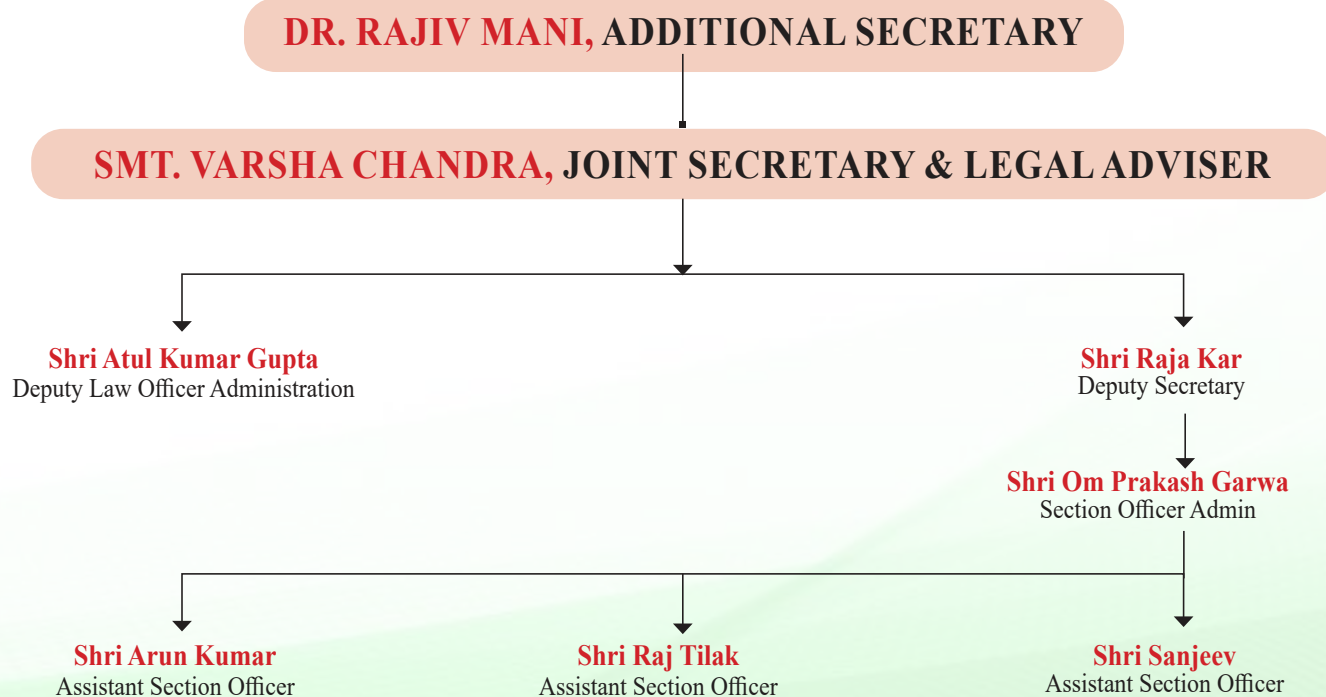
At times, the working paper is sent out for circulation among the public and concerned interest groups/stakeholders with a view to elicit comments. Usually, a carefully prepared questionnaire is sent to interest groups/stakeholders.

The Law Commission makes every effort to ensure that the widest sections of people are consulted in

# TWENTY-SECOND LAW COMMISSION OF INDIA



## ADMINISTRATION



formulating proposals for law reforms. In this process, the Commission involves professional bodies and academic institutions. Seminars and workshops are organised to elicit critical opinions on proposed strategies for reform. The Commission always welcomes suggestions from any person, institution, or organization on the issues under consideration.

**Final Report:** Once the data and suggestions are assimilated, the Commission evaluates them, and the information is used for appropriate incorporation in the report which is written under the guidance of the Chairperson and Members of the Commission. It is then subjected to scrutiny by the entire Commission in a meeting. Once the Report and summary are finalised, the Commission may decide to prepare a draft amendment or a new Bill which may be appended to its Report. Thereafter, the final report is submitted to the Central Government for consideration.

**Follow-up:** The Reports of the Law Commission are laid before the 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, and in academic and public discourses.

A total number of 39 employees are employed in the Law Commission, out of whom six are female employees (i.e. 15%) and the rest are male employees (i.e. 85%).

## BUDGET

The total budget allocated to the Commission for the financial year 2022-23 is ₹7.7 Crore.

## HIGHLIGHTS

- 1. Technological Advancement:** The website of the Law Commission of India was upgraded from HTML to content management framework (CMF) S3WAAS based module. This had enabled the Commission to make available to the citizens the information of the Law Commission in bilingual form i.e. both in English and Hindi. The content audit of the website was also accomplished. In the Law Commission of India, e-Office has been implemented, thereby doing away with physical file movement. Special steps have been taken to impart training to all officials for smooth implementation and optimal utilization of e-Office. The

software 'LIMBS', developed by NIC, is also functional in the Law Commission of India. The matters pertaining to the Law Commission are duly updated in the said portal.

2. **Swachhta Campaign:** Cleanliness Drive under the “Special Campaign 2.0” was conducted at the Law Commission of India. Under the said campaign, during September 2022, old files/records were reviewed according to the Record Retention Schedule issued by the Department of Administrative Reforms and Public Grievances for weeding out or otherwise retaining the reviewed files, thereby cleaning up the office. 231 files were reviewed, out of which 90 files were weeded out. The old, obsolete/unserviceable items, such as furniture, ACs, e-waste, old vehicles etc. were auctioned and 308 sq. ft. of space was created in the office.
3. **Events:** To promote and encourage the implementation of Official Language in the Law Commission of India, Hindi Diwas was organized on 14 September 2022. Hindi Fortnight (Hindi Pakhwada) was organized from 16 September 2022 to 29 September 2022. During the Hindi Pakhwada, four competitions, i.e. Hindi Essay, Hindi Typing, Hindi Dictation and Hindi translation were organized. Total 30 employees participated in these competitions. Cash prizes along with certificates were given to the winners of each competition.
4. On 21 June 2022, the 7th International Yoga Day was celebrated at the Law Commission of India by organising yoga camp, whereby yoga T-shirts and yoga mats were distributed for encouraging everyone to practice and adopt Yoga. A yoga expert was invited for a practical session and meditation.
5. On 26 November 2022, the Preamble of the Constitution of India was read by all the Officers and employees of the Commission in the presence of Member Mr. Justice K.T. Sankaran on the occasion of the Constitution Day.
6. **Empowerment of Women:** In compliance with Section 4(1) of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, an Internal Complaints Committee has been constituted for redressal of complaints by aggrieved women employees of the Commission. The Committee consists of two women (including one Member from an NGO) and one male employee.



## XIV

## INDIAN LAW INSTITUTE

**BRIEF BACKGROUND**

The Indian Law Institute (ILI) was established in 1956 for the promotion of legal research. It was granted a 'Deemed University' status in 2004 vide notification of the Ministry of Human Resource Development, Government of India. It was accredited with an 'A' Grade (CGPA 3.35 out of 4.00) by NAAC in 2017 and completed its first cycle of accreditation. It is an autonomous body registered under the Societies Registration Act, 1860. The autonomous character of the Institute ensures academic freedom to carry out its objectives and meaningful research.

**Figure XIV-1:**

Indian Law Institute

**VISION**

The primary vision of the Institute is to create good researchers. It aims to impart the art of research through an interdisciplinary approach. It focuses on the following key areas: (i) To enquire about unanswered questions and knowledge gaps for the creation of new legal knowledge, theories, analyses, and methods; (ii) To generate new policy proposals on law and justice; and (iii) To actively participate in global academic discourse.

**MISSION**

The key features of the mission of the Institute are as follows:

- i. To cultivate and promote the science of law;
- ii. To bring substantial reforms in the administration of justice; and

iii. To meet the socio-economic aspirations of the general masses through law and its instrumentalities.

## BROAD OBJECTIVES

The objectives of the Institute are as follows:

- i. To promote the universalization and systematization of law;
- ii. To encourage and conduct research in legal and its allied fields;
- iii. To disseminate legal knowledge and its principles;
- iv. To publish studies, treatises, books, periodicals, reports, and other literature relating to law and allied fields;
- v. To undertake documentation of significant legal and allied materials;
- vi. To maintain libraries;
- vii. To constitute regional offices at convenient centres across the nation for the promotion of institutional activities.

## FUNCTIONS

The Indian Law Institute imparts legal education and encourages research activities in various fields of law. It holds various workshops/training programmes/ conferences/ awareness programmes in the area of law and its applicability for larger societal requirement. It is also associated with various national/international organisations/ institutions for dissemination of legal thoughts and development of newer dimensions of law.

## BUDGET

The budget of the Institute for the Financial year 2022-2023 is ₹350 lakhs.

## ACTIVITIES OF THE INSTITUTE

1. **Web Series of Lectures/ Conferences/ Talk/ Seminars conducted by the Indian Law Institute:**
  - a. National Seminar on ‘Gender Justice and Women’s Rights for Sustainable Tomorrow’ on March 08, 2022.
  - b. Webinar on ‘Handling Erroneous Convictions: Learning from the American Experience’ on March 14, 2022.
  - c. Integrated Certificate Course in Mediation (April 7-8 and 13-15, 2022).
  - d. Commonwealth Legal Association (CLEA) and Menon Institute of Legal Advocacy and Training (MILAT), in association with Indian Law Institute (ILI) and Lloyd Law College (LLC), with academic support from Empowerment through Law of the Common People (ELCOP), Bangladesh organised an eleven-day Human Rights and Social Justice Summer School-2022. The summer school was organised on the theme ‘Freedom of Expression’ (May 27 - June 06, 2022).
  - e. The Indian Law Institute organised a Faculty Seminar on ‘Supreme Court decisions on Sexual Harassment’

on May 31, 2022.

- f. Inaugural function of World Environment Day Observance, 2022 and International Conference on Sustainability and Subsistence: Human Rights and Environmental Issues on June 05-06, 2022.
- g. International Yoga Day Celebration: To raise awareness of the health advantages of Yoga, the Indian Law Institute observed the 8th International Yoga Day on June 21, 2022.
- h. Two-Day Programme for Judicial Officers on Human Rights: Issues and Challenges on September 17-18, 2022.
- i. Conference on Gender and the Indian Penal Code on 6-8 October, 2022.
- j. The Indian Law Institute CLEA-MILAT Research Mentoring Programme (RMP) 2022” on October 31-November 4, 2022.

2. **Book Release:** The Institute released the following books:

- a. Book titled ‘Novel Dimensions of Copyright Law’
- b. Book titled ‘Legal Research and Writing’

3. **Publications:** The following research publications were released by the institute:

- a. Journal of the Indian Law Institute (JILI) - Published quarterly, containing research articles on contemporary legal issues of National/International Importance.
- b. ILI Newsletter - Published quarterly, referring to various activities undertaken by the Institute during the year and forthcoming activities.
- c. Index to Legal Periodicals - Published yearly and contains indexes, periodicals (including year books and other annual publications) pertaining to law and related fields received (either by subscription or exchange or complementary) by the ILI Library.
- d. Annual Survey of Indian Law - Published yearly and is a prestigious publication of the Institute and contains Annual Survey of Indian Law including latest trends in every branch of law of importance.
- e. Legal Research Manual - Published by Prof. (Dr.) Manoj Kumar Sinha, Director, ILI.
- f. ILI Law Review (Summer) and (Winter).

4. **Forthcoming Publication:** Book on ‘Azadi ka Amrit Mahotsav’ lectures series organised by the Indian Law Institute.



# XV

## CENTRAL AGENCY SECTION

### ABOUT

The Central Agency Section ('CAS') was established in 1950. This office is responsible for conducting litigation before the Supreme Court of India on behalf of all Ministries/Departments of the Central Government, National Capital Territory of Delhi, Union Territories, the office of the Comptroller and Auditor General of India ('CAG') and all field offices under the CAG. Special Leave Petitions and appeals are to be filed through the Central Agency Section after obtaining the opinion of Law Officers on the feasibility of filing such petitions or appeals in the Supreme Court. This Section functions from the Supreme Court Compound, New Delhi.

Figure XV 1:

Central Agency Section



### FUNCTIONS OF THE CENTRAL AGENCY SECTION

The Central Agency Section assists the Union Government and all other associated bodies in conducting their litigation before the Supreme Court of India. The other functions of the Section are as follows:

- i. **Supervision of litigation:** It conducts and supervises litigation on behalf of the Union of India, NCT of Delhi, CAG, and Union Territories in the Supreme Court.
- ii. **Engagement of Law Officers:** It engages Law Officers or approves Panel Counsels for various cases.
- iii. **Processing of references:** It receives references from the Ministries/Departments of Government of India through the Department of Legal Affairs, Ministry of Law and Justice to obtain the opinions of the Attorney

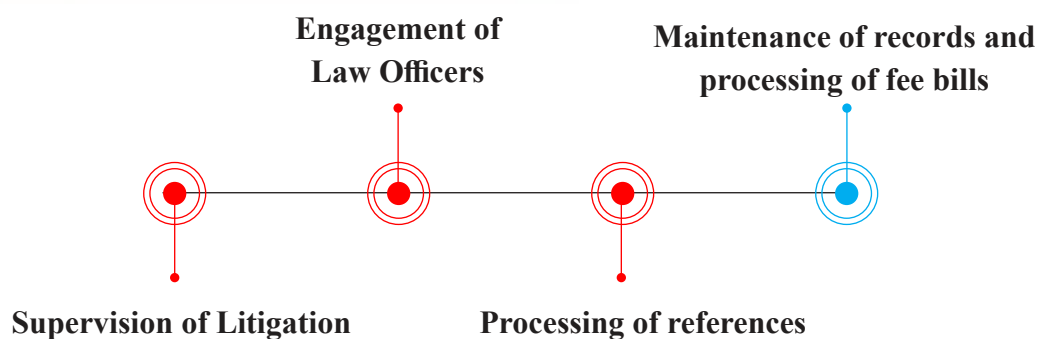


General of India, the Solicitor General of India and the Additional Solicitors General of India.

- iv. **Maintenance of records and Payment of fee bills:** It supervises and maintains records, payment of fee bills of Law Officers, Panel Counsels, computer typists, and photocopy machine operators.

**Figure XV-2:**

Central Agency Section and its Core Functions



#### COMPOSITION OF THE CENTRAL AGENCY SECTION:

The Central Agency Section is constituted of the following officials:

- i. **In-charge:** The Additional Secretary is in-charge of this Section and has been delegated the power of Head of Department. He is assisted by eight Government Advocates and one Consultant (Advocate-on-Record). Government Advocates 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, CAG, and Union Territories according to the Supreme Court Rules.
- ii. **Government Panel Counsels:** There are 586 Government Panel Counsels which include 11 Law Officers and 575 Advocates.

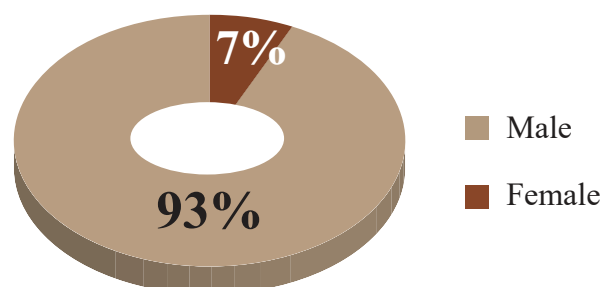
The office bearers of the Central Agency Section are as follows:

- i. Dr. Niten Chandra, IAS, Law Secretary, In-Charge, CAS
- ii. Mahendra Khandelwal, Senior Government Advocate; M.K. Maroria, Senior Government Advocate; Raj Bahadur, Additional Government Advocate; Sudarshan K, Additional Government Advocate; Amrish Kumar, Deputy Government Advocate; G.S Makkar, Additional Government Advocate; N.Vishakamurthy, Assistant Government Advocate; A.K. Sharma, Consultant/AOR; Arun Kumar Yadav, Assistant Government Advocate.

**Gender Representation:** The number of female and male employees employed in the Central Agency Section is mentioned below:

**Figure XV-3:**

Percentage Share of Male and Female Employees



A total number of 72 employees are employed in the Central Agency Section, out of whom, five (i.e. 7%) are female employees and the rest are male employees (i.e. 93%).

## BUDGET AND ACCOUNTS

### ➤ Budget for Financial Year 2022-23

The allocated budget to the Central Agency Section for the financial year 2022-23 is ₹42.60 Crores.

### ➤ Payment of Fees

**Counsel Fee:** The fee to the Panel Counsels is paid according to the prescribed rates by the Government. The fee bills submitted by the Panel Counsels are checked and verified from the proceeding registers maintained by the concerned Government Advocates.

**Court Fee:** In cases where large amounts of court fees are required to be paid, the concerned Ministries/ Departments make arrangements for payment of court fees through M/s Stock Holding Corporation of India Limited (SHCIL). For smaller amounts of court fees, Central Agency Section has entered into an arrangement with SHCIL for the e-payment of court fees.

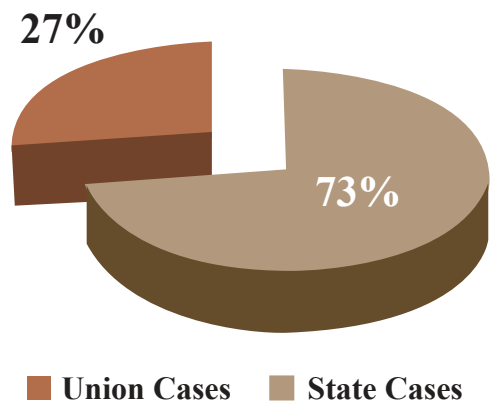
**Computer Typist / Photostat Operators:** A panel of Computer Typists/ Photostat Machine Operators discharges the litigation work. After necessary scrutiny, the CAS pays off the bills raised by them.

**CASES MATRIX AT A GLANCE**

1666 cases were received from various Ministries/Departments of the Government of India, NCT of Delhi, CAG, and Union Territories in which the Union of India or the Union Territories are a party. Out of them, 1210 (i.e. 73%) are Union cases and 456 (i.e. 27%) are State cases.

**Figure XV-4:**

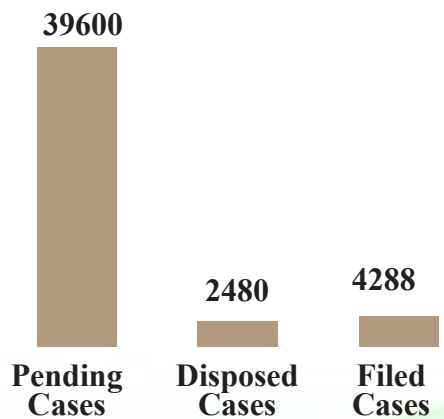
Number of cases received by the Central Agency Section



A total number of 2480 cases of 19 Ministries were disposed of by the Government of India. A total number of 39600 cases of 67 Ministries of the Government of India are pending. A total number of 4288 cases (i.e. 3437 Union cases and 851 State cases) of 56 Ministries of the Government of India were filed.

**Figure XV-5:**

Number of Pending, Disposed and Filed Cases



# XVI

## BRANCH SECRETARIATS

### 1. BRANCH SECRETARIAT, BENGALURU

The Branch Secretariat, Bengaluru has jurisdiction over the States of Karnataka, Andhra Pradesh, Telangana and Union Territory of Puducherry (with Andhra Pradesh) in handling litigation and rendering legal advice of various Central Government Departments/Ministries. An Assistant Legal Adviser heads the Branch Secretariat, Bengaluru.

Figure XVI 1:

Branch Secretariat, Bengaluru



#### 1.1 ADVICE

The Branch Secretariat renders legal advice to all the Central Government Departments and offices located within its jurisdiction. 591 references were received for legal advice. 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 (including Benches at Dharwad and Kalaburagi), High Court of Telangana at Hyderabad and High Court of Andhra Pradesh at Amaravati, reply statement filed before Central Administrative Tribunals at Bengaluru and Hyderabad, written statement, counter affidavits filed before District Courts and various other Tribunals. The advice work also includes 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.

### 1.2 SUPERVISING LITIGATION

The Branch Secretariat supervises the entire litigation of the Central Government Departments and offices in the High Court of Karnataka at Bengaluru (including Benches at Dharwad and Kalaburagi), High Court of Telangana at Hyderabad and High Court of Andhra Pradesh at Amaravati, District Courts located at Bengaluru and other districts of Karnataka, Telangana and Andhra Pradesh, CAT located in these States and Union Territory of Puducherry (with Andhra Pradesh).

The Branch Secretariat also looks after Government litigation before the District Consumer Dispute Redressal Fora, the State Consumer Redressal Commissions of the States, Central Government Industrial Tribunal and Debt Recovery Tribunal. The function of the Branch Secretariat in this regard includes engagement/ nomination of the Counsel and distribution of cases among the Central Government Counsel. 5480 litigation matters, which include nomination of Counsel, counsel fee bills and general correspondence relating to litigation, were received.

### 1.3 FEE BILLS OF COUNSELS

This Branch Secretariat 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. 773 fee bills were received by the Branch Secretariat. So far as the Benches of High Court of Karnataka at Dharwad and Gulbarga are concerned, the counsel fee is borne by the Department concerned on whose behalf the Counsel conducts the cases. The Departments concerned pay the fee for Central Government Panel Counsel in CAT and District Courts.

## 2. BRANCH SECRETARIAT, CHENNAI

The Branch Secretariat, Chennai has jurisdiction over the States of Tamil Nadu, Kerala and the Union Territory of Puducherry in rendering legal advice and handling litigations of various Central Government Departments/ offices located in the region. It is headed by an Assistant Legal Adviser who is functioning as In-charge.

**Figure XVI-2:**

Branch Secretariat, Chennai



## 2.1 ADVICE

The Branch Secretariat renders legal advice to all Central Government Offices located in the States within its jurisdiction. 707 references were received for advice, which were disposed.

## 2.2 SUPERVISING LITIGATION

The Branch Secretariat looks after the litigation work of Central Government (except cases relating to Income-Tax, Central Excise and Customs, etc.) in the High Court of Madras (including the Madurai Bench) and High Court of Kerala. It also looks after the litigation work of Central Government Departments/offices in the District Courts, Tribunals, Consumer Fora, etc. in Tamil Nadu and Kerala. Besides, the Branch Secretariat 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. 4,807 litigation matters were received including litigation receipts, fee bills and files opened for cases of High Court/CAT/LC etc.

The Branch Secretariat keeps the Ministries/Departments of the Central Government informed about the important developments of their cases as well as the outcome of the litigation and provides suitable advice for further course of action, whenever necessary. 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 also include engagement / nominations of the Counsel and collection of inputs from the Central Government Departments involved in the cases for forwarding to the Counsel after necessary scrutiny of the documents from a legal angle.

### 2.3. FEE BILLS OF COUNSELS

The Branch Secretariat makes payment of professional fees to the Additional Solicitor General of India, Assistant Solicitor General, Senior Panel Counsel and the Central Government Standing Counsel directly from funds allocated to it, in respect of cases before the Madras High Court (including Madurai Bench). 1550 fee bills pertaining to High Court, CAT and Lower Court were processed, whereby a total of ₹3,86,66,227/- was paid to Counsels including payment towards Retainer Fees.

### 3. BRANCH SECRETARIAT, KOLKATA

The Branch Secretariat, Kolkata has jurisdiction over the States of West Bengal, Nagaland, Manipur, Arunachal Pradesh, Meghalaya, Jharkhand, Tripura, Mizoram, Sikkim, Orissa, Assam, Bihar and Andaman and Nicobar in handling litigation and advice of various Central Government Departments/ offices located in the region. It is headed by an Additional Government Advocate who is functioning as In-charge.

**Figure XVI-3:**

Branch Secretariat, Kolkata



### 3.1 ADVICE

The Branch Secretariat, Kolkata renders legal advice to various Ministries/Departments within its jurisdiction. However, Central Government Ministries/Departments located outside the jurisdiction of Branch Secretariat, Kolkata also approach Branch Secretariat for advice in matters pertaining to Court cases within the Branch Secretariat, Kolkata's jurisdiction. A total of 1218 references were received for advice.

### 3.2 SUPERVISION OF LITIGATION

The Branch Secretariat, Kolkata looks after the litigation matters pertaining to different Ministries/Departments of the Central Government in the High Court at Calcutta, Circuit Benches at Port Blair and Jalpaiguri and also



various Tribunals, District Forums, State Commission and District Courts located in 12 States and 1 Union Territory. The Branch Secretariat also monitors cases before other High Courts whenever a Ministry/Department approaches the Branch Secretariat, Kolkata.

7455 cases were received by the Branch Secretariat, Kolkata pertaining to High Court at Calcutta from different Ministries/Departments, Autonomous bodies etc. 152 references were received pertaining to National Company Law Tribunal, Kolkata Bench. 3227 cases were received for the engagement of Counsels for the matters pertaining to CAT, Kolkata and Circuit Benches at Port Blair and Jalpaiguri. 1252 cases were received for engagement of Counsels in RCT, Industrial Tribunal, CESTAT, Consumer Commission and District Courts including arbitration cases.

### **3.3 FEE BILLS OF COUNSELS**

The claims submitted by the Panel Counsels have been processed proportionately out of the sanctioned budget estimates for the payment of Professional Fees and Retainership Fees for the State of West Bengal.

### **3.4 RTI APPLICATIONS**

Branch Secretariat, Kolkata has designated Assistant Legal Adviser as CPIO and Additional Government Advocate/In-charge as the First Appellate Authority under the RTI Act, 2005. 37 RTI applications and 2 first appeals were received.

### **3.5 BUDGET AND ACCOUNTS**

The Budget and Accounts related work in the Branch Secretariat, Kolkata are being done online using the portal-based payment system 'PFMS' developed by NIC. All payments to employees, Government Counsels, and other service providers are being made online through the PFMS portal. Periodical reports are directly submitted to Pay and Accounts Office and other Public Authorities online. For procurement of Goods, Stationeries, and other Services, the Government e-procurement website <https://gem.gov.in> is being used extensively for direct procurement as well as procurement through bids. Pension matters are being processed through the 'Bhavishya' online portal.

### **3.6 LIBRARY AND RESEARCH**

The Library of the Branch Secretariat, Kolkata houses approximately 10800 books and journals which are used for reference in Litigation and legal advice. Online Journals 'Manupatra' and 'SCC Online' are also subscribed by this Branch Secretariat.



### 3.7 AUDIT

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 05.05.2022 to 13.05.2022. During the course of the periodical inspection of accounts by the Audit Party, five objections were raised by the Audit Party. Action is in progress to settle the paras of audit objection. Since the action on the outstanding six audit objections made by the Audit Party during the audit from 01.04.2016 to 31.03.2018, was completed hence, the present audit party dropped the said objection.

### 3.8 FUNCTIONING OF THE LIMBS PORTAL

The 'LIMBS' portal is functional in the Branch Secretariat, Kolkata w.e.f. 1st January, 2022. Training was organised in April, 2022 for the employees and the Panel Counsels. The Panel Counsels have registered themselves on the LIMBS portal to enable them to upload the Court orders and fee bills. Instructions have also been issued to different Ministries/Departments to upload the case details on the LIMBS portal and mention the LIMBS ID in the references made to the Branch Secretariat, Kolkata.

A total of 3389 number of bills were received through LIMBS portal from Panel Counsels.

## 4. BRANCH SECRETARIAT, MUMBAI

The Branch Secretariat, Mumbai has jurisdiction over States of Maharashtra, Madhya Pradesh, Rajasthan, Chhattisgarh, Gujarat, Goa and Union Territory of Dadra and Nagar Haveli and Daman and Diu in rendering legal advice and handling of litigation of various Central Government Departments/Ministries located in the region. The Branch Secretariat, Mumbai is presently headed by the Senior Government Advocate, Shri A.A. Ansari as the In-charge.

### 4.1 ADVICE

The Branch Secretariat renders legal advice to all the Central Government Departments/offices located in the States within its jurisdiction. If required, the advice matters are also referred to the Additional Solicitor General of India for his expert opinion. The Branch Secretariat received 3097 reference seeking advice.

## 4.2 SUPERVISION OF LITIGATION

The Branch Secretariat, Mumbai handles the litigation matters pertaining to Central Government Ministries/ Departments in Bombay High Court and District Courts. The Branch Secretariat received 1738 litigation matters. 513 litigation cases were disposed of.

## 4.3 RAILWAY MATTERS

The procedure to be followed for the engagement of Counsels for Ministry of Railways for various High Courts and District Courts was reviewed by the Department. Hereafter, the cases on behalf of Ministry of Railways will be defended by the Counsels empanelled by the Department of Legal Affairs. 834 Railways matters were received and attended to by the Branch Secretariat.

**Figure XVI-4:**

Branch Secretariat, Mumbai



## 4.4 ADMINISTRATION

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

The budget and accounts work in this Branch Secretariat is done online using various **software** and the “PFMS” portal. All payments are done through PFMS Portal. **GeM** is used for procurement of goods,

stationeries and other services. Pension cases are also processed through “**Bhavishya**” online portal.

#### 4.5 LIBRARY

The Mumbai Branch Secretariat has a library containing more than 14475 books. This library proves to be very useful for the Officers and staff while tendering advice and also in litigation matters. The books related to various subjects i.e. various journals, law books, Swamy Handbook, MoP etc. are regularly purchased for the use of Officers and staff. During the year, 260 books and 248 Bare Acts were purchased. The Library in this Branch Secretariat subscribes to 20 journals.

#### 4.6 PROGRESSIVE USE OF HINDI AND HINDI PAKHWADA

A ‘Rajbhasha Samiti’ has been constituted in the Branch Secretariat which submits periodical reports to the In-charge on the progressive use of Hindi language. Various statements and forms viz. leave forms, joining report etc. have been made bi-lingual. Hindi Pakhwada and Hindi Diwas was organized in the month of September, 2022. A number of events and competitions were conducted for promotion of Hindi language.

#### 4.7 RTI MATTERS

The Senior Government Advocate has been designated as First Appellate Authority, Assistant Legal Adviser as the CPIO and one Superintendent as CAPIO.

The applications received under RTI Act are disposed of by this Branch Secretariat within the stipulated period. In case the applicant is not satisfied with the information provided by the CPIO, one may file an appeal and the same is suitably dealt with by the Appellate Authority. This year this Branch Secretariat received 29 RTI Applications. It also received one Appeal and one Second Appeal.

#### 4.8 FEE BILLS OF COUNSELS

The Mumbai Branch Secretariat itself makes payment of professional fees directly from its funds to the Additional Solicitor General of India, Deputy Solicitor General, Senior Panel Counsel and Central Government Standing Counsel in respect of cases before the Bombay High Court and its benches at Nagpur, Aurangabad and Goa. I1,45,38,931/- was paid to Counsels and I18,06,000/- towards Retainer Fee.



# XVII

## INTERNATIONAL LAW AND COOPERATION SECTION

Globalization has brought a radical change in the economic and social landscape of India. In the last seven decades, national and international legal policies and rules concerning trade and investments have changed. International investment and its varieties have also undergone substantial transformation in its magnitude and content. The advent of globalization and the enormous advances made in communication and information technology have rendered countries interdependent.

### INTERNATIONAL ACTIVITIES

The Department of Legal Affairs participated in the following events and negotiations:

1. Review of the FTA/CECA signed between India and Korea during 3-4 November, 2022 at Seoul, South Korea.
2. Evidentiary hearing at London during 14-15 November, 2022 at London in the matter of GPIX v. Union of India and assisted counsels.
3. India-EU FTA Negotiations at Vanijya Bhawan during 5-8 December, 2022.
4. India-Canada FTA Negotiations (virtually) during 28-30 November, 2022.
5. India-Russia BIT Negotiations (virtually) on 12 November, 2022.
6. India-Australia FRA Negotiations (virtually) on 16 February, 2022.
7. India-UK FTA Negotiations (virtually) during 25 - 30 July, 2022 and Inter-Session meeting (virtually) during 31 August-1 September, 2022.
8. India-UAE BIT Negotiations (virtually) on 10 February, 2022, 18 April, 2022 and 1 June, 2022.
9. India-Uzbekistan BIT discussion (virtually) on 12 January, 2022.
10. India-South Africa BIT discussion (virtually) on 19 January, 2022.

<sup>1</sup> Bilateral Investment Promotion and Protection Agreement (BIPAs)

<sup>2</sup> Bilateral Investment Treaties (BITs)

<sup>3</sup> Comprehensive Economic Partnership Agreement (CEPA)

<sup>4</sup> Comprehensive Economic Cooperation Agreement (CECA)



## SHANGHAI COOPERATION ORGANISATION (SCO)

### BACKGROUND

The Shanghai Cooperation Organization (SCO) is an eight-member multilateral organization, established on 15 June 2001 at Shanghai, China by the leaders of the Republic of Kazakhstan, the People's Republic of China, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan.

SCO has two Permanent Bodies - (i) SCO Secretariat in Beijing and (ii) Executive Committee of the Regional Anti-Terrorist Structure (RATS) in Tashkent. The Chairmanship of SCO is by rotation for a year by Member States.

The official working languages of the Shanghai Cooperation Organization are Chinese and Russian.

### DEPARTMENT OF LEGAL AFFAIRS AND SCO

The senior officials / experts from the Ministry of Law & Justice of India, Kazakhstan, China, Kyrgyz Republic, Pakistan, Russian Federation, Tajikistan and Uzbekistan participated in the three-day deliberations of the 9th Meeting of the Justice Ministers of SCO Member States. The next meeting of the Ministers of Justice of the SCO Member States will be held in 2023 in the People's Republic of China.

### 9TH MEETING OF THE JUSTICE MINISTERS OF SCO MEMBER STATES

The 9<sup>th</sup> Meeting of the Ministers of Justice of SCO Member States was held on 9 December 2022 through video conferencing mode which was preceded by the third Experts Group Meeting on 7 December 2022. The first and second Experts Group Meeting for preparation of the 9<sup>th</sup> Justice Ministers meeting was held on 20-21 June 2022 and 19-20 July 2022 respectively. This Department had represented the 9th SCO Justice Ministers meeting at the level of the Minister of Law & Justice, Shri Kiren Rijiju. The details of the Indian delegation led by the Minister of Law and Justice are as under:-

- (i) Prof. S.P. Singh Baghel, Minister of State for Law and Justice;
- (ii) Dr. Niten Chandra, Law Secretary;
- (iii) Shri R.S. Verma, Additional Secretary, Department of Legal Affairs;
- (iv) Dr. S.K. Jain, Director cum-Chief Forensic Scientist, Directorate of Forensic Science Services.

(v) Prof. (Dr.) S.O. Junare, Campus Director, National Forensic Sciences University, Delhi Campus.

### **MUTUAL LEGAL ASSISTANCE TREATIES (MLATs)**

According to the Government of India (Allocation of Business) Rules, 1961, the Department of Legal Affairs, Ministry of Law and Justice is entrusted with the subject of 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, etc.

The Department of Legal Affairs, being the nodal Department, enters into Mutual Legal Assistance Treaties (MLATs) in Civil and Commercial matters with foreign countries.

Mutual Legal Assistance Treaty in Civil and Commercial matters is a comprehensive agreement for reciprocal arrangements with foreign countries for service of summons under clause (c) of section 29 of the Civil Procedure Code, 1908 (CPC), for execution of decrees under section 44A of CPC, for issuing letters of request under section 77 of CPC, for taking evidence under section 78 of CPC, and for enforcement of arbitral awards under clause (b) of section 44 of the Arbitration and Conciliation Act, 1996.

The Mutual Legal Assistance Treaties in civil and commercial matters with the Republic of Bulgaria and the Islamic Republic of Iran were ratified on 29.07.2022 and 18.10.2022 respectively.

### **SERVICE OF SUMMONS UNDER HAGUE CONVENTION**

India is a signatory to the Hague Convention, 1965, under which the Department of Legal Affairs, Ministry of Law and Justice is the Central Authority for serving of summons abroad, issued by Judicial Authorities in India, or serving of summons issued by Judicial Authorities abroad, in India. In the year 2022, 2898 requests arising out of bilateral treaties in respect of service of summons were processed.

# XVIII

## ACHIEVEMENTS AND MAJOR HIGHLIGHTS

### MONITORING AND EVALUATION SECTION SETUP

In order to assess progress made and to identify bottlenecks in implementation, the Department of Legal Affairs set up a Monitoring and Evaluation Section. The Section aids decision-making towards achieving planned goals in a structured manner. The aim of this Section is to systematically ensure that relevant progress and performance information is collected, processed and any deviation or shortfall is analyzed on a regular basis to allow for real-time, evidence-based decision-making and to achieve targets in a time-bound manner.

### SPECIAL CAMPAIGN 2.0

A Special Campaign on Disposal of Pending References and Cleanliness was launched in 2021 across Government Departments and Ministries. Following its success, the Department of Administrative Reforms and Public Grievances organised Special Campaign 2.0 on Swachhta in Central Government Ministries and Departments from 2nd October 2022 to 31st October 2022. The Department of Legal Affairs conducted various activities as part of the Special Campaign 2.0 on Swachhta across its premises located at Shastri Bhawan, New Delhi. During the preparatory phase from 14th to 30th September 2022, targets were identified for the campaign period. The campaign achieved efficient space management and enhancement of workplace experience in offices under the Department and reduced pendency.

During the Special Campaign 2.0 on Swachhta, the Department focussed on efficient handling of pending references, parliamentary assurances, public complaints, record management, Swachhta/Cleanliness Drive, disposal of scrap, and weeding out of obsolete files. Special drives to promote the ideals of 'Swachhta' were carried out by designating 11 specific spots, including the Notary Cell, Central Agency Section, Tis-Hazari, Litigation Section (High Court), four Branch Secretariats, Law Commission of India, and NDIAC.

**Figure XVIII-1:**

Swachhata Campaign at Library, Department of Legal Affairs



**Table XVIII-1**

Achievements under Special Campaign 2.0

S. NO.	CATEGORY	SPECIAL CAMPAIGN 2.0
1	Swachhta Campaign Sites	11
2	Records Management Files Reviewed (Physical files + e-files)	27,927
3	Public Grievances + Appeals Redressed	2719
4	Revenue Earned	₹ 1,38,960
5	Space Freed (square feet)	2500 square feet
6	MP's References	7
7	IMC References (Cabinet Proposals)	141
8	State Government References	NIL



9	PMO ID's	02	
10	Easing of Rules/ Processes	01	
11	Pending Parliamentary Assurances	January 2022	December 2022
	Lok Sabha	42	07
	Rajya Sabha	33	08
	<b>Total</b>	<b>75</b>	<b>15</b>

Adhering to Digital India's best practices, the Department of Legal Affairs successfully reviewed physical as well as e-files to ensure efficient record management. 27,927 files have been scanned under the Special Campaign 2.0.

To improve service delivery system, 2,719 Public Grievances and Appeals were redressed. As part of the Special Campaign 2.0, 2500 sq. ft. space was freed. For paperless management, e-Office 7.0 was implemented.

Cleanliness drive was initiated in the library of Department of Legal Affairs by Library and Research Section with the help of Young Professionals and Law Interns. It was successfully concluded with weeding out of 15000 old books not in use and 22 dilapidated racks resulting in creation of vacant space.

In the Central Agency Section, old records were identified and 21,865 kg of waste paper, 3860 kg of iron scrap and 2900 kg of gatta were weeded out which resulted in creation of extra space of 4500 sq. ft. D13,67,430 was contributed to the Government exchequer by sale of scrap and waste paper.

Pictures, and a short film on the initiatives undertaken by the Department during the Special Campaign 2.0 were posted on all social media handles under the hashtag #SpecialCampaign2.0.

### INTERNSHIP PROGRAMME

The Department of Legal Affairs organises an Internship Programme for young law students. The purpose of this internship is to acquaint them with the working of the Department by providing training in the field of research and referencing work, tendering legal advice in various specialised fields of law such as constitutional and administrative law, finance law, infrastructure law, economic law, labour law, conveyancing, arbitration and contract law etc. Indian students who are pursuing studies in 2<sup>nd</sup> and 3<sup>rd</sup> year of three-year degree course

and in 3<sup>rd</sup> to 5<sup>th</sup> year of five-year degree course or students who have completed their LL.B. course from any recognised college/law school/university are eligible for undertaking this internship. The duration of the internship is one month.

**Honorarium:** The interns are given an honorarium of ₹ 5000/- on completion of their internship.

### YOUNG PROFESSIONALS

The Department of Legal Affairs invites applications to the position of 'Young Professionals' on contract basis for providing professional services in specific spheres of law. The Young Professionals are accorded the status of an independent Consultant. The Department hired 29 Young Professionals.

Young Professionals work as an in-house talent pool and undertake research and analysis work. They assisted the Department in the work of repeal of obsolete laws, and amendment of pre-Independence laws. They helped in the organisation of the All India Conference of Law Ministers and Law Secretaries held at Gujarat this year.

**Figure XVIII-2:**

Young Professionals'





## XIX

## EVENTS AND SOCIAL MEDIA COVERAGE

## SOCIAL MEDIA CELL

The Department of Legal Affairs has established a Social Media Cell w.e.f. 6th June, 2022 comprising the Officers of the Department and a Social Media Team consisting of professionals engaged on a contract basis. The Social Media Cell is responsible for dissemination of information about the Department of Legal Affairs and promoting its activities and events on its various social media platforms. Social Media Cell works with several Ministries/ Departments of the Government of India for active mass engagement in order to increase this Department's reach among the general public. Dr. Anju Rathi Rana, Additional Secretary, serves as the Nodal Officer for the Social Media Cell, and the Officers in-charge of running the Cell are Ms. Madhubala Soni, Under Secretary, Ms. Preeti Wadhwa, Section Officer and Shri Alok Yadav, Assistant Section Officer.

Figure XIX 1:

Social Media Cell



## ACTIVITIES CONDUCTED/ COORDINATED BY THE SOCIAL MEDIA CELL

1. International Yoga Day in the Dong Valley, Arunachal Pradesh | 21st June 2022
2. Participation at Digital India Week | 4th July - 6th July 2022
3. Launch of Notary Online Application Portal | 9th July 2022
4. Har Ghar Tiranga Campaign | 22nd July - 15th August 2022
5. COVID Vaccination Amrit Mahotsav | 5th August 2022
6. National Sports Day | 29th August 2022
7. Inauguration of FAB (Form for Appearance Bill) on the LIMBS Portal 17th September 2022
8. Inter Ministry, Bar and Bench Badminton Championship | 17th and 18th September 2022
9. Functions of Notaries | 20th September 2022
10. Income Tax Appellate Tribunal - Vacancies Applications | 21st September 2022
11. Cyber Security Tips | 21st and 26th September
12. Hindi Diwas and Hindi Pakhwada | 14th and 16th – 29th September 2022
13. 20th Meeting of the Prosecutors General of Shanghai Cooperation Organization 23rd September 2022
14. Indo-UK Meet | 28th September 2022
15. Special Campaign 2.0 | 2nd – 31st October 2022
16. Attorney General for India | 7th October 2022
17. Notaries Online Interviews - Himachal Pradesh and Gujarat  
12th and 21st October 2022
18. All India Law Ministers and Law Secretaries Conference | 15th – 16th October 2022
19. Ayurveda Day under Ayurveda @ 2047 – Azadi Ka Amrit Kaal | 23rd October 2022
20. Fit India Freedom Run | 29th October 2022
21. Vigilance Awareness Week | 31st October – 6th November 2022
22. National Unity Day | 31st October 2022
23. Cyber Jaagrookta Diwas | 7th – 18th November 2022
24. Minister of Law and Justice' visit to Central Agency Section | 9th November 2022



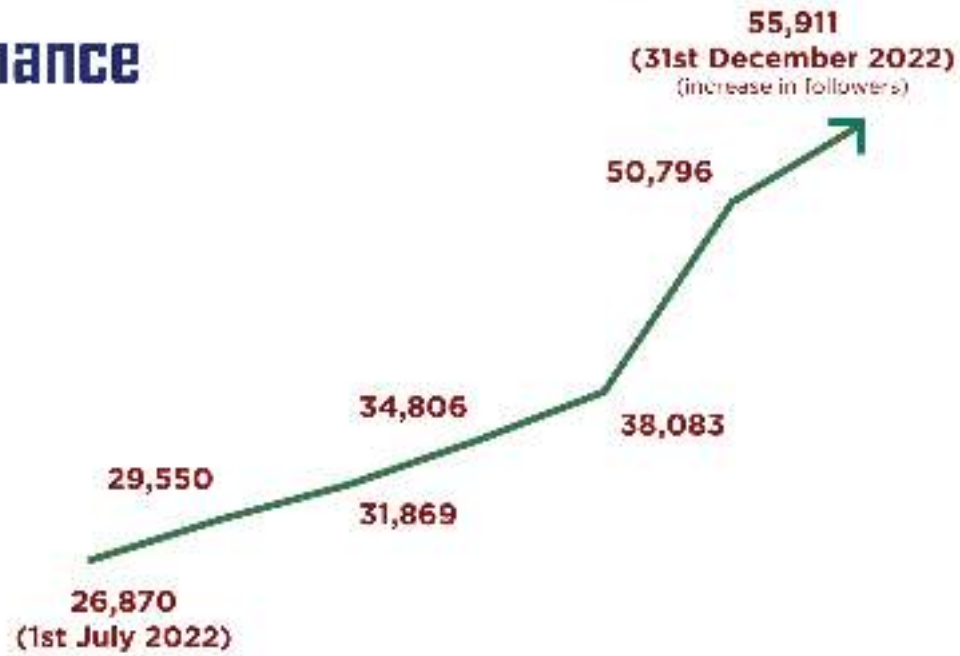
25. Law Commission of India Appointment of Chairperson & Members 9th November 2022
26. Constitution Day Celebration | 26th November 2022
27. Minister of State for Law & Justice Professor S.P. Singh Baghel's meeting with Mongolia Delegation | 19th November 2022
28. Minister of State for Law & Justice Professor S.P. Singh Baghel's at Rozgar Mela | 22nd November 2022
29. International Day to Eliminate Violence Against Women | 25th November 2022
30. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 Campaign | 25th November – 10th December 2022
31. Commonwealth Law Ministers Meeting | 30th November 2022
32. SCO Justice Ministers Meeting | 9th December 2022
33. International Human Rights Day | 10th December 2022
34. India-EU FTA Meeting | 13th December 2022
35. Celebration for International Year of Millets 2023 | 28th December 2022
36. Monthly Activity - Legal Interns Felicitation and Testimonials| July - December 2022

Social Media Cell raises awareness about the Department of Legal Affairs by utilizing social media platforms i.e. Twitter, Instagram, LinkedIn, Koo, Facebook and YouTube. Activities range from social media posts covering international and national days of importance, highlighting achievements and on going successful activities conducted by DoLA, in addition to running informative campaigns for wider outreach.

Figure XIX 2:

Social Media Performance

# Social Media Performance





# 2022 at a Glance









# NOTE FROM THE SECRETARY, LEGISLATIVE DEPARTMENT

**T** Legislative Department processed all the legislative proposals received from various administrative Ministries and Departments in the year 2022. 84 Legislative Proposals from the Ministries/Department have been examined, wherein 28 Legislative Bills have been forwarded to the Parliament. In the year 2022, 23 Acts have been enacted by the Parliament. The names of some important Acts are: (i) The Delhi Municipal Corporation (Amendment) Act, 2022; (ii) The Criminal Procedure(Identification) Act, 2022; (iii) The Indian Antarctic Act, 2022; (iv) The Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2022; (v) The National Anti-Doping Act, 2022; (vi) The Wild Life (Protection) Amendment Act, 2022; (vii) The Energy Conservation (Amendment) Act, 2022; and (viii) The New Delhi International Arbitration Centre (Amendment) Act, 2022. Apart from the aforesaid Legislations, 5 Regulations have been promulgated by the President for the Union territory of Lakshadweep. After the approval of the Cabinet, the Repealing and Amending Bill, 2022 has been introduced in the Lok Sabha on 19.12.2022 to repeal 65 numbers of obsolete and redundant laws, which is pending in the same House for consideration and passing.


On the recommendation of the Election Commission of India, the Parliament has increased the maximum limit of expenditure by a candidate for Parliamentary Constituency and Assembly Constituency of State/Union territory elections, vide the Conduct of Elections (Amendment) Rules, 2022.

In order to implement the Election Laws (Amendment) Act, 2021 (49 of 2021), the rules namely, the Registration of Electors (Amendment) Rules, 2022 and the Conduct of Elections (Second Amendment) Rules, 2022, have been made thereunder providing for linking of Electoral Roll with Aadhaar number; specifying multiple qualifying dates for enrolment in the electoral roll; and revising the relevant forms for the purpose and making the statutes gender neutral.

A total 23 officers of State Governments have been benefitted by Basic Course conducted by ILDR during the year 2022.

This Annual Report provides bird's eye view of the achievements of this Department.

With regards,



**DR. REETA VASISHTA**

# 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 scrutinizing 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. LEGISLATIVE-I SECTION

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, 2022 to 31<sup>st</sup> December, 2022, this Department has examined 87 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/promulgation. 28 Legislative Bill 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 01.01.2022 to 31.12.2022

Sl. No.	Titles
1.	The Finance Bill, 2022
2.	The Constitution (Scheduled Tribes) Order (Amendment) Bill, 2022
3.	The Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Bill, 2022
4.	The Jammu and Kashmir Appropriation Bill, 2022
5.	The Jammu and Kashmir Appropriation (No.2) Bill, 2022
6.	The Appropriation Bill, 2022
7.	The Appropriation (No.2) Bill, 2022
8.	The Appropriation (No.3) Bill, 2022



Sl. No.	Titles
9.	The Constitution (Scheduled Castes and Scheduled Tribes) Orders (Second Amendment) Bill, 2022
10.	The Delhi Municipal Corporation (Amendment) Bill, 2022
11.	The Criminal Procedure (Identification) Bill, 2022
12.	The Indian Antarctic Bill, 2022
13.	The Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities) Amendment Bill, 2022
14.	The Family Courts (Amendment) Bill, 2022
15.	The Central Universities (Amendment) Bill, 2022
16.	The Energy Conservation (Amendment) Bill, 2022
17.	The Competition (Amendment) Bill, 2022
18.	The New Delhi International Arbitration Centre (Amendment) Bill, 2022
19.	The Electricity (Amendment) Bill, 2022
20.	The Multi-State Co-operative Societies (Amendment) Bill, 2022
21.	The Constitution (Scheduled Tribes) Order (Second Amendment) Bill, 2022
22.	The Constitution (Scheduled Tribes) Order (Third Amendment) Bill, 2022
23.	The Constitution (Scheduled Tribes) Order (Fourth Amendment) Bill, 2022
24.	The Constitution (Scheduled Tribes) Order (Fifth Amendment) Bill, 2022
25.	The Appropriation (No.4) Bill, 2022
26.	The Appropriation (No.5) Bill, 2022
27.	The Repealing and Amending Bill, 2022
28.	The Jan Vishwas (Amendment) Bill, 2022

- (5) Out of the Bills which were pending before Parliament and those introduced during the period from 1<sup>st</sup> January, 2022 to 31<sup>st</sup> December, 2022, 23 Bills have been enacted into Acts. The list of the Acts enacted during this period is as follow:-

Sl. No.	Title of the Act
1.	The Appropriation (No.5) Bill, 2021 <b>(Act No. 1 of 2022)</b>
2.	The Appropriation (No.2) Bill, 2022 <b>(Act No.2 of 2022)</b>
3.	The Appropriation (No.3) Bill, 2022 <b>(Act No.3 of 2022)</b>
4.	The Jammu and Kashmir Appropriation Bill, 2022 <b>(Act No.4 of 2022)</b>
5.	The Jammu and Kashmir Appropriation (No.2) Bill, 2022 <b>(Act No.5 of 2022)</b>
6.	The Finance Bill, 2022 <b>(Act No. 6 of 2022)</b>
7.	The Appropriation Bill, 2022 <b>(Act No.7 of 2022)</b>
8.	The Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Bill, 2022 <b>(Act No.8 of 2022)</b>
9.	The Constitution (Scheduled Tribes) Order (Amendment) Bill, 2022 <b>(Act No.9 of 2022)</b>
10.	The Delhi Municipal Corporation (Amendment) Bill, 2022 <b>(Act No.10 of 2022)</b>
11.	The Criminal Procedure (Identification) Bill, 2022 <b>(Act No.11 of 2022)</b>
12.	The Chartered Accountants, Cost and Works Accountants and Company Secretaries (Amendment) Bill, 2021 <b>(Act No.12 of 2022)</b>
13.	The Indian Antarctic Bill, 2022 <b>(Act No. 13 of 2022)</b>
14.	The Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities) Amendment Bill, 2022 <b>(Act No. 14 of 2022)</b>
15.	The National Anti -Doping (Amendment) Bill, 2022 <b>(Act No.15 of 2022)</b>
16.	The Family Courts (Amendment) Bill, 2022 <b>(Act No.16 of 2022)</b>
17.	The Central Universities (Amendment) Bill, 2022 <b>(Act No.17 of 2022)</b>
18.	The Wild Life (Protection) Amendment Bill, 2022 <b>(Act No.18 of 2022)</b>
19.	The Energy Conservation (Amendment) Bill, 2022 <b>(Act No.19 of 2022)</b>
20.	The Constitution (Scheduled Castes and Scheduled Tribes) (Second Amendment) Bill, 2022 <b>(Act No.20 of 2022)</b>
21.	The Appropriation (No.4) Bill, 2022 <b>(Act No. 21 of 2022)</b>
22.	The Appropriation (No.5) Bill, 2022 <b>(Act No. 22 of 2022)</b>
23.	The New Delhi International Arbitration Centre (Amendment) Bill, 2022 <b>(Act No. 23 of 2022)</b>

- (6) Total 6 Regulations have been promulgated by the President under article 240 of the Constitution during the aforesaid period: -

Sl. No.	Title of the Regulation
1.	The Lakshadweep Value Added Tax Regulation, 2022 (1 of 2022).
2.	The Lakshadweep (Right to Public Services) Regulation, 2022 (2 of 2022)
3.	The Lakshadweep Building Development Board (Repeal) Regulation, 2022 (3 of 2022)
4.	The Lakshadweep Co-operative Societies Regulation, 2022 (4 of 2022)
5.	The Lakshadweep Panchayat Regulation, 2022 (5 of 2022)
6.	The Lakshadweep Open Places (Prevention of Defacement) Regulation, 2022 (6 of 2022)

#### (7) SUBORDINATE LEGISLATION

During the period from 1<sup>st</sup> January, 2022 to 31<sup>st</sup> December, 2022, the number of statutory rules, regulations, orders and notifications scrutinized and vetted by this Department was 2332.

#### 4. LEGISLATIVE II SECTION

##### (1) 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,
  - (v) The Andhra Pradesh Legislative Council Act, 2005,
  - (vi) The Tamil Nadu Legislative Council Act, 2010.
- (2) The electoral system of our country, which is also called the first-past-the-post system of elections, has completed seventy one years. We have covered the journey of these seventy one years after India became Republic with glory and exemplary successes in all the fields. This has been the result of the



relentless toil and continuous struggle of the millions who have shaped the present and future of this great country with their sweat and blood. Undoubtedly, this journey has not been an easy sail and we have witnessed much turbulence and turmoil during this period. During this period, the political scenario and the electoral process of the country have undergone continuous epoch-making changes. With each election, the complexities of the electoral process and the election management have been increasing. Every single ballot has proved extremely valuable. In such a scenario, allegations and counter-allegations are invariably made. Some inroads by corrupt and criminal elements has posed a challenging task for the conduct of free and fair elections.

- (3) The aforesaid scenario, which has been continuously changing, has necessitated reforms of electoral laws on several occasions. In the light of the experience gained during elections, recommendations of the Election Commission, the proposals from different sources including political parties, eminent men in public life and the deliberations in the Legislatures and various public bodies, the successive Governments have taken a number of measures, from time to time, to bring about electoral reforms; though need to effect a comprehensive package of electoral reforms cannot be gainsaid.
- (4) On the recommendation of the Election Commission of India, the Government vide notification SO 72(E), dated the 06<sup>th</sup> January, 2022, has increased the maximum limit of expenditure by a candidate for Parliamentary Constituency and Assembly Constituency of State/Union territory elections. In respect of larger States/Union territories, it has been increased for Parliamentary Constituency and Assembly Constituency Elections from 77 Lakh and Rs. 30.8 lakh to 95 Lakh and 40 Lakh respectively, and in respect of smaller States/Union territories, it has been increased for Parliamentary Constituency and Assembly Constituency Elections from 59.4 Lakh and Rs. 22 lakh to 75 Lakh and 28 Lakh respectively.
- (4.1) In furtherance of the Election Laws (Amendment) Act, 2021 (49 of 2021) rules have been made and published in the Gazette *vide* S.O. No 2802 to 2805 (E) dated 17<sup>th</sup> June, 2022. 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.

(4.2) In response of a proposal of the Election Commission of India for issuing a notice in form 5 at Electoral Registration Officer's office/any other designated place for inviting claims and objections, as prescribed under rule 10 of the Registration of Electors Rules, 1960; a notification has also been published in the Gazette of India (Extra-ordinary) vide SO (E) 5038 on 26<sup>th</sup> October, 2022.

#### (5) 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 2022, there were 133 cases pending in the Supreme Court and different High Courts on election related matter. During the said year, 43 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. During the period, 22 cases have been disposed of. Now there are about 154 cases pending before the Supreme Court and various High Courts. All cases are being effectively monitored.

#### (6) CONDUCT OF PARLIAMEN TRAY WORK

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:-

S. No.	Item of Business	Figures for the Ministry of Law and Justice.
1.	Lok Sabha Questions	217
2.	Rajya Sabha Questions.	207
3.	Private Members' Bill in Lok Sabha.	28
4.	Private Members' Bills in Rajya Sabha	22
5.	Private Members' Resolutions	04
6.	Matter raised during Zero Hour (Lok Sabha)	08
7.	Matter raised under Rule 377 in Lok Sabha.	07
8.	Special Mention in Rajya Sabha.	11

## (7) 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 69 years by conducting 17 General Elections to the Lok Sabha and more than 397 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.



## (7.2) PRESIDENTIAL AND VICE PRESIDENTIAL ELECTIONS, 2022

The Presidential Election-2022 was announced on 09.06.2022 in a Press Conference held at Vigyan Bhawan, fixing inter-alia 15th June, 2022 was fixed as date of notification, 18th July, 2022 as the date of poll and 21st July, 2022 as the date of counting. The electoral college for Presidential Election-2022 was prepared as per Article 54 of the Constitution which included total 4809 electors. The value of votes of each MP was 700 while that of MLAs of different States ranged from 7 to 208. On 21st July, 2022, the Returning Officer of the said election, the Secretary General of Rajya Sabha, after counting of votes, declared Shrimati Droupadi Murmu elected as the President of India securing 2824 votes, value of which was 6,76,803 on 21st July, 2022.

(7.2.2) The Vice-Presidential Election-2022 was announced on 29.06.2022 with 05<sup>th</sup> July, 2022 as date of notification, 06th August, 2022 as the date of poll and date of counting. The electoral college for Vice-Presidential Election-2022 was prepared as per Article 66 of the Constitution which included total 788 electors. The value of votes of each elector was 01. As scheduled, the poll was taken on 06th August,

2022 at Parliament House in New Delhi. The Returning Officer of the said election, the Secretary General of Lok Sabha, after the counting of votes, declared Shri Jagdeep Dhankar elected as the Vice-President of India.

### (7.3) GENERAL ELECTIONS TO LEGISLATIVE ASSEMBLIES HELD DURING 2022

During 2022 General Elections to Legislative Assemblies of Goa, Manipur, Punjab, Uttarakhand, Uttar Pradesh, Himachal Pradesh, Gujarat were held covering vast population of the country. In these elections total no. of electors who exercised their franchise was 15,06,17,460 with average polling percentage of 71.75%.

#### Electoral Roll Data -2023

#### SPECIAL SUMMARY REVISION OF ELECTORAL ROLL, 2023

#### DETAILS OF IMAGE IN PHOTO ROLL/EPIC NUMBERS AS PER FORMAT 1-8 in

respect of SSR-2023 w.r.t 01.01.2023 as the qualifying date

S. No.	Name of State/UT	Total number of Electors	Total number of EPIC issued	Percentage of EPIC coverage
1	2	3	4	5
1	Andhra Pradesh	3,99,16,706	3,99,09,815	99.98
2	Arunachal Pradesh	8,31,619	8,31,619	100.00
3	Assam	2,41,11,743	2,40,14,470	99.60
4	Bihar	7,58,13,806	7,58,13,740	100.00
5	Chhattisgarh	1,94,54,009	1,94,23,454	99.84
6	Goa	11,67,802	11,67,723	99.99
7	Gujarat *	4,90,88,348	4,90,89,765	100.00
8	Haryana	1,95,48,412	1,95,48,412	100.00
9	Himachal Pradesh *	55,07,261	55,07,239	100.00
10	Ladakh	1,79,496	1,77,496	98.89

S. No.	Name of State/UT	Total number of Electors	Total number of EPIC issued	Percentage of EPIC coverage
11	Jammu & Kashmir *	83,59,762	75,19,111	89.94
12	Jharkhand	2,45,29,473	2,45,29,473	100.00
13	Karnataka	5,05,00,739	5,04,97,985	99.99
14	Kerala	2,67,95,581	2,67,07,635	99.67
15	Madhya Pradesh	5,39,87,876	5,39,87,876	100.00
16	Maharashtra	9,02,64,874	9,02,59,490	99.99
17	Manipur	20,57,854	20,29,265	98.61
18	Meghalaya	21,61,129	21,61,129	100.00
19	Mizoram	8,42,380	8,42,380	100.00
20	Nagaland	13,09,651	12,71,906	97.12
21	Odisha	3,23,49,431	3,23,46,815	99.99
22	Punjab	2,11,92,854	2,11,92,854	100.00
23	Rajasthan	5,12,10,846	5,12,10,846	100.00
24	Sikkim	4,50,550	4,50,550	100.00
25	Tamil Nadu	6,20,41,179	6,20,41,179	100.00
26	Telangana	2,99,77,659	2,99,74,919	99.99
27	Tripura	28,13,478	28,13,478	100.00
28	Uttarakhand	81,67,568	81,67,568	100.00
29	Uttar Pradesh	14,80,15,670	14,80,15,670	100.00
30	West Bengal	7,52,08,377	7,52,08,377	100.00
31	A & N Islands	3,08,206	3,00,184	97.40
32	Chandigarh	6,43,182	6,43,182	100.00
33	D & N Haveli And D&D	3,83,417	3,80,674	99.28
34	Lakshadweep	55,860	55,860	100.00
35	NCT of Delhi	1,47,76,301	1,47,76,301	100.00
36	Puducherry	10,02,595	10,02,232	99.96
<b>TOTAL</b>		<b>94,50,25,694</b>	<b>94,38,70,672</b>	<b>99.88</b>
* data w.r.t. 01.10.2022 as the qualifying date				



## (8) 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.

## (9) 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.



## (10) 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.



## (11) RECENT AMENDMENTS RELATING TO ELECTORAL ROLLS

Ministry of Law & Justice Govt. of India in consultation of Election Commission of India, vide Election Laws (Amendment) Act, 2021 and consequent Amendments in Registration of Electors Rules, 1960 notified on 17th June, 2022 have made following amendments:



### (11.1) AADHAAR NUMBER OF THE ELECTORS IN THE REGISTRATION FORMS:

- Modified Forms have come into force **on 01<sup>st</sup> August, 2022.**
- In the registration forms, namely, Form 1, 2, 2A, 3, 6, 8, 18 and 19, a provision has been made for seeking Aadhaar details of the applicants.
- A new **Form 6B** has been introduced for collecting Aadhaar number of existing electors voluntarily. Existing electors, who are not having Aadhaar Number, can submit any of the 11 documents prescribed in the Form 6B.
- Non-submission of Aadhaar will not be a ground for deletion of name of existing electors in the electoral roll or rejection of application for registration.

**Objective of the scheme:** The purpose of collection of Aadhaar from existing electors (on voluntary basis) is establishing the identity of electors and authentication of entries in electoral roll and to identify registration of name of the same person in more than one constituency or more than once in the same constituency.

### 11.2 PREPARATION OF ELECTORAL ROLLS WITH REFERENCE TO FOUR QUALIFYING DATES

With the amendment made in the R.P. Act, 1950, **four qualifying dates i.e., 01<sup>st</sup> January, 01<sup>st</sup> April, 01<sup>st</sup> July and 01<sup>st</sup> October** have come into effect in place of one qualifying date of 1st January.

Notice of Publication of Draft Electoral Roll in Form-5, issued by Electoral Registration Officer (ERO) under Rule 10 of Registration of Electors Rules, 1960, has been modified to the extent that advance application for registration is sought from Citizens becoming eligible with reference to any of the four qualifying dates from the date of such draft publication of electoral roll till the qualifying date of last quarter in the year. Such advance applications are to be disposed of by the respective ERO in concerned subsequent quarter and the elector, so enrolled, is to be provided with the Electors Photo Identity Card.

### (12) 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.



### (13) IT IN ELECTION MANAGEMENT

The Commission has enhanced the usage of IT Applications, with the sole view to usher in greater citizen participation and transparency, for the 95 crore plus electors across the nation. The following is a brief outline of the IT Applications of ECI, from the point of view of benefits offered to citizens and from the point of view of the political parties and election contestants, who together constitute the major stake holders of the election process and results.

#### 13.1 CITIZEN'S PERSPECTIVE: EASING THE PROCESS OF GETTING ENROLLED AS A VOTER AND PARTICIPATING IN THE COUNTRY'S DEMOCRATIC PROCESS

Through the **National Voter Services Portal (NVSP)** (<https://www.nvsp.in/>), and the **Voter Helpline App (VHA)**, a citizen user can avail and access various services such as the electoral list of his Constituency, apply for a Voter ID card, apply online for corrections in his existing Voter's card, view details of Polling booth, Assembly Constituency and Parliamentary constituency, and get the contact details of the concerned Booth Level officer, Electoral Registration Officer, etc. To ease the process of form submission, the Voter Portal' (<https://voterportal.eci.gov.in/>) provides a seamless interface for registration, alteration in entries, deletion, change of address etc. A special facility is available for service voters posted in outside areas to cast their ballots through an **Electronically Transmitted Postal Ballot System (ETPBS)**, whereby a blank Postal Ballot is transmitted

electronically to them in a secure manner. The service voter can then send his vote through speed post.

**Saksham-ECI** is a Mobile App specially designed for use by Persons with Disabilities. Using the App, they can make requests to the election officer for marking them as PwD in order to get special consideration at the polling booth (eg. request for a wheelchair), request for new registration, migration, correction in Voter ID details, etc.

The **GARUDA** (Geographical Asset Reconnaissance Unified Digital App) facilitates the BLOs by integrating all their functions of the BLOs at one place/app. Among other backend functions, it enables field verification of electors by the BLO at the elector's premises, including capture and collection of his actual photo and address, submission of online forms on his behalf, etc. This mobile app is immensely beneficial to citizens, especially in far flung areas of the country, who can now get many of their services handled by the BLOs through their mobile phones, using this app.

The complete list of contesting candidates with their profile, nomination status and the affidavits they have submitted to the election officials are available for public view through the **Candidate Affidavit Portal** <https://affidavit.eci.gov.in/>

Another significant citizen benefit accrues through the **Know Your Candidate (KYC)** Mobile Application which informs them about "Criminal Antecedents" status of any contesting candidate, thereby enabling them to take more informed decisions and select better candidates to govern the country.

A **Booth App**, integrated into ENCORE, which is designed for Vote Counting during elections, is immensely beneficial to the voter by reducing the waiting time for physical verification in front of the polling officer. By an encrypted QR code, faster identification of voters is achieved from the voter slip available with the elector in the polling booth. This reduces the queue, thereby facilitating a faster polling process.

The **National Grievance Service Portal (NGSP)** <https://eci-citizenservices.eci.nic.in> is ECI's initiative to redress the complaints of the Citizens, Electors, Political Parties, Candidates, Media and Election Officials at



the National, State and District level. A single interface enables handling of complaints by ECI, automatically assigning the appropriate election official depending upon the gravity of the complaint, along with tracking of the action taken process, until resolution.

### **(13.2) POLITICAL PARTY & CONTESTANT'S PERSPECTIVE – ENSURING TOTAL TRANSPARENCY IN CONDUCTING AND MONITORING ELECTIONS:**

The **EVM Management System** is designed to manage the inventory of Electronic Voting Machine (EVM) units, in a way that visibly demonstrates a fair and transparent process and administrative protocol. This is achieved by randomizing the allocation of EVMS for deployment in the Polling stations. The process is performed in the presence of Parties' representatives and Central observers so that they are convinced that no pre-determined EVM is allocated to a particular booth.

**C-Vigil** is a mobile app enabling citizens to file cases of violations in Model Code of Conduct, during the election period. The citizen can click a photo or video using his Smartphone, as proof of the violation he has observed. The app automatically attaches time- and location-stamped evidentiary proof on the photo. This is instantly communicated to the Election Flying Squads, who can rush to the spot and take prompt corrective action. This app, designed for speedy and effective actions by the authorities, assures the user an Action Taken Report within 100 minutes.

While an election is in process, both political parties and contestants will be interested in knowing the voter turnout details at a given point of time so that they can take pre-emptive action to bring more voters into the booths. The **Voter Turnout App** is used only to indicate provisional estimated voter turnout of each Assembly or Parliamentary Constituency, as entered by the Returning Officer at pre-defined intervals. The data entered is provisional; final turn out data can only be published after completion of due process as defined in the Representation of People Act, 1951.

The **SUVIDHA** portal <https://suvidha.eci.gov.in> enables candidates/political parties for submitting online nominations to contest an election.

Through SUVIDHA, a contesting candidate can create an account, fill the nomination form, deposit the security amount, check availability of time slot for submitting the physical nomination (if he wishes to do so) and appropriately plan his visit to the Returning Officer for submission. The application can be filled fully online, for which the candidate only needs to take a print out of the Form, get it notarized and submit along with relevant documents to the Returning Officer in person. This facility will considerably ease the filing process and reduce potential errors in form filling. The regular offline submission as prescribed under the law shall also continue.

A facility for enabling the candidates and political parties to directly apply online to obtain permission to hold meetings, rallies, use of loudspeakers, temporary offices, etc. is also provided in SUVIDHA, with tracking of the corresponding application status. This became particularly relevant during the COVID period. By reducing potential crowding in the offices of various authorities to get such permissions, possible infections could be successfully avoided.

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

Based on the Hon'ble Supreme Court's Judgment in **A.C. Jose v. Sivan Pillai, 1984 SCR (3) 74**, the Commission recommended the Government of India to bring legislative amendment in order to provide legal sanction for the use of EVMs. Consequently, **Section 61A was inserted in the year 1989** in the Representation of the People Act, 1951 to enable the use of Electronic Voting Machines.

- (ii) 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.
- (iii) 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.

- (iv) 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 15th March, 1989.
- (v) 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.
- (vi) EVMs are manufactured by two PSUs i.e. Bharat Electronics Limited (BEL) under the Ministry of Defence, and Electronics Corporation of India Limited under the Department of Atomic Energy under the overall guidance of the Technical Expert Committee (TEC) of EVMs.

#### **(14.1) PROCUREMENT OF EVMS AND VVPATS FOR THE NEXT GENERAL ELECTION TO LOK SABHA**

##### **(14.1.1) New Procurement of Electronic Voting Machines (EVM) and Voter Verifiable Paper Audit Trail (VVPAT) & Upgradation of M2-M3 VVPATs to M3 VVPATs**

With an aim of COVID Safe elections & to ensure Covid safety precautions & protocol, there was requirement of extra machines to ensure smooth conduct of Lok Sabha – 2024 Elections. Hence, the Commission decided to procure additional 2.84 Lakh Ballot Units, 2.12 Lakh Control Units & 2.46 VVPATs in addition to 10.42 Lakh Ballot Units, 6.97 Lakh Control Units & 6.46 Lakh VVPATs ordered vide Commission's letter dated 21.06.2021. Accordingly, a detailed proposal for the said additional procurement at an estimated cost of Rs. 978.77 Crores, was sent to the M/o Law and Justice. Similarly, a proposal for upgradation of 2,43,414 M2-M3 VVPATs to M3



VVPATs for deployment in the upcoming Lok Sabha elections at a cost of Rs.357.55 Crores was also sent to M/o Law and Justice.

Both the proposals are currently in advance stage of deliberation and approval.

#### (14.1.2) DEPLOYMENT OF EVMS IN THE ELECTIONS HELD IN 2022-23

The details of deployment of EVMs & VVPATs in various State Legislative Assembly General Elections held during the year 2022 is provided as under:

Sl. No.	Name of State	Total Polling Stations
1	Goa	1,722
2	Manipur	2,968
3	Punjab	24,740
4	Uttarakhand	11,697
5	Uttar Pradesh	1,74,803
6	Gujarat	51,839
7	Himachal Pradesh	7,884

#### (14.2) SYMBOL LOADING UNIT (SLU) WITH ADDED TRANSPARENCY FEATURE:

As an additional transparency feature in the symbol loading process of VVPATs during FLC & Commissioning, the Commission has introduced a new feature in SLU which provides for simultaneous visual display of content (serial number, symbols& name of candidates) being uploaded to VVPATs on a monitor/TV screen for the stakeholders to view.

### (14.3) MILESTONES OF EVMS:

In 2004, the EVMs were used in all 543 PCs for the elections to the Lok Sabha. A number of technological changes were made in the EVMs in 2001 and the machines were further upgraded in 2006. The pre-2006 era EVMs are known as 'M1 EVMs', while EVMs manufactured between 2006 to 2010 are called 'M2 EVMs'. The latest generation of EVMs, produced since 2013 are known as 'M3 EVMs'. To improve the transparency and verifiability in poll process, Voter Verifiable Paper Audit Trail (VVPAT) was introduced in 2013. They were first used in the by-election for 51-Noksen AC in Nagaland.

### (14.4) TECHNICAL FEATURES OF EVMS AND VVPATS

(a) The Electronic Voting Machines are standalone machines which have no wired or wireless connection which rules out any wireless/wired connection with the outside world. The Commission currently uses the latest M3 EVMs since 2013, which are all the more technically robust and efficient. The features include:

- One Time Programmable Chip (OTP)
- Dynamic and encrypted Coding of signals among the units
- Unauthorized access detection module (UADM) which detects and prevents any attempt to temper the EVMs
- Real Time Clock for time stamping of events
- Mutual Authentication among the units of EVM by verification of embedded digital certificates
- EVMs do not use external power supply and run on internal power packs

(b) Voter Verifiable Paper Audit Trail (VVPAT) instils confidence in the voters by giving them a visual confirmation about the vote they have cast by allowing them to verify their vote by displaying it on a paper slip for about 7 seconds. The features include:

- Contrast sensor to maintain the print quality of VVPAT
- Length sensor to determine the specified length of paper slip
- Depletion Sensor to give warning well before exhaustion of paper roll
- Fall sensor to ensure every paper slip is cut off in a timely manner
- Has all the security features available in EVMs

- Like EVMs, the VVPATs also do not use external power supply and run on internal power packs

## (15) INTERNATIONAL ENGAGEMENTS OF THE ELECTION COMMISSION OF INDIA DURING 2022

### (15.1) INTERNATIONAL ELECTION VISITORS PROGRAMME (IEVP) 2022 HELD VIRTUALLY DURING THE ELECTIONS FOR LEGISLATIVE ASSEMBLIES OF GOA, MANIPUR, PUNJAB, UTTARAKHAND AND UTTAR PRADESH ON MARCH 7, 2022

The Election Commission of India (ECI) hosted the virtual International Election Visitors Programme (IEVP) 2022 for Election Management Bodies (EMBs) from nearly 32 Countries and four international organizations. An overview of the ongoing Elections for Legislative Assemblies of Goa, Manipur, Punjab, Uttarakhand and Uttar Pradesh was presented to more than 150 EMB Delegates participating online. Ambassadors/High Commissioners and other members of the Diplomatic Corps based in India from nine countries also participated in today's virtual IEVP 2022.

### (15.2) VISIT OF MS. UZRA ZEYA, UNDER SECRETARY FOR CIVILIAN SECURITY, DEMOCRACY, AND HUMAN RIGHTS, UNITED STATES TO THE ELECTION COMMISSION OF INDIA ON 17 MAY 2022:

A four member US delegation led by HE Ms. Uzra Zeya, Under Secretary for Civilian Security, Democracy, and Human Rights called on the Chief Election Commissioner Shri Rajiv Kumar and Election Commissioner Shri Anup Chandra Pandey at Nirvachan Sadan, New Delhi on 17 May 2022. As part of 'Summit for Democracy', India was requested to lead the 'Democracy Cohort on Election Integrity' and share its knowledge, technical expertise and experiences with other democracies of the world. ECI has been requested to also provide training and capacity building programmes to Election Management Bodies (EMBs) across the world and provide technical consultancy as per needs of other EMBs.

Ms. Uzra appreciated the role of ECI in modernizing the election services and making the elections more inclusive and accessible. She said India can take a leading role in sharing its experiences and expertise in providing capacity building programmes to other EMBs to strengthen the election system. In the Cohort led by



India, New Zealand, Finland and the European Union have expressed interest to partner and other interested democracies could also join in. Several programs for cooperation and sharing experiences for capacity building are on the anvil. Based on the above a specific strategy and Action Plan will be prepared in coordination with the Ministry of External Affairs.

### **(15.3) INDIA ELECTED AS CHAIR OF THE ASSOCIATION OF ASIAN ELECTION AUTHORITIES (AAEA) FOR 2022-24**

India was unanimously elected as the new Chair of the Association of Asian Election Authorities (AAEA) for 2022-2024 at the meeting of the Executive board and General Assembly at Manila, Philippines on May 7, 2022. Commission on Elections, Manila was the outgoing chair of AAEA.



The 3-member delegation from Election Commission of India headed by Sr. Deputy Election Commissioner Shri Nitesh Vyas, along with Chief Electoral Officer of Manipur Shri Rajesh Agrawal and Chief Electoral Officer of Rajasthan Shri Praveen Gupta, attended the Executive Board meeting at Manila.

### **(15.4) CAMBRIDGE CONFERENCE ON ELECTORAL DEMOCRACY 3RD VIRTUAL SEMINAR ON ELECTIONS: 'EMERGING FROM THE PANDEMIC' 21ST JULY 2022:**

Shri Rajiv Kumar, Hon'ble Chief Election Commissioner addressed the virtual Cambridge Conference on Electoral Democracy on the theme 'Managing Elections during a Pandemic' organised jointly by Malaysian Commonwealth Studies Center & Cambridge Malaysian Education & Development Trust on 21st July 2022.



Mr. Rajiv Kumar shared with all the participants that conducting elections in India has generated many challenges over the past 70 years since independence, however the Covid-19 pandemic created an unprecedented challenge and the journey of conducting elections during the pandemic has taught us many things. Hon'ble Chief Election Commissioner shared that during the Covid-19 pandemic, ECI has conducted 11 elections to state assemblies, over 70 bye elections and the recently held Presidential election.

#### **(15.5) VIRTUAL ASIAN REGIONAL FORUM ON “MAKING OUR ELECTIONS INCLUSIVE, ACCESSIBLE AND PARTICIPATIVE” HELD ON 11 AUGUST, 2022**

The Election Commission of India (ECI) hosted a virtual meet of the ‘Asian Regional Forum’ on the theme “Making our Elections Inclusive, Accessible and Participative” at Nirvachan Sadan on 11 August 2022. The Regional Forum meet was a precursor to the “Summit for Electoral Democracy” to be hosted by the National



Electoral Institute of Mexico later in the month of September, 2022

**(15.6) ELECTION COMMISSION OF INDIA HANDED OVER THE CHAIR OF ASSOCIATION OF WORLD ELECTION BODIES (A-WEB) TO SOUTH AFRICA:**

(15.6.1) A 6-member delegation led by Shri Rajiv Kumar, Hon'ble Chief Election Commissioner of India visited South Africa to participate in the Extraordinary meeting of the A-WEB Executive Board and 5th General Assembly of the A-WEB followed by an International Conference on the theme "Safeguarding Election Management Bodies in the Age of Global Democratic Recession" held from 17th to 22nd October, 2022 in Cape Town.



(15.6.2) The Association of World Election Bodies (A-WEB) is the Global Association of 118 Election Management Bodies (EMBs) from 109 countries. India is the founder member of A-WEB since its inception in October, 2013 and took over as the Chair of A-WEB in September, 2019 at the last General Assembly held in Bengaluru, India. During the 5<sup>th</sup> General Assembly held on 19 October, 2022, the Chairmanship was handed over by the Election Commission of India to the Electoral Commission of South Africa.

**(15.7) INTERNATIONAL CONFERENCE ON 'ROLE, FRAMEWORK & CAPACITY OF EMBS' ORGANIZED BY THE COMMISSION ON 31 OCT – 01 NOV, 2022:**

A two-day international conference on the theme 'Role, Framework & Capacity of Election Management Bodies' was organized by the Election Commission of India on 31 Oct – 01 Nov, 2022 in New Delhi. The





conference was organized under Cohort on Election Integrity led by ECI, which was established as a follow on to the ‘Summit for Democracy’ held virtually in December, 2021.

Mr. Mohd. Irfan Abdool Rahman, Electoral Commissioner of Mauritius, Ms. Aggeliki Barouta, Head of Deptt Elections & Pol. Parties, Ministry of Interior, Greece, Mr. Anthony Banbury, President & CEO, International Foundation for Electoral Systems, Mr. Kevin Casas- Zamora, Secretary General, International IDEA, representatives from UNDP & EMBs including Armenia, Mauritius, Nepal, Cabo Verde, Australia, Chile, Federal States of Micronesia, Greece, Philippines, Excellencies, Ambassadors/High Commissioners and other members of Diplomatic Corps Ms. Elizabeth Jones, Charge d’Affaires, United States and other representatives from Costa Rica, Ghana, Jamaica, Albania, Nepal, Greece, Montenegro, Spain and senior officers from Ministry of External Affairs, Government of India attended the two day Conference.

#### **(15.8) INTERNATIONAL ELECTION VISITORS’ PROGRAM (IEVP) ORGANIZED DURING THE GENERAL ELECTIONS TO HIMACHAL PRADESH AND GUJARAT LEGISLATIVE ASSEMBLIES ON 05 DEC, 2022:**

Election Commission of India organized the International Election Visitors’ Program (IEVP) organized during the 2<sup>nd</sup> phase of General Elections to Gujarat Legislative Assembly during 2-6 December, 2022. The poll was held for the 2<sup>nd</sup> phase on 05 Dec, 2022. Before proceeding to Ahmedabad, the representatives from Mauritius and Sri Lanka were initially briefed at the Election Commission of India headquarters on the Role and functions of the Commission. Later the participants witnessed the poll preparedness and actual polling process in the district of Ahmedabad(Gujarat).

### **(15.9) VISIT OF MS. ANNALENA BAERBOCK, FOREIGN MINISTER OF GERMANY TO THE ELECTION COMMISSION OF INDIA ON 6 DECEMBER 2022**

A German delegation led by H.E. Ms. Annalena Baerbock, Foreign Minister of Germany met Chief Election Commissioner Shri Rajiv Kumar and Election Commissioners Shri Anup Chandra Pandey and Shri Arun Goel at Nirvachan Sadan in New Delhi today. The German Foreign Minister was accompanied by four Members of



Parliament namely Ms. Agnieszka Brugger, Mr. Thomas Erndl, Mr. Ulrich Lechte, Mr. Andreas Larem, H.E. Dr. Philipp Ackermann, German Ambassador to India and other officers from her Foreign Office.

The German Foreign Minister while interacting with the Commission appreciated the vast exercise of electoral management by ECI in the largest democracy in the world given the challenges of diverse geography, culture & electorate in India. The Minister was briefed about the extensive use of technology by ECI in the conduct of elections broadly under three verticals of voters' participation, political parties/candidates and election machinery logistics. She personally cast a vote through EVM during a demonstration of EVM-VVPAT functioning organized by ECI for the delegation.

### **(15.10) ELECTION COMMISSION OF INDIA HOSTED THE INTERNATIONAL CONFERENCE ON 'USE OF TECHNOLOGY AND ELECTIONS INTEGRITY' AS THE LEAD FOR THE COHORT ON 'ELECTIONS INTEGRITY' ON 23-24 JAN, 2023**

The Election Commission of India (ECI) hosted the International Conference on the theme 'Use of Technology and Elections Integrity' at New Delhi on 23-24 January 2023. ECI is leading the Cohort on Elections Integrity



which was established as a follow up to the ‘Summit for Democracy’ held virtually in December, 2021. The first international conference of the Cohort was organized on 31 Oct – 01 Nov, 2022 at New Delhi on the topic ‘Role, Framework and Capacity of Election Management Bodies’ where nearly 50 representatives from the Election Management Bodies (EMBs) of 11 countries participated.

- ii. The two-day international conference was inaugurated by Chief Election Commissioner of India Shri Rajiv Kumar along with Shri Anup Chandra Pandey, Election Commissioner and Shri Arun Goel, Election Commissioner. The conference which is second in a series of three conferences to be organized by Election Commission of India under Cohort on Election Integrity led by ECI was attended by the 39



representatives from 16 countries; Angola, Armenia, Australia, Chile, Croatia, Dominica, Fiji, Georgia, Indonesia, Kiribati, Mauritius, Nepal, Paraguay, Peru, Philippines and Suriname including 13 Heads/ Deputy Heads of nine EMBs or Election Authorities. Apart from above, the 6 representatives from the prominent International Organizations working in the field of elections viz. International Foundation for Electoral Studies (IFES) and International Institute for Democracy and Electoral Assistance (International IDEA) and the representatives from diplomatic corps participated at the conference.





During the conference, a booklet ‘Global Initiatives in the Use of Technology in Elections’ prepared by ECI was also unveiled. The book is a compilation of the best technology practices of EMBs worldwide. International Training Modules developed by IIIDEM for training & capacity building of officials from EMBs were also released.

## 16 A SPECIALIZED PROGRAM OF MASTERS IN INTERNATIONAL ELECTORAL MANAGEMENT AND PRACTICES HAS BEEN DEVELOPED BY ECI THROUGH IIIDEM

A specialized program of Masters in International Electoral Management and Practices has been developed by ECI through IIIDEM in collaboration with Tata Institute of Social Sciences. The two years MA program is designed on a systematic, comprehensive, and multidisciplinary approach to the professional development of serving officials and aspiring professionals. The programme is mainly for capacity building of officers and equipping them with various tools and institutionalized understanding, so that they can perform their roles more efficiently.

The first batch of the MA Program which was set off in December 2022 represents a diverse set of participants, including 20 officers in the ECI headquarter and working in State Chief Electoral Officers’, offices in States, 5 international participants from Maldives, Bangladesh, Philippines and Bhutan respectively and 8 participants from the student fraternity, selected by TISS. The programme is mainly in online mode with limited requirement of physical sessions.

## 17 IIIDEM’S INTERNATIONAL TRAINING MODULES: CONJOINTLY WITH IFES

Among many other goals and objectives of India International Institute of Democracy and Election Management

(IIIDEM) one of its major goal is to develop curriculum for electoral training and capacity development for both national and international stakeholders and standardize all publications to meet world class norms.

**(17.1.1) IN KEEPING WITH THIS OBJECTIVE IIIDEM HAS UPDATED AND DEVELOPED TEN MODULES IN COLLABORATION WITH INTERNATIONAL FOUNDATION FOR ELECTORAL SYSTEMS (IFES), WASHINGTON, USA**

**(17.1.2) THESE INTERNATIONAL TRAINING MODULES INCLUDES A WIDE RANGE OF SUBJECTS.**

**(18) REPORT ON THE INTERNATIONAL PROGRAMS CONDUCTED BY TRAINING DIVISION, IIIDEM, DURING 2022 – 23**

In pursuance of its mandate of Capacity Building and Training, IIIDEM has been conducting various International Training Programs targeted at diverse Stakeholders. Till date 2392 participants from 109 countries have benefitted. A summary of the Training Programs conducted by IIIDEM since inception, in 2011, as on 20 January, 2023 is as under:

No of Programs			No. of training days	No. of Participants		
Offline	Online	Total		Offline	Online	Total
99	16	115	635	1990	402	2392

The summary of the International Programs conducted in FY 2022-23 (as on 20 January, 2023) covered 249 officials from 41 countries.

**(18.1) VISITS OF DELEGATION FROM OTHER ELECTION MANAGEMENT BODIES (EMBS) & INSTITUTIONS**

**(18.1.1) VISIT OF SENIOR DELEGATION FROM ELECTORAL COMMISSION FIJI (ECF) AND FIJIAN ELECTIONS OFFICE (FEO)**

3 senior delegates, from Electoral Commission Fiji (ECF) and Fijian Elections Office (FEO), undertook a familiarization visit to IIIDEM and ECI on 27 and 28 July, 2022) respectively. The delegation was briefed about the ‘Indian Electoral Process and Role & Function of ECI’ along with a brief introduction about IIIDEM and its

Activities and initiatives.

### **(18.1.2) VISIT OF CIVIL SERVANTS OF BANGLADESH UNDERGOING TRAINING AT NATIONAL CENTRE FOR GOOD GOVERNANCE (NCGG)**

NCGG, New Delhi, has been conducting Training and Capacity Development Programs for the Civil Servants of Bangladesh. As part their Program, NCGG proposed an interaction session with IIIDEM. The attachment effort was to create value by showcasing the best model developed in the country. Accordingly, the 2 Interaction Sessions were conducted by IIIDEM for the Civil Servants from Bangladesh being trained at NCGG:

## **5. LEGISLATIVE III SECTION**

### **(1) 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.

### **(2) 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.

### (3) JOINT PARLIAMENTARY COMMITTEE ON OFFICE OF PROFIT

The Joint Parliamentary Committee on Office of Profit (JCOP), 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. Legislative Department examines references for the Secretariat of JCOP as to whether certain offices come within the premises of “Office of Profit”. During the year 2022, we examined 5 such references and tendered evidence before JCOP in such matters based on which JCOP finalised their reports.

### (4) PETITIONS AND OTHER COURT CASES RELATING TO PERSONAL LAWS AND OTHER SUBJECTS

The Legislative Department, being in-charge of personal laws (as regards legislation) 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 1st January, 2022 to 31st December, 2022, 46 fresh cases have been received. Parawise comments, counter affidavits and appropriate instructions, as the case may be, have been prepared and conveyed to the Government Counsel.

### (5) 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 1st January, 2022 to 31st December, 2022, 35 references relating to State Bills/Ordinances have been scrutinised.

## (6) CONDUCT OF PARLIAMENTARY WORK

During the year 2022, 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:

Sl. No.	Item of business	Figures
1.	Lok Sabha Questions	10
2.	Rajya Sabha Questions	18
3.	Private Member Bills	19
4.	Matter of Public Importance	5

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.

## (7) ALL INDIA CONFERENCE OF LAW MINISTERS AND LAW SECRETARIES

Legislative Department has actively participated in the All India Conference of Law Ministers and Law Secretaries held on 14th to 16th October, 2022 at Statue of Unity, Ekta Nagar, Gujarat. During the event we have the best practices being undertaken in legislative drafting and repeal of obsolete laws. We also urged the State Governments to bring uniformity in the proposals relating to State Bills and to provide timely response in implementation of Law Commission Reports and fulfillment of Parliamentary assurances.

## 6. 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.

(b) 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.

- (c) 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 years LLB course, from four to six weeks. The said scheme has been started from the year 2013. With all COVID-19 restrictions and social distancing norms the Voluntary Internship Scheme has been revived from July, 2022.
  - (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 Central Government Ministries/Departments associated with legislative proposals have been benefitted through Appreciation Course. Further, 338 students from various Universities and Colleges have been benefitted by the Voluntary Internship Scheme.
- (d) An online Capsule course on legislative drafting was organised for three days from 23rd June, 2021 to 25th June, 2021 for middle level officers of Central Government Ministries/Departments/Attached/Subordinate Offices and 29 participants attended the course.
- (e) One month online training in legislative drafting was organised from 8th November, 2021 to 10th December, 2021 for all the officers of State Government/State Legislative Assemblies and 40 participants were benefitted by the training.
- (f) A one month training course in Legislative Drafting was conducted from 16th August, 2022 to 15th September, 2022 for all officers of State Government/Union Territory Administrations and officers of



State Legislative Assemblies and 26 participants were benefitted by the training.

## 6.1 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), 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 sensitize 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.

## 7. 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 12th August, 2005 with one Appellate Officer, one Central Public Information Officer and one Central Assistant Public Information Officer. At present Dr. N.R. Battu, Additional Secretary, Shri P.C. Meena, Director and Shri Navneet Kumar, 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 and that of the Central Public Information Officer is 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 center Government are promptly transferred to the concerned Ministries/Departments in the center 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 of within the prescribed time limit. During the year (1st January, 2022 to 31st December, 2022) One thousand two hundred thirty-seven (1237) applications seeking information under the said Act were received, which were promptly attended as per the provisions of the Right to Information Act, 2005 and the rules made thereunder. Seventy-seven (77) first appeals were preferred before the Appellate Authority out of which 76 (Seventy-six) cases were duly disposed off on merits during the period of 1<sup>st</sup> January, 2022 to 31<sup>st</sup> December, 2022.

## 8. CORRECTION SECTION

### MAINTENANCE OF CENTRAL AND STATE ACTS

The Correction Section is responsible for maintenance and updation of the Central legislations, 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 copy 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 2022 have been updated in the master copy of the India Code.

A list of unrepealed Central Acts arranged, both alphabetically and chronologically, have been uploaded on the official website of the Legislative Department at [www.legislative.gov.in](http://www.legislative.gov.in) under the heading 'Documents'.

In the year 2022, the Section has downloaded Gazette copies of seventeen Acts of Parliament (including one Finance Act and six Appropriation Acts) and ten Central Ordinances from the official website of the Directorate of Printing, Department of Publication at <http://www.egazette.nic.in> and prepared a folder of Central Acts in. The details of Acts, Ordinances and Regulations downloaded are as follows:

### Central Acts:

#### A. Principal Acts (excluding Appropriation Acts and Finance Act):

1. The Criminal Procedure (Identification) Act, 2022 (No.11 of 2022).
2. The Indian Antarctic Act, 2022 (No.13 of 2022).
3. The National Anti-Doping Act, 2022 (No.15 of 2022).

#### B. Amendment Acts:

1. The Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Act, 2022 (No. 8 of 2022).
2. The Constitution (Scheduled Tribes ) Orders (Amendment) Act, 2022 (No.9 of 2022).
3. The Delhi Municipal Corporation (Amendment) Act, 2022 (No.10 of 2022).
4. The Chartered Accountants, The Cost and Works Accountants and the Company Secretaries (Amendment) Act, 2022 (No. 12 of 2022).
5. The Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities) (Amendment) Act 2022 (No.14 of 2022).
6. The Family Court (Amendment) Act, 2022 (No. 16 of 2022).
7. The Central Universities (Amendment) Act, 2022 (No.17 of 2022).
8. The Wild Life (Protection) Amendment Act, 2022 (No. 18 of 2022).
9. The Energy Conservation (Amendment) Act, 2022 (No.19 of 2022).
10. The Constitution (Scheduled Castes and Scheduled Tribes) Orders (Second Amendment) Act, 2022 (No. 20 of 2022).



11. The New Delhi International Arbitration Centre (Amendment) Act, 2022  
(No.23 of 2022).

**C. Regulations:**

1. The Lakshadweep Value Added Tax Regulation, 2022.
2. The Lakshadweep (Right to Public Services) Regulation, 2022.
3. The Lakshadweep Building Development Board (Repeal) Regulation, 2022.
4. The Lakshadweep Co-Operative Societies Regulation, 2022 .
5. The Lakshadweep Panchayat Regulation, 2022.
6. The Lakshadweep Open Place ( Prevention of Defacement) Regulation, 2022.

The amendments have been carried out in the master copies of the principal Acts vide the amendment Acts of Parliament During the year 2022, the Acts which have been brought into force by the administrative Ministries, their date of enforcement and notification numbers thereto have been entered at the relevant places of master copies of the Acts.

**State Acts:**

During the year 2022, the Section has received a total of 41 State Acts from 8 States, namely Kerala, Maharashtra, Assam, Andhra Pradesh, Tamil Nadu, Karnataka, Uttar Pradesh and Himachal Pradesh. All Acts have been kept in the relevant registers and folders.

**9. 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 why should 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. 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 the 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 the Central Acts on the New India Code website, 888 Central Acts from the years 1836 to 2022 have been updated and uploaded and 3375 repealed Acts from 1834 to 2020 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 the 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.



## 10. PRINTING SECTION

1. The Printing Sections of the Legislative Department, namely, 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 Arrangement of Clauses (A.O.C) 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 check the proofs of the Bills, etc., at multiple stages and after approval, the same are sent to the 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/Rajya Sabha Secretariats. Subsequently, the printed copies of the Bills are examined at various stages, namely, 'To be introduced' stage, 'As passed by the Lok Sabha/Rajya Sabha' stage, 'As passed by the Houses of Parliament' 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, after, the publication of the Act in the Gazette of India, Printing Sections scrutinize the Act and publish corrigenda, if required.
2. Besides the aforesaid works, Printing Sections also perform the work relating to proofreading of Constitution of India and vetting of the other Central Acts with the updated official records for uploading on India Code website and other publication purposes.
3. During the period from 1st January, 2022 to 31st December, 2022 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, and 6 Regulations, and published 23 Acts and 6 Regulations in the Gazette of India.
  - (b) Vetting of 36 Acts consisting of 722 pages with official records for uploading on the India Code website and 17 Acts consisting of 373 pages for other publication purposes.

## 11. 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. The subordinate legislations, namely, general statutory rules and orders, notifications etc., under an enactment is prepared and issued by the Ministry or Department which is administratively concerned with the Act, after getting them 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 it 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.
- (2) During the year 2022, the General Statutory Rules and Orders (GSRO) Section has 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. The GSRO Section also performed other miscellaneous work relating to RTI applications and parliament questions etc.

## 12. 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 coordinated by this Section.

- (2) IF&BA 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.

### 13. PUBLICATION SECTION

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

- (2) During the year 2022, the Publication Section compiled, scrutinized and vetted the Constitution of India (English version) incorporating the latest amendments including the Constitution (105th Amendment) Act, 2021 along with the footnotes which has been updated and made available on the official website of this Department. Further, the manuscript for the new edition of the Constitution of India for the year 2023 has been prepared and forwarded to the Official Languages Wing for publication in diglot version (English and Hindi).
- (3) This Section also prepares the manuscripts (English version) of Central Acts duly incorporating up to date amendments which are then forwarded to the Official Languages Wing for being published in diglot version. During the year 2022, the manuscripts of the following Central Acts were prepared, namely:-
- (i) Official Languages Act, 1963 (19 of 1963);
  - (ii) The Prevention of Corruption Act, 1988 (49 of 1988);
  - (iii) Dissolution of Muslim Marriage Act, 1939 (8 of 1939);
  - (iv) The Arms Act, 1959 (54 of 1959);
  - (v) The Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016);
  - (vi) The Limitation Act, 1963 (36 of 1963);
  - (vii) Rights of Children to Free and Compulsory Education Act, 2009 (35 of 2009);
  - (viii) The General Clauses Act, 1897 (10 of 1897);
  - (ix) The Protection of Children from Sexual Offences Act, 2012 (32 of 2012);
  - (x) The Passport Act, 1967 (15 of 1967).



#### 14. THE OFFICIAL LANGUAGE SECTION

##### (1) IMPLEMENTATION OF THE CONSTITUTIONAL AND OTHER PROVISIONS OF THE OFFICIAL LANGUAGE POLICY.

During the period from 01<sup>st</sup> January, 2022 to 31<sup>st</sup> December, 2022 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 91.30%, 81.35% and 67.43% 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 (OL Wing). The meeting of this Committee is held

once in every three months regularly to assess the progressive use of Hindi for official purposes. The agenda and minutes of these meetings are sent to the Department of Official Language, Ministry of Home Affairs. The minutes are also circulated to all the officers and Sections of the Department for compliance. The first, second, third and fourth meetings of this committee were held on 31.03.2022, 28.06.2022, 26.09.2022 and 30.12.2022 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 MINISTER:**

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

#### **(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 **14th September to 29th September, 2022** 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) 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.

**15. OFFICIAL LANGUAGES WING**

**Introduction** – Official Languages Wing of Legislative Department came into existence in the year 1976 as a successor Organisation of the Official Languages (Legislative) Commission as a part of Legislative Department. Functions which were being discharged by the Official Languages (Legislative) Commission, entrusted to this Wing with effect from the 1st October, 1976.

**(1) FUNCTIONS**

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 statutory Rules issued by Governments of States under Presidential Rule;
  - (vii) Preparation of Hindi texts of all the Parliament Questions/Answers, Assurances etc, relating to the Ministry of Law and Justice;
  - (viii) Training in Legislative Drafting in Hindi to Officers from Hindi speaking States;
  - (ix) 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;
  - (x) Work relating to Hindi Salahkar Samiti of the Ministry of Law and Justice;
  - (xi) Work relating to providing Grants-in-Aid to voluntary organisations for promotion of Official Languages in the field of law;
  - (xii) Publication of diglot editions of Central Acts (with legislative history) and popularisation thereof;
  - (xiii) Preparation and maintenance of India Code in Hindi (Bharat Sanhita) and also in diglot form; and
  - (xiv) Publication of regional language versions of the Constitution of India and their release.
  - (xv) To perform such other duties as may be assigned to it by the Government of India from time to time.

## (2) LEGAL GLOSSARY

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

### (3) CONSTITUTION OF INDIA

The authoritative text of the Constitution of India have been brought out in 17 other regional languages, namely, Assamese, Bengali, Dogri, Gujarati, Kannada, Malayalam, Marathi, Manipuri, Odiya, Punjabi, Sanskrit, Tamil, Telugu, Urdu, Sindhi, Nepali and Konkani, in addition to Hindi (the Official Language of the Union).

### (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 has 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 26 Central Acts and 05 Regulations have been published in the Official Gazette under section 5 (1)(a) of the Official Languages Acts, 1963. Since 1963 Authoritative Text of 2561 Central Acts have been prepared.

### (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 TEXT OF BILLS, ORDINANCES, ETC.

As per Government of India (Allocation of Business) Rules] 1961 publication of authoritative translation in Hindi of Central Acts, Ordinances, Orders, Rules Regulations and bye-laws referred to in Section 5(1) of the Official Languages Act, 1963 is allocated to legislative Department. This work is being handled by Official

Languages Wing. During the period under report –

- (i) Bills/Cabinet Notes/Acts- 39 Bills were handled by this Wing and prepared Hindi version of the Bills to be laid before the Houses of Parliament. In addition, 05 Notes for Cabinet, 11 Acts were also prepared by this Wing. List of the Bills, Notes for Cabinet and Acts are given at Annexure-II.
- (ii) Notifications/Recruitment Rules/Regulations/Parliament Questions/Statutory Rules Etc.- References are received in this Wing for preparation of General Statutory Rules, Notifications, Recruitment Rules etc from various Ministries/Departments for subordinate legislation. During the period under report following work was accomplished by this Wing in different Sections –
  - (a) 1007 proposals were received from different Ministries/Departments of the Central Government where in 6046 pages for Hindi version of such statutory rules/notifications etc. was prepared.
  - (b) 289 proposals were received from different Ministries/Departments of the Central Government where in 1821 pages for Hindi version of Recruitment Rules was prepared.
  - (c) 5 proposals related to important Regulations, namely, Lakshadweep Panchayat Regulation, 2022, Lakshadweep (Right of Citizens to Public Services) Regulation,2022, Lakshadweep Building Development Board (Repeal) Regulation, 2022, Lakshadweep Co-Operative Societies Regulations, 2022 and Lakshadweep Value Added Tax Regulation,2022 were received from Ministry of Home where in 365 pages were involved for the preparation of Hindi version.
  - (d) During the period under report, Hindi version of 3150 pages of Parliament Questions answers/Assurances of this Ministry was also prepared.

#### **(8) 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 Constitution of India and 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 have also been prepared. During the Year, manuscript of two diglot Acts were prepared by this Section.



**In addition to above, this Section –**

- (a) Supplied information regarding publication of e-gazette copies of Central Acts to various State Governments for translation into their respective regional languages;
- (b) Supplied e-Gazette copies of Hindi version of Central Acts to Hindi speaking States for republication in their State Gazettes; and
- (c) Assists the Regional Languages unit of the Wing in connection with preparation of translation of 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.

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

The Printing Section of the Official Languages Wing is primarily concerned with the editing of manuscripts and checking of proofs of Bills, Ordinances, Regulations, President's Acts etc; issued under the Constitution of India, Delimitation of Council Constituencies orders, etc; Bills, which are required to be introduced in a short time, are also printed on behalf of the Houses of People or the Council of States. Editing and Proof-Checking of the publication in diglot form of the Constitution of India, Manual of Election Law, revised Edition of India Code, modified diglot edition of Central Acts, statutory Rules and Orders, Annual Reports etc. are also done in this Section. This Section is also responsible for the printing and publication of Central Acts, Ordinances, Regulations, President's Act, etc; and their subsequent reprints in diglot form as publication for sale. This Section discharged all its responsibilities during the year under review. The Printing Section of the Official Languages Wing is also performing the duties of the publication Section. During the period under report, 26 Acts were authenticated and 05 Regulations were got published by this Section.

**(10) 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.

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

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

The Official Languages Wing has also published the authoritative texts of Central Acts in regional languages as envisaged under section 2 of the Authoritative Texts (Central Laws) Act, 1973 (50 of 1973). During the period under report, translation of 61 Central Acts have been approved by the Working Group (Regional Languages) and 86 Central Acts in Regional Languages including Hindi have been authenticated as authoritative texts by the President of India. Besides the Authoritative texts of the Constitution of India in addition to Hindi has been brought out in 17 other regional languages, namely, Assamese, Bengali, Dogri, Gujarati, Kannada, Malayalam, Marathi, Manipuri, Odiya, Punjabi, Sanskrit, Tamil, Telugu, Urdu, Sindhi, Nepali and Konkani.

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

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

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

The Twelfth Hindi Salahkar Samiti of this Ministry was constituted vide Resolution No.E.4(1)/2014-O.L.Wing (LD) dated 14th May, 2015 for three years and further its tenure was extended with effect from 14th May, 2018

for one year or remaining tenure of present 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 matter relating to :-

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

#### **(14) 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. 23rd November, 2022 for three years under the Chairmanship of Justice Dr. Satish Chandra (Retd.) Judge of High Court of Allahabad. Other members of the Committee are Dr. Vaibhav Goel, Prof., Sardar Patel Subharti Institute of Law (Faculty of Law), Meerut, Uttar Pradesh and Shri K.G. Aggarwal, Advocate, Supreme Court of India, New Delhi.

#### **(15) 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 website of this Department. 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 to the concerned Ministries/Departments etc.

The Constitution of India, I.P.C., Cr. P.C., the Manual of Election Laws and Income tax Act have already been hosted on website of this Department. This website has been further enriched by listing central enactments from the Year 1838 to 2018, Principal as well as amending Acts along with some important legislations have also been uploaded on the web site of this Department in O.L. Wing Home page 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.

The E-Office is being implemented in O.L. Wing for files pertaining to Administration and Cash Sections.

The Legal Glossary which has been hosted on the home page has been replaced with searchable PDF format for its wide spread and user friendly use.

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 this Department's website.

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 website.

## 16. VIDHI SAHITYA PRAKASHAN

In the year 1958, the Committee of Parliament on Official Languages recommended that arrangements be made to bring out authorised Hindi translation of important judgements of the Supreme Court of India and various High Courts for promotion and propagation of Hindi in the legal field and this work should be entrusted to a Central Office under the supervision of Law Ministry. 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 use of Hindi in the legal field which was later on known as "VIDHI SAHITYA PRAKASHAN". Vidhi Sahitya Prakashan has published Hindi text of about fifty thousand judgements passed

by Hon'ble Supreme Court and various High Courts. Vidhi Sahitya Prakashan has also published high standard 38 Law Text Books in Hindi on various subjects. These books are under the copy right of Government of India under the mandate of Vidhi Sahitya Prakashan is dedicated for promotion and propagation of Hindi in the legal field under the mandate of Constitution of India (Article 351), recommendations of Parliamentary Committee on Official Language and Orders of Hon'ble President of India.

Initially, a monthly Hindi Journal for publication of all the reportable judgements passed by Hon'ble Supreme Court was started in April, 1968 which is known as "Uchchatama Nyayalaya Nirnaya Patrika". Thereafter, another monthly journal for publication of Hindi Text of the judgements passed by various High Courts Judgements was started in January, 1969 and is known as "Uchcha Nyayalaya Nirnaya Patrika". In the year 1987 "Uchcha Nyayalaya Nirnaya Patrika" was divided into two journals i.e. "Uchcha Nyayalaya Civil Nirnaya Patrika" and "Uchcha Nyayalaya Dandik Nirnaya Patrika".

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

- (a) Publication of high standard text books in Hindi in the field of law for the benefit of Law Students, Advocates, Judges and Members of Law Faculty;
- (b) Awarding various prizes for the best publication of Hindi Text Books on various subjects in the field of law;
- (c) Sale of Hindi Law Journals, Hindi Text Books on various legal subjects, Central Acts in diglot edition, Constitution of India, Election Manual, Legal Glossary etc.; and
- (d) Holding conferences, seminars and book exhibitions in different parts of the country for propagation and popularisation of Hindi in the legal field;

(2) **The details of the progress made by Vidhi Sahitya Prakashan during the year 2022-23 are given below:-**

**Publication of Hindi Law Journals:** During the period under report, Supreme Court Journal 'Uchchatama Nyayalaya Nirnaya Patrika' has been uploaded on the site of Legislative Department upto November, 2021, High Court Civil journal 'Uchcha Nyayalaya Civil Nirnaya Patrika' has been uploaded upto January, 2021 and High Court Criminal Journal 'Uchcha Nyayalaya Dandik Nirnaya Patrika' has been uploaded upto June, 2021.

The above said law Journals have been uploaded on the site of Legislative Department, Ministry of Law & Justice i.e. <http://legislative.gov.in/vidhi-sahitya>.

**Award of Prizes :** Apart from the publication of the aforesaid three Law Journals and law Text books, Vidhi Sahitya Prakashan has also been giving awards/decorations to the authors for writing Law Text Books in Hindi on various subjects under the Scheme of the Government of India for writing and publication of Hindi Law Text Books. One award is known as ‘Dr. Rajendra Prasad Hindi Vidhi Puraskar’ which is given on annual basis. The other is known as ‘Text Book of the Decade’ and is given once in ten years to the author of best book of the decade. This year, both these awards/decorations have been surrendered by Vidhi Sahitya Prakashan to the Department of Official Languages, Ministry of Home Affairs.

**Digitization:** Like any other department of the Government of India, Vidhi Sahitya Prakashan has also entered into the era of digitization of records although it is far away from the target and only five percent law journals have been digitised so far. Hindi text books have not been digitized. Vidhi Sahitya Prakashan has uploaded three Hindi Law Journals in PDF format since 2012 on the site of Legislative Department i.e. <http://legislative.gov.in/vidhi-sahitya>. The Central Acts and Law Publications in hard copies are also available for online sale on the site of Department of Revenue i.e. <https://bharatkosh.gov.in/Product/Product/> on digital payment basis i.e. credit care, debit card and net banking etc. and the link if available on main Legislative Department front page. It is also part of ‘Ease of Doing Business’

### (3) Achievements i.e. Exhibitions, Conferences, Seminars, and Sale of Law Books:

Vidhi Sahitya Prakashan has been organizing conferences, seminars and exhibition cum sale counters of Law Books. The most important publications availed to the public are Hindi Law Journals, Hindi Law Text Books, Constitution of India, Central Acts in diglot (Hindi-English) edition, Legal Glossary, Manual of Election Law etc. Hard copies of these publications have been made available to the public for online sale on the site of Department of Revenue i.e. <https://bharatkosh.gov.in/Product/Product/> on digital payment basis i.e. by credit cards, debit cards and net banking etc. and the link is available on main Legislative Department page. It is a part of ‘Ease of Doing Business’. During the period from 1st January, 2022 to 31st October, 2022 the total



sale figure of Vidhi Sahitya Prakashan is Rs.21,90,443/- (Rupees twenty one ninety thousand and four Hundred forty three only).

Vidhi Sahitya Prakashan organised exhibition and sale of Hindi Law Journals, Hindi Law Text Books, Central Diglot Acts, Constitution of India, Election Manual and Legal Glossary etc. in the District Court Campus, Ujjain and High Court (Indore Bench) Campus from 11th October, 2022 to 14th October, 2022 for promotion and propagation of Hindi in the legal field.

During the period from 1<sup>st</sup> January, 2022 to 30 November, 2022, total sale of Vidhi Sahitya Prakashan is Rs.22,87,023/- (Rupees Twenty two lakh eighty seven thousand and twenty three only).

- (4) **Editorial Board and Evaluation Committees:** There are two Committees in Vidhi Sahitya Prakashan namely Editorial Board and Evaluation Committee. Members of these two Committees are appointed by Hon'ble Minister of Law and Justice. Editorial Board advises to the Government on standards of the Hindi law journals and Hindi Text Books published by Vidhi Sahitya Prakashan for promotion and propagation of Hindi in the legal field under the official language policy of the Government. Evaluation Committee is responsible for evaluation of the books written by authors on different topics of law in Hindi and recommends for giving awards on yearly and decade basis. These awards are known as (i) Dr. Rajendra Prasad Vidhi Hindi Puraskar and (ii) Book of the Decade.

#### **17. 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 31.12.2022 is enclosed (**Annexure-VII** and **Annexure-VIII**).

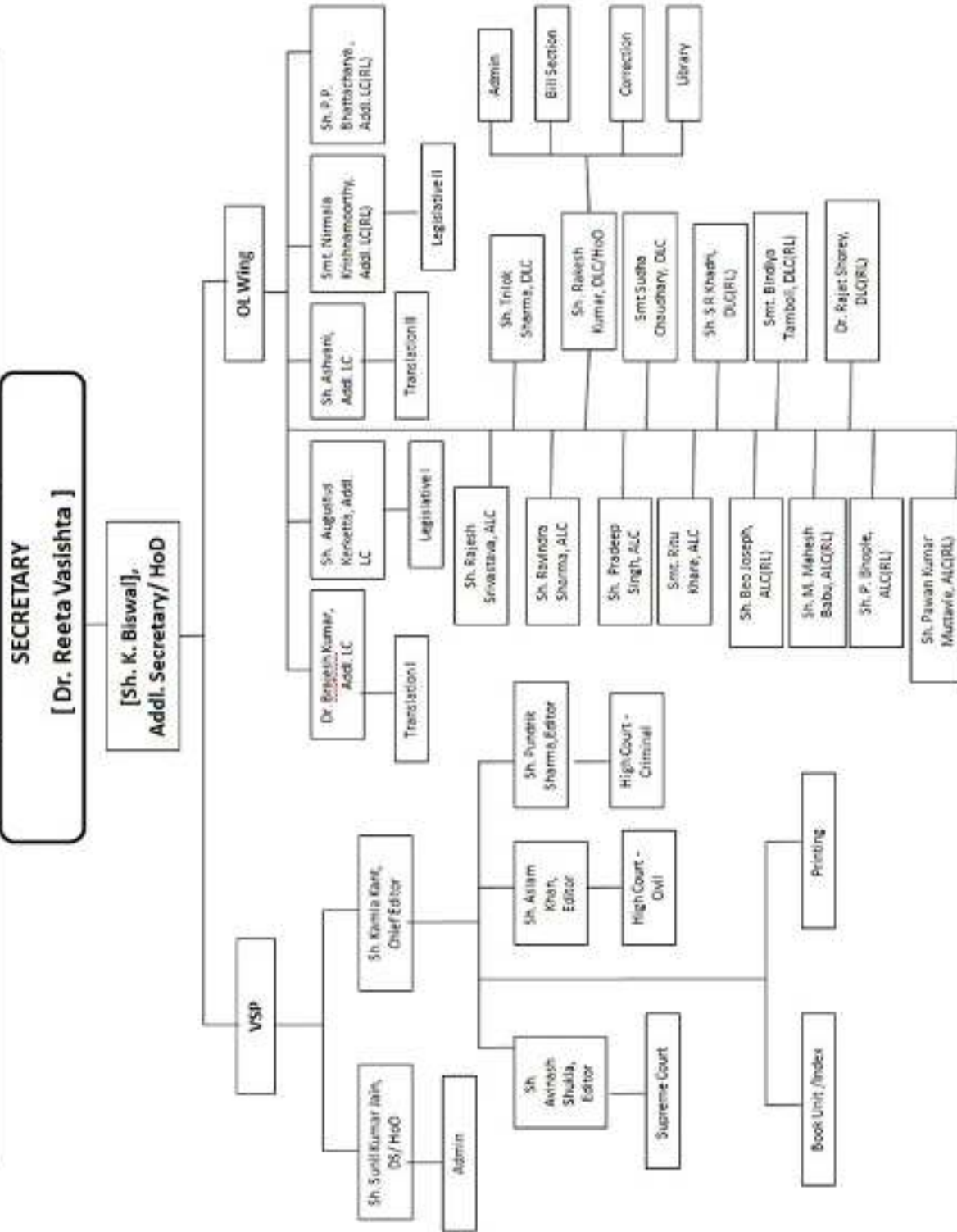
#### **18. CELEBRATION OF SWACHHATA PAKHAWADA AND OTHER ACTIVITIES:**

This Department has organised celebration of Swachhata Pakhawada, 2022 as per Swachhata Calendar, Ministry of Jal Shakti, Department of Drinking Water and Sanitation followed by COVID-19 behaviour and conducted precaution COVID does Camp for the officers and staff, International Yoga Day, International Women's Day and celebration of Run for Unity/Rashtriya Ekta Diwas under Azadi ka Amrit Mahotsav from time to time. This Department is also celebrating Special Campaign 2.0 as per DARPG guidelines. (**Annexure- IX**).

#### **19. PUBLIC GRIEVANCES**

During the period from 1<sup>st</sup> January, 2022 to 31<sup>st</sup> December, 2022 Legislative Department received 934 public grievances on CPGRAMS portal. Further 102 public grievances were pending before 1<sup>st</sup> January, 2022. During the said period 975 grievances have been disposed off and action is being taken for disposal of remaining grievances on priority basis.

**ORGANISATION CHART OF THE LEGISLATIVE DEPARTMENT- VSP & OL WING**  
 (As On 31.12.2022)

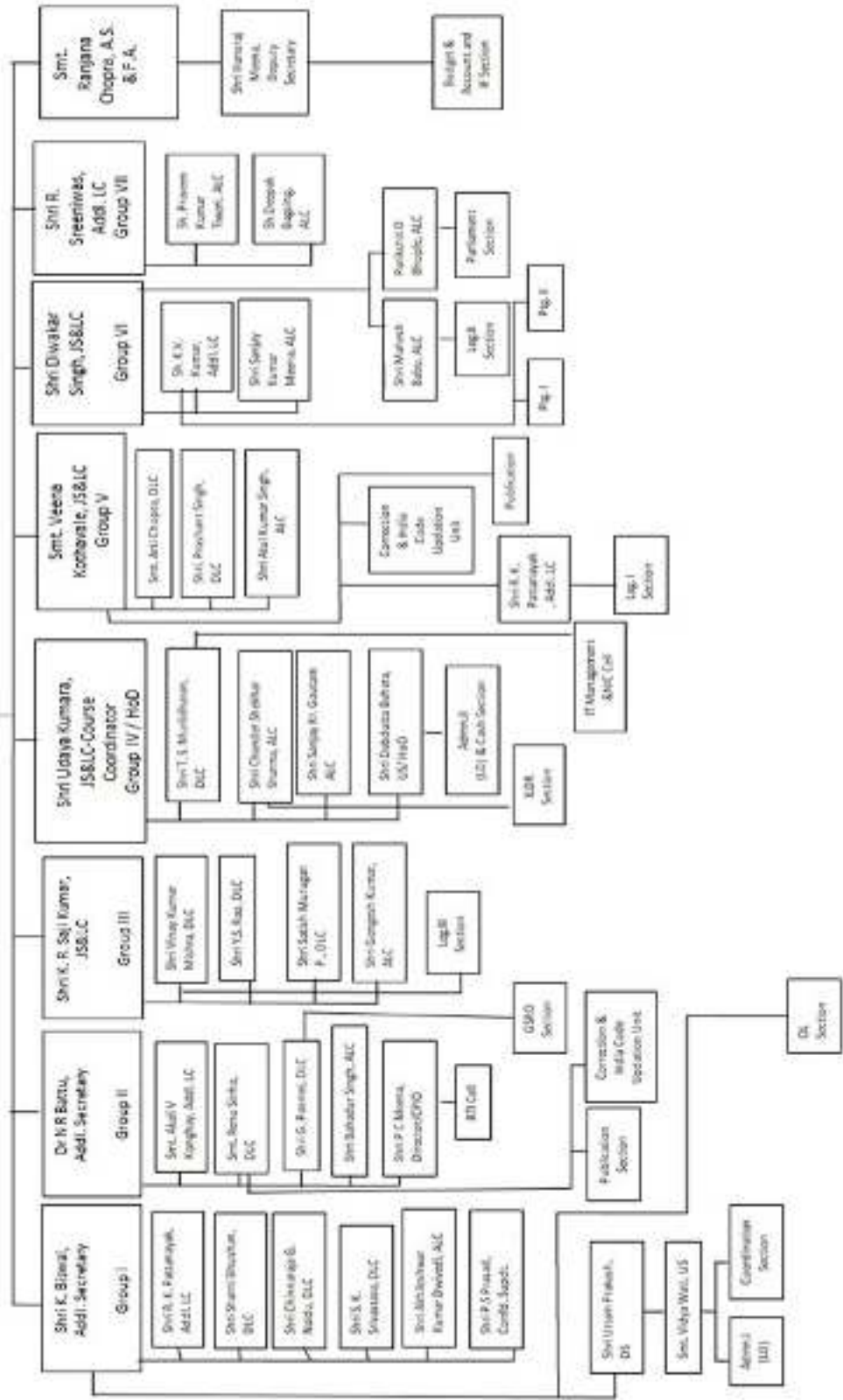




**ORGANISATION CHART OF THE LEGISLATIVE DEPARTMENT - MAIN**

**(As on 31.12.2022)**

**SECRETARY**  
**[ Dr. Reeta Vasishtha ]**



## ANNEXURE-VII

(See Chapter- I, Para 17)

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, 2022.

Group	No. of Employees	SC	%	ST	%	OBC	%	Ex-Service-men	%	Physically Handicapped	%
A	78	08	10.25%	9	11.53%	20	25.64%	-	-	2	2.56%
B	84	14	16.66%	2	2.38%	14	16.66%	-	-	1	1.19%
C	116	26	22.41%	9	7.75%	20	17.24%	2	1.72%	1	0.86%
Total	278	48	17.26%	20	7.19%	54	19.42%	2	0.71%	4	1.43%

## ANNEXURE-VIII

(See Chapter- I, Para 17)

REPRESENTATION OF FEMALE EMPLOYEES IN THE LEGISLATIVE DEPARTMENT AS ON 31<sup>st</sup> DECEMBER, 2022

GROUP	Total No. of Employees	No. of Female Employees	Percentage (%)
Group 'A'	78	20	25.46%
Group 'B'	84	22	26.19%
Group 'C'	116	17	14.66%
Total	278	59	21.22%

## ANNEXURE-IX

(See Chapter- I, Para 18)















# NOTE FROM THE SECRETARY, JUSTICE

The Department of Justice undertook perceptible initiatives during the year 2022. 165 High Court Judges were appointed in the year 2022, which is the highest ever in any given year. 06 new posts of Judges in the Orissa High Court and 04 new posts in Himachal Pradesh High Court were also created. During the year, under eCourts Phase II Mission Mode project, WAN connectivity has been provided to 99.4% of total Court Complexes across India, apart from Live Streaming of court proceedings in 6 High Courts & Supreme Court of India and promoting Citizen centric services through 7 digital platforms. eCourts project has been accorded multiple awards of national repute. Towards speedy justice to women and children, more than 1,37,000 pending Rape and POCSO Act cases have been disposed of by FTSCs and exclusive POCSO Courts. To fast track the process of disposal of commercial cases, the number of dedicated commercial courts has increased to 35 from earlier 22 dedicated commercial courts in Delhi and 2 additional dedicated commercial courts in Bengaluru, taking the total number of dedicated commercial courts in Bengaluru to 10. Successful implementation of the Judicial Infrastructure scheme has enabled availability of 21,245 court halls which is in excess of the present working strength of judicial officers for the first time ever. This has helped in facilitating court productivity and judicial efficiency.

Transparency and speedier movement of files under the e-Office 7.0, has helped the Department in faster decision making & adopting paperless mode of processing cases. During the Republic Day Parade, 2022, the National Legal Services Authority (NALSA) tableau depicted the robust functioning of Lok Adalats, with the theme 'Ek Mutthi Aasman' showcasing legal aid and justice delivery system. The 'divyang-friendly' website of the Department on S3WaaS platform (Secure, Scalable and Sugamya Website as a Service), providing citizens one stop platform for all digital initiatives of the Department, was launched by the Hon'ble Minister of Law & Justice on 30.3.2022 in the august presence of Hon'ble Minister of State for Law and Justice. A Joint conference of Chief Ministers of States and Chief Justices of High Courts to discuss various issues relating to administration of justice in the country was organized successfully on 30th April, 2022 at Vigyan Bhawan. An ambitious Phase III of the e-Courts Project providing for the next level of automation of court processes for bringing in a regime of paperless, digital, online courts was conceptualised and DPR finalised with an outlay of Rs 7200/-crore

alongwith initiation of necessary approvals at the competent levels. The Department observed the International Day of Yoga (IDY), 2022, in close interaction with the judiciary, with the participation of the members from the judiciary including the Hon'ble Judges of Supreme Court, Hon'ble Judges of High Courts, Judicial officers of District & Subordinate Courts and officials & members of the Bar, at various court complexes, pan India. The judiciary also participated wholeheartedly in the 'Har Ghar Tiranga' Campaign in close interaction with this Department, at various court complexes and their homes, across India.

I am sure that this glimpse of the Department, will prompt the readers to go through the details, to know more about the initiatives to improve legal awareness and legal empowerment in the country, to enrich themselves as well as enlighten their fellow citizens on their legal privileges & rights.

With warm wishes.



**S.K.G. RAHATE**

# DEPARTMENT OF JUSTICE

## 1. ORGANISATION AND FUNCTIONS:

The Department of Justice forms part of the Ministry of Law and Justice. It is headed by Minister, Law & Justice. The Secretariat is headed by Secretary (Justice). The organizational setup includes one Additional Secretary, three Joint Secretaries, 8 Deputy Secretaries/Directors and 7 Under Secretaries. The sanctioned strength of the Department of Justice is 101, out of which, 50 posts are lying vacant. Out of 51 in-position incumbents, only 07 women officers/officials are working in this Department. The Organizational Chart of the Department of Justice is at **Annexure-I**.

**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 31.12.2022, against the sanctioned strength of 34 Judges in the Supreme Court, 28 Judges (including Chief Justice of India) are in position, leaving 06 vacancies to be filled. At present, 03 women Judges are functioning in the Supreme Court of India. During the period 01.01.2022 to 31.12.2022, 03 Judges were appointed in the Supreme Court.

### 2.2 HIGH COURT:

- (i) As on 31.12.2022, the sanctioned strength of Judges in the High Courts is 1108 against which 773 Judges are working and 335 vacancies of Judges are there in the High Courts. At present, 169 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 166 posts are yet to be received from High Court Collegiums.
- (ii) During the period 01.01.2022 to 31.12.2022, 165 fresh Judges were appointed in the High Courts and 40 Additional Judges were appointed as Permanent Judges. Further, appointment of 08 Chief Justices of High Courts was done. 02 Chief Justices and 06 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 Orissa High Court was enhanced by 06 posts and of Himachal Pradesh High Court by 04 posts, thus increasing the Approved Judge Strength in the Orissa High Court to 33 Judges and Himachal Pradesh High Court to 17 Judges.

## 3. FAMILY COURTS:

- (i) The Family Court Act, 1984 provides for establishment of Family Courts by the State

governments in consultation with the High Courts with a view to promote conciliation and secure speedy settlement of disputes relating to marriage and family affairs and for matters connected therewith. Under section 3(1)(a) of the Family Courts Act, it is mandatory for the State Governments to set up a Family Court for every area in the state comprising a city or a town whose population exceeds one million. In other areas of the State, Family Courts may be set up if the State Governments deems it necessary.

- (ii) Main objectives for setting up of Family Courts are to create a Specialized Court to deal with family matters exclusively through instituting a mechanism for conciliation of the disputes relating to Family expeditiously, to provide an inexpensive remedy and to have flexibility and an informal atmosphere in the conduct of proceedings.
- (iii) A scheme of central financial assistance was started in the year 2002-03 for setting up of Family Courts. As per the scheme, Central Government provided 50 percent of the cost of construction of the building of the Family Court and residential accommodation of the Judge subject to a ceiling of Rs 10 lakh as a one-time grant as Plan support and Rs 5 lakh annually as the recurring cost under Non-Plan. The State Government was required to provide matching share. A grant of Rs. 11.50 Cr. was released to the State Governments till the year 2012-13. The component provided for grant for construction of building of Family Court and residential accommodation of the Judges, has been subsumed in the Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary. **743 Family Courts are functional in 25 States (as on 31.12.2022).**

#### **4. 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 nature, cases related to women, children, senior citizen etc. and urged State Governments to utilize enhanced fund made available through devolution. **848 FTCs are functional in 21 States (as on 31.12.2022).**

## 5. 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.

## 6. FAST TRACK SPECIAL COURTS:

6.1 In pursuance of the Criminal Law (Amendment) Act, 2018, Union of India finalized a Centrally Sponsored Scheme in August 2019 for setting up of 1023 Fast Track Special Courts (FTSCs) 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 spread over two financial years (2019-20 and 2020-21). Total estimated cost of the project is Rs. 767.25 crore which has a Central share of Rs. 474 crore to be incurred from Nirbhaya Fund. Keeping in view the direction of Hon'ble Supreme Court in *Suo Motu Writ (Criminal) No. 1/2019* dated 25<sup>th</sup> July, 2019, 389 ePOCSO courts are proposed out of 1023 FTSC under the scheme for trial of POCSO Act cases exclusively in districts where pendency of such cases is more than 100.

6.2 The Scheme was evaluated by the National Productivity Council and appraised by the Empowered Committee of Nirbhaya Fund and its continuance for 2 years was recommended. The Cabinet has approved continuation of the scheme for 2 more Financial years up to 31<sup>st</sup> March 2023 with a budgetary outlay of Rs. 1572.86 Cr. including Rs. 971.70 Cr. as Central Share.

Out of the eligible 31 State/UTs, 28 have joined the scheme. Amongst these 28 States/UTs, 19 States/UTs have made all the earmarked FTSCs functional. In 9 States, the FTSCs are made partially operational. Funds to the tune of Rs. 140 Cr. was released as central share in 2019-20, Rs. 160 Cr. in F.Y. 2020-21, Rs. 134.55 Cr in 2021-22 and Rs. 186.00 Cr have been released in F.Y. 2022-23 (till 31<sup>st</sup> December 2022) for setting up of FTSCs and exclusive POCSO Courts. 767 FTSCs including 417 exclusive POCSO Courts are operational in 28 States /UTs (as on



31.12.2022). States are being pursued vigorously for setting up and for making remaining FTSCs/exclusive ePOCSO Courts operational expeditiously.

## **7. NATIONAL JUDICIAL ACADEMY:**

7.1 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.

7.2 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 of the Executive Committee and the Academic Council of NJA. The affairs of the Academy are managed by a Governing Council. The Academy is fully funded by the Government of India. It has a Director as the Principal Executive Officer. In FY 2022-23, a total of Rs. 13.00 crore has been released to National Judicial Academy (20.12.2022). NJA, Bhopal 14 programme have been conducted (up to 31.10.2022).

## **8. 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. 1668.43 crore as on 31.03.2022 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. 293.68 crore has been released to BSNL till date. So far, 2976 sites have been commissioned out of 2992 sites with 10 Mbps to 100 Mbps bandwidth speed (completing 99.4% 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 are being connected using every possible alternative means like OFC (Optical Fiber Cable), RF (Radio Frequency), VSAT (Very Small Aperture Terminal), Submarine cable etc.

**(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) 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 eCourts Services Mobile App for litigant & lawyers (total 1.50 cr. downloads as of 31st October 2022) and JustIS app for judges (17,709 downloads till 30<sup>th</sup> November 2022). The JustIS Mobile App 2.0 is a tool that judges can use to effectively manage their courts and cases by keeping track of the cases that are pending before their court as well as the judges who work under them. Judges of the High Court and Supreme Court can now monitor the status of every State and District that falls under their purview by using this app, which is also made available to them.

**(d) 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 25 High Courts.

**(e) 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 21.74 crore cases and more than 19.80 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.



**(f) Virtual Courts:**

21 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, Odisha, Meghalaya, Himachal Pradesh, Madhya Pradesh, Tripura, West Bengal and Rajasthan 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. 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.

**(g) 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 & Subordinate courts heard 1,65,20,791 cases while the High Courts heard 75,80,347 cases (totalling 2.41 cr) till 31.10.2022 using video conferencing. The Supreme Court held 2,97,435 hearings till 03.09.2022 since the beginning of 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 24 HCs. Additionally, under the jurisdiction of 25 High Courts, 25 District Courts have adopted the Video Conferencing rules as on 31.10.2022. 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, Karnataka, Jharkhand, Patna, Madhya Pradesh & Hon'ble Supreme Court of India thus allowing media and other interested persons to join the proceedings.

**(h) 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 eFiling rules have been formulated and circulated to the High Courts for adoption. A total of 19 High Courts have adopted the model rules of e-Filing as on 31.10.2022. Additionally, under the jurisdiction of 25 High Courts, 17 District Courts have adopted the model rules of e-Filing as on 31.10.2022.

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 eFiling 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 eFiling, 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. Till October 2022, 3,33,920 cases were filed in High Courts and 5,05,125 were filed in District & Taluka Courts using eFiling facility.

**(i) eSewa Kendras:**

To make justice delivery inclusive and to mitigate handicaps caused by digital divide, 619 eSewa 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.

**(j) 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. eFiling 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 18 High Courts namely Allahabad, Bombay, Calcutta, Chhattisgarh, Delhi, Gauhati – Assam, Himachal Pradesh, Jammu & Kashmir, Madhya Pradesh, Madras, Manipur, Orissa, Patna, Punjab & Haryana, Rajasthan, Sikkim Tripura and Uttarakhand have implemented ePayments in their respective jurisdictions whereas the Court Fees Act has been amended in 22 High Courts till 31.10.2022.



### **(k) 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.

### **(l) 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 38 Justice Clocks in 24 High Courts (Allahabad (Allahabad and Lucknow), Andhra Pradesh, Bombay (4 benches), Calcutta, Chhattisgarh, Delhi, Gauhati (4 benches - Arunachal Pradesh, Mizoram, Nagaland, Assam), Gujarat, Himachal Pradesh, Jammu & Kashmir and Ladakh High Court (2 benches), Jharkhand, Karnataka (3 benches), Kerala, Madhya Pradesh (3 benches), Madras (2 benches), Manipur, Meghalaya, Orissa, Patna, Rajasthan (2 benches), Sikkim, Telangana, Tripura, Uttarakhand, and has already been installed. One Justice Clock is also installed at Department of Justice, Jaisalmer House.

Virtual Justice Clock is an initiative to exhibit vital statistics of the justice delivery system at the Court level giving the details of the cases instituted, cases disposed and pendency of cases on day/ week/month basis at the Court level. The effort is to make the functioning of the courts accountable

and transparent by sharing with the public the status of case disposals by the court. The public can access the Virtual Justice Clock of any court establishment on the District Court's website.

**(m) Launch of new e-initiatives by Hon'ble Prime Minister**

Prime Minister Narendra Modi unveiled 4 new initiatives related to the e-court project on November 26, 2022, during Constitution Day celebrations at the Supreme Court of India. The Prime Minister introduced the "Virtual Justice Clock," "JustIS mobile App 2.0," "Digital court," and "S3WaaS Websites".

**(n) IEC Campaign and eCourts 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.

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 in 12 regional languages. As part of awareness campaign, a YouTube Channel has been created in the name of eCourts Services where video tutorials on e-Filing have been made available for larger outreach to stakeholders. To conduct awareness programme for advocates on eFiling and ECMT tools under eCourt Services, training of trainers has already been undertaken by eCommittee 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 eFiling in each district of the country for advocates in their regional languages and also identified Master Trainer Advocates.

The eCommittee of the Supreme Court of India has conducted trainings and awareness programmes on the ICT services provided under the eCourts project, from May 2020 to January 2022. These programmes have covered nearly 5,13,080 stakeholders, 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 for Phase III:**

The Phase-II of the project is nearing its completion and the Detailed Project Report (DPR) for eCourts Phase-III has been approved by eCommittee. Phase III of the project envisions facilitation of various new features like Digital Court, Paperless Courts, Online Court, expansion of scope of Virtual Courts beyond adjudication of Traffic Violations; use of emerging technologies like Artificial Intelligence and its subsets like Optical Character Recognition (OCR) etc. for analysis of case pendency, forecasting future litigation, etc.

**(p) Awards and Recognition:**

- 1) As per data published on Electronic Transaction Aggregation & Analysis Layer (eTaal) portal, eCourts is one of the leading projects among top 5 MMPs in India with total 638 Cr e-transactions in last one year.
- 2) eCourts Project has been awarded the National Award 2020-2021 in ‘Gold Category I – Excellence in Government Process Re-engineering for Digital Transformation’, under the patronage of Department of Administrative Reforms and Public Grievances for exemplary implementation of e-governance initiatives.
- 3) eCourts Project has been awarded the National e-Governance Award 2021-2022 in ‘Gold



Category' under the patronage of Department of Administrative Reforms and Public Grievances for its "Judgement and Search portal" (<https://judgments.ecourts.gov.in>).

- 4) eCommittee, Supreme Court of India has been awarded national award for institutions engaged in empowering persons with disabilities, 2021 (Sarvshrestha Sugamya Yatayat ke Sadahan/Soochana Evem Sanchar Prodyogiki) for making legal space more accessible & inclusive.
- 5) eCourts Project has been awarded Digital India Award 2022 in Category- Digital Empowerment of Citizens by Hon'ble President of India under the patronage of Ministry of Electronics and Information Technology, Government of India for Judgment and Search Portal.

## 9. NATIONAL MISSION FOR JUSTICE DELIVERY AND LEGAL REFORMS:

### 9.1 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.

### 9.2 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.

### 9.3 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 31.12.2022 the sanctioned strength of Judicial Officers of District and Subordinate Courts is 25042. The number of Judicial Officers in position and vacant posts is 19192 and 5850 respectively.

### 9.4 Pendency in Courts

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

Supreme Court*(as on 1.12.2022)	69,598
High Courts** (as on 31.12.2022)	59,78,714
District and Subordinate Courts** (as on 30.11.2022)	4,32,07,597

\*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.

#### **9.5 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 (upto 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.

**9.5.1. 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 35 Dedicated Commercial Courts in Delhi including 2 paperless digital commercial courts; 6 Dedicated Commercial Courts in Mumbai; 8 Dedicated Commercial Courts in Bengaluru city and 2 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 eCourts 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.

#### 9.6. Rule of Law Index (ROLI):

The Rule of Law Index is developed and published by World Justice Project (WJP). ROLI 2022 covers 140 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 released in October 2022, India’s rank in ROLI improved to 77 out of 140 countries assessed by the WJP. Department of Justice, as the nodal department, has been working with 22 stakeholder Ministry(s)/Department(s) to improve India’s performance on the 8 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.

### 9.7. 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 2021-22). In the present assessment under DGQI 2.0, The Department of Justice was ranked at 8<sup>th</sup> place out of 24 Departments under the “Social” category of Ministries/Departments, whereas it achieved the overall rank of 24 out of 74 Ministries/Departments under the DGQI assessment during Quarter 4. Department of Justice secured a score of 4.05 out of 5 under Quarter 4, DGQI 2.0 assessment improving upon its last Quarter 2 score of 3.77 out of 5.0. 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.

## 10. 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, 49 projects have been sanctioned under the Scheme out of which 39 projects have been completed.

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

11.1 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.

11.2 Since inception of the Scheme, the Central Government has provided financial assistance amounting to Rs. 9445.46 crore to State Governments / Union Territories. Out of this, an amount of Rs. 6001.16 crore has been provided since 2014-15 till 31<sup>st</sup> December 2022 (63.53%), which includes Rs. 684.14 crore in 2021-22 and Rs. 436.08 crore released during 2022-23 (as on 31.12.2022). As per information collected from High Courts as of 31<sup>st</sup> December, 2022, there were 21,176 court halls / court rooms available for District and Subordinate Courts in the country. In addition, 2,766 court halls / court rooms were under construction as per Nyaya



Vikas Portal. Comparing these figures with the working strength of 19,192 judges / judicial officers reported by High Courts as of 31<sup>st</sup> December 2022, adequate court rooms/court halls are available for the current working strength of judicial manpower. 4,883 Court Halls and 3,195 Residential Accommodation were constructed / completed since 2014-15 till 31.12.2022, out of this 327 court halls and 320 residential units have been constructed in the year 2022-23 till 31.12.2022. Focus is now to match the availability of court rooms / court halls with the sanctioned strength of 25,042 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 2022, total number of 18,558 residential units were available and 1,604 residential units were under construction.

11.3 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.

11.4 **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 2,308, including 1,371 completed, 749 under construction and 188 proposed. 2,051 projects have been geo-tagged.



Cuddalore District Court



Mangan District Court



Judicial Complex, Fatehabad



Judicial Complex, Kaithal

## 12. GRAM NYAYALAYAS:

12.1 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.

12.2 Total number of 476 Gram Nyayalayas have been notified by 15 States, out of which 264 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.

12.3 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 alongwith the appointment of Nyayadhikaris and reported on the Gram Nyayalayas Portal of the Department of Justice. A review of the performance of Gram Nyayalayas was to 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. The same is under process.

12.4 As on December 31, 2022 a sum of Rs. 83.40 crore has been sanctioned to States so far which include Rs. 0.80 crore in 2022-23. Details are given below:

Sl. No	Name of the State/ UT	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	524.40
6	Uttar Pradesh	113	51	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	0.00
15	Ladakh	2	0	0.00
<b>Total</b>		<b>476</b>	<b>264</b>	<b>8340.00</b>

### 13. 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**.

#### 14. TELE-LAW: REACHING THE UNREACHED

**14.1 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 4 lakh network of CSCs across the country.



**14.2 Growth:** Initially in 2017, Tele-Law was available in 1800 CSCs in 170 districts in 11 States. Its services are expanded to cover 100,000 CSCs, in 755 districts (including 112 Aspirational Districts) across 36 States/UT in the country. Tele-Law has benefitted 29 lakhs+ beneficiaries which includes 9,81,859(Women); 9,21,780 (Scheduled Caste) 5,25,512(Scheduled Tribe) and 8,48,007(OBC) beneficiaries, till 31<sup>st</sup> December, 2022

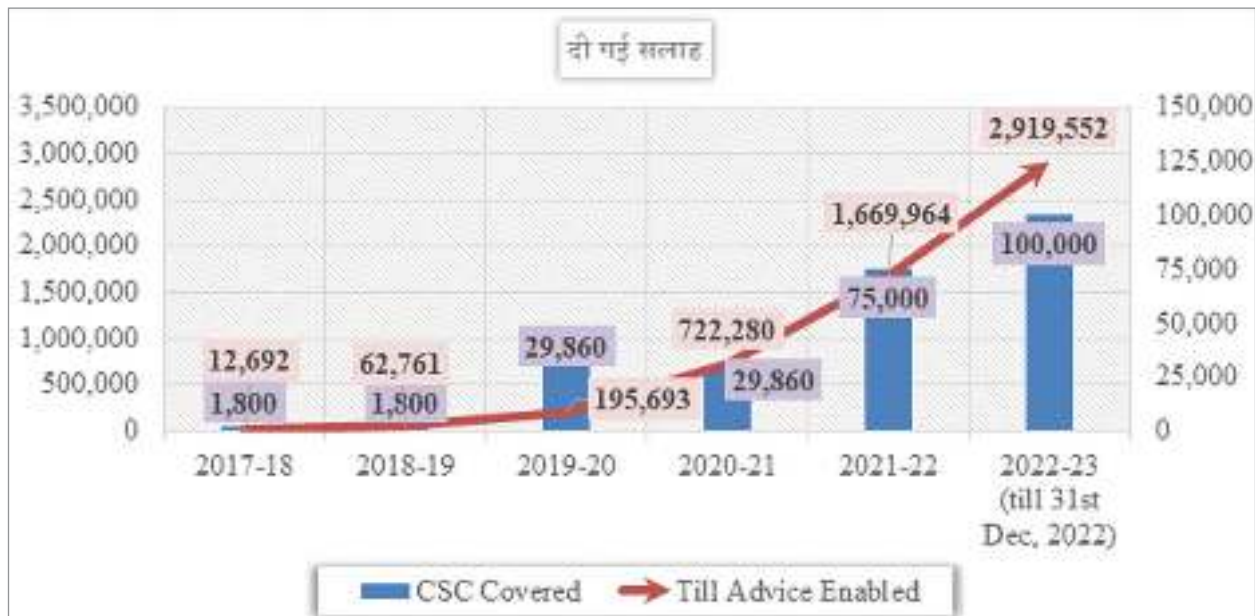
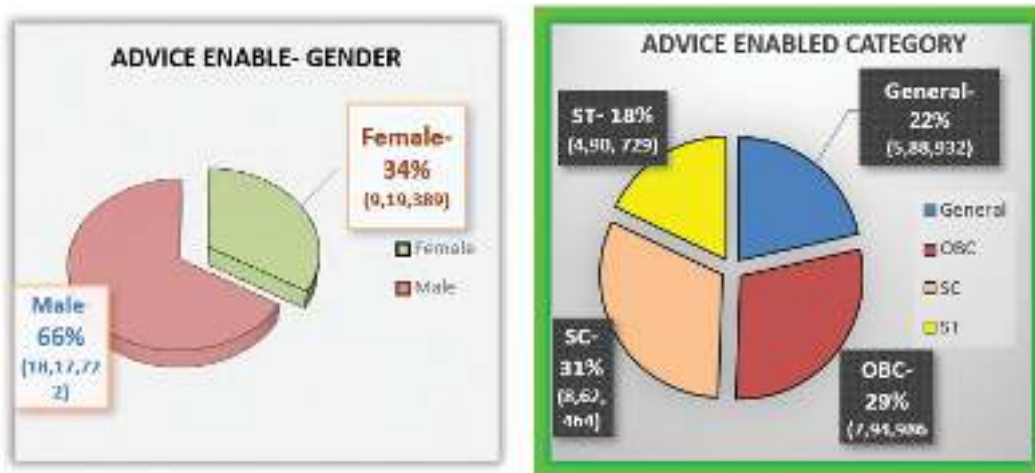


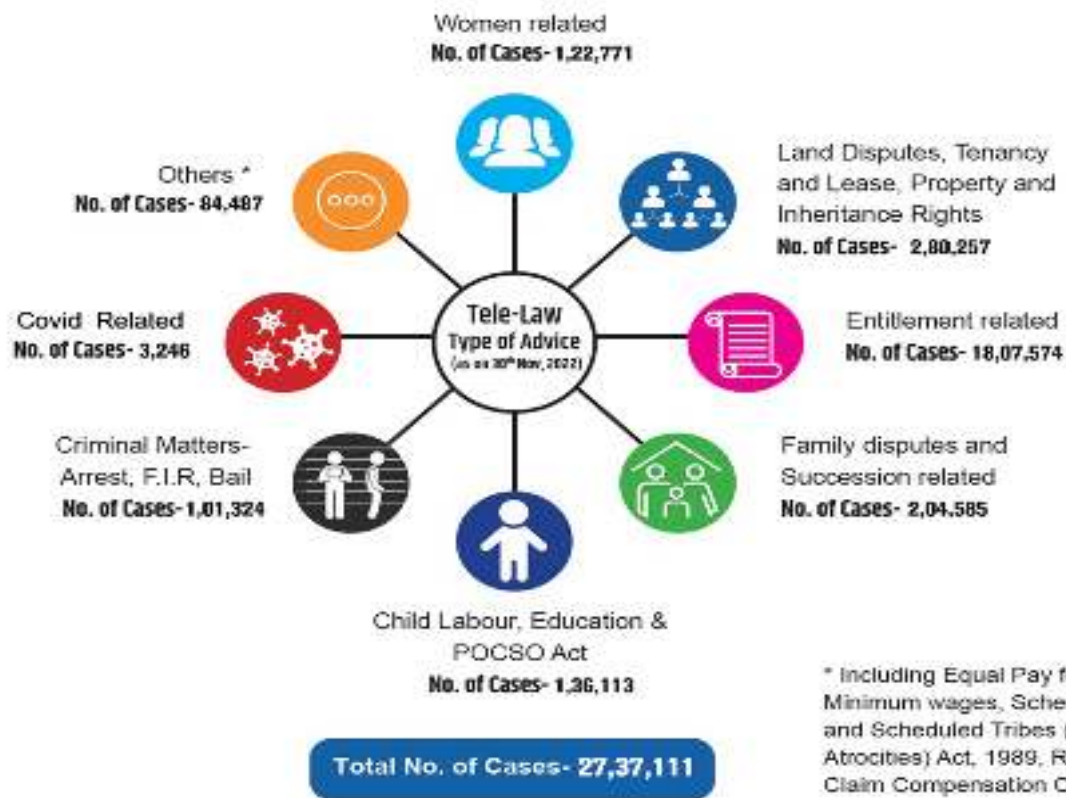
Figure III 2

Tele-Law: Year on Year Growth 2017 –December 2022

\*\* As on 30<sup>th</sup> November, 2022







**14.3 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.



**14.4 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 22 languages. 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.

## 15. 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: -

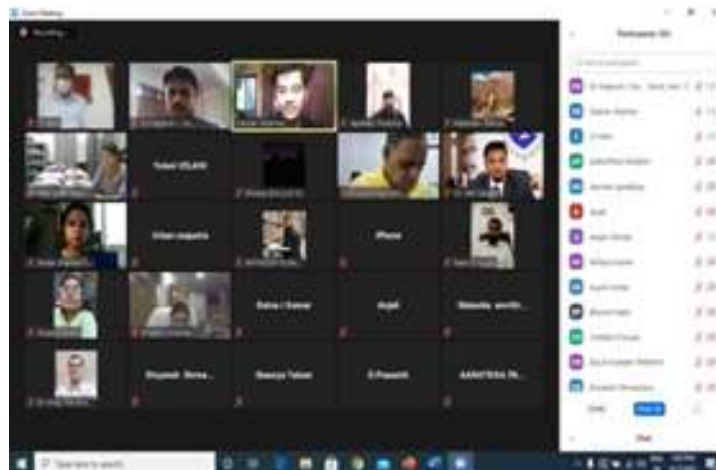
**15.1 Leveraging Technology:** Mobile Application in Android, iOS version has been developed and has been integrated with UMANG platform of MeiTY. Virtual training was provided on the use of Nyaya Bandhu App. 100 Pro Bono Advocates participated in June 2021.



**15.2 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. **21 High Courts** created Pro Bono panels at High Courts & **1183 advocates** enrolled through these panels.

**15.3 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. **69 Law Schools** have agreed to be the part of the scheme.

**15.4 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.

**15.5 Growth:** 5331 advocates from 24 Bar councils have joined the Nyaya Bandhu Programme.



## 16. PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS

**16.1** 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.





**16.2** Under DISHA, NEJK Project is now expanded as Pan India Legal Literacy and Legal Awareness programme. During 2021-22 DoJ has signed MoAs with following agencies and outreach so far is 4, 20,572 beneficiaries. The achievements are as follows:

**16.2.1 The Law Research Institute, Eastern Region, Gauhati High Court, Guwahati** is implementing a research project titled ‘Documentation of Customary Laws of the North Eastern Region, India’. They are in the process of printing their final reports with findings and recommendations.

**16.2.2 Arunachal Pradesh State Legal Services Authority** has been selected for implementation of project on ‘Synergy between Customary Practices of the Traditional Village Council System and Formal Laws of India’(outreach so far: 2924).



Training conducted for Gram Sabhas & Baranas in Arunachal Pradesh

**16.2.3 Sikkim State Commission for Women (SSCW)** has been selected for implementation of 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’ (outreach so far: 65240).



**16.2.4 Department of Psychiatry, Jawaharlal Nehru Institute of Medical Sciences (JNIMS), Manipur** has been selected to implement a project proposal on “Training and Sensitization of Stakeholders on Child Sexual Abuse” (outreach so far: 1365).

**16.2.5 Centre for Community Economics and Development Consultants Society, Jaipur, Rajasthan** is promoting legal awareness to ensure dignity of women, children and elders. (outreach so far: 41342)

**16.2.6 Shadow Advertising and Communications Pvt. Ltd., Bhubaneswar** is implementing a project on ‘Innovative Legal Literacy and Legal Awareness Programme in Odisha’. (outreach so far: 3155)

**16.2.7 National Law University, New Delhi** is implementing a project titled ‘Adhikaron Ka Gyan Unnati Ki Pahchaan’ in Uttar Pradesh. (outreach so far: 160)

**16.2.8 National Law Institute University, Bhopal** is implementing a national level ‘Digital Legal Literacy – Design, Development, Management and Testing - eNyayaganga Project.’ (outreach so far: 2020)

**16.2.9 National Law School of India University, Bengaluru** is implementing a national level project titled ‘Digital Legal Literacy-Dissemination and Assessment’. (outreach so far: 2561)

**16.2.10 State Institute for Rural Development, Pune, Maharashtra** for promotion of VIDHI Doots in Maharashtra in 100 Gram Panchayats of the State. (outreach so far: 205)

**16.2.11 Bihar Institute of Public Administration and Rural Development (BIPARD), Patna** is promoting 700 VIDHI Mitras in Gram Panchayats of Bihar.

**16.2.12 Abdul Nazir Sab State Institute of Rural Development and Panchayati Raj, Mysuru, Karnataka** for capacity building of Panchayati Raj Functionaries of Karnataka.

**16.2.13 Indian Institute of Public Administration, New Delhi** is implementing a national level project on ‘Monitoring and Evaluation of Legal Literacy and Legal Awareness Projects’.

### 16.3 WEBINAR SERIES:

The focus of Pan India Legal Literacy and Legal Awareness Programme is to devise tools and methodology enabling society to have access to information about their legal rights and entitlements. In this regard series of Legal Awareness webinars have been organized by DoJ on national level socio-legal issues. So far DoJ has organized 13 webinars reached out to 3,18,106 beneficiaries.



This includes Protection of Women from Domestic Violence Act, 2005, Child Rights, Fundamental Duties, the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Gender Justice in India, Children in Conflict with Law and Children in Need of Care and Protection and Human Trafficking in India, Rights of Senior Citizens, Cybercrime and awareness, Constitutional

Rights & Fundamental Duties and Rights of Persons with Disabilities.

### 17. INTEGRATED DELIVERY OF LEGAL SERVICES

In June 2022, Memorandum of Understanding (MoU) was signed between DoJ and NALSA on Integrated Delivery of Legal Services at pan India level. 700+ Panel Lawyers of Legal Services



Authorities at the district level, positioned in their Front Offices have been onboarded to deliver Tele-Law service. Decentralized network of pro bono lawyers, under Nyaya Bandhu (Pro Bono Legal Services) at the district level is being created and specific legal enrichment sessions would be conducted in 112 Aspirational districts to reduce legal literacy and awareness gaps.



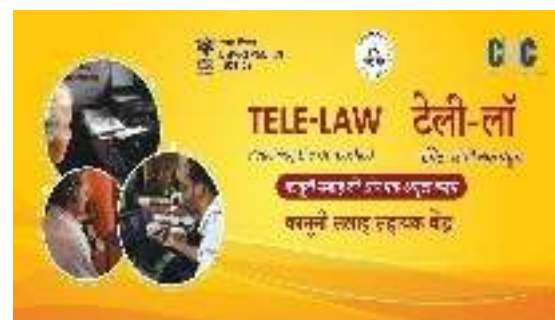
## 18. AZADI KA AMRIT MAHOTSAV: INTENSIVE PEOPLE-CENTRIC OUTREACH

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: -

**18.1 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.



**18.2 Ek Pahal 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.



**18.3 Pan India Login week and Tele-Law on**

**Wheels:** During the assigned week from 8<sup>th</sup> November to 14<sup>th</sup> November, 2021 to celebrate Azadi ka Amrit Mahotsav, Department of Justice organized a Pan India Login Week campaign to educate and sensitize those in need of legal advice and consultation to visit their nearest Common



Service Centers (CSCs), register their cases for Tele-Law services and avail of advice from Panel Lawyers. To increase its outreach 'Tele-Law on Wheels' campaign was conducted in 16 States/UTs where in special Tele-Law branded vans displaying the message of the campaign

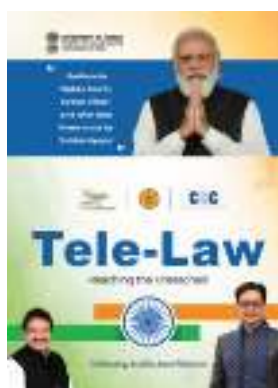


travelled 30-40 kilometers daily, distributing leaflets on Tele-Law, broadcasting films and radio jingles about the Tele-Law Services and helping people register their cases for Tele-Law services. 4,248 awareness sessions were conducted across the country. During this week more than 52,000 people participated and advice was enabled to 17,000 beneficiaries.

**Tele Law Mega Event:** A Tele Law Mega Event was held on 13<sup>th</sup> November, 2021, wherein more than 65,000 people, 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, were felicitated. A virtual tour of CSCs was also conducted during the event.



**18.4 Backlog Clearance Drive-** A six –day ( 8<sup>th</sup>-14<sup>th</sup>August,2022) special drive was rolled out by Department of Justice, under its Tele-Law: Reaching the Unreached programme to connect Lawyers with beneficiaries whose cases remained unattended for legal advice and consultation on the Tele-Law portal for more than 6 months. Initiating the drive on 8<sup>th</sup>August, 2022, it was found that out of the advised 21 lakhs+ cases 82,567 cases were pending/ unattended due to various reasons which includes internet connectivity or the beneficiary did not pick the call etc., Total 282 Panel Lawyers joined (both engaged through CSC e-Governance and National Legal Services Authority) the Drive. Endeavour was made to make one on one call to all those beneficiaries who might have by now forgotten or have lost hope to go head in seeking advice and consultation on their related entitlement/ legal matter. Through the committed resolve and efforts of these Panel Lawyers the pendency of unattended case has come to ground breaking ZERO on 14<sup>th</sup> August 2022. On this 75<sup>th</sup> anniversary of Azadi ka Amrit Mahotsav, Tele-Law service is truly opening pathways to realize “Justice” – and making it a reality in a common man’s life.



**SMS Campaign** launched on 2<sup>nd</sup> October 2022 on the occasion of Gandhi Jayanti, has been rolled out to spread awareness on Tele-law across the country for 4 months (October, 2022- January, 2023). Each month 50 Lakhs beneficiaries will be reached out through SMS in (Hindi & English). As of December 2022 one crore fifty thousand citizens were reached.

**Selfie Drive Campaign** - This initiative aims to promote awareness on social media sites, where beneficiaries and field functionaries (VLE & Panel Lawyers) will share their experiences through selfie/videos on Tele-Law service. As of 30<sup>th</sup> December, 2022, total 61 selfie/videos were uploaded on Tele Law Social Media.



### 18.5 Release\_UTRC@75: Campaign for release of Undertrial Prisoners

To commemorate the completion of 75 years of independence, the National Legal Services Authority (NALSA) launched a nation-wide campaign ‘Release\_UTRC@75’ to identify undertrial prisoners eligible for release by the district-level Under Trial Review Committee.

The Campaign was launched with the following objectives:

- Identify prisoners eligible to be considered by the UTRC under the mandated categories;
- Organise UTRC meetings on the same day/s throughout the country in order to review all eligible cases of prisoners;

- Recommend for release all such cases that the UTRC considers fit for consideration of release;
- Urgently file bail or appropriate applications through panel lawyers for all prisoners recommended for release by the UTRC for seeking necessary relief;
- Release as many prisoners recommended by UTRC, keeping liberty as paramount;
- Update the status of UTRC recommendations based on action taken reports and documenting good practices;
- Seek effective coordination among DLSA, prisons, lawyers and concerned courts and;
- Make the UTRCs more vigilant in checking unnecessary pre-trial detention, secure the fair trial rights of prisoners and facilitate potential release of prisoners, during and even after the campaign.

The duration of the campaign was from 16th July to 13th August 2022. The total number of releases of undertrial prisoners on bail during this period is 24,789. These releases have been estimated to have resulted in the decrease in prison population across the country by 4.47% and of 5.8% in number of undertrials. This would have further led to decrease in prison occupancy rate by an estimated 5.7 percentage points (from 130% to 124.3%), and a decrease in proportion of undertrials by 4.5 percentage points (from 77.1% to 72.6%).

### **18.6 Celebration of International Day of Yoga (IDY), 2022**

The theme for this year IDY 2022 was “Yoga for Humanity” as it depicts how during the peak of the COVID-19 pandemic, yoga served the humanity in alleviating the suffering. In the emerging post-COVID geo-political scenario too, Yoga has brought people together through compassion, kindness, foster a sense of unity and build resilience among people world over. The Department of Justice, Ministry of Law and Justice, Government of India has celebrated the International Day of Yoga (IDY) at its premises in Jaisalmer House on the 21.06.2022. Shri S.K.G. Rahate, Secretary, Department of Justice along with senior Officers/staff of the Department participated in the event.



IDY, 2022 was also observed in close coordination with Judiciary at an unprecedented scale throughout the country at iconic buildings with unique architecture. Over 30,000 members from Judiciary including Hon'ble Judges of SC, HCs and District and Subordinate Courts with staff members and members of the Bar at various locations participated in the event.

### 18.7 Har Ghar Tiranga Abhiyan, 2022

The Department of Justice participated in the Har Ghar Tiranga Abhiyan observed from 13<sup>th</sup>-15<sup>th</sup> August, 2022 to inculcate the values of equity, justice, peace and pays tribute to the martyrs in honour of the Azadi Ka Amrit Mahotsav. The Abhiyan was also observed by Judiciary at an unprecedented scale throughout the country with participation of Hon'ble Judges of Supreme Court, High Courts and District and Subordinate Courts with staff members by flagging the National Flag at their residences and respective office buildings.





### 18.8 Vigilance Awareness Week, 2022 (31.10.2022 to 05.11.2022)

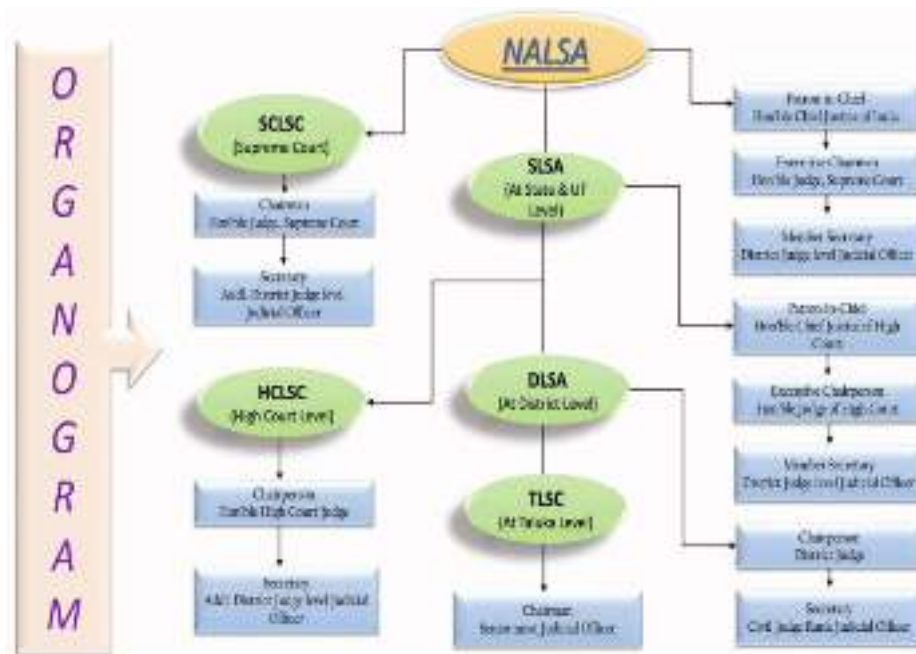
Vigilance Awareness Week, 2022 was celebrated in the Department from 31.10.2022 to 05.11.2022. The Integrity Pledge has been taken by all the Officers/staff of the Department of Justice including its grantee bodies i.e. National Legal Services Authority and National Judicial Academy on 31.10.2022. Immediately after Pledge taking ceremony on 31.10.2022, the Secretary, Department of Justice addressed the gathering about the necessity of Vigilance awareness activities. An essay competition on the subject of ‘Corruption Free India for a Developed Nation’ has been conducted by the Department of Justice.

### 19. NATIONAL LEGAL SERVICES AUTHORITY:

19.1 Article 39 A of the Indian Constitution provides for free legal aid in order to ensure that

opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities. Articles 14 and 22 (1) mandates the state to ensure equality before law. 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.

The organogram of the Legal Services Authorities is shown below:







### 19.2 18<sup>th</sup> ALL INDIA LEGAL SERVICES AUTHORITIES MEET:

Every Year NALSA organizes All India Meet of SLSAs to deliberate upon and finalize the future course of action and also to evaluate the implementation of various legal aid schemes/ programmes launched in previous years. This year the 18<sup>th</sup> All India Meet was organized on 16<sup>th</sup> and 17<sup>th</sup> July, 2022 at Jaipur (Rajasthan). Hon’ble Justice Uday Umesh Lalit, the then Executive Chairman of NALSA presented the agendas, to be achieved by 2047. The meeting included sessions on, extension of LADCs scheme, the use of Artificial Intelligence (AI) and digital platforms to enhance the delivery of legal services, approaches to ensure access to legal services for disadvantaged groups, strengthening mediation and Lok Adalats for quicker disposal of disputes, and ensuring access to justice for people in custody.

### 19.3 ALL INDIA DISTRICT LEGAL SERVICES AUTHORITIES MEET

Under the leadership of Hon’ble Mr. Justice U.U. Lalit, the then Executive Chairman NALSA, the first ever District Legal Services Authorities Meet was





organized on 30-31 July, 2022 at Vigyan Bhawan, New Delhi, to deliberate upon drafting a document to make the working of District Legal Services uniform.

#### 19.4 Legal Aid Defence Counsel System

Legal Services Authorities provide legal services to accused/convicts, who are in custody or otherwise coming within the eligibility criteria spelt out in Section 12 of the Legal Services Authorities Act, 1987. Legal Services are being provided at pre-arrest, remand, trial and appellate stages in criminal matters. Legal representation is being provided by the Legal Services Authorities in approximately 2 lac criminal cases (trials) at the district level.

At present, Assigned Counsel System of dispensation of Legal Aid is being followed in India. Under the said system, cases are assigned to panel lawyers by Legal Services Institutions. Such Panel lawyers to whom cases are assigned, also have private practices, and hence, they do not exclusively devote their time to the legal aid matters. Many times, their accessibility and availability remain an issue for timely client consultation and updating the legal aid seekers about the progress of their cases.

In order to strengthen, effective and efficient legal services to the weaker and marginalized section of the society, NALSA has adopted another legal aid delivery-based model, 'Legal aid Defense Counsel System' for providing legal aid in criminal matters on the lines of public defender system prevalent in many other countries such as Israel, South Africa and U.S.A.

The scheme was implemented as a pilot project in 17 states/UTs but the same was made functional in 13 states namely Andhra Pradesh, Chhattisgarh, Delhi, Gujarat, Jharkhand, Karnataka, Kerala, Maharashtra, Odisha, Rajasthan, Tamil Nadu, Uttarakhand, Uttar Pradesh. After the success of the scheme on pilot basis in the CJ-CM conference on 30<sup>th</sup> April 2022 the then Hon'ble Executive Chairman, NALSA stressed upon the need to adopt LADCS across the country. The scheme was launched on pan India basis in 365 districts of 22 States/U.T. on 20-21<sup>st</sup> August, 2022.

## 19.5 Centre for Citizen Services: Taking a leap towards the Beneficiaries



NALSA Centre for Citizen Services, was inaugurated, on 6<sup>th</sup> September 2022 at Jaisalmer House, Mansingh Road, New Delhi. Hon'ble Dr. Justice D Y Chandrachud on the day of inauguration enunciated that the Centre for Citizen Services, as the name itself suggests would prove to be an excellent medium of providing effective legal services to the common man without any hassles. Hon'ble Dr. Justice Chandrachud further expressed his happiness at the fact that the centre would propel the outreach of NALSA to the people as it is a centrally located and easily accessible place equipped with all technological facilities. The NALSA office which was earlier placed at Jamnagar House was shifted to Additional Building Complex of the Supreme Court of India on 9<sup>th</sup> November, 2021. The space at Jaisalmer House which was provided to NALSA would be utilised for the establishment of Legal Assistance Centre for Citizens, Legal Assistance Centre for NRIs, Training Centre, Digital Command Centre for providing futuristic legal services across the country.

## 19.6 National Lok Adalat

The institution of Lok Adalat or People's Court, as a forum for settlement of disputes has been known in India for ages. In Lok Adalats, the disputes/cases pending in the court of law or at

pre-litigation stage are settled amicably. The Lok Adalat has been given statutory status under the Legal Services Authorities Act, 1987 recognizing its efficacy as an expeditious, less costly and speedier system of administration of justice. Under this Act, an award made by Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against the Award before any court.

Lok Adalats largely at one point of time remained a court annexed process, essentially working towards cutting short pending litigation. They continue to discharge this function but have gone a step further. The process of early settlement of disputes at the pre-litigative stage, though, has not yet caught the fancy of private or individual litigation; none the less it has received a tremendous response from the institutional litigants such as Banks, Power Distribution Companies etc., which have a large potential of churning out litigation.

Dated	Pre-Litigation			Pending Cases
	Taken Up	Disposal	Total Settlement amount (In Rs.)	Taken Up
12.03.22	16862532	5359481	25066282670	4962282
14.05.22, 25.06.22 and 26.06.22	14428609	6707435	18009204714	5553794
13.08.22	20410902	8246801	22048396115	5215548
12.11.22	23953773	10701498	25190258045	6232491
<b>Grand Total</b>	<b>75655816</b>	<b>31015215</b>	<b>90314141544</b>	<b>21964115</b>

## 19.7 Digital Initiatives of NALSA

NALSA has always endeavored to reach out to the remotest section of the society and provide them the required legal services with this objective in mind

**19.7.1 Legal Aid Case Management System (LACMS) Web Portal:** In order to make the Legal Aid system more synchronised and transparent NALSA this year launched the Legal Aid Case Management System (LACMS). The Portal can be accessed by the NALSA, SLSAs,



DLSAs and TLSCs. These authorities may give access to Advocates who are assigned to the beneficiary for Legal Aid Services. The advocates will update the details of the case assigned to them by the Legal Services Authorities on regular basis. Every action taken by the advocates can be tracked by the Legal Services Authority appointing the advocate thus creating a system of better monitoring and transparency. This initiative will not only help in effective monitoring but also speed up the process of case disposal. The applicant can also track the status of their application on the portal. The portal can be accessed by visiting the NALSA Website i.e., <https://nalsa.gov.in/>

**19.7.2 Pre-Institution Mediation (PIM):** Alternate Dispute Resolution is the need of the hour. NALSA has successfully left its mark in one of the modes that is Lok Adalat. With the object

	Pending Cases		Taken Up	Total	
	Disposal	Total Settlement amount (In Rs.)		Disposal	Total Settlement amount (In Rs.)
	2435878	110338175201	21824814	7795359	135404457871
	2870774	76215650373	19982403	9578209	94224855087
	2604752	78770952949	25626450	10851553	100819349064
	2999391	93530501897	30186264	13700889	118720759942
	<b>10910795</b>	<b>358855280420</b>	<b>97619931</b>	<b>41926010</b>	<b>449169421964</b>

to achieve similar results in the field of mediation, NALSA this year launched Pre-Institution Mediation Portal. NALSA-PIM is a legal platform which provide parties with an alternative means to resolve disputes through discussions and negotiations with the help of a mediator. The plaintiff may approach the concerned DLSA based upon the territorial jurisdiction and apply for pre institution mediation through the PIM website. In order to initiate the process, the plaintiff needs to register a case on the website, fill the details of dispute, fill the details of opposite party and then submit the application. Before the commitment of mediation, the

parties to the commercial dispute shall pay to the authority a onetime mediation fee of rupees 1000/-. The mediators can see the cases allocated to them by accessing the website. NALSA is authorized to register a mediator. NALSA can see all the SLSAs and DLSAs registered on the website. The SLSAs can see the particular State's application and district wise applications and can transfer the same accordingly. Mediators are appointed once consent is given by the parties. All the relevant details can be uploaded and downloaded via PIM website.

**19.7.3 LSMS Web Portal and Mobile Application:** NALSA website and Mobile App is a one stop destination for all the information and services relating to Legal Services Authorities. The Web Portal and the application has been translated to 10 regional languages to make it accessible and beneficial for the maximum number of the people. The beneficiary/applicant may apply for victim compensation scheme, apply for legal aid, track the status of their applications, learn about the various schemes and guidelines of NALSA. The programs and initiatives of NALSA etc.

**19.7.4 E-Prison Portal:** The e-prison project is an initiative of MHA where one prison management system is developed by NIC and is being used by the prisons of the country. There are around 65 modules under the umbrella of 7 major applications for serving the purpose at various level of the government. The National Prison Information Portal is a citizen centric service of the ePrisons Platform and seamlessly integrated with MIS used in the prisons of the country. The portal offer services including visit registration for physically meeting an inmate inside prison and eMulakat facility. Grievances with respect to their wards inside the prisons can also be submitted through the portal and forwarded to the respective prison for action. The Legal Services Authorities may access the data available on the e-Prison portal and utilise it for providing legal services to the prison inmates.

**19.7.5 eParole: Digital Way of Parole Management:** Parole is a release of a prisoner, either temporarily for a special purpose or completely before the expiry of a sentence, on the

promise of good behavior; such a promise is known as a word of honor provided in the parole order. It is mere suspension of the sentence for time-being, keeping the quantum of sentence intact. If the paroled prisoners violate the conditions on which they are released, they may be returned to the prison. The eParole module is to support and facilitate the Parole application of an inmate and its processing by the concerned authorities, its approval and execution/ release and return of the inmate in online manner. This will facilitate stakeholders including prisons, police and administration along with prison inmate in applying/ granting parole in an efficient and transparent manner.

### **19.8 PAN Indian Campaign to celebrate Legal Services week**

On the line of the NALSA's Pan India Legal Awareness and Outreach Campaign launched earlier in 2021, recently two campaigns from 31<sup>st</sup> October, 2022 to 13<sup>th</sup> November, 2022 were launched to achieve the objective of making the people aware of the various entitlements which are available under the law, thus giving them a sense of social security and imbibing faith in the system.

**19.8.1 “Empowerment of Citizens through Legal Awareness and Outreach”** – The objective of the campaign was to bridge the gap between the institutions and the underprivileged by spreading legal awareness and ensuring delivery of legal entitlements to eligible beneficiaries, and on spreading awareness about Welfare Laws & Schemes, Fundamental Rights and Fundamental Duties, Free Legal Aid & Services provided by the Legal Services Institutions, digital initiatives for approaching institution- The Vidhi Chatbot, WhatsApp Chatbot, Legal Aid Case Management System, Legal Services Management System, Online Mediation Portal among others and rights and remedies available under various laws.

**19.8.2 “Haq\_humara\_bhi\_to\_hai@75”** – The Campaign provided basic legal assistance to persons confined in prisons and child care institutions to commemorate the 75<sup>th</sup> year of Independence.



### 19.9 Legal Aid and Services Provided to the beneficiaries from April 2022-September 2022

Free Legal Aid Services are provided to poor and marginalised sections of the society by

NATIONAL LEGAL									
STATEMENT SHOWING THE NUMBER OF PERSONS PROVIDED PANEL ADVOCATES DURING THE PERIOD FROM									
S.No.	SLSAs	SC	ST	Women	Children	In custody	Persons with Disability	Industrial Workmen	
1	Andaman & Nicobar Islands	1	0	34	0	13	1	1	
2	Andhra Pradesh	165	51	833	61	1489	21	1	
3	Arunachal Pradesh	401	1386	1028	9	1100	1	0	
4	Assam	1117	1937	3228	660	6543	266	812	
5	Bihar	8364	1175	13611	5514	22771	164	33	
6	Chhattisgarh	3058	6497	3766	292	6741	13	20	
7	Dadra & Nagar Haveli	1	0	18	0	2	0	5	
8	Daman & Diu	4	2	7	0	6	0	2	
9	Delhi	1089	21	15309	442	20139	156	1187	
10	Goa	5	56	632	7	185	52	3	
11	Gujarat	2049	1107	6166	273	5691	43	44	
12	Haryana	539	0	4615	196	18534	68	2	
13	Himachal Pradesh	338	60	2104	117	389	48	14	
14	Jammu & Kashmir	423	276	1698	135	445	177	58	
15	Jharkhand	6651	8996	14617	3831	6107	180	2069	
16	Karnataka	3063	1882	6070	239	4357	181	88	
17	Kerala	498	167	7582	891	2755	187	6	

the Legal Services Authorities. Following is the data relating to the number of beneficiaries belonging to different strata of the society availing the free Legal Aid Services:

SERVICES AUTHORITY						
THROUGH LEGAL SERVICES UNDER LEGAL SERVICES AUTHORITIES ACT, 1987 APRIL, 2022 TO NOVEMBER, 2022						
	Transgender	Victim of Trafficking in Human beings or Beggar	Victims of Mass Disaster Violence, Flood, Draught, Earthquake and Industrial Disaster	General (whose annual income does not exceed the prescribed limit)	Others	Total
	0	0	0	2	32	84
	2	1	0	873	2832	6329
	0	3	0	31	20	3979
	0	25	555	2405	12731	30279
	0	0	506	1261	88234	141633
	1	5	0	3734	4973	29100
	0	0	0	0	0	26
	0	0	0	1	0	22
	2	8	0	7210	17792	63355
	0	0	0	482	13	1435
	0	0	0	4227	2077	21677
	0	0	0	1760	1001	26715
	1	0	0	641	317	4029
	8	0	6	657	1564	5447
	45	0	0	389	42562	85447
	5	0	0	1373	8568	25826
	9	13	238	1770	1059	15175

## NATIONAL LEGAL

STATEMENT SHOWING THE NUMBER OF PERSONS PROVIDED PANEL ADVOCATES  
DURING THE PERIOD FROM

S.No.	SLSAs	SC	ST	Women	Children	In custody	Persons with Disability	Industrial Workmen
18	Lakshadweep	0	0	0	0	0	0	0
19	Madhya Pradesh	10994	10774	26178	15008	35827	626	586
20	Maharashtra	1675	516	9046	329	5396	131	220
21	Manipur	951	7723	6102	1194	1028	184	1
22	Meghalaya	21	914	281	24	631	3	0
23	Mizoram	0	1434	501	0	1077	0	0
24	Nagaland	347	2738	1214	433	376	64	0
25	Odisha	881	652	2002	14	3057	33	1
26	Puducherry	17	0	144	147	94	2	0
27	Punjab	3124	29	9469	264	12481	265	116
28	Rajasthan	180	57	963	5297	2438	15	17
29	Sikkim	21	86	341	16	276	0	0
30	Tamil Nadu	1591	205	7663	181	6758	122	103
31	Telangana	102	40	1140	98	3316	0	0
32	Tripura	362	401	1709	115	272	0	0
33	U. T. Chandigarh	9	0	745	103	444	9	0
34	Uttar Pradesh	4266	2	1338	134	5738	4	8
35	Uttarakhand	101	13	794	27	1413	5	6
36	West Bengal	2005	1134	7681	844	10008	226	70
37	Ladakh	10	324	148	12	1	14	32
	<b>Total</b>	<b>54423</b>	<b>50655</b>	<b>158777</b>	<b>36907</b>	<b>187898</b>	<b>3261</b>	<b>5505</b>



**SERVICES AUTHORITY**

**THROUGH LEGAL SERVICES UNDER LEGAL SERVICES AUTHORITIES ACT, 1987  
APRIL, 2022 TO NOVEMBER, 2022**

	Transgender	Victim of Trafficking in Human beings or Beggar	Victims of Mass Disaster Violence, Flood, Draught, Earthquake and Industrial Disaster	General (whose annual income does not exceed the prescribed limit)	Others	Total
	0	0	0	0	0	0
	10	0	103	7963	12653	120722
	0	84	213	3821	1507	22938
	11	0	139	935	600	18868
	0	0	1	72	35	1982
	0	109	24	95	286	3526
	0	0	0	229	0	5401
	0	0	0	755	708	8103
	0	0	2	72	10	488
	22	15	25	6817	4037	36664
	2	0	0	484	80	9533
	0	0	0	73	14	827
	23	0	6	5416	10881	32949
	0	0	0	1274	1924	7894
	0	0	0	623	313	3795
	1	0	0	262	181	1754
	1	0	0	2368	988	14847
	0	0	0	407	100	2866
	25	21	4	8692	682	31392
	0	0	17	13	0	571
	<b>168</b>	<b>284</b>	<b>1839</b>	<b>67187</b>	<b>218774</b>	<b>785678</b>

## 20. 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 in the field of Judicial Co-operation as well as training and capacity building programmes for Judicial Officers. An MoU had already been signed with Maldives for training and capacity building of Judicial Officers of Maldives. Another MoU in the field of Judicial Co-operation was also signed with Maldives on 23.08.2022.

## 21. REDRESSAL OF GRIEVANCES:

Department of Justice (DoJ) receives large number of Citizen's grievances from citizens directly and through online CPGRAMS Portal. 14845 grievances were received from 1.1.2022 to 31.12.2022, out of which 14742 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/information/guidance-of-grievance-holders/citizens](http://www.doj.gov.in/information/guidance-of-grievance-holders/citizens).

## 22. VISION @2047 ON THE JUDICIAL SYSTEM OF INDIA – NATIONAL STAKEHOLDERS CONSULTATION

On the occasion of 75<sup>th</sup> year of India's Independence, efforts are being undertaken by the Sectoral Group of Secretaries, Government of India to develop "Vision India@2047", on various sectors like infra structure, resources, social & welfare, defence, governance etc. in order to commemorate the centenary of India's independence and provide a vision document on reforms for the next 25 years which would project India as a leader.

Under the SGoS-09 on Governance, DoJ is preparing the Vision India@2047 document on the Judicial System of India for which the theme shortlisted is "Justice for All: Developing a Speedy, Affordable & Technology-Enabled Citizen-Centric Doorstep Justice Delivery System". A series of National Consultation were organized under the aegis of Secretary(Justice) from 8th to 13th June, 2022



with Law Students, Advocates, members from various Bar councils, and representatives of Civil Society Organization(CSOs), legal start-ups etc., in June, 2022. Innovative and transformative ideas and pragmatic suggestions was sought from the Participants for incorporation in the Vision@2047 document on Indian Judicial System. Deliberations focused on areas like “what the judicial system should be in 2047”; gaps in the present system and ways and means to achieve the aspirational vision of judicial system of 2047 and reforms, including international standards and best practices that would enable India to emerge as the touchstone for justice delivery systems across the world.

## **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) An Under Secretary 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 2022 (01.01.2022) to (31.12.2022), 286 RTI applications and 05 Appeals were received manually and 5590 RTI Applications and 160 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 2022 are as follows:-**

Matter	Online	Offline
RTI	5590	286
Appeal	160	05

### 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 2022.23, '*Swachhta Pakhwada*' was observed from 01.04.2022 to 15.04.2022 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 2022-23, Rs. 37 lakh was earmarked for works under *Swachhta* Action Plan for maintenance of the office premises. An expenditure of Rs. 32.18 lakh has so far been incurred (i.e. upto 31.12.2022).

### 23.4 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 eOffice. Special steps have been taken with the help of NIC to impart training to all officers/officials on eOffice 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 have moved into complete eOffice platform. For seamless flow of data between the all the Ministries/Departments of the Government of India, Department of Justice has already migrated to version 7.0.

## 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 2022, 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. For promoting the use of Hindi in the Department, a scheme relating to noting and drafting is being implemented. Under the scheme of Noting and Drafting, certificates and cash awards were given to 05 officers and employees on Hindi Diwas on 30<sup>th</sup> September, 2022. One Hindi workshop was organized in every quarter during the year. Also, in order to oversee the implementation of Official Language Policy, the Department of Justice was inspected by the First Sub-Committee of Parliament on Official Languages on 28<sup>th</sup> September, 2022.

The Committee observed that as 80% of the staff of the Department of Justice have the knowledge of Hindi, the Department of Justice should be notified in accordance of Sub-Rule (4) of the Rule 10 of the Official Languages (use for official purposes of the Union) Rules, 1976. Accordingly, the Department of Justice has been notified vide Notification No. 12022/1/2022-O.L.(Imp) dated 13.12.2022.

#### 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 30<sup>th</sup> September, 2022. 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 14<sup>th</sup> September, 2022 to 29<sup>th</sup> September, 2022. During observance of Hindi Fortnight, four competitions i.e. Hindi Essay, Hindi Typing, Hindi Dictation and Hindi Extempore were organized. Total 51 officers/officials participated in these competitions. Cash prizes (First: Rs. 3,000/-, Second: Rs. 2,500/- and



Third: Rs.1500/- and two incentive prizes Rs. 1,000/- along with certificates were given away to the winners of each competition.

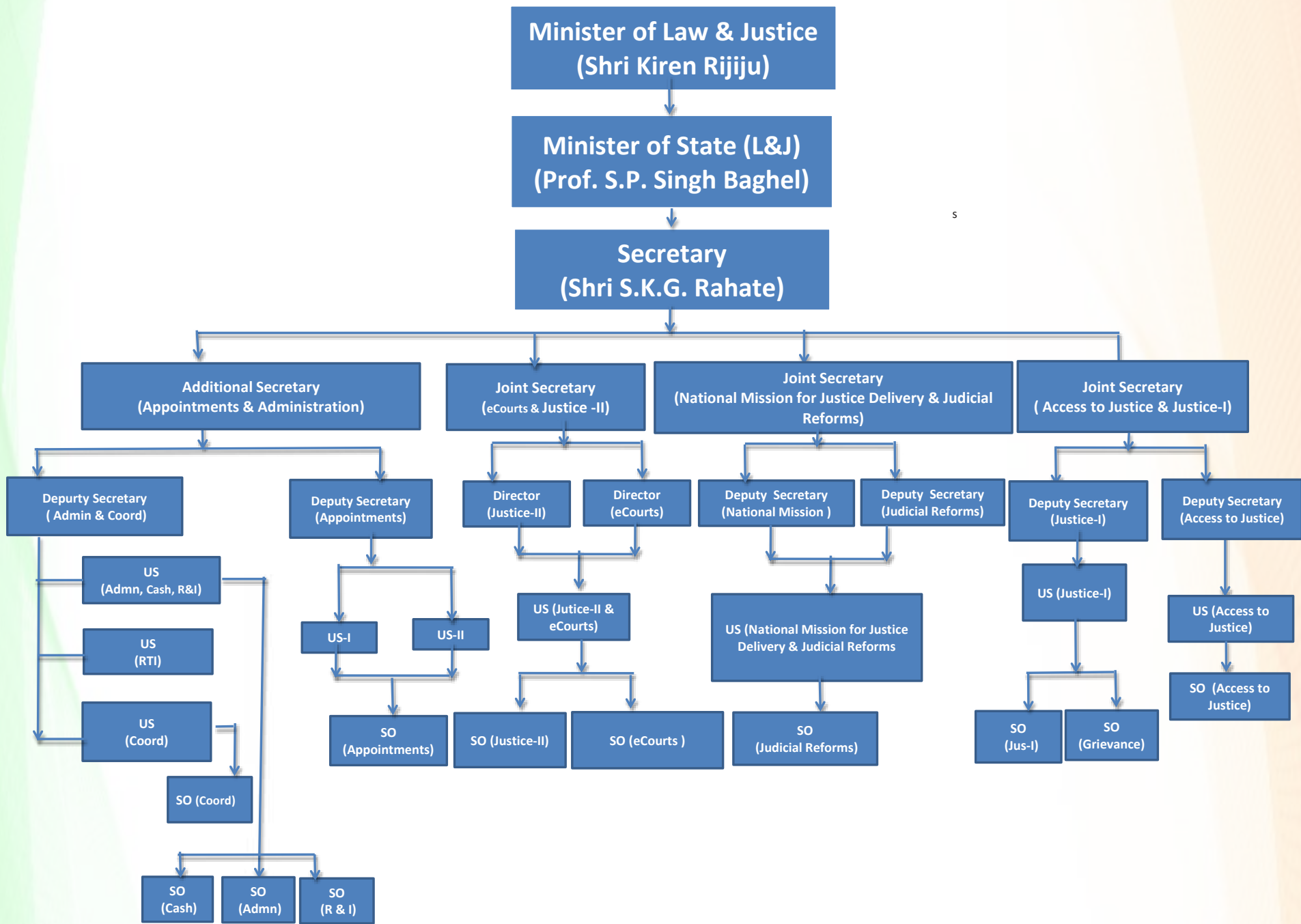
## 25. A SPECIAL CAMPAIGN 2.0

A Special Campaign for reduction of pendency and efficient management of space was conducted from 2<sup>nd</sup> October, 2022 to 31<sup>st</sup> October, 2022. National Legal Services Authority of India and National Judicial Academy were also brought under the Campaign for Space management purpose. In pendency clearance silo of the Campaign, in respect of clearance of Inter-Ministerial References, Department of justice stood at fourth position among all Ministries/Departments of the Government of India.

## 26. STATUS OF CAG PARA

There is no CAG/PAC para pending in Department of Justice.

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## ANNUAL REPORT OF THE WORKING OF THE ACCOUNTING ORGANISATION MINISTRY OF LAW AND JUSTICE FOR THE YEAR 2022-23

1. The Secretary is the Chief Accounting Authority in the Ministry of Law and Justice. He discharges his functions with the assistance of the Additional Secretary (Financial Adviser) and the 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. The Chief Accounting Authority is being assisted for accounting work by Chief Controller of Accounts (CCA). The CCA, Ministry of Law & Justice, Supreme Court of India performs his duties with the assistance of two Principal Accounts Officers and four Pay & Accounts Officers amongst other staff.
4. The Ministry of Law and Justice, Supreme Court has 51 DDOs including 32 CDDOs and 19 NCDDOs. The non-cheque drawing DDOs submit bills to the Pay and Accounts Office under pre-check system of payment. The PAO-wise detail of the CDDOs and NCDDOs is as under:

S.No.	PAO	D.D.O.	
		CDDOs	NCDDOs
1	PAO (EO)	4	3
2	PAO (LA)	29	10+1 (DoJ)
3	PAO (SCI)	0	1
4	PAO (LD)	0	4

5. Principal Accounts Office/Officer 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. It also provides accounting information and data 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 & Justice, Supreme Court of India are furnished to Budget section. Progress of expenditure against budget provisions are also submitted monthly to Secretary, Addl. Secretary & Financial Adviser as well as Heads of Divisions of the Ministry controlling the grant for purposes of better monitoring of expenditure. It also maintains accounts of long-term advances such as House Building Advance and Motor Car Advance and GPF accounts of employees of the

Ministry. The verification and authorization of pensionary entitlement of officers and staff members is done by the Principal Accounts Office 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.

6. 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 in the Financial Year 2022-23, six units of Ministry of Law & Justice have been audited. The audit of more units/DDOs could not be conducted because there is no sanctioned post/permanent manpower for the Internal Audit Wing under Principal Accounts Office of this ministry. The audit work is being managed by officers and staffs posted in different Pay & Accounts Offices and Principal Accounts Office along with a consultant engaged from the empanelled list of retired officers/officials being maintained by the O/o Controller General of Accounts.
7. Banking Arrangements: -Indian Bank (PAO-EO), State Bank of India (PAO-LD), UCO Bank (PAO-SCI) and Bank of Baroda (PAO-LA) 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.

## 8. Salient Features of Appropriation Accounts 2021-22:

MAJOR HEAD	Budget Estimates	Final Estimates	Expenditure	Excess(+) Saving (-)
<b><u>Grant No. 64</u></b>				
2052-Secretariat General Services	147.40	148.61	129.33	-19.28
2014-Administration of Justice	303.32	379.57	371.30.04	-8.27
2015-Election	169.30	1607.11	1604.60	-2.51
2020-Collection of Taxes on Income & Expenditure	119.30	119.29	102.08	-17.21
2070-Other Administrative Services	14.30	14.30	10.36	-3.94
2235-Social Security and Welfare	0.20	0.20	--	-0.20
2552-North Eastern Areas	92.28	--	--	--
3601-Grants-in-Aid to State Governments.	839.72	823.00	776.70	-46.30
3602-Grants-in-Aid for UT Governments	60.00	60.00	50.00	-10.00
4070-Capital Outlay on Other Administrative Services	1100.00	1122.00	1119.62	-2.38
Amount surrendered during the year				-129.00
<b>Total</b>	<b>2845.82</b>	<b>4274.08</b>	<b>4163.99</b>	<b>239.09</b>
<b><u>Appropriation No.66-Supreme Court of India</u></b>	334.96	350.86	341.41	-9.45*
MH-2014 Administration of Justice (Charged)				

(in crores)

\*Amount surrendered during the year

(Source : Appropriation Accounts 2021-22)



