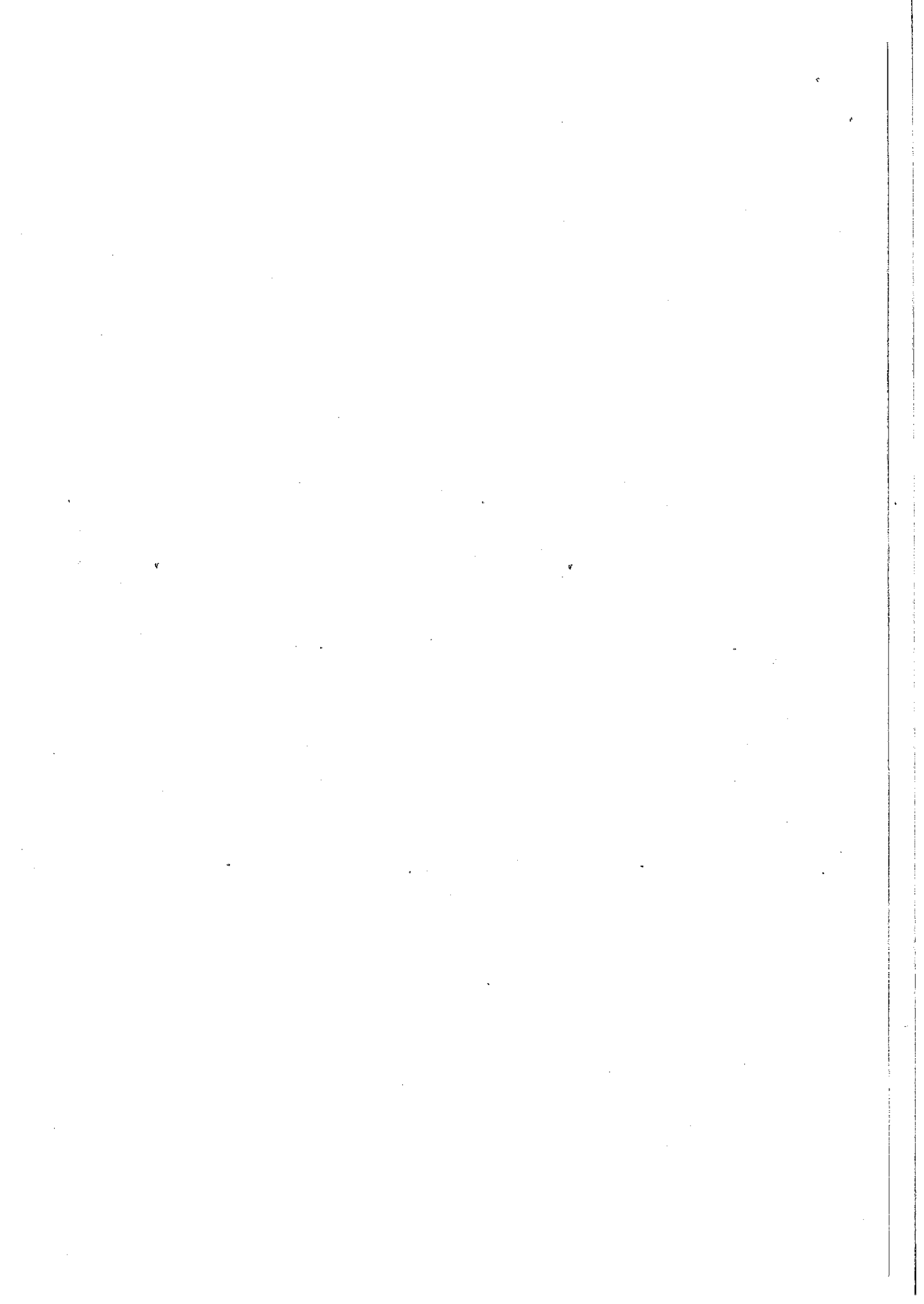


**ROLE OF PRINCIPAL
DISTRICT JUDGES
IN GALVANIZING
DISTRICT JUDICIARY**

A paper

by

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Courts in the District Judiciary are in the cutting edge of our judicial system and hence play a vital role. Principal Judges are galvanizing agents of effective management of justice delivery system in the District Judiciary. Though the Principal District Judges have enormous responsibilities, both on the judicial as well as administrative side, they cannot forget that they are the agents in making the Courts more responsive to the litigant public. District Judges are expected to take a more pro-active role in galvanizing their respective units.

2. The fundamental duties are enumerated in part - IV-A of our Constitution. Article 51A (j) requires to strive towards excellence in all spheres of individual and collective activity, so that the nation rises to higher levels of endeavour and achievement. When the constitution expects us to achieve excellence, the members of the district judiciary are expected to be the agents in providing qualitative, responsive and timely justice. It is useful to refer to the consultation paper prepared by the *National Commission to review the working of the*

Constitution. In the said paper, need for achieving excellence as enumerated in Clause (j) of Article 51A is impressed upon. The following is the extract of the said consultation paper which is very relevant:

"2(j)2 The drive for excellence in all spheres of individual and collective activity is the demand of times and a basic requirement in a highly competitive world. Nothing but the best would have survival potential in tomorrow's world. This would include respect for professional obligations and excellence. Whatever work we take up either as individual citizens or as groups, our effort should be directed to achieving the goal of excellence."

3. Out of the total pendency of cases in the State of Karnataka, about 64.10% cases are pending in Old Mysore area. The remaining three areas put together, account for 35.90% of the total pendency. Bangalore City alone accounts for 20.88% of the total pendency of cases in the State. Districts which have more than 60,000 cases are Bangalore City, Bangalore Rural, Belgaum and Mysore. Institution of Civil cases has substantially come down in all the Districts except Bangalore City, Bangalore

Rural, Ramanagaram, Mandya, Mysore, Belgaum and Chikballapur. Increased filing of cases in these six Districts is mainly due to the effect of Section 6 of Hindu Succession (Amendment) Act, which has come into effect from 09.09.2005 and steep increase in real estate prices. If one were to study the pendency of cases over a period of two years, the pendency is on the increase though not substantially. One important feature in the pendency of cases in the state is that civil and criminal cases are almost in equal number.

4. The staff strength in Courts which are considered to be heavy is proportionately inadequate. Number of vacancies of stenographers have remained unfilled in many places because of the non-availability of candidates having requisite qualification. Resultantly many Judicial Officers in the state have to depend upon the typist for getting judgments or orders typed. This has hampered quick disposal of cases in many courts. Because of low pendency of cases in some courts, officers of those courts find it difficult to reach even the minimum quota. This cannot

be avoided as Court is established in each Taluka as a matter of policy.

5. Apart from doing regular judicial work by taking up sessions cases, special cases under Narcotic Drugs and Psychotropic Substances Act (NPDS Act), Prevention of Corruption Act (P.C. Act.), Scheduled Caste and the Scheduled Tribe (Prevention of Atrocities) Act, (SC & ST (POA) Act) Criminal Appeals, Criminal Revisions, Education Appellate Tribunal appeals (EAT) and Transfer Petitions under Section 24 of CPC and Section 408 of Cr.P.C and scheme suits under Sections 92 of CPC, Arbitration cases under Sections 9 and 34 of Arbitration and Conciliation Act, 1996, the Principal District Judges have the following responsibilities:

- a) To prepare appropriate Action plan for conducting legal literacy programmes, Lok Adalats and Legal aid programmes in the unit as the Chairman of District Legal Services Authority and to monitor the same.

- b) To prepare plan for organizing mediation Awareness Programmes and sensitizing judicial officers regarding reference of cases to mediation, in the capacity of President of District Mediation Centre.

- c) Identifying suitable land for construction of court Buildings and quarters for judicial officers and staff, in the capacity of the Chairman of the District Infrastructure Committee and to supervise these works for maintaining quality in the work.

- d) Writing Annual Confidential Reports (ACRs) of Senior Civil Judges and Civil Judges in the Unit. To write the ACRs of the staff working in the District Court and to accept or review the ACRs of staff working in other Courts of the unit.

- e) Recruiting Group 'D' Officials and stenographers, typists and typist-copyists and to give timely promotion to the staff who are eligible and willing.

- f) Conducting departmental enquiries or to appoint inquiry officers to conduct departmental proceedings against the staff facing allegation of misconduct, as the Disciplinary Authority.

- g) Adjusting the judicial work in the Unit by withdrawing civil case under Section 24 of CPC in order to properly maintain the work load in the Courts.
 - h) To effect Transfers of staff from one place to another in the unit, whenever it is necessary.
 - i) To conduct discreet enquiry and to submit report to the High Court against the officers or officials working in the unit, whenever direction is received from the Hon'ble Court.
 - j) To purchase furniture by calling for quotation or tender whenever grants are received from the Hon'ble High Court.
 - k) Making arrangements for receiving and seeing off dignitaries. (Protocol Duty).
6. Being the Principal Judge of the District, he or she has to be a leader in all aspects so as to inspire other judges in the Unit to make the justice delivery system in the District Judiciary very

effective. In this regard, the Principal District Judges, being the leaders of their respective units are expected:

- a) to dispose off good number of cases on the judicial side without compromising the quality.
- b) to effectively prepare an action plan for disposal of cases in Lok Adalats and Mediation in co-ordination with the Insurance Company Officers and trained mediators.
- c) to guide the judicial officers in the unit to provide quality legal aid to the needy and for organizing legal literacy programmes. In this regard, proper co-ordination with the District Level Officers like Deputy Commissioner, Superintendent of Police, Deputy Director of Women and Child Welfare, Chief Executive Officers, Deputy Director of Public Instructions, District Health and Family Welfare Officers, Deputy Conservator of Forests/Conservator of Forests is necessary since they will instruct the ground level officers/officials in the taluks to co-ordinate with the Chairmen and Member Secretaries of Taluk Legal Service Committees.

- d) to be magnanimous in the matter of granting casual leave and permitting the judicial officers to leave the headquarters, whenever genuine request is received from the Senior Civil Judges and Civil Judges and consequently to make incharge arrangements of such Courts well in advance.
- e) to objectively write the Annual Confidential reports of Senior Civil Judges and Civil Judges so that the talent, if any, is suitably reflected as several judicial officers effectively conduct legal services programmes also, apart from doing good judicial work.
- f) Of late, there is division in many bar associations and resultantly many judicial officers are put to embarrassment whenever some legal service function is arranged. Visiting Bar Associations in the District often along with the judicial officers will enhance the morale of the judicial officers.
- g) to attend to any complaint/petition referred to by the Hon'ble High Court by conducting discreet enquiry without undue delay. If such petition is kept unattended for a longtime, it may be an obstacle while his/her case is taken up for promotion. In view of the division in many bar associations and in view

of few lawyers/litigants sending anonymous or pseudonymous petition making reckless allegations, there is every likelihood of judicial officers being scared.

- h) Whenever periodical Review Meetings of judicial officers are convened by the Principal District Judges, to create such an atmosphere so that the judicial officers of the unit feel comfortable and further feel that the Principal District Judge is their friend, philosopher and guide. Whenever some deficiencies are noticed by the Principal District Judge, the same be brought gently to the notice of such officer/s so that the same will have a positive effect.
- i) To make recruitment of group 'D' officials, typists and stenographers without undue delay whenever Hon'ble High Court grants permission. This will enable the officers to get the work done effectively.
- j) To give promotion to the judicial staff the moment an official gets entitlement for promotion; and for disposal of department enquiry proceedings as early as possible.

- k) To consider all the genuine problems/grievances of the staff sympathetically keeping in mind that there are large number of ladies in the staff who have small children or some serious health problems in their families.
- l) To prepare a citizen chart, with the help of the judicial officers of the unit for creating a corruption free atmosphere and to make courts in the District Judiciary more people friendly and be a good link between the Hon'ble High Court and the Unit he or she heads; to elicit opinion or suggestions from the co-judicial Officers for effective administration in all the Courts of the unit.
- m) To delegate certain identified responsibilities to the Court Manager, i.e., identifying priorities in the district judicial administration. Of course, the core issues are to be retained by the Principal District Judge.
- n) For effective utilization of computer facility in co-ordination with the computer section of the High Court.

- o) To co-ordinate with the State Judicial Academy in providing necessary judicial training on relevant topics/subjects to the judicial officers of the unit and thus sharpen their tools effectively.
 - p) It need not be reiterated that the Principal District Judge must see that the disposal of cases in the district is more than the filing in each month.
 - q) To keep the respective Hon'ble portfolio/administrative judges informed about the various activities of the unit and to receive suitable instructions for efficient administration of the district judiciary.
7. Instances given above are only illustrative and not exhaustive about various responsibilities of Principal District Judges and expectations from them. Sincere and honest efforts by the Principal Judges towards galvanizing their respective units will definitely lead towards achieving excellence as per Article 51A(j) of the Constitution of India.

