

**RESOLUTIONS ADOPTED
IN THE
CHIEF JUSTICES' CONFERENCE, 2015
[03RD & 04TH APRIL, 2015]**

**[1] PROGRESS ON IMPLEMENTATION OF THE
RESOLUTIONS ADOPTED IN THE PREVIOUS CHIEF
JUSTICES' CONFERENCE HELD ON APRIL 5 - 6, 2013.**

Resolved that though considerable progress has been made, more efforts are required to be undertaken for effective implementation of the Resolutions adopted in the previous Chief Justices' Conference held in 2013.

**[2] (i) CONTINUATION OF MORNING/EVENING COURTS
(ii) DIVERSION OF UNUTILISED FUNDS EARMARKED
BY THE RECOMMENDATION OF 13TH FINANCE
COMMISSION FOR MORNING/EVENING COURTS.**

Resolved that :

(a) the High Courts will review the working of morning/evening courts and continue such courts as are

satisfactorily and effectively functioning and discontinue those that are not; and

(b) the unutilised funds allocated by the 13th Finance Commission for such morning/evening courts be permitted to be utilised for infrastructure and establishment of additional permanent courts like fast track courts etc.

[3] DELAY AND ARREARS COMMITTEE

- (i) ESTABLISHMENT OF ARREARS COMMITTEE AT THE HIGH COURT LEVEL**
- (ii) IMPLEMENTATION OF UNIFORM NOMENCLATURE FOR THE CASES FILED IN ALL THE HIGH COURTS**
- (iii) UNIFORMITY IN GIVING THE PENDENCY FIGURES; AND**
- (iv) TO DO AWAY WITH GIVING SEPARATE AND INDEPENDENT NUMBER FOR VARIOUS INTERLOCUTORY APPLICATIONS FILED IN A PARTICULAR CASE.**

Resolved that:-

(a) each High Court shall establish an Arrears Committee, if not already established and shall prepare an action plan to clear backlog of cases pending for more than five years;

(b) the High Courts will endeavour to evolve a uniform nomenclature for all categories of cases in coordination with the e-Committee for the entire country; and

(c) for statistical purposes, the High Courts will count the main cases only towards pendency and arrears. Interlocutory applications will continue to be separately numbered in original proceedings before the High Courts exercising original jurisdiction.

[4] SALARIES AND EMOLUMENTS OF THE SERVING CHIEF JUSTICES/JUDGES OF THE HIGH COURTS

Resolved that keeping in view constitutional office of the Chief Justices/Judges of the High Courts and the nature of their

duties and the observations of Dr. B.R. Ambedkar, Chairman, Drafting Committee, in the Constituent Assembly of India on 12th October 1949, the Hon'ble the Chief Justice of India is requested to take up the matter with the Central Government to establish a National Judicial Pay Commission to consider pay, emoluments, perquisites, etc. of the Chief Justices/Judges of the High Courts and of the Supreme Court.

[5] AUGMENTING OF POST – RETIRAL BENEFITS OF HIGH COURT CHIEF JUSTICES/JUDGES

The House noted that different High Courts have been granting different post-retiral benefits to retired Chief Justices/Judges of High Courts in the matters of medical facilities, protocol facilities, secretarial allowance, etc.

Resolved to request Hon'ble the Chief Justice of India to constitute a Committee for recommending grant of minimum post-retiral benefits to retired Chief Justices/Judges of the High Courts on a uniform basis.

[6] GRANTING FINANCIAL AUTONOMY TO THE HIGH COURTS

It was discussed in the House that the State Governments need to provide necessary assistance to the High Courts for preparing budget estimates for the State Judiciary.

It was discussed that once the State Governments make budget allocations after considering the proposal sent by the respective High Courts for all expenses (recurring and non-recurring) for the State Judiciary, the State Governments do not release the funds in time and very often release them belatedly, almost at the fag end of the financial year, making it difficult for the High Courts to utilise the grants. Further, in the absence of financial autonomy to the Chief Justices, including the powers of re-appropriation of the sanctioned funds under different heads of expenses, the budgetary grants lapse.

Resolved that:

(a) it be impressed upon the State Governments that the funds allocated by the Central Government through the Finance Commission and credited to the respective State Governments should be made available to the High Courts expeditiously; and

(b) the High Courts be given financial autonomy and the Chief Justices empowered to re-appropriate the funds allocated to their respective High Courts.

[7] COMPUTERIZATION OF COURTS:

- (i) STRENGTHENING OF COMPUTERIZATION OF THE COURTS BY TAKING OVER MANAGEMENT AND MAINTENANCE OF HARDWARE AND COMPUTER PERIPHERALS.**
- (ii) PROVISION OF FUNDS FROM STATE GOVERNMENTS FOR COMPUTERIZATION.**
- (iii) PROMOTING E-FILING AND VIDEO CONFERENCING AND INNOVATIVE USE OF COMPUTER SYSTEM EXISTING IN THE COURTS.**

Resolved that :-

(a) efforts will be made by all the High Courts, in co-ordination with the e-Committee, for emulating the Karnataka High Court model of Computerisation;

(b) printing of Cause Lists be dispensed with by all the High Courts except for the printing of bare minimum copies for the purpose of the Courts;

(c) all the High Courts will take necessary steps for digitization of Court records including judicial matters and administrative files and amend the respective High Court Rules, wherever necessary;

(d) since the Union Government is not going to extend any financial aid for replacement and maintenance of hardware from this Financial Year, the State Governments must be impressed upon to provide such financial assistance for computerisation works undertaken by the High Courts in their respective States, including having adequate technical manpower; and

(e) High Courts shall endeavour to promote e-filing and video-conferencing in the existing Courts system.

[8] IMPLEMENTATION OF NATIONAL COURT MANAGEMENT SYSTEM (NCMS):

Resolved that State Court Management System Committees shall endeavour to evolve workable solutions for clearance of arrears including establishment of additional Courts and for laying down standards for infrastructure of courts and residential accommodation for Judges of the High Courts and Judicial Officers. These will in turn help National Court Management System Committee evolve uniform standards at the macro level for speedy and cost effective elimination of arrears in a mission mode.

[9] STRENGTHENING OF JUDICIAL ACADEMIES AND INTRODUCING INNOVATIVE METHODS FOR IMPARTING TRAINING TO JUDICIAL OFFICERS REGARDING THEIR COURT FUNCTIONING AND JUDGMENT WRITING AND TRAINING TO LAWYERS.

AND

[23] CAPACITY BUILDING AND IDENTIFICATION OF POTENTIAL

Resolved that :-

(a) State Judicial Academies shall prepare comprehensive training modules with broad-based syllabi and multi-disciplinary approach, impart training on an interactive basis and also provide practical training in conducting court proceedings, including case management and court management;

(b) State Judicial Academies shall impart training to judicial officers and staff members at different levels. They shall also provide necessary assistance for conducting programmes for training other stakeholders in the justice delivery system such as Government Pleaders, Public Prosecutors, Lawyers, Police Officers and also other public officers discharging judicial and/or quasi-judicial functions; and

(c) The High Courts shall also make an endeavour to see that the State Judicial Academies and their existing infrastructure and resources are effectively utilised at optimum level for imparting training and refresher courses.

[10] FILLING UP OF VACANCIES IN HIGH COURTS

Resolved that the Chief Justices of the respective High Courts shall take effective and speedy steps for making recommendations to fill up all the existing vacancies.

[11] UNIFORM PROCEDURE FOR APPOINTMENT OF DISTRICT JUDGES: CREATION OF A JUDICIAL SERVICE COMMISSION TO HELP THE CHIEF JUSTICES OF THE HIGH COURTS IN CONDUCTING A COMMON WRITTEN EXAMINATION FOR RECRUITMENT TO THE POST OF DISTRICT JUDGES

AND

[22] REVIEW OF SELECTION PROCESS OF JUDGES/JUDICIAL OFFICERS AT ALL LEVELS

Resolved to leave it open to the respective High Courts to evolve appropriate methods within the existing system to fill up the vacancies for appointment of District Judges expeditiously.

[12] STRENGTHENING OF JUVENILE JUSTICE SYSTEM

Resolved that the High Courts shall continue to take all steps necessary, including evolving ways to ensure greater sensitivity, to effectively deal with cases in the field of Juvenile Justice in their respective States. The High Courts should ensure that constitution of Juvenile Justice Boards and Child Welfare Committees are in place, that visits are regularly made to the Juvenile Homes, Special Homes, Observation Homes, Shelter Homes and Rescue Centres etc. and that such homes are set up wherever they have not already been set up. It shall also be ensured that the requisite facilities are provided as per the Standards, Rules, Policies and Guidelines in all such Homes/Centres. The assistance of State Legal Services Authorities and District Legal Services Authorities shall also be taken in this regard.

[13] FAST TRACKING OF MATTERS RELATING TO OFFENCES AGAINST WOMEN, CHILDREN, DIFFERENTLY-ABLED PERSONS, SENIOR CITIZENS, MARGINALISED SECTIONS OF SOCIETY AND PREVENTION OF CORRUPTION ACT CASES

Resolved that:-

(a) the High Courts will continue to take effective steps to fast track matters relating to offences against women, children, differently-abled persons, senior citizens, marginalised sections of society and prevention of corruption cases; and

(b) the High Courts should regularly monitor the pendency of cases in these categories and adopt appropriate methods including dedicating a Judge or specified number of Judges to handle the same depending on the pendency. The Judge case ratio for these categories shall be determined by each High Court.

[14] STRENGTHENING AND POPULARIZING OF ALTERNATIVE DISPUTE RESOLUTION [A.D.R.] SYSTEM, LOK ADALAT, MEDIATION AND CONCILIATION

In view of the success achieved in ADR System in all these fields, it was **resolved** to continue to further strengthen and promote the same at all levels.

[15] FUNDS FROM THE CENTRAL GOVERNMENT FOR PROPER INFRASTRUCTURE INCLUDING COURT BUILDINGS, RESIDENCES OF THE HON'BLE JUDGES AND MAINTENANCE THEREOF.

Resolved, in principle, that the Central Government may be requested to disburse funds for court buildings, residences of the Hon'ble Judges and for maintenance thereof.

[16] NATIONAL VISION AND MISSION – JUSTICE FOR ALL : 2015-2020

Resolved that the National Vision and Mission - Justice for All - 2015-2020 presented by the group of Chief Justices be taken by the High Courts as Guidelines for achievable standards. Each High Court can consider adopting for implementing any item with such modification including amended parameters, as may be

necessary. This would be in addition to any additional aims set up by the individual High Courts. The Mission Papers shall also be sent to the National Court Management System Committee and State Court Management System Committees for evaluation and adoption to the extent the same is, in their opinion, feasible for strengthening the Indian Judiciary.

[17]THE POST OF LAW SECRETARY, LEGAL REMEMBRANCER AND SECRETARY, LEGAL SERVICES AUTHORITY TO BE MANNED BY PRINCIPAL DISTRICT JUDGES OR DISTRICT JUDGES INSTEAD OF IAS OFFICERS THROUGHOUT THE COUNTRY

Resolved that it is desirable that the said posts and the post of Member Secretaries of the State Legal Services Authorities be manned by officers of the District Judges' Cadre in each State.

[18]DEFICIENCIES AND ANOMALIES IN THE FUNCTIONING OF THE SUBORDINATE JUDICIARY IN THE STATE/UNION TERRITORIES

The deficiencies in terms of shortage of court premises, supporting staff and non-posting of presiding officers lead to

delay in disposal of cases and rising arrears resulting in denial of access to justice to the people.

Resolved that it is necessary to apprise the respective State Governments about the state of affairs in the District Judiciary and for removing the shortcomings in the matter of establishing Courts, wherever required, by providing the necessary infrastructure.

[19] RULES, DIRECTIONS/GUIDELINES FOR ELECTRONIC EVIDENCE TO BE FOLLOWED BY ALL THE COURTS

Resolved, in principle, that taking into account the fast changing technology, the possibility of evidence gathered electronically being tampered with and consequent necessity for the Courts to equip themselves with necessary infrastructure and trained manpower, it is essential, at once, to commence the exercise of preparing the framework for a comprehensive set of Rules and Instructions in this regard. All the High Courts may take necessary steps for framing Rules, issuing

directions/guidelines in regard to production and use of electronic evidence.

[20] STRENGTHENING/REVIEW OF VIGILANCE CELLS IN HIGH COURTS AND SUBORDINATE COURTS

Separate Vigilance Cells are existing in all the High Courts for attending to the duties entrusted to them.

Resolved that the same be re-visited by prescribing modalities to deal with complaints against the judicial officers, staff members and others effectively. The respective Chief Justices may write to the State Governments to strengthen the Vigilance Cells by creating more number of posts of Vigilance Officers and supporting staff.

[21] JUDICIAL VALUES – A NEED FOR RE-EXAMINATION

Resolved to reiterate the "Declaration of Restatement of Judicial Values, 1997".

[24] SERVICE CONDITIONS FOR JUDICIAL OFFICERS

Resolved that the High Courts will continue to strive for improving the service conditions, which include cadre review, besides transparent and uniform mechanism for promotions and transfers.

[25] ANY OTHER MATTER WITH THE PERMISSION OF THE CHAIR.

Resolved that the existing mechanism for redressal of public grievances against Judicial Officers be strengthened so that grievances are addressed in an effective and transparent manner.

Sd/-

.....
[H.L. DATTU]
CHIEF JUSTICE OF INDIA

Sd/-

.....
[T.S. THAKUR]
JUDGE, SUPREME COURT OF INDIA

Sd/-

.....
[ANIL R. DAVE]
JUDGE, SUPREME COURT OF INDIA

Sd/-

.....
[MOHIT S. SHAH]
CHIEF JUSTICE,
BOMBAY HIGH COURT

Sd/-

.....
[MANJULA CHELLUR]
CHIEF JUSTICE
CALCUTTA HIGH COURT

Sd/-

.....
[SUNIL AMBWANI]
CHIEF JUSTICE
RAJASTHAN HIGH COURT

Sd/-

.....
[ASHOK BHUSHAN]
CHIEF JUSTICE
KERALA HIGH COURT

Sd/-

.....
[NAVIN SINHA]
CHIEF JUSTICE DESIGNATE
CHHATTISGARH HIGH COURT

Sd/-

.....
[S.J. VAZIFDAR]
ACTING CHIEF JUSTICE
PUNJAB & HARYANA HIGH COURT

NEW DELHI
APRIL 04, 2015

Faint, illegible text in the upper middle section of the page.

A large, faint, and illegible block of text occupying the bottom right portion of the page.