



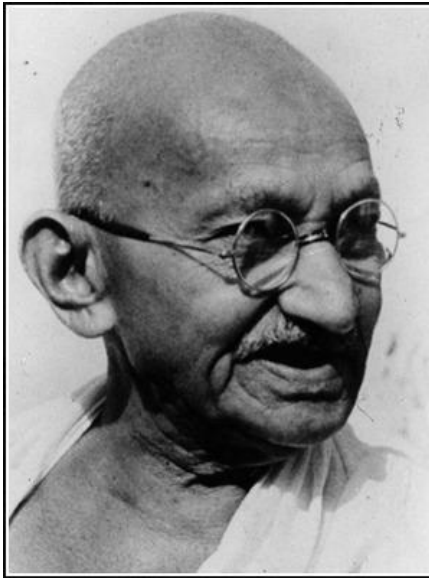
Rajasthan High Court



**ANNUAL REPORT
2021**

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

I feel honoured to pen this Foreword on the publication of Annual Report, 2021 of the Rajasthan High Court.

This Annual Report encompasses infrastructural, administrative and judicial achievements of the High Court besides its activities and events during the said year. It also focuses on landmark decisions of public importance, functioning of Grievance Redressal Mechanism, working of State and District Legal Services Authorities, ADR Mechanism, Lok Adalats etc. The year also witnessed elevation of 8 Judges to the Rajasthan High Court which helped reducing the pendency of cases in High Court.

I am sure that this publication will prove its worth and all the stakeholders of Justice Delivery System will be immensely benefited by it.

I earnestly wish a grand success of this publication.

(Manindra Mohan Shrivastava)

**LIST OF SITTING HON'BLE JUDGES IN
RAJASTHAN HIGH COURT AS ON 31.12.2021**

S. No.	NAME OF HON'BLE JUDGES
01.	HON'BLE MR. JUSTICE AKIL ABDULHAMID KURESHI, CHIEF JUSTICE
02.	HON'BLE MR. JUSTICE MANINDRA MOHAN SHRIVASTAVA
03.	HON'BLE MR. JUSTICE SANDEEP MEHTA
04.	HON'BLE MR. JUSTICE VIJAY BISHNOI
05.	HON'BLE MR. JUSTICE ARUN BHANSALI
06.	HON'BLE MR. JUSTICE PRAKASH GUPTA
07.	HON'BLE MR. JUSTICE PANKAJ BHANDARI
08.	HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
09.	HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
10.	HON'BLE MR. JUSTICE DINESH MEHTA
11.	HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
12.	HON'BLE MR. JUSTICE ASHOK KUMAR GAUR
13.	HON'BLE MR. JUSTICE MANOJ KUMAR GARG
14.	HON'BLE MR. JUSTICE INDERJEET SINGH
15.	HON'BLE MR. JUSTICE NARENDRA SINGH DHADDHA
16.	HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL
17.	HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA
18.	HON'BLE MR. JUSTICE MANOJ KUMAR VYAS
19.	HON'BLE MR. JUSTICE RAMESHWAR VYAS
20.	HON'BLE MR. JUSTICE CHANDRA KUMAR SONGARA

S. No.	NAME OF HON'BLE JUDGES
21.	HON'BLE MR. JUSTICE FARJAND ALI
22.	HON'BLE MR. JUSTICE SUDESH BANSAL
23.	HON'BLE MR. JUSTICE ANOOP KUMAR DHAND
24.	HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI
25.	HON'BLE MR. JUSTICE MADAN GOPAL VYAS
26.	HON'BLE MR. JUSTICE UMA SHANKER VYAS
27.	HON'BLE KUMARI JUSTICE REKHA BORANA
28.	HON'BLE MR. JUSTICE SAMEER JAIN

**LIST OF JUDICIAL OFFICERS POSTED IN REGISTRY
(As on 31.12.2021)**

(I) – RAJASTHAN HIGH COURT, JODHPUR		
1.	NIRMAL SINGH MERATWAL	REGISTRAR GENERAL
2.	BRAJENDRA KUMAR	REGISTRAR-CUM-PRINCIPAL SECRETARY TO HON'BLE C.J.
3.	YUDHISTHIR SHARMA	REGISTRAR (ADMN.)
4.	DINESH TYAGI	REGISTRAR (EXAMINATION)
5.	BHAWANI SHANKER PANDIYA	REGISTRAR (RULES)
6.	OM PRAKASSH	REGISTRAR (CLASSIFICATION)
7.	GANPAT LAL VISHNOI	O.S.D., (F & I), JODHPUR
8.	PRAVENDRA PAL SINGH	ADDITIONAL REGISTRAR (EXAMINATION)
9.	RAJESH JAIN	ADDITIONAL REGISTRAR (EXAMINATION)
10.	NEERAJ BHAMU	REGISTRAR (JUDICIAL)
11.	MUKESH PARNAMI	O.S.D., RHC, JODHPUR
12.	MANISH KUMAR AGARWAL	O.S.D., RHC, JODHPUR

(II) – RAJASTHAN HIGH COURT BENCH, JAIPUR		
1.	VACANT	REGISTRAR (VIGILANCE)
2.	BHARAT BHUSHAN GUPTA	REGISTRAR (ADMINISTRATION)
3.	AJAY SINGH	REGISTRAR (WRITS)
4.	SHIV KUMAR-II	REGISTRAR (CLASSIFICATION)
5.	HEMANT SINGH BAGHELA	REGISTRAR CUM C.P.C.
6.	RAJEEV CHOUDHARY	REGISTRAR (JUDICIAL)
7.	JAGAT SINGH PANWAR	REGISTRAR (CLASSIFICATION)-II
8.	KULDEEP RAO	O. S. D. (EXAM. CELL)
AT NEW DELHI		
1.	SHAKTI SINGH SHEKHAWAT	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 20th 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 505 Courts of District Judge Cadre, 314 Courts of Sr. Civil Judge Cadre (excluding 34 posts of Principal Magistrate, JJB) and 488 Courts of Civil Judge Cadre. There are 523 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 31.12.2021, the cadre-wise strength of Judicial Officers in the Subordinate Judiciary is as follows :-

CADRE	SANCTIONED STRENGTH	WORKING STRENGTH	VACANT POSTS
District Judge Cadre	626	488	138
Senior Civil Judge Cadre	393	324 (Including 111 Ad-hoc)	69
Civil Judge Cadre	530	462 (Including 08 Trainee Officers)	68

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	KARALI
MERTA	KOTA
PALI	SAWAI MADHOPUR
PRATAPGARH	SIKAR
RAJSAMAND	TONK
SIROHI	
UDAIPUR	

2. MAJOR EVENTS OF THE YEAR 2021

The 72nd Republic Day celebration was held on 26.01.2021 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 Mr. Justice Indrajit Mahanty, the Chief Justice, Rajasthan High Court at Bench, Jaipur in the benign presence of Hon'ble sitting Judges, Hon'ble former Judges, learned Advocates, members of the Bar Association and officers of the Registry and High Court Staff.



Unfurling the Flag Ceremony at Rajasthan High Court, Jodhpur on the occasion of Republic Day, 26.01.2021.



Unfurling the Flag Ceremony at Rajasthan High Court Bench, Jaipur on the occasion of Republic Day, 26.01.2021.

The 75th Independence Day celebration was held on 15.08.2021 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 Hon'ble Mr Justice Indrajit Mahanty, the Chief Justice, Rajasthan High Court, at Bench, Jaipur in the benign presence of Hon'ble sitting Judges, Hon'ble former Judges, learned Advocates, Members of the Bar Association and officers of the Registry and High Court Staff.



Flag Hoisting Ceremony at Rajasthan High Court, Jodhpur on the occasion of Independence Day, 15.08.2021.



Flag Hoisting Ceremony at Rajasthan High Court Bench, Jaipur on the occasion of Independence Day, 15.08.2021.

Farewell References were held on 06.10.2021 on the eve of superannuation of Hon'ble Mr. Justice Sangeet Raj Lodha at Principal Seat, Jodhpur and Bench, Jaipur through Video Conferencing and on 07.10.2021 for Hon'ble Mrs. Justice Sabina on the eve of transfer of Her Lordship.



Hon'ble Mr. Justice Sangeet Raj Lodha on the eve of superannuation on 06.10.2021



Farewell at Rajasthan High Court Bench, Jaipur on the eve of transfer of Hon'ble Mrs. Justice Sabina on 07.10.2021

Hon'ble Mr. Justice Akil Kureshi, Chief Justice, Tripura High Court has been transferred as Chief Justice of Rajasthan High Court. His Lordship took oath as Chief Justice of Rajasthan High Court on 12.10.2021.



Swearing-in-Ceremony of Hon'ble Mr. Justice Akil Kureshi, as the Chief Justice of Rajasthan High Court on 12.10.2021 at Raj Bhawan, Jaipur

The Swearing-in Ceremony of Hon'ble Mr. Justice Manindra Mohan Shrivastava was held on 18.10. 2021. His Lordship got transferred to the Rajasthan High Court from the Chhatisgarh High Court. Swearing in Ceremony of newly elevated Judges Hon'ble Mr. Justice Farjand Ali, Hon'ble Mr. Justice Sudesh Bansal, Hon'ble Mr. Justice Anoop Kumar Dhand, Hon'ble Mr. Justice Vinod Kumar Bharwani and Hon'ble Mr. Justice Madan Gopal Vyas as Judges of Rajasthan High Court was held on 18.10.2021.



Oath Ceremony of Hon'ble Mr. Justice Manindra Mohan Shrivastava at Rajasthan High Court, Jodhpur on 18.10.2021



Oath Ceremony of Hon'ble Mr. Justice Farjand Ali at Rajasthan High Court, Jodhpur on 18.10.2021



Oath Ceremony of Hon'ble Mr. Justice Sudesh Bansal at Rajasthan High Court, Jodhpur on 18.10.2021

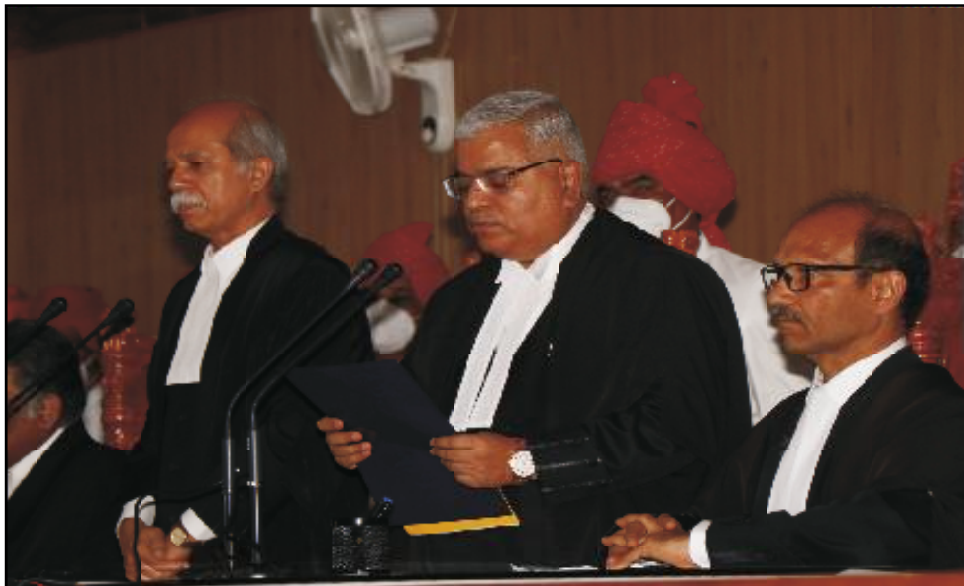


Oath Ceremony of Hon'ble Mr. Justice Anoop Kumar Dhand at Rajasthan High Court, Jodhpur on 18.10.2021

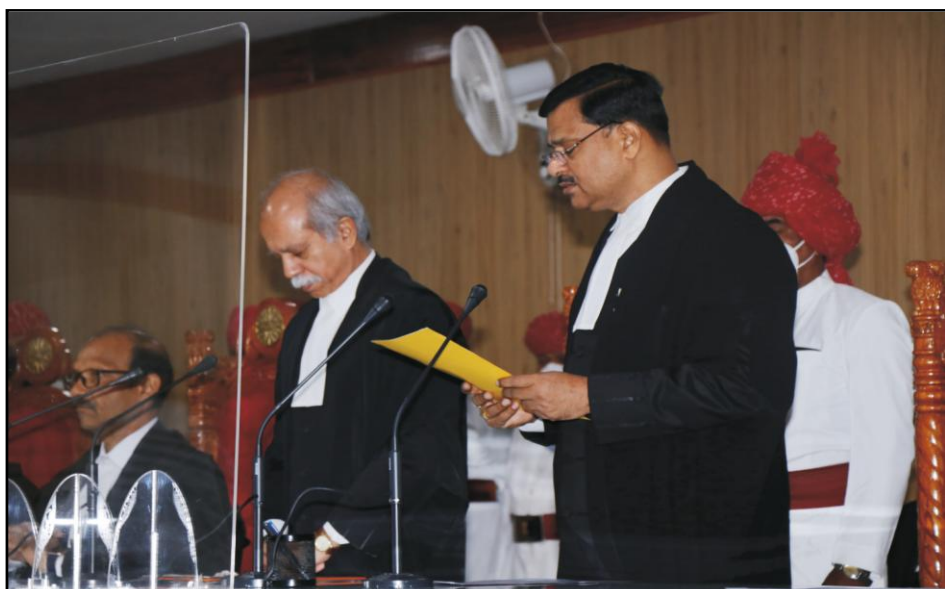


Oath Ceremony of Hon'ble Mr. Justice Vinod Kumar Bharwani at Rajasthan High Court, Jodhpur on 18.10.2021

The Swearing-in Ceremony of newly elevated Judges Hon'ble Mr. Justice Uma Shanker Vyas, Hon'ble Ms. Justice Rekha Borana and Hon'ble Mr. Justice Sameer Jain as Judges of Rajasthan High Court was held on 29.10. 2021.



Oath Ceremony of Hon'ble Mr. Justice Madan Gopal Vyas at Rajasthan High Court, Jodhpur on 18.10.2021



Oath Ceremony of Hon'ble Mr. Justice Uma Shanker Vyas at Rajasthan High Court, Jodhpur on 29.10.2021



Oath Ceremony of Hon'ble Kumari Justice Rekha Borana at Rajasthan High Court, Jodhpur on 29.10.2021



Oath Ceremony of Hon'ble Mr. Justice Sameer Jain at Rajasthan High Court, Jodhpur on 29.10.2021

Farewell Reference was held on 29.10.2021 on the eve of superannuation of Hon'ble Mr. Justice Goverdhan Bardhar at Principal Seat Jodhpur and Bench, Jaipur through Video Conferencing.



Reference Ceremony at Rajasthan High Court Bench, Jaipur on the eve of superannuation of Hon'ble Mr. Justice Goverdhan Bardhar on 29.10.2021

Diwali Milan Samaroh, 2021 was held on 01.11.2021 in the premises of the Principal Seat at Jodhpur and Rajasthan High Court Bench, Jaipur in the benign presence of Hon'ble sitting Judges, Hon'ble former Judges, learned Advocates, members of the Bar Association and officers of the Registry and High Court Staff.

3. LANDMARK DECISIONS OF PUBLIC IMPORTANCE

DEVELOPMENT OF LAW

CIVIL LAWS

(1) Vijaylaxmi Jakhad Vs. Mukul Kaswan

Hon'ble Mr. Justice Indrajit Mahanty

Hon'ble Mr. Justice Vinit Kumar Mathur

Judgment dated 27.05.2021

Important Law Point – C.P.C.

- Section 24 of Civil Procedure Code.

While discussing the Section 24 of CPC in D.B. Civil Reference No.1/2021, the Larger Bench discussed the questions referred for adjudication, which read as under :-

- (a) Whether the power under Section 24 CPC can be exercised by the High Court 'on the application of any of the parties', without issuing notice to the other party/parties.
- (b) Whether on an application made by wife under Section 24 CPC for transfer of matrimonial proceedings, irrespective of the circumstances indicated in the application, suo moto power can be exercised by the High Court, as a rule so as to obviate the requirement of issuing notices to the other party/parties.

After thorough discussions and considerations, the Hon'ble Court answered the questions as under :-

- (A) The issuance of notice to the other party/parties on an application preferred under Section 24 of C.P.C. is necessary and the same cannot be decided ex-parte without hearing the other side as Section 24 ibid itself clearly mandates issuance of notice on filing of the application for transfer of the case by one of the parties.
- (B) If an application under Section 24 of C.P.C. is preferred by one of the parties, may be wife, for transfer of the matrimonial proceedings, the issuance of notice to the other party is necessary and suo moto powers under Section 24 ibid cannot be exercised by the High Court except for the reasons mentioned in Section 24 of C.P.C. but not on an application preferred by any of the parties including the wife.

(2) Kanhiya Lal Vs. Deen Dayal**Hon'ble Mr. Justice Dinesh Mehta****Judgment dated 06.12.2021****Important Law Point – C.P.C.**

- Section 151 and Order 6 Rule 15, 17 of C.P.C and Sections 43, 19(a) of Rajasthan Panchayati Raj Act, 1994 and Rule 80, 83 of Rajasthan Panchayati Raj (Election) Rules, 1994

While interpreting the provisions of Section 151 and Order 6 Rule 15, 17 of C.P.C and Sections 43, 19(a) of Rajasthan Panchayati Raj Act, 1994 and Rule 80, 83 of Rajasthan Panchayati Raj (Election) Rules, 1994, Hon'ble Court answered the question, whether verification of pleading amounts to alteration or amendment. The Hon'ble Court held that Order VI Rule 15 of the Code enjoins that every pleading shall be verified at the foot by the party. Said provision, is only an enabling provision which too is an integral part of Order VI, having chapter heading "Pleadings Generally". Rule 15 provides for requirement so also pre-requisites of verification, hence, verification cannot be treated as anything but a part of pleading. Standing alone, a verification per-se has no identity much less, have any significance. Rule 17 was inserted in Order VI for the purpose of amendment of pleadings. The only source of power to permit the correction can be found only in Rule 17 of Order VI read with Section 151 of the Code and not in Order VI Rule 15 of the Code. Rule 17 of Order VI of the Code uses different expressions in its body vis-a-vis the proviso. The main provision uses expression "to alter or amend his pleadings", whereas in the proviso, the expression used is "no application for amendment".

There is a subtle yet significant difference in the expression 'alter', and 'amend'. The term 'alter' means modification or change without bringing out the change in the body; whereas expression 'amend' has a wider meaning and larger scope, which means and includes a change, which may be substantial. An amendment always involves an alteration but an alteration does not necessarily amount to amendment. A careful reading of the proviso shows that an application for amendment cannot be allowed unless the Court comes to a conclusion that in spite of due diligence, such party could not have raised the matter before the commencement of the trial. The proviso comes into play when a party seeks to amend pleading in such a manner that a new fact or new ground is sought to be introduced and in that event, the party has to satisfy the Court that despite due diligence such matter could not be raised before the commencement of trial.

Where a party seeks to alter the pleading or cure the defect(s), which is/are not of much importance or cases which involve correction/alteration qua inconsequential facts/matters or particulars, neither is the proviso to Rule 17 of Order VI of the Code applicable nor is a party required to show the reason for delay or due diligence. This view of the Court gets strength from the fact that expression 'due diligence' used in the proviso is followed by, 'could not have raised the matter'. The expression 'cure the defect' used in order of the Court, itself suggests that it did not fall within the ambit of 'amend', as no new fact or ground was sought to be

introduced by the respondent-election petitioner. The Court is of the considered view that though the election tribunal could have permitted the respondent-election petitioner to cure the defect in its inherent powers under Section 151 of the Code, yet even if some provision of the Code is to be resorted to, then it was to be done within the contours of Order VI Rule 17 of the Code, because the case in hand squarely falls within the fold of expression 'alter'. Hence, proviso to Rule 17 of Order VI of the Code had no bearing so as to satisfy the Court about the due diligence.

(3) Narendra Sharma & Anr Vs. Stae of Rajasthan & Ors.

Hon'ble Mr. Justice Dinesh Mehta

Judgment dated 22.05.2019

Important Law Point – Civil Law

- Sections 51 and 54 of the Rajasthan Stamp Act, 1985.

While considering the provisions of Sections 51 and 54 of the Rajasthan Stamp Act, 1985. The moot question that arose before Hon'ble Court is whether the Sub-Registrar can make a reference without issuing a notice and obtaining the original document. The Hon'ble Court observed that Section 51 of the Act of 1998, particularly sub-section (2) thereof reveals that in case an instrument, which was undervalued or not duly stamped, has been registered under the Registration Act, 1908, the registering officer may call for the original document from the party and, after providing an opportunity of hearing, can make a reference. Sub-section (4) provides that where a person having by law or consent of parties, authority to receive evidence or a person in-charge of a public office, during the course of inspection or otherwise, is of the opinion that an instrument is undervalued, such person can make a reference to the Collector.

The Sub-Registrar should normally resort to specific provision given under the Act, which clothes him with the power to send the document in original or its copy to the Collector for determination of proper stamp duty. Sub-section (4) equally empowers the registering authorities, being public officers to make a reference. It is noteworthy that sub-section (2) of Section 51 does not use the expression - 'reference', whereas sub-section (4) does. Hence, a registering authority, without impounding the documents and having original with him can make a reference in exercise of power under sub-section (4) of Section 51. A close and conjoint reading of sub-section (2) and (4) of Section 51 of the Act of 1998 brings it to fore that expression - 'reference' has been used only under sub-section (4) and not in sub-section (2) of the Act and, therefore, the Sub-Registrar or registering authority can resort to power available to him under sub-section (4) and make a reference to the Collector (Stamps) for determination of appropriate stamp duty, even if the original instrument is not with him.

In view of the above discussion, the Hon'ble Court, held that if the Sub-Registrar chooses to make a reference to the Collector while invoking powers available under sub-section (4), he cannot give a go-by to the provisions contained in Section 54 of the Act of 1998, which

enjoins upon him a duty to intimate the party about the reference being made. Sub-section 1 of Section 54, clearly requires registering authority to intimate the parties concerned about the reference proposed to be made. This has admittedly not been done in the present case and, hence, there is a clear violation of statutory requirement. The reference made and orders passed by the Collector (Stamps) dated 22.01.2018 and 19.07.2019 in all the cases are hereby quashed. The matters are remanded back to the Collector (Stamps) for determination of appropriate stamp duty.

(4) Mahendra Kumar Jain Vs. Appellate Rent Tribunal Ajmer

**Hon'ble Mr. Justice Sangeet Raj Lodha
Hon'ble Mr. Justice Inderjeet Singh
Hon'ble Mr. Justice Mahendar Kumar Goyal
Judgment dated 27.07.2021**

Important Law Point – Civil Law

- Sections 9, 13, 15, 19, and 21 of the Rajasthan Rent Control Act, 2001 read with Articles 226, 227 of the Constitution of India, 1950.

In D.B. Civil Reference (Larger Bench) considered the provisions of Sections 9, 13, 15, 19, and 21 of the Rajasthan Rent Control Act, 2001 read with Articles 226, 227 of the Constitution of India, 1950. The legal questions which came up for determination in this reference made by the Division Bench of this Court, read as under :

- I) Whether the appeal against the judgment of the Single Bench, reversing/upholding the judgment of the Appellate Rent Tribunal and/or the Rent Tribunal, would be maintainable before the Division Bench of this court under Rule 134 of the Rajasthan High Court Rules, 1952 ?
- II) Whether the writ petition filed against the judgment of the Appellate Rent Tribunal and the Rent Tribunal by very nature of the dispute, would be considered to have been filed under Article 227 of the Constitution of India, irrespective of invocation of Article 226 of the Constitution of India in the pleadings?"

The Hon'ble Larger Bench answered the reference that in the disputes between landlord and tenant, the Rent Tribunals while exercising the judicial power of the State, discharge judicial functions, which are akin to judicial functions discharged by civil Courts and thus, keeping in view the law laid down by the Hon'ble Supreme Court in various decisions including in Radhey Shyam & Ors. Vs Chhabi Nath & Ors. (AIR 2015 SC 3269) and Life Insurance Corporation of India Vs Nandini J. Shah and Others (2018) 15 SCC 356, the judicial orders passed by the Rent Tribunal and the Appellate Rent Tribunal are not amenable to writ jurisdiction under Article 226 of the Constitution and the legality of said judicial orders can only be questioned by invoking power of superintendence of this court under Article 227 of the Constitution and thus, no intra-Court appeal would be maintainable against the orders passed by the learned Single Judge of this Court in such proceedings."

CRIMINAL LAWS**(1) Urmila Devi Soni Vs. State of Rajasthan & Ors.****Hon'ble Mr. Justice Sandeep Mehta****Hon'ble Mr. Justice Manoj Kumar garg****Judgment dated 30.07.2021****Important Law Point –**

- **Habeas Corpus**

In D.B. Habeas Corpus the Division Bench while placing reliance upon the judgement of Hon'ble Division Bench of Madras High Court in the case of Pensiliya vs The Commissioner of Police reported in 2014 2 LW (CrI) 628 held that similar standard operations/procedure should be adopted in the State of Rajasthan as well.

The Hon'ble Court held that the instructions/guidelines laid down by the Hon'ble High Court of Madras reproduced herein below for the sake of ready reference should be adopted by the police officials in the State of Rajasthan with the modifications/ amendments as may be required :-

“2) It is seen that, during investigations, cases of missing persons, kidnapped, deserters, wanted criminals, escaped criminals, unidentified dead bodies etc., the computerised "Talash" software is not being availed of by the field officers. In order to streamline the process of monitoring and supervision, the following instructions are hereby issued :-

- (i) Police Computer Wing (SCRB) will circulate the seven forms (i.e. for Missing, Kidnapped, Deserter, Wanted, Escaped, Unidentified Person, Unidentified Dead body) to District Superintendents of Police and Commission of Police.
- (ii) Sufficient forms will be supplied by COPs/SPs to PS.
- (iii) Immediately after registering the case, (Missing, Kidnapped, Deserter, Wanted, Escaped, Unidentified Person, Unidentified Dead Body), wireless messages should be sent to DSPs, Police Computer Wing, DCRB and Modus Operandi Bureau by the Investigating Officer.
- (iv) The SHOs will prepare "Talash" Forms for all cases reported in 2005 and send them to DSPs, Police Computer Wing, DCRB and Modus Operandi Bureau, if not already sent.
- (v) The IOs will collect Photos of Missing/Unidentified Dead bodies and send it to DSPs Police Computer Wing, DCRB and Modus Operandi Bureau.
- (vi) Police Computer Wing will develop a software to match all the seven categories on different parameters. Photographs should also be included. The Dy. Superintendent of Police, Police Computer Wing will submit a project report on this within two months.
- (vii) Manual verification should be done in Police Computer Wing forming a Special Team consisting of one Inspector of Police and three Police Constables.
- (viii) The circular vide reference third cited is being sent again to all District Superintendents of Police and Commissioners of Police to reiterate the procedure that should be followed strictly.
- (ix) Investigating Officer should be Inspector of Police.

- (x) Instructions given in the reference third cited above should be followed strictly for reviewing the progress of the cases.
 - (xi) Special Cell consisting of one SI, two HCs and two PCs should be formed in the Districts to collect relevant details in all the seven categories.
 - (xii) Monthly meeting by SP should be conducted with IOs and DSPs to monitor the progress of the case.
 - (xiii) In all the cases of Missing, Kidnapped, Deserter, Wanted, Escaped, Unidentified Person, Unidentified Dead body and, when traced, message should be flashed to DSPs, Police Computer Wing, DCRB and Modus Operandi Bureau.
3. Hence all the DSPs are instructed to personally monitor each case, while investigating cases registered u/s 174 Cr.P.C, the following procedures should be followed :
- i. The Photograph of the scene along with the deceased was taken with date.
 - ii. Seizure of any travel tickets in the body of the deceased with details.
 - iii. List out the list of articles like purse, suicide note, photograph/I.D card and name and address available in the body of the deceased.
 - iv. The details of wearing apparels seized with brief descriptions viz., tailor mark dhobi mark etc for easy identification of kith and kin of the deceased.
 - v. Whether the Finger print of the deceased taken with date and by whom and the date in which sent to FPB for verification.
 - vi. Brief description of the dead body such as height, complexion, built, identification marks, any physical deformity etc.
 - vii. List out the lookout message sent to all the districts DCRBs surrounding Local Police stations and to all the Railway Police Stations with date and acknowledged Police Personnel Name and No.
 - viii. Mention whether the circulated of hand bills/posters along with photograph of the deceased has been made and the places circulated.
 - ix. List out the arrangements made for the publication in the local and major dailies with date along with the date of publication in each daily. The paper cutting should be available in the CD file.
 - x. Mention whether arrangements have been made for broadcasting through the T.V. circuits installed in the railway stations of this State.
 - xi. Mention the broad casting through Local Media and the popular channels made with date and the name of the channel.
 - xii. Mention any other efforts taken for giving wide publicity.
 - xiii. Whether viscera/femur bone has been preserved.
 - xiv. Date of receipt of Postmortem certificate along with opinion.
 - xv. Date of dispatch of Talash form with photograph, FIR and P.M. Certificate to RCRB and SCRB directly for publication in the CIG.
 - xvi. Whether the image of deceased loaded in Tamilnadu Police website with details.”

The Hon'ble Court also directed in all cases of recovery of unidentified dead bodies, the police officials concerned, be it the local police or the railway police officials, immediate efforts shall be made to contact the nearest Medical College/CMHO/ Medical Jurist for the purpose of collecting viscera samples from such bodies so that, the same can be preserved for DNA comparison/analysis as and when required. The Hon'ble Court disposed of this habeas corpus petition. Rule is discharged.

(2) Mohammed Aslam Vs Union of India & Anr.**Hon'ble Mr. Justice Satish Kumar Sharma****Judgment dated 01.02.2021****Important Law Point –**

- Sections 15, 16 of the Unlawful Activities (Prevention) Act, 1967

While considering the provisions of Sections 15, 16 of the Unlawful Activities (Prevention) Act, 1967 read with Customs Act and held that the term "Terrorist act" also includes the act done with intent to threaten or likely to threaten the economic security of the country. Such act has been further qualified under Section 15(I)(a)(iiia), which may cause damage to the monetary stability of India by way of smuggling of any other material. The smuggling of any valuable material can cause damage to the monetary stability of the nation which may have impact to threaten or likely to threaten the economic security. Therefore, the legislature in its own wisdom appears to have not specified particular material in this provision. Gold is certainly a valuable material, smuggling of which can be done with intent to threaten or likely to threaten the economic security of the country. It is true that every act of smuggling may not be covered under the definition of Terrorist act and only such smuggling of any material can be termed as Terrorist act which is done with intent to threaten or likely to threaten the economic security and to cause damage to the monetary stability of the country. In this case, the petitioner has been found to be smuggler of huge quantity of gold as well as facilitator to other fellow smugglers. Therefore, it cannot be said that this FIR is a discriminatory act towards him. In view of above, no case is made out for quashing of FIR or stay of its proceedings. Resultantly the present petition is dismissed.

(3) Leela & Anr. Vs State of Rajasthan & Anr.**Hon'ble Dr. Justice Pushendra Singh Bhati****Judgment dated 15.09.2021**

In the above S.B. Criminal Misc. (Pet.) the following issues came up for consideration before the Hon'ble Court :

- (i) Whether the State ought to intervene in the personal relationships of adult citizens;
- (ii) As to what would prevail, in case there is a conflict between law and morality; and
- (iii) Whether the State, having a duty of protecting its citizens, is having any kind of restrictions, reservations or exceptions.

The Hon'ble Court after analysing Hon'ble the Supreme Court's judgements, held that there exists a duty of the State to protect and safeguard all fundamental rights, unless taken away by due process of law. Even if any illegality or wrongfulness has been committed, the duty to punish vests solely with the State, that too in attune with due process of law. In no circumstance can the State bypass due process, permit or

condone any acts of moral policing or mob mentality. At all junctures constitutional morality has to have an overriding impact upon societal morality. The public morality cannot be allowed to overshadow the constitutional morality, particularly when the legal tenability of the right to protection is paramount. The Court is duty bound to act as a protector of the rights of the individuals, which are under siege with the clear intention of obstructing the vision of Constitution. The Hon'ble Court disposed of the petition, with a direction to the petitioners to appear before the Station House Officer, Police Station, Feench, Luni, District Jodhpur alongwith appropriate representation regarding their grievance. The Station House Officer, Police Station, Feench, Luni, District Jodhpur shall in turn hear the grievance of the petitioners, and after analyzing the threat perceptions, if necessitated, may pass necessary orders to provide adequate security and protection to the petitioners.

(4) Shahada Khatoon & Ors. vs. Amjad Ali & Ors.

Hon'ble Mr. Justice Sandeep Mehta

Hon'ble Mr. Justice Manoj Kumar garg

Judgment dated 30.07.2021

In Re A Ref. U/s 395 Cr.P.C. by District and Sessions Judge, Pali Vs Unknown, while placing reliance upon the judgement of Hon'ble Supreme Court in the case of Shahada Khatoon & Ors. vs. Amjad Ali & Ors. reported in 1999 Cr.L.J. 5060 considered Section 125(3) Cr.P.C. and decided the legal questions, which read as under ;

- (1) WHETHER the Magistrate is precluded to pass a sentence, in an application under section 125(3) Cr.P.C., beyond a period of one month in pursuance of Execution Warrant on a consolidated application made within one year from the date on which the amount became due ?
- (2) WHETHER the order passed by the Hon'ble Supreme Court in the case of Shahada Khatoon (supra) operates as binding precedent or it qualifies as a mere observation in light of the arguments advanced by the appellant in that case ?
- (3) WHETHER clarification of the Hon'ble Supreme Court's Order in the case of Shahada Khatoon (supra) by Full Bench of the Kerala High Court in the case of Santosh V State and by the Hon'ble Bombay High Court in Gorakshnath's case (supra) are required to be read in light of the arguments advanced in the said case ?

The Hon'ble Court answered the questions in the following manner :-

- (i) That the claimant/claimants would be entitled to file a consolidated application for recovery of previous 12 months dues. The consolidated application shall be treated as 12 individual claims for recovery of monthly allowances of previous 12 months.
- (ii) That the Court will deal with the application in 12 separate compartments and shall issue separate warrants of recovery of every month's dues, subject to the condition that the application shall not be entertained for maintenance dues beyond a period of 12 months. In the event of nonpayment/non-recovery of the maintenance, the Court may pass separate sentences upon the defaulter extending to one month's imprisonment for each default ;

- (iii) The Court also clarified that in cases where, no order of interim maintenance has been passed and the Court, while finally deciding the application for maintenance, orders that the maintenance shall be payable from the date of filing of the application, the claimant may file an application for recovery of the accrued amount and such application shall be considered to be within time if filed within 12 months from the date of the order.

ARBITRATION LAWS

I.D.F.C. First Bank Ltd. (Earlier Known As IDFC Bank Ltd.) Vs Dr.Aruna Bamniya (Kundra) &Ors.

Hon'ble Mr. Justice Rameshwar Vyas

Judgment dated 06.08.2021

While considering the provisions of Sections 5 and 8 of Arbitration and Conciliation Act, 1996 (referred to as 'A&C Act,1996), and Sections 8 and 13 of Commercial Courts, Commercial Division and Commercial Appellate Division of High Court (Commercial Courts Act, 2015), read with Order 7 Rule 11 read with Section 151 of Civil Procedure Code. The question that arose before the Hon'ble Court is whether the order passed by Commercial Court may be categorized as an order passed under Section 37(1)(a) of the Act of 1996 or it is an order passed under Order 7 Rule 11 C.P.C. The Hon'ble Court held that the revisional jurisdiction of the High Court can only be invoked when the effect of allowing the application will be that it will finally terminate the proceeding.

After carefully going through the record it is clearly revealed that the petitioner has not made any prayer to refer the dispute before the Arbitrator. It is not in dispute that arbitration Clause No. 23 is there in the loan agreement entered in between the parties. It is pertinent to note that the petitioner has already appointed sole arbitrator in this matter and award has already been passed by the Arbitrator on 28.09.2020. In these circumstances the application filed by the petitioner under Order VIII, Rule 11 CPC and Section 8 & 5 of the A&C Act cannot be categorized as an application to refer the matter to arbitration under the A&C Act. Hence, the impugned order is not an appealable order under the provisions of Section 37(1)(a) of the A&C Act. The application filed by the petitioner is certainly an application filed under Order VII, Rule 11(d) CPC on the ground that the suit is barred by law.

Generally decision on the application under Order VII, Rule 11 (d) CPC may terminate the proceedings, but looking to the peculiar facts of the present case, allowing the application of one of the defendants filed under Order VII, Rule 11 CPC will not terminate the suit filed by the plaintiff against all the seven defendant-Banks. As per the proviso to Section 115 CPC added by the Amendment Act, 1999 w.e.f. 2002 the High Court shall not, under this section, vary or reverse any order made, or any order deciding an issue, in the course of a suit or other proceeding, except where the order, if it had been made in favour of the party applying for revision, would have finally disposed of the suit or other proceeding. The legal position that in cases where there is an arbitration clause in the agreement then Civil Court instead of rejecting the plaint is under an obligation to refer the matter to the Arbitrator, whereas, in the present case petitioner itself embarked upon the proceeding under A&C Act and got award in its favour by Arbitrator.

Finally, the Hon'ble Court held that the impugned order is certainly an interlocutory order passed by the Commercial Court, against which, as per the provisions of Section 8 of the Commercial Courts Act there is bar on the Court to entertain any civil revision. Hence the present revision petition is not maintainable. Consequently, the present revision petition is dismissed as not maintainable.

ACADEMIC LAW

Deepesh Singh Beniwal Vs Union of India &Ors.

Hon'ble Mr. Justice Sangeet Raj Lodha

Hon'ble Mr. Justice Rameshwar Vyas

Judgment dated 31.05.2021

While considering the catena of judgments, the Hon'ble Court held that the action of the respondent private institutions and the medical/dental institutions run by the State Government in levying advance fee in addition to annual fee for one year from the students admitted to the medical courses and insisting upon each and every student to submit the bank guarantee at the time of admission equivalent to the fee for 3½ years of course duration, is illegal. The respondent private institutions and the institutions run by the State Government are restrained from recovering any amount as advance fee in addition to the fee for one year from any student admitted to the course. The respondent private institutions and the State Government are directed not to insist upon furnishing of bank guarantee towards the fee for entire duration of the course from each and every student. The respondent private medical institutions shall be at liberty to ask for the bond/bank guarantee from a particular student in conformity with the directions issued by the Hon'ble Supreme Court in Islamic Academy's case (supra). The advance fee in addition to the fee for one year already recovered by any of the private institutions from the students admitted to the medical courses shall be kept in a fixed deposit in a nationalized bank against which no loan or advance may be granted. The advance fee deposited shall carry interest at the rate equivalent to the rate of interest admissible on fixed deposit by the nationalized bank. The interest already accrued and the future interest on the amount of advance fee shall be paid to the students from whom the advance fees were collected at the time of admission. The State Government is directed to ensure the compliance of the directions issued by this Court as aforesaid.

LAND LAW**Nathu Ram Vs The State of Rajasthan
Hon'ble Mr. Justice Sangeet Raj Lodha
Hon'ble Mr. Justice Rameshwar Vyas
Judgment dated 19.02.2021**

While considering the provisions of Sections 91(6) of Rajasthan Land Revenue Act, 1956 and Section 2(c), (I) of the Code of Criminal Procedure, 1973 and decided the legal question, which reads as under :

“What would be the nature of an offence (whether cognizable or non-cognizable) for which imprisonment “may extend to three years’ is provided and no stipulation is made in the statute regarding it being cognizable/non-cognizable?”

The Hon'ble Court observed that the First Schedule of Cr.P.C. deals with classification of the offences under the Indian Penal Code ('IPC') as also under other laws. Part I of the First Schedule deals with the offences under the IPC, whereas, Part II thereof deals with offences against other laws and makes provisions regarding offences being Cognizable or Non-cognizable, Bailable or Non-bailable and by what Court triable. The Act of 1956 does not make provision regarding the offences punishable under the said Act being cognizable or non-cognizable and bailable or non-bailable and therefore, the same shall be governed by the provisions of Part II of the First Schedule. Part II of the First Schedule makes it abundantly clear that the offences under the laws other than IPC are classified in three categories and the offence being cognizable or non-cognizable and bailable or non-bailable is determined on the basis of the range of sentence imposable by the Court on conviction.

Apparently, the offence which is punishable with imprisonment to the extent of three years under the laws other than IPC, does not fall within classification I and III under Part II of the First Schedule, which deals with the offences punishable with death, imprisonment for life, or imprisonment for more than seven years and the offences punishable with imprisonment for less than three years or with fine only, respectively. Thus, the question which is considered by this Court is whether the expression 'which may extend to three years' would squarely or necessarily fall within the expression 'imprisonment for three years and upwards' used in classification II of Part II of First Schedule and thus, the offence under Section 91(6)(a) of the Act of 1956, has to be treated an offence Cognizable & Non-bailable, triable by Magistrate of First Class. If the classification of the offences in Part II of First Schedule is construed with reference to the context vis-a-vis the classification under Part I of the First Schedule, the expression 'for three years' occurring in classification II under Part II of First Schedule has to be construed to include the offences punishable with imprisonment for a term to the extent of three years. Thus, the classification made for determination of nature of offence whether it is cognizable or non-cognizable, the maximum punishment that may be awarded for particular offence, is relevant and not the minimum sentence. As a matter of fact, Part II of First Schedule covers every offence under any other statute, other than IPC, where there is no stipulation regarding it being cognizable or non-cognizable in the statute itself.

Finally, the Hon'ble Court answered in terms that unless otherwise provided under the relevant statute, the offences under the laws other than IPC punishable with imprisonment to the extent of three years, shall fall within the classification II of offences classified under Part II of First Schedule and thus, shall be cognizable and non-bailable. Consequently, the offence under Section 91(6) (a) of the Act of 1956 shall be cognizable and non-bailable.

MUNICIPAL LAW

Smt. Somya Gurjar Vs State of Rajasthan
Hon'ble Mr. Justice Pankaj Bhandari
Hon'ble Mr. Justice Chandra Kumar Songara
Judgment dated 28.06.2021

Hon'ble the Division Bench decided this matter, wherein the petitioner has challenged the Constitutional validity of the provisions of Sections 39(1) (d) (ii) and 39(1) (d) (iii) of the Rajasthan Municipalities Act, 2009 and the order dated 06.06.2021 whereby the petitioner has been placed under suspension from the Office of Mayor, Municipal Corporation, Jaipur Greater as well as from her membership of Ward No.87 of the said Municipal Corporation. The Hon'ble Court held that the terms "misconduct in the discharge of his duties" and "any disgraceful conduct" cannot be termed to be vague in view of the fact that the terms "misconduct" and "disgraceful conduct" find place in various enactments across the country and the use of terms "misconduct" and "disgraceful conduct" are not having any penal consequences. It is evident that in the Constitution of India also, the term "misbehaviour" has not been defined and therefore, the Legislature was well within its power not to define the terms "misconduct" and "disgraceful conduct". It is also evident that the terms "misconduct in the discharge of duties" and "any disgraceful conduct" has to be assigned a meaning depending on the facts and circumstances of a particular case and the Legislature in its own wisdom has purposely not defined these words. The use of terms such as "misconduct in the discharge of his duties" and "any disgraceful conduct" are not vague, so as to render them ultra-vires the Constitution and, therefore, the Court upheld the validity of Sections 39(1)(d)(ii) and 39(1)(d) (iii) of the Act of 2009.

The Hon'ble Court clarified that objective satisfaction of the State will have to be taken into consideration and the Court cannot exercise its discretion. However, it should always be examined whether the satisfaction has been arrived at objectively or arbitrarily. The decision has been taken after due deliberation and application of mind and after considering the preliminary enquiry report. The same cannot be said to have been passed arbitrarily. The suspension order cannot be said to be passed in malice to oust the BJP Corporator as BJP Corporator, has been replaced by the BJP Corporator on the post of Mayor. On facts also, we do not find any ground for setting aside the suspension order. Further, the State Government is directed to expedite the judicial enquiry initiated against her and the same be completed as far as possible within a period of six months from the date of receipt of a certified copy of this order.

MINING LAW AND FOREST LAW

Kishore Singh Vs State of Rajasthan
Hon'ble Dr. Justice Pushendra Singh Bhati
Judgment dated 15.09.2021

While considering the provisions of Sections 451, 457 of the Code of Criminal Procedure, 1973, Sections 52 to 56, 60 and 68 of the Rajasthan Forest Act, 1953, and Rule 54(3-8) of the Rajasthan Minor Mineral Concession Rules, 2017, and laid down the following legal principles :

- “(a) Until the confiscation proceedings are initiated the Magistrate concerned shall have the powers to release vehicles with or without condition of deposition of compensation/compounding fee, but the Magistrate shall be required to impose a condition of furnishing of a bank guarantee, so as to secure, the compensation/ compounding fee, if required to be levied in future after completion of the proceedings.
- (b) Once confiscation proceedings are initiated, the delivery possession, disposal or distribution of property cannot be made by Magistrate.
- (c) It is directed that police stations shall release vehicles in question to the registered owners, after confirming from respective departments, that there is no confiscation proceeding in regard to the vehicles in question.
- (d) Undergoing proceedings, registered owner of the vehicles shall furnish bank guarantees equivalent to compensation/ compounding fee and deposit the same before trial court, before release of vehicles in question.
- (e) The trial court concerned shall be required to keep such Bank Guarantees intact, until the final conclusion of the proceedings.
- (f) Petitioner shall be required to furnish photographs of their vehicle(s), showing registration number, colour etc.
- (g) Registered owner shall render undertaking before trial court along with bank guarantee, that they shall not use them for illegal and unlawful purpose, and in case second offence is committed, same shall not be released on any condition, until confiscation proceedings come to an end”.

SERVICE LAW

(1) Dashi Devi Damor Vs State of Rajasthan

Hon'ble Mr. Justice Dinesh Mehta

Judgment dated 15.09.2021

Hon'ble Court answered the question whether a female candidate, who after marrying a person of TSP-ST, migrates to the State of Rajasthan, can claim caste based reservation also, while taking TSP reservation benefits in terms of the notification dated 21.10.2019 issued by the Governor of Rajasthan. The Hon'ble Court held that term 'Scheduled Area' and TSP status are relatable to domicile or residence in

a particular area. For the purpose of Scheduled Area, Article 244 of the Constitution of India is relevant and the authority to legislate for Scheduled Area and its residents is, the Governor of the State. As against this, Scheduled Tribe/Caste is relatable with the caste, for which Articles 341 and 342 of the Constitution are to be looked at. A caste is declared as Scheduled Caste/Tribe by the order of the President of India. The powers available to Hon'ble Governor under Article 244(1) read with Schedule V of the Constitution of India relate to declaration of rights of "residents" of TSP area and not of particular caste(s) of such area. For the purposes of declaration of caste, a Presidential notification alone, issued under the provisions of Constitution (Scheduled Tribes) Order 1950 read with Article 342 is final. The caste or group of castes notified for a particular State are to be considered/treated as Scheduled Caste/Tribe of that State. As such, even if a particular caste is specified to be a Scheduled Caste/Tribe in two or more States, but when it comes to claiming reservation in a State, the person has to be a Scheduled Caste/Tribe of that particular State. The interplay between the residential status and caste is required to be noticed carefully.

The notification dated 21.10.2019 issued by the Governor has its effect and applicability only for residential purposes. The Governor of Rajasthan in exercise of his constitutional powers had issued a notification dated 21.10.2019, holding that a person marrying a TSP resident of the State of Rajasthan shall be treated to be a TSP resident, it has to be understood to have effect only on domicility or residential status. Such notification cannot and does not have its implications over caste. The petitioner is by caste 'Damor', which is a caste notified as Scheduled Tribe under the relevant Presidential Order issued for the State of Rajasthan. May be, such caste namely Damor has also been notified to be a Scheduled Tribe by way of separate Presidential notification issued for State of Gujarat. However, for the purpose of considering a person's right to claim reservation in the State as a Scheduled Tribe, the relevant notification issued for the purpose of State of Rajasthan alone has to be taken into account. Since, people of caste Damor of State of Rajasthan alone have been notified to be Scheduled Tribe for the purposes of benefits of reservation in the State of Rajasthan, persons of Damor caste of the State of Gujarat cannot claim to be a Scheduled Tribe of the State of Rajasthan, so as to stake their claim against the post reserved for Scheduled Tribe. It is a settled position of law that a person derives his/her caste from his/her father or a caste of person is to be reckoned according to his/her paternity. Finally, the Hon'ble Court concluded that petitioner, born to a Damor father, resident of village Kadana, in the State of Gujarat, is a Damor of Gujarat or a Scheduled Tribe of Gujarat. Therefore, she is, obviously, not entitled to be considered as a Scheduled Tribe of the State of Rajasthan.

(2) Rajveer Sharma (Dr.) Vs State of Rajasthan &Ors.

Hon'ble Mr. Justice Sanjeev Prakash Sharma

Judgment dated 13.01.2021

In this matter Hon'ble Court considered the Memorandum dated 01.06.2017. A short point that arose before Hon'ble Court is whether the third child born to the petitioner on account of failure of the ligation operation can be said to come within the ambit of memorandum dated 01.06.2017 to deny the ACP to the petitioner for three years. The Hon'ble

Court held that it is apparent that an employee who has more than two children on or after 1.6.2002 shall not be granted next ACP for three years from the date on which his/ her ACP becomes due and it would have consequential effect on the subsequent financial up-gradation. Any employee who gave birth to child after 1.6.2002 and already has two children prior thereto would be denied ACP. The circular does not take into consideration the circumstances which may have arisen in the birth of a third child. In the present case, the child was born on account of the failure of the ligation operation. Getting an operation done shows the intention of the couple not to have a third child. However, on account of failure, if a child is born, they cannot be penalized for the same. These are exceptions to the rule and have to be taken into consideration. These exceptions need not be explicitly mentioned in the rule. However, these are certain things which are inherent in the rule. Further, the very purpose of the rule is to deter Government servants from having a third child. However, if a third child is born, without there being any deliberate intent, the circular would not come in way to deprive the concerned individual of the benefits which are available under the service rules. The circumstances need to be examined and exceptions need to be taken into consideration.

(3) Lalita Devi Saini Vs State of Rajasthan & Ors.

Hon'ble Mr. Justice Vijay Bishnoi
Hon'ble Mr. Justice Anoop Kumar Dhand

Judgment dated 24.11.2021

While considering Rule 10, 2(c) and 5 of the Rajasthan Compassionate Appointment of Dependents of Deceased Government Servants, Rules, 1996 and Rule 73 of the Rajasthan Civil Services (Pension) Rules, 1996, held that as per Rule 5 of the Rules of 1996, on death of a government servant while in service, one of his/her dependent (s) may be considered for appointment. Sub Rule (1) of Rule 10 of the Rules of 1996, provides that on death of a government servant, the surviving spouse shall apply for appointment for self or for any other dependent. However, as per sub-rule (2) of the Rule 10 of the Rules of 1996 where the deceased government servant is not survived by a spouse, the application shall be made by one of the dependents of the deceased government servant and the other dependents shall have to give their consent for his/her candidature. Provided that if more than one of the dependents seek employment, the Head of Department shall select one, keeping in view the overall interest and welfare of the entire family, particularly the minor members. Rule 2 (c) of the Rules of 1996 defines the word "dependent" which means spouse, son/unmarried daughter/widowed daughter/ adopted son/ adopted unmarried daughter.

Rule 73 (b) (ii) says that if on the conclusion of the criminal proceedings referred to in Clause (a), the person concerned is acquitted of the charge of murder or for abetting in commission of such offence, the family pension shall be payable to such person from the date of death of the Government servant. As per the facts and documents available on record, it is clear that the appellant has not been convicted rather she has been acquitted from the charge of murdering her husband. The impugned orders dated 15.11.2017 and 17.07.2018 have been passed in the writ petition filed by the respondent No.4 without impleading the appellant, who is spouse of the deceased Roshan Lal and the directions have been

issued for compassionate ground of the respondent No.4 and payment of family pension/gratuity/retiral benefits to the children of the deceased employee without giving any notice or opportunity of hearing to the appellant.

The Special Appeal was partly allowed by the Hon'ble Court & the respondents are directed to decide the claim of the appellant Lalita Devi as well as the claim of the respondent No.4 Sunil Kumar and claim (if any) of any other dependent(s) of the deceased Roshan Lal for grant of compassionate appointment strictly in accordance with the provisions of Rules of 1996, keeping in view the overall interest and welfare of the entire family. The respondents are further directed to consider and decide the case of the appellant, respondent No.4 and other children of the deceased employee for family pension/gratuity/retiral benefits strictly in accordance with the provisions contained under the Pension Rules, 1996.

(4) Lava Kumar Sharma Vs State of Rajasthan & Ors.

Hon'ble Mr. Justice Mahendar Kumar Goyal

Judgment dated 12.11.2021

Hon'ble Court considered the provisions of Rule 16 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958 and Rule 3, 4, 11, of the Rajasthan Civil Services (Conduct) Rules, 1971 and answered the question whether the messages so circulated, detailed in the statement of allegations appended with the charge sheet, constitute misconduct under the Rules of 1958 or not and if yes, this not having been done in discharge of his official duty, whether the charge-sheet deserves to be quashed.

The Hon'ble Court held that fundamental right of speech and expression under Article 19(1)(a) of the Constitution of India is not an untrammelled right but, is subject to reasonable restrictions vide Article 19(2) of the Constitution. The Rules of 1971 have been enacted under proviso to Article 309 of the Constitution of India and it puts reasonable restriction on the fundamental right of speech and expression of a Government servant. No doubt, any fair and bonafide criticism of any Government with the object of bringing transparency in its administration or increasing its efficiency, is always welcome and appreciable and cannot be subjected to question mark employing the provisions under the Rules of 1971 but, in the garb of this, a Government servant cannot be permitted to travel beyond the permissible limit. Every Government servant is bound by the code of conduct as prescribed under the Rules of 1971 and it is not permissible for him to claim exception from the same pleading his right under Article 19(1) (a). The language used in some of the messages circulated by the petitioner is unparliamentary targeting particular political party(ies) and particular political figure(s) and also enters into the arena of unfair/adverse criticism, not expected from a Government servant.

**(5) Rajendra Singh Chotiya & Anr. Vs The National
Council For Teachers Education & Ors.**

Hon'ble Mr. Justice AkilKureshi

Hon'ble Mr. Justice Sudesh Bansal

Judgment dated 25.11.2021

Hon'ble Divisional Bench considered the provisions of Sections 19, 23, 29, and 35 of the Right of Children to Free and Compulsory Education Act, 2009 read with Sections 12-A, 29, 32,33 of the National Council for Teacher Education Act, 1993. The question that arose before the Hon'ble Court was whether the NCTE had correctly and legally included B.Ed. as essential qualification for eligibility for appointment to the post of primary school teacher (level-I). The Hon'ble Court observed that the NCTE (National Council For Teachers Education) has been authorized by the Central Government for the purposes of Sub-section (1) of Section 23 as well as Sub-section (1) of Section 29 of the RTE Act. Sub-section (1) of Section 23 pertains to minimum qualifications that a person must possess for eligibility for appointment as a teacher, whereas Sub-section (1) of Section 29 pertains to curriculum and evaluation procedure for elementary education to be laid down by the academic authority. The issues of eligibility for appointment as a teacher and the curriculum and evaluation procedure for elementary education are closely connected and interlinked. For this reason, the Government of India has recognized NCTE as an academic authority for both the purposes. The NCTE evolves important criteria and guidelines for setting the curriculum and evaluation procedure for elementary education as well as prescribing minimum qualification for appointment as a teacher.

The Hon'ble Court further observed that the power of the Central Government to issue guidelines under Sub-section (1) of Section 35 of the RTE Act does not extend to the NCTE as an academic authority notified under Sub-section (1) of Section 23 of the RTE Act. A reference of-course was made to Section 29 of the NCTE Act for such purpose. Under Sub-section (1) of Section 29, the NCTE shall in discharge of its functions and duties under the Act be bound by such directions on questions of policy as the Central Government may give in writing to it from time to time. However, in our opinion, the Central Government cannot trace the source of the power to give such directions to the NCTE in exercise of its power under Sub-section (1) of Section 23 of the RTE Act. In plain terms therefore, the Ministry of HRD could not have mandated the NCTE to make the amendments in question. In fact, the opinion of the NCTE was that B.Ed. may be recognized as an alternative qualification for the purpose of KVS (KendriyaVidyalayaSangathan), where adequate number of otherwise qualified candidates are in short supply. Over-ruling such opinion of NCTE, the Ministry of HRD mandated that B.Ed. may be recognized as an additional qualification for all schools. This was clearly beyond the power of the Central Government.

The power of the Central Government to issue directions to the NCTE and its binding effect are confined to the question of policy. The powers thus are not plenary or all pervasive but are restricted to the question of policy alone. Such provision, therefore, has to be interpreted

strictly. The legislature has constituted the NCTE with specified duties, functions and powers and which Council consists of various experts in the field. The directions of the Central Government therefore cannot be for day to day functioning of the NCTE or for purposes other than the policy matters. Framing of regulations prescribing eligibility criteria or minimum qualifications for appointment as primary teachers certainly cannot be seen as a policy matter.

The MHRD as well as NCTE through the process of framing the amendments and issuing the notification of amendment have recognized that B.Ed. degree per se is not a sufficient qualification for appointment as teacher in primary school (classes- I to V), it is not necessary to dilate on the question whether a B.Ed. degree is a higher qualification as compared to D.El.Ed. or not. To borrow mathematical phraseology, B.Ed. degree course does not form a super set of training of which D.El.Ed. Diploma training forms a sub set. In other words, a B.Ed. degree holder cannot argue that he has sufficient training to teach not only higher standards but also the primary level standard I to V and what is taught to a D.El.Ed. course is part and parcel of his training. This was rejected by the Supreme Court in the cases of P.M. Latha and others vs. State of Kerala and others [2003 (3) SCC 541] and Yogesh Kumar and others vs. Government of NCTC, Delhi and others [2003 (3) SCC 548].

After thorough discussions and observations, the Hon'ble Court concluded as under :-

- (i) The impugned notification dated 28.06.2018 is unlawful because :-
 - (a) It is under the direction of the Central Government, which power the Central Government under Subsection (1) of Section 23 of the RTE Act did not have; and
 - (b) It is not in exercise of power of the Central Government under Sub-section (2) of Section 23 of RTE Act relaxing the eligibility criteria prescribed by the NCTE, nor there has been any exercise for ascertaining existence of the conditions precedent for exercising such power.
- (ii) The petitioners have locus standi to challenge the notification dated 28.06.2018. Merely because an additional qualification is recognized as one of the eligibility criteria, the petitioners cannot be prevented from challenging it.
- (iii) Accepting a candidate with B.Ed. degree as eligible for appointment and thereafter subjecting him to complete the bridge course within two years of appointment is in the nature of relaxing the existing eligibility criteria, which the Central Government could have done only within Sub-section (2) of Section 23 and subject to existence of circumstances necessary for exercise of such power.
- (iv) The State Government could not have ignored the notification of NCTE dated 28.06.2018 while issuing advertisement for REET. However, when we have declared that this notification is illegal and are in the process of setting aside, the issue becomes one of academic value.

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. The new building of Rajasthan High Court inaugurated on 07.12.2019 has been constructed on the 9.05 acres in the campus of 67.37 acres. The building is surrounded by large gardens covering 9.28 acres. The building is Circular in shape having a big dome. The entire building is made of famous Jodhpur stone called Chittar. The building consist of one Chief Justice Court, 21 Courts for Judges. 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 1306 Courts, 962 Courts are functioning in the Buildings of Judicial Department, out of these 644 Court Buildings are suitable as per norms. Other Court Buildings have been provided either by Bar Association or Gram Panchayat, or any other Government Department and 35 Courts are functioning in rented premises. Currently 226 Court Halls are under construction.

Further, only 646 residential accommodations are available out of which 430 are as per norms and 216 residences needs conversion from Type-III to Type-II, rest of Judicial Officers are residing in their own house or in a rented house or residence provided by Government. Currently 172 residences are under construction.

(2) Demand of Budget from GOI under Centrally Sponsored Schemes (CSS) as 60% Central Share for the year 2021-22 :-

(Rs. In Crore)

S. No.	Name of Scheme	Project Cost
1.	Construction of Court Buildings	399.21
2.	Construction of Residential Accommodation	181.53
TOTAL		580.74

The Central Government has not released an amount of Rs. 41.50 Crore as Central Share under Centrally Sponsored Scheme during the year 2021-22.

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 31.12.2021)

SANCTIONED STRENGTH	WORKING STRENGTH	VACANT POSTS
50	28	22

STRENGTH OF JUDGES IN DISTRICT/ SUBORDINATE COURTS

(As on 31.12.2021)

CADRE	SANCTIONED STRENGTH	WORKING STRENGTH	VACANT POSTS
Rajasthan State for District and Subordinate Courts (RJS)	1549	1274	275

6. HUMAN RESOURCE DEVELOPMENT

(I) TRAINING OF JUDGES / JUDICIAL OFFICERS

First Phase Reflective Training Programme :

First Phase Reflective Training of 190 Trainee Civil Judges of Batch 2020-21 was conducted at RSJA from 15.02.2021 to 26.03.2021 in 02 Groups due to pandemic Covid-19. During this first phase reflective training, Trainee Judicial Officers were enlightened by Hon'ble Judges and other eminent Judicial Officers as faculty. During this phase of reflective training, an educational cum excursion tour was organized with the object to acquaint the trainee officers with the culture of Rajasthan and administrative functioning with legal aspects related to other departments and institutions.

Second Phase Reflecting Training Programme :

Second Phase Reflective Training of Trainee Civil Judges of Batch 2020-21 was conducted at RSJA from 26.07.2021 to 07.08.2021

During this training, trainee officers were enlightened by Hon'ble Judges of Rajasthan High Court, and other Judicial Officers from Rajasthan on various topics of Law and Court Proceedings. In this phase, Trainee Civil Judges were also addressed by Hon'ble Mr. Justice Sunil Ambwani (Former Chief Justice, RHC), and other eminent scholars, Professors and motivational speakers. Practical exercises on various topic of Law were also conducted to enhance the skill of Judgment Writing.

Final Phase Reflecting Training Programme :

Final Phase Reflective Training of Trainee Civil Judges of Batch 2020-21 was conducted at RSJA from 17.09.2021 to 08.10.2021.

In Final phase of institutional training, Trainee Civil Judges were enlightened by the eminent Judicial Officers and Hon'ble Judges of the High Court and officers of RSJA. To refine the practical knowledge and writing skills of trainee officers, various sessions on practical exercises were conducted.

As the part of final phase training, valedictory ceremony took place on 3rd October 2021. The valedictory ceremony was graced by the Hon'ble Mr. Justice U.U. Lalit (Judge, Supreme Court of India), Hon'ble Mr. Justice Dinesh Maheshwari (Judge, Supreme Court of India), Hon'ble Mr. Justice Ajay Rastogi (Judge, Supreme Court of India),

Hon'ble Mr. Justice Indrajit Mahanty (The Chief Justice, Rajasthan High Court & Patron-in-Chief, RSJA), Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court & Chairman RSJA), Hon'ble Mr. Justice Vijay Bishnoi (Judge, Rajasthan High Court & Member, Hon'ble Working Committee, RSJA) and other Hon'ble Judges of Rajasthan High Court and Officers of the RSJA.

For grooming the overall personality of budding judges, physical and sports activities was kept as an integral part of the training curriculum. During this phase of training, various sports competitions viz. Badminton, Volleyball, Table Tennis and Cricket was also organized by RSJA.

Refresher Training Programme for ACJMs :

A Refresher Training Programme for ACJMs of Batch 2013 was organized by RSJA from 11.11.2021 to 13.11.2021.

In this training programme, officers were enlightened by Hon'ble Mr. Justice Sandeep Mehta (Administrative Judge, RHC and Chairman, RSJA), Hon'ble Mr. Justice Arun Bhansali (Judge, RHC), Sh. Madhusudan Mishra (Special Judge, ACD Cases Court No. 1, Udaipur), Sh. Chanchal Mishra (Director Prosecution & Secretary Home (Law), Secretariat, Jaipur), Dr. Nidhi Gupta (Associate Professor, NLU, Jodhpur) Sh. Bharat Chugh (Advocate, Supreme Court of India), Sh. Arun Kumar Beriwal (Spl. Judge, NDPS Cases Court, Kota), Sh. Arvind Bhatt (Motivational Speaker, Samvad, Jodhpur). Trainees were also virtually addressed on the last of training by Hon'ble Mr. Justice Akil Kureshi, Hon'ble The Chief Justice, Rajasthan High Court on the topic "Art of Order and Judgment Writing in Civil and Criminal Matters".

Refresher Training Programme for ADJs :

A Refresher Training Programme for Additional District & Sessions Judges of Batch 2008 and Direct Recruits of Batch 2020 was organized by RSJA from 25.11.2021 to 27.11.2021.

The training programme was inaugurated by Hon'ble Mr. Justice Akil Kureshi (The Chief Justice, RHC and Patron-in-Chief, RSJA) with their introductory address about the framing and the vision of constitution and importance of Judicial System in society. This session was also co-chaired by Hon'ble Mr. Justice Sandeep Mehta (Administrative Judge, RHC and Chairman, RSJA). Trainees were enlightened by Hon'ble Mr. Justice Sandeep Mehta (Administrative Judge, RHC and Chairman, RSJA), Hon'ble Mr. Justice P.S. Bhati (Judge, RHC), Hon'ble Mr. Justice Farjand Ali (Judge, RHC), Dr. Naresh Parashar (Physiotherapist, Rathi Hospital, Jodhpur), Ms. Madhvi Gadkari (Consultant Clinical Psychologist, Jodhpur), Dr. P. C. Vyas (Senior Professor, Forensic Medicine, MGH, Jodhpur), Sh.

Hemant Nahta (Advocate, RHC), Sh. Anant Bhandari (District & Sessions Judge, Rajsamand), Sh. Sudhir Choudhary (Superintendent of Police, Rajsamand) Sh. Arvind Bhatt (Motivational Speaker, Samvad, Jodhpur) as resource persons. 70 Judicial Officers- ADJs of Batch 2008 and Direct Recruits of Batch 2020 participate in this training.

Refresher Training Programme for Judicial Magistrates :

A Refresher Training Programme for Judicial Magistrates of Batch 2017 and Batch 2019 was organized by RSJA from 17.12.2021 to 19.12.2021.

In this training, Hon'ble Mr. Justice Sandeep Mehta (Administrative Judge, RHC and Chairman, RSJA), Hon'ble Mr. Justice Arun Bhansali (Judge, RHC), Ms. Kanika Jamwal (Assistant Lecturer, Jindal Global Law School, Sonipat, Haryana), Sh. Madhu Sudan Mishra (Special Judge, ACD Cases Court No. 1, Udaipur), Sh. Kamal Chhangani (Addl. Director (Academic), RSJA), Sh. O.P. Dadhich (Former Member, Central Board of Indirect Taxes & Customs), Sh. Madhu Sudan Sharma (Judge, NDPS Court No. 2, Chittorgarh), Dr. Hareesh Kumar (Addl. Principal & Professor and Head of Forensic Medicine, Government Medical College, Barmer), Sh. Bharat Chugh (Advocate, Supreme Court of India) enlightened the 84 Judicial Officers of batch 2017 & 2019 as resource persons.

Webinar on 'Role and Responsibilities of Child Welfare Committees under Juvenile Justice (Care and Protection Act)-2015' :

A Webinar on 'Role and Responsibilities of Child Welfare Committees under Juvenile Justice (Care and Protection Act)-2015 was organized by RSJA from 6th-7th January, 2021 for Additional Director, ICPS Dy. Director, ICPS, Chairman of CWCs and Members of CWCs.

Making full use of the advances in the field of technology and keeping up with its constitutional mandate in mind, this Webinar was conducted under the aegis and guidance of Hon'ble Mr. Justice Sandeep Mehta (Judge, RHC and Chairman, RSJA) and was presided over by Shri Mahendra Kumar Dave, ADJ No. 2 Udaipur, Shri Anant Asthana, Child Rights Lawyer, New Delhi and Ms. Krinna Shah, Freelancer in Capacity Building, New Delhi. The Webinar saw a participation of Chairman and Members of Child Welfare Committees (about 33 Committees) of various Districts of Rajasthan and Officers of Department of Social Justice.

Additional Director, ICPS, Dy. Director, ICPS, 30 Chairman of CWCs and 119 Members of CWCs were participate in the above Webinar.

Webinar on 'Sensitization of Judicial Officers on Effective Implementation of Disaster Management Act' :

A Webinar on 'Sensitization of Judicial Officers on Effective Implementation of Disaster Management Act' was organized by RSJA on 27th January, 2021 for 112 Judicial Officers (ADJs, CJMs, ACJMs & JMs of Batch- 2000, 2002, 2005, 2008, 2010, 2011, 2013, 2015, 2016, 2017, 2019 (10 from each batch) and 02 Judicial Officers from the batch 2018).

The webinar was conducted under the aegis and guidance of Hon'ble Mr. Justice Sandeep Mehta (Judge, RHC and Chairman, RSJA) in association with Shikshit Rojgar Kendra Prabandhak Samiti (SRKPS), Jhunjhunu (Rajasthan). This webinar was presided over by Shri Anjum Tahir Samma, ADM-III, Jodhpur; Shri Gulaba Ram, Company Commandant Headquarters, SDRF Rajasthan and Ms. Kiran Kachhawaha, Research Scholar, RSJA. This webinar saw a participation of 112 Judicial Officers of ADJs, ACJMs, JMs Cadre across the various Judgeships of the state of Rajasthan.

Webinar on 'Sensitization of Judicial Officers on Effective Implementation of COTPA Act 2003' :

A Webinar on 'Sensitization of Judicial Officers on Effective Implementation of COTPA Act 2003' was organized by RSJA on 30th January, 2021 for Judicial Officers of Batch, 2017.

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), which was presided over by Dr. Amit Yadav, Sr. Technical Advisor, International Union against Tuberculosis and Lung Disease ("The Union"); Mr. Narendra Singh, State Consultant, State Tobacco Control Cell, Rajasthan; Mr. Ranjit Singh, Advocate, Supreme Court of India; Dr. Pranay Lal, Sr. Technical Advisor, The Union and Mr. Shubham Shandilya, Research Scholar, RSJA. 76 Judicial Officers (Civil Judge and Judicial Magistrate) from the Batch of 2017 participated in this webinar.

Webinar on 'Cyber Laws and Electronic Evidence' :

A Webinar on 'Cyber Laws and Electronic Evidence' was organized by RSJA on 5th & 6th February, 2021 for Judicial Officer of ADJs, Sr. CJ-CUM-CJMs Cadre.

The webinar was presided over by Mr. Mukesh Choudhary (Cyber Law Expert, Jaipur) and Mr. Nisheeth Dixit (Cyber Law Expert, Jaipur) with the deliberations by discussing the major problems encountered in the investigation of Cyber Crimes with the help of case studies and illustrations. This webinar saw a participation of 268 Judicial Officers (ADJs, Sr. CJ-CUM-CJMs Cadre) from the various Judgeships of Rajasthan.

Webinar on 'The statutory framework of the Mental Healthcare Act, 2017 and concerns regarding Implementation' :

A Webinar on 'The statutory framework of the Mental Healthcare Act, 2017 and concerns regarding Implementation' was organized by RSJA on 9th February, 2021 for Judicial Officers of Batch 2013 & Judicial Officers of Batch 2015.

The webinar was organized under the able leadership of Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy), this webinar was conducted by RSJA. In this webinar, Dr. Shekhar Seshadri, Senior Professor, Dept. of Child and Adolescent Psychiatry, NIMHANS Bengaluru; Mr. Saurabh Shashi Ashok, Project Officer, Policy and Law, NIMHANS Bengaluru enlightened the participant as resource persons. 215 Judicial Magistrates from the Batch 2013 & 2015 participated in this webinar.

Webinar on 'Concept of Service in our Constitution' :

A Webinar on 'Concept of Service in our Constitution' was organized by RSJA on 3rd June, 2021 for Judicial Officers of District Judge Cadre.

This webinar was presided over by Hon'ble Mr. Justice Govind Mathur (Former Chief Justice, Allahabad High Court) Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court & Chairman, Rajasthan State Judicial Academy) and witnessed the participation of 175 Judicial Officers of District Judge Cadre and officers of RSJA.

Webinar / Virtual Training Programme for Principal Magistrates and Members of Juvenile Justice Boards :

A Webinar /Virtual Training Programme for Principal Magistrates and Members of Juvenile Justice Boards was organized by RSJA on 15th & 16th July, 2021 for Principal Magistrates and Members of JJBs & Trainee Civil Judges of batch 2020-21.

This Webinar was organized for Principal Magistrates and Members of JJBs on "Sensitisation and Adoption of Child Friendly Approach in disposition and adjudication of matters under JJ Act, 2015." The webinar was conducted under the aegis and guidance of Hon'ble Ms. Justice Sabina (Judge, RHC and Chairperson, Hon'ble Juvenile Justice Committee, RHC), Hon'ble Mr. Justice Sandeep Mehta (Judge, RHC and Chairman, RSJA) and Hon'ble Mr. Justice Vijay Bishnoi (Judge, RHC and Member, Hon'ble Juvenile Justice Committee, RHC) and was presided over by Mr. Mahendra Kumar Dave (Secretary, DLSA, Bhilwara), Mrs. Riddhima Sharma (Addl. Sessions Judge (Women Atrocities Cases), Jaipur Metro-I), Mr. Govind Beniwal (Former Member, Rajasthan State Commission for Protection of Child Rights),

Mr. Mukesh Parnami (OSD, RHC, Jodhpur) and Ms. Madhavi Gadkari (Consultant Clinical Psychologist). The webinar witnessed the participation of esteemed Ladyship and Lordships, Officers of RSJA, 61 Members of Juvenile Justice Boards, 34 Principal Magistrates of various Districts of Rajasthan and Trainee Civil Judges.

Webinar on 'General Provisions regarding Bail' :

A Webinar on 'Concept of Service in our Constitution' was organized by RSJA on 19th July, 2021 for Judicial Officers (CJ & JMs) and Trainee Civil Judges of batch 2020-21.

RSJA organized this webinar for the Judicial Officers who have imparted Training in 2017 & 2019. The Webinar was preside over by Shri Madhusudan Mishra (ADJ No. 5, Udaipur) and officials of the RSJA. The webinar witnessed the participation of esteemed Lordship, Officers of RSJA, 107 Judicial Officers and Trainee Civil Judges.

Webinar on 'Sensitization of Judges dealing with Gender Sensitive Cases' :

A Webinar on 'Sensitization of Judges dealing with Gender Sensitive Cases' was organized by RSJA on 24th August, 2021 for POCSO Judges, Judicial Officers posted in Women Atrocities Cases Courts, Additional District Judge of batch 2000 & 2002.

To sensitise the stakeholders about the latest laws and procedure related to Gender Sensitive Cases, RSJA organized this webinar which witnessed the participation of esteemed Lordship (Chairman, RSJA), Officers of RSJA, 54 Special Judges of POCSO Courts, 06 Judicial Officers dealing with Women Atrocities Cases and 61 Judicial Officers of ADJs Cadre (Batch 2000 & 2002). This Webinar was presided over by Dr. Nidhi Gupta (Associate Professor, NLU Jodhpur), Ms. NamitaVashishth (ADJ No. 2, Kishangarh) and Mr. Bharat Chugh (Advocate, Supreme Court of India).

Webinar on 'Sensitization of Special Public Prosecutors & Police Officials dealing with POCSO Act Cases' :

A Webinar on 'Sensitization of Special Public Prosecutors & Police Officials dealing with POCSO Act Cases' was organized by RSJA on 25th August, 2021 for Special Public Prosecutor, POCSO Courts, Police Officers (C.O./S.H.O.) from each district of Rajasthan.

In order to deal with matters pertaining to child sexual abuse and to develop understanding the sensitivity of the subject matter and intricacies involved therein, RSJA organized this webinar which witnessed the virtual gathering of Presiding Judicial Officers of POCSO Act Courts, Public Prosecutors & Police Officials. The resource persons

for this webinar are Hon'ble Mr. Justice Sandeep Mehta (Judge, RHC & Chairman, RSJA), Ms. Preeti Jain, (Superintendent of Police, Hanumangarh), Mr. Dinesh Tyagi (Registrar (Rules), RHC, Jodhpur), Ms. Alka Bansal (Judge, POCSO Court No. 1, Bundi), Ms. Rekha Sharma (Judge, POCSO Court No. 2, Jaipur Metro II) and Mr. Prahlad Rai Sharma (Judge, POCSO Court No. 1 Pali).

Webinar on 'Queries & Solutions regarding Juvenile Justice Act' :

A Webinar on 'Queries & Solutions regarding Juvenile Justice Act' was organized by RSJA on 1st September, 2021 for Principal Magistrates of Juvenile Justice Boards of Rajasthan.

The webinar was presided over by Sh. Mahendra Kumar Dave (Secretary, DLSA, Bhilwara) and officials of the RSJA. 34 Principal Magistrates of Juvenile Justice Boards were participate in the above Webinar.

Webinar for 'Sensitization of Presiding Officers of ACD & CBI Courts and Judicial Officers having charge of ACD & CBI Courts, Prosecutors posted in ACD & CBI Courts & Police Officials concerned with ACD & CBI Cases' :

A Webinar for 'Sensitization of Presiding Officers of ACD & CBI Courts and Judicial Officers having charge of ACD & CBI Courts, Prosecutors posted in ACD & CBI Courts & Police Officials concerned with ACD & CBI Cases' was organized by RSJA on 4th September, 2021 for Judicial Officers posted in ACD Cases Courts, Judicial Officers posted in CBI Cases Courts, Prosecutors of ACD & CBI Courts and Police Official concerned with ACD & CBI Cases.

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) and was presided over by Mr. Vjay Kumar Singh [IG, CID (CB), Jaipur] and Mr. D.C. Jain (Additional Director, CBI, New Delhi). The webinar witnessed the participation of esteemed Lordship [Chairman, RSJA], Mrs. Nandini Vyas [Director, RSJA], Kamal Chhangani [Addl. Director (Academic), RSJA], Mr. Ganpat Lal Bishnoi [Addl. Director (Admin), RSJA], Mr. Anutosh Gupta [Deputy Director (Academic), RSJA], Mr. Vikas Kaler [Deputy Director (Admin), RSJA] and 17 Judicial Officers posted in ACD Cases Court, 9 Judicial Officers posted in CBI Cases Courts, 17 ADPs/SPPs posted in various ACD/CBI Courts of Rajasthan & 9 police officers dealing ACD/CBI Cases.

Webinar for 'Sensitization of Family Court Judges & Judges having jurisdiction of hearing family matters' :

A Webinar for 'Sensitization of Family Court Judges & Judges having jurisdiction of hearing family matters' was organized by RSJA on 7th & 8th September, 2021 for Judicial Officers posted in Family Courts and Courts having power to decide Family Court Matters.

The resource person for this webinar were Hon'ble Justice Smt. R.S. Dalvi (Bombay High Court, Retd.) Mrs. Manju Goel (Former Judge, Delhi High Court), Mrs. Dr. Aruna Faraswani (Retired Principle Judge, Family Court Thane), Dr. Rakesh Kapur (Psychological Researcher, Author, Participant of International Conferences on Parental Alienation & Shared Parenting, Bamboo Tree Foundation, Founder), Dr. Prashant Shah (Psychologist), Mrs. KirtiBakshi (Clinical Psychologist) and Mrs. Pramila Acharya (Advocate & Master Trainer, Mediation). This webinar witnessed the participation of 100 Judicial Officers posted in Family Courts and Courts having power to decide Family Court Matters.

Webinar for Principal Magistrates of JJBs :

A Webinar for 'Principal Magistrates of JJBs' was organized by RSJA on 24th November, 2021 for Principal Magistrates of Juvenile Justice Boards.

The webinar was presided over by Sh. Mahendra Kumar Dave (Secretary DLSA Bhilwara) and officials of the RSJA and 34 Principal Magistrate of JJBs are the stakeholders for the webinar.

Workshop on 'Sensitization of Judges dealing with POCSO Act Cases' :

A Workshop on 'Sensitization of Judges dealing with POCSO Act Cases' (with physical presence of participants) was organized by RSJA on 10th January, 2021 for Judicial Officers having Powers to hear cases under POCSO Act.

In order to deal with matters pertaining to Child Sexual Abuse, RSJA organized this workshop. The workshop was inaugurated by Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court & Chairman, Rajasthan State Judicial Academy), Mrs. Nandini Vyas (Director, Rajasthan State Judicial Academy) and other officers of the Academy by lighting the lamp. The Resource Persons for the workshop were :

1. Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, RSJA)
2. Sh. Farzand Ali (AAG, RHC, Jodhpur)
3. Sh. Dinesh Kumar Tyagi Registrar (Rules), Rajasthan High Court
4. Sh. Ashwani Vij, District and Sessions Judge, Sawai Madhopur
5. Sh. Nisheeth Dixit, Cyber Law Expert
6. Ms. Krinna Shah, Freelancer in Capacity Building, New Delhi

This workshop was divided in five sessions related to various aspects of POCSO Act Cases. 47 Presiding Judicial Officers of POCSO Act Courts and Judges having addition charge of POCSO Courts are the stakeholders of this workshop.

Daily Online group discussion and presentations sessions :

Daily Online group discussion and presentations sessions was conducted by RSJA from 5th April, 2021 to 25th June, 2021 for Trainee Civil Judges of batch 2020-21.

Under the able leadership of Hon'ble Mr. Justice Sandeep Mehta (Judge, Rajasthan High Court and Chairman, Rajasthan State Judicial Academy), daily online group discussion and presentations were arranged by RSJA to improve the skills and acumen of trainee civil judges on various important legal subjects/aspects. For this purpose, the trainee officers are divided into groups and each group was assigned legal/practical problems/topics/subjects in advance so as to remain prepared on the assigned topic to discuss and deliberate during the group discussion & presentation.

Online TOT Awareness Programme for Advocate Master Trainers :

A Online TOT Awareness Programme was conducted by RSJA on 7th March, 2021 for Advocates and Advocate Clerks of all Bar Associations of 36 Judgeships in Rajasthan through online mode.

As per the direction of Hon'ble e-Committee, Supreme Court of India, Online TOT Awareness Programme for Advocate Master Trainers was organized by RSJA for all Bar Associations of 36 Judgeships in Rajasthan with simultaneously live streaming on YouTube channel of Rajasthan High Court for participants to join. Sh. Neeraj Kumar RJS, Sh. Ravikant Soni RJS, Sh. Anshuman Sexena Adv., Sh. Jagat Tatia Adv. and Sh. Hemant Singh & Sh. Mohit Sharma-Moderators are the resource person as Advocate Master Trainers.

(II) ACTIVITIES OF STATE JUDICIAL ACADEMY

In 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 90 rooms alongwith a Dining Room, a Gymnasium and a Recreation Room for the Trainee Officers and Drivers" Dormitory etc.

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. A multipurpose sports complex is under construction and the construction of additional rooms for officers hostel will commence soon.

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.
- 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.
- 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.

Notification issued for mandatory e-filing for Government Cases from 01.01.2022-

- For mandatory e-filing for selected case types from 01.01.2022 as suggested by Hon'ble Dr. Justice D.Y. Chandrachud, Judge, Supreme Court of India and Chairperson, E-Committee, Supreme Court of India, Notification has been issued on 20.12.2021 and e-filing has been made mandatory in cases filed by the Central and the State Government in Rajasthan High Court. Detailed guidelines have also been issued to streamline the entire process of mandatory e-filing in above cases.
- On the request of Rajasthan High Court, Hon'ble E-Committee has also provided a separate mechanism for creation of e-filing user accounts for Government Advocates. By using this mechanism, e-filing user accounts have been created for Advocate General, Additional Advocate Generals and other Government Advocates/Counselors.
- Rajasthan High Court has set up e-filing centres both at its Principal Seat Jodhpur and Bench at Jaipur and under one roof, the process of e-filing can be done by Advocates and Litigants. At these centres, not only scanning facility is made available but the advocates/litigants either themselves do the e-filing or they may get it done from the trained persons deputed at these centres.
- All these facilities have been made available to Advocates and Litigants on a very nominal charge of only 50 paisa per page. For these services, the firm, already engaged in Rajasthan High Court for digitization work, has been deputed.

VIDEO CONFERENCING-

- The Rules for Video Conferencing for Courts 2020 formulated by Rajasthan High Court have been notified in the Government Gazette by State of Rajasthan. These Rules are based on the Model Video Conferencing Rules circulated by the Hon'ble eCommittee, Supreme Court of India. In pursuance to provisions of rule 1(i), these rules have been made applicable w.e.f. 02.08.2021, the date notified by Rajasthan High Court.
- These rules have been made applicable for all proceedings before High Court and District Courts of Rajasthan.
- In order to effectively implement Video Conferencing Rules in subordinate courts, dedicated VC hardware for each court has been procured and the same is under process of installation. To streamline the entire process in conformity with VC Rules, VC remote points have also been setup at all the 36 District Headquarters in court premises.

 सत्यमेव जयते	राजस्थान राजपत्र विशेषांक	RAJASTHAN GAZETTE Extraordinary
	साधिकार प्रकाशित	Published by Authority
	श्रावण 8, शुक्रवार, शाके 1943-जुलाई 30, 2021 <i>Shravana 8, Friday, Saka 1943- July 30, 2021</i>	
भाग 4 (ग) उप-खण्ड (i)		
राज्य सरकार तथा अन्य राज्य-प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप-विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम। RAJASTHAN HIGH COURT NOTIFICATION Jaipur, May 13, 2021 VIDEO CONFERENCING RULES Preface		
G.S.R.311 .-Whereas it is expedient to consolidate, unify and streamline the procedure relating to use of video conferencing for Courts; and In exercise of its powers under Articles 225 and 227 of the Constitution of India, the Rajasthan High Court makes the following Rules.		
Chapter I – Preliminary		
1. These Rules shall be called the "Rajasthan High Court Rules for Video Conferencing for Courts 2020".		
(i) These Rules shall apply to such courts or proceedings or classes of courts or proceedings and on and from such date as the High		

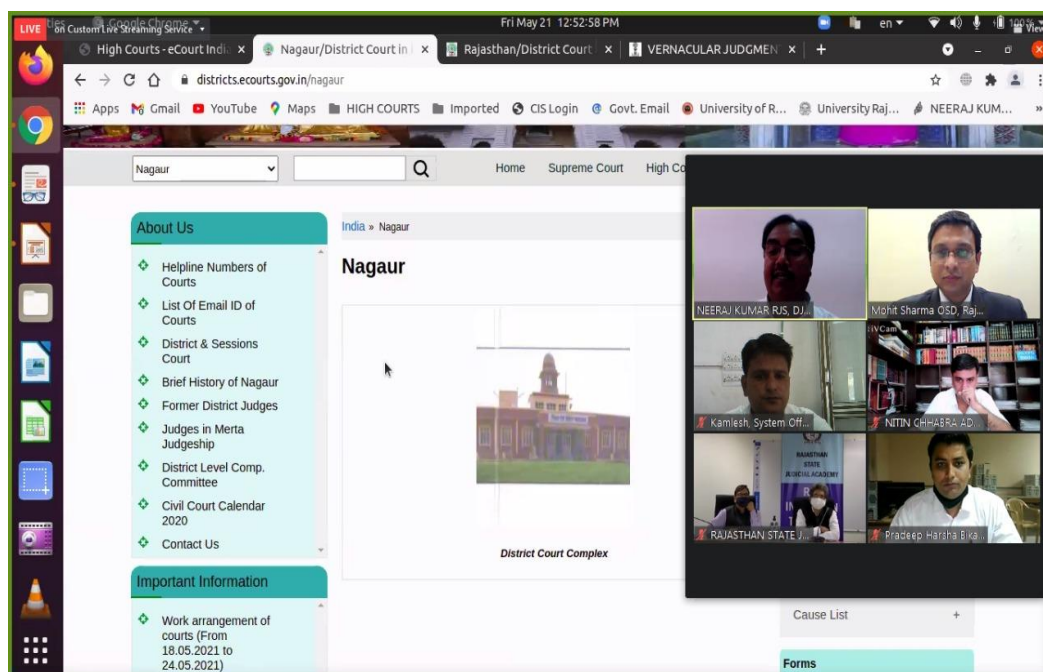
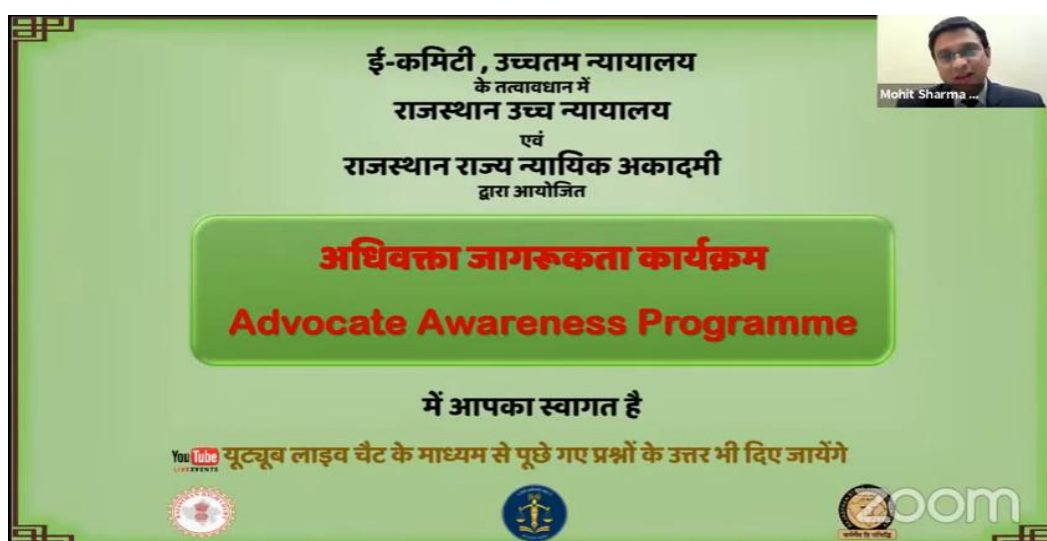
- For the purpose of extending facility of VC to a further advanced level, arrangements were made to suitably accommodate hearings wherein one party addresses court physically inside court room and other party appears on VC. For this Hybrid VC, two VC setups have been configured in court rooms which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

Online Training Programme for Advocates and Advocates' Clerks –

- Under the aegis of Hon'ble e-Committee, Supreme Court of India, online training for advocates and advocates clerks (ECT-004-2021-4th Phase) on "Electronic Case Management Tools (ECMT) for Advocates" was organized by Rajasthan High Court and Rajasthan State Judicial Academy on 21.05.2021.
- Considering the prevailing Covid-19 Pandemic situation, the awareness programme was conducted online and live streamed on You-tube channel of Rajasthan High Court. A Special Training Module in Hindi language was prepared to cater maximum number of audience not only at District Headquarters but also at Taluka level.

- 2 Trained Advocate Master Trainers and 2 Judicial Officer Master Trainers conducted awareness sessions which consisted 9 sessions on various e services like websites, mobile application, e-filing, e-pay, Video conferencing, help desk etc.
- The entire programme was live streamed on You Tube Channel of Rajasthan High Court which and thus, Advocates and advocate clerks from all the 36 Judgeships and all Bar Associations of the State participated online from their residence and offices.
- Queries posted by participants in Youtube live-chat segment were also answered live during the programme. Within a short span of time, this programme has successfully achieved more than **8000 views**.
- This training programme uploaded on You-tube channel of Rajasthan High Court can be viewed through following link:-

<https://youtu.be/s9DbpeYLKHU>





Online training programme on Ubuntu, CIS and eCourts Management Tools for 189 Trainee Judicial Officers -

- Amidst COVID-19 pandemic, a special 4 days online training programme on Ubuntu, CIS and eCourts Management Tools was organized in coordination with Rajasthan State Judicial Academy Jodhpur for newly recruited 189 Trainee Judicial Officers during the period from 22.06.2021 to 25.06.2021. As physical hands-on training was not feasible, hence a Special Schedule was formulated so that an exhaustive training covering all the topics may be provided virtually.
- For this purpose, special dummy server of CIS was prepared and live training along-with practice exercise papers was conducted. The Training Schedule comprised of 2 hours daily for 4 days and exclusive time was allocated for query sessions, so that any query of participants regarding previous days training may be resolved.
- The topics like Ubuntu 20.04 OS, Libre Office Writer and other applications of Ubuntu, exhaustive CIS module including e-Filing, NSTEP, ePay, daily proceedings, roznama, pre-trial & ICJS module, Lok Adalat and Mediation module etc. were included. Other eCourts Management tools like virtual courts, video conferencing, JustIS Mobile App, eCommittee Website, eCourts Services Website and District Court Websites were also included. A special session to explain procedure to join Video Conferencing and use of Model Rules of VC for court proceedings was also conducted.

Extension of Paperless Courts for New Case Types -

- After successfully setting up of four Paperless Courts in Rajasthan High Court for bail matters, a detailed plan has been chalked out to further extend functioning of Paperless courts for other case types in a phased manner.

- A time-line has also been set up to complete to all phases by the end of this year and to commence hearing of all cases of criminal section and Tax matters through paperless mode. The proposed phases for expansion of paperless courts is as under:-

Phase I- All Criminal Writ petitions

Phase II- All Criminal Misc. Petitions

Phase III- All Criminal Revision Petitions

Phase IV- All Criminal Appeals

Phase V- All matters pertaining to Commercial Appellate Division

Phase VI- All Writ Petitions and Appeals related to Tax matters.

- The paperless courts setup in Rajasthan are unique in the sense that these are live courts. The moment any document is dealt by the Registry in case file, it is automatically reflected in the Paperless Courts.

Automated Computer Programme to e-mail judgment/ orders of High Court to concerned trial Courts-

- ➤ Judgment/Orders passed by High Court are required to be communicated to concerned trial court for necessary compliance and information and for this purpose copies of Judgment/orders are sent through post to concerned Subordinate Court. To encourage swift, automated and paperless communication a computer programme has been developed and made live from January 2021 to automatically send copies of Judgment/orders of Rajasthan High Court through system generated email to concerned court for compliance.
- Using this automated computer programme, whenever disposal entry is updated by concerned staff in CIS, immediately an automated e-mail along with attached PDF of related Judgment/final order uploaded in database is sent to the concerned trial court for necessary compliance and information. The programme has been started with orders passed in Civil First Appeal, Civil Misc. Appeals and Civil Second Appeals and other categories will be included soon.

Justice Clocks made functional at Rajasthan High Court Jodhpur and Jaipur Bench-

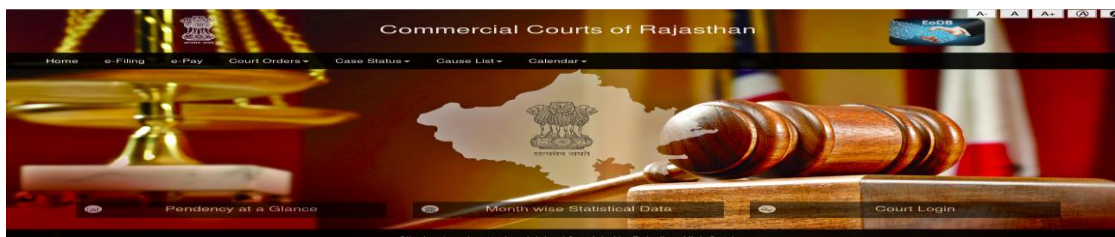
- Two Justice Clocks, the LED Video Walls, for information dissemination and creating awareness about disposal of cases and various other services provided by court complexes to public were made functional in the premises of Rajasthan High Court, Principal Seat at Jodhpur and Bench at Jaipur from 18.03.2021.

- A special software has been developed to display the approved information and live data from NJDG (National Judicial Data Grid) on the Justice Clocks. Live information regarding age wise and category wise pendency of High Court and District Courts is being displayed.
- Above Justice Clocks have been used for displaying live data of NJDG and other information. For awareness of ensuing National Lok Adalat, the software of Justice Clock was upgraded to also display videos besides other statistical information.
- By using this upgrade, a comprehensive video for creating awareness of Lok Adalat by showing all benefits and other related aspects is now being played on the Justice Clock. This feature will also be useful for displaying other videos of various ceremonies and events in Rajasthan High Court.

Webpage for Commercial Courts of Rajasthan launched-

- An exclusive webpage for Commercial Courts of Rajasthan was made live from month of February-2021.
- This webpage displays live statistical data of all Commercial Courts and Commercial Appellate Division functional in Rajasthan. Links for e-filing, e-Pay, Court Orders, Case status, Cause lists are also available on this webpage and user can avail all e-services pertaining to commercial courts in a single page. Digitally signed PDF copies of Judgments/orders are also made available.
- Visitors can access all statistical information as required under The Commercial Courts Act, 2015 and the Commercial Courts (Statistical Data) Rules 2018 (as amended in year 2020).
- Webpage also conforms with the Ease of Doing Business(EoBD), Business Reforms Action Plan of Government. This web page is designed and hosted by Rajasthan High Court and is available at following URL:-

<https://hcraj.nic.in/commercial-court/>



Commercial Courts of Rajasthan
Pendency, Institution & Disposal – At a Glance

Name of Court	Pendency as on 01.01.2021	Cases instituted in January 2021	Cases disposed in January 2021	Pendency as on 31.01.2021
Commercial Appellate Division, Jodhpur	21	2	1	22
Commercial Appellate Division, Jaipur	234	5	3	236
Commercial Court Ajmer	1455	67	28	1494
Commercial Court Jodhpur Metro	2246	409	51	2604
Commercial Court Kota	984	16	4	996
Commercial Court No. 1, Jaipur Metro II	2195	288	39	2444
Commercial Court No. 2, Jaipur Metro II	766	4	22	748
Commercial Court No. 3, Jaipur Metro II	631	5	13	623
Commercial Court No. 4, Jaipur Metro II	800	0	7	793
Commercial Court Udaipur	883	83	6	960

Close Download

Online portal on Website of Rajasthan High Court to upload COVID Vaccination Certificate and generate Gate-Pass-

Rajasthan High Court resumed regular functioning through Physical hearing and Video Conferencing i.e. Hybrid System from 05.07.2021. For security and safety of all the stakeholders, decision was taken to permit entry in court premises only to the persons who have taken at least first dose of COVID-19 vaccine.

To manage above entry, a special online module was developed and deployed on the website of Rajasthan High Court and facility was given to all concerned persons to upload their vaccination certificate. A mechanism was developed for verification of the uploaded certificates by medical authorities and to issue system generated entry pass through automated SMS after due verification.

To enable complete paperless functioning of this module, besides SMS, the facility to download PDF entry pass has also been incorporated in the module and persons who are entitled for entry may show SMS or downloaded PDF files from mobile phone to get entry in court premises.

The screenshot shows the 'Upload Vaccination Certificate' page on the Rajasthan High Court website. The page has a header with the court's name and logo, and a navigation menu with options like 'Help', 'Generate New Pass', 'Previously Generated Pass', 'Upload Vaccination Certificate', and 'Change Establishment'. The main content area contains a form with the following fields:

- 'Have you taken first dose of COVID vaccine?' with radio buttons for 'Yes' (selected) and 'No'.
- 'Have you taken second dose of COVID vaccine?' with radio buttons for 'Yes' and 'No'.
- 'Reference ID on vaccination certificate:' with a text input field containing 'Only numbers are allowed'.
- 'Date of taking first dose:' with a date input field containing '01/07/2021'.
- 'Upload Vaccination Certificate:' with a 'Choose File' button and 'No file chosen' text.

Below the form is a red note: '(File size should be between 20KB and 200KB in PDF or JPEG or JPG format)'. At the bottom of the form is an 'Upload Certificate' button. The footer of the page reads 'Copyright © Computer Cell - Rajasthan High Court'.

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 31.12.2021, total 1,99,33,774 pages have been scanned of which quality check has been done by the High Court Staff. This is 28.48% of the total work.

STATUS OF COMPUTERISATION

SUBORDINATE COURTS

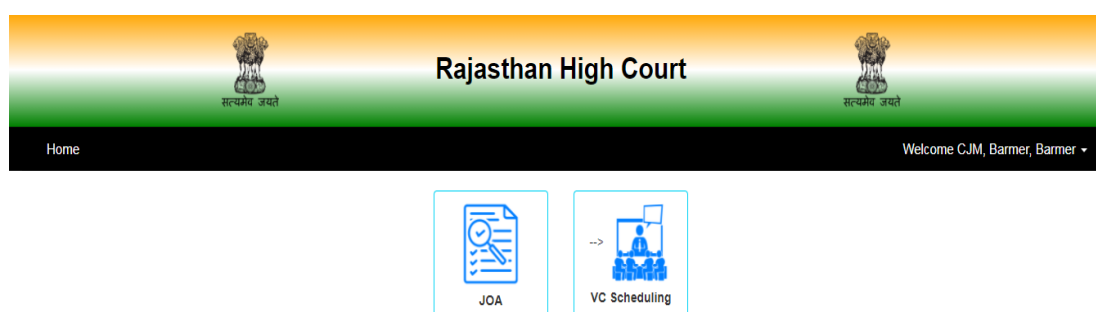
Video Conferencing Application procured for 1242 District & Subordinate Courts of Rajasthan-

- The Rules for Video Conferencing for Courts 2020 formulated by Rajasthan High Court have been notified in the Government Gazette by State of Rajasthan. These Rules are based on the Model Video Conferencing Rules circulated by the Hon'ble eCommittee, Supreme Court of India. In pursuance to provisions of rule 1(i), these rules have been made applicable w.e.f. 02.08.2021, the date notified by Rajasthan High Court.
- These rules have been made applicable for all proceedings before High Court and District Courts of Rajasthan.
- In order to equip all the District & Subordinate Courts of Rajasthan to efficiently conduct court proceeding through Video Conferencing amidst prevailing pandemic situation, dedicated Microsoft Teams Office 365 licences have been procured and provided to 1242 Courts in the month of April 2021.
- Further, in order to ensure optimum and seamless utilisation of Video Conferencing setup, dedicated internet-broadband connectivity has also been provided in each Court Room. Requisite hardware for conducting VC viz. camera-mic, document visualizers, display etc. have also been procured and this hardware is in process of delivery.
- Online Training of System Officers and System Assistants regarding usage of VC software was also conducted during month of April 2021. Dedicated Video Conferencing links for every court have been uploaded on the official website of every district, as shown below, wherefrom learned advocates, litigants, jails and other government officials/departments can easily participate in court proceeding through a single click. User manuals with relevant pictures depicting simple steps to join VC have also been uploaded on district court websites.
- This video conferencing setup will ensure proper and institutionalised use of Video Conferencing at all stages of Court Proceedings according to VC Rules and directions of High Court.

Microsoft Team Links of All Courts for VC			
S. No.	Judgeship	Link of Court	Email ID
1	Ajmer	DJ Court	dc-ajm-rj@nic.in
2	Ajmer	Commercial Court	commercial-ajm-rj@hcraj.nic.in
3	Ajmer	POCSO 1 Court	posco1-ajm-rj@hcraj.nic.in
4	Ajmer	POCSO 2 Court	posco2-ajm-rj@hcraj.nic.in
5	Ajmer	Rent Appellate Tribunal	rentatri-ajm-rj@hcraj.nic.in
6	Ajmer	SC/ST Court	scst-ajm-rj@hcraj.nic.in
7	Ajmer	Labour Court	lc-ajm-rj@hcraj.nic.in
8	Ajmer	ADJ No.1	adj1-ajm-rj@hcraj.nic.in
9	Ajmer	ADJ NO.2	adj2-ajm-rj@hcraj.nic.in
10	Ajmer	ADJ No.3	adj3-ajm-rj@hcraj.nic.in
11	Ajmer	ADJ No.4	adj4-ajm-rj@hcraj.nic.in

Online Portal for Scheduling of Video Conferencing and provision to use VC Studios at 35 District Headquarters as Video Conferencing Remote Points-

- In order to effectively implement Video Conferencing Rules in subordinate courts, dedicated VC hardware for each court has been procured and same is under process of delivery and installation. To streamline the entire process in conformity with VC Rules, VC remote points have been setup at 35 District Headquarters in court premises wherefrom witnesses and other persons can appear before courts through Video Conferencing. For these remote points, VC Coordinators have also been nominated to assist and arrange Video Conferencing for recording of evidence and other purposes.
- An online portal has also been developed to assist courts in scheduling Video Conferencing through any distant VC Remote Point. Using login & password, all courts of Rajasthan can now have virtual view of VC Remote points and can also check the availability of empty slots before scheduling video conferencing for any witness. This online web portal will also provide information to Remote Point Coordinator whenever VC is scheduled at their location. Concerned Courts and Remote Point Coordinators can also generate reports about usages of VC. Information will also be sent to the witness or participant through automated SMS.
- In second phase, such remote points will also be established in other court complexes and government offices including hospitals.



Rajasthan High Court

Home Schedule VC Report VC Welcome C.JM, Barmer, Barmer

VC Scheduling

*District: -- Select -- *Court Complex: -- Select --

*Date: (DD/MM/YYYY)

Check VC Booking

*Time From: *Time To:

*Case Type: *Case No:

*Case Year: 2021 *Case title:

*Type of Participant: Advocate *Name of Participant:

*Mobile No of Participant: Add

Submit

Rajasthan High Court

Home Schedule VC Report VC Welcome C.JM, Barmer, Barmer

List of Scheduled VC

*VC Date - From: 05/08/2021 *VC Date - To: 05/08/2021

Search

Show 10 entries Search:

Sr. No.	Judgeship	Place	VC Date	VC Time	Case Details	Case Title
1	Ajmer	Ajmer D.C.C.	05/08/2021	01:00 PM - 02:00 PM	CW/20/2021	ABC vs XYZ

Showing 1 to 1 of 1 entries Previous 1 Next

E- Filing for District Courts-

- Extensive technical preparations for rolling out of **E-Filing in all 948 establishments of 36 Districts for all category of cases** have been completed. Master Admin and Action Admin accounts for all 948 establishments is near completion and e-filing for District Courts is ready to be made live within couple of days.

Rajasthan High Court And Subordinate Courts
e-Filing Application

Court High Court District Court Contact Us Help

Select District

- JAIPUR METRO I
- RAJASAMAND
- JHALAWAR
- BIKANER
- AJMER
- JHUNJHUNJU
- JODHPUR DISTRICT
- ALWAR
- BUNDI
- JODHPUR METRO
- CHURU
- BALOTRA BARMER
- GANGANAGAR

Select District

ESTABLISHMENT *

Select Establishment

CAPTCHA

150927

GET OTP

Already Registered? [Back to Login](#)

Type here to search

ENG 16:46 IN 30-07-2020

- In Rajasthan High Court, e-filing has already been started both at Principal Seat Jodhpur and Bench at Jaipur for all types of cases and is working successfully.

E-Payment of Court Fees and Fine-

- The facility of E-payment of Court Fees and Fine has been started in Rajasthan High Court and District Courts across the State at one stretch. **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.** Thus, there is no agency in between and the revenue is directly going to the Government Account.
- **Periphery for Deface** - For deface of Court Fees and Fine, Rajasthan High Court has developed its own periphery. Facility of reports at Court level, District level and State level are provided for accounts purposes.

Launch of Computer Programme for online quarterly statement by Judicial Officers of Rajasthan-

- Accounting, analyzing and monitoring of judicial work done by the judicial officers is an important aspect of court administration. At present this work is being done manually and physical record is maintained.
- To make the entire process paperless and to accomplish the task in scientific and analytical manner, a Computer Programme has been developed indigenously by Technical Team of Rajasthan High Court which is linked with CIS of every Court. The moment a case is disposed of in CIS, it is reflected in the Programme and the credit admissible for such disposed case is entered therein.
- The quarterly statement prepared through this Programme will be online transmitted to concerned District Judge and from the District Judge to Hon'ble High Court. At no level, physical record will be maintained and everything will be transmitted online.
- This computer programme will not only ease and fasten the entire process for the judicial officers but will also provide different kind of analytical reports which will be very useful for monitoring and further policy framing.
- This programme has been started in two Judgeship i.e. Sirohi and Tonk on pilot basis in the month of December 2021. After successful testing, it will be launched for the entire State.

q Judicial Work (Period From: 01/10/2019 To: 31/12/2019) Your Session Expires in: 23:42

List of Cases: All Case Claim Credit /Edit Claim Nil Credit Reset Claimed Credit i

S.N.	Case No.	Party Details	Disposal Date	Disposal Type	Status	Credit Claimed	Check All
1	SUCESSION CERTIFICATE CASES/ 14/ 2016	LEELA OTHS 3 AAM JAN OTHS 1	07/11/2019	Dismissed otherwise	Credit to be claimed		<input type="checkbox"/>
2	Family Main Case/ 71/ 2019	KAVITA REEL DANU KU DECI	07/11/2019	Decreed after Full Trial	Credit to be claimed		<input type="checkbox"/>

q Judicial Work (Period From: 01/10/2019 To: 31/12/2019) Back Your Session Expires in: 22:59

Number of Cases Selected : 1

Credit Claim

L. Civil Suits: Days : 3.00

1. Suits relating to immovable properties.			
(a). Disposed of by court of Civil Judge.	3 days per suit.	<input type="checkbox"/>	Days Claimed
(b). Disposed of by Court of Senior Civil Judge.	3 days per suit.	<input checked="" type="checkbox"/>	3
(c). Disposed of by court of DJ/ADJ.	4 days per suit.	<input type="checkbox"/>	Days Claimed
2. Suits relating to movable properties or for recovery of money or other relief			
(a). Disposed of by court of Civil Judge.	2 days per suit.	<input type="checkbox"/>	Days Claimed
(b). Disposed of by court of Senior Civil Judge.	2 days per suit.	<input type="checkbox"/>	Days Claimed
(c). Disposed of by court of DJ/ADJ	3 days per suit.	<input type="checkbox"/>	Days Claimed
3. Suits Under O.37 C.P.C.			
(a). If leave to defend is refused.	1/5 day per case.	<input type="checkbox"/>	Days Claimed
(b). After full trial (leave to defend granted).	as in money suits.	Enter day	Days Claimed
4. Counter claims decided on merits.	1/2 day per case.	Enter no of counter cl	Days Claimed
4.Exp.-I mortgage suits decided at stage of final decree	1/2 of credit at the stage of preliminary decree	Enter day	Days Claimed

q Judicial Work (Period From: 01/10/2019 To: 31/12/2019) Your Session Expires in: 23:42

List of Cases: All Case Claim Credit /Edit Claim Nil Credit Reset Claimed Credit i

30	REG. CRI. CASE/ 1779/ 2014	STATE RAHUL OTHERS -03	26/11/2019	Disposed otherwise	Credit to be claimed		<input type="checkbox"/>
31	Cr. Reg. Case/ 2817/ 2017	STATE KHUB SINGH	26/11/2019	Disposed otherwise	Credit to be claimed		<input type="checkbox"/>
32	Cr. Reg. Case/ 3181/ 2018	STATE HASTIMAL	26/11/2019	Disposed otherwise	Credit to be claimed		<input type="checkbox"/>
33	REG. CRI. CASE/ 3590/ 2014	STATE SANJAY KUMAR JAIN ETC. 4	27/11/2019	Acquitted	Credit to be claimed		<input type="checkbox"/>
34	REG. CIVIL SUIT/ 46220/ 2014	MRS. ANARDEVI SHAYMALAL MANGAL	27/11/2019	Allowed otherwise	Credit claimed	3	<input type="checkbox"/>
35	REG. CIVIL SUIT/ 46221/ 2014	MRS. ANARDEVI MOHANLAL MANGAL	27/11/2019	Allowed otherwise	Credit to be claimed		<input type="checkbox"/>
36	REG. CIVIL SUIT/ 46222/ 2014	VASUDEV ORS. MRS. ANARDEVI	27/11/2019	Disposed otherwise	Credit to be claimed		<input type="checkbox"/>
37	REG. CIVIL SUIT/ 46243/ 2014	ANAR DEVI VASUDEV 1	27/11/2019	Allowed otherwise	Credit to be claimed		<input type="checkbox"/>
38	REG. CIVIL SUIT/ 47763/ 2015	ANARDEVI CHIMANLAL URF PRADEEP KUMAR MANGAL	27/11/2019	Allowed otherwise	Credit to be claimed		<input type="checkbox"/>

Software to manage transfer/ posting of Judicial Officers of Rajasthan-

- Technical team of Rajasthan High Court has indigenously developed a unique software for managing the administrative task of transfer/ postings of Judicial Officers. The database of complete posting details of all the Judicial Officers of Rajasthan has been developed and the above software intelligently uses this data to assist in the work of transfer/ posting of the Judicial Officers. The software automatically takes care of all conditions which are to be applied while effecting the transfer/ postings. Thus, the task which was earlier consuming lot of time has now been minimized to a great extent and the work is being done with accuracy and efficiency.

- The above software will further be expanded for all other service related tasks of the Judicial Officers.

NSTEP (National Service and Tracking of Electronic Processes) -

- Rajasthan is the pioneer State to introduce National Service and Tracking of Electronic Summons (NSTEP) in all the District Courts across the State.
- In order to implement NSTEP Module, civil summons have been converted in Hindi language and 1850 Mobile handsets were procured.
- In the month of January 2021, Rajasthan was the highest amongst all States in India to serve digital format summons.

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.
- As on 03.03.2022, Rajasthan has entered delay reasons in 1094940 cases out of 1380083 cases which is 79%.

Rajasthan's Sirohi became first Judgeship to successfully migrate CIS Servers on Ubuntu 20.04 in all the Courts-

- In order to upgrade CIS Servers on the latest Ubuntu Platform, Hon'ble eCommittee Supreme Court of India decided to migrate Servers on latest Ubuntu 20.04. Rajasthan and Orissa were chosen as Pilot for its implementation and thereafter to replicate the same across the country.
- For accomplishing this task, Sirohi Judgeship in Rajasthan was identified as Pilot District. The technical team of Rajasthan completed this project and successfully migrated and upgraded the Servers of Sirohi District Court Complex and all other Taluka Court Complexes of Judgeship to Ubuntu 20.04. All these upgraded servers are functioning seamlessly on live instance.
- Thus, Sirohi Judgeship has become the first district in entire country to successfully upgrade CIS servers to Ubuntu 20.04 and perform live testing. This exercise has paved way for OS upgradation of CIS servers across India.

8. FINANCIAL STATEMENT OF BUDGET AND EXPENDITURE

**The Financial Statement of Budget and Expenditure
(Revenue Expenditure for the year 2021) as under :-**

(Amount in Thousands)

S. No.	Budget Head	2021-2022	
		Final Grant	Expenses
1.	2014-00-102-01(00)-Rajasthan High Court	1621149	1615155
2.	2014-00-105-19(01)- DJ/ ADJ Courts	4558909	4558244
	2014-00-105-01(00)-DJ/ ADJ Courts 1945 (State Fund) + 41664 (CA)	43608	43608
3.	2014-00-105-02(00) - CJM/ ACJM Courts	1811734	1811113
4.	2014-00-105-03(00) - MJM/ AMJM Courts	1696236	1696005
5.	2014-00-105-04(00) - Mobie Courts	30394	30392
6.	2014-00-105-06(00) - Designated Court	5995	5995
7.	2014-00-105-07(00) - Decoity Courts	7441	7441
8.	2014-00-105-08(00) - Sati Prevention Court	7885	7885
9.	2014-00-105-09(00) - SC/ ST Act Cases Courts	175985	175883
10.	2014-00-105-11(00) - NDPS Act Cases Courts	71292	71291
11.	2014-00-105-15(00) - N.I. Act Cases Courts	340952	340944
12.	2014-00-105-16(00) - Bomb Blast Cases Court	9799	9799
13.	2014-00-105-20(01) - Commercial Courts	78096	78094
14.	2014-00-105-21(01) - Raj. Judicial Academy	57357	57352
15.	2014-00-116-02(1) - Rent Tribunals	37747	37747
16.	2014-00-116-02(2) - Appellate Rent Tribunals	8555	8555
17.	2014-00-117-01(00) - Family Courts	329275	329150
18.	2014-00-800-03(01) - JJBs (State)	75894	75893
19.	2014-00-105-17-00 - Gram Nyayalayas	113203	113197
20.	2014-00-789-02-00 - Gram Nyayalayas (SC/SP)	22036	22036
21.	2014-00-796-02-00 - Gram Nyayalayas (TSP)	30881	30881
22.	2014-00-105-22(01) – POCSO (Fast Track)	0	0
23.	2014-00-105-22(02) – POCSO (Fast Track)	0	0
	TOTAL :	11147440	11139678

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 Thousands)

S. No.	Budget Head	RE – Final Grant			Expenses (2021-22)
		State Fund	Central Assistance	Total	
Major Budget Head 4059/4216 (State Fund & CA) [for Scheme]					
1	4059-80-051- -03- [01]- Construction of New Rajasthan High Court Building, Jodhpur, 17 Major Construction Works (State Fund)	24557	0.00	24557	24557
2	4059-80-051-03- [02]- Construction of Building for Rajasthan State Judicial Academy, Jodhpur, 17 Major Construction Works (State Fund) Through RSRDC	71000	0.00	71000	71000
3	4059-80—051-03- [03] Other Judicial buildings, 17 Major Construction Works	1220000	1830000	3050000	491237
4	4059-80-051-(03)- [04]- Construction of Gram Nyayalaya Buildings, - 17 Major Construction	1	0	1	0.00
5	4059-80-051-(03)- [06]- Judicial Administration Department-16- Minor Construction Works (Through the agency of Chief Engineer, PWD, Rajasthan	110000	0	110000	55630
6	4059-80-796-(05)- [00]- Judicial Building (TSP) 17- Major Construction Work	8000	120000	200000	11378
7	4216-01-700-01- [90] – Construction work (Through the agency of Chief Engineer, PWD), 17- Major Construction work	260000	390000	650000	245771
8	4216-01-796- (01)- [90] – Construction work (Through the agency of Chief Engineer, PWD), 17- Major Construction work	20000	30000	50000	1089

OTHER THAN SCHEME		Provision 2021-22 by Finance Department		Expenditure (2021-22)
		State Fund	CA	Total
9.	2059-80-053-18- (01) – Rajasthan High Court (Committed) 21-Repair & Maintenance (State Fund)	1308	0.00	1307
10.	2059-80-053-18- (02) through PWD (Committed), 21- Repair & Maintenance (State Fund)	35892	0.00	33279
11.	2216- 05-053- 02- [02]- Other Maintenance Expenses, 21-Repair & Maintenance, (State Fund)	103000	0.00	68644

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

The Rajasthan State Legal Services Authority at the State Level has been established on 7th April, 1998, to provide free legal services to the poor, needy and down-trodden section of the society in order to ensure access to justice for all. RLSA has adopted various methods to achieve its goal, raising awareness in every Taluka of the District, promoting alternative dispute resolutions and discouraging litigations, providing court based legal aid services, reaching masses through **outreach & need based programmes etc**

During the year 2021, RLSA along with DLSAs continued with Campaign against Covid-19 wherein need based programmes for children, migrant labourers, domestic workers, victims, jail inmates, Covid patients, common man and for all needy persons were carried out offering meals, medicines, ration and essential commodities.

In a situation when Covid 19 global pandemic brought an entirely new set of unexpected challenges, the RLSA took active charge and reached out to poor and needy people who required legal-aid during this tough time.

Legal Aid Beneficiaries :

Months	S C	S. T	Women	Children	In Custody	Persons with disability	Industrial workmen	Transgender	Victims of Trafficking in Human Beings or beggar	Victims of Mass Disaster, Violence, Flood, Draught, Earthquake and Industrial Disaster	General (Persons whose annual income does not exceed the prescribed limit)	Other	Total
January	12	1	39	515	159	0	0	0	0	0	10	9	745
February	11	2	39	821	239	2	0	0	0	0	21	3	1138
March	7	9	33	528	120	1	0	0	0	0	18	3	719
April	9	1	17	267	100	0	0	0	0	0	16	0	410
May	3	3	9	178	2317	0	0	0	0	0	1	4	2515
June	2	0	15	184	1761	0	0	0	0	0	4	4	1970
July	7	2	28	355	288	0	0	0	0	0	18	1	699
August	7	2	32	612	226	1	0	0	0	0	12	4	896
September	6	5	57	576	290	2	0	0	0	0	8	6	950
October	7	2	27	428	226	0	0	0	0	0	12	4	706
November	10	6	30	468	184	1	0	0	0	0	21	3	723
December	8	6	64	605	281	2	0	0	0	0	22	1	989
Total	89	39	390	5537	6191	9	0	0	0	0	163	42	12460

Legal Aid Clinics

Legal Services Authorities are providing free and competent legal Services to weaker and marginalized sections of society. Legal Aid Clinics, Front offices, Legal Literacy Clubs, Women Legal Aid Clinics and One Stop Crises Centre are one of the units of the entire framework to render such services.

A total number of 675 Legal Aid Clinics are functional across Rajasthan.

6205 Legal Literacy Clubs have been established in Government and Private Secondary Schools, in the State of Rajasthan.

332 Legal Services Clinics have been established at the Panchayat Samiti Headquarter Level in the State, which work as Self-Help Groups, especially in providing assistance to women and children and are connected to the Women's Help Groups established at the Gram Panchayat level.

62 Panel Advocates have been imparted training to help the victims and children in JJBs/CWCs/POCSO Act Courts in the State.

116 PLVs have been deputed to help the victimized children/adolescents in the state. They have been specially trained for child assistance and play the role of support person.

Legal Aid Clinic								
Up to December, 2021								
College/ Universities	Villages	Community centres	Court	Jails	JJB	For the people of North-East	Others	Total Existin g
93	91	25	159	100	34	0	174	676

Application Disposed of through Legal Aid Clinics :

Months	Application Pending at the end of last Month	Total No. of Application received in the month	Total No. Application Settled in the month	Application pending at the end of the month
Jan	354	114	144	324
Feb	324	185	160	349
March	349	127	114	362
April	362	105	102	365
May	365	119	121	363
June	363	111	113	361
July	361	138	378	121
August	121	168	172	117
September	117	187	184	120
October	120	136	118	138
November	138	141	146	133
December	133	133	142	124
Total	354	1664	1894	124

Front Offices

- In order to make Legal Services Institutions, easily accessible and more responsive, all Front Offices of RHCLSC Jodhpur/Jaipur and DLSAs are manned by Junior Assistants, PLVs and other necessary staff, after providing them training for this purpose.
- At the same time, 24x7 helpline number has also been provided to the employee manning such Front Office.
- Further, 01 Retainer Advocate is also available at the Front Office each at RHCLSC Jodhpur/Jaipur, who provide the legal services to the visitors, including legal advice and facility of drafting of applications, notices and pleadings, etc.

Legal Aid Defence Counsel System

NALSA has introduced legal Aid Defense Counsel System for providing free legal aid in criminal matters by engaging full time competent and experienced lawyers. The objective of legal services institution is to provide effective, qualitative and timely legal aid to poor, needy, downtrodden and marginalized section of the society. In Rajasthan District Bharatpur was selected for the pilot project. The following table shows the status of work :

Legal Aid Defense Counsel System, Bharatpur (January 21 to December 21)				
S. No.	Nature of Cases		Institution	Disposal
1	Sessions Cases		82	57
2	Magistrate Trials		140	96
3	Bail	u/s 437	142	142
4	Bail	u/s 439	97	97

Witness Recorded

Session Cases	120
Magistrate Trial	308
Grand total	428

<u>Legal Advice Delivered</u>	548
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UNDER TRIAL REVIEW COMMITTEE (UTRCs)

During Covid times, **Under Trial Review Committee** has also recommended release of under trial prisoners for the purpose of decongestion of Jails.

No. of UTRCs meetings	No. of UTPs released on the recommendation of the UTRCs
1057	1276

Jail Inspection

Regular inspections of Jails, Nari Niketans are carried out by the DLSAs to ensure that such Retributive Institutions provide all necessary facilities to its inmates.

Total No. of Weekly Jail Inspection by Team of Visitors	Total No. of Monthly Jail Inspection by Chairman, DLSA
1038	369

Legal Services to Prisoners

January, 2021 to December, 2021

Number of convicts whose appeals filed in the Sessions Courts:	Number of convicts whose papers/applications sent to High court by DLSAs for filing appeals:	No of UTPs represented before the courts
49	103	11648

Legal Assistance at pre-arrest, arrest and remand stage January 21 to December 21

Legal assistance at the police station before being produced before courts	Legal assistance at remand stage	Number of bail applications filed at remand stage	Number of cases in which bail granted
8	484	270	118

Homes Inspections

Legal Services Institutions have mandate to ensure access to justice for all especially for poor, needy and down trodden sections of the society. The people living in various homes viz Child Care Homes, Widow Homes, Old Age Homes, Women Shelter Homes or Night Shelter Homes must cater to all reasonable needs of inmates and serve in their best interest. Therefore, all such Homes in Rajasthan are inspected periodically, in order to ensure that basic amenities and facilities are being provided to all inmates.

Inspection of One Stop Centres – 262

Inspection of Mental Homes – 219

Children Home Inspections -846

Nari Niketan Inspections- 36



Victim Compensation Scheme –

Time and again letters were issued to the DLSA for providing the Compensation under the Rajasthan Victim Compensation Scheme, 2011 or NALSA's Compensation Scheme, 2018.

Rajasthan Victim Compensation Scheme-2011							
Month of January to December-2021							
S.No.	Name of Month	Compensation Awarded	Beneficiaries				Total
			Men	Women	Children	SC/ST	
1.	January	15307000	5	16	89	2	112
2.	February	23741000	27	23	186	11	247
3.	March	16870000	18	10	76	18	122
4.	April	22597500	15	26	100	10	151
5.	May	9647500	2	19	44	4	69
6.	June	20850000	21	20	75	34	150
7.	July	13300000	14	18	46	1	79
8.	August	20770000	25	31	62	6	124
9.	September	26002500	23	21	75	12	131
10.	October	15427500	10	22	62	3	97
11.	November	18187000	13	16	64	7	100
12.	December	22730000	14	19	74	1	108
Total		225430000	187	241	953	109	1490

**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) includes several procedures that allow parties to resolve their disputes out of court with the assistance of a qualified neutral intermediary. Lok Adalats i.e. National Lok Adalat, Permanent Lok Adalat, Monthly Lok Adalat and Mediation are the most effective mechanism of ADR, which are being carried out by RLSA successfully.

Information regarding ADR Centres

S.No	Total Number of ADR Center (up to Dec.2021)	Total No. of Mediation Centers other than ADR center (up to Dec.2021)	Total Number of Both ADR Center and Mediation centers (up to Dec.2021)	ADR center Under Construction (Jaipur)
1	29	144	173	1

Regular Lok Adalat

Cases Disposed of through Regular Lok Adalats Under Section 19 of the Legal Services Authorities Act,1987

Months	No. of Benches	No. of Cases taken up	No. of cases disposed	No. of Mact cases disposed	Amount Settled (Rupees)
January	123	2129	202	21	14738862
February	178	4024	344	24	22076408
March	68	2458	130	5	1770000
April	35	474	27	0	0
May	7	21	9	0	0
June	3	29	0	0	0
July	72	1709	112	9	2358000
August	33	610	63	3	840000
September	85	2148	101	3	1543717
October	133	3135	169	12	6622621
November	54	1640	64	4	676869
December	132	2958	117	3	1578052
Total	923	21335	1338	84	52204529

Permanent Lok Adalat

- Rajasthan State has total number of 35 Permanent Lok Adalats, which have been established under Section 22-B, for Public Utility Services as defined in Section 22-A(b).
- 23 Districts have whole-time Chairman, PLA which are as follows: -
 - Ajmer, Bharatpur, Bikaner, Jaipur Metro- I, Kota, Jodhpur Metro, Udaipur, Jaipur District, Bhilwara, Alwar, Sikar, Pali, Sri Ganganagar, Chittorgarh, Balotra (Barmer), Dausa, Hanumangarh, Churu, Merta City, Dholpur, Jhalawar, Pratargarh&Sirohi
- 12 Districts & Sessions Judges have additional charge of Chairman, PLA, details of which are as follows : -
 - Baran, Bundi, Chittorgarh, Dungarpur, Jaisalmer, Jalore, Jhalawar, Jhunjhunu, Jodhpur District, Rajsamand, Sawai Madhopur & Tonk
- All 35 PLAs have 02 other Members having adequate experience in Public Utility Services.
- RLSA has made efforts to introduce National Lok Adalat in PLAs, Pan Rajasthan.

Cases Disposed of through Permanent LokAdalat under Section 22 B of the Legal Services Authorities Act, 1987 from January 2021 to December 2021

Months	No. of Sitzings	Total No. of Cases disposed of	Amount Settled (Rupees)
January	184	126	15773813
February	210	236	19884465
March	183	193	7441292
April	111	90	5269132
May	15	0	0
June	86	37	6473457
July	329	254	18048582
August	335	347	19678979
September	319	489	25778037
October	264	282	11961162
November	289	303	23198388
December	313	574	27361775
Total	2638	2931	180869082

National Lok Adalat

National Lok Adalat was also organized by Rajasthan State Legal Services Authority on 10.07.2021, 11.09.2021, 11.12.2021. In each of these Lok Adalats unprecedented outcomes were witnessed, as a result of various innovative steps taken by RLSA.



जयपुर 12-12-2021

राष्ट्रीय लोक अदालत एक ही दिन में राजीनामे से निपटे 1,29,560 केस

लीगल रिपोर्टर | जयपुर

नालसा के निर्देश पर रालसा की ओर से शनिवार को हाईकोर्ट की मुख्यपीठ जोधपुर व जयपुर पीठ सहित प्रदेश की अधीनस्थ कोर्ट में हुई इस साल की अंतिम राष्ट्रीय लोक अदालत में राजीनामे व समझौता के जरिए एक ही दिन में 1,29,560 केसों का निस्तारण किया गया। इन केसों में 34,298 केस प्रिविलिजेशन के थे जबकि 94,777 केस कोर्ट में लंबित थे। राष्ट्रीय लोक अदालत के लिए प्रदेशभर में कुल 4,57,493 केसों को चिह्नित किया गया था। तय किए गए केसों में 6,30 अल्प रूपए के अवाई भी जारी किए गए। राष्ट्रीय लोक अदालत का शुभारंभ हाईकोर्ट जयपुर परिसर में सीजे व रालसा के मुख्य संरक्षक अकील सुरेशी ने किया। उन्होंने कहा कि लोक अदालत राजीनामे से मुकदमों के निस्तारण का महत्वपूर्ण जरिया है। वहीं रालसा के कार्यकारी अध्यक्ष जस्टिस एमएम श्रीवास्तव ने कहा कि इस लोक अदालत में

विशेष प्रकृति के मामलों अमानना के मामले, सिविल द्वितीय अपील, कॉमर्सियल कोर्ट के विवाद व कोऑपरेटिव ट्रिब्यूनल के यहाँ पर लंबित केसों को भी चिह्नित किया गया था।

रालसा के सदस्य सचिव दिनेश कुमार गुप्ता ने बताया कि लोक अदालत में मामलों में सुनवाई के लिए 902 बेंचों का गठन किया गया था। हाईकोर्ट की जोधपुर पीठ में 304 केसों का निस्तारण कर 4.39 करोड़ रूपए के अवाई जारी किए गए। जबकि जयपुर पीठ में 466 केसों को राजीनामे के जरिए निस्तारित कर 2.28 करोड़ रूपए से ज्यादा के अवाई जारी किए। राष्ट्रीय लोक अदालत में चेक बाउंस, श्रम, बिजली-पानी, भरण-पोषण और राजीनामा हो सकने वाले अन्य केसों को सुलीवर्ड किया गया था। गौरवस्व है कि रालसा की ओर से सितंबर में आयोजित हुई दूसरी अदालत में 81,136 और जुलाई में हुई पहली लोक अदालत में 76,138 केसेज का निस्तारण किया गया था।

Results of Rajasthan High Court Legal Services Committee, Jaipur

Date of Lok Adalat	Taken up Cases	Disposed Cases	Total Amount
10.07.2021	1334	331	34644745
11.09.2021	2048	349	32357168
11.12.2021	1182	466	22826615

RLSA has given itself a zero litigation policy, 08 writs filled against RLSA were amicably settled resulting in their withdrawal in NLA. In Future RLSA strives to minimize litigation by addressing the genuine concern of any grievance holder.

Results of Rajasthan High Court Legal Services Committee, Jodhpur

Date of Lok Adalat	Taken up Cases	Disposed Cases	Total Amount
10.07.2021	1080	140	21815196
11.09.2021	2296	311	39946803
11.12.2021	1427	304	43993975

OVERALL FIGURES

Date of Lok Adalat	Taken up Cases	Disposed Cases	Total Amount
10.07.2021	279979	76138	6041978776
11.09.2021	361796	81136	5594194844
11.12.2021	458407	129616	6329607997
Total	1100182	286890	17965781617

Innovative Steps taken by RLSA for NLA

- Sending Voice messages with the help of BSNL.
- Bulk messages to Litigants, Advocates and other Stakeholders.
- Short Animation Video/Movie displayed on the Digital Video Wall/Clock at Government sites and on Justice Clock at Rajasthan High Court, Jodhpur/Jaipur.
- NLA Banner and Video/Movie uploaded on the RLSA social media accounts such as FB, Instagram, YouTube and Twitter.
- Caller Tune (Hello Tune) has been set on CUG Numbers of all RLSA and DLSA Officers and helpline numbers.

Mediation :

Mediation is a mode of ADR Mechanism. It is essentially a negotiation facilitate by a neutral third person and can be initiated by the parties or by the courts and it does not involve decision making the neutral third person. The role of mediator is to interpret concerns relay information between the parties, frame issues and define the problems.

During the reporting year, Total Number of Cases decided through Mediation – 636

SOME SIGNIFICANT ACHIEVEMENTS OF RLSA: STATISTICS

- **MEDIATION CENTERS**

At present, there are 169 working Mediation Centers (02 at High Court level, 36 at DLSA level &131 at TLSC level)

Statement of cases received for Mediation
from January to December - 2021

Pending as on 31.12.2020	Number of cases referred to mediation centre	Total	Result of Mediation				Pending as on 31.12.2021
			Settled cases	Settled Connected Cases	Unsettled cases	Non-Starter cases	
2738	8976	11714	636	6	2589	6290	2199

- **MEDIATORS**

There are total 1027 trained mediators in Rajasthan including judicial officers and Advocates.

MEDIATION MONITORING COMMITTEE

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

- **PRE-LITIGATION MEDIATION IN COMMERCIAL DISPUTES**

There are 12 Commercial Courts (4- Jaipur Metro, 2-Jodhpur Metro, 1- Ajmer, 1- Kota, 1-Alwar, 1-Bhilwara, 1-Bikaner and 1- Udaipur) in Rajasthan and Pre-institution Mediation in commercial disputes has been started in Ajmer, Jaipur, Jodhpur, Kota, Alwar, Bhilwara, Bikaner and Udaipur.

Statement of cases received for Pre-institution Mediation in Commercial Disputes from January to December – 2021

Name of SLSA	Total Number of applications pending on the 31.12.2020	Total Number of applications received during the period	Total Number of cases settled during the period	Total number of non-starter cases during the period	Total Number of applications pending on 31.12.2021
Rajasthan	281	1084	06	1139	217

Information regarding Special Days Organized according
to Action Plan

S.No.	District	Camps	Beneficiaries
1	Ajmer	190	18703
2	Alwar	129	6408
3	Balotra	121	6884
4	Banswara	681	61874
5	Baran	329	51130
6	Bhartpur	80	8642
7	Bhilwara	64	5661
8	Bikaner	35	3215
9	Bundi	114	10808
10	Chittorgarh	211	8962
11	Churu	565	23326
12	Dausa	496	30544
13	Dholpur	92	4522
14	Dungarpur	267	17816
15	Ganganagar	121	6563
16	Hanumangarh	587	46683
17	Jaipur District	325	16115
18	Jaipur metro I	27	2627
19	Jaipur metro II	143	14129
20	Jaiselmer	144	5795
21	Jalore	1643	399265
22	Jhalawar	253	14711
23	Jhunjhunu	230	12120
24	Jodhpur District	371	23214
25	Jodhpur Metro	9562	933482
26	Karauli	190	18703
27	Kota	129	6408
28	Merta	121	6884
29	Pali	681	61874
30	Pratapgarh	329	51130
31	Rajsmad	80	8642
32	Sawai Madhopur	64	5661
33	Sikar	35	3215
34	Sirohi	114	10808
35	Tonk	211	8962
36	Udaipur	565	23326
Total			496

Mobile App

In order to facilitate access of various Legal Services provided by RLSA to all residents of Rajasthan, a mobile app is being developed by RLSA. This app shall provide the following services.

- ✓ Legal Aid
- ✓ Victim Compensation
- ✓ Lok Adalat reference
- ✓ Child Marriage Restraint Complaint
- ✓ Pre-Litigation Complaints
- ✓ Complaints regarding Cyber Crimes
- ✓ Other Legal Services

Pre-litigation Complaints

RLSA receives 697 Pre-Litigation Complaints and Grievance Applications from January, 2021 to December, 2021 through various modes, including emails/portal, in which 457 Pre-Litigation Complaints were disposed of.

**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

<i>Type of case</i>	<i>Pendency as on 01.01.2021</i>	<i>Institution during the year 2021</i>	<i>Disposal of cases during the year 2021</i>	<i>Total pendency as on 31.12.2021</i>
Civil	386326	83908	57731	412503
Criminal	132173	82585	67199	147559
Total	518499	166493	124930	560062

DISTRICT & SUBORDINATE COURTS OF RAJASTHAN

<i>Type of case</i>	<i>Pendency as on 01.01.2021</i>	<i>Institution during the year 2021</i>	<i>Disposal of cases during the year 2021</i>	<i>Total pendency as on 31.12.2021</i>
Civil	483330	207715	172122	518923
Criminal	1464358	1200321	1020828	1643851
Total	1947688	1408036	1192950	2162774

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

RAJASTHAN HIGH COURT

<i>Type of cases</i>	<i>0 to 1 year old cases</i>	<i>1 to 5 years old cases</i>	<i>5 to 10 years old cases</i>	<i>More than 10 years old cases</i>	<i>Total pendency as on 31.12.2021</i>
Civil	56065	210483	77166	68789	412503
Criminal	27880	61336	24810	33533	147559
Total	83945	271819	101976	102322	560062

DISTRICT & SUBORDINATE COURTS OF RAJASTHAN

<i>Type of case</i>	<i>0 to 1 year old cases</i>	<i>1 to 5 years old cases</i>	<i>5 to 10 years old cases</i>	<i>More than 10 years old cases</i>	<i>Total pendency as on 31.12.2021</i>
Civil	124726	258104	107050	29043	518923
Criminal	380486	874891	319146	69328	1643851
Total	505212	1132995	426196	98371	2162774

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

<i>Civil cases</i>	<i>No. of adjournments being granted on an average</i>	<i>Criminal cases</i>	<i>No. of adjournments being granted on an average</i>
Civil suits	46	Sessions cases	101
Civil appeal	30	Criminal original	40
Civil revision	15	Criminal appeal	36
Civil execution	29	Criminal revision	24
Civil misc.	25	Criminal Misc.	14

(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

<i>Civil cases</i>	<i>No. of cases</i>	<i>Average time (in days)</i>	<i>Criminal cases</i>	<i>No. of cases</i>	<i>Average time (in days)</i>
Civil suits	2198	1386	Sessions cases	337	776
Civil appeal	99	885	Criminal original	846	750
Civil revision	0	0	Criminal appeal	30	198
Civil execution	1613	1224	Criminal revision	8	14
Civil misc.	478	806	Criminal Misc.	131	400

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

RAJASTHAN HIGH COURT

<i>Civil cases</i>	<i>Average time (in days)</i>	<i>Criminal cases</i>	<i>Average time (in days)</i>
CFA	3360	CRLA	1006
CSA	2276	CRLR	627
CMA	1878		
CW	622		
SAW	611		

DISTRICT & SUBORDINATE COURTS OF RAJASTHAN

<i>Civil cases</i>	<i>Average time (in days)</i>	<i>Criminal cases</i>	<i>Average time (in days)</i>
Civil suits	1461	Sessions cases	1454
Civil appeal	1173	Criminal original	861
Civil revision	498	Criminal appeal	627
Civil execution	958	Criminal revision	528
Civil misc.	639	Criminal Misc.	269

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

RAJASTHAN HIGH COURT

	<i>Civil cases</i>	<i>Criminal cases</i>	<i>Total</i>
Disposal during the year (a)	57731	67199	124930
Total working strength (b)	28		
Disposal per judge per year = a/b	2061.82	2399.96	4461.79

DISTRICT & SUBORDINATE COURTS OF RAJASTHAN

	<i>Civil cases</i>	<i>Criminal cases</i>	<i>Total</i>
Disposal during the year (a)	172122	1020828	1192950
Total working strength (b)	1266		
Disposal per judge per year = a/b	135.96	806.34	942.3

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

S. No.	Kind of cases	Pending as on 31.12.2021
1	Civil First Appeal	22554
2	Civil Second Appeal	8675
3	Civil Misc. Appeal.	63661
4	Criminal Appeal	47054

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

PILs being filed	PILs being disposed of
747	548