

TOPIC- 1

DISCIPLINE AND CODE OF CONDUCT OF JUDGES

People desire from Judges highest ethical standard, wisdom independence and impartiality.

The objective of training of Judges is to enhance

1. Judge proficiency (competence)
2. Judge performance (conduct)
3. Judge productivity (disposal)

Punctuality, strict adherence to discipline, transparent private and public dealing, fair relationship with the bar and compliance of the conduct rules can achieve highest standards of judicial performance.

- Tripura Civil Services (Conduct) Rules.
- CCS & CCA Rules as adopted in Tripura.
- Tripura Judicial Service Rules 2003.
- Tripura Civil Service (Leave) Rules.
- Judges Protection Act, 1985.
- Judicial Officers Protection Act, 1850.
- CCS(Joining time) Rules,

Tripura Civil Services (Conduct) Rules.

Every Government Employee shall at all times –

- maintain absolute integrity;
- maintain devotion to duty; and
- do nothing which is unbecoming of a Government employee.

(i) Every Government employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Government employees for the time being under his control and authority.

- (ii) No Government employee shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his official superior;
- (iii) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter;
- (iv) A Government employee who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing and in absence thereof, confirmation shall be presumed.

- Employment of Near Relatives of government Employees in Private Undertakings
- Taking part in Politics and Elections
- Joining of Associations by Government employees
- Demonstration and Strikes
- Connection with Press or Radio
- Criticism of Government
- Evidence before Committee or any other authority
- Unauthorized communication of Information
- Subscriptions
- Gifts
- Dowry

- Public Demonstrations in Honour of Government Employees
- Private Trade or employment
- Investment, lending and borrowing
- Insolvency and habitual Indebtedness
- Movable, Immovable and valuable property
- Restrictions in relation to Acquisition and Disposal of Immovable Property outside India and Transaction with foreigners etc.
- vindication of acts and character of Government employee
- Canvassing of non-official or other outside influence
- Restriction regarding marriage
- Consumption of Intoxicating drinks and Drugs

1965 RULES: CENTRAL CIVIL SERVICES (CLASSIFICATION, CONTROL AND APPEAL RULES, 1965 (for short, CCA RULES) (as ADOPTED by the Government of Tripura w.e.f. 01.12.1966);

ART. 311(2) of the Constitution:

“Dismissal, removal or reduction in rank of persons employed in civil capacities under the Union or a State – No such person as aforesaid shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.”

Rule of 'AUDI ALTERAM PARTEM, i.e. no one should be condemned unheard':

Clause (2) of Article 311 provides that no person **who is a MEMBER OF CIVIL SERVICE OF** the Union or an All India Service or a civil Service of a State or **HOLDS A CIVIL POST** under the Union of a State shall be **DISMISSED** or **REMOVED** or **REDUCED IN RANK EXCEPT AFTER AN INQUIRY** in which he is **INFORMED OF** the charges against him and given a **REASONABLE OPPORTUNITY OF BEING HEARD** in respect of those charges.

PROVISO TO ART. 309 of the Constitution :

“Provided that it shall be competent for the **President** or such person as the may direct in the case of services and posts in connection with the affairs of the Union, and for the **Governor** of a State or such person as he may direct in the case of services and posts in connection with the affairs of the State, **TO MAKE RULES** regulating the **recruitment**, and the **conditions of service** of persons appointed, to such services and posts **until** provision in that behalf is made by or under an Act of the appropriate Legislature under this article, and any rules so made shall have effect subject to the provisions of any such Act”

MAJOR PENALTY : AFTER AN INQUIRY

RULE 14(1), CCA RULES: “No order imposing any of the penalties specified in clauses (v) to (ix) of rule 11 shall be made **EXCEPT AFTER AN INQUIRY** held, as far as may be, in the **MANNER** provided in **THIS RULE and RULE 15(1)**, or in the **MANNER** provided by the **PUBLIC SERVANTS (INQUIRIES) ACT, 1850**, where such inquiry is held under the Act.”

MINOR PENALTY : AFTER AN INQUIRY

RULE 16(1),(b) CCA RULES: “.....no order imposing on a Government servant any of the penalties specified in clause (i) to (iv) of rule 11 shall be made **EXCEPT AFTER-**

(a)’

(b) HOLDING AN INQUIRY in the manner laid down in sub-rules (3) to (23) for rule 14, in every case in which the Disciplinary Authority **IS OF THE OPINION THAT SUCH INQUIRY IS NECESSARY;...**”

RULE 11, CCA RULES

MAJOR PENALTIES

(V) Reduction to a lower stage in the time-scale of pay **for a specified period;** **(vi) Reduction to** a lower time-scale of pay, grade, post or service; **(vii) Compulsory retirement;** **(viii) Removal from service** (not a disqualification for future employment under the Government; and **(ix) Dismissal from service** (ordinarily a disqualification for future employment under the Government).

MINOR PENALTIES

(I) Censure; **(ii) Withholding of his promotion;** **(iii) Recovery from his pay** of the whole part of nay pecuniary loss caused by him to the Government by negligence or breach of orders; **(iii)(a) Reduction to** a lower stage in the time-scale of pay **by one stage** for a period **not exceeding three years, without cumulative effect and not adversely affecting his promotion;** and **(iv) Withholding of increments of pay.**

PROVISO TO RULE 14(2), CCA RULES: “Provided that where there is a **COMPLAINT OF SEXUAL HARASSMENT** within the meaning of rule 3A of the Tripura civil Services (Conduct) rules, 1988, the **COMPLAINTS COMMITTEE** established in each Ministry or Department of Office for inquiring into such complaints, shall be **DEEMED TO BE THE INQUIRING AUTHORITY** appointed by the Disciplinary authority for the purpose of these rules and the **COMPLAINTS COMMITTEE SHALL HOLD**, if separate procedure has not been prescribed for the Complaints Committee for holding the inquiry into the complaints of sexual harassment, the **INQUIRY**, as far as practicable, **IN ACCORDANCE WITH THE PROCEDURE LAID DOWN IN THESE RULES.**”

- (01) No major penalty **without INQUIRY. GS TO BE INFORMED OF** of the charges a **REASONABLE OPPORTUNITY OF BEING HEARD;**
- (02)**OPINION : GROUNDS FOR** inquiring into. **DA ITSELF** inquire into, or **APPOINT** an authority, or **COMPLAINTS COMMITTEE** to inquire;
- (03)**PROPOSED TO** hold an inquiry, **DA** to **DRAW UP** articles of charge etc;
- (04)**DELIVER** copies of to GS **REQUIRE** him to submit ‘**WRITTEN STATEMENT OF DEFENCE**’.... **STATE** whether he desires to be ‘**HEARD IN PERSON**’;
- (05)**APPOINTMENT OF IA/ PO** (on receipt/ non-receipt of written statement of defence);
- (06)**FORWARDING OF** documents to IA;
- (07)**APPEARANCE OF** GS in person;

- (08) **ASSISTANCE OF** in-service/ retired Government servant;
- (09) **Not admitted** any of the articles of charge ... **or has not submitted** any written statement of defence, **APPEARS**, Authority shall **ask him whether he is guilty or has any defence to make**;
- (10) **RETURN OF** a finding of guilt;
- (11) on failure to appear or to plead guilty, **ORDER FOR production of** evidence of PW **inspection** **submission of** list of witnesses by Gs;
- (12) **REQUISITION FOR** production of documents;
- (13) **PRODUCTION OF** documents;
- (14) **EXAMINATION OF** PWs by or on behalf of the PO;
- (15) **ADDL. EVIDENCE** by PO;
- (16) With the closure of DA's case, GS to **STATE HIS DEFENCE**, orally or in writing;

- (17) **PRODUCTION OF DWs;**
- (18) After closure of GS's case, **IA TO QUESTION GS GENERALLY;**
- (19) **HEARING WRITTEN BRIEFS;**
- (20) Power to proceed *EX-PARTE*;
- (21) DA **competent to** impose any of the penalties specified in cls. (i) to (iv) of rule 11.. but **not competent to** impose any following the penalties specified in cls. (v) to (ix) of rule 11, ...;
- (22) **PART-HEARD;** and
- (23) Preparation of **REPORT**; Power to record findings on any article of charge **DIFFERENT FROM THE ORIGINAL ARTICLE OF CHARGE** (i.e. **Amendment** of article of charge).

Tripura Judicial Service Rules, 2003
Code of Conduct
(See Rule 25 A)

- Should uphold the integrity and independence of judiciary;
- Should avoid impropriety;
- Performance of duties impartially diligently;
- Extra judicial and quasi-judicial activities;

CCS (JOINING TIME) RULES

Distance between the old headquarters and the new headquarters	Joining Time admissible	Joining Time admissible where the transfer necessarily involves continuous travel by road for more than 200 kms.
1,000 km or less	10 days	12 days
More than 1,000 km	12 days	15 days
More than 2,000 km	15 days except in cases of travel by air for which the maximum will be 12 days.	15 days

Extension of joining time beyond the limits indicated in Rule 5(4) can be granted up to the maximum limit of 30 days by the Head of Department and beyond 30 days by the Department.

Un availed joining time shall be credited as earned leave.

Rules that protect

- Judicial Officers Protection Act, 1850.
- Judges Protection Act, 1985.

There are no civil or criminal liabilities if judicial Act is done in good faith and to the best judgment.

Thank you...

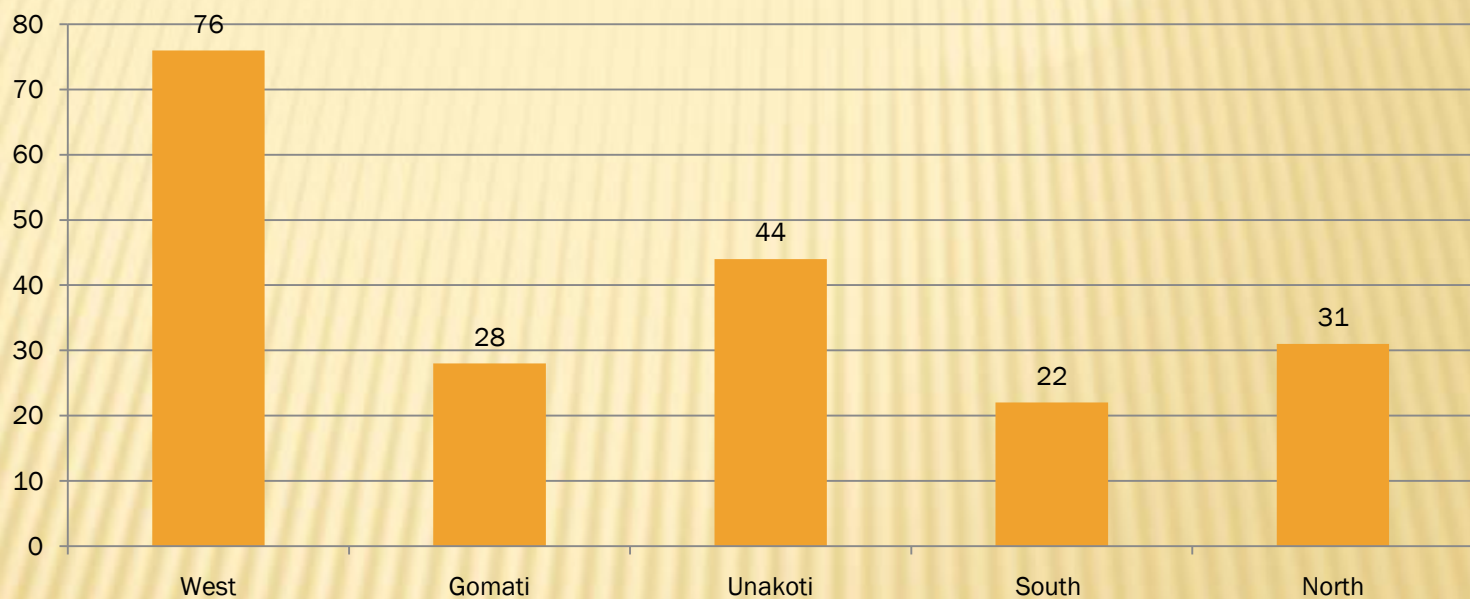
TOPIC-2

PENDENCY, SPEEDY DISPOSAL AND REDUCTION OF ARREARS.

(With emphasis on cases in which accused are in judicial custody, cases pending for more than 3 years, cases involving women, senior citizens, children, persons with disability and other marginalized sections of society)

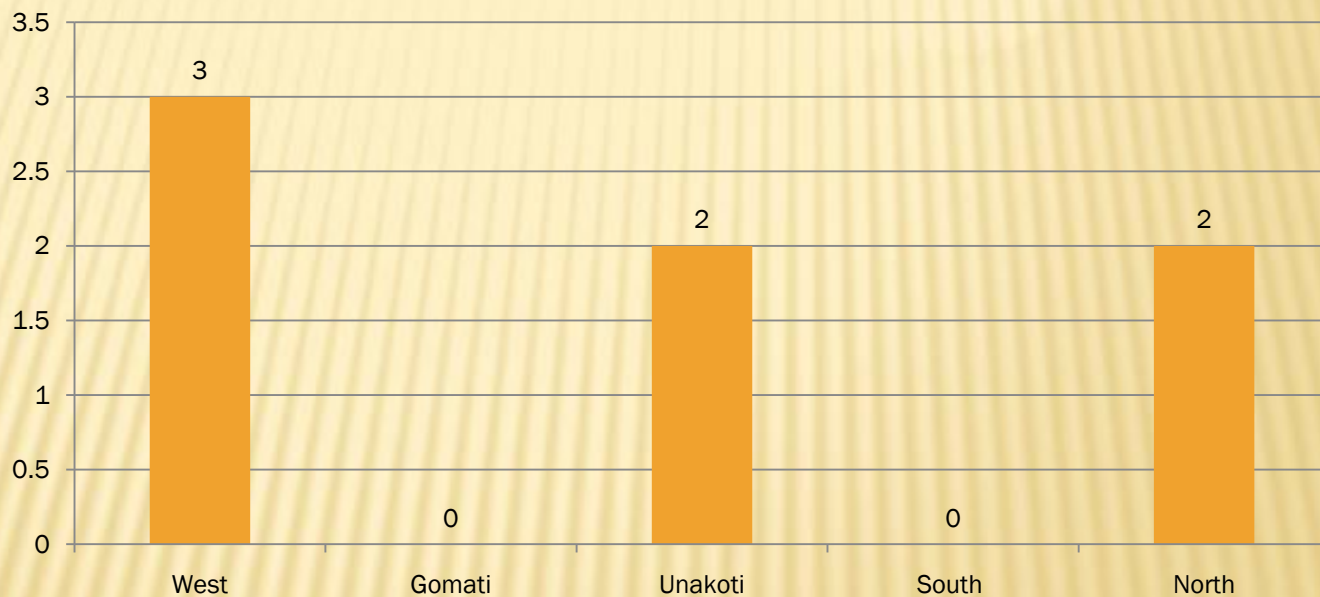
	West	Gomati	Unakoti	South	North
Number of cases pending where accused is in custody as on 31.03.2018.	76	28	44	22	31

Number of cases pending where accused is in custody as on 31.03.2018.



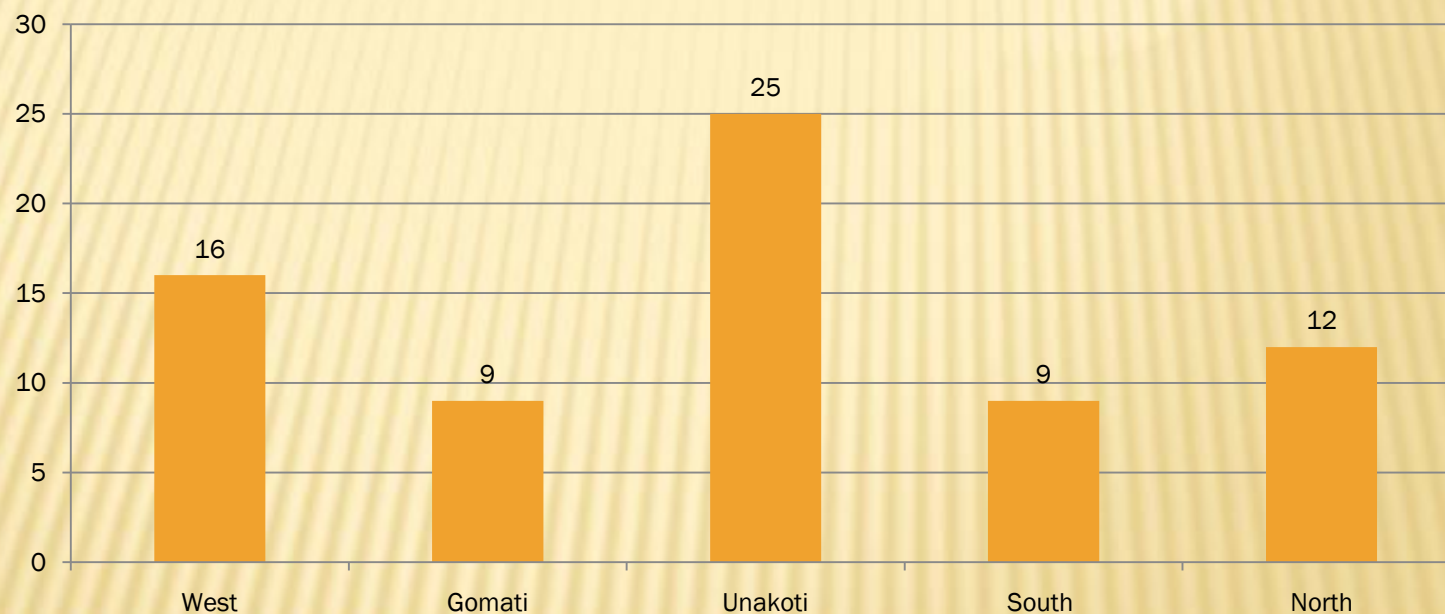
	West	Gomati	Unakoti	South	North
Number of cases where custody accused is chargesheeted but trial is yet to begin.	03	Nil	02	Nil	02

Number of cases where custody accused is chargesheeted but trial is yet to begin.



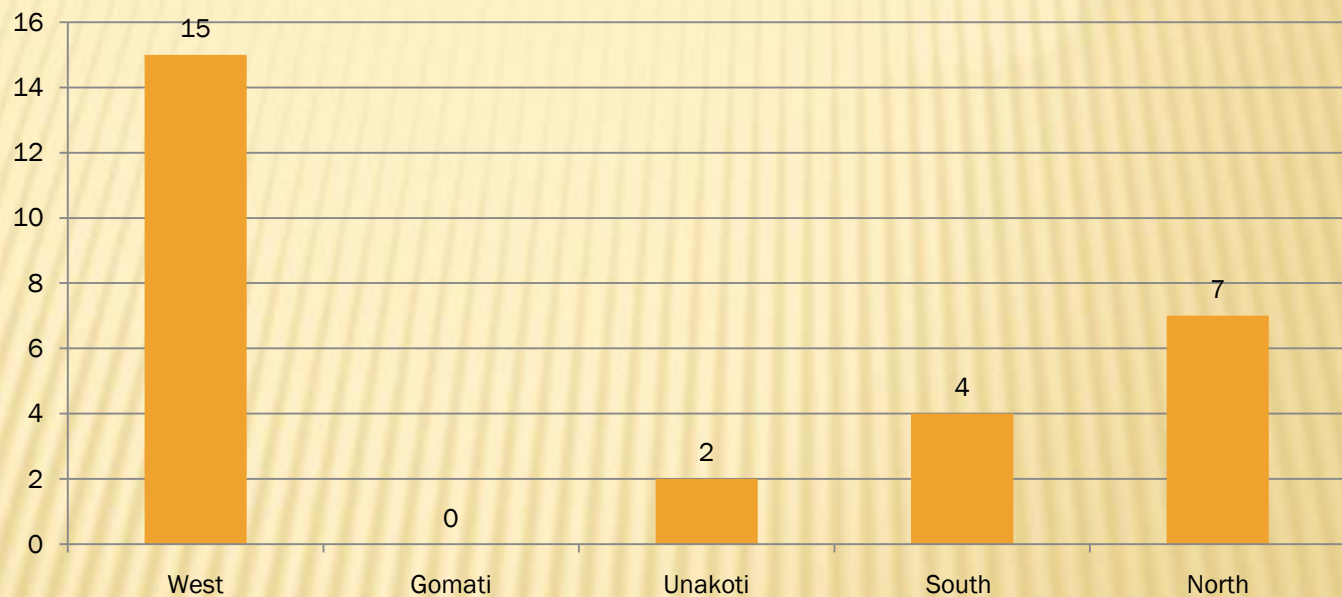
	West	Gomati	Unakoti	South	North
Number of cases where custody accused is not chargesheeted.	16	9	25	9	12

Number of cases where custody accused is not chargesheeted.



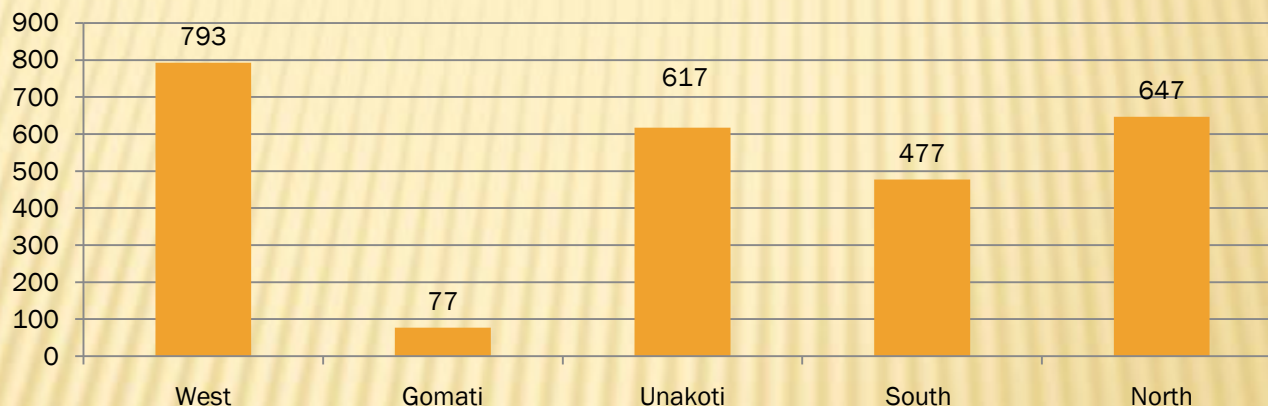
	West	Gomati	Unakoti	South	North
Number of cases where the accused is in custody but statutory period 60/90 days is over.	15	Nil	2	4	7

Number of cases where the accused is in custody but statutory period 60/90 days is over.



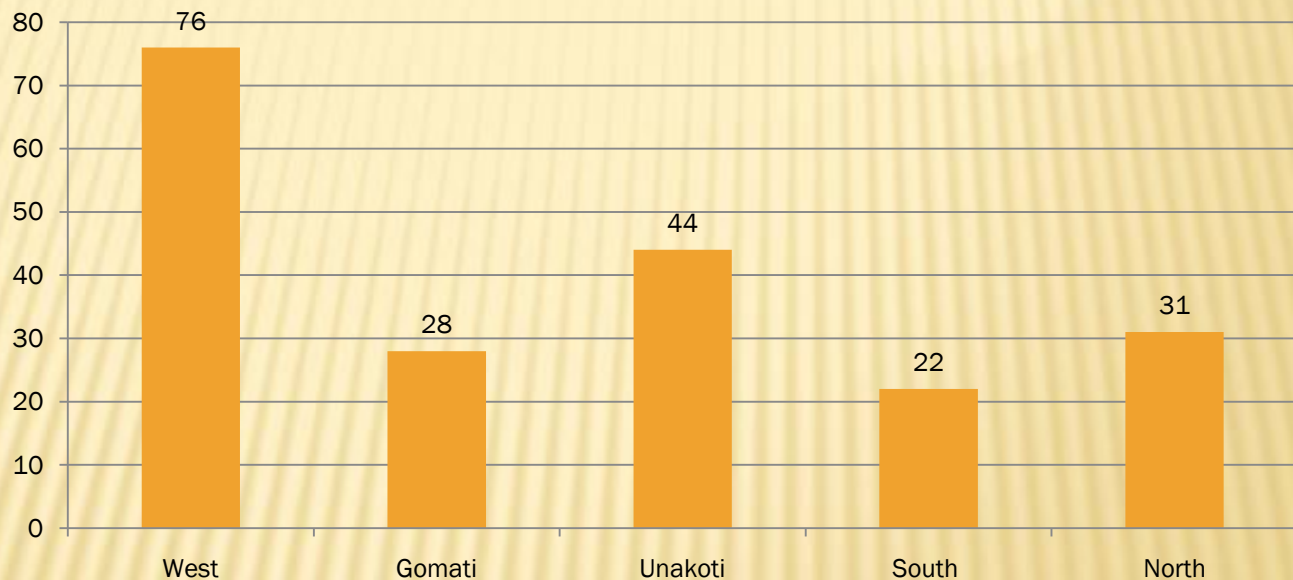
	West	Gomati	Unakoti	South	North
Number of cases pending trial for more than three years involving women, children, people with disability, senior citizens, marginalized sections of society.	793	77	617	477	647

Number of cases pending trial for more than three years involving women, children, people with disability, senior citizens, marginalized sections of society.



	West	Gomati	Unakoti	South	North
Number of cases pending where accused is in custody as on 31.03.2018.	76	28	44	22	31

Number of cases pending where accused is in custody as on 31.03.2018.



❖ The number of under trial prisoners is not alarming. However, there is no reason to be complacent and the courts must follow the guidelines issued by the Hon'ble Apex Court in Re-Inhuman Conditions in 1382 Prisons.

❖ The number of cases pending trial for more than three years involving women, children, people with disability, senior citizens, marginalized sections of society is however, pretty large and has to be tackled on an emergency basis.

- Case flow management rules framed by the Gauhati High Court and adopted by Tripura High Court with modifications should be followed.
 - The classification of records in track 1, 2, 3, 4 should be done immediately and the time frame given should be rigidly followed.
 - Monthly report as to stage and progress of the case should be prepared and monitored.
 - Fixation of time limit while issuing notice should be invariably done so that cases are disposed of within a time limit.
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- Interim applications should be dealt with in a time bound manner and ex parte orders should not be allowed to continue for extended periods without proper hearing.
 - After admission and denial procedure prescribed under ADR and Mediation rules should be followed and case should be heard within 14 days of failure of mediation.
 - Commissioner should not be appointed in each and every case on mere asking.
 - A proceeding in a suit should not be stayed merely because of filing of a miscellaneous application.
 - The Courts should insist on filing of all essential documents at the time of filing of the case / appeal.
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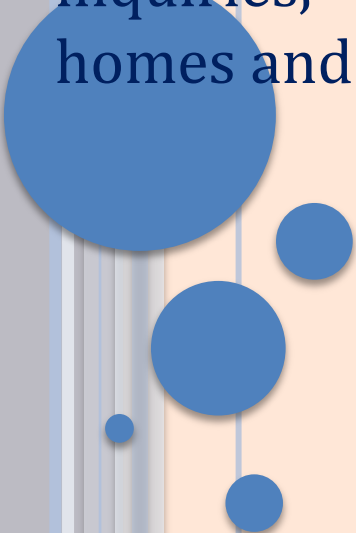
- The criminal courts should also make endeavour to classify the records in various tracks and dispose them in the time frame given.
 - Magistrates play an important role during the investigation stage. While they should not interfere with investigation but should remain vigilant so that the cases under investigation are completed within the time frame given.
 - The magistrates should ensure that the assistance sought by the investigative agency like recording of statements under Section 164(5) of Cr.P.C., dying declarations, TI Parades, certification of samples of NDPS cases are disposed of without any delay.
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Thank you...

TOPIC-3

STRENGTHENING OF THE JUVENILE JUSTICE & ADR SYSTEM

(With emphasis on pendency and speedy disposal of inquiries, status of infrastructure, status of children's homes and performance of JJBs and CWCs)



	West	Gomati	Unakoti	South	North
Number of inquiries pending before the Juvenile Justice Board.	111	03	11	32	18
Whether case monitoring sheet is maintained?	Yes	Yes	Yes	Yes but not in all cases.	Yes
Whether after all pending inquiries disposed of individual care plan for the child in conflict in law is prepared?	No	No	Yes	Yes but not in all cases.	No
Whether CJM periodically reviews of the pendency of the board?	Yes	No	Yes	Yes	No

	West	Gomati	Unakoti	South	North
Whether social investigation report in form 6 is obtained in each and every case and whether it is made available in time?	Yes	No	Yes(2 response) /No(1 response)	Yes	Yes
Number of Children's Home, Child Care Institution, Observation Home established under the Juvenile Justice Board.	01	03	00	00	2
Whether quarterly report in form 12 about pendency of cases and visits to home is made to the CJM/DM?	Yes	No	Yes	Yes	No
When did District Judge last inspect the Juvenile Justice Board?	No	No	No	23.02.2018	No

Pending enquiries in different JJBs of the State till 31.03.2018

There are 8 nos. of Juvenile Justice Boards in the State of Tripura

Juvenile Justice Boards	No. of cases pending for more than 01 (One) year in the JJBs
West	44
Sonamura	09
Udaipur	02
Belonia	Nil
Khowai	05
Kamalpur, Dhalai	Nil
Kailashahar	01
Dharmanagar	11
Total	71

Status of implementation of Juvenile Justice Act in the State

Number of State Child Protection Units	: 01 No.
Number of District Child Protection Units	: 08 Nos.

in 08 Revenue Districts of the State

Special Juvenile Police Unit :-

State level Special Juvenile Police Unit	: 01 nos.
District level Special Juvenile Police Unit	: 08 nos.
Sub-Divisional level Special Juvenile Police Units	: 27 nos.
Child Welfare Police Officer	: 76 nos.
In GRPS (Govt. Railway Police Station Level)	: 05 No.
No. of Legal cum probation officers	: 6 nos.

Status of implementation of Juvenile Justice Act in the State

Child Care Institutions: 39 Nos. of Child Care Institutions Registered under JJ Act, 2015.

Children's Home :

1. 293 Nos. of Children in the Children Home run by NGO .
2. 363 nos. of Children in the Children Home run by Govt.

Open Shelter Homes: There are 02 Open Shelter Homes in the State of Tripura run by the NGO having 58 inmates.

Observation Home: 03 Nos.

In Agartala - 1 Nos. / In Udaipur -1 No. / In Dharmanagar :1 No.

Special Home : 03 Nos.

In Agartala - 1 / In Udaipur - 1 / In Dharmanagar : 1

Special Adoption Resource Agency: 03 Nos. of Special Adoption Resource Agency which are run by the NGOs and 06 nos. of Special Adoption Resource Agencies are run by the State Govt. having total 42 nos. of inmates as on date.

The Status of cases under CWCs, till 31.03.2018

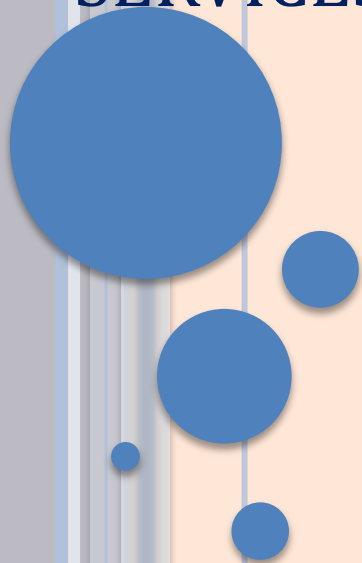
Sl. No.	Name	Total No. of cases declared as free for adoption in the Month of March, 2018	No. of applications pending in respect of children to be declared as free for adoption in the Month of March, 2018
1	CWC, West	01	06
2	CWC, North	Nil	Nil
3	CWC, South	Nil	Nil
4	CWC, Dhalai	Nil	Nil
5	CWC, Khowai	Nil	Nil

**Pendency of Adoption cases in all the District and Sessions Judges
Court of Tripura as on 31.03.2018**

In the court of the District and Sessions Judge	Total No. of cases Pending as on 31.03.2018
West Tripura, Agartala	03
Gomati District, Udaipur	Nil
Unakoti District, Kailashahar	Nil
North Tripura District, Dharmanagar	Nil
South Tripura District, Belonia	Nil

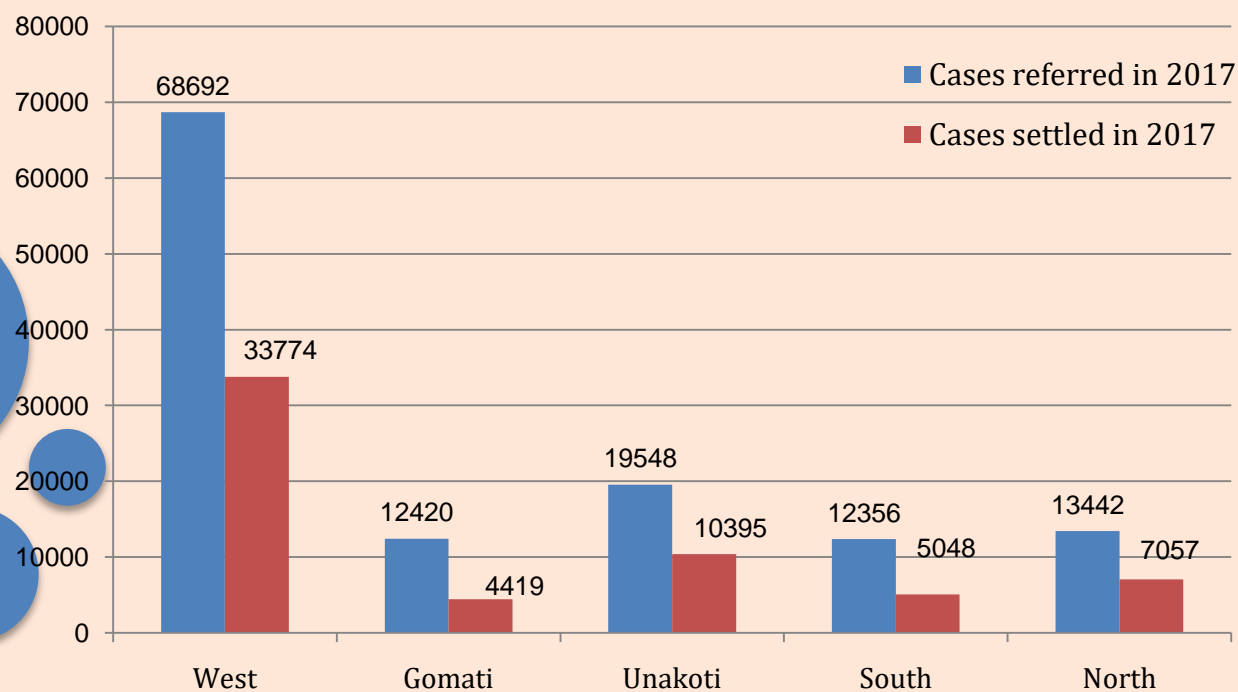
- Special emphasis should be given by the JJBs in the West Tripura District to reduce the pendency. Specially more than 1 year old enquiries.
- It appears that the Chief Judicial Magistrates do not make periodical reviews of the Juvenile Justice Board which should be done regularly.
- The Boards must make individual child care plan after disposal of the enquiry.
- The Boards must also insist on the social investigation report on time.
- The District Judges must regularly inspect the Juvenile Justice Board and provide guidance for proper disposal of the cases as per the mandate given in Juvenile Justice (Care and Protection of Children) Act, 2015.
- The JJBs and CWCs should meet regularly and meetings with the stakeholders should be done periodically.
- Destruction of records of inquiries must be done periodically so that no slur can be cast on child in conflict with law

EFFECTIVE IMPLEMENTATION OF A.D.R.
PROCESS INCLUDING LOK ADALAT, MEDIATION
AND OTHER ISSUES RELATING TO LEGAL
SERVICES ACTIVITIES



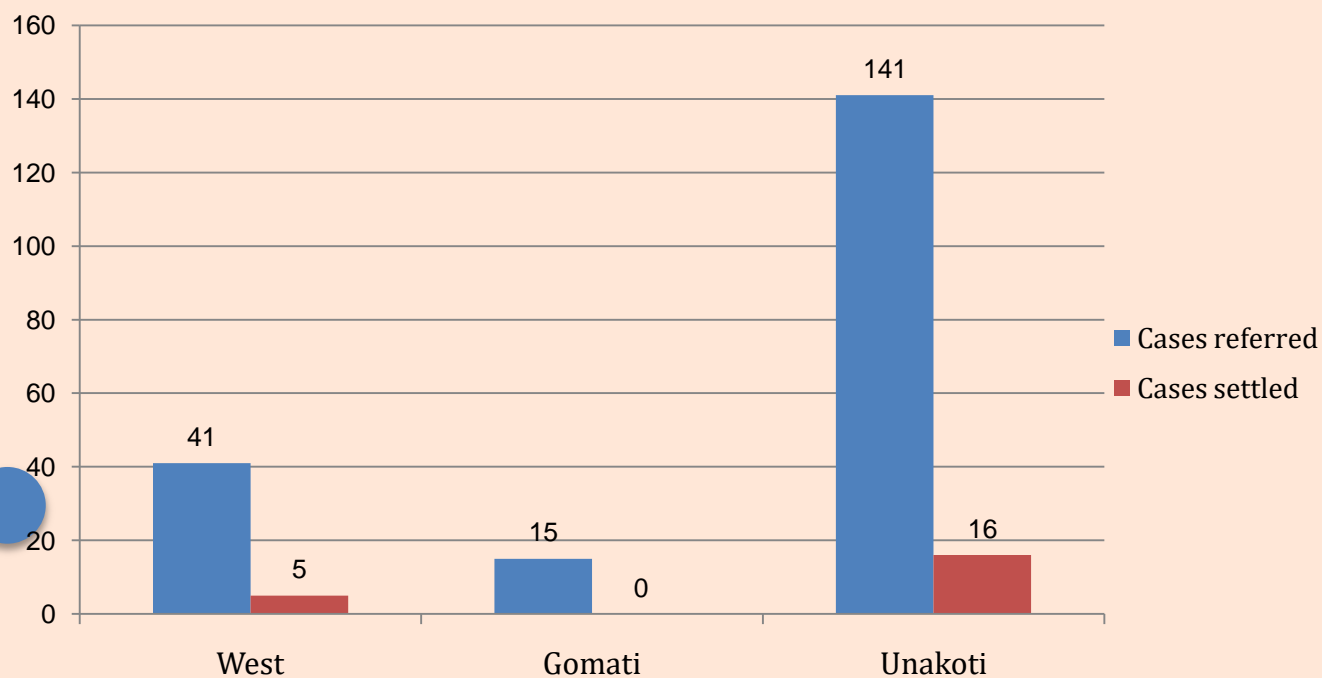
Statistics on cases referred to Lok Adalat in 2017 from Subordinate court

Districts	West	Gomati	Unakoti	South	North
Cases referred in 2017	68692	12420	19548	12356	13442
Cases settled in 2017	33774	4419	10395	5048	7057



Family Court referral in Lok Adalat

Districts	West	Gomati	Unakoti
Cases referred	41	15	141
Cases settled	5	0	16



Status of Mediation in Tripura

Data for the year 2016 :

Name of State	No. of Cases Referred	No. of Cases Settled	No. of Cases Not Settled	No. of Cases Non-Starters	No. of Connected Cases	No. of Cases Pending
Tripura	07 Nos.	02 Nos.	04 Nos.	Nil	Nil	1 No.

Name of High Court	No. of Cases Referred	No. of Cases Settled	No. of Cases Not Settled	No. of Cases Non-Starters	No. of Connected Cases	No. of Cases Pending
High Court of Tripura	06 nos.	01 No.	06 nos.	NIL	NIL	NIL

NB. 01 (one) case brought forward from the year 2015.

Data for the year 2017 :

Name of State	No. of Cases Referred	No. of Cases Settled	No. of Cases Not Settled	No. of Cases Non-Starters	No. of Connected Cases	No. of Cases Pending
Tripura	49 Nos.	04 Nos.	31 Nos.	Nil	Nil	15 No.

Name of High Court	No. of Cases Referred	No. of Cases Settled	No. of Cases Not Settled	No. of Cases Non-Starters	No. of Connected Cases	No. of Cases Pending
High Court of Tripura	03 nos.	Nil	03 nos.	NIL	NIL	NIL

NB. 01 (one) case brought forward from the year 2016.

Status of Mediation in Tripura

Data for the year 2018 till date for Subordinate Court

Name of State	No. of Cases Referred	No. of Cases Settled	No. of Cases Not Settled	No. of Cases Non-Starters	No. of Connected Cases	No. of Cases Pending
Tripura	04	Nil	Nil	Nil	Nil	04

Data for the year 2018 till date (High Court of Tripura)

Name of High Court	No. of Cases Referred	No. of Cases Settled	No. of Cases Not Settled	No. of Cases Non-Starters	No. of Connected Cases	No. of Cases Pending
High Court of Tripura	12	04	Nil	Nil	Nil	08

- ❑ ADR can be an effective method of disposal of cases pending before the Courts and have been successfully implemented in various States.
- ❑ Following the judgment of Afcons Infrastructure Ltd. & Anr. Vs. Cherian Varkey Construction Co. (P) Ltd. & Ors. It is mandatory for the Courts to explore avenues of ADR as mandatory in Section 89 of the CPC.
- ❑ It is painful to note that most Courts are not even passing any order relating to Section 89 of the CPC which includes the Courts of Civil Judge (Sr. Div.) as well as Courts of Civil Judge (Jr. Div.). 23 courts gave a negative answer to the question whether they pass an order in terms on S 89 CPC

- ❑ Family Courts must invariably make efforts for reconciliation because the very mandate of Family courts Act is to settle disputes by reconciliation. Except in case of the Bar imposed in Section 13 of the Hindu Marriage Act all cases should be invariably referred to reconciliation and utmost effort must be given to dispose of the cases on the basis of reconciliation.
- ❑ Reconciliation does not necessary mean restoration of status quo but means disposal of the disputes on mutually settled terms.

- ❑ The process of reconciliation should be institutionalized and must be detached from the progress of the case or in other words the case proceeding should not come to a stand still because of the reconciliation process. So far as possible the process of mediation should be followed in case reconciliation also.
- ❑ The Courts should take up MV Act and other challan cases in regular course of business which will ensure that the attendance and disposal in Lok Adalat is much higher than presently in the case.



Thank you...



TOPIC-4

ADMINISTRATIVE MATTERS INCLUDING PROMOTIONS OF STAFF MEMBERS AND OFFICERS, PAY SCALES, DISPOSAL OF REPRESENTATIONS, INQUIRIES AND APPEALS.

**If You want peace work for justice
Pope Paul VI**

- ❖ The ministerial staffs of the subordinate Judiciary are the edifice on which the pillars of justice stand. It is imperative that they received their promotion and other dues in time. They must not feel that they are being subject to injustice.
- ❖ The Tripura District Courts Ministerial Establishment (Recruitment and Conditions of Service) Rules, 2014 is a comprehensive document covering all aspects of service conditions of the Staffs.

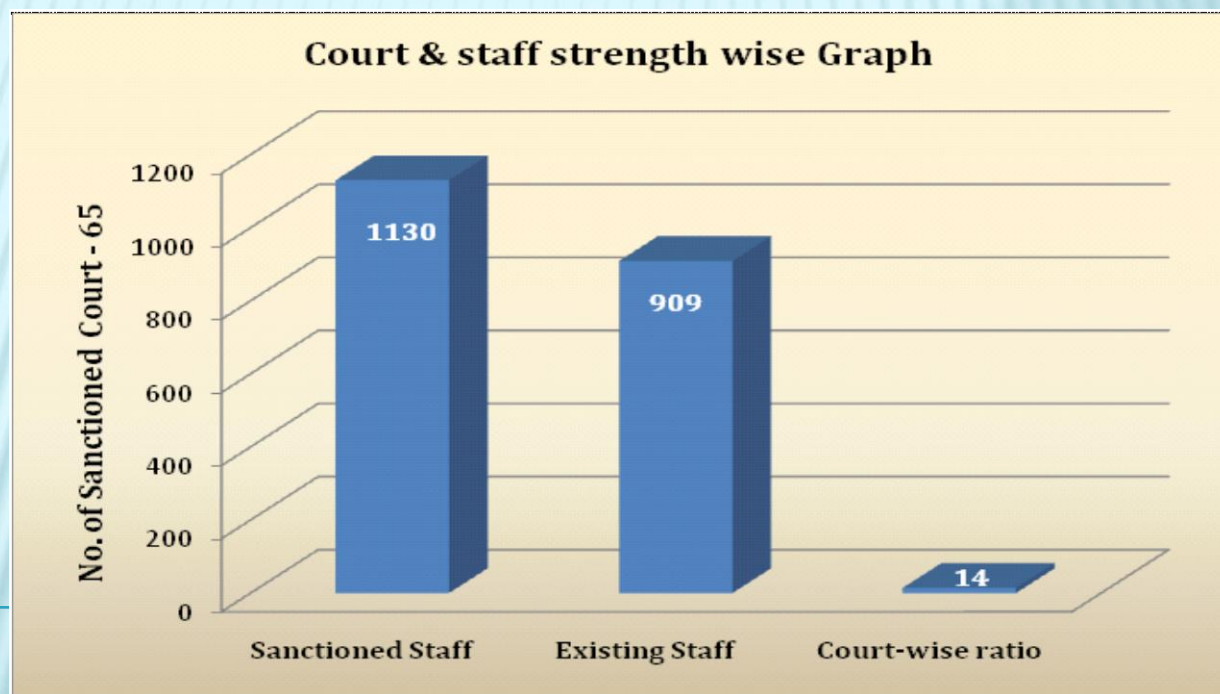
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- ❖ The time frame given in the Tripura District Courts Ministerial Establishment (Recruitment and Conditions of Service) Rules, 2014 regards promotion should be strictly followed.
 - ❖ The DPCs should meet regularly to ensure that recruitments and promotions are held on time.
 - ❖ Representations received by individual members of the Subordinate Ministerial Service must be disposed of quickly and within a time frame of 2 months.
 - ❖ All departmental enquiries should be disposed of within a reasonable time frame and not later than nine months.
 - ❖ ACRs good/ bad must be communicated to all officers so that they may get a chance to represent for up-gradation and rectify their performance for the next year.
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- ❖ Best efforts must be given to ensure that the posts do not remain unfulfilled thereby putting extra pressure on the existing employees.
 - ❖ Like Caesar's wife, a judge must be above suspicion.
 - ❖ It is therefore incumbent that a Judge while acting as an administrator also sets the highest standards of financial propriety in procurement and other administrative matters.
 - ❖ Delegation of Financial Power Rules Tripura 2017.
 - ❖ The Head of the Departments and the Head of Office should take advantage of the new Delegation of Financial Power Rules which enhances their financial powers.
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- ❖ Purchases beyond the power of the HOD and HOO should be made through duly constituted purchase committees.
- ❖ Purchases should be made from government e-market place (GeM) to avoid unnecessary delay in procurement.
- ❖ The provisions of GFR 2017 should be followed strictly and officers with financial powers must get themselves familiarized with the provisions of the GFR 2017.
- ❖ Pay fixation of the employees and the officers is a major concern. The officers with administrative and financial powers must acquaint themselves with TCS (RP) Rules, 2016 as well as TCS (Revised Pension) Rules, 2016. Delay or defect in processing pension proposals cause immense hardship to a retired employee who has given his best years in the service of the institutions and should be avoided.

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- ❖ The various issues that may not be easily available in various rules can be found in FR & SR. The officers with administrative functions must get themselves familiarized with the provisions of FR & SR specially with relation to pay fixation, promotion, traveling allowance, joining time etc.
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Number of Sanctioned courts	Sanctioned staff strength	Existing strength	**Present Court - staff ratio	Sanctioned Court - staff ratio
65	1130	909	1:14	1:17



number of vacancies existing as on date that can be filled up by direct recruitment

Sl. No.	Category of Staff	Sanctioned strength	Existing strength	Vacancy
1.	PS/PA/Stenographer	86	76	10
2.	LDC	265	239	26
3.	Driver	20	18	02
4.	Group-D	325	295	30
6.	Contingent Worker	26	21	05

❖ Even if 10% of the sanctioned staff strength is considered as leave reserve, raising of staff strength will not be necessary. What is required is filling up of the vacancies on an urgent basis.

❖ The ratio of 17 staff per court should be considered more than adequate considering the number of pendency in the State. What is noticed is that some courts are having excess staff but less work but the courts over burdened with work have much less staff. Thus, staff rationalization is urgently required

Thank you...

TOPIC -5

STATUS AND IMPROVEMENT OF INFRASTRUCTURE INCLUDING STATUS OF MALKHANA, STORE, LIBRARY, RECORD ROOM ETC.

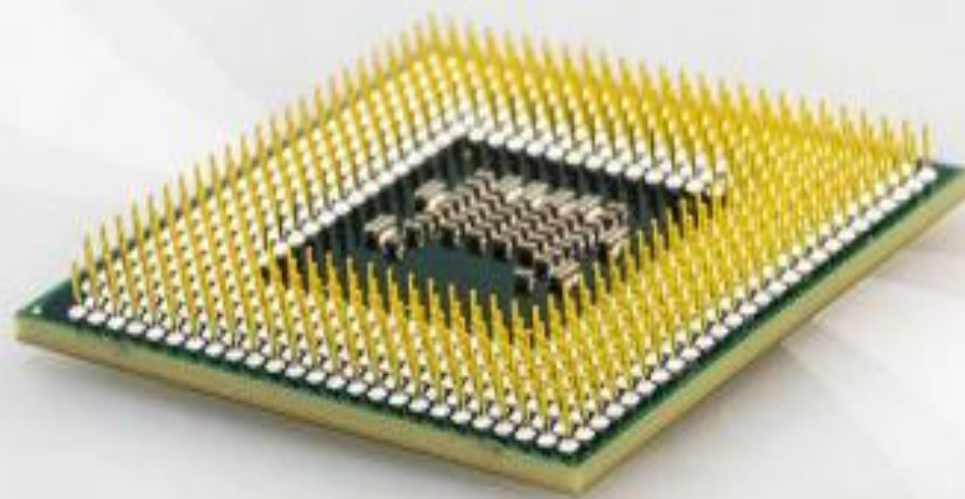
(With emphasis on preparation of proposal and timely submission of proposal to the High Court, proper maintenance of library, store and record room and timely disposal of Alamats / articles stored in malkhana)

- **All officers are expected to remain aware of the various infrastructural issues pending in their respective stations.**
- **The administrative heads of the respective stations should collect estimates for repair and maintenance works of Court buildings/ Officers and Staff quarters from the respective executive engineers of PWD (R&B) and forward the same to the learned District Judge who shall after counter signature send the same to the State Government through the High Court.**
- **It is essential that peridical maintenance of the Court building and the quarters of the officers are carried out regularly to ensure that the buildings remain habitable for long periods.**
- **Annual maintenance contract for maintaining the various electronic items should be done within specified period each year.**

- **Cleanliness in the Court and in the quarters should be maintained and periodical cleanliness drive should be carried out by all head of the stations.**
- **It is painful to note that there still exists narcotic drugs and psychotropic substances in the court malkhana. All Judges dealing with NDPS case must ensure that narcotic drugs are disposed of in terms of the directions given in Union of India vs Mohanlal.**
- **Space constraint in the Court is a fact that cannot be solved immediately. Thus, the over crowding of the Court malkhana has to be solved by adopting innovative ways.**

- **All orders finally disposing of the cases should deal with alamats seized in connection with the case. the final orders must be communicated to the Court inspector and there should be follow up action to ensure that the alamats are destroyed or auctioned of as per rule. The guidelines given by Hon'ble High Court on 20th April, 2018 following judgment of Apex Court in Sunderbhai Ambala Desai Vs State of Gujarat be strictly followed .**
- **The District Judges, Chief Judicial Magistrates and Sub-divisional Judicial Magistrates should regularly inspect the Court malkhana and personally supervise disposal of alamats.**
- **There are free library management softwares which can be used for proper inventory books in the library of the respective Courts. There must be efforts to weed out books that are no longer needed, damaged.**
- **There are free inventory management software's which may be used to manage the inventory of stocks.**

- **The head of office must regularly take stock of the inventory.**
- **Budgeting of the inventory is also necessary. Exercise should be carried out to determine the requirement of consumables basing on the last three years consumption pattern and tender should be called at the beginning of the financial year to fix rates and purchase the products which will ensure substantial saving.**
- **Destruction of records as per rule is also very essential to create space in the record room and Judge In-charge, Record room should make special efforts in this regard.**
- **The traffic challan and other police challan cases should be disposed of six months after disposal of the same. This exercise must be carried out regularly on a local basis.**



STATUS OF COMPUTERIZATION AND IMPLEMENTATION OF E-COURTS PROJECTS IN THE DISTRICT JUDICIARY

(With emphasis on installation of hardware, uploading of daily cause list, daily orders, Judgments, functioning of the Judicial Service Centres and Video Conferencing)

- ❑ Most Courts reported that there is no undated cases. Sometimes because of poor Internet connectivity or lack of electricity, data is not uploaded. The percentage of undated case on an average remains less than 2% .
- ❑ High Court of Tripura was the first in the country to start push based SMS service. The service is now extended to all Court complexes in Tripura where eCourts project has been implemented.
- ❑ E-mails are sent to the litigants as regard the status of their case, order passed if same is provided at the time of appearance / filing of the case.



- ❑ The Judicial Service Centres established in the 12 Court Complexes of the State of Tripura are rendering their best services in furnishing case related information to the litigants and stake holders of the Project. On establishing of stable Internet connection in the rest 3 CCs, JSC cum CSC will be functional and the Courts would be tagged with NJDG Server.
- ❑ The issues of poor Internet connectivity will soon be resolved as the work of laying optical fibre by BSNL is nearing completion.
- ❑ Diesel Generator Set is now available in all the 15 Court Complexes of the State. Recently in 7 (seven) CCs DG Set has been installed.



- ❑ Solar Photovoltaic power plants will be installed in the three CCs namely, Gandacherra, Longtharai Valley and Kanchanpur by TRED A. Fund has been transferred to the office of TRED A. Fund for four CCs has also been received and on identification of the CCs, Solar Photovoltaic Power Plants would be installed accordingly.
- ❑ In Phase-I & II of the eCourts Project each Court received 8 (eight) computers with peripherals.
- ❑ The issues relating to maintenance of the hardware must be done through AMC which must be in place every year within the time frame stipulated.

- ❑ It is heartening to note that Judicial Officers are in favour of paperless court and in the event the same is implemented, efforts will be made to provide adequate hardware support.

- High Court of Tripura in its first phase High Court CIS NC Version 1.0 has been implemented.



Thank you...



TOPIC 6

GENERAL PROBLEMS OF JUDICIAL OFFICERS AND THEIR SUGGESTIONS IN SOLVING THOSE PROBLEMS.

The Judicial officers were requested to freely provide details of their problems in discharging day to day functioning as a Judge (except personal problems). The following problems have emerged viz.

- Accommodation at Agartala during training conference etc.
- Non execution of WA by police.
- Witnesses not turning up because of remoteness of area.
- Faulty investigation specially in POCSO/NDPS cases.
- Shortage of staff specially PA, staff training, separate statement section.
- Interrupted power supply, voltage fluctuation, lack of record room, furnitures.
- Lack of proper Library, law journals etc.
- Late filling of cases, lack of hardware for e-courts.
- Adequate Security arrangements at residence as well as at office/court