



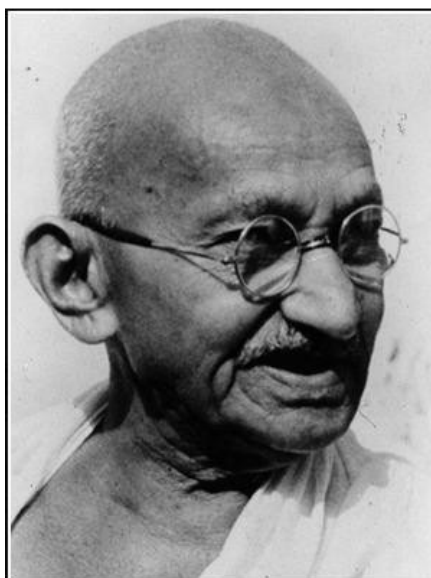
# Rajasthan High Court



## ANNUAL REPORT 2020

FOREWORD BY

**HON'BLE SHRI MANINDRA MOHAN SHRIVATAVA**  
ACTING CHIEF JUSTICE



There is a higher court than courts  
of justice and that is the court of  
conscience. It supercedes all other  
courts.

— *Mahatma Gandhi* —

# *The Constitution of India*

## *Preamble*

*We* THE PEOPLE OF INDIA, having solemnly  
resolved to constitute India into a SOVEREIGN  
SOCIALIST SECULAR DEMOCRATIC  
REPUBLIC and to secure to all its citizens:  
JUSTICE, social, economic and political;  
LIBERTY of thought, expression, belief,  
faith and worship;  
EQUALITY of status and of opportunity;  
and to promote among them all;  
FRATERNITY assuring the dignity of the  
individual and the unity and integrity of the  
Nation;  
IN OUR CONSTITUENT ASSEMBLY this  
twenty-sixth day of November, 1949, do  
HEREBY ADOPT, ENACT AND GIVE TO  
OURSELVES THIS CONSTITUTION.

*Justice Manindra Mohan Shrivastava*  
*Acting Chief Justice*



*Rajasthan High Court*

### **FOREWORD**

It is a matter of jubilation that the Rajasthan High Court is bringing out its Sixth Annual Report for the year 2020.

Annual Report 2020 is an effort to canvass all the activities of institution of High Court besides giving a brief introduction of its History and Background. Landmark decisions of public importance are included in the Report. The Annual Report also covers the activities of Rajasthan State Legal Services Authority and Rajasthan State Judicial Academy. Broad Performance Indicators based on statistics are also available in the Report for public appraisal.

I am sure that the compilation will be useful for all the stakeholders of Justice Delivery System.

The endeavour made in preparation of this Report is commendable and praiseworthy.

I wish the publication a grand success.

**(Manindra Mohan Shrivastava)**

**LIST OF SITTING HON'BLE JUDGES IN  
RAJASTHAN HIGH COURT AS ON 31.12.2020**

<b>S. No.</b>	<b>NAME OF HON'BLE JUDGES</b>
01.	HON'BLE MR. JUSTICE INDRAJIT MAHANTY, CHIEF JUSTICE
02	HON'BLE MR. JUSTICE SANGEET RAJ LODHA
03	HON'BLE MRS. JUSTICE SABINA
04	HON'BLE MR. JUSTICE SANDEEP MEHTA
05	HON'BLE MR. JUSTICE VIJAY BISHNOI
06	HON'BLE MR. JUSTICE ARUN BHANSALI
07	HON'BLE MR. JUSTICE PRAKASH GUPTA
08	HON'BLE MR. JUSTICE GOVERDHAN BARDHAR
09	HON'BLE MR. JUSTICE PANKAJ BHANDARI
10	HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
11	HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
12	HON'BLE MR. JUSTICE DINESH MEHTA
13	HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
14	HON'BLE MR. JUSTICE ASHOK KUMAR GAUR
15	HON'BLE MR. JUSTICE MANOJ KUMAR GARG
16	HON'BLE MR. JUSTICE INDERJEET SINGH
17	HON'BLE MR. JUSTICE NARENDRA SINGH DHADDHA
18	HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL
19	HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA
20	HON'BLE MR. JUSTICE SATISH KUMAR SHARMA
21	HON'BLE MR. JUSTICE MANOJ KUMAR VYAS
22	HON'BLE MR. JUSTICE RAMESHWAR VYAS
23	HON'BLE MR. JUSTICE CHANDRA KUMAR SONGARA

**LIST OF JUDICIAL OFFICERS POSTED IN REGISTRY  
(As on 31.12.2020)**

<b>(I) – RAJASTHAN HIGH COURT, JODHPUR</b>		
1.	NIRMAL SINGH MERATWAL	REGISTRAR GENERAL
2.	RAJINDER KUMAR	REGISTRAR-CUM-PRINCIPAL SECRETARY TO HON'BLE C.J.
3.	YUDHISTHIR SHARMA	REGISTRAR (ADMN.)
4.	VACANT	REGISTRAR (EXAMINATION)
5.	DINESH TYAGI	REGISTRAR (RULES)
6.	RANDHEER SINGH MIRDHA	REGISTRAR (CLASSIFICATION)
7.	MAHESH PUNETHA	O.S.D., FINANCE-CUM-INFRASTRUCTURE, HQ. AT RHC, JODHPUR
8.	PRAVENDRA PAL SINGH	DEPUTY REGISTRAR (EXAMINATION)
9.	RAJESH JAIN	DEPUTY REGISTRAR (EXAMINATION)
10.	NEERAJ BHAMU	REGISTRAR (JUDICIAL)
11.	DR. MANISH KUMAR AGARWAL	O. S. D. (EXAM. CELL)

<b>(II) – RAJASTHAN HIGH COURT BENCH, JAIPUR</b>		
1.	DR. RAJENDRA SINGH CHOUDHARY	REGISTRAR (VIGILANCE)
2.	BHARAT BHUSHAN GUPTA	REGISTRAR (ADMINISTRATION)
3.	DEVENDRA DIXIT	REGISTRAR (WRITS)
4.	DR. NAMITA DHAND NEE VASHISHTHA	REGISTRAR (CLASSIFICATION)
5.	HEMANT SINGH BAGHELA	REGISTRAR CUM C.P.C.
6.	PRAVEEN KUMAR MISHRA	REGISTRAR (JUDICIAL)
7.	MOHIT SHARMA	OFFICER ON SPECIAL DUTY
<b>AT NEW DELHI</b>		
1.	GAURI SHANKER SHARMA	REGISTRAR H.Q. AT NEW DELHI.

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# **1. INTRODUCTION, BRIEF HISTORY AND BACKGROUND**

## **Historical Perspective**



A cluster of Princely States with an oasis known as Ajmer-Merwara, a British India Territory, was given geographical expression as Rajputana. These twenty one Rajputana States before 20<sup>th</sup> Century A.D. were dynastic of which the Rulers also known as Princes were the fountain head of all Executive, Legislative and Judicial Authority in the States. In every State there were Jagirdars. In some States they were known as Kotri Thikanas. People had no role in administration in these States and there were no democratic institutions.

People desperately awaited liberation from feudal clutches and their emancipation. As soon as the country got freedom from British Imperialism, the rule of Princely States became a history. The dynamic Home Minister of India Sardar Vallabh Bhai Patel started the process of integration of the States to form bigger units and in the process the State of Rajputana evolved in March 1948.

A greater Rajasthan was formed when Jaipur, Jodhpur, Bikaner and Jaisalmer also joined the United States of Rajasthan. The Ex-Ruler of Udaipur was made Maharaj Pramukh with Sawai Man Singh of Jaipur as Raj Pramukh. This new State of Rajasthan was inaugurated by Sardar Vallabh Bhai Patel on 30.03.1949 and came into existence on 07.04.1949. Despite the constitution of the State of Rajasthan, the High Court was not formally established. The existing arrangements in these newly joined States continued.

The process of integration of all States was completed only when Matsya Union also merged on 15.05.1949. The First High Court of Rajasthan was inaugurated by H.H. Maharaja Sawai Man Singh Ji of Jaipur at Jodhpur on 29.08.1949.



Hon'ble Chief Justice Kamala Kant Verma and 11 other Judges were administered the oath of office by Maharaja Sawai Man Singh of Jaipur at Jodhpur High Court premises on 29.08.1949. These 11 Judges represented most of the Princely States, except Hon'ble Chief Justice Kamala Kant Verma, who came from the High Court of Allahabad. Hon'ble Mr. Justice Naval Kishore and Hon'ble Mr. Justice Amer Singh of Jasol from Jodhpur, Hon'ble Mr. Justice K.L. Bapna, Hon'ble Mr. Justice Ibrahim from Jaipur, Hon'ble Mr. Justice J.S. Ranawat and Hon'ble Mr. Justice Shardul Singh Mehta from Udaipur, Hon'ble Mr. Justice D.S. Dave from Bundi, Hon'ble Mr. Justice Tirlochan Dutt from Bikaner, Hon'ble Mr. Justice Anand Narain Kaul from Alwar, Hon'ble Mr. Justice K.K. Sharma from Bharatpur, Hon'ble Mr. Justice Khem Chand Gupta from Kota were the first Hon'ble Judges of the High Court. The Principal Seat of High Court was kept at Jodhpur and the Benches at Kota, Jaipur and Udaipur.



The Constitution of India came into force on 26.01.1950, in which the State of Rajasthan was given the status of 'B' Class State. The strength of the High Court Judges also reduced. Hon'ble Chief Justice Verma could not be continued and had to lay down his office as he had completed the age of 60 years. On the vacancies caused by retirement of Hon'ble Mr. Justice Naval Kishore and Justice Ibrahim, two eminent lawyers viz. Sh. Indra Nath Modi from Jodhpur and Shri D.M. Bhandari from Jaipur were elevated to the Bench.



In 1956, State Re-organization Act was passed. On the recommendation of State Re-organization Commission, the Union Territory of Ajmer Merwara which had the status of Part 'C' States, Abu, Sunel and Tappa areas merged into the State of Rajasthan. The reorganized unit constituted the State of Rajasthan which was given the status of 'A' Class State on 01.11.1956.

The Rajasthan High Court as 'A' Class State, started with the strength of only 6 Judges. The then Chief Justice of India, Hon'ble Mr. Justice S. R. Das came to Rajasthan to examine the Judge strength of the High Court. He observed the functioning of the High Court by sitting with the Hon'ble Judges in the Court and found that all the 6 Judges were fit to be appointed and on his recommendation, the President of India, issued fresh warrants of appointment, on which fresh oath taking ceremony took place on 01.11.1956. Four Hon'ble Judges viz. Justice K. L. Bapna, Justice J. S. Ranawat, Justice K. K. Sharma and Justice D. M. Bhandari at that time functioned at the Jaipur Bench, while Justice D.S. Dave and Justice Indra Nath Modi used to sit at Jodhpur, Chief Justice Kailash Wanchoo sitting at both places.

The Bench at Jaipur was initially abolished in the year 1958. It was re- established with effect from 31.01.1977. The strength of the High Court Judges since thereafter has increased. At present the Rajasthan High Court has sanctioned strength of 50 Judges.



**Current Status**

The State judiciary is constituted of 36 Judgeships comprising of 482 Courts of District Judge Cadre, 303 Courts of Sr. Civil Judge Cadre 480 (excluding 34 posts of Principal Magistrate, JJB) and 465 Courts of Civil Judge Cadre. There are outlying Courts, functioning under respective District Courts, dispensing justice to the people of the State, working under the overall superintendence of the High Court.

The Rajasthan High Court Rules, 1952, as amended from time to time, regulate the administrative business and judicial work in the High Court.

As on 31.12.2020, the cadre-wise strength of Judicial Officers in the Subordinate Judiciary is as follows :-

CADRE	SANCTIONED STRENGTH	WORKING STRENGTH	VACANT POSTS
District Judge Cadre	603	462 (Including 111 Ad- hoc)	141
Senior Civil Judge Cadre	381	256 (Including 1 Ad- hoc)	125
Civil Judge Cadre	505	575 (Including 189 Trainee)	-70

Rajasthan has 36 Judgeships, 19 of which fall under the jurisdiction of Rajasthan High Court Principal Seat, Jodhpur whereas 17 are under the jurisdiction of Rajasthan High Court Bench, Jaipur.

PRINCIPAL SEAT, JODHPUR	BENCH AT JAIPUR
BALOTRA	AJMER
BANSWARA	ALWAR
BHILWARA	BARAN
BIKANER	BHARATPUR
CHITTORGARH	BUNDI
CHURU	DAUSA
DUNGARPUR	DHOLPUR
GANGANAGAR	JAIPUR DISTRICT
HANUMANGARH	JAIPUR METRO-I
JAISALMER	JAIPUR METRO-II
JALORE	JHALAWAR
JODHPUR DISTRICT	JHUNJHUNU
JODHPUR METROPOLITAN	KARAULI
MERTA	KOTA
PALI	SAWAI MADHOPUR
PRATAPGARH	SIKAR
RAJSAMAND	TONK
SIROHI	
UDAIPUR	

## **2. MAJOR EVENTS OF THE YEAR 2020**

The 71st Republic Day was celebrated on 26.01.2020 in the premises of Rajasthan High Court, Jodhpur and Bench at Jaipur. The National Flag was unfurled by Hon'ble Mr. Justice Sangeet Raj Lodha at Rajasthan High Court, Jodhpur and Hon'ble Mrs. Justice Sabina at Jaipur, in the benign presence of Hon'ble Sitting Judges, Hon'ble Former Judges, Learned Advocates, Members of the Bar, Officers of the Registry and High Court Staff.



*Unfurling the Flag Ceremony at Rajasthan High Court, Jodhpur on the occasion of **Republic Day, 26.01.2020.***



*Unfurling the Flag Ceremony at Rajasthan High Court Bench, Jaipur on the occasion of **Republic Day, 26.01.2020.***

The 74th Independence Day celebration was held on 15.08.2020 in the premises of Rajasthan High Court, Jodhpur and Bench at Jaipur. The National Flag was hoisted by Hon'ble Mr. Justice Sangeet Raj Lodha at Rajasthan High Court, Jodhpur and by Hon'ble the Chief Justice Mr. Indrajit Mahanty at Jaipur. The occasion was marked by the benign presence of Hon'ble Sitting Judges, Hon'ble Former Judges, Learned Advocates, Members of the Bar, Officers of the Registry and High Court Staff.



*Flag Hoisting Ceremony at Rajasthan High Court, Jodhpur on the occasion of Independence Day, 15.08.2020.*



*Flag Hoisting Ceremony at Rajasthan High Court, Bench, Jaipur on the occasion of Independence Day, 15.08.2020.*

The Hon'ble Rajasthan High Court witnessed six new elevations of Hon'ble Mr. Justice Devendra Kachhawaha, Hon'ble Mr. Justice Satish Kumar Sharma, Hon'ble Kumari Justice Prabha Sharma, Hon'ble Mr. Justice Manoj Kumar Vyas, Hon'ble Mr. Justice Rameshwar Vyas and Hon'ble Mr. Justice Chandra Kumar Songara. The swearing-in-Ceremony was administered by Hon'ble the Chief Justice Mr. Indrajit Mahanty, on 06.03.2020.



*Oath Ceremony of **Hon'ble Mr. Justice Devendra Kachhawaha** at Rajasthan High Court, Jodhpur on 06.03.2020*



*Oath Ceremony of **Hon'ble Mr. Justice Satish Kumar Sharma** at Rajasthan High Court, Jodhpur on 06.03.2020*



*Oath Ceremony of **Hon'ble Kumari Justice Prabha Sharma** at Rajasthan High Court, Jodhpur on **06.03.2020***



*Oath Ceremony of **Hon'ble Mr. Justice Manoj Kumar Vyas** at Rajasthan High Court, Jodhpur on **06.03.2020***



*Oath Ceremony of **Hon'ble Mr. Justice Rameshwar Vyas** at Rajasthan High Court, Jodhpur on **06.03.2020***



*Oath Ceremony of **Hon'ble Mr. Justice Chandra Kumar Songara** at Rajasthan High Court, Jodhpur on **06.03.2020***

On the occasion of superannuation of Hon'ble Mr. Justice Abhay Chaturvedi, on 04.09.2020, Reference Ceremony was organized at Rajasthan High Court Bench, Jaipur.



*Reference Ceremony at Rajasthan High Court Bench, Jaipur on the eve of superannuation of Hon'ble Mr. Justice Abhay Chaturvedi on 04.09.2020*

On the occasion of superannuation of Hon'ble Kumari Justice Prabha Sharma, on 04.11.2020, Reference Ceremony was organized at Rajasthan High Court, Jodhpur.



*Reference Ceremony at Rajasthan High Court, Jodhpur on the eve of superannuation of Hon'ble Kumari Justice Prabha Sharma on 04.11.2020*

### **3. LANDMARK DECISIONS OF PUBLIC IMPORTANCE**

#### **CIVIL LAWS**

**(1) Mahesh Joshi Vs. Ramesh Parekh**

**Hon'ble Mr. Justice Arun Bhansali  
Judgement dated 05.08.2020**

#### **Important Law Point – Registration Act, 1908**

- Order XIII Rule 4 CPC read with Section 17(1)(g)

While discussing the matter Hon'ble Court decided, wherein the respondent had filed a petition for eviction through his Power-of-Attorney-holder son before the Rent Tribunal. During the pendency of the proceedings, an application under Order XIII Rule 4 CPC read with Section 17(1)(g) of the Registration Act, 1908 was filed, inter alia, with the averments that the document Ex.1, Power of Attorney, based on which the proceedings were instituted, is neither registered nor bears requisite stamp duty and, as the same is inadmissible in evidence and cannot be marked as exhibit, the same should be placed in Part D.

The Rent Tribunal after hearing the parties came to the conclusion that looking at the document indicates that the same contains power to withdraw or revoke the Power of Attorney and, therefore, the same was not compulsorily registrable, however, apparently the aspect of deficient stamp duty was not dealt with by the Tribunal and the application was rejected.

The Hon'ble Court held that 'the document in question does not require any registration. However, for admissibility of the document (Ex.1), the respondent would be required to pay the deficient stamp duty and penalty on the document in question in terms of the directions contained hereinbefore. Needful, if desired, be done by the respondent within a period of two weeks.'

**(2) Lalit Kumar Ganeriwala Vs. Shri Ram Pathya  
Granthgar Samiti Ratangarh**

**Hon'ble Mr. Justice Arun Bhansali  
Judgement dated 26.11.2020**

#### **Important Law Point – Civil Procedure Code**

- Order XXI, Rule 1 & 2 CPC r/w Section 151 CPC.

While considering the matter, wherein it is claimed by the petitioners in the revision petition that some of the original plaintiffs, their heirs/successors lost confidence in the power of attorney holder and they gave power of attorney to petitioner Lalit Kumar. It is claimed that the petitioner in his own capacity and as power of attorney holder of other plaintiffs required the judgment-debtor to handover the possession of the

suit property and to pay costs as imposed by the Court and mesne profit. On 10.03.2015, the Respondent No. 1 handed-over possession of the subject matter of the decree and paid the cost awarded in the second appeal to the petitioners, by way of full satisfaction of the decree out of the court. The petitioner filed Execution Application purportedly under Order XXI, Rule 1 & 2 CPC r/w Section 151 CPC requesting the court to certify that the decree dated 29.03.2011 passed by the Additional District Judge, Ratangarh has been fully satisfied.

The application was opposed by the decree-holders other than those who gave power of attorney to the petitioner Lalit Kumar.

The executing court, after hearing the parties, by its impugned order dated 01.08.2015, came to the conclusion that as all the decree-holders have not claimed satisfaction of the decree and objection has been raised by the other joint decree-holders, it is not justified to accept the application under Order XXI, Rule 1 & 2 CPC and consequently, rejected the application.

During the pendency of the present revision petition, by order dated 08.03.2019 passed by a Co-ordinate Bench of this Court, the application filed under Order 1, Rule 10 CPC for impleadment by applicant Seth Jugal Dass Ganeriwala Charitable Trust ('Trust') through trustee and general power of attorney holder Shri Hanuman Prasad, after detailed discussion, was allowed and the applicant Trust was allowed to be impleaded as party Respondent No. 2 to the revision petition.

A perusal of the above indicates that the requirement of satisfaction is that of the 'decree-holder' and it is the decree-holder, who is required to certify the adjustment to the Court whose duty is to execute the decree. The word 'decree-holder' in the provision cannot be read as part of the decree-holder. Where the decree-holder are more than one or a body of decree-holders, the satisfaction sought to be projected by few / part of the joint decree-holders, could not have been taken by the executing court as full satisfaction.

Further, where a decree has been passed jointly in favour of more than one person, the application has to be made for execution of the whole decree for the benefit of them all and not for few of the joint decree-holders. As such, the plea raised based on the above provision has no substance.

In the view of the above, the claim made by the petitioners has no substance and the executing court was, therefore, justified in rejecting the application.

**CRIMINAL LAWS****(1) Indrajeet Singh Vs. State of Rajasthan & Ors.****Hon'ble Mr. Justice Sangeet Raj Lodha****Hon'ble Mr. Justice Rameshwar Vyas****Judgement dated 03.09.2020****Important Law Point –**

- Minimum Wages Act, 1948

In the matter Hon'ble Division Bench considered the application dated 08.12.2018 made by the prisoner Indrajeet Singh lodged in Central Jail, Jodhpur, received by post, raising the issue of non-revision of the wages payable to the prisoners employed for work in prison, was registered as Writ Petition (PIL) by this Court and notices were issued to the State of Rajasthan.

Precisely, the grievance raised in the petition is that the wages payable to the prisoners sentenced to Rigorous Imprisonment or such other classes of prisoners who volunteer to labour were last revised vide order dated 17.03.2015. Thereafter, though the wages payable to the unskilled, skilled and highly skilled employees have been revised by the State Government from time to time vide notifications dated 17.12.2015, 05.07.2016 and 16.01.2018 issued under the Minimum Wages Act, 1948 (for short the 'the Act of 1948'), the wages payable to the prisoners have not been revised and they are being paid wages at the rate specified vide notification dated 17.03.2015.

Accordingly, Hon'ble Division Bench dispose of the writ petition with the directions in the following terms:

- (i) The State Government shall constitute a committee for determining the quantum of equitable wages payable to the prisoners within a period of two weeks from today. The committee shall make its recommendation for the revision of wages payable to the prisoners for various works keeping in view the directions issued by the Supreme Court in High Court of Gujarat's case and Rule 31 of Part XII of the Rules of 1951, within a period of two months from the date of constitution of the committee by the State Government. On recommendations made by the Committee, the State Government shall take a decision for revision of the wages within a period of four weeks thereafter.
- (ii) Until the State Government takes any decision on such recommendations, every prisoner must be paid wages for the work done by him at such revised rates as fixed by the State Government keeping in view the observation made by this Court as aforesaid. The State Government shall determine the rate of such interim wages within a period of four weeks from today.
- (iii) The compliance report shall be filed by the State Government before this Court within a period of three months from today.

Though, the writ petition stands disposed of as aforesaid, the matter shall be listed for perusal of the compliance report on 04.01.2021.

**(2) Pankaj Vs. State of Rajasthan & Ors.****Hon'ble Mr. Justice Dinesh Mehta****Judgement dated 22.05.2020****Important Law Point –**

- Section 167 of Cr.P.C.

While considering on Right to default bail under Section 167 of Cr.P.C., the Hon'ble Court observed that 'the finding of the Courts below that petitioner if released would come in contact with offenders, cannot be faulted with.

However, it is held that non-filing of charge sheet in stipulated period as provided in Section 167 of the Cr.P.C., gives the petitioner an indefeasible right to default bail. The period stipulated in the Section only deals with right of an accused to be released on bail and does not stipulate any outer limit for filing of charge sheet.

In view of the pandemic COVID-19 the order of Hon'ble Supreme Court extending limitation cannot be extended to Section 167 of the Cr.P.C. and in the absence of any clear reference or statutory amendment in this regard, right conferred by such Section cannot be taken away. Revision Petition allowed. Petitioner be released on bail.'

**(3) Jugal Vs. State of Rajasthan & Ors.****Hon'ble Dr. Justice Pushpendra Singh Bhati****Judgement dated 25.11.2020****Important Law Point –**

- Section 439 of Cr.P.C.

While considering the fact that the petitioner has been arrested in connection with FIR No. 195/2020 of Sardarpura Police Station, District Jodhpur for the offences punishable under Section 392/34 of IPC. He has preferred the bail application under Section 439 Cr.P.C.

The Hon'ble Court directs that 'all learned trial courts shall, while allowing or disallowing any regular/anticipatory bail application of any accused person, give the complete details of the antecedents, if any, and also record that there are no antecedents of the accused person in case of antecedents not being there. If there are antecedents of the accused, then the complete details of the antecedents i.e. FIR Number(s) & Case Number(s), Section (s), date(s), status and date of arrest & release on any previous occasion, if any, in the chart form shall be prepared and incorporated in the learned trial courts, order, while granting or dismissing the bail application.'

**(4) Abhishek Sharma & Ors. Vs. State of Rajasthan & Ors.****Hon'ble Mr. Justice Vijay Bishnoi****Judgement dated 22.01.2020****Important Law Point –**

- Section 419, 420 and 406 IPC.

While considering the provisions of Sections 419, 420, 482 and 406 of Indian Penal Code held that 'trial court attested the compromise for the offence punishable under section 419, 420 and 406 IPC but did not attest the compromise for the offence punishable under section 120 B. The proceedings may be terminated. There is no possibility of conviction of the petitioner for the offence under section 120 B IPC because of the compromise between the offender and victim. The Hon'ble Court in view of the observations made by Hon'ble Supreme Court in Gian Singh's case, held that, the Criminal Proceedings pending against the petitioner can be quashed while exercising powers under Section 482 Cr.P.C.

**(5) State of Rajasthan & Ors. Vs. S, (Name Withheld) & Ors.****Hon'ble Mr. Justice Sandeep Mehta****Hon'ble Dr. Justice Pushpendra Singh Bhati****Judgement dated 01.05.2020****Important Law Point –**

- Article 21 of the Constitution of India.

In this matter, the State filed this petition in the capacity of the parens patriae to protect the rights of the possible victims claiming that the judgment impinges upon the fundamental right of victim of rape from seeking termination of a forced pregnancy. The situation is graver because the pregnant woman was a child victim of rape and thus, by not acceding to her request for termination of pregnancy, her fundamental right to avoid the after effects of the pregnancy has been permanently extinguished. The right of a child rape victim to make the reproductive choice of terminating the foetus heavily outweighs the right of the child in womb to be born even where the pregnancy is at an advanced stage.

The learned Single Bench rejected the writ petition by the order dated 17.10.2019 turning down the prayer for the termination of the child's pregnancy holding that the foetus in womb had a right to life as guaranteed under Article 21 of the Constitution of India. The medical termination of pregnancy was denied and the application filed by an organization named 'Navjeevan Sansthan' to take custody of the child was allowed.

As an upshot, the impugned judgment dated 17.10.2019 passed by the learned Single Bench is set aside except to the extent of the directions given for welfare of the child. However, before parting, the Court gave extensive directions enumerated below so as to ensure that the unfortunate situation which was posed before this Court does not recur :

- (i) that the State Government shall frame suitable guidelines to ensure that the victims of rape who became pregnant by sexual assault are provided timely and legal as well as medical assistance so as to ensure that they can exercise their reproductive choice in terms of the MTP Act ;
- (ii) that no sooner the factum of a victim of sexual assault having become pregnant, is reported, the Medical Officer/SHO of the police station concerned shall forthwith forward a report thereof to the Full Time Secretary, District Legal Service Authority concerned who, in turn shall, approach the victim with a female counsellor and sensitise her and her guardians about the remedies under the MTP Act ;
- (iii) in case, an application for termination of pregnancy is submitted by the guardian of the victim to the appropriate authority within the stipulated period of 20 weeks as provided by the MTP Act, the same shall be processed forthwith and suitable decision shall be taken thereupon within three days from the date of submission thereof ;
- (iv) in case, the application seeking termination of pregnancy is filed before a competent court then, such court shall forthwith summon the victim's guardian and record his/her consent which shall be deemed to be final. There shall be no requirement of intervention by police in the matter of seeking consent for termination of pregnancy ;
- (v) in case, where the threshold of 20 weeks gestation has been crossed, the Full Time Secretary, District Legal Services Authority shall assist the victim and her guardians, if they so desire for approaching the High Court to file a writ petition seeking direction for termination of pregnancy in light of decisions of Hon'ble the Supreme Court and of this Court.
- (vi) the identity of the victim shall not be disclosed at any stage during this process.

The Court further directed that this child born to the respondent victim shall be provided all remedial measures as per the Juvenile Justice (Care and Protection of Children) Act, 2015 by the respondent NGO as well as the State Government. The District Collector, Jodhpur shall ensure that the child is brought up with strict adherence to the salutary process of the Juvenile Justice Act, 2015. In case, the child is not adopted, upon attaining the suitable age, he/she shall be got admitted in a good school as per the Right of Children to Free and Compulsory Education Act, 2009. The appeal is allowed in these terms.

## **EDUCATION LAWS**

### **(1) Simple Gupta Vs. State of Rajasthan & Ors.**

**Hon'ble Mr. Justice Ashok Kumar Gaur**

**Judgement dated 10.09.2020**

While discussing the issue regarding the question arose before Hon'ble Court that whether condition of eligibility of possessing degree of MBBS from colleges situated in the state of Rajasthan for the purpose of admission in six month Ultrasound PG Diploma Course, under PCPNDT Act 1994, is arbitrary, unreasonable and violative of provisions of Articles 14, 15, 16 and 21 of Constitution?

The Hon'ble Court held that 'six months course in Ultrasound makes person eligible to perform certain procedures under PCPNDT Act and if such course is completed by any candidate, same may be helpful to pursue career either in Government service or in private sector. The acquisition of such training while undergoing course enables a candidate to conform to the requirement of PCPNDT Act and as such, a meritorious candidate who wants to pursue said course from the state of Rajasthan, should not be deprived only on account of not passing MBBS Degree from a college situated in the state of Rajasthan. The Court finds that eligibility condition prescribed by respondents runs contrary to law declared by Apex Court and as such, such condition is declared ultra vires and violative of Article 14 of Constitution.

The Court further holds that 50% of seats which are meant to be filled from non-service candidates cannot be filled on basis of qualification acquired by candidates only from the state of Rajasthan and respondent state is required to consider merit of such candidates who want to apply for said course.

The Court further holds that State is always free to prescribe any other reasonable condition like other States have prescribed condition of domicile/resident of a particular State, however, 100% institution wise reservation is not permissible in the eyes of law. Further, State is always free to prescribe institution wise reservation but same should not exceed limit of 50% as has been approved by Apex Court in the case of Saurabh Chaudri. Accordingly, present writ petition filed by petitioner is allowed. The eligibility condition of having passed MBBS degree from college situated in State of Rajasthan is declared illegal and same is set aside. Respondents are further permitted to make appropriate provision of providing institution wise reservation to extent of 50% and remaining 50% seats from non-service category candidate should be filled from candidates who have applied for same and who stand higher in merit, as per the criteria evolved by the State by taking into account marks secured in NEET PG Examination, 2020.'

**(2) Dr. Yogesh Kumar Saini & Ors. Vs. State of Rajasthan & Ors.**

**Hon'ble the Chief Justice Mr. Indrajit Mahanty  
Hon'ble Mr. Justice Prakash Gupta  
Judgement dated 17.07.2020**

While discussing the matter regarding the issues relating to the National Eligibility-cum-Entrance Test (NEET) Examination and the reservation therein. The main issues were regarding the interpretation of words used in Article 15(6) of the Constitution, i.e. 'each category'. The Single judge held that the 10% EWS reservation was to be given in each category to maintain the cap of 50% as reservations cannot exceed 50%, and the State government mis-interpreted Article 15(6) to mean that EWS reservation was to be granted only in general/open category and not from the SCs/STs, and OBCs. But the Division Bench did not conform to this view and stated that Article 15(6) makes it clear that provisions for advancement of economically weaker sections can be made by the State other than the classes mentioned in Clauses (4) & (5) of Article 15.

The Court reiterated that once a candidate participated in the first round of counselling without raising any objection, it is not open for the petitioners to challenge the rules of the game at a belated stage. Apart from this, in the absence of any challenge made to the main/basic orders, no challenge can be made to the any consequential orders. So the petitioners cannot challenge the counselling as they participated in it without any demur or objection. In lieu of the above reasons, the Division Bench set-aside the order of the learned Single Judge.

**(3) Karmendra Singh Kushwaha Vs. State of Rajasthan****Hon'ble Mr. Justice Sanjeev Prakash Sharma****Judgement dated 15.06.2020**

While considered the fact as well law that the petition was regarding admission in Medical Course for M.D. / M.S. and Post Graduate Diploma Courses 2020 to provide 10% EWS Reservation on increased seats only. Since common question of law had been raised in all these three writ petitions, the common background is that the admissions to the Post Graduate Course in Medical Education are governed by the Post Graduate Medical Education Regulations, 2000 which have been framed by the Central Government. As per the said Regulations, admission to Post Graduate Medical Courses in each academic year would be granted through National Eligibility cum Entrance Test (NEET). The NEET has to be conducted by the National Board of Examination. The Medical Council of India has been given responsibility for discharging the duty of maintenance of highest standard of medical education and keeping in view the Indian Medical Council Act, 1956.

The Hon'ble Court held that the first round of counselling conducted for State Quota PG Seats and the allotment of seats made therein are quashed and cancelled and the respondents are directed as under:-

- (a) The State Government shall conduct a fresh round of counselling for admission to PG Seats by including the additional seats allotted for implementation of EWS quota as per the MCI letter dated 27/02/2020.
- (b) As it is noticed that during pendency of the writ petitions, the first round of All India Counselling and second round of All India Counselling has already commenced, therefore, in the counselling, which is to be done now by the State, all the seats, which have come back to the State Government after the All India Counselling, shall also be included keeping in view the peculiar circumstances which have arisen and with the view that there is no delay in giving admissions.
- (c) The State Government shall be free to fill EWS 10% quota by applying plain roster of 10%. The roster of direct recruitment shall not be applicable for the said purpose. The EWS reservation shall apply as per roster to the only seats which are made available by MCI for implementation of EWS quota vide letter dated 27.02.2020.
- (d) The admissions given in the first round of counselling would be treated as cancelled. However, if in the second round of counselling, the students are allotted to the same college; their admissions shall be accordingly made. In other cases, where a student has not been able to get a particular seat, his fees already deposited, shall be returned. The exercise shall be immediately conducted on completion of the All India Counselling.
- (e) It is directed that henceforth, the admission process for PG Courses, which is to be conducted, shall be transparent and information shall be provided to all students beforehand about roster which is being applied and the Colleges where the vacant seats are there etc. in order to avoid further litigation in future.
- (f) The observation made by this Court with regard to the EWS reservation in each category as per the provision of the Constitution shall be considered for future admissions.'

**MINES AND MINERAL LAWS****(1) Surana Minerals Pvt. Ltd. Vs. State of Rajasthan & Ors.**

**Hon'ble Mr. Justice Sangeet Lodha  
Hon'ble Mr. Justice Vinit Kumar Mathur  
Judgement dated 16.04.2020**

In D. B. Civil Writ Petition No. 4101 of 2019 with 35 other connected matters, while considering the legality of Notification dated 10.03.2019 restricting the transportation of mineral feldspar in the form of grains, chips and gitti out of the State.

The Hon'ble Court held that in exercise of power under Rule 82, the State Government is not empowered to put restriction on transportation of the minerals outside the State. Notification issued by State Government is prima facie violative of provisions of Part-VIII of Constitution of India and deserves to be quashed.

These writ petitions have been filed by the petitioners challenging the legality of notification dated 10.03.2019 issued by the Department of Mines, Government of Rajasthan, in exercise of the power conferred by Rule 82 of Rajasthan Minor Mineral Concession Rules, 2017 ('the Rules of 2017') whereby on recommendation of Department of Industry, to protect the domestic industries and in public interest, the transportation of mineral feldspar in the form of grains, chips and gitti out of the State has been restricted for a period upto 04.10.2021. In some of the petitions, vires of Rule 82 of the Rules of 2017 and legality and propriety of notification dated 05.10.2018 issued by the State Government restricting the transportation of mineral feldspar in lumps out of the State for a period of three years, is also impugned.

The Court held that the vires of Rule 82 of the Rules deserves to be upheld, of course, with the declaration that in exercise of the power conferred under the said rule, the State Government is not empowered to put restriction on transportation of the minerals outside the State and such power can only be exercised so as to regulate the transportation thereof only for the purposes of preventing illegal mining, transportation and storage of the mineral and connected therewith. The impugned notifications issued by the State Government in purported exercise of power conferred under Rule 82 of the Rules of 2017, putting restrictions on transportation of the mineral feldspar in lumps or in the form of grains, chips and gitti so as to protect the domestic industries and in public interest are ex-facie violative of the provisions of Part XIII of the Constitution and deserve to be quashed.

Accordingly, the writ petitions were allowed. The impugned notifications dated 05.10.2018 and 10.03.2019 issued by the Department of Mines, Government of Rajasthan were declared unconstitutional and quashed.

## **ARBITRATION ACT**

**NIIMS University Vs. Valuer HR E-Solutions Pvt. Ltd. & Ors.**

**Hon'ble the Chief Justice Mr. Indrajit Mahanty**

**Judgement dated 03.03.2020**

In the matter, discussed the provisions of Arbitration & Conciliation Act, 1996 and Rule 23 of Mumbai Centre for International Arbitration Rules, 1996, wherein an arbitration agreement was signed at Jaipur but the Courts in Mumbai were given the power to decide the issue arising out of it. Later, a dispute arose between the parties regarding the fulfilment of the obligations contained in the agreement. The issue arose before the Court regarding the juridical seat of the arbitration proceedings. The Court held that, "The juridical seat of arbitration was expressed by parties at a neutral venue, i.e., Mumbai. Even though no part of cause of action arose in Mumbai, the moment an express designation of venue was made; it would vest in Mumbai Courts. Non-usage of words like 'exclusive jurisdiction', 'only', 'exclusive', 'alone' is not decisive since it does not make any material difference. The Mumbai Courts alone have jurisdiction to the exclusion of all other Courts in the Country."

## **SERVICE LAW**

**(1) Kiran Kumari Vs. State of Rajasthan & Ors.**

**Hon'ble Mr. Justice Dinesh Mehta**

**Judgement dated 15.01.2020**

While deliberating on transfer of persons governed by Rajasthan Panchayati Raj (Transferred Activities) Rules, 2011, held that 'since petitioners services have been transferred to Panchayati Raj Department from their parent department- Medical & Health Department, their services are to be governed by Rajasthan Panchayati Raj (Transferred Activities) Rules, 2011. As such, their transfer by the parent department is in violation of Rule 8 of the Rules of 2011.

Reliance had been placed upon the circular dated 16.06.2018 to defend the impugned transfer orders. A government order or circular cannot override the field occupied by a statute; it can only supplement the same in areas where the statute is silent. The executive order dated 16.06.2018 seeks to override the statutory provision and comes in direct conflict with the Rule 8 of the Rules of 2011, for which it was quashed. Writ Petition allowed and impugned transfer order(s) set aside.'

**(2) Shantilal Chhajer Vs. State of Rajasthan & Ors.****Hon'ble Mr. Justice Sangeet Lodha****Hon'ble Mr. Justice Manoj Kumar Garg****Judgement dated 18.03.2020**

While Considering the matter, wherein the petitioner has challenged the action of the respondents in rejecting his claim of medical reimbursement on the ground that under Rajasthan Civil Services (Medical Attendance) Rules, 1970 (as amended in 2008) ('the Rules of 1970'), the claim is not reimbursable.

It is pertinent to note that the Judicial Officers are permitted to take the treatment in the hospitals other than the hospitals maintained/notified by the State Government, if they have taken the treatment under the advice of the Medical Attendant of the hospital concerned, they cannot be denied the reimbursement on the ground that the treatment is not authorised by the Authorised Medical Attendant as defined under Rule 3(1) of the RCS(MA) Rules, 2008. Moreover, it is not disputed before this Court that the facility of treatment of SPMF (RFMQR) therapy is not available in the State of Rajasthan and thus, even otherwise the petitioner could not have obtained the said treatment within the State.

The communications dated 03.06.2014 & 18.06.2014 (Annexure 25 & 26) rejecting the claim of the petitioner for medical reimbursement are quashed. The respondents are directed to consider the claim of the petitioner for medical reimbursement afresh in accordance with the Rules.

Needless to say that the claim of the petitioner for reimbursement shall not be denied on the ground that the same is not covered under Rule 2(13)(i) of the RCS(MA) Rules, 2008. The claim of the petitioner for reimbursement shall be determined and the amount due shall be paid to him expeditiously, in any case, within a period of two months from the date of this order.

**(3) Rekha Meena Vs. State of Rajasthan & Ors.****Hon'ble Mr. Justice Dinesh Mehta****Judgement dated 27.02.2020**

While discussing the rejection of candidature of Persons with Disability, held that, 'Since petitioner had not applied under reserved (PH) category, rejection of her candidature on the ground that she is from 'other PH category' is illegal.

Medical examination was to be done for the candidates applying under PH category. As such, respondents could not have subjected the petitioner to medical examination who has not availed such reservation. A certificate of fitness, however, may be required.

Finally, the Court held that 'a disabled candidate having more or less than 40% (benchmark) disability cannot be denied appointment in case he does not claim the reservation qua such Category. Selection of such candidates shall, however, remain subject to objective satisfaction of the employer regarding suitability to perform the duties and a certificate of fitness may however be required by the employer.'

**(4) Smt. Neeraj Vs. State of Rajasthan & Ors.**

**Hon'ble Mr. Justice Dinesh Mehta**

**Judgement dated 07.12.2020**

While considering the matter of Maternity leave to female government servants under Rajasthan Service Rules for births given prior to joining the services, the Hon'ble Court held that 'action of respondents in not granting maternity leave under Rule 103 of Rajasthan Service Rules 1951 to the incumbent on the ground that the birth was given prior to joining the service was set aside.

The benefit of maternity leave conferred by Rule 103 of the Rajasthan Service Rules is employee centric and not dependent upon the date or event of child birth. A government servant is entitled to maternity leave irrespective of the fact that she gave birth to a child prior to joining the Government Services.

To harmonize the provision, taking cue from rule 103 A of RSR provisions governing paternity leave, it was held that a female govt. servant is entitled to maternity leave if she joins the service within the period of confinement, i.e. 15 days before to 3 months after the child birth.

The Court further held that 'the ground of delay in approaching the Court taken by the State was not tenable as the petitioner had nevertheless approached the Court in reasonable time. It was also observed that while dealing with a just cause of a citizen, the State should not rely on technicalities, such as limitation. Petition allowed.

**TAX LAW**

**(1) Vivek Swami Vs. Union of India & Ors.**

**Hon'ble the Chief Justice Mr. Indrajit Mahanty**

**Hon'ble Mr. Justice Prakash Gupta**

**Judgement dated 14.10.2020**

Considered the issue whether Section 108 of the Customs Act, 1962 is ultra vires as being violative of Articles 14 & 21 of the Constitution of India. In this context, the petitioner prayed for issuing suitable Circular/Instructions to enable the citizens in domestic possession of exotic species to make declaration under the voluntary disclosure scheme without any fear of actions under the Customs Act, 1962. The Government of India, Ministry of Environment, Forest and Climate Change issued an Advisory and thereafter in furtherance thereof, a Voluntary Disclosure Scheme was issued for the purpose of

collecting stock information from persons who have in their possession “exotic live species” i.e. exotic live animals and birds within India through such voluntary disclosure and limited such disclosure upto the period till December 2020.

The advisory introduced by the Central Government is in public interest and for a limited period of six months. If any voluntary disclosures made under the scheme introduced by the advisory are used for initiation of any proceeding against a declarant under the Customs Act, 1962, or any other law, the same would lack bona fides.

The Hon'ble Court held that 'once a declaration is made under the Voluntary Disclosure Scheme it will not be proper to allow any investigation under the provisions of the Customs Act, 1962, at least till the time limit provided under the scheme. Any action taken within the period stipulated in the notification the same would be clearly manifestly arbitrary and illegal. Any seizure/confiscation of exotic live species being smuggled into India or out of India at the entry or exit point should continue unhindered even within six month from the date of issue of the advisory of only stock of “exotic live species” in the possession of an applicant within India and not the course of export or import.

In view of the above, the Hon'ble Court did not find it just and expedient to consider the apprehension raised by the petitioner and deal with the issue raised on their own merits. Thus, section 108 of the Customs Act, 1962 is intra vires accordingly declining the prayer impugning the said provision.

## **(2) Ravindra Singh Chaudhary Vs. Union of India & Ors.**

**Hon'ble the Chief Justice Mr. Indrajit Mahanty**

**Hon'ble Mr. Justice Mahendra Kumar Goyal**

**Judgement dated 16.10.2020**

Considered a PIL, inter alia, claiming that online fantasy sports games are games of chance, which constitute gambling/betting and the government is not prohibiting it. Also, Dream 11, a respondent company is not paying GST under proper classification which is 28% and only paying 18%. The Bench with regards the act of gambling stated that result of the fantasy games offered by company Dream-11 is not determined merely by chance or accident, but the skill of the participant determine the result of the game having predominant influence on the outcome of the fantasy game. It involves substantial skill and is a business activity and not wagering having protected by Article 19(1)(g) of the Constitution. The Division Bench held that determination of GST is left to the GST authorities to be considered in accordance with law.

#### **4. STATUS OF INFRASTRUCTURE OF HIGH COURT & DISTRICT/SUBORDINATE COURTS**

##### **HIGH COURT**

##### **RAJASTHAN HIGH COURT PRINCIPAL SEAT AT JODHPUR**

Rajasthan High Court has been shifted to new building near Jhalamand at Jodhpur, Which was inaugurated on 07.12.2019 The building has 22 Court Halls & 02 Court Halls for Permanent Lok Adalat. Auditorium having capacity of 232 persons, huge library, Full Court Room, Litigant waiting areas with ample space for Public Utility Service like Crèche, Dispensaries, Bank, ATM, Canteens, Post- Office, E-Mitra Centre and Lifts etc. This new building has separate blocks for Advocate Chambers and for officers and chambers of Advocate Generals and Government Advocates.

##### **RAJASTHAN HIGH COURT BENCH AT JAIPUR**

An additional Building has been constructed behind the existing old Building of Rajasthan High Court Bench, Jaipur. There are total 24 Court Halls having facilities like Advocate Chambers, Litigant Shade, Dispensaries, Canteens, Post-Office, Crèche, Bank and ATMs etc.

**DISTRICT AND SUBORDINATE COURT(S)**

**Court & Residential Building –**

There are 36 Judgeships in the State of Rajasthan having 1250 Courts, 924 are functioning in the Buildings of Judicial Department, of which 636 Court Buildings are suitable as per norms. Other Court Buildings have been provided by the Gram Panchayat, Bar Association or other Government Department and 32 Courts are functioning in rented premises. Currently 216 Court Halls are under construction.

Further, only 627 residential accommodations are available out of which 411 are as per norms and 216 residences needs conversion from Type-III to Type-II, rest of the Judicial Officers are residing in their own house or in a rented house or residence provided by Government. Currently 155 residences are under construction.

**(2) Demand of Budget from GOI under Centrally Sponsored Schemes (CSS) as 60% Central Share for the year 2020-21:-**

(Rs. In Crore)

S. No.	Name of Scheme	Project Cost
1.	Construction of Court Buildings	269.90
2.	Construction of Residential Accommodation	311.04
TOTAL		580.94

The Central Government has released an amount of Rs. 29.40 Crore as Central Share under Centrally Sponsored Scheme during the year 2020-21.

**5. SANCTIONED STRENGTH, WORKING STRENGTH AND VACANCIES OF JUDGES IN HIGH COURT AND DISTRICT/ SUBORDINATE COURTS**

**STRENGTH OF HON'BLE JUDGES OF RAJASTHAN HIGH COURT**

**(As on 31.12.2020)**

SANCTIONED STRENGTH	WORKING STRENGTH	VACANT POSTS
50	23	27

**STRENGTH OF JUDGES IN DISTRICT/ SUBORDINATE COURTS**

**(As on 31.12.2020)**

CADRE	SANCTIONED STRENGTH	WORKING STRENGTH	VACANT POSTS
Rajasthan State for District and Subordinate Courts (RJS)	1489	1293	196

## **6. HUMAN RESOURCE DEVELOPMENT**

### **(I) TRAINING OF JUDGES / JUDICIAL OFFICERS**

#### **Institutional Induction training to 34 Trainee Civil Judges :**

An Institutional Induction training to 34 Trainee Civil Judges held from 6th - 18th January, 2020 was organized at Rajasthan State Judicial Academy Jodhpur.

#### **Training of Prosecutors on Women's Safety (Phase-II) :**

A, 2<sup>nd</sup> phase of five day training for Public Prosecutors was held on from 20th – 24th January, 2020. The objective behind convening Training Session for Prosecutors was for sensitization on issue of major concern nowadays i.e. Women's Safety organized at Rajasthan State Judicial Academy Jodhpur.

33 Prosecutors were participated in this Training Programme.

#### **Institutional Training Programme for 5 Newly Appointed Judicial Officers in District Judge Cadre :**

A Institutional training Programme for 5 Newly Appointed Judicial Officers in District Judge Cadre was held from 7th – 20th February, 2020 organized at Rajasthan State Judicial Academy, Jodhpur.

#### **Training Programme on Speedy and Qualitative Disposal of Civil and Criminal Cases with Special Reference to Rajasthan Local and Land Laws & Improvement of Court Performance :**

Purpose of such a training programme was held from 29<sup>th</sup> February -1<sup>st</sup> March, 2020 at Rajasthan State Judicial Academy, Jodhpur to make the participants more aware regarding the speedy and qualitative disposal of matters and to have uniformity in the application of Rule of Law across the State of Rajasthan. Issues faced by the Courts dealing with civil and criminal matters were received in advance by the Academy and the same were deliberated upon during the course of the training programme.

71 Judicial Officers and 34 Trainee Officers were participated in this Training Programme.

#### **Concluding Reflective Training 2019-2020 for 34 Trainee Officers :**

A Final Phase of Institutional training Programme for 34 Trainee Civil Judges was held from 24th February – 7th March, 2020 organized at Rajasthan State Judicial Academy, Jodhpur.

**Institutional Training Programme for 5 Newly Appointed Judicial Officers in District Judge Cadre :**

An Institutional training Programme for Newly Appointed Judicial Officers in District Judge Cadre was held from 17th – 24th March, 2020 organized at Rajasthan State Judicial Academy, Jodhpur.

**Initial Institutional Induction training to 189 Trainee Civil Judges organized in Virtual Mode :**

An Initial institutional training for 13 days about preliminary introduction to the justice delivery system including exhaustive training on topics of Civil as well as Criminal discipline, understanding the structure and functioning of Government & other stake holders, Good Governance and topics of general importance such as communication skills, management skills to develop their acumen and personality and to inculcate values, the aspect of morality, ethics, etiquettes, behaviour etc. was imparted virtually to the 189 newly appointed Trainee Civil Judges in First Phase was organized from 11th to 23rd October, 2020 at Rajasthan State Judicial Academy, Jodhpur.

**Webinar on functioning of the Courts and Virtual Courts during COVID-19 pandemic :**

An Inaugural webinar for 36 Principal District Judges and 35 Secretaries, District Legal Services Authority presided over by Hon'ble Mr. Justice Indrajit Mahanty (Chief Justice of Rajasthan High Court and Patron in Chief of RSJA) wherein the participants were addressed on the functioning of the courts and virtual courts during COVID-19 pandemic was organized on 21st June, 2020 at Rajasthan State Judicial Academy, Jodhpur.

**Webinar on Excellence in Qualitative and Quantitative Justice in Civil Matters - Phase I :**

A webinar for 36 Additional District Judges and 36 Additional Chief Judicial Magistrates was organized on 28th June, 2020 at Rajasthan State Judicial Academy, Jodhpur for making full use of the advances in the field of technology and keeping up with its constitutional mandate in mind.

The Webinar was presided over by Hon'ble Mr. Justice Arun Bhansali, Judge, Rajasthan High Court, Jodhpur.

### **Webinar on 'The Judicious Approach in Dispensation of Justice :**

A webinar for 45 Additional District Judges and 21 Spl. Judges, SC/ST Cases Courts was organized on 5th July, 2020 at Rajasthan State Judicial Academy, Jodhpur. This Webinar addressed different aspects such as the Constitutional Vision of Justice, the approach needed by the Courts while dispensing justice, the challenges in ensuing effective justice dispensation.

The Webinar was presided over by Hon'ble Mr. Justice Shripathi Ravindra Bhat, Judge, Supreme Court of India.

### **Webinar on Excellence in Qualitative and Quantitative Justice in Civil Matters- Part- II :**

A webinar for 35 Additional District Judges and 36 Additional Chief Judicial Magistrates was organized on 11th July, 2020 at Rajasthan State Judicial Academy, Jodhpur.

Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy) graced the webinar with his presence and provided valuable guidance on the subject of discussion.

The Webinar was presided over by Shri Uma Shankar Vyas, District & Sessions Judge, Jaipur Metro-I.

### **Webinar on Effective Implementation of SC/ST (Prevention of Atrocities) Act :**

A webinar for 28 Presiding Officers of SC/ST (Prevention of Atrocities) Act Cases Court and other Judicial Officers having first link Charge of Special Courts of SC/ST Cases was organized on 19th July, 2020 at Rajasthan State Judicial Academy, Jodhpur.

The Webinar was presided over by Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy), also, Shri Mahendra Kumar Dave (ADJ No. 2, Udaipur) acted as co-speaker of the session.

### **Webinar on 'Improvement of Court Performance' :**

A webinar for 75 Judicial Officers of Additional District Judges and Sr. Civil Judge-cum-CJM Cadre was organized on 26th July, 2020 at Rajasthan State Judicial Academy, Jodhpur.

The Webinar was presided over by Hon'ble Mr. Justice Satish Kumar Sharma (Judge, Rajasthan High Court). Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy) also graced the webinar with his presence and actively participated in answering the queries of the participants pertaining to case management and court management.

**Webinar on 'Speedy and Qualitative Disposal of ACD & CBI Cases' :**

A webinar on 'Speedy and Qualitative Disposal of ACD & CBI Cases' was organized on 27th July, 2020 at Rajasthan State Judicial Academy, Jodhpur.

12 Judicial Officers of ACD Cases Court, 6 Judicial Officers of C.B.I. Cases Courts, 12 Spl. Judges of POCSO Cases Court, 2 Judges of MACT, 1 P. O. National Human Right Commission New Delhi, 2 Judges of Industrial Tribunal-cum-Labour Court and 1 Judge of Commercial Courts are as participants in this Webinar.

The Webinar was presided over by Hon'ble Mr. Justice Joymalya Bagchi (Judge, Calcutta High Court) in benign presence of Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy).

**Webinar on 'Law of Execution and Enforcement in Civil Matters' :**

A webinar for 99 Additional Chief Judicial Magistrates was organized on 13th August, 2020 at Rajasthan State Judicial Academy, Jodhpur.

The Webinar was presided over by Hon'ble Mr. Justice Mahendar Kumar Goyal (Judge, Rajasthan High Court), also, Shri Ravi Sharma, District & Sessions Judge, Banswara and Shri Kamal Chhangani, Judge, Family Court, Balotra also participated as co-speakers.

**Webinar on 'Effective Implementation of Negotiable Instrument Act (Part-I)' :**

A webinar for 100 Spl. JMs (N.I. Act Cases) Courts and Judicial Officers of Batch 2017 & 2018 was organized on 20th August, 2020 at Rajasthan State Judicial Academy, Jodhpur.

The Webinar was presided over by Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy). Mrs. Nandini Vyas (Director, RSJA), Ms. Poonam Durgan (Additional Director [Academic], RSJA), Sh. Nihal Chand (Additional District & Sessions Judge No-3, Bikaner) and Sh. Tushar Bishnoi (Special MM NI Act Cases Court No-6, Jaipur Metro-I) also participated as co-speakers and provided their valuable insights on this topic.

### **Webinar on 'Effective Implementation of Rent Control Act :**

A webinar for Judicial Officers posted in Rent Appellate Tribunal and also having Power of Rent Tribunal Cases was organized on 5th September, 2020 at Rajasthan State Judicial Academy, Jodhpur.

35 District & Sessions Judges, 44 Sr. Civil Judge-cum-CJMs posted in Rent Appellate Tribunal and also having power of Rent Tribunal Cases are as participants in this Webinar.

The Webinar was presided over by Hon'ble Mr. Justice Arun Bhansali (Judge, Rajasthan High Court), and Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy. Shri B. K. Mishra, P.O. Rent Appellate Tribunal, Jaipur Metro-I also participated as co-speaker.

### **Webinar on 'Effective Implementation of Negotiable Instrument Act (Part-II)' :**

A webinar for 100 Spl. JMs (N.I. Act Cases) Courts and Judicial Officers of Batch 2017 & 2018 was organized on 10th September, 2020 at Rajasthan State Judicial Academy, Jodhpur.

The Webinar was presided over by Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy). Ms. Poonam Durgan (Additional Director [Academic], RSJA), Sh. Nihal Chand (Additional District & Sessions Judge No-3, Bikaner) and Sh. Tushar Bishnoi (Special MM NI Act Cases Court No-6, Jaipur Metro-I) also participated as co-speakers.

### **Webinar on 'Law of Precedents and Doctrine of Stare Decisis' :**

A webinar for 81 Judicial Officers of DJ Cadre of Batch 2002 was organized on 23rd September, 2020 at Rajasthan State Judicial Academy, Jodhpur.

The Webinar was conducted under the aegis guidance of Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy). Shri Mahendra Singh Singhvi, Advocate General, Government of Rajasthan also participated as co-speakers in this Webinar.

**Webinar on Domestic Violence' :**

A webinar for 168 Judicial Officers of Civil Judge & Judicial Magistrate Cadre was organized on 30th September, 2020 at Rajasthan State Judicial Academy, Jodhpur.

The Webinar was presided over by Dr. Nidhi Gupta (Associate Professor, National Law University, Jodhpur) and conducted under the aegis guidance of Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy).

**Webinar on 'Sensitization of Judges dealing with POCSO Act' :**

A webinar for Judicial Officers posted in POCSO Act Court and Principal Magistrates of Juvenile Justice Boards of Rajasthan was organized with the assistance of Kailash Satyarthi Children's Foundation from 7th - 8th October, 2020 at Rajasthan State Judicial Academy, Jodhpur.

52 Special Judges of POCSO Act Courts cases and 33 Principal Magistrates of Juvenile Justice Boards of Rajasthan are as participants in this Webinar.

The Webinar was presided over by Hon'ble Mr. Justice Shripathi Ravindra Bhat (Judge, Supreme Court of India) and Shri Kailash Satyarthi (Noble Laureate). Ms. Jyoti Mathur (Director, Kailash Satyarthi Children's Foundation) and Ms. Sampurna Behura (Director-Legal, Bachpan Bachao Andolan) are the co-speaker in the webinar. The webinar was conducted under the aegis and guidance of Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy).

**Webinar on 'Refresher Programme for Stakeholders under Juvenile Justice System' :**

A webinar for Principal Magistrates of Juvenile Justice Boards of Rajasthan, Probation Officers, State Child Right Commission and Members, Juvenile Justice Boards was organized from 6th - 7th November, 2020 at Rajasthan State Judicial Academy, Jodhpur.

34 Principal Magistrates & 60 Members, Juvenile Justice Boards and 15 Probation Officers, State Child Right Commission as participants in this Webinar.

The Webinar was presided over by Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy). Shri Mahendra Kumar Dave, Additional District and Sessions Judge (Udaipur), Shri Mukesh Parnami, Senior Civil Judge cum Additional Chief Judicial Magistrate(Bhilwara) and Shri Sanjay Nirala, Child Protection Specialist (UNICEF, Rajasthan Office) addressed the participants on different topics dealing with the Juvenile Justice (Care and Protection of Children) Act, 2015.

**Webinar on 'Section 15 of Juvenile Justice (Care & Protection Act), 2015' :**

A webinar for District & Sessions Judges, POCSO Judges, Principal Magistrates of JJBs of Rajasthan and Judicial Officers Posted in POCSO Act Courts was organized with the assistance of NIMHANS from 18th – 23rd November, 2020 at Rajasthan State Judicial Academy, Jodhpur.

36 District & Sessions Judges, 4 POCSO Judges, 34 Principal Magistrates of JJBs of Rajasthan and 48 Judicial Officers Posted in POCSO Act Courts are as participants in this Webinar.

The Webinar was presided over by Hon'ble Mr. Justice Madan B. Lokur (Former Judge and Chairperson of the Juvenile Justice Committee, Supreme Court of India); Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy) and Dr. Shekhar Seshadri (Senior Professor, Dept. of Child and Adolescent Psychiatry, NIMHANS).

**Webinar on 'Gender Justice: Significant Role of Indian Judiciary' :**

A webinar was organized for Judicial Officers of Batch- 2000, 2002, 2005 & 2008 on 2nd December, 2020 at Rajasthan State Judicial Academy, Jodhpur.

120 Judicial Officers (30 from each Batch of 2000, 2002, 2005 & 2008) are as participants in this Webinar.

The Webinar was presided over by Hon'ble Kumari Justice Nirmaljit Kaur (Judge, High Court of Punjab and Haryana). Dr. Nidhi Gupta (Associate Professor, NLU-Jodhpur) participated as a co-speaker.

The webinar was conducted under the aegis and guidance of Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy).

### **Webinar on 'Speedy and Qualitative Disposal of NDPS Cases' :**

A webinar was organized for Judicial Officers posted in NDPS Cases Courts and Courts in which Powers have been given for hearing NDPS Cases on 17th December, 2020 at Rajasthan State Judicial Academy, Jodhpur.

120 Judicial Officers posted in NDPS Cases Courts and Courts in which Powers have been given for hearing NDPS Cases are as participants in this Webinar.

The Webinar was presided over by Hon'ble Mr. Justice Kanwaljit Singh Ahluwalia (Chairman, Railway Claims Tribunal and Former Judge, Rajasthan High Court) in the benign presence of Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy).

### **Workshop on "Sensitization of Stakeholders dealing with POCSO Act Cases" :**

A Workshop for Judicial Officers; Prosecution Officers and Police Officials on the subject the crimes under POCSO impact the future of the society was organized on 8th February, 2020 at Rajasthan State Judicial Academy, Jodhpur.

45 Judicial Officers, 53 Prosecution Officers and 24 Police Officials were participated in this Workshop.

The aim of the Workshop (conference) was to sensitize oneself regarding the gravity of such offences and set correct the priorities for the prevention of injustice in such cases.

### **Conference on Speedy and Qualitative Disposal of ACD & CBI Cases :**

A one day Conference for ACD and CBI Court Judges; Prosecution Officers and Special Public Prosecutors and Inspectors was organized on 19th January, 2020 at Rajasthan State Judicial Academy, Jodhpur.

This conference dealing with various aspects of the Prevention of Corruption Act, 1988 to explain to the participants latest developments and position of law with regards to offences pertaining to corruption.

16 Judicial Officers, 15 Prosecution Officers and Special Public Prosecutors and 4 Inspectors were participated in this Conference.

### **Virtual Group Discussion of Newly Appointed Trainee Judicial Officers of Batch-2020-21:**

Online Group Discussion & Presentation on various important and legal topics were organized on 25th November to 31st December, 2020 at Rajasthan State Judicial Academy, Jodhpur.

Newly appointed 189 Trainee Judicial Officers of Batch 2020-21 were participated in this Virtual Group Discussion.

## **(II) ACTIVITIES OF STATE JUDICIAL ACADEMY**

Rajasthan, Judicial Academy was constituted and established in the name of School of Judicial Administration & Rajasthan Judicial Academy (S.J.A.R.J.A.) considering suggestions made by the Vice Chancellor of National Law University, Jodhpur the then Hon'ble Chief Justice Mr. A. R. Laxmanan vide his order dated 16.11.2001.

Presently, the Academy is functioning in its newly constructed splendid building spread in about 80 Bighas of land and situated near Jhalamand Circle, Old Pali Road, Jodhpur. The Academic Block of RSJA has state-of-the-art Auditorium (with a capacity of 240 persons), a Conference Hall (with a capacity of 135 persons), a Library Hall, Class Rooms and a Computer Lab. The Hostel Block of RSJA has 52 rooms alongwith a Dining Room, a Gymnasium and a Recreation Room for the Trainee Officers.

The Rajasthan State Judicial Academy has a Faculty Guest House comprising of suites and rooms for Hon'ble Guest Faculties and other invited dignitaries invited for various purposes and a Drivers' Dormitory. In the near future, RSJA is planning to construct a few additional Hostel Rooms, a Swimming Pool, a Tennis Court, a Utility Centre and a Canteen etc.

## 7. STATUS REPORT OF COMPUTERIZATION OF RAJASTHAN HIGH COURT

### HIGH COURT

#### E-FILING-

- In compliance of resolution of Hon'ble Full Court to set up E-Courts in Rajasthan High Court, modalities for starting e-filing were finalized and Standing Order dated 09.01.2020 containing detailed guidelines for e-filing in Rajasthan High Court was issued.
- In order to facilitate parties and litigants amidst lock-down, all required technical preparations were accomplished at war level and institutionalized e-filing was started in Rajasthan High Court Jodhpur and Jaipur Bench for all case types from 08.04.2020, within 15 days of imposition of lockdown.
- The full featured e-filing module with verification of filing through electronic signature, Aadhar authentication and Mobile OTP verification has been started which is available at [www.efiling.ecourts.gov.in](http://www.efiling.ecourts.gov.in).
- Customized feature of filing Misc. Application/Stay applications has also been incorporated in e-filing Module to cater the procedure followed in Rajasthan High Court.
- For assistance of lawyers and litigants, Video Tutorials and Pictorials have been made available. Assistance is also made available at dedicated E-Seva Kendras, setup at Jodhpur and Jaipur besides this Helpline numbers over telephone have also been made functional.
- For sensitisation of lawyers and litigants, Registrar cum CPC made a live presentation of E-Filing process through Webinar on 27.06.2020. In this webinar along with E-filing, e-Gate Pass system was also demonstrated. The video is available at the link-

<https://youtu.be/tQpnsUfr7aM>.

### **Facility to file cases through E-Mail -**

- On account of restricted mobility due to outbreak of COVID-19 and nation wide lockdown from 23rd March 2020, lawyers and litigants were not able to come to court for physical filing, therefore, on-line filing was allowed even through email.
- Further a dedicated link was also provided on website of Rajasthan High Court for e-filing of applications for urgent listing. Later, these e-services were further expanded with the starting of institutionalized e-filing on dedicated e-filing portal.

### **Video Conferencing-**

- Rajasthan High Court made a novel initiative to use information and technology for conducting Court Proceedings during lock-down. System of Court Hearings through Video Conferencing was implemented to ensure access to Justice.
- For this Video Conferencing equipments were set-up in court room in such a way to replicate open court environment.
- Cases in High Court were taken up through JitSI Application, Whatsapp Video Call and Google Duo, presently Cisco Webex is being used for Video Conferencing at High Court.
- Unique VC links for every case were generated through a computer programme and were sent to concerned advocates and parties through SMS and e-mail using an automated software. Parties followed online display-board for their turn and joined through unique link when their case was taken up.
- Virtual hearings were also conducted in cases involving multiple parties, several bunch cases were also successfully taken on VC, bunch of 400 cases was also taken up successfully.
- During the lock-down period commencing from 23.03.2020 till the date of resumption of physical hearing from 29.06.2020, 18307 cases were taken up through VC which was the highest number of cases heard virtually by any High Court during lock-down. Further, till 31.12.2020, total 94903 cases have been taken up through VC.
- The fact of highest number of cases heard through video conferencing in Rajasthan High Court during lock-down i.e. 23.03.2020 to 29.06.2020 was also acknowledged by Hon'ble eCommittee, Supreme Court of India in minutes of its meeting dated 31.07.2020.

### **Facility of Video Conference through Hybrid Mode-**

- Rajasthan High Court became first High Court to resume physical hearing after summer vacations, and in order to facilitate advocates and parties who wish to address court virtually, the facility of VC was continued simultaneous to physical hearings.

- Extending facility of VC to a further advanced level, arrangements were made to suitably accommodate hearings wherein one party addresses court physically inside court room and other party appears on VC. For this Hybrid VC, two VC setups have been configured in court rooms which work in conjugation so that all participants may see and hear each other.

**E-Pay for Payment of Court Fees-**

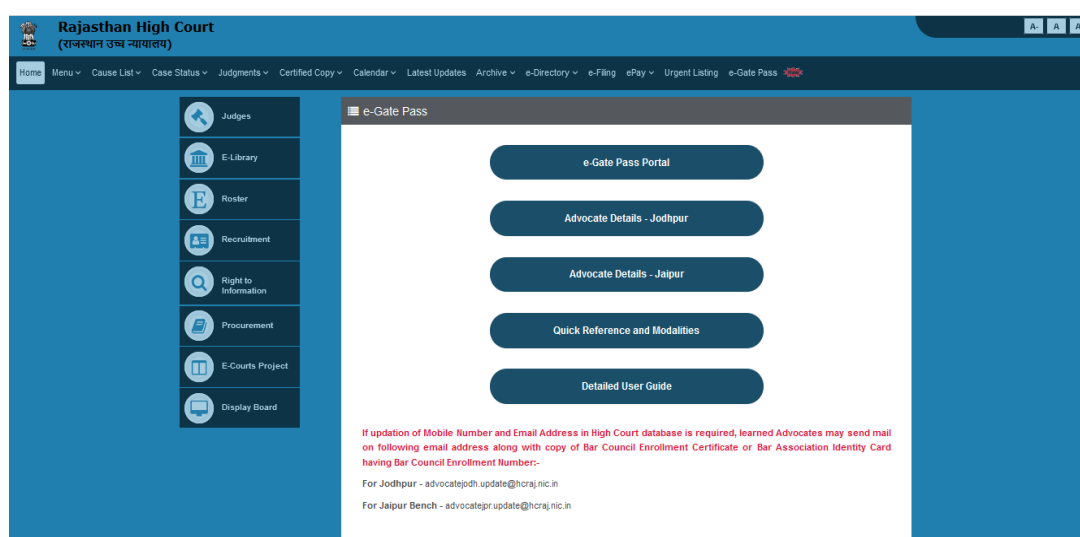
- The facility of E-payment of Court Fees has been started in Rajasthan High Court in the month of May 2020 to facilitate lawyers and litigants amidst lock-down.
- Rajasthan High Court is the first High Court which has E-payment facility of Court Fees on the E-Pay Portal of Hon'ble E-Committee which is directly integrated with the E-Grass of the State Government.
- This ensures that all the government receipts received by way of Court fees and fine are directly deposited in respective revenue heads without any delay or intervention of any third party agency.
- For deface of Court Fees and Fine, Rajasthan High Court has developed its own periphery software. Facility of reports are provided for accounts purposes.

The image displays two screenshots of the ePay portal interface. The left screenshot shows the 'ePay' header with 'eCourts Digital Payment' and tabs for 'Court Fee', 'Judicial Deposit', 'Fine', and 'Penalty'. The 'Court Fee' tab is active, showing a form with fields for State, District, Establishment, Party Name, Amount, Remark, and Mobile No. The right screenshot shows a detailed view of the 'Court Fee' form with 'High Court' selected. It includes dropdowns for 'High Court' (High Court Of Rajasthan) and 'Bench' (High Court Bench at Jaipur). The 'Party Name' field contains 'XXXXXXXXXX', 'Amount' is '1000', 'Remark' is 'XXXXXXXXXX', and 'Mobile No' is '9999999999'. A 'Terms and Conditions' box is visible, stating 'The web site pay.eCourts.gov.in is designed and developed by National Informatics Centre under eCourts project'. A 'Generate OTP' button is at the bottom.

**e-Gate Pass System for Sr. Advocates, Advocates, Litigants and Parties-in-person-**

- Rajasthan High Court is first High Court which started physical hearing from 29th June 2020 in the process of unlock after the outbreak of COVID-19.
- For management of gathering in court premises and to ensure social distancing, a very efficient computer programme has been developed for automated generation of e-Gate Passes.
- The programme has separate provisions for Sr. Advocates, Advocates, litigants and parties in person.

- Advocates or party in person may log in from their personal account and can easily generate e-Gate Pass for their cases listed before Hon'ble Court. E-Gate Pass is communicated in form of SMS and also a PDF copy of same may be downloaded.
- Advocates can also generate e Pass for their parties.
- Recently facility to generate ePass for visit to sections like administrative sections, centralized filing, copying and Judicial sections has also been started.



### Digitization-

- Scanning & Digitization of disposed case records of Rajasthan High Court is in progress since October 2018 both at Jodhpur and Jaipur.
- Approximately 7 Crore pages are to be scanned. As on 06.01.2021, total 1,39,71,124 pages have been scanned of which quality check has been done by the High Court Staff. This is 19.96% of the total work.

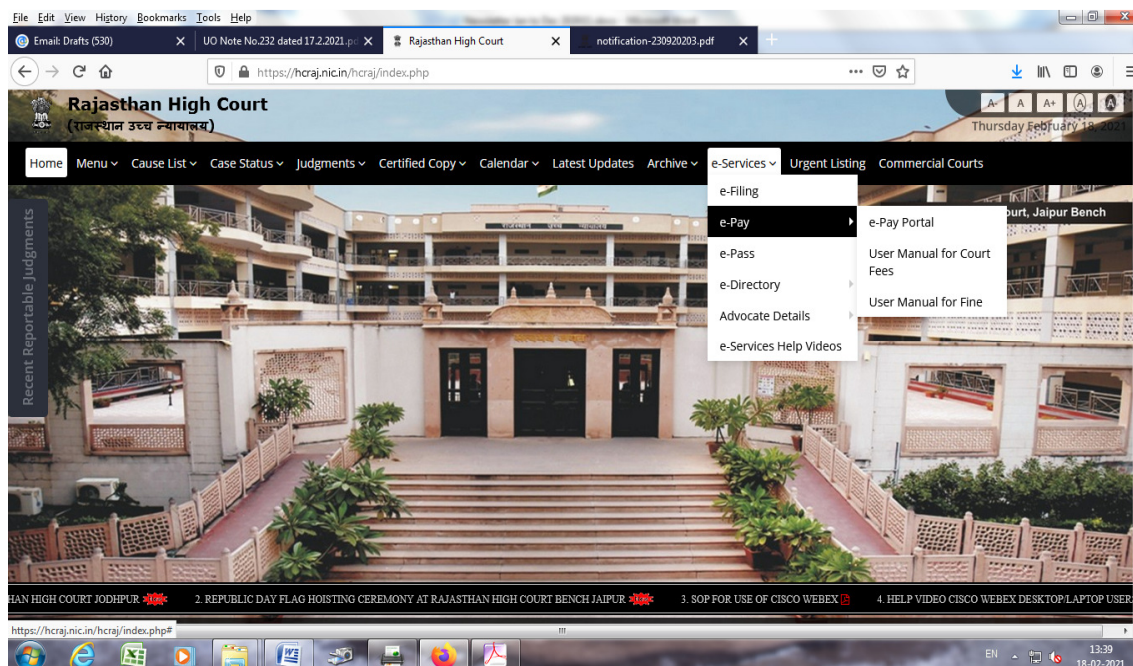
### E-Seva Kendras & Helpline-

- For assistance of Advocates and Litigants, E-Seva Kendras were set up in Rajasthan High Court, Jodhpur, Jaipur Bench for troubleshooting of e-filing, video conferencing and other digital services.
- Besides E-Seva Kendras, dedicated helpline Numbers i.e. 14634 and 14635 were also started not only for Rajasthan High Court Jodhpur and Jaipur Bench respectively.

### Website Updation-

- Due to Outbreak of Covid-19, Listing of Cases was limited to urgent cases, therefore, a new feature of **urgent listing** was added on Official Website of Rajasthan High Court.

- Another a new feature i.e. e-Services has also been added which contain following modules
  - e-Filing
  - e-Pay
  - e-Pass
  - e-Directory
  - Advocate Details
  - e-Services Help Videos



- For availing benefits various e-Services, a facility of mobile number and email address verification and updation has also been made live on website of Rajasthan High Court.
- Information pertaining to mandatory disclosure under section 4(1)(b) of Right to Information Act 2005 has also been published on Website of Rajasthan High Court.

### **Online Webinar and awareness program for advocates on topic "E-Filing and E-Court Services"-**

- Under the aegis of Hon'ble E-Committee Supreme Court of India, online Webinar and awareness program for advocates on topic "E-Filing and E-Court Services" was conducted by 20 Master Trainers on 25.07.2020 over Cisco Webex and the program was also simultaneously streamed live on YouTube to ensure maximum participation. More than 4000 advocates have viewed this YouTube video. The video is available on following link:-


<https://youtu.be/c5sBVEuUc7c>

- For spreading awareness, various Video tutorials and Brochures have also been prepared in Hindi Language and are made available on You Tube Channel of Rajasthan High Court.

**Four Paperless Courts started functioning in Rajasthan High Court-**

- Taking a big stride towards digitalization and paperless functioning of Courts, Four Hon'ble courts of Rajasthan High Court; two each at Jodhpur and Jaipur, hearing bail matters started functioning in Paperless mode from 02.11.2020.
- Under the guidance of Hon'ble Steering Committee, an in-house peripheral paperless module has been developed by Computer Cell wherein different sub-modules/logins are provided for Hon'ble Judges, Court Masters, Registry Officers, Section In-charge, dealing clerks, Scanning Agency etc. with facilities and functionalities according to individual requirements for management and use of paperless module.
- All the newly filed bail matters and documents are scanned and digitized at the filing counter itself and before uploading of PDF files in DMS a detailed and exhaustive bookmarking is done. Registry Officers, Section in-charges and Scanning Agency can supervise and manage entire process through specialized sub-modules/logins. Cause-List Programme has been linked with the paperless module and the files are automatically arranged as per cause list.
- Hon'ble Judges can access soft copy of files listed in cause list through their dedicated logins from anywhere including court room, residence office, and chambers. Facilities to save encrypted notes is also provided for Hon'ble Judges. Facility for viewing all the connected/tagged matters alongside the main file is also available. Similarly, Court Masters are also provided access to soft copy of files from their logins.
- Dealing Clerks, through their logins, can insert, append and bookmark the newly filed documents or newly generated pages and automatically place them according to index and pagination. They can also perform task of tagging of similar files.
- Screenshots of the utility are attached below.






















Rajasthan High Court

 Justice Mahendar Kumar Goyal

Home

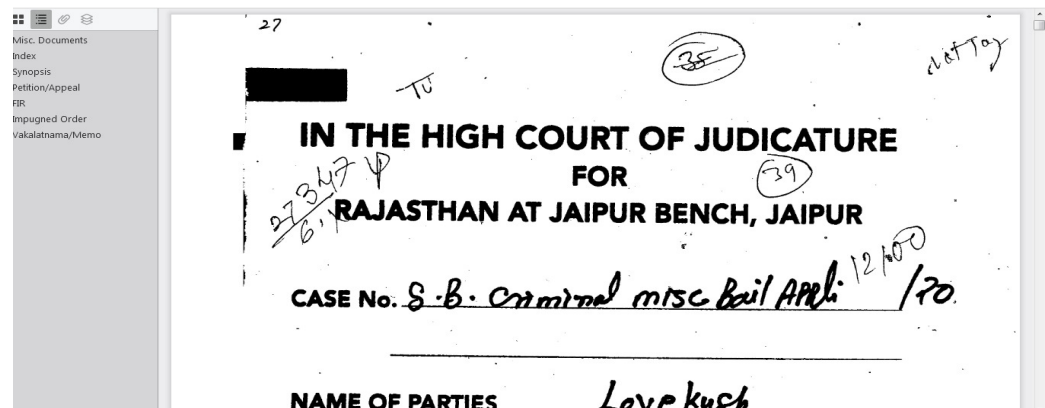
LIST OF CASES (CAUSELIST DATED 01/12/2020 FOR COURT NO. 16 - SB)

Back

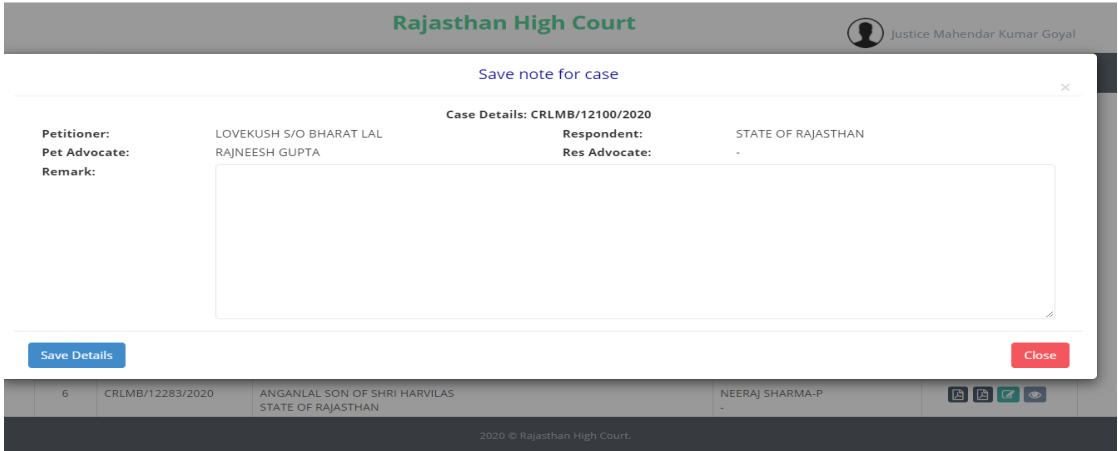
Sr. No.	Case Details	Party Details	Advocate Details	Action
FOR ORDERS - 439 ( CR.P.C.)				
1	CRLMB/12100/2020	LOVEKUSH S/O BHARAT LAL STATE OF RAJASTHAN	RAJNEESH GUPTA -	  
2	CRLMB/12228/2020	AKKA @ AKEEL @ JADEJA SON OF SHRI PAPPU @ DEEN MOHAMMED MEV STATE OF RAJASTHAN	RAJNEESH GUPTA -	   
3	CRLMB/12241/2020	JAGDISH SON OF SHRI MANGU STATE OF RAJASTHAN	RAJARAM CHAUDHARY -	  
4	CRLMB/12262/2020	CHANDRAPRAKASH @ CHANDU VERMA S/O MOTILAL STATE OF RAJASTHAN	SHIVRAJ CHAUHAN -	  
5	CRLMB/12282/2020	KEVAL SINGH SON OF SHRI HARIVILAS STATE OF RAJASTHAN	HARSH VARDHAN SHARMA P P	   
6	CRLMB/12283/2020	ANGANLAL SON OF SHRI HARVILAS STATE OF RAJASTHAN	NEERAJ SHARMA-P -	   

2020 © Rajasthan High Court.

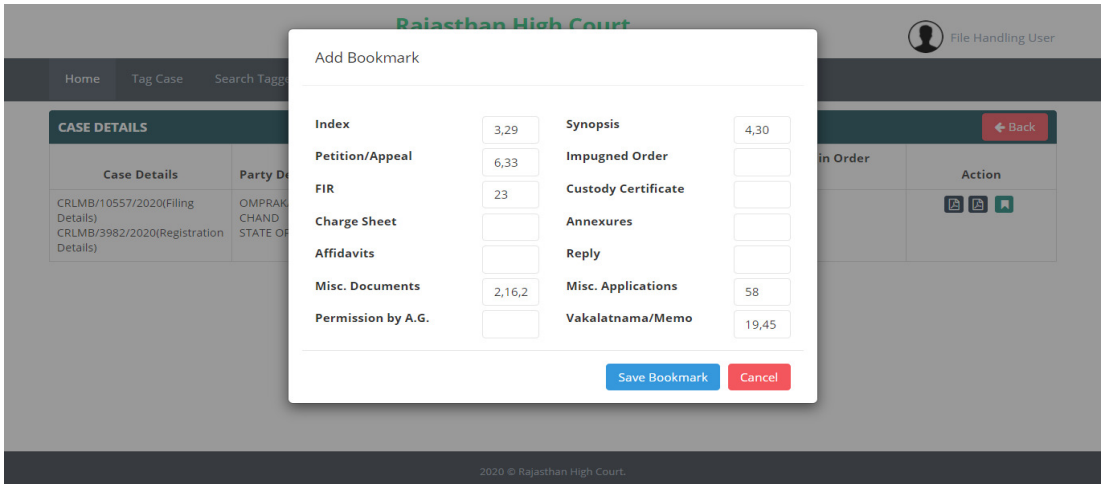
Cause-list wise view of files listed before court, with facility to take notes and view tagged files



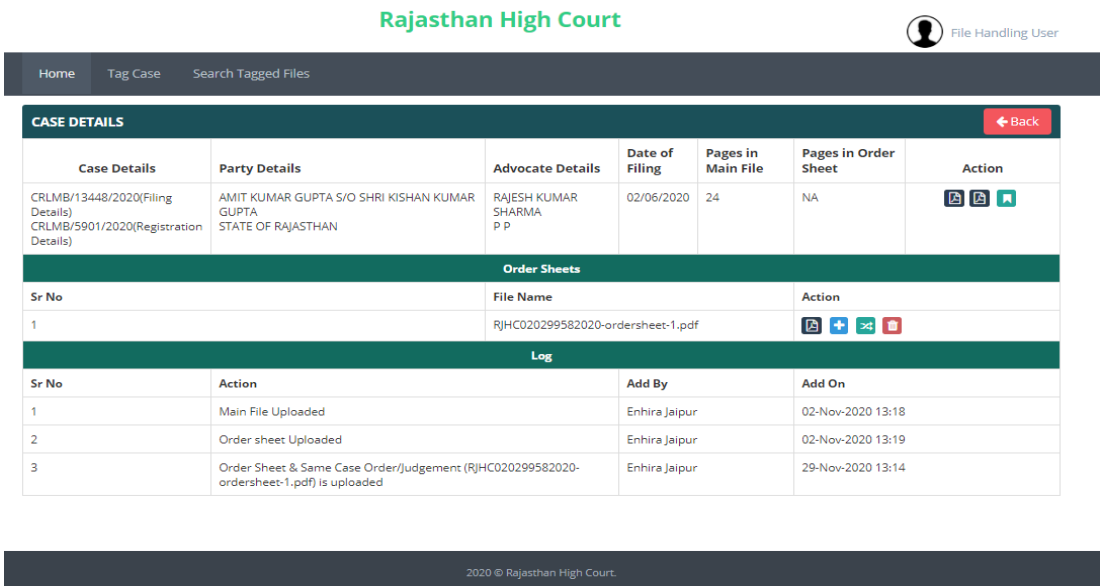
PDF View of files along with book marks



Facility to take encrypted notes



Automated book marking interface for dealing clerks



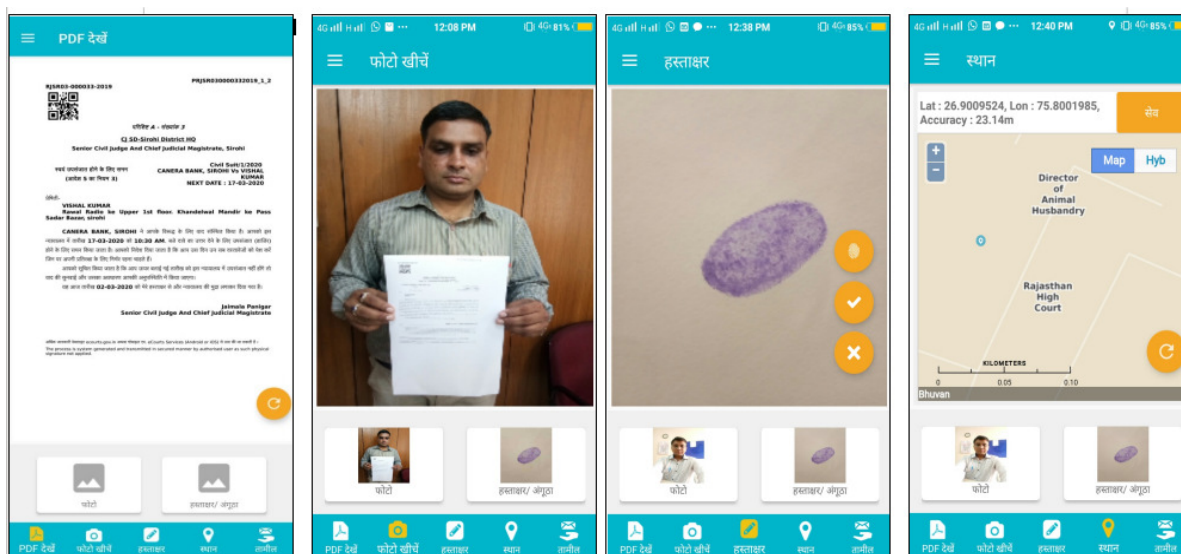
Interface for inserting and appending new pages

## STATUS OF COMPUTERISATION

### SUBORDINATE COURTS

#### NSTEP (National Service and Tracking of Electronic Processes) –

- Initially NSTEP was launched for service of summons within local jurisdiction of concerned court. In Second Phase from the month of January 2020, serving of processes across establishments throughout State of Rajasthan has also been started.
- Rajasthan is the pioneer state in implementation of National Service and Tracking of Electronic Processes (NSTEP) and for this purpose, the NSTEP App and various summons were customized in Hindi language.
- NSTEP will not only accelerate the process of service but would also make it more transparent eliminating frequently raised allegations on the process servers.
- Maximum number of summons served digitally through NSTEP.
  - As per the records shared by Hon'ble eCommittee, Supreme Court of India, Rajasthan has generated highest number of electronic summons through CIS and has also successfully completed service of nearly 25000 summons through NSTEP Mobile App which is highest in the country.



#### Video Conferencing-

- During the lock-down period commenced from 23.03.2020, court proceedings through Video Conferencing in District Courts across the State were conducted.
- 79835 cases in District Courts were taken up through JitSI Application, Whatsapp Video Call, Skype etc. upto 31.12.2020.
- Judicial custody remands of jail inmates were also extended by concerned courts through Video Conferencing to ensure limited movement during lock-down period.

**Digital Signature-**

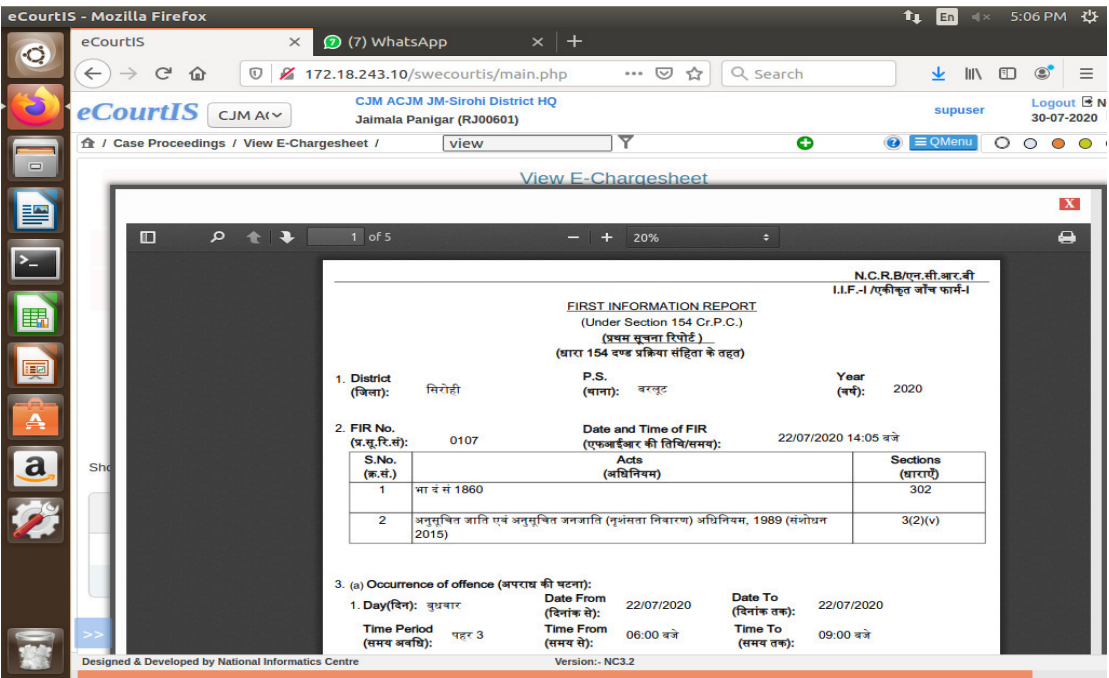
- Digital Signature Tokens have been procured and being provided to all the Judicial Officers.

**Migration to CIS 3.2-**

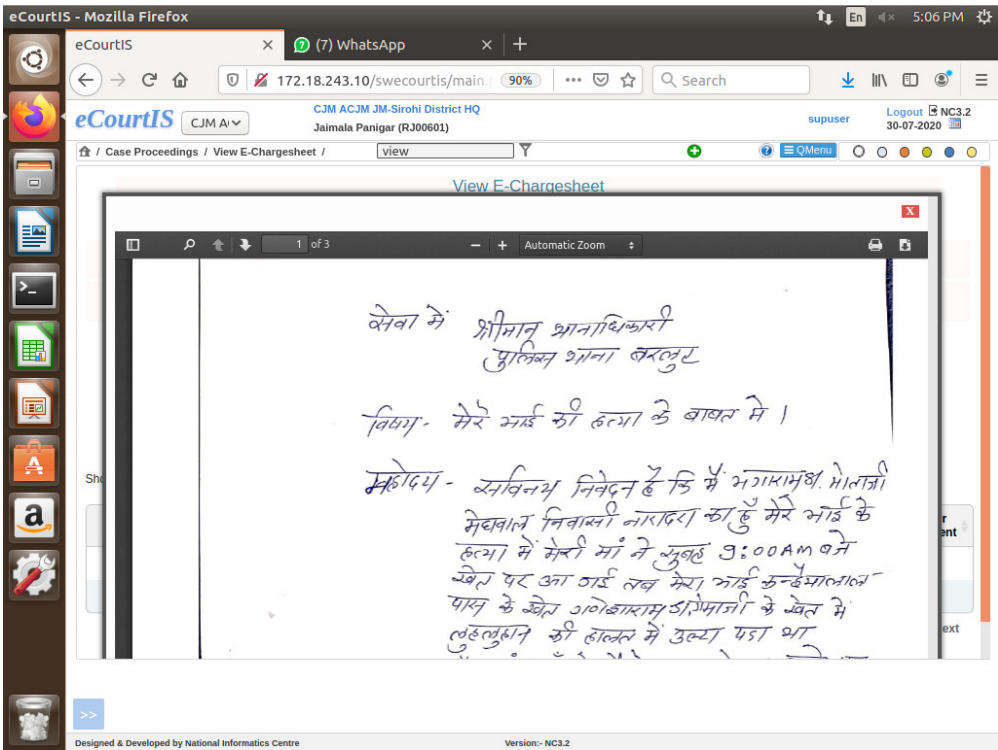
- Hon'ble eCommittee, Supreme Court of India launched latest version of CIS 3.2 in the month of March 2020.
- CIS 3.2 has dedicated modules for delay reason, automatic allocation of next dates during COVID-19 lock-down,e-filing and ICJS etc.
- All the 948 establishments, which is highest in India, were migrated within a short span of one month to ensure that latest features of CIS 3.2 are available for litigants and court staff.

**Rajasthan became the First State to fetch online copies of F.I.R. and Charge-sheet under Live Electronic Exchange of Data under ICJS-**

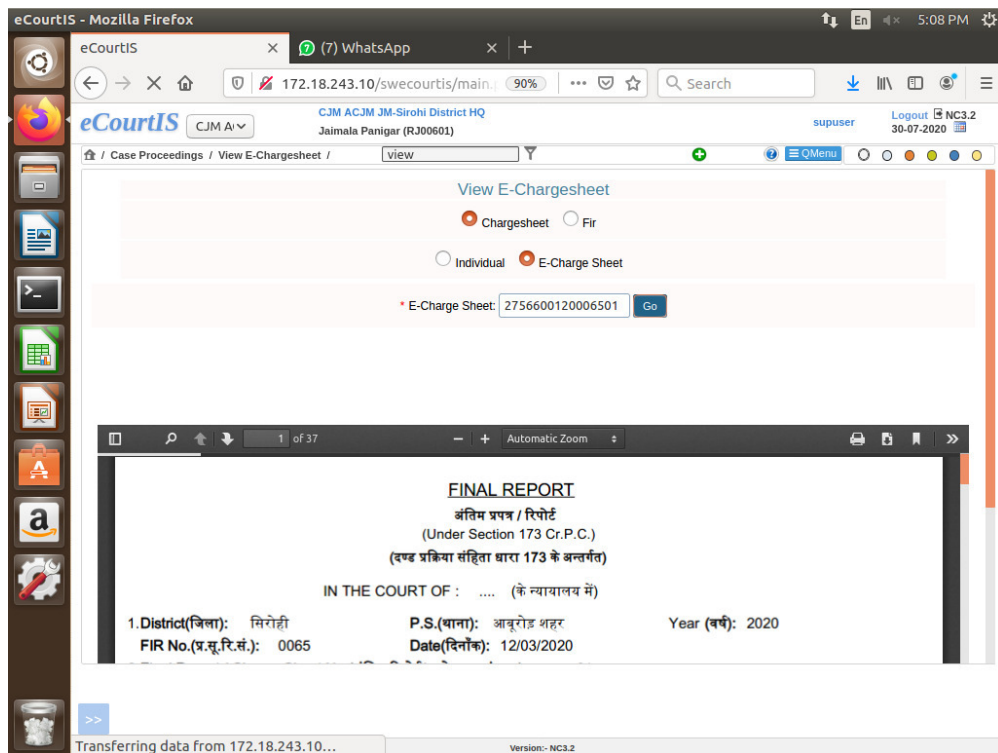
- Integrated Criminal Justice System (ICJS) was rolled out in all the Courts across Rajasthan in the month of May 2020. The meta data of FIR and charges sheet are being successfully consumed in CIS 3.2 of all the courts of Rajasthan.
- During the exercise of integration of ICJS, Rajasthan has become first State in the country where all the Courts across the State are getting the CCTNS generated copy of FIR in the CIS along with the scanned copy of report and its enclosures.
- ICJS been rolled out in all the Courts across Rajasthan and the meta data of FIR and charges sheet are being successfully consumed in CIS of all the courts. Getting complete Charge Sheet has also been successfully tested and will be implemented in all the courts.



**View of CCTNS Generated FIR in CIS**



View of scanned handwritten Report in CIS

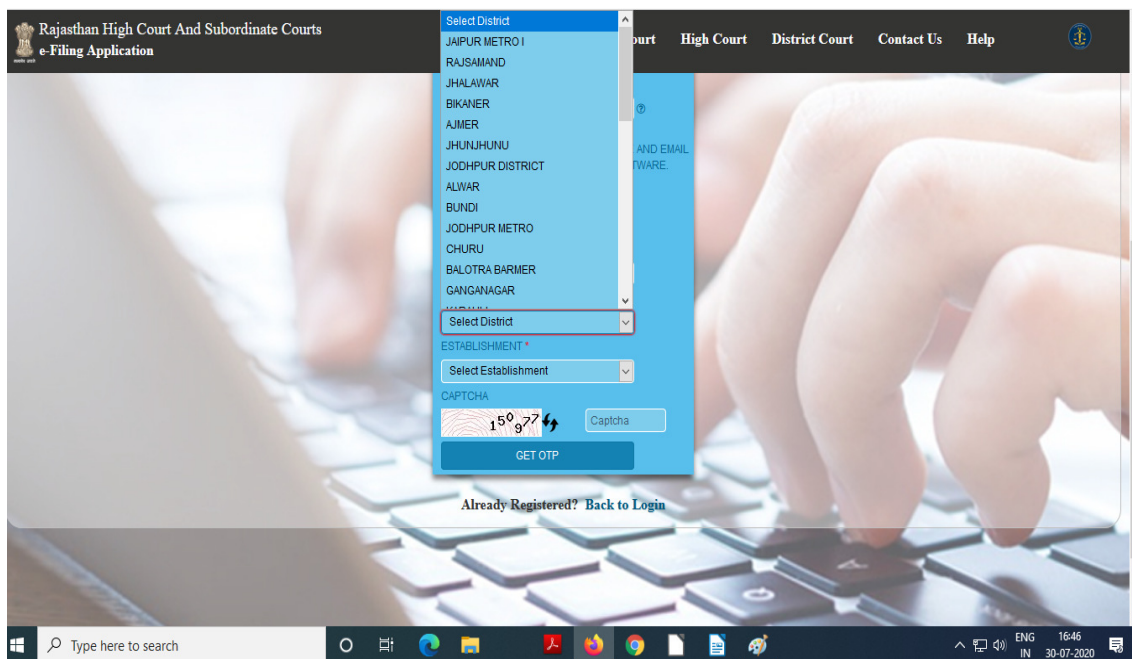


View of Charge Sheet in CIS

**E- Filing for District Courts-**

- In the endeavour to provide e-services at the door step and to facilitate 24x7 access to filing in courts the facility of E-Filing was started across all 36 Judgeships in Rajasthan from 4th August 2020.
- On the lines of Guidelines for Rajasthan High Court, Guidelines for E-filing in Subordinate Courts were issued on 23.07.2020.
- e-Filing for subordinate courts/ Special Courts/ Tribunals of Rajasthan has been started from 04.08.2020 on the E-Filing portal of Hon'ble E-Committee, Supreme Court of India. The link of E-Filing is available on the web site of Rajasthan High Court.

- Rajasthan has 948 establishments which is the highest number of establishments for any state. The facility of e-filing was made live simultaneously across all the 948 establishments and for all categories of cases. Now any litigant or advocate can e-file any type of case in all the courts of Rajasthan. For assistance of advocates and litigants help video in vernacular have also been provided.
- The e-filing facility through e-filing portal of eCommittee has been customized according to the local requirements and filing procedure followed at Rajasthan with unique facility of filing Stay Application/Misc Applications has been incorporated.



## **e-Pay for Court Fees and Fine-**

- The facility of E-payment of Court Fees and Fine has been started in District Courts across the State at one stretch in the month of May 2020.
- Rajasthan High Court is the first High Court which has E-payment facility of Court Fees and fine available on E-Pay Portal of Hon'ble E-Committee which is directly integrated with the E-Grass of the State Government.
- This ensures that all the government receipts received by way of Court fees and fine are directly deposited in respective revenue heads without any delay or intervention of any third party agency.
- For deface of Court Fees and Fine, Rajasthan High Court has developed its own periphery software. Facility of reports at Court level, District level and State level are provided for accounts purposes.
- ePay facility ensures availability of court fee during lock-down and also fosters digital payment of court fee and fine.

## Software Patch in CIS for COVID-19 Management-

- A new software patch released by Hon'ble eCommittee for management of COVID19 was successfully rolled out across all courts of the State in the month of May 2020.

- This software patch is a useful tool for managing work allocation, time slots and cause lists to limit gathering in courts and court premises.
- The management module provides facility to the courts to manage the work allocation and Daily Cause Lists by either Retaining or Adjourning the matters already listed on a particular day, well in advance, and intimate concerned Advocates and Litigants by SMS.
- Judicial Officers can retain urgent cases and adjourn cases which are not urgent on the cause list, so that overcrowding can be effectively managed in Courts.
- Cases to be taken up can be retained and time slots can also be given for each of the case.
- Time slots for the cases can be used to effectively maintain social distancing of litigants and advocates in the Courts rooms.

#### **First E-Seva Kendra for District Courts established at Udaipur as pilot project-**

- For assistance of Advocates and Litigants, E-Seva Kendra was set up at Udaipur District Headquarter on 15.05.2020 for troubleshooting of e-filing, video conferencing and other digital services. This facility is also proposed to be extended to every court complex.
- Besides E-Seva Kendras, dedicated helpline Numbers have been notified for every court complex for complaints regarding procedural issues of video conferencing.

#### **Successful Bifurcation of courts and establishments of erstwhile Jaipur Metro Judgeship-**

- On creation of Jaipur Metropolitan-II in the month of June 2020, the CIS data of erstwhile Jaipur metro judgeship was successfully bifurcated between Jaipur Metropolitan-I and Jaipur Metropolitan-II.
- This exercise was completed within short span with technical help of NIC Pune to ensure least inconvenience to litigants, advocates and court staff.

#### **Entry of Delay Reasons in CIS – Highest in the entire country-**

- Hon'ble E-Committee, Supreme Court of India has taken a far sighted initiative of entering delay reasons in CIS 3.2 in all the cases which are more than 2 years old. This will not only make the entire system transparent and accountable but will also pave way for chalking out strategy to deal with arrears.
- In Rajasthan, the task of entering delay reasons has been taken as a special drive which was started on 02.09.2020, despite functioning with limited number of courts and limited staff due to Covid-19 pandemic.
- Rajasthan has entered delay reasons in 987139 cases as on 30.12.2020 which is highest by any State in the entire country. A statement showing State wise count of delay reasons is enclosed which shows that delay reasons have been entered in 4436927 cases in the entire country and thus, Rajasthan alone contributes more than 22% of the national tally.

State

Select State

District

Select District

Establishment

Select Establishment

Show

10

entries

Search:

Sr. no	Delay Reasons	Civil	Criminal	Both
1	Securing Presence	153534	1943235	2096769
2	Unattended	523852	645575	1169427
3	Stayed	294375	447403	741778
4	Awaiting Record	139895	102396	242291
5	Frequent Applications	86633	34446	121079
6	Execution	46087	1	46088
7	Bulky Case	360	14866	15226
Total:				4432658

Showing 1 to 7 of 7 entries

Previous

1

Next

State

Rajasthan

District

Select District

Establishment

Select Establishment

Show

10

entries

Search:

Sr. no	Delay Reasons	Civil	Criminal	Both
1	Securing Presence	53143	560063	613206
2	Unattended	82681	87935	170616
3	Stayed	46154	45415	91569
4	Awaiting Record	42619	23237	65856
5	Frequent Applications	13978	7086	21064
6	Execution	18572	0	18572
7	Bulky Case	77	6179	6256
Total:				987139

**Amendment in General Rules to facilitate Service of Electronic Summons and ePayment-**

- Electronic service of summons through NSTEP and electronic payment of Court Fees and Fine has been made functional in all the courts across the State.
- To further streamline these processes, the Rules of business for District Courts in Rajasthan i.e. General Rules (Civil & Criminal) were got amended recently and provisions were incorporated to facilitate electronic service of Summons through Mobile devices. Similarly, enabling provision has been incorporated for any online payment mode or portal.
- These provisions were incorporated vide The General Rules (Civil & Criminal) (Amendment Rules), 2020 and have been notified on 18.09.2020.
- Amended Rules can be accessed through following link-  
[https://hcraj.nic.in/hcraj/hcraj\\_admin/uploadfile/governmentorders/notification-230920203.pdf](https://hcraj.nic.in/hcraj/hcraj_admin/uploadfile/governmentorders/notification-230920203.pdf)

### **Configuration of Jitsi Meet on Local Servers in every Judgeship-**

- The customized version of Open Source Video Conferencing software "Jitsi-Meet" was successfully configured and installed upon local servers in all the thirty-six Judgeships of Rajasthan during month of October 2020.
- This locally configured version can be used for conducting Video Conferencing over local network (MPLS) between all Courts of Judgeship. Even Courts situated in different judgeships can conduct Video Conferencing over MPLS without any requirement of additional connectivity.
- Locally customized Jitsi-Meet servers have been successfully used to conduct state wide three days online training of staff from all courts on topic "eCourts and CIS 3.2". This Video Conferencing solution can also be used for administrative meetings and recording of evidence in courts.

### **Use of Unicode Hindi Font in Judgment/orders-**

- Directions were issued to all District Courts to get the hindi judgement/orders typed only in Unicode fonts instead of Krutidev or Devlys fonts.
- TTF family(Krutidev or Devlys) fonts are basically english fonts customized to look as hindi fonts and a document prepared with such fonts is not readable by computer system.
- On other hand unicode fonts are computer readable and can be used for automated translation, internet search and are also compatible with various accessibility tools used by differently abled persons.
- P.I. Order number 03/2020 along with detailed guide for use of unicode fonts was issued on 04.01.2020 for all courts. This PI Order may be accessed through following link- [https://hcraj.nic.in/hcraj/hcraj\\_admin/uploadfile/plorders/35.pdf](https://hcraj.nic.in/hcraj/hcraj_admin/uploadfile/plorders/35.pdf)

### **Physical Verification Exercise –**

- An extensive physical verification exercise of pending cases was initiated in the month of June 2020 to ensure that there is no difference in pendency figures reflected in manual statements and on data on CIS.
- The data of pendency of all the district courts of the country having CIS is available on NJDG which is accessible in public domain.
- During this verification and data cleansing drive the various technical issues were identified and got resolved, as a result of this exercise NJDG largely shows actual pendency figures of courts.
- After rectification of all technical issues, the data of CIS can be used to prepare various statements and physical registers may be done away.

## 8. FINANCIAL STATEMENT OF BUDGET AND EXPENDITURE

### The Financial Statement of Budget and Expenditure (Revenue Expenditure for the year 2020)

(Amount in Thousands)

S.No.	Budget Head	2020-2021	
		Final Grant	Expenses
1.	2014-00-102-01-00- Rajasthan High Court	1410818	1410513
2.	2014-00-105-19(01)- DJ/ ADJ COURTS	3966668	3964370
	2014-00-105-01(00)- DJ/ ADJ COURTS	24907	24847
3.	2014-00-105-02(00)- CJM/ ACJM COURTS	1614442	1613710
4.	2014-00-105-03(00)- MJM/ AMJM COURTS	1641705	1640931
5.	2014-00-105-04(00)- MOBILE COURTS	29007	29003
6.	2014-00-105-06(00)- DESIGNATED COURT	7619	7616
7.	2014-00-105-07(00)- DACOITY COURTS	10514	10513
8.	2014-00-105-08(00)- SATI NIVARAN COURTS	4941	4940
9.	2014-00-105-09(00)- SC/ ST COURTS	169774	169712
10.	2014-00-105-11(00)- NDPS COURTS	62766	62759
11.	2014-00-105-21(01)- RAJ. JUDICIAL ACADEMY	40500	40495
12.	2014-00-105-15(00)- N.I. ACT COURTS	319997	319804
13.	2014-00-105-16(00)- BOMB BLAST COURT	7251	7249
14.	2014-00-105-17(00)- GRAM NYAYALAYA	116311	116204
15.	2014-00-789-02(00)- GRAM NYAYALAYA	19511	19498
16.	2014-00-796-02(00)- GRAM NYAYALAYA	31234	31227
17.	2014-00-117-(00)- FAMILY COURTS	315229	315125
18.	2014-00-116-02(01) RENT TRIBUNALS	34317	34314
19.	2014-00-116-02(02) APPELLATE RENT TRIBUNALS	14914	14912
20.	2014-00-105-20(01)-COMMERCIAL COURTS	67076	67061
21.	2014-00-800-03(01) JUVENILE JUSTICE BOARDS (State)	21696	21693
	<b>TOTAL</b>	<b>9931197</b>	<b>9926496</b>

### Financial statement of Budget and Expenditure

The Financial statement of Budget and Expenditure  
(Capital Expenditure) for the year 2019-20 are as under :-

(Rs. In Lacs)

S. No.	Budget Head	Provision 2020-21 by Finance Department			Expenditure upto 31.03. 2020
		State Fund	Central Assistance	Total	
SCHEME					
1	4059 capital Outlay on Public Works, 80- General, 051-Construction, (03)-General Building (Judicial Administration), [01]- Construction of New Rajasthan High Court Building, Jodhpur, 17 Major Construction Works (State Fund)	3000.00	0.00	3000.00	1970.84
2	4059 capital Outlay on Public Works, 80- General, 051-Construction, (03)-General Building (Judicial Administration), [02]- Construction of Building for Rajasthan State Judicial Academy, Jodhpur, 17 Major Construction Works (State Fund)	0.01	0.00	0.01	0.00
3	4059 capital Outlay on Public Works, 80- General, 051-Construction, (03)-General Building (Judicial Administration), [03]- Other Judicial buildings, 17 Major Construction Works (State Fund & C.A.)	4179.00	5821.00	10000.00	6070.34
4	4059 capital Outlay on Public Works, 80- General,051-Construction, (03)-General Building (Judicial Administration), [04]- Construction of Gram Nyayalaya Buildings, - 17 Major Construction Works (State Fund & C.A.)	12.83	0.01	12.84	12.73
5	4059 Capital Outlay on Public Works, 80- General, 796- Tribal Area Sub Plan, (05)- Judicial Building (T.S.P.), [00], 17- Major Construction Work (State Fund & C.A.)	960.00	1440.00	2400.00	2379.27
6	4216-Capital Outlay on Housing 01-Government Residential Building, 700-Other Housing – (01)-General Residential Building (Judicial Houses), [90] – Construction work (Through the agency of Chief Engineer, PWD), 17-Major Construction work (State Fund & C.A.)	1226.00	1774.00	3000.00	1387.90
7	4216-Capital Outlay on Housing 01-Government Residential Building, 796-Tribal Area sub Plan – (01)-General Residential Building (Judicial Houses), [90] – Construction work (Through the agency of Chief Engineer, PWD), 17-Major Construction work (State Fund & C.A.)	120.00	180.00	300.00	275.53

OTHER THAN SCHEME		Provision 2019-20 by Finance Department		Expenditure upto 31.03.2020
		State Share	CSS	Total
8.	4059-Public Works, 80-General-051-Construction, (03)-Judicial Buildings, [06]- Judicial Administration Dept. 16-Minor construction Works <b>(State Fund)</b>	1000.00	0.00	864.11
9.	2059-Public Works, 80-General, 053-Maintenance & Repairs, (18)- Through Registrar General (RHC), Jodhpur- (01)- Through Raj. High Court <b>Committed</b> , 21-Repair & Maintenance <b>(State Fund)</b>	15.00	0.00	10.06
10.	2059-Public Works, 80-General, 053-Maintenance & Repairs, (18)- Through Registrar General (RHC), Jodhpur-, (02)-Through P.W.D.PWD <b>Committed</b> , 21-Repair & Maintenance <b>(State Fund)</b>	137.73	0.00	133.86
11.	2216-Housing - 05- General Pool Housing, 053-Maintenance & Repairs, (02)- Through Law Department, [02]- Other Maintenance Expenses <b>Committed</b> , 21-Repair & Maintenance, <b>(State Fund)</b>	985.00	0.00	839.04

## **9. FUNCTIONING OF GRIEVANCE REDRESSAL MECHANISM**

### **REDRESSAL OF GRIEVANCES OF ADVOCATES**

To resolve the grievances of advocates, Grievance Redressal Committees comprising of Hon'ble Judges have been constituted at Rajasthan High Court Jodhpur and Bench Jaipur.

### **REDRESSAL OF GRIEVANCES OF SEXUAL HARASSMENT AGAINST WOMEN AT WORKPLACE**

In compliance of Section 4 of Sexual Harassment of women at workplace (Prevention, Prohibition and Redressal) Act, 2013 Internal Complaint Committees have been constituted to address and redress the grievances.

### **REDRESSAL OF GRIEVANCES AGAINST JUDICIAL OFFICERS**

To consider the complaints against the judicial officers there are separate Vigilance Cells at Rajasthan High Court, Jodhpur and Jaipur Bench Jaipur headed by Registrars, working under the direct control of Hon'ble the Chief Justice.

### **REDRESSAL OF GRIEVANCES OF LITIGANTS ABOUT COURT FUNCTIONING AND STAFF**

The grievances of litigants against the court functioning and staff are dealt with by the concerned establishments and same are disposed/ resolved expeditiously.

# **10. WORKING OF STATE LEGAL SERVICES AUTHORITY AND DISTRICT LEGAL SERVICES AUTHORITIES AND STATUS ON LEGAL-AID TO POOR. NUMBER OF BENEFICIARIES OF DIFFERENT CATEGORIES**

## **ABOUT THE STATE LEGAL SERVICES AUTHORITY**

Rajasthan State Legal Services Authority has been constituted on 7<sup>th</sup> April, 1998 under section 6 of the Legal Services Authority Act, 1987. There are 36 District Legal Services Authorities (DLSA), 2 Rajasthan High Court Legal Services Committees (RHCLSC) and 181 Taluka Legal Services Committees (TLSC) working across the state of Rajasthan to ensure access to justice for all through Panel advocates, Retainer advocates and Para legal volunteers.

RSLSA has a mandate to provide legal aid/services to poor, under privileged and deprived section of the society. Simultaneously promotes alternative dispute resolution by organizing Lok Adalats, Mediation and Arbitration and most importantly spreading legal awareness through variety of legal awareness programs.

Besides it, Rajasthan Victim Compensation Scheme, 2011 is operational throughout the state to ensure rehabilitation and restoration of the victim in society. The constitutional mandate "Access to Justice for all" is being ensured by way of various other programs i.e. scheme of Legal aid clinics, legal literacy clubs, legal services camps, various campaigns on social issues, consultation programs for stakeholders under juvenile justice act etc.

**RSLSA has taken up various activities throughout the year some of the activities are novel**

## **1. INITIATIVE OF RSLSA TO STRENGTHEN LEGAL AID SERVICES IN RAJASTHAN**

For achieving its mission of access to justice for all RSLSA has developed sound management, strong governance, and a persistent dedication to assessing and achieving access to justice for all. In order to ensure professional services in court based legal services RSLSA has developed and strengthened the skills, instincts, abilities, processes and resources that organizations and legal aid beneficiaries need in the following ways :

## **A. FREE LEGAL AID**

### **➤ Free legal aid provided - 8433 persons**

Rajasthan state Legal Services Authority along with its DLSAs after examining the eligibility criteria of an applicant and the existence of a prima facie case in his favour provide him counsel at State expense, pay the required Court fee in the matter and bear all incidental expenses in connection with the case.

A total number of 8433 persons out of which 65 persons belongs to SC, 47 persons belongs to ST, 378 women, 3931 Children, 3841 persons in custody, 32 persons with disability, 139 other eligible persons whose annual income is less than 3.00 Lakh rupees were provided free legal aid during the year January, 2020 to December 2020.

## **B. INCREASE THE INCOME CEILING**

### **1.5 Lakh to 3 Lakh**

Due to utmost efforts made by RSLSA the maximum income ceiling limit under section 12(h) of Legal Services Authority Act, 1987 from 1.5 Lakh to 3 Lakh has been increased by the government of Rajasthan Law (Group -2) Department notification dated 05.08.2020 Rajasthan Gazette (Extraordinary) dated 07.08.2020 is enclosed herewith.

**RSLSA is the only one Authority who has given new horizon to free legal services adding new notion in it which are very distinctive and unique mentioned below :**

## **C. ENGAGEMENT OF SENIOR ADVOCATES IN PANEL**

### **1688 Panel Advocates of DLSAs / RHCLSCs having more than 10 years of standing at the respective Bar**

The key obligation of the legal services institutions is to provide quality legal services whoever is coming for legal aid. Therefore, the Panel of Advocates in each District of Rajasthan as well as at High Court level is revamped and resized taking account of the pending legal aided cases and needs of each area of Rajasthan. Most importantly senior advocates have also been empanelled in each District to provide qualitative and efficient legal services in each legal aided case.

Senior advocates have been empanelled in the Panel of Advocates constituted as per amended Regulation 8 of Free & Competent Legal Services Regulation, 2018.

It is to be noted that, this endeavor of RSLSA is a step in the direction of strengthening legal aid and increasing access to justice to those who cannot afford it.

This fact can be considered as there are 1688 Advocates in the Panels of DLSAs having more than 10 years of standing at the respective Bar.

#### **D. CATEGORY WISE EMPANELMENT**

- i. RSLSA has prepared separate panels for dealing with different types of cases i.e Civil, Criminal, Matrimonial etc.
- ii. The cases are being allotted to them as per their expertise on rotation basis.
- iii. In serious matter senior experienced counsels are appointed to contest the case.
- iv. Directions have been issued by order no. 20280-20314 dated 01-08-2018 to the District Legal Services Authorities to conduct meeting of the Panel Lawyer in the first week or till 05<sup>th</sup> of every month in order to evaluate their work.

#### **E. ENGAGEMENT OF SENIOR COUNSEL IN THE PANEL OF “PRO-BONO SERVICES”**

**625 Advocates serving the cause free of cost even not charging any expenses**

Another endeavor to engage senior counsels in legal aided cases is made through constitution of Panel of Advocates to provide Pro Bono Services. RSLSA has involved / constituted a panel of organisations/ institutions/ Senior Advocates/ Counsels who are dedicated to increase access to justice and willing to provide their services Pro Bono. 625 Senior Advocates have shown their willingness to provide their services. The quality can be judged on the fact that out of 625 Advocates, 475 Advocates are having more than 10 years of standing at the bar.

**VICTIM COMPENSATION SCHEME**

Victim compensation is one of the major aspects in reparation of the harm or injury caused to the victim due to the commission of the crime. Monetary assistance in one way or the other always benefits the victims in the mitigation of their sufferings. The compensation part of the rehabilitation enable support to victims of rape, acid attacks, human trafficking etc. the government of Rajasthan has launched the victim compensation scheme, 2011.

At present RLSA is operating this victim compensation fund with parallel link accounts of DLSAs of Rajasthan.

**UNDER RAJASTHAN VICTIM COMPENSATIONS SCHEME, 2011**

Year	Beneficiaries				Total
2020	Men	Women	Children	SC/ST	
	151	306	564	64	1085

**11. Working of Alternative Dispute Resolution Mechanism–  
ADR Centre, Permanent Lok Adalats/Lok Adalats. Number  
of cases disposed off. Number of Lok Adalats held etc.**

Alternative Dispute Resolution (ADR) include several procedures that allow parties to resolve their disputes out of court with the assistance of a qualified neutral intermediary. National Lok Adalat, Permanent Lok Adalat, Monthly Lok Adalat and Mediation are the most effective mechanism of ADR successfully organized by RLSA across Rajasthan.

**A. LOK ADALATS**

RLSA is organising 4 kind of Lok Adalats through out the State :

- i.** National Lok Adalat
- ii.** Online Lok Adalat
- iii.** Permanent Lok Adalat
- iv.** Monthly Lok Adalat

**i. National LokAdalat and Online LokAdalat:-**

Under directions of NALSA, National Lok Adalats have been organized across state on specific subject matter and a specific strategies are being adopted for incredible result. Huge number of cases are settled through compromise in one day.

**Cases disposed of through National Lok Adalat during the year 2020**

<b>No. of National Lok Adalat held during the year</b>	<b>No of Benches</b>	<b>No of cases taken up</b>	<b>No of cases of disposed of</b>	<b>Amount Awarded in Settled Cases</b>
<b>02</b>	<b>1455</b>	<b>499130</b>	<b>96884</b>	<b>7,24,31,52,403/-</b>

**Cases disposed of through Online Lok Adalat during the year 2020**

<b>No. of Online Lok Adalat held during the year</b>	<b>No of Benches</b>	<b>No of cases taken up</b>	<b>No of cases of disposed of</b>	<b>Amount Awarded in Settled Cases</b>
<b>01</b>	<b>351</b>	<b>72090</b>	<b>33546</b>	<b>2,70,09,49,313/-</b>

- **Best Practices**
- Pre Counselling
- boost up through sharing- video conference
- identification of suitable cases
- pre counselling
- constitution of benches
- meetings with various stakeholders
- publicity
- sharing of data on google sheet
- updating on NJDG
- Some other steps are as under :

**ii. MONTHLY LOK ADALAT –**

Monthly Lok Adalat is being organized on last Monday of every month.

**Cases disposed of through Lok Adalat under Section 19 during the year 2020**

No. of Sitting of Lok Adalats during the year	No of cases taken up	No of cases disposed of	No of MACT cases disposed of	Amount Awarded in Settled Cases
973	24889	1585	67	3,05,11,497

**iii. PERMANENT LOK ADALAT (FOR PUBLIC UTILITY SERVICES)**

- 35 Permanent Lok Adalats
- 23 chaired by Full time Chairman

Permanent Lok Adalat is also a kind of Lok Adalat. Permanent Lok Adalat has been constituted to resolve the matters related to public Utility Services i.e. transport, postal, telegraph, telephone, supply of power, light or water to the public, public conservancy, sanitation, education, finance, banking etc. There are 35 Permanent Lok Adalats established under section 22B of LSA, Act. Out of 35 PLAs, 23 PLAs (Ajmer, Bikaner, Bharatpur, Jaipur Metro, Jodhpur Metro, Kota, Udaipur, Alwar, Bhilwara, Ganganagar, Chittorgarh, Jaipur District, Pali, Sikar, Balotra, Churu, Dausa, Dholpur, Hanumangarh, Jhalawar, Merta, Pratapgarh, Sirohi) have Full time Chairman.

**Cases disposed of through Permanent Lok Adalat under Section 22B during the year 2020**

<b>No. of Sitting of Permanent Lok Adalats during the year</b>	<b>No of cases of disposed of</b>	<b>Amount Awarded in Settled Cases</b>
<b>1544</b>	<b>1412</b>	<b>9,41,13,914</b>

**MEDIATION –**

Mediation is a mode of ADR Mechanism. It is essentially a negotiation process wherein neutral third party facilitates the parties in dispute to reach to an amicable settlement. It can be initiated either by the parties or by the courts.

**SOME SIGNIFICANT ACHIEVEMENTS OF RSLSA : STATISTICS**

- **MEDIATION CENTERS**

At present, there are 168 working Mediation Centers and 28 ADR Centres in 28 Districts.

**MEDIATORS**

There are 1027 trained mediators in Rajasthan including judicial officers and Advocates. 47 trained Mediators in Rajasthan High court, Jaipur Bench, Jaipur and 37 trained Mediators in Rajasthan High Court, Jodhpur.

- **RETIRED HIGH COURT JUDGES AS MEDIATORS**

Rajasthan is the only state where retired High court Judges are providing their services as mediators. Their participation in mediation has boost up the process of mediation wherein more and more people are adopting this ADR mode to get their disputes settled through mediation process. There are 09 Retired High court Judges at Rajasthan High Court, Bench Jaipur. They are regularly conducting the mediation in an active way.

- **MEDIATION MONITORING COMMITTEE**

To monitor the mediation activities, Mediation Monitoring Committee has been constituted at Rajasthan High Court, Jodhpur as well as Rajasthan High Court, Jaipur Bench, Jaipur.

To mobilize mediation activities, Rajasthan State Legal Services Authority has issued directions to increase the referral of suitable cases for mediation. Simultaneously it was enjoined upon the presiding officers to ensure physical presence of the parties and to motivate them for mediation. For close monitoring of mediation process, progress of referral judges and judge mediators was regularly called for. Thus, we could be able to achieve significant progress in referral and settled cases which is reflected from the following statements-

Year	cases referred	cases settled	cases unsettled	cases non starter	percentage success	pending
2020	6769	507	1952	5791	20.62	2738

**Mediation and referral judges training programmes (Since Inception)**

No of 40 HRS. mediation training programme	No. of referral judges training programme	No of Awareness & Sensitization Programme	No. of ARCM Programme	20 HRS Refresher Programme
45	40	13	06	40

**REACHING OUT NEW HORIZON UNDER OUTREACH – INNOVATIVE ACTIVITIES OF RSLSA**

To build legal awareness amongst the masses as well as stakeholders, RSLSA along with its DLSAs and TLSCs has been organising various innovative activities such as :-

- Legal Awareness Camps
- special day’s celebration
- Awareness through print/ electronic media i.e. televisions, Radio/
- News papers etc
- Divisional and State level Workshops on various burning issues
- Campaigns – Child Marriage Restraint Campaign
- Door to Door campaign

It is to be noted that need based programmes are being prepared and effectively implemented throughout the State i.e. Child Marriage Restraint Campaign, Anti Child Labour Campaign etc for effective implementation of NALSA Schemes.

## **12. BROAD PERFORMANCE INDICATORS BASED ON ANALYSIS OF JUDICIAL STATISTICS**

(i) Category-wise Institution, disposal and pendency of cases in High Court and District/ Subordinate Courts.

### **HIGH COURT**

Type of cases	Pendency as on 01.01.2020	Institution during the year 2020	Disposal of cases during the year 2020	Total pendency as on 31.12.2020
Civil	341577	78643	33894	386326
Criminal	118251	64328	50406	132173
Total	459828	142971	84300	518499

### **DISTRICT & SUBORDINATE COURTS OF RAJASTHAN**

Type of cases	Pendency as on 01.01.2020	Institution during the year 2020	Disposal of cases during the year 2020	Total pendency as on 31.12.2020
Civil	439357	146096	102123	483330
Criminal	1330466	818373	684481	1464358
Total	1769823	964469	786604	1947688

(ii) Age-wise pendency of different category of cases in High Court and District and Subordinate Courts

### **RAJASTHAN HIGH COURT**

Type of cases	0 to 1 year old cases	1 to 5 years old cases	5 to 10 years old cases	More than 10 years old cases	Total pendency as on 31.12.2020
Civil	59382	202342	67225	57377	386326
Criminal	21891	59542	20016	30724	132173
Total	81273	261884	87241	88101	518499

**DISTRICT & SUBORDINATE COURTS OF RAJASTHAN**

Type of cases	0 to 1 year old cases	1 to 5 years old cases	5 to 10 years old cases	More than 10 years old cases	Total pendency as on 31.12.2020
Civil	98726	266096	93189	25319	483330
Criminal	316067	841369	250020	56902	1464358
Total	414793	1107465	343209	82221	1947688

**(iii) Number of adjournments being granted on an average in various categories of Civil and Criminal cases during the life cycle of cases**

Civil cases	No. of adjournments being granted on an average	Criminal cases	No. of adjournments being granted on an average
Civil suits	45	Sessions cases	38
Civil appeal	24	Criminal original	29
Civil revision	10	Criminal appeal	14
Civil execution	24	Criminal revision	14
Civil misc.	22	Criminal Misc.	8

**(iv) Number of cases in which trial proceedings have been stayed by Superior Courts in various categories of Civil and Criminal cases and average time for which cases in which trial proceedings have been stayed by Superior Courts in various categories of Civil and Criminal cases**

Civil cases	No. of cases	Average time (in days)	Criminal cases	No. of cases	Average time (in days)
Civil Suits	2250	1233	Sessions Cases	326	622
Civil Appeal	106	586	Criminal Original	797	538
Civil Revision	9	48	Criminal Appeal	39	20
Civil Execution	1826	1374	Criminal Revision	24	135
Civil Misc.	445	627	Criminal Misc.	115	777

**(v) Average time taken for disposal of various categories Civil and Criminal cases in High Court and District/Subordinate Courts.**

**RAJASTHAN HIGH COURT**

<b>Civil cases</b>	<b>Average time (in days)</b>	<b>Criminal cases</b>	<b>Average time (in days)</b>
CFA	3761	CRLA	3291
CSA	2256	CRLR	415
CMA	1881		
CW	441		
SAW	562		

**\*\* Average is based on the disposal of cases between the period 01.01.2020 to 31.12.2020.**

**DISTRICT & SUBORDINATE COURTS OF RAJASTHAN**

<b>Civil cases</b>	<b>Average time (in days)</b>	<b>Criminal cases</b>	<b>Average time (in days)</b>
Civil suits	1142	Sessions cases	1181
Civil appeal	998	Criminal original	625
Civil revision	395	Criminal appeal	462
Civil execution	705	Criminal revision	448
Civil misc.	495	Criminal Misc.	196

**(vi) Category-wise disposal of cases per judge per year in the High Court and District/Subordinate Courts**

**RAJASTHAN HIGH COURT**

	<b>Civil cases</b>	<b>Criminal cases</b>	<b>Total</b>
Disposal during the year (a)	<b>33894</b>	<b>50406</b>	<b>84300</b>
Total working strength (b)	<b>23</b>		
Disposal per judge per year = a / b	<b>1473.65</b>	<b>2191.57</b>	<b>3665.22</b>

**DISTRICT & SUBORDINATE COURTS OF RAJASTHAN**

	<b>Civil cases</b>	<b>Criminal cases</b>	<b>Total</b>
Disposal during the year (a)	<b>102123</b>	<b>684481</b>	<b>786604</b>
Total working strength (b)	<b>1104</b>		
Disposal per judge per year = a / b	<b>92.5</b>	<b>620</b>	<b>712.5</b>

**(Vii) Category-wise number of Criminal and Civil cases where orders of the District/Subordinate Courts are challenged in appeal before the High Court.**

<b>S. No.</b>	<b>Kind of cases</b>	<b>Pending as on 31.12.2020</b>
1	Civil First Appeal	<b>21847</b>
2	Civil Second Appeal	<b>8532</b>
3	Civil Misc. Appeal.	<b>62695</b>
4	Criminal Appeal	<b>45435</b>

**(Viii) Number of writ petitions/PILs being filed and being disposed of in High Court**

<b>PILs being filed</b>	<b>PILs being disposed of</b>
<b>575</b>	<b>295</b>