

Questionnaire for Regional Meeting of Judicial Officers

Part-I Issues of judicial and non judicial side

A- For definite information-

1. What is the pendency of each type of cases in each court (Give details in the following proforma) ? Provide year wise break up as on 01-04-2010.

| Sl. No | Civil Cases | | | | | | | Criminal Cases | | | | |
|--------|--|---|---------------------|-------------------------|----------------------|------------------------|-------------------|------------------------|--------------------------|------------------------|----------------------------|-------------------|
| | No.of suits upto 25 thous and valuati on | No.of suits more than 25 thousa nd valuati on | No.of civil appeals | No. of Civil revisi ons | No.of Misc. Appe als | No.of execu tion cases | No.of other cases | No.of Sessio ns trials | No.of Magistr ate trials | No.of criminal appeals | No.of crimin al revisi ons | No.of other cases |
| | | | | | | | | | | | | |

2. Whether the institution in various courts from 1-4-2009 to 31-3-2010 has been higher than the disposal rate during this period ? Please attach a comparative chart of institution and disposal of type of cases (as above) from 1-4-2007 to 31-3-2010, of the Courts in the Judgeship.

3. What is the total strength of Judicial Officers of each cadre in the Judgeship ? How many courts are vacant and since when ? Give information in the following proforma.

| Sl.No | Sanctioned strength of the officers , cadrewise | No. of officers posted | Courts vacant and period | Remarks |
|-------|---|------------------------|--------------------------|---------|
| | | | | |

B- For suggestion-

1. Will it be practicable to hold Evening Courts from 4.30 P. M. to 6.30 P. M. in your Judgeship ? Give reasons in support of your proposal.

2. (a) What is total number of statements which are sent to the High Court from the Judgeship ?

(b) Identify, if some of them have become unnecessary, or superfluous; if yes, name them supported with reasons.

3. Whether the timing of Morning Courts during summer should be changed, or system of Morning Courts be stopped for improving efficient working of the courts ?

4. Whether 'on line' service of important journals like AIR, SCC etc. may be provided to the judicial officers at their residences through Internet ?

5. (a) Do you feel difficulty in deciding criminal cases of lawyers involved in serious offences ?

(b) Do you suggest for transfer of such cases to other district ?

6. (a) Do you think that a separate agency may be constituted for serving of

processes issued by the Criminal Courts, in view of the facts that 'summons cell' are not functioning satisfactorily ?

(b) Should the modern technology like fax, email etc. be used for affecting service in criminal cases also ?

(c) Should a record be maintained of all the Doctors, Investigating Officers, police personnel with their complete address and posting in the concerned department to trace and service of summons upon them affectively ?

7. Whether distribution of work by District Judge and CJM is equitable and adequate?

8. Whether the Judicial Officers are able to curtail the unnecessary adjournments of cases in your Judgeships ? Suggest measures to curb adjournments.

C- For Views-

1. Views and Suggestions to ensure speedy disposal of cases in the subordinate courts.

2. Do you think that posting of judicial officers according to the ratio of pendency in a particular district will help in early dispensation of justice ?

3. Should a request be made in the administrative side to the High Court to take up contempt cases referred by judicial officers on priority basis ?

4. Do you think that certain portion of costs imposed on adjournments can be ordered to be deposited in civil court account which may be utilised for the development and maintenance of infrastructure ?

5. What manner can be suggested to cut the delay in the investigation and the prosecution of offenders ?

6. Any other suggestion ?

Part-II Improvement in infrastructure

A- For definite information-

1. Whether the Court building of your Judgeship is in government premises or in a rented one.

B- For suggestions-

1. Whether out sourcing for maintenance and up keep of district courts will be feasible and helpful ?

2. Whether the neatliness, hygienic and other living conditions and amenities of the residential colonies of the Judicial Officers are satisfactory ? If not, mention the major problems alongwith suggestions.

C- For Views-

1. Whether court building and office, are sufficient in the Judgeship ? If not, what steps have been taken in this regard ? Give reasons.

2. Whether residences of officers and accommodation for residence of staff are sufficient in the Judgeship ? If not, what steps have been taken in this regard ? Give reasons.

3. Any other suggestion ?

Part-III Reforms in Administrative Set Up

A- For definite information-

1. What is the ratio of pendency and staff in the office of your Courts ? Is it sufficient ? If not, what are your proposals.

| Sl. No | .Court | Pendency of cases | No.of staff posted | Staff required | .Remarks |
|--------|--------|-------------------|--------------------|----------------|----------|
| | | | | | |

B- For suggestions-

1. Whether mid term transfer of officers working on deputation be minimized and their continuance till the annual transfer chain will be helpful in curtailing the frequent changes of courts in the Judgeship and consequent disturbance in work ?

2. (a) Whether there is any genuine requirement for increase or decrease of posts of judicial officers in any cadre in your Judgeship ?

(b) If yes, kindly propose the number of such courts.

3. Whether Stenographers, proficient in Hindi, English and Computer are required ?

4. Whether the lunch break should be extended to 45 minutes instead of 30 minutes and the extended time may be compensated by prolonging the sitting proportionately ?

5. (a) Should there be a deputation reserve of judicial officers to meet the shortage of officers on the regular side ?

(b) Is there any requirement for a well -defined policy of deputation ?

6. (a) Whether there is a need of the post of court manager in the district courts to carry out the administrative /management matters ?

(b) Whether the post of Finance Officer is required in the District Judiciary ?

7. Whether appointments of class III and class IV employees of district judiciary need to be assigned to some expert recruitment body like Staff Selection Board etc. ?

8. (a) Whether closure of civil courts during the month of June and assigning criminal work to the presiding officer of the civil court serves any useful purpose ?

(b) If not, mention the causes and your proposals.

9. Whether the present rules and practice of recording annual character roll entries of the judicial officers is satisfactory, impartial and objective or would you suggest some new methods for the same ?

10. Have Judicial Officers in your Judgeship have received TA, TTA, GPF advance and leave encashment etc. within the time you required the same ? If not, mention instances of undue delay and suggest the remedial measures.

11. Whether Judicial Officers in your Judgeship have been timely provided SIM, Petrol reimbursement and news paper reimbursement etc. ? If not, quantify the delay and reasons thereof.

12. Whether the house allotment formula i. e. 'first come, first serve'

outlined by the High Court is being followed in its letter and spirit ? If not, quote the instances with necessary particulars.

13. Is the number of process servers sufficient to ensure timely service of processes ?

14. Whether certain staff of your Judgeship have indulgence with local criminals, mafias and mischievous elements and such staff needs transfer to other districts ?

15. Whether each Judicial Officers should be provided with a domestic servants to meet the domestic requirements ?

C- For Views-

1. (a) Whether the present mechanism of scrutiny of complaint against the judicial officers requires a re-look ?

(b) If yes, identify the anomalies and suggest the alternative modes.

2. What protection do you expect against frivolous and baseless complaints ?

3. Any other suggestions ?

Part-IV Role of Bar and other agencies

C- For Views-

1. Proposed appropriate measures for improvement of relationship and mutual faith to reduce tension and stress between the Bench and the Bar ?

2. Suggest measures to tackle increasing attitude of confrontation between the Bench and the Bar ?

3. Despite all prohibition, the strike of Bar have not been controlled. What is the course of action,3 adopted by you when a resolution comes ? Is it circulated formally or informally ?

4. What is your view on major problems of the district judiciary which can be solved by the State Government and the Legislature alone ? Mention briefly.

5. Any other suggestions ?

Part-V For Bar Associations

For suggestions -

1. The improvement of relationship and mutual faith between Bench and Bar.

2. The measures to be taken to reduce the incident of strike in the subordinate courts.

3. The measures curtail frequent and unnecessary adjournments of cases.

4. Participation of the Bar in the proposed scheme of Evening Courts from 4.30 P.M. to 6.30 P.M. on each working day.

5. Participation of the Bar in the Alternate Dispute Resolution Programmes such as Legal Aid, Lok Adalats, Mediation & Conciliation and Legal Literacy.

6. The areas, where the judiciary can respond to the problems faced by the Members of the Bar.