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GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

New Delhi, the **January 2008.**

THE RIGHT TO INFORMATION ACT, 2005

INFORMATION UNDER SECTION 4 (1)(b) OF THE ACT

PARTICULARS OF ORGANISATION, FUNCTIONS AND DUTIES OF THE DEPARTMENT OF JUSTICE'S

Department of Justice (DOJ) was under the Ministry of Home Affairs till 1971. Now it is a part of Ministry of Law & Justice. However, Union Home Secretary being also the Secretary (Justice), the administrative support is still provided by the Ministry of Home Affairs.

Function of DOJ

Under the Allocation of Business Rules 1961, the DOJ deals with the following subjects:-

- (a) 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 traveling allowances.
- (b) 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 traveling allowances.
- (c) Appointment of Judicial Commissioners and Judicial officers in Union Territories.
- (d) Constitution and organization (excluding jurisdiction and powers) of the Supreme Court (but including contempt of such Court) and the fees taken therein.

- (e) Constitution and organization of the High Courts and the Courts of Judicial Commissioners except provisions as to officers and servants of these courts.
- (f) Administration of justice and constitution and organization of courts in the Union Territories and fees taken in such courts.
- (g) Court fees and Stamp duties in the Union Territories.
- (h) Creation of all India Judicial Service.
- (i) Conditions of service of District Judges and other Members of Higher Judicial Service of Union Territories.
- (j) 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.

Acts and Rules administered by DOJ

1. High Court Judges (Salaries & Conditions of Service) Act, 1954.
2. High Court Judges (TA) Rules, 1956.
3. High Court Judges Rules, 1956.
4. Supreme Court Judges (Salaries & Conditions of Service) Act, 1958.
5. Supreme Court Judges (TA) Rules, 1959.
6. Supreme Court Judges Rules, 1959.
7. The Judges Protection Act, 1985.
8. The Judicial Officers Protection Act, 1850.
9. The Contempt of Courts Act, 1971.
10. The Court Fees Act, 1870.
11. The Family Courts Act, 1984.

Schemes of DOJ

1. Fast Track Courts (FTCs)

The FTCs set up based on the recommendations of the Eleventh Finance Commission are intended to take up sessions cases pending for two years and more and the cases of undertrial in jails on priority. Scheme ended on 31.3.2005. The Government accorded its approval for the continuation of 1562 FTCs that were operational as on 31.3.2005 for a further period of 5 years i.e. upto 31.3.2010 with provision of Rs. 509 crore 100% central funding basis.

2. Family Courts

As part of the process of judicial reforms, Family Courts have been set up in pursuance of the Family Courts Act, 1984 for speedy settlement of matrimonial disputes and other related matters. The main thrust is on settlement of disputes through reconciliation.

Every year certain amount of Plan and Non Plan funds are set aside for setting up of these courts by the Centre on 50 per cent cost sharing basis. At present there are 190

Family Courts established in various parts of the country. Efforts are being made to set up more Family Courts in the country. The State Governments have been asked to send quarterly update on pendency and disposal of cases in Family Courts.

3. Computerization of judiciary

A scheme for computerization of city courts in the four metropolitan cities of Mumbai, Chennai, Delhi and Kolkata was started in the year 2001-02 and an amount of Rs.18.22 crore was released for the purpose. About 700 courts have been covered under this Scheme. In addition, computerization of city courts in the State capitals or in cities where the High Courts are located was taken for implementation in 2003-04 through National Informatics Centre (NIC) at an estimated cost of Rs.24.81 crore.

A scheme for comprehensive computerization of the District and Subordinate Courts has been approved for implementation in the country in February 2007. This scheme is based on the National Policy and Action Plan prepared by the E-Committee. The first phase of the scheme is under implementation and is to be completed by February 2009 at an estimated cost of Rs.442 crore. This scheme is being implemented as a Mission Mode Project of E-Courts and also involves upgradation of the ICT infrastructure of the Supreme Court and the High Courts. The implementing agency for the scheme is the National Informatics Centre who have been provided with Rs.187.05 crore up to 2006-07.

4. Development of infrastructure for the judiciary – Centrally Sponsored Scheme

A Centrally Sponsored Scheme for development of infrastructure for the judiciary is being implemented in the States and UTs since 1993-94. Up to 2006-07 an amount of Rs.690.64 crore has been provided to the States and Uts. The central assistance to the States is provided on a 50:50 basis and on a 100% basis to the Uts. The States have reported an expenditure of Rs.1442.59 crore up to 30.06.2007.

On the basis of a review in the Planning Commission, the States were requested to project their requirements for the preparation of a Ten Year Perspective Plan. On the basis of the information provided by the States, a Ten Year Perspective Plan has been prepared. The budget provision for the States and Uts for the year 2007-08 is Rs.65 crore. This amount has been allocated to the States / Uts on the basis of their projections given.

5. ADB Project

The Department of Justice in collaboration with Asian Development Bank (ADB) has taken up the Project “India Administration of Justice”. The first phase of the project commenced from 8-1-2004. The objective of the first phase of the project was to conduct a diagnostic study, identifying needs and establishing analytical foundations for measures

that can be pilot tested and implemented to reduce Delhi Court congestion and develop sustainable improvements in delivery of quality justice in Delhi Courts.

The first phase of the project was being guided by the Project Steering Committee (PSC) chaired by a Supreme Court Judge. The project is supported by the Department of Justice. A Project Monitoring Committee (PMC) under the High Court looked after the project at the execution level. In April, 2006, the pilot courts survey was completed. The Project Steering Committee (PSC) accorded final approval of the Project in its meeting held on 7th April, 2006 and authorized Delhi High Court to accord implementation approval. The finalization of the ADB assistance for the project is under negotiation by the Department of Economic Affairs with the ADB.

6. UNDP Project

Government of India had signed an agreement with UNDP to sponsor a Project, namely, 'Access to Justice by Poor and Disadvantaged People'. The project, inter-alia, comprises diagnostic study of court records, interactive workshops and seminars with NGOs working with the poor, desk research of reform reports and running of pilots etc. in seven States, namely, Jharkhand, Kerala, Karnataka, Maharashtra, Madhya Pradesh, Orissa and West Bengal. The project is being guided by the Project Steering Committee chaired by sitting judge of Supreme Court of India. Department of Justice has been entrusted with the task of the Executing Agency and the National Judicial Academy (NJA) has been made the Implementing Agency of the Project. The NJA has informed that reports have been received from five States, one State having dropped out from the project, report from another State is under preparation. The project has been completed and a final report is to be submitted. A further supplementary project named 'Strengthened Access to Justice in India' (SAJI) was launched. The first phase has been completed and on the basis of the recommendations / conclusions of the first phase, a second phase of the project is likely to be implemented subject to the finalization of the UNDP Country Programme with the Department of Economic Affairs.

Powers and Duties of officers and employees of DOJ

The Department of Justice comprises of two Divisions headed by JS (J-I) and JS (J-II). The Division of JS (J-I) comprises of following three desks dealing with the following subjects:-

I DESK – I

1. All matters relating to establishment and jurisdiction of Benches of High Courts and Supreme Court.
2. Strength of Judges in Supreme Court and High Courts.

3. Appointment, resignation and removal of Judges of the High Courts of Andhra Pradesh, Bombay, Gujarat, Karnataka, Kerala and Madras.
4. Transfer of judges from one High Court to another.
5. Complaints (including permission for prosecution under Section 197 Cr.P.C.) against Judges of the above mentioned High Courts.
6. Gradation list of District and Sessions Judges.
7. Appointment of ad-hoc Judges to the above mentioned High Courts.
8. Visits abroad of Judges of Supreme Courts and High Courts.
9. Reports on Jaswant Singh Commission.
10. RTI matters.

II DESK – II

1. Policy matters relating to appointment of Judges to Supreme Court and High Courts.
2. Appointment, resignation and removal of Judges of the Supreme Court and of High Courts of Allahabad, Calcutta, Chattisgarh, Delhi, Gauhati, H.P., J&K, Jharkhand, Madhya Pradesh, Orissa, Patna, Punjab & Haryana, Rajasthan, Sikkim and Uttarakhand.
3. Transfer of Judges from one High Court to another.
4. Appointment of ad-hoc Judges to the 15 High Court mentioned above.
5. Complaints (including permission for prosecution under Section 197 Cr.P.C.) against Judges of the Supreme Court and the 15 High Courts mentioned above.
6. National Judicial Commission. Publication of Handbook of Judges of Supreme Court and High Courts.
7. RTI matters.

III JUDICIAL REFORMS DESK

1. Work relating to the National Judicial Academy

2. Implementation of the recommendations of the Law Commission relating to arrears of cases in Courts.
3. Visit of Judges of foreign countries to India.
4. Work relating to formation of All India Judicial Services.
5. Matters relating to Treaties in the foreign countries in respect of judicial co-operation.
6. Matters connected with externally funded projects relating to judiciary – like ADB, UNDP etc.
7. Scheme of Computerization of District and Subordinate Courts (E. Courts).
8. Centrally Sponsored Schemes relating to infrastructural facilities for the judiciary.
9. Scheme regarding Judicial Impact Assessment.
10. Residuary matters relating to Judicial Reforms.
11. RTI matters.

JS (J-II) Division comprises of following two sections dealing with the following subjects:-

I JUSTICE SECTION

1. Service conditions of Supreme Court and High Court Judges, including leave, pension, medical cases etc.
2. Matters relating to official residences of High Court Judges.
3. Matters relating to Provident Fund Advance to High Court Judges.
4. Contempt of Court Act references.
5. Court fees, including realization of court fee, pauperis cases.
6. Matters relating to Judicial services and courts in Delhi and the establishment of the Delhi High Court.

7. Matters relating to Judicial services and courts in the Union Territories other than Delhi, and the establishment of the Punjab & Haryana High Court.
8. General matters and complaints relating to subordinate judiciary in the States.
9. References regarding State Legislations.
10. Presidential requests to Judges of Supreme Court and High Courts.
11. Miscellaneous complaints against Subordinate Judiciary.
12. Supreme Court Rules.
13. All work relating to (FNJPC) Shetty Commission particularly UTs.
14. Matters relating to SC/ST reservation in Judicial Service
15. RTI matters.

II MONITORING CELL

1. Collecting Data and the analysis regarding cases instituted, disposed of and pending in District Courts, High Courts and Supreme Court.
2. Arrears and causes of delay.
3. Coordination of Parliament work, Consultative Committee work, Annual Report etc.
4. Miscellaneous returns/information asked for by the other Ministries, Monthly Summary for Cabinet, Fortnightly Note for P.M., Monthly return regarding implementation of Cabinet decisions etc.
5. Implementation of the resolutions passed in the Chief Justices' and Chief Minister's Conference.
6. Finance Commission recommendations, Central Assistance to States for upgradation of standards of judicial administration.
7. Matters relating to Family Courts.
8. Constitution and organization of Special Courts and related matters.

9. Reports on administration of Justice in States.
10. Preparation of Budget proposals of Department of Justice.
11. Scheme for release of grants to States for Fast Track Courts.
12. RTI matters.

Autonomous bodies under DOJ

The National Judicial Academy (NJA), the apex training institute for judicial officers in the country is an autonomous body fully funded by the Central Government by way of Grants-in-aid. The building complex of the Academy has been constructed at Bhopal with central Plan assistance as Capital Grants.

The Hon'ble Chief Justice of India is the Chairman of the Governing Council of the NJA. The Academy has a Director, Registrar (presently vacant) and Additional Registrar.

Procedure followed in the decision making process, including channels of supervision and accountability:

The cases are, generally, processed at the Section/Desk level and the files are submitted to Under Secretary/Deputy Secretary/Director/Joint Secretary/Additional Secretary/Secretary (Justice)/Ministers, as per the requirement of each case.

Norms set by Department for the discharge of its functions:

Efforts are made to deal with the cases as expeditiously as possible in accordance with the rules, regulations and other instructions issued from time to time.

Rules, Regulations, Instructions, Manuals and Records, held by DOJ or under its control or used by its employees for discharge of its functions:

The Department discharges its functions in accordance with the rules, regulations, instructions, manuals etc. issued by the Govt. of India from time to time.

Statement of the categories of documents that are held by Department or under its control:

The documents held by Department include relevant files on subjects dealt with in the Department.

Details of Committees constituted:

An E-Committee has been constituted to advise on implementation of Information and Communication Technology in the Indian Courts and Judiciary. The Committee has a Chairman, who is a retired Chief Justice or a Judge of the High Court and has three other members. Recently, it has been decided to reconstitute the Committee. The committee's term has been extended up to February 2009.

Directory of DOJ's officer and employees:

Sl. No.	Name & Designation of the Officer S/Shri	Address & Telephone Numbers
1.	Madhukar Gupta Secretary	North Block, New Delhi Tel : 2309 2989
2.	Rajiv Agarwal Additional Secretary	Jaisalmer House, 26, Man Singh Road, New Delhi Tel : 2338 3674
3.	Ramesh Abhishek Joint Secretary (J-I)	Jaisalmer House, 26, Man Singh Road, New Delhi Tel : 2338 3037
4.	Shashi Bhushan Joint Secretary (J-II)	Jaisalmer House, 26, Man Singh Road, New Delhi Tel : 2338 5020
5.	K. Gurtu, Director (J)	Jaisalmer House, 26, Man Singh Road, New Delhi Tel : 2338 5332
6.	S.B.Biswas, Director (HC &J)	Jaisalmer House, 26, Man Singh Road, New Delhi Tel : 2338 1496

The details of the officers below the level of DS/Director are given below:-

Sl.No.	Name of the Post	Number of Posts
1.	Under Secretary	04
2.	DO/SO/PS	04
3.	Assistant/Steno'C'	09
4.	UDC/Steno'D'	08
5.	LDC	02
6.	Daftry/Peon	06

Monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations.

The officers and the employees in DOJ are being paid monthly remuneration in their respective scale of pay as mentioned below and the allowances as applicable:-

Sl. No.	Name of the Post	Scale of pay
1.	Joint Secretary	Rs.18400-500-22400/-
2.	Director	Rs.14300-400-18300/-
3.	Under Secretary/PPS	Rs.10000-15200/-
4.	Section Officer/Desk Officer/PS	Rs.6500-200-10500/-; Rs.8000-275-13500/-
5.	Assistant/Personal Assistant	Rs.6500-200-10500/-
6.	Upper Division Clerk/Steno.	Rs.4000-100-6000/-
7.	Lower Division Clerk	Rs.3050-75-3950/-
8.	Peon	Rs.2550-55-2660/-

Budget allocated to Department of Justice for the year 2007-08:

UNDER NON-PLAN:

	(Demand No.63)	(Rs. In crores)
1.	Secretariat	0.87
2.	Special Courts (Family Court)	1.00
3.	National Judicial Academy	1.00
4.	Fast Track Courts	75.00
	TOTAL UNDER NON-PLAN	77.87

UNDER PLAN

	(Demand No.63)	(Rs. In Crore)
1.	Centrally sponsored scheme excluding NE States	50.50
2.	CSS for NE States	14.50
3.	Computerisation of District & Subordinate Courts excluding NE States	160.50
4.	Computerisation of courts for NE States	10.00
5.	SAJI (EAP)	1.00
6.	Admn. Of Justice India Project (EAP)	7.50
4.	Study of Judicial Reforms Assessment	1.00
	TOTAL UNDER PLAN	245.00

Particulars of facilities available to citizens on public grievances.

Shri Anurag Bhalla, Under Secretary, has been appointed as a Public Grievances officer by this department to look into the public grievances relating to judiciary. His telephone No is 23782465.

Names, Designations and other particulars of the Public Information Officers:

The details of the names, designations and other particulars of the Central Public Information Officers are given in this Ministry's Order No.A-43020/42/2005-Ad.I dated 21.09.2005, available on MHA's website under the caption "The Right To Information Act, 2005". The following officers have been appointed as CPIO in respect of Department of Justice –

1. Shri S.B.Biswas, Director(HC&J) 2338 1496
2. Shri K. Gurtu, Director (Justice) 2338 5332

Planning Commission has approved an amount of Rs. 1470.00 crore for implementation of various Plan Schemes of this Department during the Eleventh Five Year Plan.

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