

Tamil Nadu State Judicial Academy

Special Training Programme for District Judges on 14.06.2014

Issues, Queries & Suggestions

ISSUE	QUERY	SUGGESTIONS
RECRUITMENT		
Recruitment of Ministerial Staff (All categories)	Whether the practical skill in computer applications and working knowledge in law are required to meet the present and future needs of the ecourt project to enhance efficiency and productivity?	Presently, certain categories are recruited by TNPSC and sponsored and appointed. For certain other categories, Employment Exchanges are sponsoring and they are being appointed by the District Administration. For these categories, except Office Assistants, working knowledge in computers and in law shall be fixed as necessary qualification. The Recruitment Rules shall be suitably amended.
Recruitment of Junior Assistants	1. Whether sufficient candidates are allotted by Tamil Nadu Public Service Commission. 2. Whether sufficient number of capable Office Assistants are available for promotion	The Hon'ble High Court itself start recruiting Junior Assistants

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Recruitment of Steno-typist through TNPSC	Most of the stenographers who qualify the TNPSC exam do not opt for the Judicial department and hence there arises a persistent vacancy in the post of steno-typist in the courts in all the Districts. After their appointment, they are representing that they need more time to recollect their shorthand skill and it consumes precious time of the court to get them equipped.	Recruitment of the steno-typists for the judicial department should be separately done by the Hon'ble High Court, Madras directly with the concurrence of the TNPSC since the nature of the work in the Judicial Department for the steno-typists is different from that of the other departments.
Recruitment of Night Watchman	Whether the post o Night Watchman in necessary for all the Courts ?	In most of the Courts the post of Nigh Watchman has not been sanctioned. Hence the Office Assistants of the concerned Courts are attending the duty of Night Watchman post also. Therefore the post of Night Watchmen to be sanctioned to all the Courts where ever required.
Insufficient staff	Identify the shortage of the staff in each court	The unit head may visit the concern court, to fill up the vacancies, letter may be addressed to government for creation of new posts. Proportionate staff may be filled up for heavy court after obtaining feedback/report from the officer

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Recruitment of Examiner and Record Clerk	What are the tests to identify the competence of the candidates?	Those who possesses knowledge of Type writing and computer knowledge may be given preference.
Recruitment Procedure	Specific Procedure for recruiting the staffs was not prescribed in the TNJMS Rules.	The following procedure may be adopted for recruitment (i) Committee may be formed consisting at-least two or three Judges. (ii) For clerical post Writing skills, General Knowledge and Technical Skills to be identified, behavior and attitude also to be considered. (ii) For Basic Service – Writing Skills, Driving skills to be identified, behavior and attitude also to be considered.
RECORDS AND PROPERTIES		
Preservation of Records	1. How to reserve old records from decay, decomposition, due to passage of time and White Ants Infestation?	All the available physical case records can be scanned and converted into digital records. Ex. CD, DVD, Hard Disk, etc., and also ensure easy and quick retrieval of records in the time of necessity
Misplacing of records	2. How to ensure availability of case records in the event of missing records, old & decomposed records?	Digitalization of records will reduce the handling of physical records, thereby avoiding misplacing of records and the time spend to search for them.

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<p>Avoidance of missing and misplacement of records</p>	<p>What are the procedure to be followed ?</p>	<p>If a staff is promoted or transferred at least one week time should be given to relieve and the staff concerned should prepare list of records duty indexed and Registers and hand over the charge to the staff concerned as directed by the Presiding Officer and the staff who taken over the same should hand over to the successor</p>
<p>Properties Disposal.</p>	<p>How to ease the properties room?</p>	<p>i) In stolen cases, at the time of remand of properties owner may be brought and properties may be returned on interim bonds.</p> <p>ii) If vehicles are not claimed and owner's are not identified, after disposal of cases properties may be handed over to the District Administration as per the direction in W.P.No.22249/2007 dated 2.7.2007.</p>
<p>JUDICIAL WORK OF STAFF MEMBERS</p>		
<p>Bench Work</p>	<p>What kind of restrictions in respect of duties / works to be fixed ?</p>	<p>The Bench clerks are allotted to attend calling works, posting the cases in hearing book, numbering the MP's complying the copy applications, indexing the case bundles etc., However Assistant Bench Clerks / Junior Assistant may be allotted to share the work of BC's to lesser the burden of works of both the Bench Clerks and Typists</p>

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BUILDINGS		
<p>Construction of VIP Guest House to the Judicial Department in Tourist places.</p>	<p>Whether the construction of VIP Guest House is necessary to the Judicial Department ?</p>	<p>There is No VIP Guest House for our Judiciary in Ooty, which is the most important hill station. So, we have to accommodate the V.V.I.Ps. and V.I.Ps. only in the Govt. Guest House. Since they have to accommodate not only the V.I.Ps. from Judiciary, but, also from all the Dept., we find it very difficult to accommodate our V.I.Ps. in the Govt. Guest Houses. So, it is necessary to provide a V.I.P. Guest House in Gudalur, Ooty and Coonoor, which are the most important tourist places in the Southern India.</p>
	<p>Construction of quarters for the court staff members</p>	<p>Separate residential quarters for the court staff members are not available near the court premises. Providing residential accommodation to the court staff members would enhance their efficiency in the discharge of duties and they could work peacefully. They need not travel long distance from their present private accommodation to court premises and back after court hours. Travelling being tedious, when avoided, would enhance efficiency. For effective Dt. Admn., this aspect of moving the Govt. for construction of residential accommodation may be considered.</p>

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FINANCE / BUDGET		
Computer, Machineries repairing and Building Repairing	Whether powers may be delegated to the Principal District Judge/District Judges for expending amount without ceiling or upto Rs. 25,000/-	To meet out the Urgent needs some special powers may be vested with Principal District Judge/District Judges.
TRAINING TO STAFF MEMBERS		
Training programme	Specific training should be provided	Typist and Steno-Typist should be provided with Special Training and they should know the basic legal terms and phrases
Motivation	Encouraging judicial officers and staff members	Best judicial officers / staff members should be recognized and given recognition in the training programme and notified in each Court's notice board.
Stress Management	Stress Management leads to poor progress in work	Training cum refreshment programme may be organized like yoga, games once in 3 months so that there may be change in their stress levels which will lead to effective work and progress in work

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<p>Effective performance of the staff members</p>	<p>How to improve the performance of the staff members in discharging their day to day affairs</p>	<p>It is seen that the staff members of the Subordinate courts are used to follow various procedures. However it is also seen that they have to maintain various registers, submit statements and act according to the Administrative rules. The staffs are recruited without any legal back ground. Therefore it is essential periodical training programme for the staff members relating to legal and administrative rules are being need of the aware. Mere training programme will not achieve the desired result. Therefore, it is suggested that the performance of the every staff members are to be closely scrutinized and a performance appraisal system may be evolved. Such a system may include the performance of the staff members regarding the judicial and administrative function.</p>
<p>INSPECTION</p>		
<p>Inspection</p>	<p>Surprise visit</p>	<p>So, that all the staff members and subordinate Judicial Officers will be alert in their District Unit keeping everything up to date which leads to proper administration of courts</p>

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ESTABLISHMENT		
Departmental enquiry	To avoid anonymous petitions	Do not entertain anonymous petitions which leads unnecessary wastage of time and also avoid disciplinary proceedings against staff members and judicial officers
Distribution of Work	How to reduce the arrears of work	1) The areas of heavy work load and less workload shall be identified. 2) Depute the staff functioning in the less pendency places to the places where workload is heavy. 3) Staff should be distributed depending upon the pendency of work.
	Punctuality in attendance	Punctuality in attendance should be enforced.
	Movement Register	Maintenance of movement register for each of the court is a must for the proper enforcement of discipline and attendance of court staff members during office hours. This will obviate non-availability of staff from seat during office hours.

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	Running Note File	Maintenance of Running Note File without fail would cater to the needs of efficient District Administration. Thereby, the registers will be periodically inspected and upto date maintenance could be ensured.
	Work Allotment Register	The courts have to allot work among the staff. When the staff are allotted with different branches of work, this must be in writing and at the same time, work allotment register has to be maintained by the respective courts. This is also another pointer to effective District Administration.
COMPUTERISATION AND TECHNOLOGY		
Utilization of Technology	Utilization of Computer	<ol style="list-style-type: none"> 1) Computers provided to the Courts should be utilised to the optimum. 2) Staff members should be trained to use the computers. 3) Computers can be used for typing of depositions, preparing judgments, decrees, orders, letters, etc., 4) Posting of cases should be entered in the computer and also it should be uploaded in the internet.

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Utilization of Technology	Utilization of Xerox Machine	Xerox machine may be utilised for giving Certified copies of orders and documents. In such case Typists / Copyists can be utilised for some other works.
e-court	Optimum use	<ol style="list-style-type: none"> <li data-bbox="1301 507 2123 810">1. Where e-court project is in full and complete swing, maintenance of registers like Suit Registers, Daily Diary, Preparation of Statements and the like may be ordered to be dispensed with. <li data-bbox="1301 879 2123 1449">2. In criminal courts, there is no provision for case properties (valuable/non-valuable) in the e-court date entry fields and if designed suitably, the big task of maintaining CP Registers and carrying forward of the same to the succeeding years can be given a go bye, thereby not only much time can be saved but the case properties can be maintained property.

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TRANSFER AND POSTING OF STAFF MEMBERS		
<p>Statewide transfer of Chief Administrative Officer and sarishtadar</p>	<p>Transferring the Chief Administrative Officer and sarishtadar in Statewide makes difficulties in the District Administration.</p>	<p>Transfer of Chief Administrative Officer and Sarishtadar in Statewide may be considered if any complaints arose. Otherwise the said transfer may be ignored. Due to the statewide transfer of the said staffs the presiding officer facing in conveniences in the District Administration. Since they are new to the District, they were not able to pay more concentration in their work.</p>
<p>Maintenance of ACRs for the Judicial Magistrates by the Chief Judicial Magistrates independently</p>	<p>How to administer the Criminal Courts more effectively ?</p>	<p>In respect of Annual Confidence Reports of Judicial Magistrates, the Principal District Judge has to evaluate the performance of Judicial Magistrates in consultation with the Chief Judicial Magistrates. If the Chief Judicial Magistrates are given powers to evaluate the performance of Judicial Magistrates by Maintaining ACRs independently, then the Chief Judicial Magistrate may definitely make the control of Criminal Courts and may make the effective administration of Criminal Courts.</p>

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JUDICIAL OFFICERS		
<p>Petitions as against the staff & the Officer</p>	<p>How to tackle the matter.</p>	<ol style="list-style-type: none"> 1. Make an enquiry about the issue & steps to be taken as per the findings of the enquiry. 2. If the enquiry finds that the petition is false one, severe action should be taken as against the petitioner. That will teach a lesson to other petitioner like this petitioner for not to do this kind of practice in future.
<p>Equal distribution of work</p>	<p>Whether the Principal District Judge or Chief Judicial Magistrate can made over the cases for maintaining equal distribution of work</p>	<p>Empower Principal District Judge or Chief Judicial Magistrate to made over all kinds of cases for maintaining equal distribution of work under same category of Courts.</p>
<p>Pendency of cases.</p>	<p>How to reduce the pendency?</p>	<p>Periodical meeting with the Judicial Officers and find out the reason for arrear of cases and ways and means to reduce the pendency. Emphasis of application of Section 89 C.P.C.</p>
<p>Principal District Judge to reach norms by attending the administrative work also</p>	<p>What are the methods that can be adopted for calculating norms ?</p>	<p>Strict working of reckoning can be avoided and combination of various category can be taken into for working AFT in Suits, Sessions Cases & Civil Appeals</p>

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Case management and posting of cases for each day.	Whether cases are posted for each day so that all the cases posted for that day are tackled.	Cases are to be posted for each day so that all the cases posted for that day are tackled. This will help the Court in having a good case management and every day's work will be under the control of the Court.
Conducting of periodical meeting by PDJ & CJM	How to motivate them for efficient functioning of the Courts ?	Periodical meeting of the Unit Head Civil / Criminal to be conducted and out come of the meeting to be submitted to Hon'ble High Court for follow up action
GENERAL ADMINISTRATION		
To update the work	How to make the administrative work update	Every officer should maintain the remainder notes to instruct the Subordinates then and there with regard to the Administrative Work to ensure that the work has been done properly within the stipulated time. Such note books may be ordered to be maintained compulsorily to avoid negligence.
Right to Information Act	Unnecessary Questions and information are required by the 3rd parties	Judicial Department may kindly be exempted to furnish those particulars. Necessary guidelines or instructions may kindly be solicited.

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To give good administration in the District.	What are all the steps to be taken.	<ol style="list-style-type: none"> 1. To conduct periodical meetings with Judicial Officers to discuss with the problems which had been faced by the Officer concerned & also to be discussed to solve the problems. 2. To discuss about the nature & works done by the staff concerned. 3. Request the Officer to send a report about the staff concerned and of their works periodically. 4. The District Judge shall take feedback from other Judicial officers about the work & conduct of the staff. 5. Conducting periodical meeting with Inspector of Police and Collector to minimize problems like heavy pendency of N.B.W. in all Courts & sorting of problems facing with Revenue Department while discharging the judicial work. 6. Cause list procedure may be followed in criminal cases also.
Copy Applications pending	More member of copy applications are pending in many courts.	For each and every Court of Civil Unit, xerox machine along with one xerox operator have to be provided.

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